

## 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.

#### 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

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 north-west/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 Tuarā 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 Tuarā 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;

- 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; and
- 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

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 contours 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;



- 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; and
- 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

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.

Policy  
2.4 Traffic and Access

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:

- a. Identifying an indicative primary road network on the Structure Plan with connections to the existing road network to optimise traffic management;
- b. Identifying additional primary road connections on the Structure Plan that may be provided to improve connectivity;
- c. Identifying appropriate construction traffic routes where necessary; and
- d. Ensuring efficient and safe walkways are provided to existing and ~~planned~~ potential future public transport facilities along Pukehāngi Road.
- e. 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; and
- f. Designing and locating road intersections with Pukehāngi Road to reduce the effects of vehicle light spill into houses located opposite the new roads.

Policy  
2.5 Street Character and Amenity

Develop a local street character that:

- a. Minimises the formed width of roads to create a low speed road environment, while ensuring that road capacity, function and safety is maintained;
- b. 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;
- c. Reduces building setbacks to promote the use of streets as safe social spaces;
- d. Promotes passive surveillance of the street through visually permeable street boundary fencing; and
- e. 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. ~~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

Ensure the design of reserves and open space incorporates best practice, including the application of Crime Prevention through Environmental Design principles.

Policy  
2.7 Public Walking and Cycling Access

Provide high levels of connectivity within and around the site for walking and cycling.

Policy  
2.8 Local Services



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 2019).~~

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. Area C

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 options.

Policy 2a.1 Stormwater Effects



Stormwater Management Plan

Rotorua Lakes Council

Manage the cumulative stormwater effects within the Pukehāngi Heights Development Area and on the downstream environment through a Stormwater Management Plan for the entire Pukehāngi Heights Development Area that is prepared by Rotorua Lakes Council 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 it;
- (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 (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; and
  - c. increased length of time buildings, roads, footpath, and structures might be flooded above the key flood hazard threshold for depth and velocity ( $DxV > 0.3$ );
- (iii) 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 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 management measures to the staging of development in the Development Area;
- (xi) An assessment of potential effects of storm water management measures on land stability and liquefaction;
- (xii) The condition of existing infrastructural assets;
- (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; and

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the owners of land in the Pukehāngi Heights Development Area,

- (xv) The outcomes of consultation with the Bay of Plenty Regional Council, Te Rūnanga o Ngāti Kēaroa 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

Stormwater Management Plan

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 flood flow velocity, flooding depth and flooding extent) are not increased for within urban areas in the downstream Otamatea, Mangakakahi and Utuhina Stream catchments<sup>1</sup>.

Policy 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

Flood Hazard Risk Management

- a. In addition to achieving the outcomes required by Objective 3, Rotorua Lakes Council will identify and protect primary and secondary overland flow paths downstream of the Pukehāngi Heights Development Area for any storm event that exceeds the capacity of the stormwater solution provided within the Development Area

Policy 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

Ensure that development within the Pukehāngi Heights Development Area achieves and maintains a low level of landslide and liquefaction hazard risk<sup>2</sup> within the Development Area, without increasing risk in surrounding areas.

Policy 4.1

Landslide and Liquefaction Risk Management

<sup>1</sup> As defined by the BOP Regional Policy Statement.

<sup>2</sup> As defined by the BOP Regional Policy Statement.



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 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. 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 <del>site of</del> 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
<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

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



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 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.~~

(Remove Gap)

b. Subdivision applications that do not meet the subdivision performance standards in A5.2.3.4.7, 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

a. The outdoor recreation and amenity space (including decks) for dwellings shall be:

- i. a minimum of 40m<sup>2</sup> 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 500m<sup>2</sup> (250m<sup>2</sup> per unit).

##### b. Smaller sites

Where a site is less than 450m<sup>2</sup>, 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%; *and*
- 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
- 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 AS 2.6.2.
- c. Minimum parent ~~net~~ site area: 1500m<sup>2</sup>.
- d. Minimum net site area per dwelling: 200m<sup>2</sup>.
- e. Maximum height: 9m.
- f. Private outdoor living space:
  - i. Ground floor unit: A minimum of 25m<sup>2</sup> 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 10m<sup>2</sup> being able to accommodate a 2.5m diameter circle situated adjacent to one of the main living areas; and
  - iii. Any outdoor living space provided shall be exclusive of any access space.
- g. Storage and service space: A minimum of 5m<sup>2</sup> 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 600m<sup>2</sup> in total gross floor area within each centre provided that any one tenancy shall be limited to a maximum of 300m<sup>2</sup>;
- ii. Offices;
- iii. Café: Up to 200m<sup>2</sup> 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 250m<sup>2</sup>)  
Minimum lot area: 500m<sup>2</sup>.
- 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
- 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~~

- ~~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; and~~
- ~~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:~~

- ~~The intended scale, nature and form (including ground levels) of development in the Development Area;~~
- ~~An assessment of the potential effects on water quality;~~
- ~~Details of mitigation measures including:~~
  - ~~The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site storm water management; and~~
  - ~~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).~~
- ~~An assessment of potential effects of storm water management measures on land stability and liquefaction;~~
- ~~The intended staging and timing for the provision and vesting and/or upgrading and replacement of infrastructural assets; and~~
- ~~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 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 ~~a~~ 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;
- 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 sites and areas~~ How 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).
- 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. Standards 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.

12 Construction Traffic



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

- "lower" - word not needed.
- 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 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 or Area B from Pukehāngi Road,~~ other than for the purpose of constructing an intersection with Matipo Avenue;
  - c. 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;

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; and
- 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

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; and
- 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	
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 <u>an site of archaeological or cultural site importance.</u>	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</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 Rotana Lakes Council under Policy 2a.1 will require the written approval of Te Rūnanga o Ngāti Kearoa Ngāti Tuarā Trust, Ngāti Whākeke as represented by Te Komiro o te Utuhina or its successor, and Te Arawa Lakes Trust in order to proceed without limited notification; and *old*
- b. Subdivision applications that do not meet the subdivision performance standards in A5.2.4.4, 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

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 400m<sup>2</sup>.

##### 5 Density

One household unit per site.

##### 6 Reflectivity

- i. The reflectivity value of external walls, ~~roofs~~ and joinery shall not exceed 37% *and*
- 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 m<sup>2</sup>. 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.

2 Building Platform and Access

Each new lot shall show the location of a suitable building platform of at least 200m<sup>2</sup> 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.

~~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 risks elsewhere. ✂ ✂

- ~~a. Flooding; and~~
- ~~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 Keāua Ngāti Tuarā Environmental Management Plan provides policies and protocols relating to wāhi tapu, wāhi whakahirahira and the discovery of kōiwi 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.

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

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 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;
- c. 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;

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; and
- 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:

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

#### 10 Nutrient Management

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

- Confirmation of the Nitrogen Discharge Allocation for the parent site;
- Calculation of the nitrogen losses from the proposed development of the land in accordance with any Council approved policy or guidelines.
- 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; and
- Nutrient management requirements to be met at full development and, where staged, at each stage of development.

#### **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**

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	D



#### A5.2.5.2 Non-Notification

Any application for resource consent for the activities listed as 3 Table A5.2.5.1 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 will require the written approval of Te Rūnanga o Ngāti Kēaroa 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; *and*
- b. Subdivision applications that do not meet the subdivision performance standards in A5.2.3.4.7, A5.2.3.4.8, and A5.23.4.8a will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

*(Remove Gap)*

*Stormwater Management Plan*

*α*

#### 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**

- 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;
- 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.