

Part 3: Area Specific Matters

DEVELOPMENT AREAS

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KRDA

KĀINGAROA PAPAKĀINGA DEVELOPMENT AREA

Status: KRDA is Operative.

INTRODUCTION

The area covered by the Kāingaroa Papakāinga Development Area covers the Kāingaroa Village and contains a range of activities that support and relate to the forestry sector. The Kāingaroa Village is located within the Kāingaroa Forest and was originally established by the New Zealand Forest Service.

The Village contains up to 200 residential units, community facilities, parks, sportsfields, and commercial/industrial activities. In 1988, following the restructure of the New Zealand Forest Service the Village was vested into the Kāingaroa Forest Trust.

The underlying zone is Rural 3 Zone.

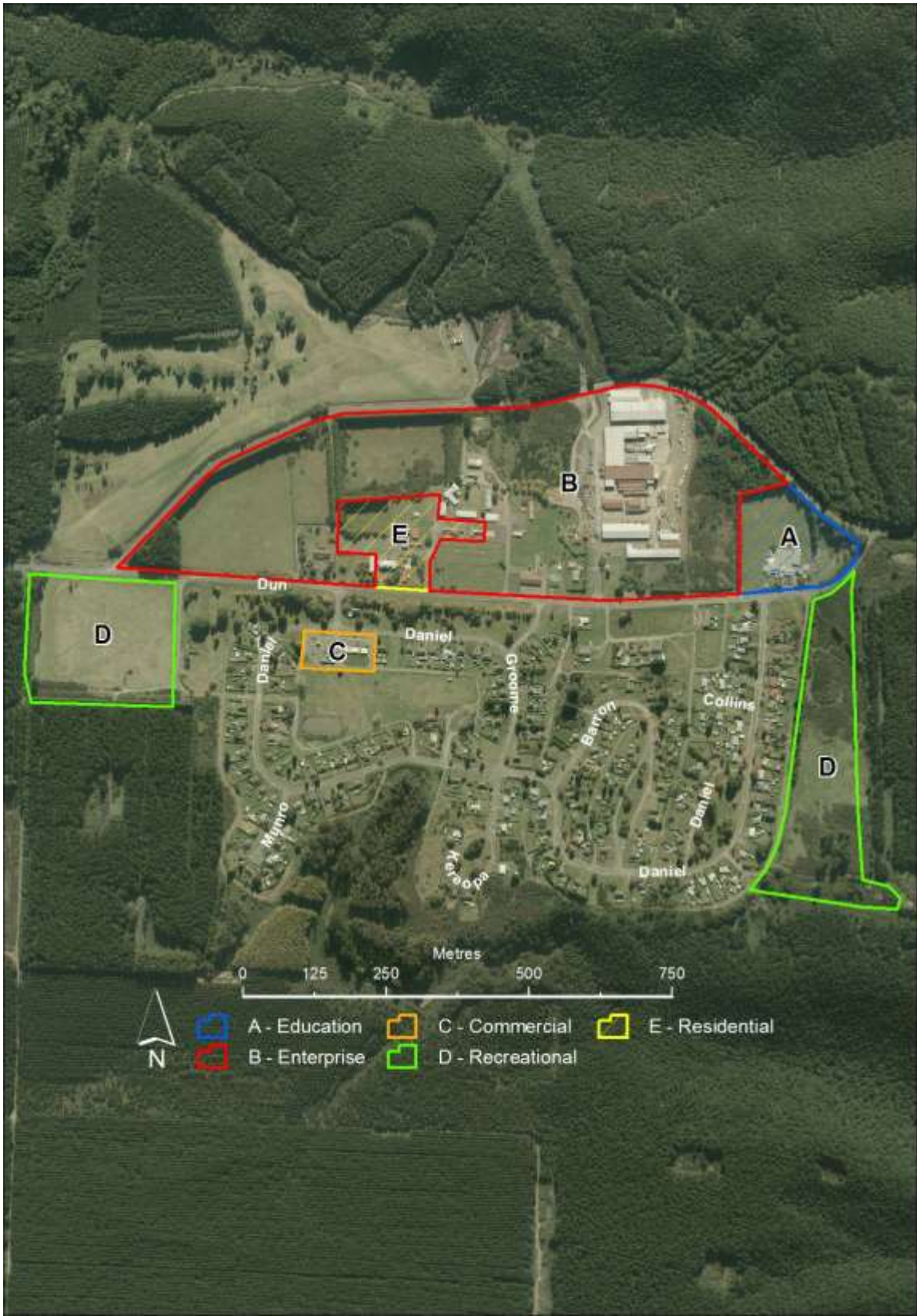


Figure KRDA- 1 Kāingaroa Papakāinga Development Area

RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones for the specific activities addressed in the event of conflict. The rules do not override the rules of other chapters of the plan unless expressly stated.

Rules for Activities in the Kāingaroa Papakāinga Development Area

Land Use Activities		
KRDA-R1	Activities in accordance with the approved Kāingaroa Papakāinga Development Area	[9.5(135)]
Applicable Spatial Layers Kāingaroa Papakāinga Development Area	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Development shall be in accordance with the performance standards for the Rural 1 Zone with respect to: <ol style="list-style-type: none"> Height RURZ-S1; Yards RURZ-S2; Site coverage RURZ-S3; Residential unit density RURZ-S4; Parking, access and turning RURZ-S5; and Reverse sensitivity RURZ-S6. 	
Advice Note: Refer to the normal activity status in zone chapter for activities that do not meet the performance standards.		



LAKEFRONT EAST DEVELOPMENT AREA

Status: LEDA is operative

INTRODUCTION

The Lakefront East Development Area will be developed with a mix of uses which may include a combination of residential accommodation, health, retail, tourism, hospitality and community recreation and entertainment. The development of the area will create an active and vibrant lakefront designed to be pedestrian orientated with strong linkages to Tutanekai Street, the Central Business District and the wider Rotorua Lakefront.

The main principles that apply to this area include the following:

1. Create active frontages, particularly to the Village Green and lake edge;
2. Reconfigure Memorial Drive to improve pedestrian focus;
3. Create a diverse and active space close to the lake edge;
4. Maintain public access around improved lake edge;
5. Enhance existing lake views and create a new view shaft; and
6. Enhance connectivity with the Lakefront and city centre.

The underlying zone is City Centre 3 Zone. The area is also covered by the Lakefront East Mixed Use Precinct 1 and Lakefront East Mixed Use Precinct 2, which are also addressed inside the City Centres Zones chapter. The precincts set special performance standards and define the activity status of activities inside the precincts.

To develop this area, a structure plan covering both Lakefront East Mixed Use Precinct 1 and Lakefront East Mixed Use Precinct 2 is to be lodged with Council for approval. This will provide an overall vision for the site covering the site layout, infrastructure and access suitable for use in coordinating stages of development across the site. Once there is an approved structure plan, a master plan or series of master plans covering the area proposed to be developed within Mixed Use Precinct 1 is then lodged with Council for approval. The master plan provides further detail in relation to the design of the site and buildings. No master plan is required for Mixed Use Precinct 2. In Mixed Use Precinct 2 buildings are to be located and designed in accordance with the approved structure plan and the performance standards listed for the zone and precinct. The performance standards and assessment criteria for each of these processes are provided and outlined within this chapter. Council has reserved its discretion over subdivision and land use activities in situations where these criteria are not met.

These structure plan and master plan rules are in addition to the rules set out for the precinct inside the zone chapter. Activities that comply with the structure plan and master plan still need to meet the rules for the precinct.

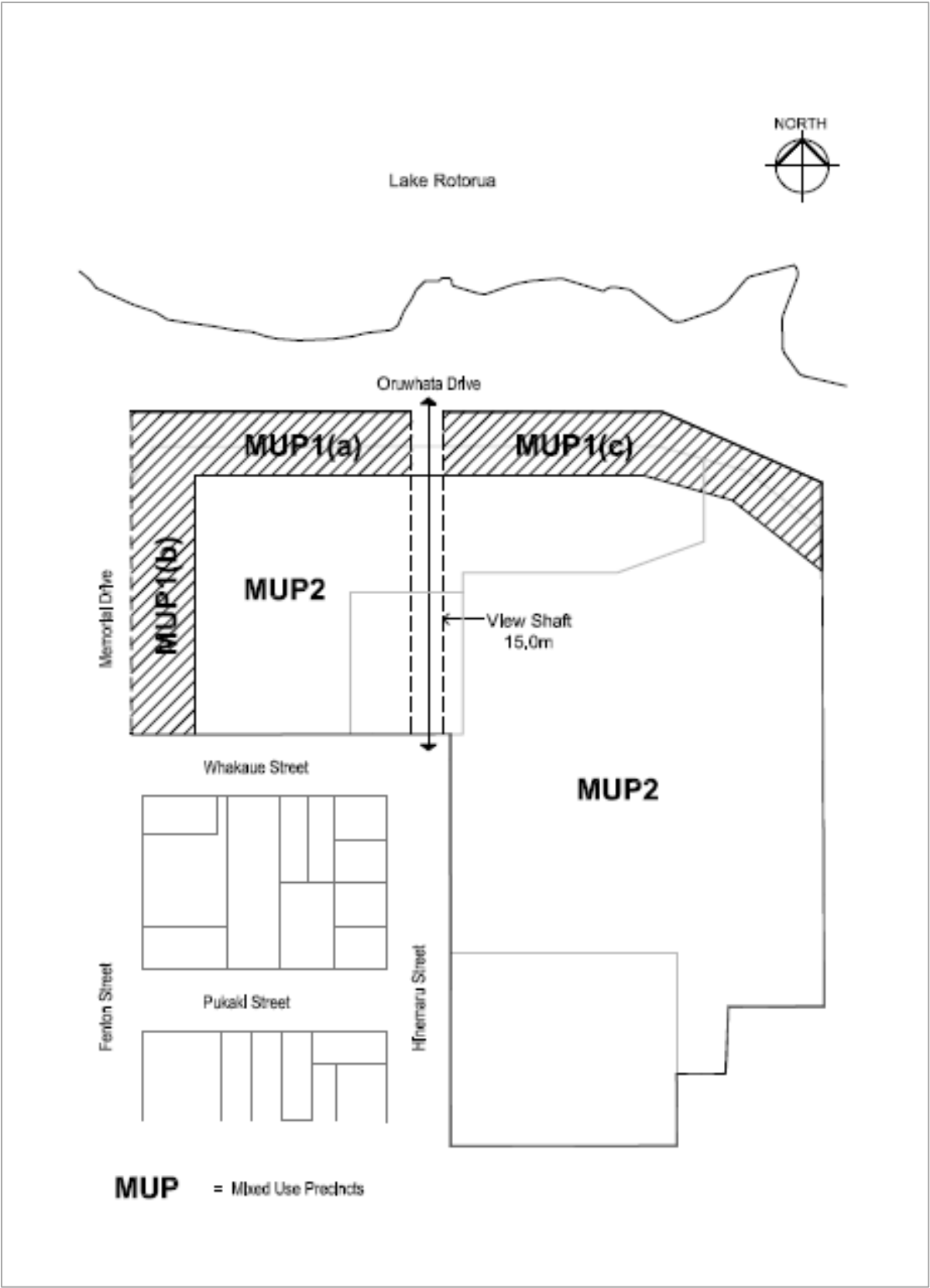


Figure LEDA-1 Lakefront East Development Plan

RULES

The rules below apply in addition to the rules for the zone, Lakefront East Mixed Use Precincts (also inside the zone chapter) and other chapters of this plan.

For the avoidance of doubt, activities must also be assessed against the activity table in the zone chapter with respect to the precinct in which they are located.

Rules for Structuring Planning and Master Planning in the Lakefront East Development Area

Lakefront East Development Area – Structure Plan and Master Plan		
LEDA-R1	Activities (including construction of buildings) within the Lakefront East Mixed Use Precincts 1 or 2 in the Lakefront East Development Area	[5.5(2)(1) to (15)]
Applicable Spatial Layers Lakefront East Development Area: Mixed-use Precincts 1 Mixed-use Precinct 2	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Approval of structure plan LEDA-S1; The activity is in accordance with the approved structure plan; and For activities in Mixed Use Precinct 1: <ol style="list-style-type: none"> Approval of master plan for Mixed Use Precinct 1 LEDA-S2. The activity is in accordance with the master plan. 	2. Activity Status: Discretionary Where: Compliance is not achieved with the following performance standards for LEDA-R1(1). Assessment Criteria: <ol style="list-style-type: none"> The extent to which the activities or buildings: <ol style="list-style-type: none"> Comply with the performance standards Are in accordance with the development plan, structure plan and master plan (if approved) Addresses the assessment for approving a structure plan or master plan Are consistent with relevant objectives and policies; and Where performance is not achieved with approval of a structure plan LEDA-S1: No structure plan LEDA-AC1.

Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

LEDA-S1 Approval of a Structure Plan

[A5.7(4)(1), 5.9(2)(2)]

1. A structure plan shall be approved by Council to detail the site layout, infrastructure and access for the Mixed use Precinct 1 and Mixed Use Precinct 2 areas contained in the Lakefront East Development Plan.
2. If the proposed structure plan is in accordance with the Lakefront East Development Plan (figure LEDA-1) the Council shall not withhold its approval but may approve subject to conditions.
3. In considering whether to approve the structure plan or approve subject to change, the Council shall consider:
 - a. Site topography, drainage, and any present land or water features (including geothermal bores);
 - b. A geotechnical and geothermal assessment demonstrating site suitability for development of the area;
 - c. The proposed location of buildings, onsite car parking, access and servicing in relation to the reserves edge;
 - d. The location, width and treatment of proposed footpaths and details of any intended uses other than pedestrian traffic (such as dining);
 - e. The location, dimensions and layout of vehicular and pedestrian access, and how these provide connectivity with each other and external roads;
 - f. The identification of any archaeological sites, significant natural areas and geothermal features and how they are to be incorporated into the site development;
 - g. Lighting and the lux levels used for roads and other public or communal spaces, where proposed;
 - h. Any staging of the development and how this will be achieved;
 - i. Consideration of the potential for flooding from inundation and surface water;
 - j. Consideration of any wāhi tapu and historic sites identified in the District Plan;
 - k. The intended interface between Mixed Use Precinct 2 and the reserve;
 - l. Consideration of the connectivity between Mixed Use Precinct 1 and Mixed Use Precinct 2 and with the public lakefront reserve, village green and pedestrian focussed streets as shown on the planning maps;
 - m. How the structure plan provides for continued public access and enjoyment of Lake Rotorua;
 - n. Provision and location of open space and areas to be landscaped;
 - o. The extent to which the structure plan:
 - i. addresses the criteria above;
 - ii. demonstrates that future development will be able to comply with the performance standards

- iii. addresses the general assessment criteria for discretionary activities for the zone
- iv. is consistent with the relevant objectives and policies.

LEDA-S2 Approval of a Master Plan within Mixed Use Precinct 1

[A5.7(4)(2), 5.8(2)]

1. A master plan or series of master plans shall be approved by Council to provide a pedestrian focussed, safe lakefront environment that is complemented by buildings to provide for passive surveillance and a visually interesting streetscape along Mixed Use Precinct 1.
2. The master plan must include details of:
 - i. The provision of varying building heights and the creation of a recognisable profile;
 - ii. Percentage of frontage windows and active frontages per building;
 - iii. The intended ratio of access ways to building frontages along Mixed Use Precinct 1;
 - iv. Verandah design;
 - v. Building façade treatment;
 - vi. Location and area of signage per building;
 - vii. Any additional urban design elements to be incorporated in building design; and
 - viii. The range of materials to be used in the external cladding of the proposed buildings, including the roof.
3. In determining whether to approve the master plan and the conditions to be imposed, if any, Council will have regard to the following criteria:
 - i. The location of activities is in accordance with the approved Lakefront East Development Plan and any approved structure plan;
 - ii. Enhancing the safety and convenience of pedestrians, cyclists and motorists and maintaining convenient, safe and efficient vehicle access for the public;
 - iii. How the building design creates clearly defined public spaces, and maintains a sense of openness and continuity of the landscape;
 - iv. Incorporation of urban design standards to provide a pedestrian orientated environment with active frontages, passive surveillance and a vibrant lakeside environment;
 - v. The provision for an active dining and recreation environment;
 - vi. The ratio of vehicle access ways to buildings within Mixed Use Precinct 1 and ensuring the design will not detract from the intended active pedestrian focused environment;
 - vii. The incorporation of lighting, and use of CPTED elements in the design of parking buildings or area, the viewshaft and any other public space, to increase the safety of pedestrians;
 - viii. The extent to which the master plan:
 - i. Addresses the master plan requirements listed in (2);
 - ii. Demonstrates the development will be able to comply with the activities listed as permitted in the precincts and the performance standards;
 - iii. Addresses the assessment criteria for a discretionary activity in the zone; and
 - iv. Is consistency with the objectives and policies relevant to the assessment of the

master plan.

