

1 Plan Overview

1.1 Introduction

1.1.1 Purpose of the District Plan

The purpose of the Hamilton City District Plan (the District Plan) is to enable the Council to carry out its functions under the Resource Management Act 1991, the purpose of which is to promote the sustainable management of natural and physical resources.

Section 5 of the Resource Management Act 1991 (the Act) defines sustainable management as:

“Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:

- a. *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
- b. *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- c. *Avoiding, remedying or mitigating any adverse effects of activities on the environment.”*

The Act defines natural and physical resources to include “land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures”.

1.1.2 Statutory Context of the District Plan and Relationships with Other Plans

1.1.2.1 The Resource Management Act 1991

The District Plan is prepared by Hamilton City Council in response to its obligations under the Act. The District Plan applies to the whole of Hamilton City, as it existed at notification date, and as shown in the Planning Maps. This District Plan will replace the operative Hamilton and Waikato District Plans that previously applied within the boundaries of the City.

The District Plan meets the Council’s functions under the Act, particularly Part 2, Sections 31, 72, 74 and 75 and Schedule 1. Section 31 of the Act sets out Council’s functions in terms of how it is to be put into effect. These are summarised as:

- a) To achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources.
- b) Control effects of the use, development or protection of land, including for the purpose of:
 - i. Avoiding or mitigating natural hazards.
 - ii. Matters relating to hazardous substances and the use of contaminated land.
 - iii. The maintenance of indigenous biodiversity.

- c) Control the emission and effects of noise.
- d) Control effects of activities on the surface of lakes and rivers.

This District Plan has been prepared in accordance with Section 32 of the Act.

1.1.2.2 Integration of the Plan with Other Plans and Documents

The Act requires the integrated management of the environment. The District Plan is one tool for the sustainable management of Hamilton City and there are a range of other plans and documents, such as those outlined in Figure 1a that are either implemented through the District Plan or taken into account when preparing it, as a means of achieving sustainable and integrated management of natural and physical resources.

a) National Policy Statements and National Environmental Standards

The Minister for the Environment prepares National Policy Statements and National Environmental Statements. The role of a National Policy Statement is to provide guidance for decision-making and the development of a district plan. At the time of preparing this District Plan the operative policy statements are the:

- New Zealand Coastal Policy Statement 2010
- National Policy Statement for Electricity Transmission 2008
- National Policy Statement for Freshwater Management 2011
- National Policy Statement for Renewable Energy Generation 2011

National Environmental Standards are technical standards relating to the use, development and protection of natural and physical resources, and are a form of regulation. Methods for implementing these standards can be prescribed, which promotes consistent standards, requirements or recommended practices nationally.

National standards override existing provisions in plans that require a lesser standard. However, where a district plan specifies a more stringent standard than that shall prevail over a National Environmental Standard if the National Environmental Standard expressly says that a district plan rule or consent may be more stringent than it. National Environmental Standards in force when this Plan was notified are:

- Air-quality standards
- Sources of human drinking water standard
- Telecommunications facilities
- Electricity transmission
- Assessing and managing contaminants in soil to protect human health

The Act requires that district plans must give effect to National Policy Statements and must not be in conflict with or duplicate a National Environmental Standard.

b) Vision and Strategy for the Waikato River

As part of the Waikato River Settlement between the Crown and Waikato-Tainui, *Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River* ('Vision and Strategy') has been developed. The Vision and Strategy was developed by the Guardians Establishment Committee (which included representatives of the Waikato River iwi and communities), recorded in the

Settlement Act and will be periodically reviewed by the Waikato River Authority. It is the primary direction-setting document for the Waikato River and its catchments which include the lower reaches of the Waipa River.

The Vision and Strategy (April 2011) is set out in Volume 2, Appendix 10: Waikato River Corridor and Gully Systems.

Under Section 11 of the Settlement Act, the Vision and Strategy is deemed in its entirety to be part of the Regional Policy Statement without the need for public consultation. Section 75(3) of the Resource Management Act requires the District Plan to give effect to the Regional Policy Statement.

The Vision and Strategy is to be interpreted in a manner that best furthers the Overarching Purpose of the Waikato River Settlement; To restore and protect the health and wellbeing of the Waikato River for future generations.

The Settlement Act confirms that the Vision and Strategy prevails over any inconsistent provisions of any National Policy Statement or New Zealand Coastal Policy Statement. A rule included in the District Plan for the purposes of giving effect to the Vision and Strategy prevails over a National Environmental Standard or Water Conservation Order if the rule is more stringent.

c) Ruakura Development Plan: Board of Inquiry Decision

In September 2014 a Board of Inquiry confirmed planning provisions for the Ruakura Schedule Area that forms part of the R1 Area transferred to Hamilton City during 2011. The provisions were included in the Hamilton City Operative District Plan: Waikato Section. However, a separate planning process is necessary to incorporate these provisions into the current District Plan. These provisions provide for a major new employment node at Ruakura based around an inland port to capitalise on the area's location adjacent to the Waikato Expressway, Eastern Arterial and the East Coast Rail Line.

This Plan provides for this development through: (Chapters 1, 2, 3.7, 4, 8, 10, 11, 15, 23, 25, Appendix 1, Appendix 2 and Appendix 3).

d) Future Proof

The Future Proof Strategy is a 50-year vision and implementation plan developed by strategy partners: Waikato Regional Council, Hamilton City Council, Waipa District Council, Waikato District Council, Tainui Waka Alliance and tāngata whenua, with assistance from the NZ Transport Agency. Specifically Future Proof identifies 50-year land supply needs in the Future Proof sub-region (being the territorial authority areas of Hamilton City and Waipa and Waikato Districts) and sequences its release and development according to its ability to be serviced by appropriate infrastructure and to be funded equitably. The Future Proof Strategy includes urban limits in order to anchor the settlement pattern. The urban limits follow the Hamilton City boundary and provide enough land out to 2061. The Future Proof settlement pattern forms the basis of the City's Hamilton Urban Growth Strategy, which the land use pattern within the District Plan is derived from.

ee) Waikato Regional Policy Statement

The Act requires the Waikato Regional Council to prepare a Regional Policy Statement, which provides an overview of regionally significant resource management issues, and sets a broad strategic direction. The District Plan must give effect to the Regional Policy Statement. At the time of notifying the Proposed District Plan, there is an Operative Regional Policy Statement and a Proposed Regional Policy Statement that was notified in November 2010.

The Proposed Regional Policy Statement aims to give statutory effect to the sub-regional settlement pattern contained in the Future Proof Strategy. It includes urban limits, strategic industrial nodes, growth allocations and staging and target residential densities.

fe) Waikato Regional Plans

Waikato Regional Council prepares regional plans to meet its functions under the Act. Regional Plans focus on particular issues and areas and assist the Regional Council in carrying out its functions under the Act. The District Plan cannot be inconsistent with regional plans. Topics where regional and district plans may overlap include earthworks, natural hazards, hazardous substances, air quality and water quality. In these matters, the District Plan concentrates mostly on effects on human health or amenity, whereas the regional plan is more directed at effects on the natural environment.

Where there is an overlap of functions, the Proposed Waikato Regional Policy Statement provides guidance by allocating responsibilities between the district and regional councils.

gf) Waikato Region Strategies and Plans

Waikato Regional Council prepares strategies and plans providing policy and actions on specific matters to help the Regional Council carry out its functions under the Act and other legislation. The District Plan must have regard to these strategies and plans. They include:

- Regional Land Transport Strategy
- Regional Public Transport Plan
- Regional Road Safety Strategy
- Regional Walking and Cycling Strategy
- Waikato Regional Energy Strategy
- Central Waikato River Stability Management Strategy
- Waikato Regional Pest Management Strategy

hg) Iwi Planning Documents

The Act requires that planning documents recognised by an iwi authority, such as iwi management plans, be taken into account in the preparation of the District Plan.

Hamilton City Council Plans and Documents

ih) City Strategies

Hamilton City Council, in conjunction with other parties, has developed a number of City Strategies, which provide important direction for this District Plan. Those existing at the time of notifying this District Plan are:

- Access Hamilton

- Active Communities
- Arts Agenda
- Economic Development
- Environmental Sustainability
- Hamilton Urban Growth
- Social Wellbeing

ji) The Long Term Plan

Council is required every three years to prepare a Long Term Plan under the Local Government Act 2002, a plan that covers the following 10 years. The Long Term Plan includes the vision and goals for the City. It also includes what Council is planning on doing and why, how much it will cost, and how it will be funded.

kj) Annual Plan

Council is required to prepare an Annual Plan every year. The Annual Plan contains the proposed annual budget and provides opportunities for public participation in decision-making on costs and funding of Council activities. In years when a Long Term Plan is required, the Long Term Plan constitutes the Annual Plan.

lk) Asset Management Plans

Asset Management Plans describe the strategies and work programmes for Council assets, such as roads, to deliver the required level of service to existing and future users cost-effectively. Asset Management Plans inform the Long Term Plan and Development Contributions Policy.

m) Development and Financial Contributions Policy

Council's policy on development and financial contributions primarily focuses on development contributions required under the Local Government Act 2002. These are paid by developers to fund new infrastructure. The policy also refers to financial contributions which are required under the Act in specific circumstances. These requirements are detailed in the District Plan.

