

Chapter 12 – Proposed Amendments

The below are proposed as new rules to be added to Chapter 12, below the most recent Structure Plan introduced to the District Plan (Rule 12.4.23 – Washer Road Business Park Structure Plan). This would therefore be a new section, Rule 12.4.24 – Pencarrow Estate Pongakawa Structure Plan.

12.4.24 Pencarrow Estate Pongakawa Structure Plan

12.4.24.1 General

- a. Any subdivision or development (including delivery of stage pre-requisites) of land zoned Residential or Commercial within the Pencarrow Estate Pongakawa Structure Plan shall be undertaken in general accordance with that structure plan as set out in Appendix 7 and in the Pencarrow Estate Pongakawa Structure Plan Stage Prerequisites below.
- b. All roofs of buildings constructed in the Pencarrow Estate Pongakawa Structure Plan Area within lots adjoining a Rural Zoned site, or above one storey in height, shall be of a finish with a reflectivity (Light Reflectance Value) of no greater than 37%, measured and determined in accordance with AS/NZ Standard 1580.

12.4.24.2 Staging Details

- a. Subdivision or development of land within the Pencarrow Estate Pongakawa Structure Plan shall occur sequentially in that Stage 1 shall be completed prior to, or at the same time, as Stages 2 and 3.
- b. Subdivision to create separate lots that reflect the boundaries of the Pencarrow Estate Pongakawa Structure Plan area (in its entirety or of individual stages), including prior to the delivery of any stage pre-requisites, is a Controlled Activity.:

Council shall exercise control over the following:

- i) The new lot(s) to be established shall be generally consistent with the boundaries of the structure plan area or individual stages
- ii) Provision of legal and physical access to all proposed lots.

12.4.24.3 Pencarrow Estate Pongakawa Structure Plan – Stage Prerequisites

Stage **Prerequisites to subdivision 224 certificate being granted or to land use or building consent activity being established**

Stage 1 **Roading and Access**

- Intersection of Arawa Road and State Highway 2 to be upgraded in accordance with the recommendations of the Transportation Assessment Report prepared by Harrison Transportation (reference 496 TA, Rev 3 dated August 2023), or subsequent design prepared by a suitably qualified transportation professional, as approved by Waka Kotahi NZ Transport Agency and Council.
- Carriageway of Arawa Road widened or amended in terms of width to have a 6.5m wide carriageway following exit from the SH2/Arawa Road intersection into Arawa Road, in accordance with the Transportation Assessment Report prepared by Harrison Transportation (reference 496 TA, Rev 3 dated August 2023), or subsequent design prepared by a suitably qualified transportation professional, as approved by Council.
- Footpaths formed within pedestrian access strip between Arawa Road, adjacent to road carriageways and otherwise following 'Pedestrian Connection' routes within Stage 1, in accordance with the Council's Development Code (or successor document) and as approved by Council.
- Bus stop established meeting design requirements of Council's Development Code (or successor document).

Stormwater, Wastewater and Water Infrastructure

Following proposed design recommendations within the Engineering Servicing Report prepared by Lysaght Consultants (reference 225216 Rev 2 dated 1/9/2022):

- Stormwater pond in identified location.
- Construction of Overland Flow Path 2.
- Roadside swales to all roads within Stage 1.
- Stormwater infrastructure planted to follow recommendations at section 11.3 of Wildland's Consultants' report no. 6334 *Assessment of Ecological Effects for the Proposed Pencarrow Structure Plan Area at Pongakawa*.
- Preparation of wastewater disposal field and infrastructure of adequate size to service the number of lots within Stage 1.

- Water mains and reservoirs (if necessary) of sufficient pressure and capacity to service all lots within Stage 1 inclusive of firefighting requirements.

Deviation from these requirements shall be in accordance with an engineering design report prepared by a suitably-qualified chartered civil engineer, and as approved by Council.