4. Council will be limited to consideration of the above criteria, except in where the master plan is not in accordance with approved structure plan. In the latter case, the Council may consider other criteria.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

LEDA-AC1 No Structure Plan

1. Mixed Use Precinct 1

- a. The following assessment criteria are to be used to provide a pedestrian focused and safe lakefront environment that is complemented by buildings designed in accordance with the Urban Design Framework that provide for passive surveillance and a visually interesting streetscape along Mixed Use Precinct 1.
 - i. The level of compliance with the performance standards listed within CCZ-S10 and within the city centre zone;
 - ii. Results and recommendations of a geotechnical and geothermal assessment;
 - iii. Consideration of existing geothermal bores found onsite, the availability of that bore for ongoing maintenance and the potential for subsidence;
 - iv. The location, width and treatment of any proposed footpaths and details of any intended uses other than pedestrian access (such as dining);
 - v. Lighting and the lux levels used for roads and other public or communal spaces, where proposed;
 - vi. How the building has been designed to ensure that any horizontal surface exceeding 6m in length contains:
 1. A variance in building line; or
 2. A change in façade treatment; or
 3. Glazing.
 - vii. How any variation in the building line is highlighted through a change in façade treatment through the use of:
 1. Differing materials; or
 2. The use of a contrasting and complementary colour; and
 3. Glazing.
 - viii. How the enhancement of identified corner sites highlights the corner through a change in verandah design or roofline;
 - ix. Where the roof line of any portion of a building adjoining the front boundary within Mixed Use Precinct 1 (excluding corner sites) is highlighted through the use or incorporation of:
 1. materials different to that used on the building façade or
 2. architectural design features.

- x. Consideration of any wāhi tapu and historic site identified in the District Plan; and
- xi. The relevant provisions listed under LEDA-S1 and LEDA-S2.

2. Mixed Use Precinct 2

- a. The following assessment criteria are to be used to provide a pedestrian focused and safe lakefront environment that is complemented by buildings designed in accordance with the Urban Design Framework that provide for passive surveillance and a visually interesting streetscape along Mixed Use Precinct 1.
 - i. The location of activities is in accordance with the Lakefront East Development Plan;
 - ii. How internal access ways are configured to align with existing roads, provide for a straight viewshaft and access through the site, and adequately service the proposed development;
 - iii. How the design facilitates, enhances the safety and convenience of pedestrians, cyclists and motorists and maintains convenient, safe and efficient vehicle access for the public;
 - iv. Designing particular buildings within the precinct to create a cohesive manner of clearly defining public spaces and maintaining a sense of openness and continuity of the landscape;
 - v. Consideration of existing geothermal bores found onsite, the availability of that bore for ongoing maintenance and the potential for subsidence;
 - vi. The inclusion of lighting, and incorporation of CPTED elements in the design of parking areas, the viewshaft and public realms to increase the safety of pedestrians;
 - vii. How the activity provides for continued public access and enjoyment of Lake Rotorua:
 - 1. How the proposed building frames and supports the identified viewshaft;
 - 2. Where parking and vehicle and pedestrian access is provided to Mixed Use Precinct 1; and
 - 3. The design of landscaping and how it enhances the amenity and character of the Lakefront.
 - viii. Consideration of any wāhi tapu and historic site identified in the District Plan; and
 - ix. The criteria listed in LEDA-S1 for approval of a structure plan.



ŌTARAMARAE DEVELOPMENT AREA

Status: OMDA is Operative.

INTRODUCTION

The Whangamoa Trust owns 150 hectares of land location along Whangamoa Drive, Lake Rotoiti. The underlying zones are Residential 4, Reserve 1 and Rural 1. The development plan provides for development that is consistent with the surrounding amenity and uses of the environment.

Of significance is the sites location to Lake Rotoiti. The proposed land use changes and plantation forestry will contribute to the enhancement of lake water quality through the significant reduction in nutrients discharged into Lake Rotoiti from the subject property.

Different activities are anticipated in different areas within this development plan. These areas are described more in the Appendix OMDA-APP1 – Development Area Activity Statement.



Figure OMDA-1 Whangamoa Trust - Ōtaramarae Development Plan Areas

RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones and SUB - Subdivision, for the specific activities addressed, in the event of conflict. The rules do not override the rules of other chapters of the plan unless expressly stated.

For clarification:

1. Subdivision shall be in accordance with the relevant rules in SUB Subdivision except as follows:
 - a. Area A Eco Farm Park – shall be in accordance with the performance standards for the Rural 2 Zone instead of the underlying Rural 1 Zone.
 - b. Area D Rural Residential (Rural 1 component) and Area OR Owners Reservation – shall be in accordance with the performance standards for the Residential 4 Zone instead of the underlying Rural 1 Zone.

Specific rules to provide for these exceptions to the rules in SUB- Subdivision are provided below.

2. Land use activities shall also be in accordance with the rules for the relevant zone; except that activities in Rural Zones that are:
 - a. consistent with the activity statement (WTDA-APP1) for the area within the development plan in which they are located; and
 - b. meet the performance standards specified for the particular area of the Development Plan, which are outlined in the table below, will be assessed as a controlled activity if their status under the zone chapter is more restrictive.
3. There is also a reflectivity performance standard for the Eco Farm Park Area contained in RURZ-Rural Zones chapter

Links to the rule categories are provided below:

Subdivision.....	16
Land use.....	17

Activities in the Rural Zones of the Ōtaramarae Development Area

Subdivision		
OMDA-R1	Subdivision in in the Whangamoa Trust – Ōtaramarae Development Area	[13.10(1)(4)]
Applicable Spatial Layers Rural 1 Zone in Whangamoa Trust – Ōtaramarae Development Area: Areas A (Eco Farm Park)	1. Activity Status: Discretionary Performance Standards: <ol style="list-style-type: none"> a. As for the Rural 2 Zone with respect to: <ol style="list-style-type: none"> i. Zone specific SUB-S1; ii. Site suitability SUB-S2; iii. Site serviceability SUB-S3; and iv. General SUB-S4. 	

	<p>b. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</p> <p>Assessment Criteria:</p> <p>a. General SUB-AC1.</p>
<p>Applicable Spatial Layers</p> <p>Rural 1 Zone in Whangamoa Trust – Ōtaramarae Development Area: Areas D (Rural Residential and OR Owners Reservation)</p>	<p>2. Activity Status: Discretionary</p> <p>Performance Standards:</p> <p>a. As for the Residential 4 Zone with respect to:</p> <ul style="list-style-type: none"> v. Zone specific SUB-S1; vi. Site suitability SUB-S2; vii. Site serviceability SUB-S3; and viii. General SUB-S4. <p>b. Relevant performance standards for the zone and other relevant provisions of the District Plan unless the subdivision is intended to accommodate a land use consent that has been granted for the site.</p> <p>Assessment Criteria:</p> <p>a. General SUB-AC1.</p>
<p>Advice Note:</p> <p>Refer to SUB- Subdivision for subdivision in the areas not covered by the above rules.</p>	
<p>Land use</p>	
<p>OMDA-R2 Land use in the Rural Zone in the Whangamoa Trust – Ōtaramarae Development Area</p>	
<p>Applicable Spatial Layers</p> <p>Rural 1 Zone in the Whangamoa Trust – Ōtaramarae Development Area</p>	<p>1. Activity Status: Controlled</p> <p>Where:</p> <p>The activity is consistent with the activity statement OMDA-APP1 for the Area A.</p> <p>Performance Standards:</p> <p>a. As specified for the underlying Rural 1 Zone with respect to:</p> <ul style="list-style-type: none"> i. Height RURZ-S1; ii. Yards RURZ-S2; iii. Site coverage RURZ-S3; iv. Residential unit density RURZ-S4; v. Parking, access and turning RURZ-S5; vi. Reverse sensitivity RURZ-S6; vii. Prospecting, exploration and drilling RURZ-S8; and viii. Additional building and structure standards RURZ-S9. <p>b. Except that:</p> <ul style="list-style-type: none"> i. Buildings and Structures in Area A Eco Farm Park shall be assessed against the performance standards specified in (a) but with respect to the Rural 2 Zone; and ii. Buildings and Structures in Area D Rural Residential or Area OR Owners Reservation shall be assessed against the following performance standards for the Residential 4 Zone: <ul style="list-style-type: none"> 1. Height RESZ-S1;

	<ol style="list-style-type: none"> 2. Yards RESZ-S2; 3. Site coverage RESZ-S3; 4. Residential unit density RESZ-S4; and 5. Parking, access and turning RESZ-S5; and 6. Reflectivity RESZ-S6. <p>Matters of Control:</p> <ol style="list-style-type: none"> a. Building design, character and amenity RURZ-MC1; b. Parking, access and turning RURZ-MC2; c. Water quality measures RURZ-M3; d. Natural Hazards RURZ-MC4; and e. Whether a financial contribution is required under FC- Financial contributions.
<p>Applicable Spatial Layers</p> <p>Rural 1 Zone in the Whangamoa Trust – Otamarae Development Area: Area D Rural Residential and Area OR Owners Reservation</p>	<p>2. Activity Status: Controlled</p> <p>Where:</p> <p>The activity is consistent with the activity statement OMDA-APP1 for the area in which it is located (figure OMDA-1).</p> <p>Performance Standards:</p> <ol style="list-style-type: none"> a. As specified for the Residential 4 Zone with respect to: <ol style="list-style-type: none"> i. Height RESZ-S1; ii. Yards RESZ-S2; iii. Site coverage RESZ-S3; iv. Residential unit density RESZ-S4; and v. Parking, access and turning RESZ-S5; and vi. Reflectivity RESZ-S6. <p>Matters of Control:</p> <ol style="list-style-type: none"> a. Building and Amenity RESZ-MC1; b. Character RESZ-MC2 c. Amenity RESZ-MC3.
<p>Advice Note:</p> <p>Refer to the zone chapter for activities that do not meet the performance standards.</p>	

APPENDICES

OMDA-APP1 – Development Area Activity Statement

Area A Eco Farm Park

This area consists of a maximum 50 sites in total. It is intended that this area will provide for low density housing developments accompanied with extensive re-vegetation landward of Whangamoa Drive. It includes an area to be developed with 10 sites adjoining State Highway 33.

Area B Plantation Forest

This area is located along the rear portion of the site and consists of steep topography. Such land use will reduce nutrient discharge to Lake Rotoiti, contributing to the enhancement of lake water quality.

Area B1 Plantation Forest and Geothermal

This area is located along the rear portion of the site and consists of steep topography. Plantation forestry and geothermal exploration, geothermal wells and pipework land uses will reduce nutrient discharge to Lake Rotoiti and contribute to the enhancement of Lakewater Quality.

Area C Wetland Restoration

This area adjoins the lake and provides for wetland restoration and wetland establishment within Te Ti Bay identified on Planning Map 375. This is identified as a wetland of regional significance within ECO-SCHED₁ – Significant Natural Areas (ID #27) and its restoration will enhance the wetland biodiversity and lake water quality.

Area D Rural Residential

Two separate areas for rural residential development exist within the Whangamoa Development plan. These cover the areas of existing residential development along the lake edge.

Area OR (Owners Reservation)

This area consists of a maximum of 70 owners' sites. In addition to this development tourism accommodation is proposed in the southern portion of the site consisting of 50 rooms, along with a store/fuel site to be located within the vicinity of the 30 caravan sites.



ŌTUROA VISTA DEVELOPMENT AREA

Status: OVDA is Operative.

INTRODUCTION

The lots covered by the Ōturoa Vista Development Area are legally described as Lots 3 and 5 DP 341480 and contain a total area of 62.18 hectares. The sites are located on Ōturoa Road and have numerous building platforms that provide extensive panoramic views of Lake Rotorua.

It is intended to have up to 50 residential units constructed throughout the two sites, with this resulting in a significant reduction in nutrient discharge and contributing to enhancing the water quality of Lake Rotorua.

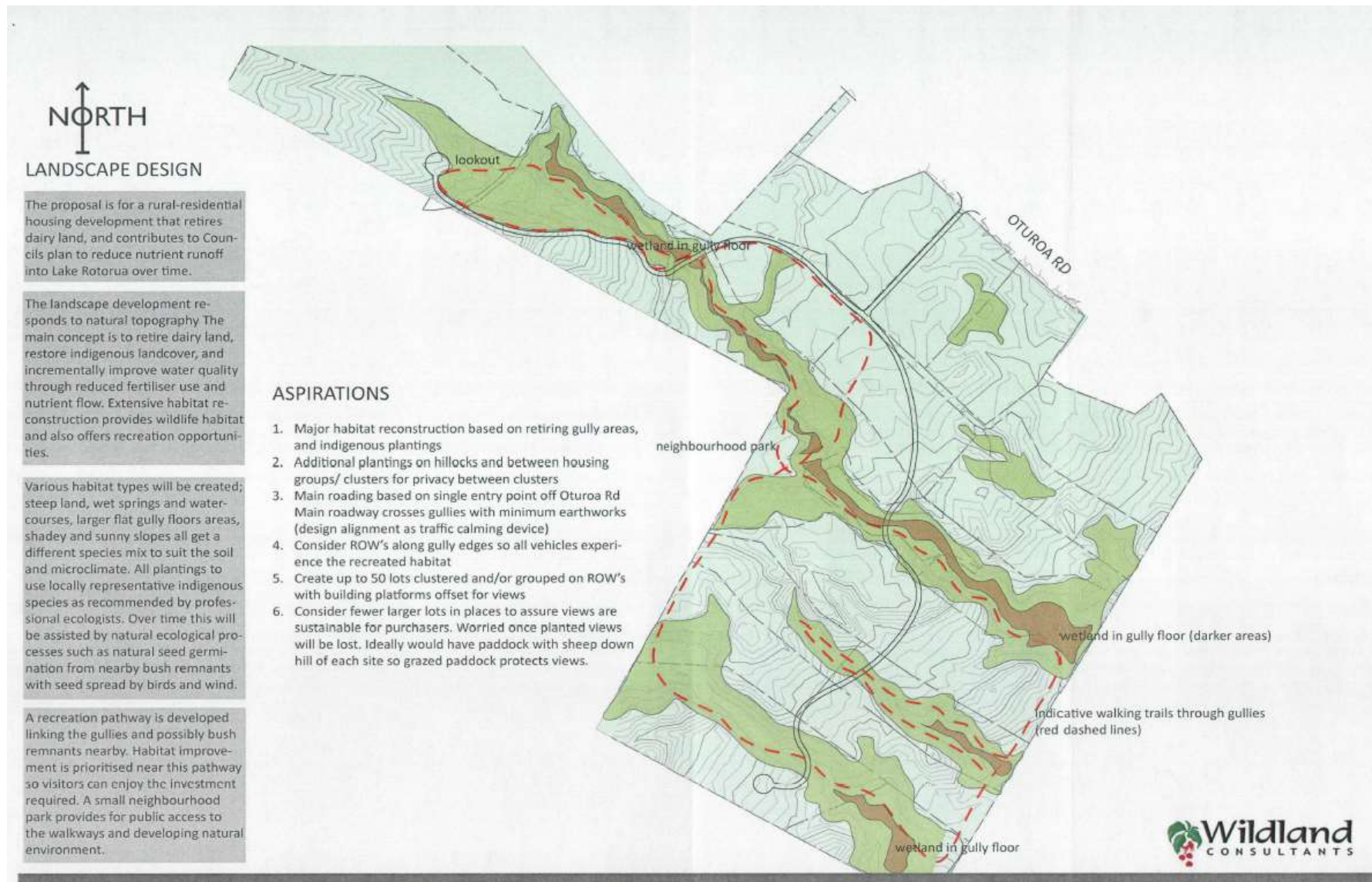


Figure OVDA- 2: Ōturoa Road Development Area

SITE AND BUILDING DESIGN

The two sites are intended to be developed with up to 50 residential units with the following site and building design elements:

1. Up to 50 residential units located in a series of clusters on semi-private right of ways
2. Significant landscaping and re-vegetation
3. Habitat reconstruction through the retiring of gully areas through the use of indigenous vegetation
4. Planting of hillocks and between housing clusters
5. A road network with one point of access from Ōturoa Road that is designed to reflect the topography and reduce the level of earthworks required
6. A recreation pathway and neighbourhood park that link and provide access to gullies and bush remnants.