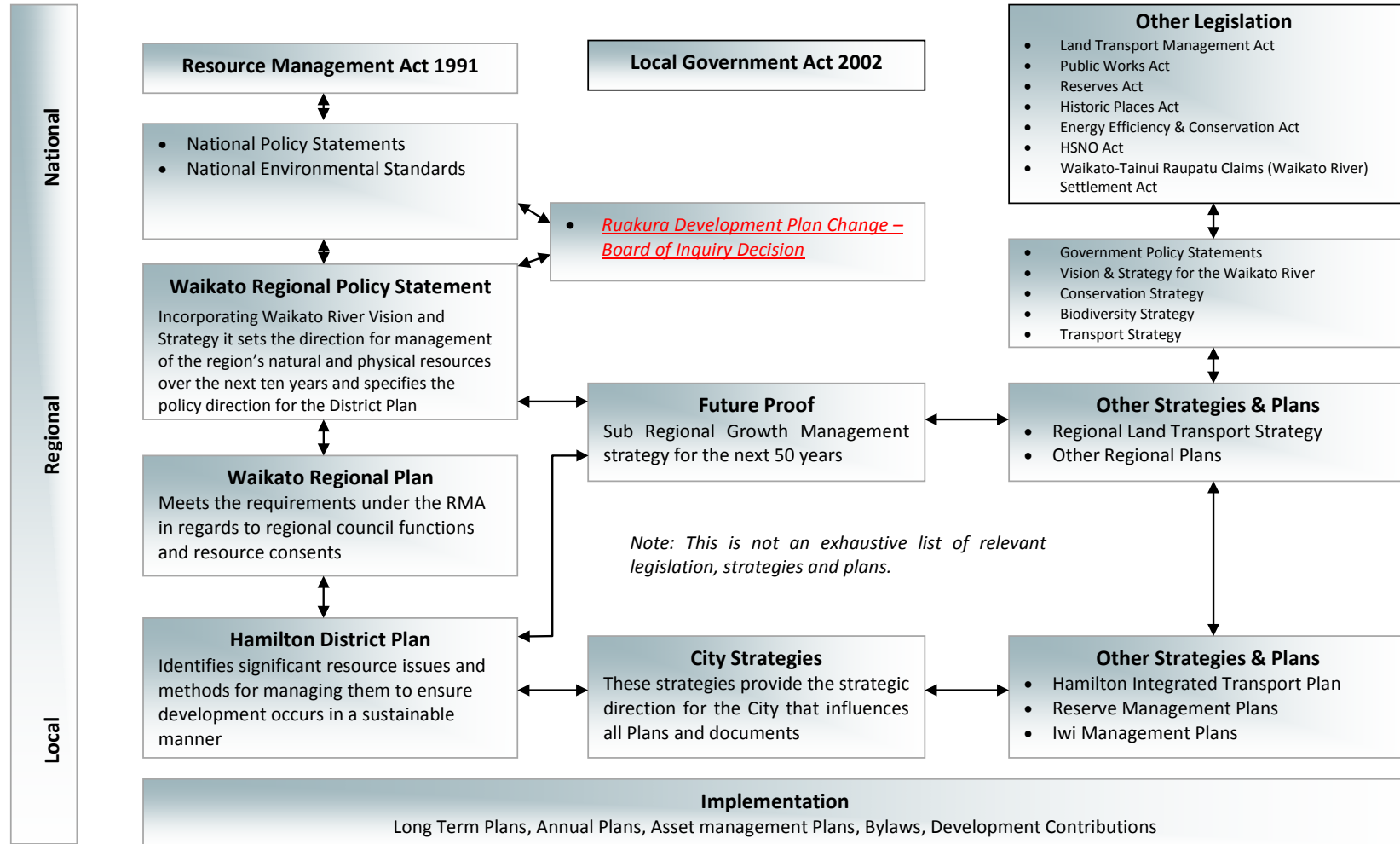
na) Hamilton City Infrastructure Technical Specifications

This document contains guidance on engineering practice and design solutions considered to be acceptable means of compliance for infrastructure related standards within the District Plan. In this context it is used for setting conditions of resource consent for subdivision and development. The content is amended from time to time to reflect best practice and new technologies. Public infrastructure is expected to be designed in accordance with the latest specifications in this document.

oa) Vista – Hamilton City Design Guide

Council's design guide *Vista* outlines the City's expectations for better design environments.

Figure 1a: Integration of the District Plan with other plans and documents



1.1.3 Plan Structure

The District Plan is made up of the following sections:

a) Plan Overview

The Plan Overview contains material to assist plan users to understand and interpret the District Plan. The Introduction outlines the purpose of the District Plan, how to use the District Plan, an overview of the resource consent process, the activity status for any activity not mentioned in the District Plan, notification defaults, and an explanation about the rules which are given immediate effect upon notification of the District Plan.

b) Strategic Chapter

This outlines the strategic objectives and policies for the future direction of the City. It is intended that the Objectives and Policies of this chapter provide a hierarchy of district-wide strategic considerations that sit over the Objectives and Policies of specific zones, sites and features.

c) Structure Plan Chapter

This sets out objectives and policies that apply to all Structure Plan areas. When subdivision and/or development are proposed within a Structure Plan area it must be in accordance with these objectives and policies where relevant.

d) Zone and Other Chapters

These set out the subdivision and financial contribution provisions, planning zones, sites and features of the City and the objectives, policies and rules which apply to each.

e) City Wide Chapter

This outlines the objectives, policies and rules which apply across all planning zones in the City and is broken into sections covering topics such as development suitability, earthworks and vegetation, events and temporary activities, hazardous facilities, landscaping and screening, lighting and glare, network utilities and the electricity national grid corridor, noise and vibration, public art, signs, smoke/fumes/dust and odour, solid waste, Three Waters, transportation, and urban design.

f) District Plan Administration

This appendix is cross-referenced from City-wide and Zone chapters and includes:

- i. Definitions and Terms (1.1)
 - Acronyms Used in the District Plan (1.1.1)

This section lists and defines the acronyms used throughout the District Plan.

- Definitions Used in the District Plan (1.1.2)

This section lists and defines words and phrases that are used throughout the District Plan.

Comment [HCC1]:

Tainui Group Holdings, ENV-147;
Chedworth Properties Limited, ENV-146

- ii. Information Requirements (1.2)
Information requirements list information that must be provided with a resource consent application. Included is a list of generic information as well as specific information required for identified activities.

- iii. Assessment Criteria (1.3)
 - Guide to Using the Criteria (1.3.1)

This section provides a guide as to how the District Plan Assessment Criteria Section works.

- Controlled Activities – Matters of Control (1.3.2)

This section contains the matters of control for identified controlled activities.

- Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria (1.3.3)

This section contains assessment criteria under subject headings that relate to the 'Matters of Discretion' for Restricted Discretionary activities. Discretionary and Non-Complying Activities will use this criteria where relevant for preparing an application with specific reference to the general criteria in A2.

- iv. Design Guides (1.4)

This section contains design guides which Council may consider to assess the effects of any activity requiring consent as a restricted discretionary, discretionary activity or non-complying activity. These are cross referenced from Appendix 1.3.

- v. Other Methods of Implementation (1.5)

This section lists other methods to achieve the District Plan objectives and policies.

- vi. Existing Use Rights

To show existing use rights apply, one must prove to Council that the activity was legally established, that the effects generated will be the same or similar in character, intensity and scale to those which existed when the activity was established, and that the activity has been continuous.

g) Planning Maps

A separate volume contains planning maps that spatially define zones and features referred to within this text volume. The planning maps identify:

- i. Zones.
- ii. Designation boundaries.
- iii. Features (including scheduled heritage buildings and sites, significant trees, significant natural areas, natural hazard areas, high voltage transmission corridors and character areas).
- iv. Rototuna, Rotokauri, Peacocke and Ruakura Structure Plans (including boundaries, staging and land-use).
- v. Transport Corridor Hierarchy Plan and proposed road closures.
- vi. Hamilton Airport Obstruction Limitation Surface.

h) Section 32 Report

Justification for objectives, policies and rules is contained in the Section 32 Report which is a separate document that accompanies the District Plan.

1.1.4 Structure of Each Chapter

The structure of each of the individual chapters of the District Plan is generally summarised as follows:

a) Purpose

This briefly describes the resource management matters addressed in the Chapter.

b) Objectives

The objectives set the direction Council has taken in response to the issues facing the City, and outline the outcomes that the District Plan seeks.

c) Policies

The policies define the course of action that the Council has adopted to achieve an objective.

d) Rules

A rule is a regulatory method to implement the policies. These are listed in the Activity Status Table and as General Standards and Specific Standards within each chapter. This includes links to other chapters with relevant rules.

e) Restricted Discretionary, Discretionary and Non-Complying Matters of Discretion and Assessment Criteria

This section lists Restricted Assessment activities, specifically identifying what matters discretion has been restricted to, relevant assessment criteria and whether the consent will be processed without the need for public notification or approval by affected persons. The reference headings cross-reference to matters and criteria contained in Appendix 1.3.3: District Plan Administration – Restricted Discretionary, Discretionary and Non-Complying Matters for Discretion and Assessment Criteria.

f) Other Resource Consent Information

This section cross-references to other parts of the District Plan containing relevant information for resource consent applications.

1.1.5 Designations

Designations for public works have been received by the Council and these are noted on the Planning Maps as well as being recorded in Chapter 26: Designations. The provisions of the Act shall apply to these designations.

1.1.6 How to Use this District Plan

The District Plan can tell you whether a particular land use, subdivision or development requires resource consent to be obtained, and if so, which category of consent. This section tells you where to look in the District Plan to find out this information.