Landscaping

Landscaping mitigation measures within and at the boundary of Stage 1 in general accordance with the structure plan, inclusive of proposed trees. Tree planting to adhere to minimum applicable requirements specified within Pencarrow Estate Structure Plan Drawing No. 004 – Tree Planting.

Reverse sensitivity

Prior to Stage 1 being completed, all effluent pond and storage infrastructure within the Pencarrow Estate Pongakawa Structure Plan area shall be relocated so as to be west of the north-western boundary of the structure plan area, and north of the existing milking shed and stock pad.

Commercial Land

The commercially-zoned land shall be established and available for future commercial and community service activities.

Stage 2

Roading and Access

- New roads within Stage 2 constructed, in accordance with the Council's Development Code (or successor document) and as approved by Council.
- Footpath connection between Stage 2 Road and Stage 1 Road to complete the connection to the stormwater pond reserve detailed in the structure plan.
- Footpaths following 'Pedestrian Connection' structure plan requirements within Stage 2.

Stormwater, Wastewater and Water Infrastructure

Following proposed design recommendations within the Engineering Servicing Report prepared by Lysaght Consultants (reference 225216 Rev 2 dated 1/9/2022):

- Roadside swales to all roads within Stage 2, planted to follow recommendations at section 11.3 of Wildlands Consultants' report no. 6334. *Assessment of Ecological Effects for the Proposed Pencarrow Structure Plan Area at Pongakawa.*
- Preparation of wastewater disposal field and infrastructure of adequate size to service the number of lots within Stage 2.
- Water mains and reservoirs (if necessary) of sufficient pressure and capacity to service all lots within Stage 2 inclusive of firefighting requirements.

Deviation from these requirements shall be in accordance with an engineering design report prepared by a suitably-qualified chartered civil engineer, and as approved by Council.

Reserves

Formation of reserve around stormwater attenuation pond.

Landscaping

Landscaping mitigation measures within and at the boundary of Stage 2 in general accordance with the structure plan. Tree planting to adhere to minimum applicable requirements specified within Pencarrow Estate Structure Plan Drawing No. 004 – Tree Planting.

Reverse sensitivity

Dairy cow milking shall cease to occur at the existing milking shed.

Stage 3

Roading and Access

- New roads within Stage 3 constructed, in accordance with the Council's Development Code (or successor document) and as approved by Council.
- Footpaths following 'Pedestrian Connection' structure plan requirements within Stage 3.

Stormwater, Wastewater and Water Infrastructure

Following proposed design recommendations within the Engineering Servicing Report prepared by Lysaght Consultants (reference 225216 Rev 2 dated 1/9/2022):

- Roadside swales to all roads within Stage 3, planted to follow recommendations at section 11.3 of Wildlands Consultants' report no. 6334. *Assessment of Ecological Effects for the Proposed Pencarrow Structure Plan Area at Pongakawa.*
- Preparation of wastewater disposal field and infrastructure of adequate size to service the number of lots within Stage 3.
- Water mains and reservoirs (if necessary) of sufficient pressure and capacity to service all lots within Stage 3 inclusive of firefighting requirements.

Reserves

Formation of the private playground reserve within the Commercial Area as shown on the structure plan.

Landscaping

Landscaping mitigation measures within and at the boundary of Stage 3 in general accordance with the structure plan. Tree planting to adhere to minimum applicable requirements specified within Pencarrow Estate Structure Plan Drawing No. 004 – Tree Planting.

Chapter 13 – Proposed Amendments

13.3.2 Controlled Activities

- a. More than one *dwelling* per *lot* subject to performance standard 13.4.1.i.