RULES

Restricted Discretionary / Assessment Criteria

All resource consents will be assessed under the assessment criteria listed under A5.1.1.



ŌWHATIURA DEVELOPMENT AREA

Status: OWDA is operative

INTRODUCTION

The development area encompasses the sites legally described as Lot 4 DPS 86406, Lots 5, 6, 7 and 8 DPS 89521, Ōwhatiura 2B4B2C3A, Pt Ōwhatiura 2B4B2C3B and Ōwhatiura 2B4A, encompassing a total area of 41.5286 hectares. The vision is to incorporate the low lying nature of the land into wetlands, open space and walking paths with a Tea House Villa centrepiece to showcase the tea product. This will be an eco-friendly, environmentally sensitive tourism development and will integrate with the natural landscape.

The development area provides for a range of tourism activities including:

1. A central villa tea house development
2. Tea tastings and dining facilities
3. Wetland development and restoration
4. Walking tracks/boardwalks and viewing platforms
5. Tourism accommodation within boutique villas
6. Supporting staff facilities and service areas

The underlying zones are Rural 2 Zone and Water Zone.

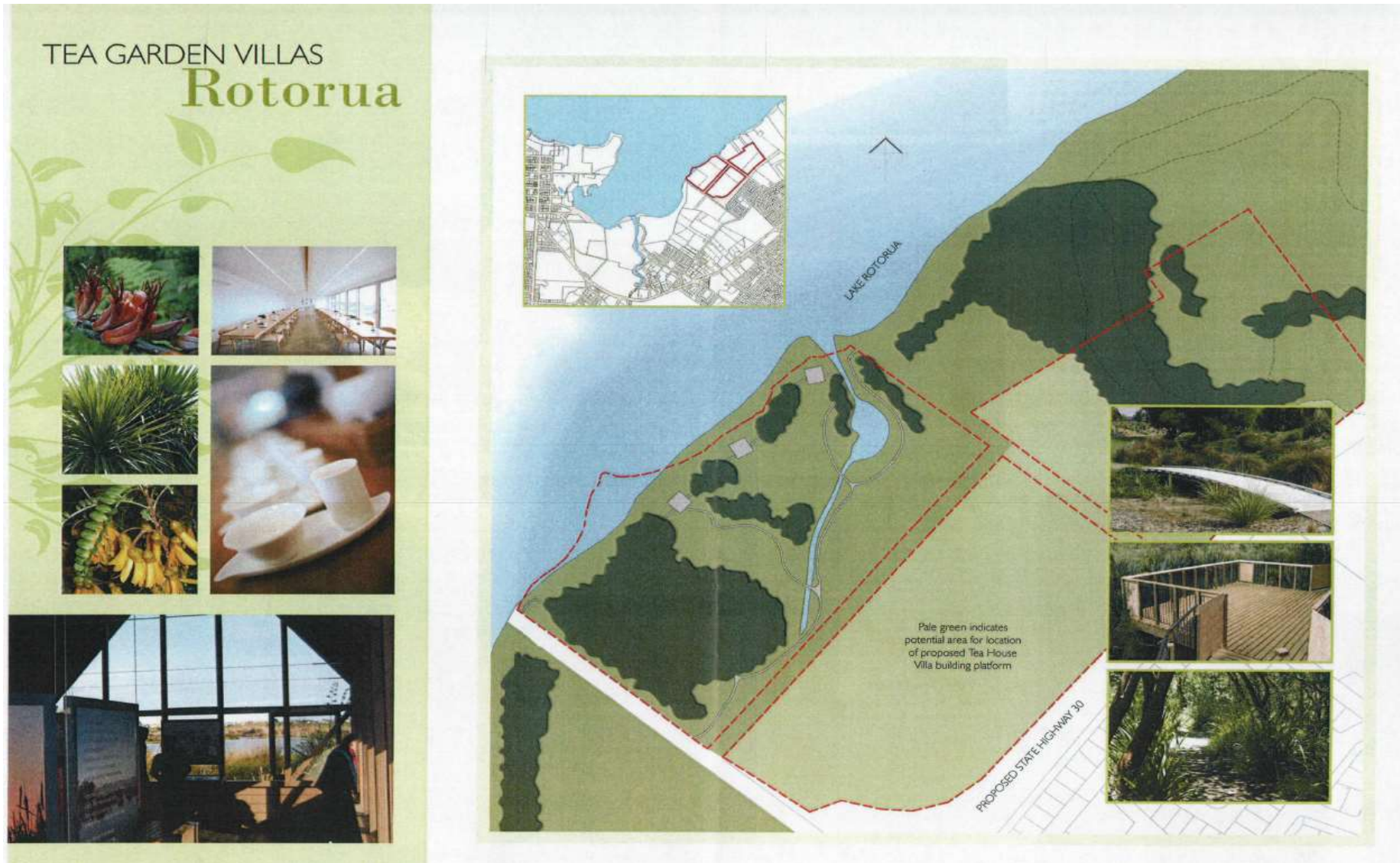


Figure OWDA-1: Ōwhatiura Development Area

RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones for the specific activities addressed. For clarification, rules that have been included within this development area relate to specific activities which are anticipated within the development area. For other activities refer to the zone chapter.

The rules do not override the rules of other chapters of the plan unless expressly stated.

Rules for Activities in the Ōwhatiura Development Area

Tourism Activities		
OWDA-R1	Wetland development and restoration	[A5.11(3)]
Applicable Spatial Layers Ōwhatiura Development Area	1. Activity Status: Permitted Where: The activity is in accordance with the Ōwhatiura Development Plan: Performance Standards: <ol style="list-style-type: none"> Access to the development shall be gained from Vaughan Road; and The development shall comply with the performance standards for the Rural 2 Zone with respect to: <ol style="list-style-type: none"> Parking, access and turning RURZ-S5. 	
OWDA-R2	Walking tracks / boardwalks and viewing platforms	[A5.11(3)]
Applicable Spatial Layers Ōwhatiura Development Area	1. Activity Status: Permitted Where: The activity is in accordance with the Ōwhatiura Development Plan: Performance standards: <ol style="list-style-type: none"> Access to the development shall be gained from Vaughan Road; and The development shall comply with the performance standards for the Rural 2 Zone with respect to: <ol style="list-style-type: none"> Height RURZ-S1; and Parking, access and turning RURZ-S5. 	
OWDA-R3	Supporting staff facilities and service areas	[A5.11(3)]
Applicable Spatial Layers Ōwhatiura Development Area	1. Activity Status: Permitted Where: The activity is in accordance with the Ōwhatiura Development Plan: Performance standards: <ol style="list-style-type: none"> Access to the development shall be gained from Vaughan Road; The development shall comply with the performance standards for the Rural 2 Zone with respect to: <ol style="list-style-type: none"> Height RURZ-S1; Yards RURZ-S2; Site coverage RURZ-S3; and 	

	iv. Parking, access and turning RURZ- S5.	
OWDA-R4	Tea tasting and dining facilities	[A5.11(3)]
Applicable Spatial Layers Ōwhatiura Development Area	<p>1. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>The activity is in accordance with the Ōwhatiura Development Plan:</p> <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural Hazards RURZ-MD1; and d. Financial Contributions RURZ-MD3. 	
OWDA-R5	Central villa tea house development	[A5.11(3)]
Applicable Spatial Layers Ōwhatiura Development Area	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies. b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural Hazards RURZ-MD1; and d. Financial Contributions RURZ-MD3. 	
OWDA-R6	Tourism accommodation within boutique villas	[A5.11(3)]
Applicable Spatial Layers Ōwhatiura Development Area	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural Hazards RURZ-MD1; and d. Financial Contributions RURZ-MD3. 	

PHDA

PUKEHĀNGI HEIGHTS DEVELOPMENT AREA

Status: PHDA is Operative.

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 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, cultural assessments prepared identify 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:

1. Development that responds to the landscape values of the Caldera Rim and the topography of the area;
2. Development that recognises, protects and provides for the expression of the cultural and archaeological values of the area;
3. Roads, walkways and cycleway connections throughout the area and connecting with adjoining sites;
4. Comprehensively designed low impact stormwater management integrated with development;
5. Enhancement of ecological values by including indigenous vegetation plantings;
6. Excellent urban design outcomes including for solar access and passive surveillance of public spaces; and
7. 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

1. Medium density residential development consistent with the Residential 1 Zone located on land of easy contour adjacent to local services and open space;
2. Small commercial areas for local convenience retail, a cafe and or childcare located near to intersections with Pukehāngi Road; and
3. 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

1. Partially re-vegetated native bush and specimen tree network to form a backdrop to the development on the Lower Terrace;
2. 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;
3. Rural residential development;
4. Landscape design that integrates development with the surrounding environment including the 'Parklands Estate' Development; and
5. Design controls on buildings.

Upper Terrace

1. Medium density residential development consistent with the Residential 1 Zone but with a reduced height and open built character to provide visually coherent transition between the Upper Terrace and Upper Escarpment; and
2. A transitional area along the front of the Upper Terrace where additional landscape and building controls apply (Escarpment Transition Area 2).

Upper Escarpment

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

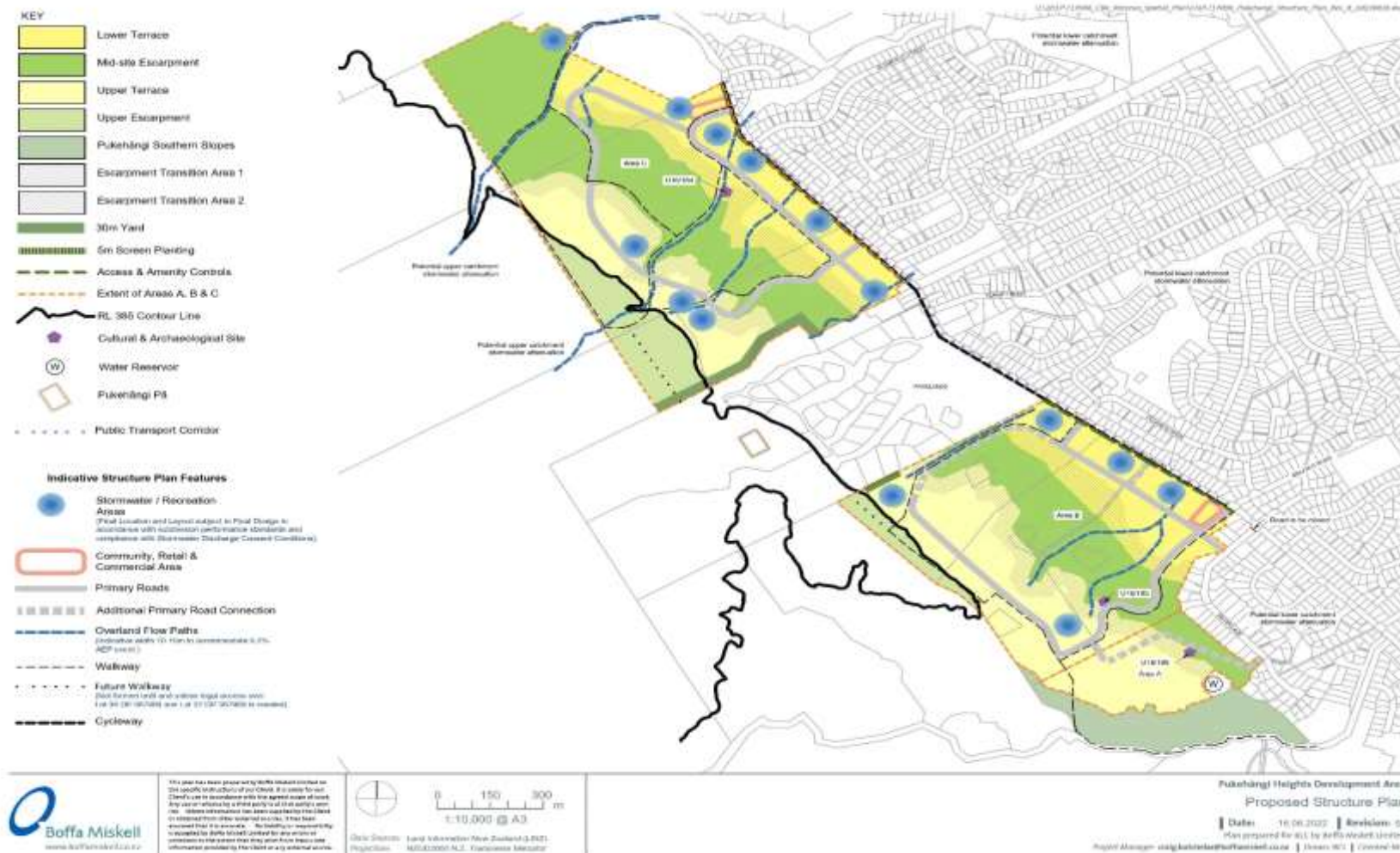
Pukehāngi Southern Slopes

1. 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.

Figure PHDA-1 Pukehāngi Heights Development Area Structure Plan



OBJECTIVES

Landscape values

PHDA-O1

[A5.2A.2(1)]

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.

Policies PHDA-P1 to PHDA-P9

Integrated urban design

PHDA-O2

[A5.2A.2(2)]

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.

Policies PHDA-P10 to PHDA-P19

Stormwater effects

PHDA-O3

[A5.2A.2(2a)]

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 detention options.

Policy PHDA-P20

Flood Hazard Risk Management

PHDA-O4

[A5.2A.2(3)]

Ensure that the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 achieves and maintains a low level of flood hazard risk within the Pukehāngi Heights Development Area, and that flooding risks (including from flood flow velocity, flooding depth and flooding extent) are not increased within urban areas in the downstream Otamatea, Mangakakahi and Utuhina Stream catchments¹.

Policies PHDA-P21 to PHDA-P22

Landslide and Liquefaction Hazard Risk Management

PHDA-O5

[A5.2A.2(4)]

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.