In determining if an activity is provided for by this District Plan users should undertake the following steps:

Step 1 – Confirm the zone that applies

- a) Begin with the Planning Maps. Locate your property on the zone maps, e.g. General Residential Zone, Industrial Zone, or Central City Zone.

Step 2 – Confirm if any special site, feature, overlay or designation applies

- a) Use the maps to confirm whether your property has a special site, feature, overlay or designation on it, such as a scheduled heritage building, a notable tree, or a designation.

Step 3 – Confirm the activity status

- a) Go to the relevant chapters for the zone that your property is located in and any site, feature, overlay or designation that applies, and for any general rules that apply.
- b) Look down the list of activities in the Activity Status Table to find your activity. Every activity will be indicated as either a permitted, controlled, restricted discretionary, discretionary, or non-complying activity. If the activity is subject to a site, feature or overlay it may have a different activity status than in the zone Activity Status Table; the activity may also appear in a City wide chapter. Where there are multiple relevant chapters, use the process to determine the activity status detailed in 1.1.8.1.
- c) Read the general and specific standards that follow the table, before deciding the activity class, this may direct you to other chapters to check against other relevant rules. Section 1.1.8.2 explains what activity class applies if an activity does not comply with a standard.
- d) If your activity is a permitted activity, you can proceed without obtaining resource consent provided you comply with any relevant standards.

Note

Existing Use Rights apply, see 1.1.3f)vi.

Step 4 – Apply for resource consent

- a) If your activity is a controlled, restricted discretionary, discretionary or non-complying activity you will need to apply to Council for resource consent.

- b) If your activity is a controlled, restricted discretionary or discretionary activity, the District Plan provides guidance on the assessment criteria which will be applied. These will provide direction on matters to be covered in the resource consent.
- c) Consideration is also given to the objectives and policies of the District Plan.
- d) Applications for resource consents must be made in writing to the Council. Application forms and information brochures are available from Council or are available online. Fees are payable.
- e) Applications must be accompanied by an assessment of any actual or potential effects that the activity may have on the environment, together with any other information required by this District Plan and the Act.
- f) Council recommends that applicants obtain professional advice before making an application. Council staff can assist by providing application forms and general advice on the requirements of the District Plan. Hamilton City Council also has information available online to assist in understanding this District Plan.

1.1.7 Explanation of Activity Classes

Activities in the District Plan are identified as being one of the following. There are no prohibited activities in this District Plan.

Symbol	Activity class	Resource consent details	How identified ¹
P	Permitted activity	Does not require resource consent. (Activity may be regulated under other laws, for example Building Act may require building consent.)	Activity is permitted if listed as P in the relevant Activity Status Table, and the activity complies with the relevant standards specified in rules.
C	Controlled activity	Requires resource consent, which must be granted by Council (with certain exceptions under the Act). Conditions may be imposed by Council on "matters over which the Council reserves control".	Activity is controlled if listed as C in the relevant Activity Status Table, and the activity complies with the relevant standards specified in rules.
RD	Restricted discretionary activity	Requires resource consent, which may be granted with or without conditions, or declined. Council will consider only "matters to which discretion is restricted", which are stated in Volume 2, Appendix 1.2. Conditions of consent are also limited to the matters to which discretion is restricted.	Activity is restricted discretionary if: <ol style="list-style-type: none"> 1. Listed as RD in the relevant Activity Status Table, or 2. Listed as P or C, but fails to comply with relevant standards, thus becoming restricted discretionary.
D	Discretionary activity	Requires resource consent, which may be granted with or without conditions, or declined. Assessed on a full range of assessment matters referred to in the Act (s104).	Activity is discretionary if listed as D in the Activity Status Table.

NC	Non-complying activity	Requires resource consent. The Council may grant or refuse consent, with or without conditions. The application may be granted if Council is satisfied the adverse effects of the activity on the environment will be minor, or the application is for an activity that won't be contrary to the objectives and policies. Assessed on a full range of assessment matters referred to in the Act.	Activity is non-complying if listed as NC in the relevant Activity Status Table.
Pr	Prohibited activity	Resource consent cannot be applied for the activity and consent cannot be granted.	Activity is prohibited if listed as Pr in the relevant Activity Status Table.

¹Unless specifically stated otherwise in the relevant Chapter or as per 1.1.8.1.

1.1.8 Activity Status Defaults

1.1.8.1 Process to Determine Activity Status

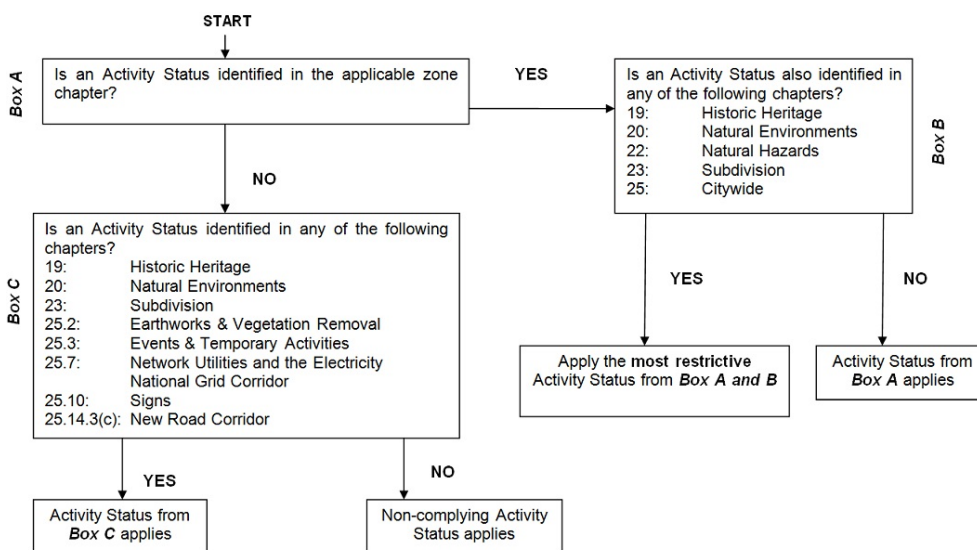
The following flowchart is used to work out the Activity Status of a proposal (i.e. Permitted, Controlled, Restricted Discretionary, Discretionary or Non-Complying, see 1.1.7). While this flowchart will be relevant for most proposals there will be some specific situations where other legislation or National Environmental Standards will overrule the result.

Furthermore, the Activity Status may be dependent on the proposal complying with standards (rules) in the Plan. If the proposal fails to comply with these standards then this may alter the Activity Status (see 1.1.8.2).

It is also important to note that a proposal may come under more than one definition (e.g. an Industrial activity may also be a Hazardous Facility).

Comment [HCC2]:
Darryl & Suzanne Smith, ENV-185

Figure 1.1.8a: Process to Determine Activity Status



1.1.8.2 Infringement of Standards

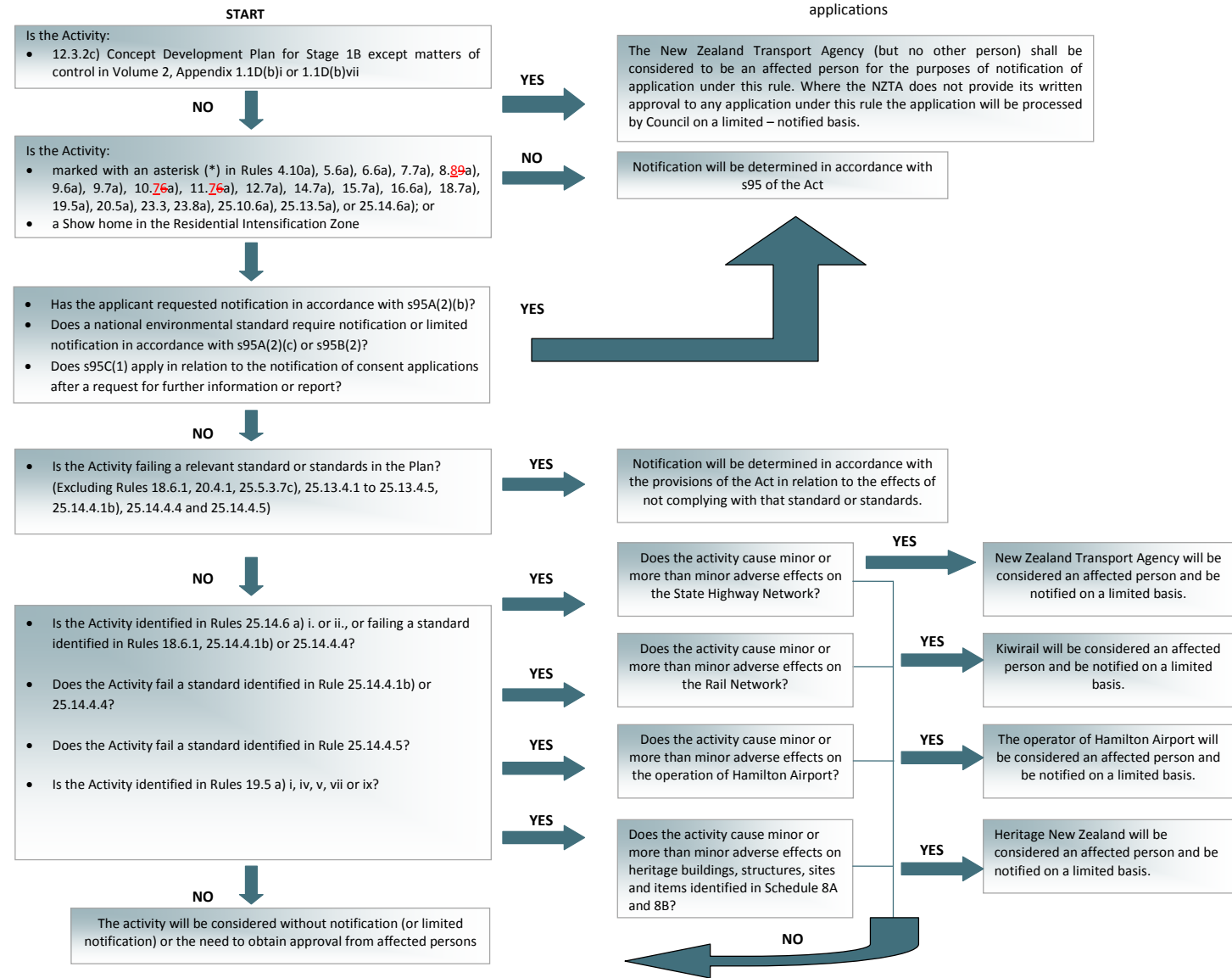
Unless specifically stated otherwise in the relevant Activity Status Table:

- a) Permitted activities that infringe any standards will be assessed as a restricted discretionary activity in respect of:
 - i. The effects of non-compliance with those standards.
 - ii. Any criteria identified for those specific standards.
- b) Controlled activities will be granted subject to conditions. Assessment in respect of the conditions will be restricted to the criteria identified in the rule for that specific controlled activity.
- c) Restricted discretionary activities that infringe any standards will be assessed as a Restricted discretionary activity in respect of:
 - i. The effects of non-compliance with those standards.
 - ii. Any criteria identified for those specific standards.
 - iii. Any criteria identified for that specific restricted discretionary activity.
- d) If the activity is subject to a site, feature or overlay which has a different activity status than in the zone Activity Status Table, the more restrictive activity status will apply.

1.1.9 Notification / Non-notification Rules

The following flowchart is used to determine the notification, limited notification, or non-notification of a resource consent application, *except where identified in a zone chapter*.

Figure 1.1.9a Process to determine notification of resource consent applications



1.1.10 Rules Having Early or Delayed Legal Effect

1.1.10.1 Legal Effect of Proposed Plan and Operative Plans

Many of the rules of this Proposed District Plan do not have immediate legal effect. This means that resource consent will not be required for these rules. Following the notification of this document, the Operative Hamilton District Plan and Waikato District Plan will continue to have legal force and will be used to determine if resource consent is required for an activity.

The operative Hamilton District Plan and Waikato District Plan will gradually be replaced by the Proposed District Plan provisions, in accordance with the Act (see section 86F). As a general rule, the old rules will remain in force until decisions are issued, following hearings of submissions to this Plan. Information will be available from Council about the status of particular provisions.

1.1.10.2 Rules Having Immediate Legal Effect

Rules that have immediate legal effect upon notification of this Plan are those that:

- a) Protect or relate to water, air or soil for soil conservation.
- b) Protect areas of significant indigenous vegetation.
- c) Protect areas of significant habitat of indigenous fauna.
- d) Protect historic heritage.

1.1.10.3 Transitional Provisions

The Resource Management Act preserves the interests of applicants who have resource consent applications accepted by Council before 10 July 2014 but decided after that date. However, the Building Act does not preserve the interests of applicants for building consents in the same way. This has unintended implications for applicants who have already submitted their applications and are likely to have to rework their applications with subsequent additional costs. For these reasons, all building consent applications lodged with the Council up to and including 9 July 2014:

- a) shall be required to comply with the rules of the Proposed District Plan which had legal effect on and after 10 December 2013;
- b) shall not be required to comply with the rules of the Proposed District Plan that had legal effect for the first time on and after 10 July 2012.

1.1.11 Local Authority Cross-boundary Issues

Hamilton City Council has boundaries with Waikato and Waipa districts, and Hamilton is within the Waikato region. The issues that could affect, or otherwise involve the neighbouring district and regional councils are:

- a) Implementation of Future Proof.
- b) Waikato River management issues and the implementation of the Vision and Strategy for the Waikato River (refer to 1.1.2.2b), in association with other parties under relevant legislation.
- c) Discharge of contaminants to land, water and air.

- d) Harmonisation of standards and processes, including possible transfer of functions where desirable.
- e) Network utilities that cross territorial boundaries, including land transport and effects of Hamilton International Airport.
- f) Resource consent applications where there will be effects (such as noise or traffic) that go beyond territorial boundaries or where an application for consent straddles a common territorial boundary (such as network utilities).
- g) Provision of recreational facilities and other shared services.
- h) Creating 'economies of scale' which are often necessary to allow territorial authorities or private enterprise to innovate and provide services such as waste management and recycling.
- i) Hazardous facilities.
- j) Reverse sensitivity effects in relation to existing land uses.
- k) Effects of out of zone industrial and / or commercial activities.
- l) Significant Natural Areas, Natural and cultural heritage places, areas and landscapes, that cross territorial boundaries.

The processes that Council will use to resolve any issues that cross territorial boundaries include:

- a) Consult with other councils on consent applications, or plan change requests, where a potential cross-boundary effect may occur or where a potential effect may occur which may fall within the functions of the Regional Council, especially when applications raise matters related to the above issues.
- b) Encourage applicants, where activities have effects beyond the boundaries of the City, or which might give rise to effects that are not within Council's resource management functions, to consult with the affected council.
- c) Liaise with other councils where the effects of activities cross territorial boundaries, to determine the most appropriate methods to achieve integrated resource management outcomes.
- d) Initiate and participate in joint hearings with other councils as needed.
- e) Maintain an ongoing dialogue with other councils to harmonise resource management standards and processes.
- f) Make submissions, where appropriate, on plans and policy statements prepared by other councils.
- g) Identify opportunities for the transfer or sharing of functions between councils, where this would result in more efficient, effective and integrated resource management.

1.1.12 Monitoring

Environmental monitoring can be described as "the deliberate act of observation or surveillance over time with a defined purpose". The purpose of environmental monitoring is to collect enough information to detect and understand changes in the environment. The 'environment' relates to those matters which are identified as

important in the context of the Council's responsibilities under the Resource Management Act 1991 (the Act).

The Act requires Council to undertake monitoring on:

- State of the environment
- Plan effectiveness suitability
- Compliance

There are a number of benefits for the Council in monitoring the environment of the City, these include:

- a) To understand the 'state' or condition of the environment, and to understand the reason for any change (decline or improvement in quality) in the state of environmental resources.
- b) To provide valuable and accurate information for decision making such as resource consent applications, planning and policy decisions.
- c) To assess the effectiveness of the objectives, policies, rules and other methods in the District Plan at achieving specific environmental outcomes, and make changes to improve the effectiveness of the plan.
- d) To provide information suitable for community education to raise awareness of the state of the City's environment, the effects of human activity on the environment and gain support for the methods employed by Council to manage resources.

Council will develop a monitoring strategy that will:

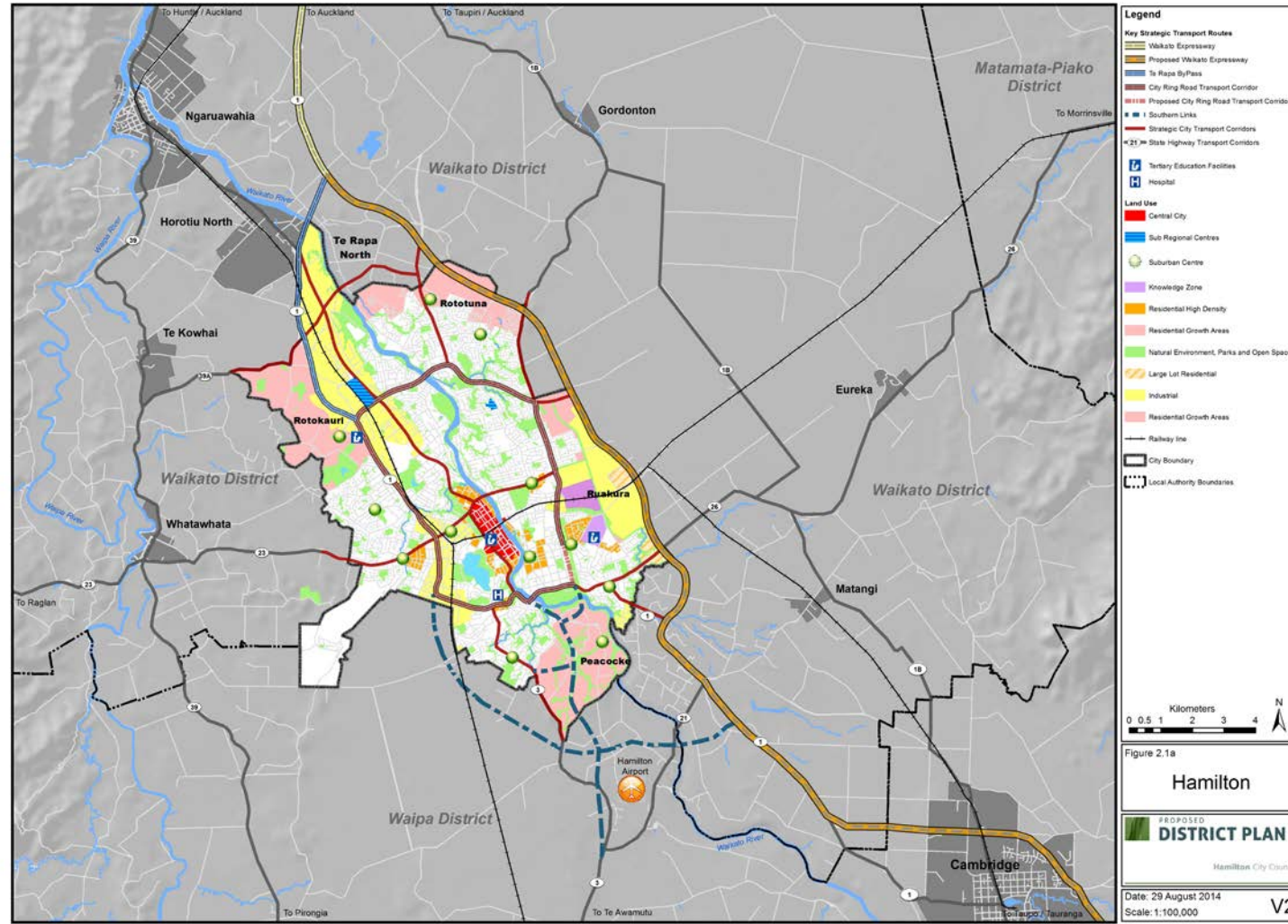
- a) Support its functions and meets its responsibilities under the Act.
- b) Record the level and effectiveness of compliance under the District Plan over time.
- c) Assess the effectiveness of the District Plan in meeting its stated objectives and policies.