Conventional Residential Areas	Minimum Lot Size
Katikati and Waihi Beach (including Athenree, Bowentown and Pios Beach) and Pencarrow Estate Structure Plan (Density B).	350m ²
Pencarrow Estate Pongakawa Structure Plan (Density A).	350m ² Maximum average 400m ²
Pencarrow Estate Pongakawa Structure Plan (Density B).	500m ²
Athenree Structure Plan area adjoining the Tauranga Harbour or esplanade reserve	2,000m ²
Ōmokoroa Stage 1	400m ² with a maximum average of 800m ²
Ōmokoroa Stage 2	350m ² with a maximum average of 650m ²
Ōmokoroa Existing Village	600m ²
Maketu – greenfield areas connected to a reticulated wastewater supply with a minimum parent lot size of 3000m ²	Minimum 350m ² Average 600m ²
All other residential areas	800m ² subject to compliance with Rule 12.4.6 and 12.4.7 .

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13.4.1 General

a. **Height of buildings/structures**

The maximum [height](#) shall be 8m and retain a maximum two storey character.

Except that:

- (i) The maximum height shall be 6m in the Pencarrow Estate Residential Height Restriction Area and retain a maximum one-storey character.

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c. Yards

- i. Front Yards shall be no less than the following:

Residential Dwellings (not including garages) 4m
Other buildings/structures including all garages 5m

- ii. Rear and Side Yards shall be no less than the following:

All buildings/structures 1.5m

Except that:

Dwellings and garages on land adjoining the Pencarrow Estate Residential Rear Yard Boundary shall be setback 5m from the specified boundary as shown in that Structure Plan. Accessory buildings are permitted within this yard provided that the maximum height shall be 2m and the maximum gross floor area shall be 10m².

(Also see (c)(iv) for lots along Two Mile Creek)

Provided that:

A building/structure may be located within a side or rear yard and up to a side or rear boundary where the written approval of the owner(s) of the immediately adjoining property to a specified lesser distance is obtained.

A dwelling/garage may only be located within the Pencarrow Estate Residential Rear Yard and up to the specified boundary as shown in that structure plan, and an accessory building may exceed the maximum height or gross floor area permitted within this yard, where the written approval of the owner(s) of the immediately adjoining property is obtained.

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13.4.2 Subdivision and Development (See also [Section 12](#))

a. Minimum net [lot](#) size:

Conventional Residential Areas	Minimum Lot Size
Katikati and Waihi Beach (including Athenree, Bowentown and Pios Beach) and Pencarrow Estate Structure Plan (Density B).	350m ²
Pencarrow Estate Pongakawa Structure Plan (Density A).	350m ² Maximum average 400m ²
Pencarrow Estate Pongakawa Structure Plan (Density B).	500m ²
Athenree Structure Plan area adjoining the Tauranga Harbour or esplanade reserve	2,000m ²
Ōmokoroa Stage 1	400m ² with a maximum average of 800m ²
Ōmokoroa Stage 2	350m ² with a maximum average of 650m ²
Ōmokoroa Existing Village	600m ²
Maketu – greenfield areas connected to a reticulated wastewater supply with a minimum parent lot size of 3000m ²	Minimum 350m ² Average 600m ²
All other residential areas	800m ² subject to compliance with Rule 12.4.6 and 12.4.7 .

Chapter 19 – Proposed Amendments

19.4.1 General

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for the assessment of all other activities. Any Permitted Activity that fails to comply with any of these standards will be a Restricted Discretionary Activity for the particular non-compliance.

a. Building height, setback and design

- v.iii Continuous retail frontage – *Development* in the Commercial Zone shall be constructed up to the road boundary except for vehicle access up to 6m wide per *site*. Each *building* shall have clear windows on the ground floor that must cover at least 50% of the *building's* frontage to a main street and at least 25% for all other streets and public areas, such as walkways and public parking areas.

Except that:

This requirement shall not apply to the Te Puna Springs *Structure Plan* Area.

Within the Pencarrow Estate Pongakawa Structure Plan area, a continuous retail frontage shall be provided to Arawa Road and any adjacent structure plan road, as well as the façade facing the proposed playground area as shown on Structure Plan. The continuous retail frontage is not required to be constructed to the road boundary.