Policies PHDA-P23

Nutrient Management

PHDA-O6

[A5.2A.2(5)]

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

Policies PHDA-P24 to PHDA-P26

¹ As defined by the BOP Regional Policy Statement

² As defined by the BOP Regional Policy Statement

POLICIES

Landscape Values

Objective PHDA-O1

PHDA-P1 <i>[A5.2A.2.1(1)]</i>	<p>Lower Terrace</p> <p>Enable development on the Lower Terrace that is consistent with Residential 1 Objectives and Policies.</p>
	<p>[Deleted]</p>
PHDA-P3 <i>[A5.2A.2.1(3)]</i>	<p>Lower Terrace – Maintenance of Landscape Values</p> <p>Manage the landscape and visual sensitivity at the base of the Mid-site Escarpment by defining an area (Escarpment Transition Area 1) within which:</p> <ol style="list-style-type: none"> recessive colours are used on structures and buildings, and controls on building height to mitigate visual effects; 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; changes to land form that require visually obtrusive retaining structures are avoided; and other measures mitigate the visual impact of development.
PHDA-P4 <i>[A5.2A.2.1(4)]</i>	<p>Mid-site Escarpment – Rural Residential Development</p> <p>Enable rural residential 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.</p>
PHDA-P5 <i>[A5.2A.2.1(5)]</i>	<p>Mid-site Escarpment – Maintenance and Enhancement of Landscape Values</p> <p>Maintain and enhance the landscape values of the Mid-site Escarpment by:</p> <ol style="list-style-type: none"> 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; Reducing the visibility of development on the Mid-site Escarpment; Providing an open space and integrated vegetated backdrop to development on the Lower Terrace that retains the natural landform integrity; 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 Controlling the landscape and visual effects of buildings, structures and earthworks following the completion of development by: <ol style="list-style-type: none"> 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.
	<p>[Deleted]</p>

PHDA-P7 <i>[A5.2A.2.1(7)]</i>	<p>Upper Terrace and Upper Escarpment – Maintenance and Enhancement of Landscape Values</p> <p>Enable development on the Upper Terrace while maintaining and enhancing the landscape values of the Upper Terrace and Upper Escarpment by:</p> <ol style="list-style-type: none"> a. Avoiding development above RL 385m on the Upper Escarpment of the Rotorua Caldera Rim; b. Managing the transition from the Upper Terrace to the Upper Escarpment by: <ol style="list-style-type: none"> i. applying a height limit on the Upper Terrace that is lower than that provided for generally in the Residential 1 Zone. ii. avoiding a uniform pattern of development in the Upper Terrace iii. using taller planting and building separation to integrate the built form against the upper escarpment, mitigate visual effects and provide a coherent transition between the Upper Terrace and Upper Escarpment. c. Managing the landscape and visual sensitivity at the top of the Mid-site Escarpment by: <ol style="list-style-type: none"> i. defining an area (Escarpment Transition Area 2) within which additional measures will apply; ii. ensuring buildings are well set back from the top of the Mid-site escarpment; iii. ensuring that there is good separation between buildings to create an open character when viewed from the central Rotorua urban area; iv. avoiding a uniform pattern of development; v. using recessive colours on structures and buildings, and controls on building height to mitigate visual effects; vi. 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 vii. other measures that mitigate the visual impact of development.
PHDA-P8 <i>[A5.2A.2.1(8)]</i>	<p>Pukehāngi Southern Slopes</p> <p>Enable development and land use activity that is consistent with Rural 2 Objectives and Policies.</p>
PHDA-P9 <i>[A5.2A.2.1(9)]</i>	<p>Integration with surrounding areas</p> <p>Provide a visual transition from the indigenous bush character of the Parklands Estate Development to the landscape character of the surrounding area.</p>

Integrated Urban Design*Objective PHDA-O2*

	[Deleted]
PHDA-P11 [A5.2A.2.2(2)]	<p>Environmental Enhancement</p> <p>Reduce nutrient losses, restore and enhance indigenous biodiversity and ecological functioning through partial re-vegetation of the Mid-site Escarpment.</p>
PHDA-P12 [A5.2A.2.3(3)]	<p>Integration of Land Use and Stormwater Management</p> <p>Provide for integrated management of land use and stormwater by:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 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; Minimising the formed width of roads to reduce stormwater run-off while ensuring that road function and safety is maintained; 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 Ensuring that appropriate stormwater infrastructure is provided at the right time and that costs are shared on an equitable basis.
PHDA-P13 [A5.2A.2.3(4)]	<p>Traffic and Access</p> <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; and Ensuring efficient and safe walkways are provided to existing and potential future public transport facilities along Pukehāngi Road. 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. Designing and locating road intersections with Pukehāngi Road to reduce the effects of vehicle light spill into houses located opposite the new roads.

PHDA-P14 <i>[A5.2A.2.3(5)]</i>	<p>Street Character and Amenity</p> <p>Develop a local street character that:</p> <ul style="list-style-type: none"> 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.
PHDA-P15 <i>[A5.2A.2.3(6)]</i>	<p>Local Reserves and Open Space</p> <p>Ensure the design of reserves and open space incorporates best practice, including the application of Crime Prevention through Environmental Design principles.</p>
PHDA-P16 <i>[A5.2A.2.3(7)]</i>	<p>Public Walking and Cycling Access</p> <p>Provide high levels of connectivity within and around the site for walking and cycling.</p>
PHDA-P17 <i>[A5.2A.2.3(8)]</i>	<p>Local Services</p> <p>Enable small scale retail, cafe and childcare activities to provide convenient and highly accessible local services to the Development Area and surrounding residential area.</p>
PHDA-P18 <i>[A5.2A.2.3(9)]</i>	<p>Cultural: Identity, Landscapes and Values</p> <p>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:</p> <ul style="list-style-type: none"> a. Consulting with Tāngata 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 Tāngata 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.
PHDA-P19 <i>[A5.2A.2.3(10)]</i>	<p>Reverse sensitivity associated with the Rotorua Speedway</p> <p>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.</p>

Stormwater effects*Objective PHDA-O3***PHDA-P20***[A5.2A.2.2a(1)]***Stormwater Effects**

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 must include:

- a. 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;
- b. 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”;
- c. 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 produce results that are consistent with the empirical data for the catchment at the appropriate gauged location;
- d. Information and Assessment Requirements for stormwater management solutions for individual subdivisions;
- e. The intended scale, nature and form (including ground levels) of development and subdivision in the Development Area;
- f. An assessment of potential effects of stormwater (velocity, flood depth, flood extent) as well as related erosion effects on the downstream catchment that includes the Lower Utuhina catchment;
- g. The assessment shall consider the potential for effects related to flood duration including:
 - i. holding up stormwater discharges to the streams due to elevated and longer duration backwater;
 - ii. increased stream bank erosion and channel instabilities from extended periods of elevated flows;
 - iii. increased length of time buildings, roads, footpath, and structures might be flooded above the key flood hazard threshold for depth and velocity ($DxV > 0.3$);
- h. An assessment of the potential effects on water quality;
- i. Details of mitigation measures for the entire Development Area. Details shall include:
 - i. The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site stormwater management; and
 - ii. 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;
- j. Consideration of the sensitivity of proposed stormwater management measures to the staging of development in the Development Area;
- k. An assessment of potential effects of stormwater management measures on land stability and liquefaction;

	<ul style="list-style-type: none"> l. The condition of existing infrastructural assets; m. The intended staging and timing for the provision and vesting and/or upgrading and replacement of infrastructural assets; n. Detail of ongoing operational procedures and maintenance requirements for any water quantity and/or quality control structures or formed features such as ponds/dams; o. 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.; p. The specification of effects-based criteria or thresholds that would trigger a requirement for the limited notification of land use and subdivision applications to 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.
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Flood Hazard Risk Management

Objective PHDA-O4

PHDA-P21 <i>[A5.2A.2.3(1)]</i>	<p>Flood Hazard Risk Management</p> <ul style="list-style-type: none"> a. The SMP prepared under Policy PHDA-P20 shall: <ul style="list-style-type: none"> i. demonstrate that Objective PHDA-O4 can be achieved; and ii. identify and protect primary and secondary overland flow paths downstream of the Pukehāngi Heights Development Area any storm event that exceeds the capacity of the stormwater solution provided within the Development Area.
PHDA-P22 <i>[A5.2A.2.3(2)]</i>	<p>Refusing Resource Consent where Objective PHDA-O4 Not Met</p> <p>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 PHDA-O4.</p>

Landslide and Liquefaction Hazard Risk Management

Objective PHDA-O5

PHDA-P23 <i>[A5.2A.2.4(1)]</i>	<p>Landslide and Liquefaction Risk Management</p> <p>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:</p> <ul style="list-style-type: none"> 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.
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Nutrient Management

Objective PHDA-O6

PHDA-P24 <i>[A5.2A.2.5(1)]</i>	<p>Subdivision and land use shall be designed to achieve nutrient losses within the limits of the Nitrogen Discharge Allocation to the land, subject to PHDA-P25 below.</p>
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PHDA-P25 [A5.2A.2.5(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.
PHDA-P26 [A5.2A.2.5(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

RULES

Land use rules

The land use rules below apply in addition to the rules in the underlying zone chapters

The development area rules override the rules for the underlying zones for the specific activities addressed. For clarification, rules that have been included within this development area relate to specific activities which are anticipated within the development area. For other activities refer to the zone chapters.

Rules PHDA-R4 and PHDA-R13 override rule EIT-R10 in EIT Energy, Infrastructure and Transport.

The rules do not override other rules of the plan unless expressly stated.

Subdivision Rules

The subdivision rules below override the 'Zone Specific' Rules and the 'All Zones Rules' in the subdivision chapter. However, relevant performance standards of the subdivision chapter still apply through the application of the rules, as set out in the table below.

Links to the rule categories are provided below:

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General	50

Rules for Land Use Activities in the Residential 1 Zone

General		
Land use activities listed in the Residential 1 Zone but located in this Development Area other than those activities listed below.		[A5.2.3.1(1)]
Applicable Spatial Layers Pukehāngi Development Area: Residential 1 Zone	As set out in the Residential 1 Zone.	
PHDA-R1	Any activity stated as a permitted or controlled activity in the Residential 1 Zone	[A5.2.3.1(2)]
Applicable Spatial Layers Pukehāngi Development Area: Residential 1 Zone	<p>1. Activity Status: Permitted or controlled (as provided in the zone)</p> <p>Performance Standards</p> <p>a. The Residential 1 Zone performance standards apply in this Development Area except as otherwise specified below:</p> <ul style="list-style-type: none"> i. Yards and building location PHDA-SL2; ii. Fencing PHDA-SL5; iii. Protection of landscape values PHDA-SL7; and iv. Outdoor storage and service space PHDA-SL8. <p>b. The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</p> <p>Matters of Control (for controlled activities):</p> <ul style="list-style-type: none"> a. Building design and amenity RESZ-MC1; b. Character of the zone RESZ-MC2; c. Amenity of the zone RESZ-MC3; d. Parking, access and turning RESZ-MC4; e. Natural hazards RESZ-MC5; and f. Financial contributions RESZ-MC6. 	<p>2. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R1(1).</p> <p>Matters of Discretion</p> <ul style="list-style-type: none"> a. The effects of non-compliance with the performance standards; b. 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; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.

Specific Land use Activities		
PHDA-R2	Residential Units	
Applicable Spatial Layers Pukehāngi Development Area: Residential 1 Zone	1 Activity Status: Permitted Where: There are no more than 3 residential units per site Performance Standards a. The Residential 1 Zone performance standards apply in this Development Area except as otherwise specified below ³ : i. Height PHDA-SL1 (Upper Terrace); ii. Yards and building location PHDA-SL2 ; iii. Fencing PHDA-SL5 ; iv. Protection of landscape values PHDA-SL7 ; and v. Outdoor storage and service space PHDA-SL8 . c. The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.	2 Activity Status: Restricted Discretionary Where: a. There are no more than 3 residential units per site b. Compliance is not achieved with the performance standards for Rule PHDA-R2(1). Matters of Discretion a. The effects of non-compliance with the performance standards; b. 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; c. Residential units – Non-compliance matters RESZ-MDA; d. Natural hazards RESZ-MD1; and e. Financial contributions RESZ-MD2. Notification: An application for resource consent under this rule (for the construction and use of no more than 3 residential units per site that does not comply with one or more of the performance standards) will be considered without public notification (unless the Council decides that special circumstances exist under the Resource Management Act 1991).
	3 Activity Status: Restricted Discretionary Where: There are four or more residential units on a site Performance Standards: a. The Residential 1 Zone performance standards apply in this Development Area except as otherwise specified below ⁴ : i. Height PHDA-SL1 (Upper Terrace);	4 Activity Status: Restricted Discretionary Where: c. There are four or more residential units on a site; and d. The activity does not meet the performance standards for rule PHDA-R2(3). Matters of Discretion: a. The effects of non-compliance with the performance standards; and b. The extent to which the objectives and policies of the Pukehāngi

³ Refer to the Residential Zone for the specific standards that form part of the MDRS

⁴ Refer to the Residential Zone for the standards that form part of the MDRS

	<div><div><div><div><div><div>ii. Yards and building location PHDA-SL2;</div><div>iii. Fencing PHDA-SL5;</div><div>iv. Protection of landscape values PHDA-SL7; and</div><div>v. Outdoor storage and service space PHDA-SL8.</div></div></div><div><div>b. The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision.</div></div><div><div>Matters of Discretion:<div><div>a. Four or more residential or rest home units RESZ-MDB;</div><div>b. Natural hazards RESZ-MD1; and</div><div>c. Financial contributions RESZ-MD2.</div></div></div><div><div>Notification:<div>An application for resource consent under this rule (for the construction and use of four or more residential units per site that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</div></div></div></div></div></div></div>	<div><div>Heights Development Area and Residential 1 Zone and Rural 2 Zone will continue to be met;</div><div><div>c. Residential units – Non-compliance matters RESZ-MDA;</div><div>d. Four or more residential or rest home units RESZ-MDB;</div><div>d. Natural hazards RESZ-MD1; and</div><div>e. Financial contributions RESZ-MD2.</div></div><div><div>Notification:<div>An application for resource consent under this rule (for the construction and use of four or more residential units per site that does not comply with one or more of the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991), provided that the activity complies with all the following performance standards:</div><div><div>a. Height RESZ-S1: (1) or (1A);</div><div>b. Yards RESZ-S2: (1);</div><div>c. Site Coverage RESZ-S3: (1)(a) or (2)(a); and</div><div>d. Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).</div></div></div></div></div>	
PHDA-R3	Activities within the Community, Retail and Commercial Area shown on the Structure Plan		<div><div><div>A5.2.3.1(6)</div><div>A5.2.3.1(7)</div><div>A5.2.3.1(8)]</div></div></div>
<div><div>Applicable Spatial Layers</div><div>Pukehāngi Development Area:</div><div>Residential 1 Zone – Community, Retail and Commercial Area on Structure Plan</div></div>	<div><div><div>1. Activity Status: Restricted Discretionary</div><div><div>Where:<div>The activity is a child care centre, convenience retail, office or a café.</div></div><div><div>Performance Standards:<div>a. Community, retail and commercial activities PHDA-SL9.</div></div><div>Matters of Discretion:</div></div></div></div></div>	<div><div><div>2. Activity Status: Discretionary</div><div><div>Where:<div>The activity does not meet the performance standards for rule PHDA-R3(1).</div></div></div></div></div>	

	<ul style="list-style-type: none"> a. Activities that do not comply with the performance standards: <ul style="list-style-type: none"> i. The effects of non-compliance with the performance standards; and ii. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and Residential 1 Zone and Rural 2 Zone will continue to be met; b. The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved; c. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met; d. 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; e. The extent to which the development will promote walkable access to local services; f. The extent to which the development provides for safe and convenient access and parking for vehicles, and minimises traffic congestion within the surrounding streets; g. Natural hazards RESZ-MD1; and h. Financial contributions RESZ-MD2. 	
<p>Notification:</p> <p>Any application for resource consent for the activities listed in PHDA-R3(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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. 		

Advice Note:

For activities in the Community, Retail and Commercial Area shown on the structure plan that are not covered by the above rule refer to the Residential Zones chapter and the additional performance standards required under rule PHDA-R1 (other chapters of the District Plan may also be relevant, such as earthworks).

PHDA-R4	Infrastructure as shown on the Pukehāngi Heights Development Area Structure Plan	<i>[A5.2.3.1(4)]</i>
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Applicable Spatial Layers

Pukehāngi Development Area:

Residential 1 Zone

1. Activity Status: Restricted Discretionary**Matters of Discretion**

- a. Natural hazards RESZ-MD1; and
- b. Financial contributions RESZ-MD2.

Notification:

Any application for resource consent for the activities listed in PHDA-R4(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

1. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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.

Rules for Subdivision Activities in the Residential 1 Zone

General

PHDA-R5	Subdivision	<i>[A5.2.3.1(9), A5.2.3.1(13), A5.2.3.1(14), A5.2.3.1(15)]</i>
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Applicable Spatial Layers

Pukehāngi Development Area:

Residential 1 Zone

1. Activity Status: Restricted Discretionary**Performance Standards**

- a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and
- b. The performance standards from SUB – Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below;
 - i. Minimum lot width for solar access [PHDA-SS1](#);
 - ii. Protection of landscape values [PHDA-SS4](#);
 - iii. Stormwater management [PHDA-SS6](#);

2. Activity Status: Discretionary**Where:**

Compliance is not achieved with the performance standards for Rule PHDA-R5(1), with the exception of:

- a. Stormwater management PHDA-SS6; or
- b. Land instability and liquefaction natural hazard risk management PHDA-SS8.