2 Strategic Framework

2.1 Purpose

- a) The principal purpose of this chapter is to provide clear and strong links between the District Plan and the City's Strategies, which are listed in Chapter 1: Plan Overview, Section 1.1.2.2 – Integration of the Plan with Other Plans and Documents. To this end, this chapter sets out the strategic objectives and policies for Hamilton City. Other chapters contain objectives, policies and rules that implement and support this strategic policy framework.
- b) One of the key approaches to achieving a compact city and the sustainable management of physical resources is to recognise the existing and distinctive business centres that will make up a business hierarchy. The overall aim is to maintain the primacy of the Central City as a viable and vibrant metropolitan centre.
- c) The proposed shape and growth of the City is based on the Future Proof growth and implementation strategy and the Hamilton Urban Growth Strategy and is represented in Figure 2.1a below. Both the Future Proof strategy and the Proposed Waikato Regional Policy Statement include urban limits in order to give effect to the Future Proof sub-regional settlement pattern. The urban limits aim to achieve a more compact urban form over time. This chapter reinforces the City's strategy of encouraging a compact and sustainable city by increasing development densities within identified urban areas, such as:
 - i. Within the Central City, suburban and neighbourhood centres.
 - ii. Near to hospitals, tertiary education and specialised training facilities.
 - iii. Parks and open spaces.

Figure 2.1a: Hamilton's Plan at a Glance



2.2 Objectives and Policies: Strategic Framework

Any discretionary or non-complying resource consent must consider where relevant the objectives and policies below.

Towards a Sustainable City

Objective	Policies
<p>2.2.1 Hamilton is characterised by an increasingly sustainable urban form.</p>	<p>2.2.1a Development makes use of the identified opportunities for urban intensification.</p> <p>2.2.1b Development is designed and located to minimise energy use and carbon dioxide production, by:</p> <ul style="list-style-type: none"> i. Minimising the need for private motor vehicle use. ii. Encouraging walking, cycling and the use of passenger transport. iii. Maximising opportunities for people to live, work and play within their local area. <p>2.2.1c Land use zoning and subdivision controls will be used as methods to achieve the sustainable use of the City’s land resources including providing for separation, proximity and agglomeration of land uses.</p>
<p>Explanation</p>	
<p><i>Hamilton is growing steadily. The City’s strategic documents – the Hamilton Urban Growth Strategy (HUGS), the Waikato Regional Policy Statement, Access Hamilton, Future Proof, and Hamilton’s City Design Guide Vista – aim to manage this growth by establishing an increasingly ‘compact city’, where development is concentrated so land and infrastructure can be provided and used efficiently. The aim is to have at least 50% of new residential growth occur within existing parts of the City in the next 20 years. This growth management will ensure positive effects on physical resources, where less land will be used for housing, where there is better energy efficiency, and an increase in the cost-effectiveness of infrastructure including roads, passenger transport, water services, energy and telecommunications. Public space, including reserves, roads, walkways and cycleways, will complement higher-density areas.</i></p>	

Objective	Policies
<p>2.2.2 Urban development takes place within areas identified for this purpose in a manner which uses land and infrastructure most efficiently.</p>	<p>2.2.2a Development shall occur in locations that are consistent with the growth management policies of Future Proof, the Waikato Regional Policy Statement, and the Hamilton Urban Growth Strategy.</p>
	<p>2.2.2b Any development that is within an identified growth area is to be undertaken in accordance with an approved Structure Plan.</p>
	<p>2.2.2c The release of land for urban development will not be allowed unless appropriate infrastructure is available and the servicing of this land does not compromise the efficiency and sustainability of planned infrastructure.</p>
	<p>2.2.2d The subdivision or use of any rural land within an identified growth area shall not compromise future urban development.</p>
<p>Explanation</p>	
<p><i>Any significant area of new land to be rezoned for urban development is to be supported by Structure Plans that provide information on land use and infrastructure, transport links, management of amenity, ecological, heritage values, natural character, natural hazards, stormwater and tangata whenua values.</i></p> <p><i>When the original growth cells identified in the plan are substantially developed, new growth cells will be identified through financially programmed works for infrastructure.</i></p> <p><i>Council’s Long Term Plan or Annual Plan sets out the programme for providing infrastructure to service growth. Where a developer wishes to pursue development ahead of Council’s programmes a development agreement will need to be entered into with Council to ensure that the infrastructure is provided in a way which is efficient and sustainable from a city-wide perspective. In these cases it is anticipated that developers will bear the full costs of infrastructure provision.</i></p> <p><i>This approach will enable growth in areas that are not funded for infrastructure to be funded by developers under Development Agreements between all parties. The reason for Council’s approach is due to its inability to fund infrastructure necessary to support the development of the growth cells all at once. This will enable the sustainable management of growth for the social and economic wellbeing of the community and meeting the needs of future generations.</i></p>	

Comment [HCC1]: Fonterra, ENV-151

Comment [HCC2]:
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties Limited, ENV-146

Comment [HCC3]: Fonterra, ENV-151

Urban Design Approach

Objective	Policies
<p>2.2.3 Promote safe, compact, sustainable, good quality urban environments that respond positively to their local context.</p>	<p>2.2.3a Development responds to best practice urban design and sustainable development principles, appropriate to its context.</p>
	<p>2.2.3b Development responds to Low Impact Urban Design and Development and Crime Prevention Through Environmental Design (CPTED) principles.</p>
	<p>2.2.3c Development enhances civic, natural heritage, cultural, ecology and surrounding public space networks.</p>
<p>Explanation</p> <p><i>Sustainability needs to be integrated into urban design to protect and enhance local amenity and reduce deterioration of the environment. Optimising the use of existing space and infrastructure by promoting a safe and compact city, and requiring development to be located so it is integrated with existing facilities, infrastructure, public open spaces and transport corridors and is sympathetic to natural resources will help ensure a sustainable urban environment.</i></p>	

Central City, Business and Industry

Objective	Policies
<p>2.2.4 Establish and maintain a hierarchy of viable and vibrant business centres that provide a focus for retail, commercial and entertainment activities and serve the social, cultural, environmental and economic needs of the community.</p>	<p>2.2.4a Business activity and development shall locate in the most appropriate centre for its role, according to the following hierarchy:</p> <ul style="list-style-type: none"> i. The Central City is the primary business centre, serving the City and wider region, and is the preferred location for commercial, civic and social activities. ii. The Base and Chartwell complement the Central City, to serve large parts of the City and adjoining districts, and contain primarily retailing, entertainment and services. iii. Suburban centres, to provide convenience goods, community services, facilities and employment to serve immediate suburban catchments

	<p><u>iv. Ruakura Retail Centre, to serve the Ruakura Structure Plan area and adjacent catchment</u></p> <p>iv. Neighbourhood centres, to contain retailing and service activities to serve immediate residential catchments.</p>
	<p>2.2.4b</p> <p>The distribution, type, scale and intensity of activities outside the Central City does not undermine the viability, vitality and vibrancy of the Central City, its amenity values, or role in meeting the needs of the region.</p>
	<p>2.2.4c</p> <p>Significant large format retail development beyond the identified out of centre zones is not envisaged for the Plan period.</p>

Comment [HCC4]:
Progressive Enterprises Limited, ENV-173

Explanation

A hierarchy of business centres provides structure and context to the functioning of the urban area and its transport network. It provides a clear framework within which public and private investment can be prioritised and made, and provides a basis for regeneration and intensification initiatives.

The Regional Policy Statement calls for the Central City to be recognised and enhanced as the primary commercial, civic and social centre of the Future Proof Area. It encourages the greatest diversity, scale and intensity of activities to encourage and provide for the vitality and amenity of the Central City. It is important to ensure that activities outside the Central City do not undermine the City’s core function.

The Central City forms the Regional Centre of Hamilton and is the dominant commercial, civic and social centre for the City and region and the focal point for the majority of the City’s workforce. However the previous planning framework has enabled an unplanned dispersal of retail and office development which has contributed to the underperformance of some elements of the Central City with consequential effects on its function, amenity and vitality. It is important that future development in other parts of Hamilton does not adversely impact the important role of the Central City as the primary centre for the Waikato region.