3. Activity Status: Non-Complying**Where:**

Compliance is not achieved with the performance standards for Rule PHDA-R5(1):

- a. Stormwater management [PHDA-SS6](#); or

	<ul style="list-style-type: none"> iv. Compliance with Discharge Consent PHDA-SS7; v. Land instability and liquefaction PHDA-SS8; vi. Delineation of features PHDA-SS9; vii. Protection of cultural identity and sites PHDA-SS10; viii. Development traffic PHDA-SS11; ix. Construction traffic PHDA-SS12; x. Construction noise and vibration PHDA-SS13; and xi. Nutrient management PHDA-SS14. <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. General PHDA-MD3; and b. General SUB-MD1. 	<ul style="list-style-type: none"> b. Land instability and liquefaction natural hazard risk management PHDA-SS8.
<p>Notification:</p> <p>Any application for resource consent for the activities listed in PHDA-R5(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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 PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification. 		
PHDA-R7	Subdivision where the site includes an archaeological or cultural site	[A5.2.3.1(11)]
Applicable Spatial Layers Pukehāngi Development Area: Residential 1 Zone	1. Activity Status: Restricted Discretionary Performance Standards: <ul style="list-style-type: none"> a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; b. The performance standards from SUB – Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below; 	2. Activity Status: Discretionary Where: Compliance is not achieved with the performance standards for Rule PHDA-R7(1), with the exception of: <ul style="list-style-type: none"> a. Stormwater management PHDA-SS6; or b. Land instability and liquefaction natural hazard risk management PHDA-SS8.
		3. Activity Status: Non-Complying Where:

	<ul style="list-style-type: none"> i. Minimum lot width for solar access PHDA-SS1; ii. Protection of landscape values PHDA-SS4; iii. Stormwater management PHDA-SS6; iv. Compliance with Discharge Consent PHDA-SS7; v. Land instability and liquefaction PHDA-SS8; vi. Delineation of features PHDA-SS9; vii. Protection of cultural identity and sites PHDA-SS10; viii. Development traffic PHDA-SS11; ix. Construction traffic PHDA-SS12; x. Construction noise and vibration PHDA-SS13; and xi. Nutrient management PHDA-SS14. <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. General PHDA-MD3; and b. General SUB-MD1. 	<p>Compliance is not achieved with the performance standards for Rule PHDA-R7(1):</p> <ul style="list-style-type: none"> a. Stormwater management PHDA-SS6; or b. Land instability and liquefaction natural hazard risk management PHDA-SS8.
<p>Notification:</p> <p>Any application for resource consent for the activities listed in PHDA-R7(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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 PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification. 		

Rules for Land use Activities in the Rural 1 Zone

General		
Land use activities listed in the Rural 1 Zone other than those activities listed below		[A5.2.5.1(1)]
Applicable Spatial Layers Pukehāngi Development Area: Rural 1 Zone	As set out in the Rural 1 Zone.	
Specific Land use Activities		
PHDA-R9	Buildings	[A5.2.5.1(2)]
Applicable Spatial Layers Pukehāngi Development Area: Rural 1 Zone	1. Activity Status: Non-Complying	

Rules for Subdivision Activities in the Rural 1 Zone

General		
PHDA-R10	Subdivision	[A5.2.5.1(3), A5.2.1(4)]
Applicable Spatial Layers Pukehāngi Development Area: Rural 1 Zone	1. Activity Status: Restricted Discretionary Performance Standards: <ol style="list-style-type: none"> The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and Protection of landscape values PHDA-SS4; Matters of Discretion: <ol style="list-style-type: none"> General PHDA-MD3; and General SUB-MD1. 	2. Activity Status: Discretionary Where: Compliance is not achieved with the performance standards for Rule PHDA-R10(1).

Notification:

Any application for resource consent for the activities listed in PHDA-R10(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:

applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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.

Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification.

Rules for Land Use Activities in the Rural 2 Zone

General		
Land use activities listed in the Rural 2 Zone but located in this Development Area other than those activities listed below.		[A5.2.4.1(1)]
Applicable Spatial Layers Pukehāngi Development Area: Rural 2 Zone	As set out in the Rural 2 Zone.	
PHDA-R11	Any activity stated as a permitted or controlled activity in the Rural 2 Zone	[A5.2.4.1(2)]
Applicable Spatial Layers Pukehāngi Development Area: Rural 2 Zone	1. Activity Status: Permitted or controlled (as provided in the zone) Performance Standards <ol style="list-style-type: none"> The Rural 2 Zone performance standards apply in this Development Area—except as otherwise specified below; <ol style="list-style-type: none"> Height PHDA-SL1; Yards and building location PHDA-SL2; Site coverage PHDA-SL4; Protection of landscape values PHDA-SL7; Forestry PHDA-SL10; and Farming PHDA-SL11. The performance standards for subdivision (see PHDA-R14) shall apply, where relevant, to any proposed land use that occurs prior to subdivision. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for Rule PHDA-R11(1). Matters of Discretion <ol style="list-style-type: none"> The effects of non-compliance with the performance standards; The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the Rural 2 Zone will continue to be met; Natural hazards RURZ-MD1; and Financial contributions RURZ-MD3.

	Matters of Control (for controlled activities): <ol style="list-style-type: none"> Building design and amenity RURZ-MC1; Parking, access and turning RURZ-MC2; Natural hazards RURZ-MC4; and Financial contributions RURZ-MC7. 	
Specific Land use Activities		
PHDA-R12	Residential Units	[A5.2.4.1(3), A5.2.4.1(4)]
Applicable Spatial Layers Pukehāngi Development Area: Rural 2 Zone	1. Activity Status: Permitted Where: There will be one residential unit per site Performance Standards: <ol style="list-style-type: none"> The Rural 2 Zone performance standards apply in this Development Area except as otherwise specified below; <ol style="list-style-type: none"> Height PHDA-SL1; Yards and building location PHDA-SL2; Site coverage PHDA-SL4; Protection of landscape values PHDA-SL7; Forestry PHDA-SL10; Farming PHDA-SL11; and The performance standards for subdivision PHDA-SS12 to PHDA-SS1 shall apply, where relevant, to any proposed land use that occurs prior to subdivision. 	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for Rule PHDA-R12(1). Matters of Discretion: <ol style="list-style-type: none"> The effects of non-compliance with the performance standards; The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will continue to be met; Natural hazards RURZ-MD1; and Financial contributions RURZ-MD3.

Applicable Spatial Layers Pukehāngi Development Area: Rural 2 Zone	3. Activity Status: Restricted Discretionary Where: There will be two residential units on a site, including any subsidiary residential units. Matters of Discretion: a. The extent to which the principles of the Pukehāngi Heights Development Area Structure Plan will be achieved; b. The extent to which the objectives and policies of the Pukehāngi Heights Development Area and the underlying zone will be met. c. Natural hazards RURZ-MD1; d. Additional residential unit PHDA-MD2 ; and e. Financial contributions RURZ-MD3.
PHDA-R13	Infrastructure as shown on the Pukehāngi Heights Development Area Structure Plan <div>[A5.2.4.1(5)]</div>
Applicable Spatial Layers Pukehāngi Development Area: Rural 2 Zone	1. Activity Status: Restricted Discretionary Matters of Discretion: a. Natural hazards RURZ-MD1; and b. Financial contributions RURZ-MD3.
Notification: Any application for resource consent for the activities listed in PHDA-R13(1) shall be considered without public or limited notification if the Land Use is consistent with the 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 PHDA-P20 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.	

Rules for Subdivision Activities in the Rural 2 Zone

General		
PHDA-R14	Subdivision	[A5.2.4.1(6), A5.2.5.1(8), A5.2.5.1(9), A5.2.4.1(10)]
Applicable Spatial Layers Pukehāngi Development Area: Residential 1 Zone	1. Activity Status: Restricted Discretionary Performance Standards <ol style="list-style-type: none"> The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and The performance standards from SUB – Subdivision apply in 	2. Activity Status: Discretionary Where: Compliance is not achieved with the performance standards for Rule PHDA-R14(1), with the exception of: <ol style="list-style-type: none"> Stormwater management PHDA-SS6; or Land instability and liquefaction natural hazard risk management PHDA-SS8.

	<p>the Pukehāngi Heights Development Area unless otherwise specified below;</p> <ul style="list-style-type: none"> i. Minimum lot area PHDA-SS2; ii. Building Platform and access PHDA-SS3; iii. Protection of landscape values PHDA-SS4; iv. Stormwater management PHDA-SS6; v. Compliance with Discharge Consent PHDA-SS7; vi. Land instability and liquefaction PHDA-SS8; vii. Protection of cultural values PHDA-SS10; viii. Development traffic PHDA-SS11; ix. Construction traffic PHDA-SS12; x. Construction noise and vibration PHDA-SS13; and xi. Nutrient management PHDA-SS14. <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. General PHDA-MD3; and b. General SUB-MD1. 	<p>3. Activity Status: Non-Complying</p> <p>Where:</p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R14(1):</p> <ul style="list-style-type: none"> a. Stormwater management PHDA-SS6; or b. Land instability and liquefaction natural hazard risk management PHDA-SS8.
<p>Notification:</p> <p>Any application for resource consent for the activities listed in PHDA-R14(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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. b. Subdivision applications that do not meet the subdivision performance standards in PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification. 		
PHDA-R15	Subdivision where the site includes an archaeological or cultural site	[A5.2.4.1(7), A5.2.5.1(8), A5.2.5.1(9), A5.2.4.1(10)]
Applicable Spatial Layers	1. Activity Status: Restricted Discretionary	2. Activity Status: Discretionary Where:

<p>Pukehāngi Development Area:</p> <p>Residential 1 Zone</p>	<p>Performance Standards</p> <ul style="list-style-type: none"> a. The subdivision is consistent with the principles of the Structure Plan for the Pukehāngi Heights Development Area; and b. The performance standards from SUB – Subdivision apply in the Pukehāngi Heights Development Area unless otherwise specified below; <ul style="list-style-type: none"> i. Minimum lot area PHDA-SS2; ii. Building Platform and access PHDA-SS3; iii. Protection of landscape values PHDA-SS4; iv. Stormwater management PHDA-SS6; v. Compliance with Discharge Consent PHDA-SS7; vi. Land instability and liquefaction PHDA-SS8; vii. Protection of cultural identity and sites PHDA-SS10; viii. Development traffic PHDA-SS11; ix. Construction traffic PHDA-SS12; x. Construction noise and vibration PHDA-SS13; and xi. Nutrient management PHDA-SS14. <p>Matters of Discretion:</p> <ul style="list-style-type: none"> a. General SUB-MD1. 	<p>Compliance is not achieved with the performance standards for Rule PHDA-R15(1), with the exception of:</p> <ul style="list-style-type: none"> a. Stormwater management PHDA-SS6; or b. Land instability and liquefaction natural hazard risk management PHDA-SS8. <p>3. Activity Status: Non-Complying</p> <p>Where:</p> <p>Compliance is not achieved with the performance standards for Rule PHDA-R15(1):</p> <ul style="list-style-type: none"> a. Stormwater management PHDA-SS6; or b. Land instability and liquefaction natural hazard risk management PHDA-SS8.
<p>Notification:</p> <p>Any application for resource consent for the activities listed in PHDA-R15(1) shall be considered without public or limited notification if the Land Use is consistent with the Pukehāngi Development Area Structure Plan and Performance Standards, with the exception that:</p> <ul style="list-style-type: none"> a. applications that are inconsistent with the SMP prepared by Rotorua Lakes Council under Policy PHDA-P20 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 PHDA-SS6, PHDA-SS7 and PHDA-SS8 will require the written approval of the Bay of Plenty Regional Council in order to proceed without limited notification. 		

Performance Standards Land use

PHDA-SL1 Height

1. Residential 1 Zone:

The maximum height and daylight envelope of any building or structure shall be as provided in the Residential 1 Zone, except as follows:

Upper Terrace: Maximum height 9m.

2. Rural 2 Zone:

The maximum height of any building or structure shall be 6m.

PHDA-SL2 Yards and building location

1. Residential 1 Zone:

a. The minimum yard for buildings shall be as provided in the Residential 1 Zone, except as follows:

i. Yards from boundary adjacent to forestry where indicated in the Structure Plan: 30m

2. Rural 1 Zone:

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

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

3. Rural 2 Zone:

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

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

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

PHDA-SL4 Site coverage

1. Rural 2 Zone:

a. Site coverage of all buildings shall not exceed 400m².

PHDA-SL5 Fencing

1. Residential 1 Zone:

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.

PHDA-SL7 Protection of landscape values

1. Escarpment Transition Area 1 (Residential 1 Zone):

- a. Reflectivity:
 - i. The reflectivity value of external walls and joinery shall not exceed 37%.
 - ii. The reflectivity value of roofs shall not exceed 25%
- b. Fences and retaining walls:
 - i. Retaining walls shall not exceed 2m in height; and
 - ii. 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%.

Advice Note:

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

2. Escarpment Transition Area 2 (Residential 1 Zone):

- 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.
- e. Reflectivity:
 - i. The reflectivity value of external walls 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%.

Advice Note:

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

3. Rural 2 Zone:

- a. Reflectivity
 - i. The reflectivity value of external walls and joinery shall not exceed 37%.
 - ii. The reflectivity value of roofs shall not exceed 25%
- b. Fencing and 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%.

Advice 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

PHDA-SL8 Outdoor Storage and Service Space

1. A minimum of 5m² of open space per residential unit, which can accommodate a 2m diameter circle, shall be provided to accommodate storage and services.

PHDA-SL9 Community, retail and commercial activities

1. Location: Within each of the areas indicated on the Pukehāngi Heights Development Area Structure Plan the following activities may occur.
 - a. 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;
 - b. Offices;
 - c. Café: Up to 200m² net floor area; and
 - d. Early Childhood Centre: Up to 50 Children.

PHDA-SL10 Forestry

1. Rural 2 Zone:

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.

PHDA-SL11 Farming

1. Rural 2 Zone:

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

Performance Standards Subdivision

PHDA-SS1 Minimum lot width for solar access

1. Residential 1 Zone:

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.

PHDA-SS2 Minimum lot area

1. Mid-site escarpment in Rural 2 Zone:

The minimum average area of lots in the Mid-site Escarpment shall be 4,000m². 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.

PHDA-SS3 Building platform and access

1. Rural 2 Zone:

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

PHDA-SS4 Protection of landscape values

1. Residential 1 Zone - Escarpment Transition Areas 1 and 2:

- a. 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.

2. Protection of Landscape values by re-vegetation of Upper Escarpment

- a. Residential 1 Zone:
 - 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.
- b. Rural 1 Zone:
 - i. The Upper Escarpment shall be partially re-vegetated to provide a backdrop to development on the Upper Terrace.
 - ii. 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.
 - iii. 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:
 1. A planting schedule; and
 2. A planting programme.
 - iv. A post-planting maintenance regime including a pest plant and pest animal management programme.

3. Landscape Concept Plan and Visual Assessment for Rural 2 Zone:

- i. 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:

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

PHDA-SS5 [Deleted]

PHDA-SS6 Stormwater management

1. Stormwater Management Plan (SMP) Compliance
 - a. Stormwater management solutions for subdivisions must be consistent with the SMP prepared by Rotorua Lakes Council under PHDA-P20 for the Pukehāngi Heights Development Area to ensure an integrated approach is taken to stormwater management.
 - b. Stormwater management solutions for subdivisions must be prepared by a suitably qualified and experienced practitioner.
2. Information and Assessment Requirements for Stormwater management solutions for subdivisions
 - a. 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:
 1. The size of ponds, location, configuration of the outlet structures, discharge locations, and hydraulic performance of the ponds for on-site stormwater management; and
 2. 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:

 - a. manage the potential adverse effects identified in PHDA-SS6(2)(ii) and (iv).
 - iv. An assessment of potential effects of 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.