Retailing activity is a significant component of activities that serve the City and wider region including commerce, government, education, health and medicine and entertainment.

City growth and demand projections indicate that the hierarchy of business centres can adequately cater for growth in the Central City, the Sub-Regional and Suburban Centres through a mix of new and more intensive redevelopment of centres.

Business and Industry

Objective	Policies
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2.2.5 Industrial and business activities contribute to the economic, cultural, social and environmental wellbeing and prosperity of the community.	2.2.5a The positive effects of business and industry on economic, cultural, social and environmental wellbeing are encouraged and promoted.
	2.2.5b Business and industrial activities and development uses land allocated and serviced for business and industrial purposes.
	2.2.5c Industrial zoned land shall be safeguarded for industrial purposes.

Explanation

Industrial and business activities contribute to the economic, social and environmental wellbeing of the community. Sufficient land is required to cater for those activities and should be protected for these purposes.

Residential Development

Objective	Policies
2.2.6 A range of housing types and densities is available to meet the needs of a diverse range of people and communities.	2.2.6a Residential development provides for a range of household choices and the diversity of cultural and social needs.
	2.2.6b Higher-density residential development is located within and close to the Central City, suburban and neighbourhood centres, hospitals, tertiary education facilities and parks, open spaces, and other areas of high social amenity.

Explanation

Hamilton Urban Growth Strategy acknowledges the need to balance intensification and differing household needs. Cultural diversity is mentioned in Vista. The Environmental Sustainability Strategy advocates for environmentally sensitive design, to mitigate the effects of increased urban density.

The District Plan identifies a number of areas around the City that are suitable for medium and higher density residential development, leaving most of the City's existing residential areas unchanged.

The Waikato River

Objective	Policies
2.2.7 The health and wellbeing of the	2.2.7a The natural character of the Waikato River, gully

Comment [HCC5]:
 Waikato Regional Council, ENV-167
 – add a new policy

<p>Waikato River is restored and protected and the River is celebrated as being at the heart of the region’s identity and a feature of national importance.</p>	<p>system and its margins is preserved and protected from inappropriate subdivision, land use and development.</p>
	<p>2.2.7b The natural, cultural, heritage and amenity values of the Waikato River are protected, enjoyed and enhanced.</p>
	<p>2.2.7c Access and connections with the Waikato River are maintained and enhanced.</p>
	<p>2.2.7d The relationship of Waikato-Tainui with the Waikato River is recognised and provided for, including through a Joint Management Agreement.</p>
	<p>2.2.7e Communities’ relationships with the Waikato River, including their economic, social, cultural and spiritual relationships, are restored and protected.</p>

Explanation

The Waikato River is an outstanding natural feature in Hamilton City and the Waikato region. The river and its margins contain significant habitats of indigenous fauna and vegetation, and it is recognised as an area of high amenity value, with natural, cultural and heritage significance. Restoring, protecting and enhancing the health and wellbeing of the river and its margins are essential to ensure the quality of this resource is available for future generations. The Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010 will work in conjunction with the Resource Management Act to provide direction for planning documents to restore and protect the health and wellbeing of the Waikato River for future generations.

Tangata Whenua: Waikato Tainui

Objective	Policies
<p>2.2.8 Resource management priorities are developed in partnership with tangata whenua.</p>	<p>2.2.8a The relationship tangata whenua have with the City is recognised and promoted.</p>
	<p>2.2.8b Development considers effects on the unique tangata whenua relationships, values, aspirations, roles and responsibilities with respect to an area.</p>
	<p>2.2.8c As part of the development process, decisions on land use, subdivision and development include ongoing consultation and collaboration with</p>

	tangata whenua where appropriate.
	2.2.8d Development and the decisions associated with developments where required are to consider any relevant Iwi Management Plan.

Explanation

The relationship between tangata whenua and the whenua awa, moana, maunga, taiao katoa (land, waterways, ocean, and mountains) and wider environment is acknowledged. These objectives and policies seek to ensure that the values, principles, aspirations, roles and responsibilities and the place of tangata whenua are reflected and incorporated into strategy, governance and implementation of the District Plan. The policies envisage involvement of tangata whenua in managing the use, development, and protection of their ancestral taonga.

Waikato-Tainui Te Kauhanganui Incorporated is the recognised Iwi Authority for 33 registered Waikato-Tainui hapu within the rohe of Waikato Tainui. Waikato-Tainui has signed two major settlements with the Crown, the Waikato Raupatu Claims Settlement Act (1995) and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The 1995 Settlement created the Waikato Raupatu Lands Trust and the 2010 Settlement created the Waikato Raupatu River Trust.

It is acknowledged that local hapu Ngaati Waiwere have strong links with the land within the City’s boundaries. This hapu occupied Kirikiriroa in the 1830s when missionaries first arrived. Ngaati Waiwere is related to many other Tainui hapu including Ngaati Tamainupo, Ngaati Mahanga, Ngaati Haua, Ngaati Koroki, and Ngaati Mahuta who also have a far reaching relationship to the area.

Objective	Policies
2.2.9 The health and wellbeing of the Waikato River is restored and protected so that it may sustain abundant life and prosperous communities.	2.2.9a Provide programmes of action to achieve targets to improve the health and wellbeing of the Waikato River.
	2.2.9b Promote an integrated, holistic and coordinated approach to the management of the natural, physical, cultural and historic resources of the Waikato River.

Explanation

The ‘Te Ture Whaimana o Te Awa o Waikato’ – The Vision and Strategy for the Waikato River (refer to Volume 2, Appendix 10) is the primary direction-setting document for the Waikato River and its catchments. The vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces for generations to come.

Hamilton’s Identity, Character and Heritage

Objective	Policies
<p>2.2.10 Hamilton’s unique character, heritage and identity are reflected in its built environment.</p>	<p>2.2.10a Development is sensitive to and enhances Hamilton’s identity and character.</p>
	<p>2.2.10b Development enhances Hamilton's unique character areas, precincts and projects through urban design and public art.</p>
	<p>2.2.10c Development is sensitive to and protects Hamilton’s archaeological and cultural heritage sites, structures, areas, landscapes and places.</p>
	<p>2.2.10d Development provides for the protection of historic and cultural heritage from inappropriate subdivision, use and development.</p>
<p>Explanation</p> <p><i>This objective and policies aim to promote characteristics and values that are unique to Hamilton, and seek to ensure that development and growth reflects these. Council plans to develop Local Area Plans to assist in the development of some areas to reflect its character, identity and heritage through quality urban design.</i></p>	

Natural Environment

Objective	Policies
<p>2.2.11 Protect and enhance natural character, natural features and landscapes, ecosystems and indigenous biodiversity.</p>	<p>2.2.11a Land use and development protects natural character, natural features and landscapes and ecosystems and promotes positive outcomes for indigenous biodiversity in the Waikato region.</p>
	<p>2.2.11b Land use and development maintains the extent and, where possible, enhances ecological corridors.</p>
<p>Explanation</p> <p><i>Ensuring environmental considerations are integrated into the future development of Hamilton is crucial to achieving sustainable management of the City’s natural and physical resources. Part 2 of the Act, the Regional Policy Statement and the City’s Environmental Sustainability Strategy provide a legislative and policy framework to ensure that environmental considerations are considered at all levels of land use and development. The aim is to improve local amenity, protect and enhance habitats and to ensure efficient use of resources.</i></p>	

Comment [HCC6]:
Waikato Regional Council, ENV-167

Resource Efficiency

Objective	Policies
<p>2.2.12 Efficient use and development of natural and physical resources, especially land, buildings and infrastructure.</p>	<p>2.2.12a Development enables and encourages waste minimisation and efficient use of resources through design and construction methods.</p>
	<p>2.2.12b Buildings should be designed so they can be adapted in the future for a range of uses.</p>
	<p>2.2.12c Development is designed to consider and adapt to the expected effects of climate change.</p>
	<p>2.2.12d Development enables and encourages the efficient use of resources and recognises the benefits resulting from integrated land use planning.</p>
<p>Explanation</p> <p><i>Efficient use and development of resources is a principle of the Act and contributes to sustainable management. The Regional Policy Statement seeks for the use and development of natural and physical resources to occur at a rate that is efficient and minimises waste. In accordance with this, the City’s Access Hamilton and Environmental Sustainability Strategies emphasise that development in Hamilton needs to be managed sustainably. This objective and policies provides the strategic framework to ensure Hamilton can achieve a more sustainable and quality urban environment. It is recognised with the design of buildings that it will not always be possible to adapt to a range of uses. These include specialised buildings for manufacturing and dwellings.</i></p>	

Integrate Land Use, Transport and Infrastructure

Objective	Policies
<p>2.2.13 Land use and development is integrated with the provision of infrastructure (including transport, Three Waters services and open space).</p>	<p>2.2.13a Development shall not compromise the safe, efficient and effective operation and use of existing or planned infrastructure.</p>
	<p>2.2.13b Development allows for future infrastructure needs, including maintenance, upgrading and co-location where appropriate.</p>
	<p>2.2.13c New development connects well with existing development and infrastructure.</p>