- 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.

PHDA-SS7 Compliance with Rotorua Lakes Council Stormwater Discharge Consent

- 1. 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

PHDA-SS8 Land instability and liquefaction natural hazard risk management

- 1. 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.

PHDA-SS9 Delineation of features

1. Residential 1 Zone:

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 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 PHDA-SL9.

PHDA-SS10 Protection of cultural identity and sites of archaeological or cultural importance

- 1. If the subdivision is in the Residential 1 Zone; or the subdivision is the Rural 2 Zone; 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 will be protected, including:
 - i. 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 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 kōiwi tangata (remains) or taonga tūturu (traditional artefacts).
2. An Archaeological Authority is required from Heritage NZ for the modification or damage of an archaeological site, either recorded or unrecorded.

PHDA-SS11 Development traffic

1. 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.
2. 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.
3. 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.
4. 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.

PHDA-SS12 Construction traffic

1. For the subdivision and development of Area A, a Construction Traffic Management Plan (CTMP) 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 it is not practicable to construct road access from Pukehāngi Road to Area A – in which case access from lower Matipo Avenue may be permitted at or about the point where the interconnecting Primary Road is shown on the Structure Plan;

- b. Unless the exception in a. above applies,
 - i. All construction traffic gains access from Area B other than for the purpose of constructing an intersection with Matipo Avenue;
 - ii. Prior to commencing construction 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 CTMP shall include (but not be limited to):
 - i. Pavement rehabilitation, condition and monitoring;
 - ii. Number of heavy vehicle movements;
 - iii. Temporary speed limits;
 - iv. Parking restrictions;
 - v. Hours and duration of operation;
 - vi. Details of truck washing facilities;
 - vii. Application of turning restrictions and truck routes.
- d. The Matipo Avenue Residents Incorporated Society (MARIS) must be consulted in the development of the CTMP on any aspect that involves the use of Matipo Avenue by construction traffic.
- e. 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.

PHDA-SS13 Construction noise and vibration

1. 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.

PHDA-SS14 Nutrient management

1. 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.

Matters of Discretion Land use

PHDA-MD1 [Deleted]

PHDA-MD2 Additional or subsidiary residential unit

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

Matters of Discretion Subdivision

PHDA-MD3 General

- 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.

METHODS

PHDA-M1	Applicants and Council shall support and facilitate tangata whenua participation in resource management processes.
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THDA

TAHEKE 8C DEVELOPMENT AREA

Status: THDA is Operative.

INTRODUCTION

The Taheke 8C Development Area covers an area of approximately 1193 hectares of land and is located 20 minutes north east of Rotorua adjoining State Highway 33. The Development Area will provide for the economic and social wellbeing of current and future generations whilst avoiding, remedying or mitigating adverse environmental effects.

The development area provides for the establishment and operation of a range of activities including:

1. renewable energy
2. tourism/honey production
3. commercial activities
4. tourism activities
5. lakeside residential activities, including a wellness centre
6. horticultural and agricultural activities

The vision for the Taheke 8C land is the development of geothermal energy production with a number of appropriate direct and cascade uses. The land will become a key tourism and educational destination where people can visit to view an operational geothermal power station and participate in other tourism activities while visiting and observing a working rural farm. The activities anticipated have been considered due to the location of the site being the eastern approach to the city and proximity to the Ōkere River and Lake Rotoiti.

The underlying zones are Residential 4 Zone, Rural 1 Zone and Reserve 1 Zone.

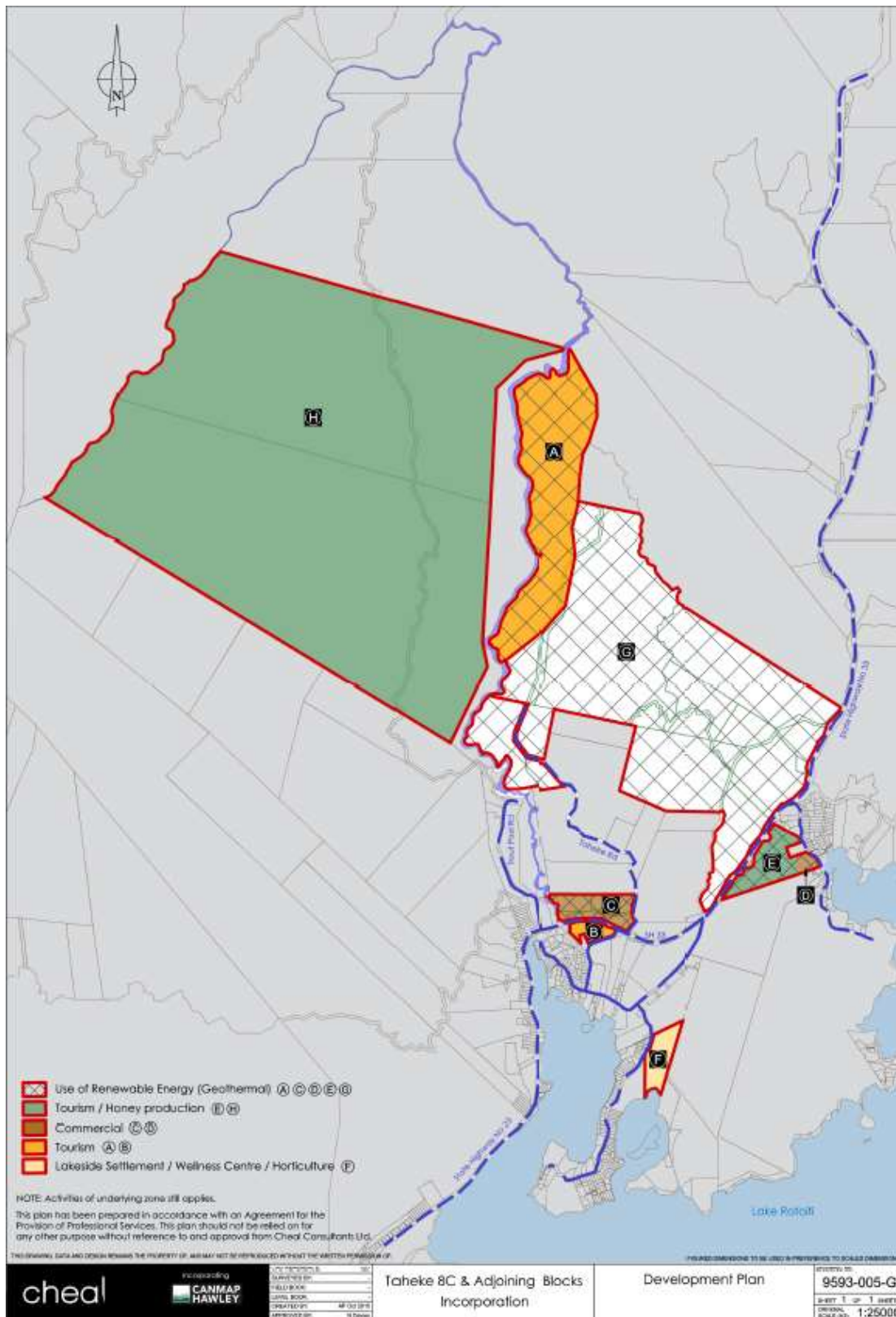


Figure THDA- 1: Taheke 8C Development Area – sub areas

RULES

The rules below apply in addition to the rules for the zones and other chapters.

The development area rules override the rules for the underlying zones for the specific activities addressed. For clarification, rules that have been included within this development area relate to specific activities which are anticipated within the development area. For other activities refer to zone.

The rules do not override the other chapters of the plan unless expressly stated.

Links to the rule categories are provided below:

Renewable Geothermal Energy Development – Areas A, C, D, E & G	64
Tourism and Honey Production – Areas E & H	66
Lakeside Settlement and Wellness Centre – Area F	67
Commercial – Areas C & D	68
Other.....	69

Rules for Activities in the Taheke 8C Development Area

Renewable Geothermal Energy Development – Areas A, C, D, E & G		
THDA-R1	Prospecting and exploration	[A5.9(2)(14)]
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	1. Activity Status: Permitted	
THDA-R2	Activities accessory to geothermal electricity generation	[A5.9(2)(15)]
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	1. Activity Status: Permitted Performance Standards: <ol style="list-style-type: none"> Buildings and structures associated with geothermal electricity generation THDA-S1. 	
THDA-R3	Geothermal electricity generation stations and/or steam field activities and associated activities and structures	[A5.9(2)(16), A5.9(2)(17)]
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	1. Activity Status: Permitted Where: The activity is maintenance, upgrade and operation of established geothermal electricity generation stations and/or steam field activities included in all associated activities and structures. Performance Standards:	

	<ul style="list-style-type: none"> a. Buildings and structures associated with geothermal electricity generation THDA-S1; b. Radio frequency, electric and magnetic fields EITS-S3; and c. Amenity screening EITS-S5.
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	<p>2. Activity Status: Controlled</p> <p>Where:</p> <p>The activity is construction of geothermal electricity generation stations and/or steam field activities including all associated activities and structures.</p> <p>Performance Standards:</p> <ul style="list-style-type: none"> a. Buildings and structures associated with geothermal electricity generation THDA-S1; b. Radio frequency, electric and magnetic fields EITS-S3; c. Amenity screening EITS-S5; and d. Whether a financial contribution is required under the provisions of FC – Financial Contributions. <p>Matters of Control:</p> <ul style="list-style-type: none"> a. As for EIT- Electricity, Infrastructure, and Transport: EIT-MC1.
THDA-R4	Land use activities associated with direct or cascade uses of geothermal energy [A5.9(2)(18)]
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	<p>1. Activity Status: Controlled</p> <p>Where:</p> <p>The activity can include, but is not limited to:</p> <ul style="list-style-type: none"> a. Glasshouses for the propagation of plants and herbs; b. Agro industrial kiln drying of plants and herbs; and c. Aquaculture ponds. <p>Matters of Control</p> <ul style="list-style-type: none"> a. As for the Rural 1 Zone: <ul style="list-style-type: none"> i. Design RURZ-MC1; ii. Parking, access and turning RURZ-MC2; iii. Water quality RURZ-MC3; iv. Natural hazards RURZ-MC4; v. Water tables and flood events RURZ-MC5; and vi. Financial contributions RURZ-MC7.
THDA-R5	Land use activities associated with geothermal mineral extraction [A5.9(2)(19)]
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	<p>1. Activity Status: Controlled</p> <p>Matters of Control</p> <ul style="list-style-type: none"> a. As for the Rural 1 Zone: <ul style="list-style-type: none"> i. Design RURZ-MC1; ii. Parking, access and turning RURZ-MC2; iii. Water quality RURZ-MC3; iv. Natural hazards RURZ-MC4; v. Water tables and flood events RURZ-MC5; and vi. Financial contributions RURZ-MC7.

THDA-R6		Activities associated with renewable geothermal energy development	[A5.9(2)(20)]
Applicable Spatial Layers Taheke 8C Development Area: Areas A, C, D, E and G	1. Activity Status: Restricted Discretionary Where: The activity is not identified as a permitted or controlled activity in this table Matters of Discretion (As for Rural 1 zone): <ul style="list-style-type: none">a. The extent to which the activity adversely affects the character and amenity values of the zone;b. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies;c. Natural hazards RURZ-MD1; andd. Financial contributions RURZ-MD3.		
Tourism and Honey Production – Areas E & H			
THDA-R7		Commercial outdoor and indoor recreation	[A5.9(2)(21)]
Applicable Spatial Layers Taheke 8C Development Area: Areas E and H	1. Activity Status: Controlled Performance Standards: <ul style="list-style-type: none">a. As for the Rural 1 Zone:<ul style="list-style-type: none">i. Height RURZ-S1;ii. Yards RURZ-S2;iii. Site coverage RURZ-S3;iv. Parking, access and turning RURZ-S5; andv. Reverse sensitivity RURZ-S6. Matters of Control: <ul style="list-style-type: none">a. As for the Rural 1 Zone:<ul style="list-style-type: none">i. Design RURZ-MC1;ii. Parking, access and turning RURZ-MC2;iii. Water quality RURZ-MC3;iv. Natural hazards RURZ-MC4;v. Water tables and flood events RURZ-MC5;vi. Financial contributions RURZ-MC7.	2 Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in THRP-R7(1) or (2). Matters of Discretion: <ul style="list-style-type: none">a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;b. The extent to which not meeting the performance standard will have reverse sensitivity effects on existing lawful activity or existing infrastructure can be avoided, remedied or mitigated;c. The extent to which the activity adversely affects the character and amenity values of the zone.d. Natural hazards RURZ-MD1; ande. Financial contributions RURZ-MD3.	
THDA-R8		Honey processing, packaging, sales and distribution	[A5.9(2)(22)]
Applicable Spatial Layers Taheke 8C Development	1. Activity Status: Controlled Performance Standards: <ul style="list-style-type: none">a. As for the Rural 1 zone:<ul style="list-style-type: none">i. Height RURZ-S1;	2 Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in THRP-R8(1) or (2).	

Area: Areas E and H	<div><div><div>ii. Yards RURZ-S2;</div><div>iii. Site coverage RURZ-S3;</div><div>iv. Parking, access and turning RURZ-S5; and</div><div>v. Reverse sensitivity RURZ-S6.</div></div><div><div>Matters of Control:</div><div><div>a. As for the Rural 1 Zone:</div><div><div>i. Design RURZ-MC1;</div><div>ii. Parking, access and turning RURZ-MC2;</div><div>iii. Water quality RURZ-MC3;</div><div>iv. Natural hazards RURZ-MC4;</div><div>v. Water tables and flood events RURZ-MC5; and</div><div>vi. Financial contributions RURZ-MC7.</div></div></div></div></div> <div><div>Matters of Discretion:</div><div><div>a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</div><div>b. The extent to which not meeting the performance standard will have reverse sensitivity effects on existing lawful activity or existing infrastructure can be avoided, remedied or mitigated;</div><div>c. The extent to which the activity adversely affects the character and amenity values of the zone;</div><div>d. Natural hazards RURZ-MD1; and</div><div>e. Financial contributions RURZ-MD3.</div></div></div>	
THDA-R9	Industrial or trade processes	[A5.9(2)(23)]
<div><div>Applicable Spatial Layers</div><div>Taheke 8C Development Area: Areas E and H</div></div>	<div><div>1. Activity Status:</div><div>Restricted Discretionary</div><div><div>a. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies.</div><div>b. The extent to which the activity adversely affects the character and amenity values of the zone;</div><div>c. Natural hazards RURZ-MD1; and</div><div>d. Financial contributions RURZ-MD3.</div></div></div>	
Lakeside Settlement and Wellness Centre – Area F		
THDA-R10	Wellness centres, residential units, medical and village facilities	[A5.9(2)(25)]
<div><div>Applicable Spatial Layers</div><div>Taheke 8C Development Area: Area F</div></div>	<div><div>1. Activity Status:</div><div>Controlled</div><div><div>Performance Standards:</div><div><div>a. As for the Residential 4 zone:</div><div><div>i. Height RESZ-S1;</div><div>ii. Yards RESZ-S2;</div><div>iii. Site Coverage RESZ-S3;</div><div>iv. Residential unit density RESZ-S4;</div><div>v. Parking, access and turning RESZ-S5; and</div><div>vi. Reflectivity RESZ-S6.</div></div></div></div><div><div>Matters of Control:</div><div><div>a. As for the Residential 4 Zone:</div><div><div>i. Design RESZ-MC1;</div><div>ii. Zone character RESZ-MC2;</div></div></div></div></div>	

	iii. Amenity RESZ-MC3; iv. Parking, access and turning RESZ-MC4; v. Natural hazards RESZ-MC5; and vi. Financial contributions RESZ-MC6.	
THDA-R11	Resthomes	[A5.9(2)(26)]
Applicable Spatial Layers Taheke 8C Development Area: Area F	1. Activity Status: Restricted Discretionary Matters of Discretion: a. As for Commercial 5 Zone: i. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies. ii. The extent to which the activity adversely affects the character and amenity values of the zone; iii. Natural hazards RESZ-MD1; and iv. Financial contributions RESZ-MC2.	
Commercial – Areas C & D		
THDA-R12	Boat storage	[A5.9(2)(25)]
Applicable Spatial Layers Taheke 8C Development Area: Areas C and D	1. Activity Status: Permitted Performance Standards: a. As for Commercial 5 Zone: i. Height COMZ-S1; ii. Yards COMZ-S2; iii. Parking, access and turning COMZ-S6; and iv. Landscaping COMZ-S9.	2. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in THDA-R12(1). Matters of Discretion: a. The extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matters of discretion; b. How the degree of non-compliance will reduce the amenity of the zone and affect adjoining sites; c. How the activity provides more efficient and practical use of the remainder of the site; d. Natural Hazards COMZ-MD1; e. Construction of new buildings COMZ-MD2; and f. Financial contributions COMZ-MD5.
THDA-R13	Tourism accommodation	[A5.9(2)(26)]
Applicable Spatial Layers Taheke 8C Development	1. Activity Status: Restricted Discretionary Matters of Discretion: a. Where compliance is not achieved with the performance standards for the zone: the extent to which the activity will avoid, remedy or mitigate the effects of the non-	

Area: Areas C and D	compliance in achieving the purpose of the relevant performance standard and the relevant objectives and policies.	
	b. Natural Hazards COMZ-MD1;	
	c. Construction of new buildings COMZ-MD2; and	
	d. Financial contributions COMZ-MD5.	
Other		
THDA-R14	Walking tracks	[A5.9(2)(10)]
Applicable Spatial Layers Taheke 8C Development Area	1. Activity Status: Permitted	
THDA-R15	Vegetation Disturbance	[A5.9(2)(11)]
Applicable Spatial Layers Taheke 8C Development Area	1. Activity Status: Permitted	
THDA-R16	Indigenous Vegetation Planting	[A5.9(2)(13)]
Applicable Spatial Layers Taheke 8C Development Area	1. Activity Status: Permitted	
Advice Note:		
Refer to Natural Environmental Values for additional rules for vegetation.		
THDA-R17	Agricultural production activities (including bee keeping)	[A5.9(2)(12)]
Applicable Spatial Layers Taheke 8C Development Area	1. Activity Status: Permitted	
	Performance Standards	
	Where:	
	The activity is not in Area F of the Development Area.	
Applicable Spatial Layers Taheke 8C Development Area	2. Activity Status: Non-Complying	
	Where:	
	The activity is in Area F of the Development Area.	

Performance Standards

The following performance standards apply if listed in the rule table for the relevant activity.

THDA-S1 Buildings and structures associated with geothermal electricity generation

[A5.9(3)(2)]

1. Height

- a. The maximum height of any building or structure associated with geothermal electricity generation shall not exceed 30 metres above natural ground level.
- b. The maximum height of any communication tower including associated antennae and electricity line support structures shall not exceed 45m from the natural ground level.

2. Yards

- a. Any building shall be setback by 20m from a boundary that adjoins separate property owner/adjoining sites.
- b. There are no setbacks for:
 - i. buildings or structure from any internal property boundaries
 - ii. pipelines
 - iii. electricity lines and support structures
 - iv. water intake and/or outfall structure from waterbodies.



WHARENUI DEVELOPMENT AREA

Status: WHDA is Operative.

INTRODUCTION

The Wharenui Road Development Area is located on the western side of Wharenui Road and bound by Porikapa and Morey Street to the north, McKenzie Road, Hayward Rise, Basley Road, Devoy Drive, and Stafford Rise to the west; and the extension of Link Road (paper road) to the south. The area also includes 34.4 hectares of land on the eastern side of Wharenui Road. The area is the initial stage of the Ngāti Whakaue Nominees Limited Master Plan.

The area is considered a logical area for growth as a result of its proximity to the existing residential areas of Lynmore and Ōwhata, existing schools, the arterial route of Te Ngae Road, and the designated Rotorua Eastern Arterial route.

The underlying zones are Residential 1, Residential 5 and Commercial 3 Zones.

The development is to be completed in stages, as detailed in these provisions. It is at these stages that the design detail of development will be assessed by council through the resource consent process. The development plan shown in figure WHDA-1, comprises 10 stages shown as A through to J in the table. A range of development is provided for, including residential, commercial, and residential lifestyle zoned land.

The staging of the development is also intricately linked to infrastructure provision, and includes provision for infrastructure upgrades throughout development of the area. Staging, minimum yields, development capacity, and traffic mitigation are all components of the development.

Rules for the development area are set out two parts: (1) rules for staging, planning and traffic mitigation; and (2) rules for specific activities in the development area.



Figure WHDA-1: Wharenui Road Area Development Plan

RULES

The rules below apply in addition to the rules for the zones and other chapters.

The rules for Wharenui Development Area are set out in two parts:

1. Rules for staging, planning and traffic mitigation.

These rules require consent where a number of additional infrastructure and planning matters are not satisfied within the development area. These rules apply regardless of the status of the activity in other chapters of the plan.
2. Rules for specific activities.

These rules override the zone rules and the rules in PK - Papakainga in respect of the specific activities addressed. They do not override the rules of other chapters unless expressly stated.

Links to the rule categories are provided below:

Rules for Staging, Planning and Traffic Mitigation in the Wharenui Development Area 73

 Staging, Minimum Yields 73

 Provision of Traffic Mitigation 74

 Traffic Review 74

 Development Concept Plan for Commercial 3 Zone 74

Rules for Specific Activities in the Wharenui Road Development Area 75

 Residential Development and Residential Units 75

 Stormwater 78

 Transport Interchange 78

Rules for Staging, Planning and Traffic Mitigation in the Wharenui Development Area

Staging, Minimum Yields		
WHDA-R1	Land use and subdivision in the Wharenui Road Development Area (staging and minimum yields)	[A5.3.2]
Applicable Spatial Layers Wharenui Road Development Area	1. Activity Status: Discretionary Where: Compliance not achieved with the performance standards for Staging and minimum yields WHDA-S1.	

Provision of Traffic Mitigation

WHDA-R2	Land use and subdivision in the Wharenui Road Development Area (traffic mitigation)	[A5.3.2]
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Applicable Spatial Layers Wharenui Road Development Area	1. Activity Status: Restricted Discretionary Where: Land use or subdivision is proposed without compliance with the performance standards for Traffic mitigation WHDA-S2 . Performance Standards: <ol style="list-style-type: none"> At the time a trigger level is reached as set out in WHDA-S2, a review shall be undertaken by a suitably qualified traffic engineer to determine the continued appropriateness of the trigger levels; and In the event of a change to the trigger levels in the table above consultation will occur with the relevant road controlling authorities. Matters of Discretion: <ol style="list-style-type: none"> Transportation effects on the surrounding transportation network. 	2. Activity Status: Discretionary Where: <ol style="list-style-type: none"> Land use or subdivision is proposed without compliance with the performance standards for Traffic Mitigation WHDA-S2; and Compliance is not achieved with the performance standards for WHDA-R2 (1).
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Traffic Review

WHDA-R3	Traffic Mitigation Measures Review Prior to Subdivision	[6.6(17)]
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Wharenui Road Development Area	1. Activity Status: Discretionary Where: Subdivision for a new development stage is proposed without compliance with the following additional performance standard for development in the Wharenui Road Development Area: Traffic mitigation measures review WHDA-S3 .
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Development Concept Plan for Commercial 3 Zone

WHDA-R4	Land use development in the Commercial 3 Zone without a development concept plan	[6.6(17)]
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Wharenui Road Development Area: Commercial 3 Zone	1. Activity Status: Discretionary Where: Commercial 3 Zone: Land use development is proposed without compliance with the following additional performance standard for the Wharenui Road Development Area: <ol style="list-style-type: none"> Prior to any land use development occurring within the Commercial 3 zone of the Wharenui Road area, a development concept plan for the entire Commercial 3 area contained within Wharenui Road shall be submitted to, and approved by council. The Commercial 3 area shall then be developed in accordance with this plan.
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Rules for Specific Activities in the Wharenu Road Development Area

Residential Development and Residential Units		
WHDA-R5 Residential units) in the Wharenu Road Area Development Area		[4.5(15) 4.5(16) 4.5(17) 4.5(18) 6.5(14)]
Applicable Spatial Layers Wharenu Road Development Area: Residential 1 Zone	1 Activity Status: Permitted Where: There are no more than three residential units per site. Performance Standards: <ol style="list-style-type: none"> The development shall be in general accordance with the Wharenu Road Development Area Plan (Figure WHDA-1). The development shall comply the standards for residential 1 zones with respect to: <ol style="list-style-type: none"> Height RESZ-S1; Yards RESZ-S2 Site coverage RESZ-S3; Parking, access and turning RESZ-S5; and Design and Landscaping RESZ-S6. 	2. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards for WHDA-R5(1). Matters of Restricted Discretion: <ol style="list-style-type: none"> The reason for the non-compliance with performance standards and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion; As specified for the Residential 1 Zone with respect to: <ol style="list-style-type: none"> Residential units – Non-compliance matters RESZ-MDA; Natural hazards RESZ-MD1; and Financial contributions RESZ-MD2. <p>Notification:</p> <p>An application for resource consent under this rule (for the construction and use of no more than 3 residential units per site that do not comply with one or more of the performance standards) will be considered without public notification (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</p>
Applicable Spatial Layers Wharenu Road Development Area: Residential 5 Zone	Activity Status: Permitted Where: There will be one residential unit per site. Performance Standards: <ol style="list-style-type: none"> The development shall be in general accordance with the Wharenu Road 	Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards for WHDA-R5(1). Matters of Restricted Discretion: <ol style="list-style-type: none"> The reason for the non-compliance with performance standards and the extent to which the activity will avoid, remedy or mitigate the effects of the

	<p>Development Area Plan (Figure WHDA-1).</p> <p>b. Height WHDA-SA1;</p> <p>c. Yards WHDA-SA2; and</p> <p>d. The development shall comply the standards for residential zones with respect to:</p> <ul style="list-style-type: none"> i. Site coverage RESZ-S3; and ii. Parking, access and turning RESZ-S5. 	<p>non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</p> <p>b. The extent to which the activity adversely affects the character and amenity values of the zone;</p> <p>c. Natural hazards RESZ-MD1; and</p> <p>d. Financial contributions RESZ-MD2.</p>
<p>Applicable Spatial Layers</p> <p>Wharenui Road Development Area: Residential 1 Zone</p>	<p>3. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. There are four or more residential units per site</p> <p>Performance Standards:</p> <p>a. The development shall comply the standards for residential zones with respect to the following:</p> <ul style="list-style-type: none"> i. Height RESZ-S1 ii. Yards RESZ-S2; iii. Site coverage RESZ-S3; iv. Design and Landscaping RESZ-S6; and v. Parking, access and turning RESZ-S5. <p>Matters of Discretion</p> <p>a. The extent to which the development is in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1)</p> <p>b. Vegetation WHDA-MC2;</p> <p>c. Staging and infrastructure WHDA-MC3;</p> <p>d. Stormwater WHDA-MC4;</p> <p>e. As specified for the Residential 1 Zones with respect to:</p> <ul style="list-style-type: none"> i. Natural hazards RESZ-MC5; and ii. Financial contributions RESZ-MC6. <p>Notification:</p> <p>An application for resource consent under this rule (for the construction and use of four or more residential</p>	<p>4. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>Compliance not achieved with the performance standards for WHDA-R5(3)</p> <p>Matters of Restricted Discretion:</p> <p>a. The extent to which the development is in general accordance with the Wharenui Road Development Area Plan (Figure WHDA-1)</p> <p>b. The reason for the non-compliance with performance standards and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion;</p> <p>c. Vegetation WHDA-MD2;</p> <p>d. Staging and infrastructure WHDA-MD3;</p> <p>e. Stormwater WHDA-MD4; and</p> <p>f. As specified for the Residential 1 Zone with respect to:</p> <ul style="list-style-type: none"> i. Residential units – non-compliance matters RESZ-MDA (For activities that do not comply with the performance standards for 3 or less units per site in RESZ-R3(1)) ii. Four or more residential or rest home units RESZ-MDB iii. Natural hazards RESZ-MD1; iv. Financial contributions RESZ-MD2; <p>Notification:</p>

	<p>units per site that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</p>	<p>An application for resource consent under this rule (for the construction and use of four or more residential units per site that does not comply with one or more of the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991), provided that the activity complies with all the following performance standards:</p> <ul style="list-style-type: none"> a. Height RESZ-S1: (1) or (1A) b. Yards RESZ-S2: (1) c. Site Coverage RESZ-S3: (1)(a) or (2)(a) d. Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).
<p>Applicable Spatial Layers</p> <p>Wharenui Road Development Area:</p> <p>Commercial 3 Zone</p>	<p>6. Activity Status: Discretionary</p> <p>Where:</p> <p>The activity is for medium density housing</p> <p>Assessment Criteria:</p> <ul style="list-style-type: none"> a. The extent to which the development is in accordance with the approved concept plan for the Commercial 3 Zone required under the rules for the Wharenui Development Area. b. Site and building design WHDA-AC1; c. Vegetation WHDA-AC2; d. Staging and Infrastructure WHDA-AC3; e. Stormwater WHDA-AC4; f. General WHDA-AC5; and g. General for Commercial Zones COMZ-AC1. 	
<p>Applicable Spatial Layers</p> <p>Wharenui Road Development Area:</p> <p>Residential 5 Zones</p>	<p>7. Activity Status: Non-Complying</p> <p>Where:</p> <p>The residential unit is not otherwise provided for in this table. For the avoidance of doubt, this includes:</p> <ul style="list-style-type: none"> a. Where there will be more than one residential unit per site in Residential 5 Zone. 	

Stormwater		
WHDA-R6	Stormwater management reserves, facilities and overland flow paths not associated with an approved subdivision or land use activity within the Wharenui Road Development Area	[4.5(19)]
Applicable Spatial Layers Wharenui Road Development Area: Residential 1 and 5 Zones	1. Activity Status: Restricted Discretionary Relationship to other rules: This rule overrides the rules for Infrastructure Activities in EIT Energy, Infrastructure and Transport, in relation to the specific activity specified Matters of Discretion: a. The extent to which the development is in accordance with the Wharenui Road Development Area Plan (Figure WHDA-1). b. Vegetation WHDA-MD2 ; c. Stormwater WHDA-MD3 ; d. The extent to which the activity adversely affects the character and amenity values of the zone; e. Natural hazards RESZ-MD1; and Financial contributions RESZ-MD2.	

Transport Interchange		
WHDA-R7	Transport interchange facilities	[6.5(7)]
Applicable Spatial Layers Wharenui Road Development Area: Commercial 3 Zone	1. Activity Status: Controlled Performance Standard: a. The development is in accordance with the approved concept plan for the Commercial 3 Zone required under the rules for the Wharenui Development Area. Matters of Discretion: a. Vegetation WHDA-MC2 ; b. Stormwater WHDA-MC4 ; c. Transport Interchange WHDA-MC5 ; d. General WHDA-MC6 ; and e. As specified for Commercial Zones with respect to: i. Design COMZ-MC1; ii. Parking, access and turning COMZ-MC2; iii. Natural hazards COMZ-MC3; and Financial contributions COMZ-MC4.	

Performance Standards – Staging, Planning and Traffic Mitigation

The following performance standards apply if listed in the rule table for the relevant activity.

WHDA-S1 Staging and minimum yields

[A5.3.2)]

1. Development shall proceed in accordance with the staged development plan shown in [figure WHDA-1](#). Development of residential activities of a subsequent stage may proceed to a consent process when the following trigger level for development is reached:

Development Stages		Development Area (ha)	Yield	Trigger level for development of subsequent stages 60% sold allotments
A	Residential 1	21.7	150	120
B	Residential 1	17.2	105	84
C	Residential 1	21.3	109	87
D	Residential 5	13.0	65	52
E	Residential 5	19.5	97	78
F	Residential 5	16.6	83	66
G	Residential 1 (Retirement Village)	7.3	219	175
H	Commercial 3	2.5	100	80
I	Residential 5	7.1	71	57
J	Residential 1 (Truffle Farm)	10.0	100	80

2. Provisions Related to Staging shall be read in conjunction with the table above:
 - a. No more than two stages are to be developed to Section 224 certification at any one time.
 - b. Yield in the Residential 1 and Commercial 3 zones equals the minimum number of new residential lots created and certified in accordance with Section 224 of the Resource Management Act 1991 or dwelling unit equivalents created in Medium Density or Retirement Village land uses.
 - c. Yield in the residential lifestyle zone equals the maximum number of new residential lots created at a maximum density of residential units per hectare across the total zone area.
 - d. The letters attached to each stage do not represent the order of development.