Comment [HCC8]: Fonterra, ENV-151

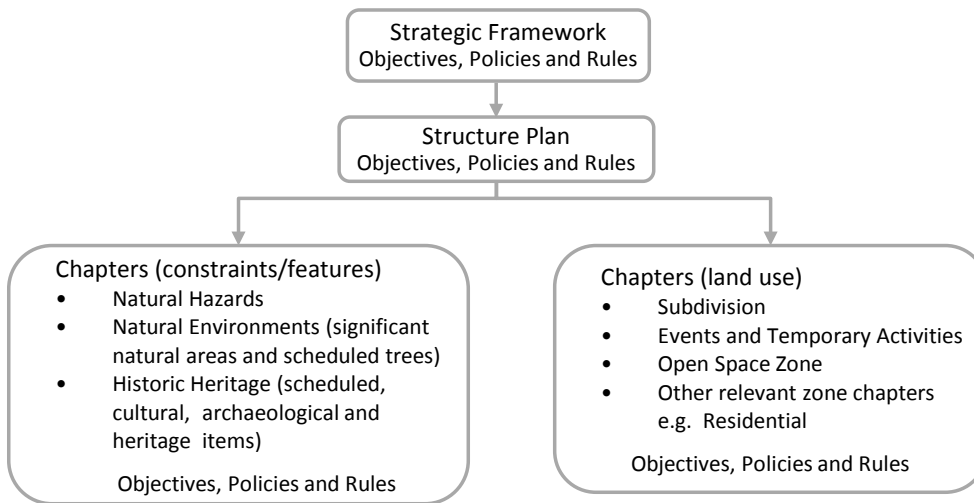
Comment [HCC7]: Fonterra, ENV-151

	<p>2.2.13d Development does not result in incompatible adjacent land uses with respect to existing or planned infrastructure.</p>
	<p>2.2.13e Rail, cycle, pedestrian, passenger transport and motorised vehicle networks are well connected and integrated across and beyond the City.</p>
	<p>2.2.13f Development should promote strong connections to, and use of, passenger transport and active modes of transport.</p>
<p>Explanation</p>	
<p><i>The objective and policies promote sustainable management under the Act and the Regional Policy Statement. Specific to the Hamilton context, the objective and policies derive from several of the City’s Strategies, including Access Hamilton, the Environmental Sustainability Strategy, the Economic Development Strategy and the Hamilton Urban Growth Strategy.</i></p> <p><i>The integration of land use, transport and infrastructure is an essential means of ensuring development effectively and efficiently uses resources.</i></p>	

3 Structure Plans

3.1 Purpose

- a) This chapter contains objectives and policies relating to current Structure Plan areas (refer to Volume 2, Appendix 2). It also provides objectives, policies and guiding principles for any future Structure Plans which are predominately within greenfield areas. This chapter must be read in conjunction with other relevant parts such as the Zones chapters.



- b) A Structure Plan illustrates the proposed layout of a future development area.
- c) The preparation of a Structure Plan is one of the first steps in advancing the development of new urban areas. It illustrates land uses such as residential, commercial, industrial and public open space. Structure plans usually contain broad servicing details such as transport configuration and may include other important key infrastructure features such as Three Waters networks. The level of detail can vary and may also show information such as housing density.
- d) The purpose of a Structure Plan is to plan for the future in an integrated manner by:
- i. Outlining a vision for the future.
 - ii. Setting out where growth can be accommodated and setting out a future land use pattern.
 - iii. Providing for staging of development.
 - iv. Guiding infrastructure planning including transport corridors, Three Waters, community facilities and public open space.
 - v. Identifying the financial feasibility of the development from a Council, Infrastructure provider and landowner perspective.

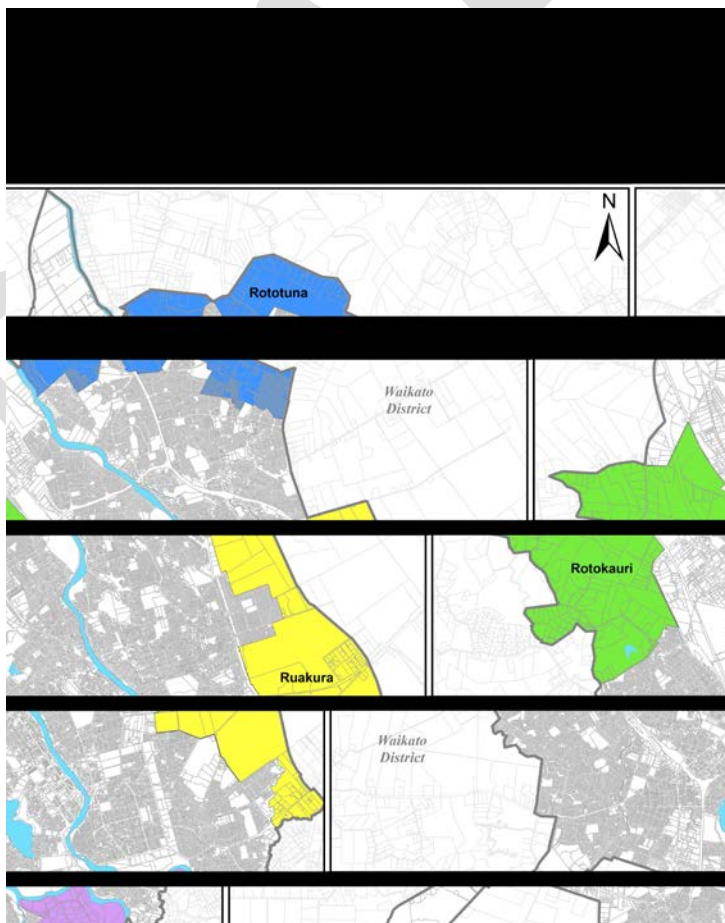
Comment [HCC1]:
Hamilton JV Investments & Hounsell Holdings, ENV-143;
Porter Developments and Porter Properties, ENV-145
- update and refine structure plans to provide for stormwater

Comment [HCC2]:
WJ & MR Lavery, ENV-155;
Wilson David Jolly, ENV-178;
The Church of Jesus Christ of Latter Day Saints Trust Board, ENV-157
- include a structure plan for Temple View

- e) A Structure Plan has two main parts which must be incorporated into the District Plan:
 - i. Guiding principles including objectives and policies specific to the Structure Plan area.
 - ii. Map(s) showing the intended pattern of development. This could include information in respect of the following: transport corridor general location and hierarchy, public reserves and links, areas for preservation, protection or restoration/enhancement, development intensities for residential or other activities, if appropriate), and such other matters as may be relevant to or significant for urban development in the area.
- f) The maps or plans are at a high level of information and do not typically go into such detail as individual lot boundaries or the physical form of buildings and structures. Although a Structure Plan indicates future land uses, the rules that control the development of the land are contained in the District Plan zone chapters.
- g) Currently prepared Structure Plans are incorporated into the District Plan. Future Structure Plans should also be incorporated into the District Plan, either through a variation or plan change.

Comment [HCC3]: Fonterra, ENV-151

Figure 3.1a: Structure Plan Locality Guide



3.2 Principles

To provide consistency across the City, Structure Plans should adopt the following principles where appropriate:

Comment [HCC4]: Fonterra, ENV-151

- a) Outline planning outcomes for each Structure Plan area, for example:
 - i. Development suitability, including any land-use constraints and opportunities such as natural hazards, topography, soil type, contamination, heritage, infrastructure, reverse sensitivity constraints.
 - ii. The land uses envisaged in the Structure Plan area.
 - iii. Transport network connections and indicative primary transport corridors.
 - iv. Reserves (the location of these may be fixed or indicative depending on context).
 - v. Other major infrastructure where relevant.
 - vi. How existing features of the area (including amenity, landscape, natural character, ecological values, water bodies, high class soils and view catchments, will be managed.
- b) Include indicative maps that illustrate the broad planning outcomes sought.
- c) Achieve the dwelling density targets set out in the Regional Policy Statement.
- d) Provide a high level of connectivity both internally and external to the Structure Plan area.
- e) Recognise, protect and enhance natural, built and cultural heritage.
- f) Avoid patterns of land use and development that:
 - i. Puts vulnerable land uses in areas affected by natural hazards; and
 - ii. Exacerbates or creates new natural hazards.
- g) Integrate seamlessly into the rest of the District Plan by using District Plan mechanisms, including existing:
 - i. Zones.
 - ii. Overlays.
 - iii. Defined terms.
 - iv. Design guides.
 - v. Formatting and style.
- h) Give effect to the Vision and Strategy for the Waikato River.

3.3 Objectives and Policies: Structure Plans

When consent is required for subdivision and/or development within a Structure Plan area, the proposal must consider where relevant the objectives and policies below and any objectives and policies specific to that Structure Plan area (refer to 3.4 to 3.7).

Objective	Policies
<p>3.3.1 Optimised, long-term, positive environmental, economic, social and cultural effects of greenfield development.</p>	<p>3.3.1a Development should be in general accordance with the relevant Structure Plan.</p>
	<p>3.3.1b Development of Structure Plan areas should aim to achieve:</p> <p>i. An overall residential density of 16 dwellings per hectare.</p>
	<p>3.3.1c The design of development should provide population densities that support safe efficient passenger transport and opportunities for walking and cycling.</p>
	<p>3.3.1d Interim land use and development should not compromise the integrity and viability of the long-term vision for the relevant Structure Plan.</p>

Comment [HCC5]:
Tainui Group Holdings (Ruakura) , ENV-147;
Chedworth Properties Limited, ENV-146;
Property Council New Zealand, ENV-169

Comment [HCC6]:
Tainui Group Holdings (Ruakura) , ENV-147;
Chedworth Properties Limited, ENV-146;

Explanation

The Regional Policy Statement sets dwelling density targets, derived from Future Proof. These will be achieved by managing lot sizes and subdivision yields in Structure Plan areas. Future commercial and industrial land requirements are also identified in the Regional Policy Statement. The targets exclude the Large Lot Residential Zone.