WHDA-S2 Traffic mitigation

1. Staged residential development shall not exceed the following limits unless the prescribed mitigation measures are implemented:

Trigger Level (new lots created)	Mitigation Required
151	Left In/Left Out turning restrictions at Coulter Road
301	Wharenui Road Traffic Calming

WHDA-S3 Traffic mitigation measures review

1. At the conclusion of each stage of development stated above in WHDA-S1 the proponent shall undertake a review of the proposed traffic mitigation measures implemented, and shall incorporate the findings in the design of the subsequent stage.

Performance Standards – Activities

The following performance standards apply if listed in the rule table for the relevant activity.

WHDA-SA1 Height

1. Height standards shall be as in RESZ-S1, except that the daylight envelope will only apply to the external boundaries (other than the road boundary) of the “parent lot” prior to subdivision;

WHDA-SA2 Yards

[4.6(2)]

1. Minimum Front Yards: 5m
except that on sites adjoining local roads and where any garage, bedroom, living room, or other habitable room has clear glazing facing the street, the front yard may be reduced to 3m.
2. Other yards: as specified for residential zones RESZ-S2, except that the requirements shall only apply to the external boundaries of the “parent lot”.

Matters of Control / Discretion / Assessment Criteria

The following matters of control/discretion or assessment criteria apply where listed in the rule table for the relevant activity. Council is not limited to the consideration of these assessment criteria for discretionary activities.

WHDA-MC1-MD1-AC1 Residential site and building design

[A5.3.5]

1. **Site Planning**
 - a. Design Expectation
 - i. The position of all residential units within their respective sites does not adversely affect the amenity and privacy of adjoining/adjacent properties, avoids any adverse dominance effect at the interface with other sites or public space and maximises the amenity and enjoyment of the residents.
 - b. Design Criteria
 - i. All types of residential units should maintain the appropriate distance from site boundaries to avoid adverse visual dominance, shadowing and privacy effects on the adjoining public space and private properties (as appropriate to their typology), and should comply with the performance standards in the residential chapter unless otherwise stated in the district plan.
 - ii. Buildings should be oriented appropriately to allow adequate daylight to buildings and sunlight to main living rooms, private outdoor spaces and balconies.
 - iii. Residential units should be positioned and openings designed to capitalise on any views that are available.
 - iv. A sufficient quantity of well-sited and carefully detailed private outdoor space or

balcony (as appropriate to housing type) should be provided for each dwelling to accommodate a range of activities that residents can enjoy in and around their house.

- v. Buildings should be located within the site for maximum utilisation of on-site external spaces and balconies. In this respect direct connection between internal and external living areas and a northerly aspect of the external living area are desirable.

2. Streetscape Compatibility

a. Design Expectation

- i. Design and architectural detailing of the residential units emphasises the public face of the building, where it relates to a public road, walkway or any other adjoining public open space. The building design complements any specific neighbourhood theme, and offers surveillance, visual enhancement, variety and positive sense of enjoyment of the public space.

b. Design Criteria

- i. Building design should offer visual interest when a building or a group of buildings is viewed from any street and/or any other adjoining public open space, by incorporating design aspects such as varied roof form, articulation in façade treatment, variation in setback, opening design etc.
- ii. A monotonous streetscape should be avoided through:
- iii. Avoiding long sequences of identical designs in adjacent detached houses; and
- iv. Providing variation in scale and façade treatment in attached houses and apartment buildings.
- v. A transition in height and scale between a new development and any neighbouring building should be provided.
- vi. Front doors should be weather protected and be easily identified from the street boundary to provide a sense of individual address and identity, and ease of visitor orientation.
- vii. Garage doors should not dominate the public frontage and should be set further back than the front face of the building.
- viii. Solid fences and walls along any street or reserve boundary and between the street and the front face of the closest building should be generally avoided or limited in height.
- ix. Residential units fronting the street should include windows or doors to active habitable rooms (not service rooms) on the front elevation to comply with CPTED principles for passive surveillance of the public realm.
- x. Street boundary treatment should be compatible in design with the neighbourhood and/or development.
- xi. Corner lots shall be designed to address both street frontages, and may have some distinct architectural corner features that respond to their context, such as wrap around verandahs or balconies, defined entrance and street address, windows and building form.

- xii. Trees and vegetation visible from the public realm should be selected to contribute to the character of the streetscape and complement the neighbourhood theme.
- xiii. The interface between private properties and the gully system shall be designed with appropriate boundary treatment, including low or visually permeable fencing and low density planting, to create separation and privacy for private outdoor spaces while retaining passive surveillance to the gullies.

3. House Planning

- a. Design Expectation
 - i. The planning of the dwelling creates amenity, enjoyment, health and safety for the residents and avoids adverse visual dominance, privacy and shadowing effects on adjoining properties.
- b. Design Criteria
 - i. The planning of the dwelling should create variety in building mass and shape with vertical and horizontal detailing, material variation and interesting architectural façade.
 - ii. Privacy and amenity of the adjoining properties should be preserved by minimising overlooking, retaining separation distances, and providing acoustic and privacy screening.
 - iii. The planning of the dwelling should complement energy efficiency and sustainable building design, and be of a depth and layout which allows natural ventilation through the house.

4. Vehicle Access and Parking

- a. Design Expectation
 - i. The design of vehicular access, parking and garaging is appropriately integrated with dwelling design so that the overall streetscape quality is not compromised.
- b. Design Criteria
 - i. [Deleted]
 - ii. The garage door(s), and associated vehicular access and manoeuvring space should not dominate the streetscape.
 - iii. Use of space within the site for vehicle manoeuvring should be minimised to increase on-site green space.
 - iv. The proposal should be in accordance with the provisions of Appendix APP1 – Parking and Turning Standards.

5. Fencing

- a. Design Expectation
 - i. Fencing assists in defining property boundaries, integrates with the character and style of the building on the site, improves the visual appearance of adjoining public spaces including roads and access ways, and does not compromise passive surveillance.
- b. Design Criteria

- i. The fence design should be consistent with the architectural design (i.e. style, character, material, colour) of the associated building or the design for the street or block.
- ii. The fence should not dominate the streetscape or adjoining reserve.
- iii. The fence should be appropriately used to preserve privacy between adjoining private open spaces.
- iv. Any fences erected within yards or on the boundary adjoining public land including streets, reserves, gully systems or walkways should be low height solid fences or visually permeable fences that take account of CPTED principles for passive surveillance.
- v. If any retaining wall is required in the front yard, or is visible from a public space, its visual appearance should be softened and disguised with associated fencing and landscaping.

6. Soft Landscaping

- a. Design Expectation
 - i. The landscaping associated with each dwelling complements any neighbourhood design theme. This signals the transition from the public street and other adjoining public space to the dwelling's interior private space. This softens the visual appearance of the built form, provides scale to the house, protects privacy between adjoining houses, offers shade in the summer and allows the sunshine to enter into the dwelling during the winter, and improves the visual appearance and amenity of the property.
- b. Design Criteria
 - i. The landscape design should include both soft and hard landscaping consistent with appropriate neighbourhood design themes.
 - ii. The front yard landscaping should complement the adjoining street and public open space landscaping.
 - iii. The matured size and number of on-site trees should be in proportion to the scale of the dwelling and the amount of available open space around the dwelling.
 - iv. The landscape design should be carefully considered to enhance the safety of the public spaces and the privacy between adjoining private open spaces.
 - v. Selection and location of deciduous and ever-green trees should be considered based on the orientation of the house and its private outdoor space to balance the varying climatic conditions of summer and winter.

7. Site Facilities and Accessory Structures

- a. Design Expectation
 - i. All accessory structures are designed to integrate their visual appearance with the overall built-form. Site facilities on more extensive development are located to maximise their convenience to residents and minimising any adverse visual impacts.
- b. Design Criteria
 - i. Accessory structures and site facilities should be located for the enjoyment and

amenity of the residents without detracting from the visual amenity of the streetscape.

WHDA-MC2-MD2-AC2 Vegetation

[A5.3.5(8)]

- a. Design Expectation
 - i. That riparian and gully wall planting should be undertaken to maintain vistas, clear, safe walking and cycle tracks and to stabilise gully walls.
- b. Design Criteria
 - i. Planting shall be undertaken in accordance with a planting schedule and planting plan that demonstrates on-going establishment of landscaped areas that meet the general urban design expectations for the Wharenui Road area.
 - ii. Planting should be sited to maintain vistas and to ensure clear, safe walking and cycle tracks.
 - iii. Riparian planting is to act as a buffer strip to improve water and runoff quality and to provide recreational, aesthetic and flood control benefits. In general, riparian buffers should be planted to a depth of 15m, or more, from the edge of streams.
 - iv. Gully wall planting should use fast-growing shrubs or small trees e.g. kohuhu (*Pittosporum tenuifolium*), manuka, kanuka, phormium cookianum, karamu, koromiko, ti kouka (cabbage tree), whauwhaupaku, and makomako, that will rapidly create a closed canopy with lesser amounts of kōwhai and ribbonwood.
 - v. Lower growing species should be planted near the base of the gully walls e.g. toetoe, wharariki, and harakeke, so that the gully floor is not shaded. Where there are existing populations of indigenous ferns, these should be left undisturbed during site preparation, if possible. On very steep/vertical slopes, species which only grow to a maximum of 3-4metres will be planted, e.g. cookianum, coprosma lucida, hebe stricta, cortaderia fulvida, and kiokio.
 - vi. Planting at the interface between the gullies and adjoining areas shall take into account opportunities for reducing undesirable activity. For example, the interface between residential properties and the gully system may be planted with prickly or very dense species to prevent or deter unsolicited entry into residential properties from the revegetated areas.

WHDA-MC3-MD3-AC3 Staging and Infrastructure

[A5.3.6(2)]

1. The extent to which development is in accordance with the proposed staging triggers described in the Development Area.
2. The extent to which any infrastructure (water, wastewater and roads) for the proposed development shall be provided prior to, or at the same time as, the proposed stage of development.

WHDA-MC4-MD4-AC4 Stormwater Management Reserves

[A5.3.6(3)]

1. The stormwater disposal system shall be a combination of reticulated pipework, swales or open

channels in the subdivision areas and off-line and on-line dams within the Stormwater Management Reserves. Dams shall be designed to only retain peak stormwater flows during and following rainfall events and shall be dry when not in use.

2. Stormwater treatment shall generally be provided within the identified Stormwater Management Reserves. Pipework may be provided to connect to a stormwater treatment device within the Stormwater Management Reserve.
3. Where provided Stormwater Management Reserves shall consider the landscape setting they are located within and, where possible, be designed to follow existing contours.
4. All new subdivisions shall be designed for attenuation of the 2% AEP flood peak flows from individual sub-catchments to less than or equal to pre-development peaks. This may be achieved by a combination of subdivision design, land use restrictions, drainage design features (e.g. low impact design) and end of pipe solutions. Pre-development levels are defined as those relating to the existing rural land use.
5. Stormwater Management Reserves shall be provided in accordance with the Ngāti Whakaue Plan Change Appendices, Appendix C, Stormwater Attenuation Plan and Report (BECA, January 2009) to ensure an integrated stormwater system is maintained.
6. All developments shall be required to demonstrate how they will address on, or adjacent to, the site:
 - a. Passage of surface flows from upstream so that flows are able to be managed to reduce effects downstream while not causing inappropriate flood risk or water levels within the gullies or upstream.
 - b. Passage of surface flows from the site itself to avoid risk of eroding the beds or banks of stormwater gullies, or on stormwater and flood risk management assets within those gullies.
 - c. Protection of houses from flooding in a 2% AEP event.
 - d. Management of runoff peaks from each subcatchment to downstream so they are less than or equal to flow peaks prior to development, or are fully managed through to the receiving environment (e.g. Lake Rotorua).
7. Council shall assess the flood plain based on the design flow rates in accordance with the Ngāti Whakaue Tribal Lands Stormwater Management Plan (November 2008).
8. Risk of discharge of contaminants such as sewage into the stormwater gullies.
9. Reasonable and safe access for maintenance purposes shall be provided within the Stormwater Management Reserve. The Stormwater Management Reserve shall be vested in council.
10. The construction plans for any in-stream works identified in the Ngāti Whakaue Tribal Lands Stormwater Management Plan (August 2008) shall be provided to Environment Bay of Plenty prior to construction commencing in order to obtain confirmation that they comply with the provisions of the stormwater discharge consent for the land.
11. An Erosion and Sedimentation Control plan for any in-stream capital works required by the Ngāti Whakaue Tribal Lands Stormwater Management Plan (August 2008) and stormwater discharge consent shall be provided to Environment Bay of Plenty prior to construction commencing in order to obtain confirmation that it complies with the provisions of the latest Guidelines for Erosion and Sediment Control for Earthworks.
12. All works within the Stormwater Management Reserves shall be required to demonstrate how

they will address:

- a. The safe passage of flood flows from upstream.
- b. The avoidance of erosion or gullying of the bed of the reserve.
- c. The provision of vegetation to slow and attenuate flood flows from upstream.
- d. Appropriate design to facilitate attenuated upstream flood flows where practicable for road crossings of the Reserve.
- e. Avoidance of the risk of discharge of contaminants to the gully.
- f. Access for maintenance.

WHDA-MC5-MD5-AC5 Transport Interchange

[A5.3.6(4)]

1. Sufficient car parking, bus stands, bike stands, and disabled parking areas shall be provided in accordance with Appendix APP1 – Parking and Turning Standards.
2. The interchange area shall be designed with health and safety of pedestrians in mind. It shall be suitably landscaped to break up the car park area and suitable lighting provided to create a safe environment.
3. The interchange shall be located on main commuter route with the intention to remove downstream car trips.
4. The interchange shall be located so as to avoid congestion, to enable ease of access, encourage use, and be far enough away from the main destination to make it worthwhile for drivers to change mode of transport.
5. The interchange shall not undermine existing or planned public transport services that may serve a similar catchment area.
6. The interchange shall be based on sound modeling (undertaken by a suitably qualified and experienced engineer) and cost benefit analysis.
7. Consideration is given to avoiding, remedying or mitigating all adverse effects on neighbouring properties such as and not limited to noise, glare, light spill and loss of privacy/amenity.

WHDA-MC6-MD6-AC6 General

[A5.3.7]

1. A monotonous streetscape is avoided by:
 - a. Avoiding long sequences of identical designs in adjacent detached structures.
 - b. Providing for a wide range of uses in the Village to promote employment opportunities with business development, civic and worship facilities, schools and campuses, and integrated medium density residential housing.
 - c. Providing variation in scale and façade treatment in attached structures.
 - d. Providing a range of safe street environments for vehicles and pedestrians.
 - e. Legible orientation to neighbourhood and Ngāti Whakaue via project signage.
2. Front doors on all Village business and public facilities are to be weather protected and easily identified from the street boundary to provide a sense of individual address and identity, and ease of visitor orientation.

3. Building design offers visual interest when a building or a group of buildings is viewed from any street and/or any other adjoining public open space, by incorporating design aspects such as varied roof form, articulation in façade treatment, variation in setback and open design.
4. Service areas and unarticulated building façade do not dominate the public streetscape.
5. Businesses fronting the street include lit display windows or doors on the front elevation to provide interest and surveillance of the public realm.
6. Street treatments are of the highest quality and compatible in design with the Gateway Centre, Resort Centre and/or other featured Centres within the Ngāti Whakaue development.
7. The extent to which the Village is designed to transition in height and scale with the existing land to best promote valued views toward Lake Rotorua. Additional consideration is given toward transitioning between the Village and neighbouring parcels, roading and open spaces should be provided.