Structure Plans are a mechanism for achieving the future land uses and density targets as set out in the Regional Policy Statement and Future Proof.

Activities such as land use and subdivision need to be managed in the interim. There is the potential for these to undermine the ability of the Structure Plan area to be implemented.

Objective	Policies
<p>3.3.2 New urban development is appropriately serviced and properly integrated to minimise City network impacts.</p>	<p>3.3.2a The use of land for urban development will not be allowed unless appropriate infrastructure is provided for and the servicing of this land will maintain the efficiency and sustainability of regionally significant existing and planned infrastructure.</p>
	<p>3.3.2b New development is able to be adequately serviced in terms of Three Waters and transport infrastructure.</p>
	<p>3.3.2c Development is co-ordinated with the provision of</p>

Comment [HCC7]: Fonterra, ENV-151

	infrastructure and social infrastructure.
	<p>3.3.2d Staging and sequencing is in general accordance with any staging indicated on the relevant Structure Plan.</p>
Explanation	
<p><i>Infrastructure must be planned in advance of development. Infrastructure includes Three Waters and transport networks, as well as social infrastructure such as libraries and community halls. Infrastructure must be provided not only to service one development but must be of an appropriate size to integrate with the existing and future infrastructure networks.</i></p> <p><i>Council’s Long Term Plan or Annual Plan sets out the programme for providing infrastructure to service growth. Where a developer wishes to pursue development ahead of Council’s programmes, a Development Agreement will need to be entered into with Council to ensure that the infrastructure is provided in a way which is efficient and sustainable from a city-wide perspective. In these cases it is anticipated that developers will bear the full costs of infrastructure provision.</i></p> <p><i>This approach will enable growth in areas that are not funded for infrastructure to be funded by developers under Development Agreements between all parties. The reason for Council’s approach is due to its inability and the inability of other infrastructure providers to invest in infrastructure necessary to support the development of the growth cells all at once. This will enable the sustainable management of growth for the social and economic well-being of the community and meeting the needs of future generations.</i></p>	
Objective	Policies
<p>3.3.3 Effective and integrated management of Three Waters so as to sustainably manage the impact of development on the City’s natural and physical resources.</p>	<p>3.3.3a Three Waters will be managed in accordance with the relevant Integrated Catchment Management Plan.</p> <p>3.3.3b Integrated Catchment Management Plans shall be developed to determine how to manage Three Waters in an effective and integrated manner including by:</p> <ul style="list-style-type: none"> i. Minimising the effects of urban development on downstream receiving waters. ii. Managing the run-off from the different relief and soil types in an integrated manner. iii. Sustaining groundwater levels in peat soils as far as practicable. iv. Safeguarding and enhancing the natural functioning and ecological health of freshwater bodies and areas of indigenous vegetation,

	<p>water features and habitats.</p> <ul style="list-style-type: none"> v. Retaining a hydrological cycle close to the pre-development hydrological cycle as far as practicable. vi. Maintaining stormwater discharge from the catchment to at or below pre-development levels. vii. Incorporating Low Impact Urban Design and Development (LIUDD) principles. viii. Identifying and incorporating appropriate water-sensitive techniques. ix. Recognising social, economic, environmental and cultural objectives for the catchment.
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Explanation

Integrated Catchment Management Plans allow the collective consideration of all Three Waters.

Managing the stormwater effects of future subdivision, use and development is critically important. Catchment Management Plans should be undertaken iteratively with the development of Structure Plans.

Effective management of stormwater will maintain or improve the quality of the stormwater entering the receiving environment. This means maintaining flow regimes, re-vegetating riparian margins, minimising the potential for contaminants to enter water bodies, reducing flows into stormwater networks through the adoption of low-impact stormwater design, and ensuring groundwater levels are maintained.

Objective	Policies
<p>3.3.4 An integrated and efficient pattern of land use and transportation so as to sustainably manage the impact of development on existing and planned transport infrastructure.</p>	<p>3.3.4a Integrated Transport Modelling is undertaken for all Structure Plan areas.</p>
	<p>3.3.4b The transport network and the land uses reflect the recommendations of the Integrated Transport Modelling.</p>
	<p>3.3.4c Movement routes are integrated with surrounding neighbourhoods and existing and planned transport networks.</p>
	<p>3.3.4d Enable connectivity with other undeveloped adjoining sites.</p>
	<p>3.3.4e The transport network supports efficient passenger transport and opportunities for walking</p>

Comment [HCC8]:
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties Limited, ENV-146;

	and cycling.
	3.3.4f Environmental impacts of building new transport corridor infrastructure are minimised.
	3.3.4g Opportunities for improved safety, accessibility, connectivity and efficiency within the transportation network are provided.

Explanation

Integrated Transport Modelling, utilising the Waikato Regional Transportation Model, is an essential component of the Structure Plan process and land uses and the transport network should be developed iteratively, each informing the other. This modelling should inform any future Integrated Transport Assessment required in structure plan areas.

The transport system must cater for movement into the Structure Plan area from other parts of the City, as well as movement within the Structure Plan area itself.

Objective	Policies
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3.3.5 Compatible buildings and activities.	3.3.5a Adverse effects of activities near zone boundaries are managed through setbacks, building design, and landscaping.
	3.3.5b Sensitive land uses avoid adverse effects on and from regionally significant infrastructure.
	3.3.5c Development to avoid adverse effects on the safe, efficient and effective operation and use of existing or planned infrastructure.

Comment [HCC9]: Fonterra, ENV-151

Explanation

This objective recognises the importance of managing both structures and activities at the interface of different land uses. This can be managed by zones through setbacks, design of buildings, and landscaping.

These policies recognise the need to manage residential and other sensitive land uses around regionally significant infrastructure, existing and proposed. The purpose is to manage the effects that sensitive activities and structures can have on the infrastructure, and the adverse effects that the infrastructure can have on sensitive uses.

Objective	Policies
3.3.6 Development responds to land suitability including topography, landscape, natural features, soil type, natural hazards, heritage features, adjoining land uses.	3.3.6a The loss of significant vegetation is minimised.
	3.3.6b Large-scale earthworks and modifications to landforms are avoided where possible to ensure development retains features of the landscape identified on structure plans.
	3.3.6c Road layouts adjacent to identified natural features recognise and retain their natural form where practicable.
	3.3.6d The scale and quantum of development and land use type recognises land characteristics and suitability and adjoining land uses.

Comment [HCC10]:
 Waikato Regional Council, ENV-167
 – add a new policy

Comment [HCC11]:
 Waikato Regional Council, ENV-167

Explanation

Topographical features, significant vegetation, natural features such as soil type, flood hazard, heritage features, bank stability, river and gully systems, adjoining land uses should be identified through the Structure Plan process. Structure planning should acknowledge and appropriately respond to such features.

Objective	Policies
3.3.7 A range of well-connected, functional public open spaces.	3.3.7a The location and size of public open spaces is provided in accordance with Council’s Open Space Plan/Strategy.
	3.3.7b Recreational activities are considered for co-location with: <ul style="list-style-type: none"> i. Multifunctional stormwater management. ii. Walkways and cycleways. iii. Cultural and heritage sites. iv. Significant Natural Areas.
	3.3.7c Promote appropriate and improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.

Explanation

Public open space is usually indicative on Structure Plan maps, and exact sizes and locations will be determined at the time of subdivision consent. The Hamilton City

Open Space Plan, September 2013 sets out a 50-year strategic direction for Hamilton's parks and open spaces. The Open Space Plan presents a series of goals, priorities and an action plan that responds to the needs, challenges and opportunities facing Hamilton's open spaces.

3.7 Ruakura

The Ruakura Structure Plan area is approximately 822 hectares, and was subject to a boundary adjustment on 1st July 2011 transferring the area into Hamilton City.

- a) Development of the Ruakura Structure Plan has been guided by the following vision.
 - i. The expansion of the City to provide a significant new employment area based around the development of a regional logistics hub which will form a catalyst for further development and attract a wider range of business to the City.
 - ii. Maximise the use of existing infrastructure investment, including the railway network, and align land use patterns with the area's planned infrastructure investment to achieve integrated transport and land use development; with an emphasis on logistics and freight.
 - iii. Create opportunities for the ongoing development of research, learning and innovation activities; *and in doing so* recognising the importance of the University of Waikato, the AgResearch Campus and the Waikato Innovation Park to the City and the Region.
 - iv. Develop comprehensively planned areas of residential housing connecting with Fairview Downs, providing a range of housing choice and affordability.
 - v. Configure land uses around a comprehensive network of well-connected open spaces that will perform a range of functions including stormwater *and ecological* management, *providing pedestrian and* cycle *routesways*, and *enabling passive and informal* recreation.
 - vi. An area of new development within the City which is integrated and complimentary with the existing and planned land use pattern for the City.
- b) The Ruakura Structure Plan provides 373ha of employment land incorporating an inland port, freight and logistics hub and other employment land. It also provides 77ha for research and innovation activities, allowing for the expansion of the existing Waikato Innovation Park and maximising opportunities for connectivity and interaction between the University of Waikato and AgResearch.
- c) The Ruakura Structure Plan provides for an eventual population of approximately 1800 households. It also includes the development of *the Ruakura Retail Centre which will have unique characteristics and functions to warrant its own classification within the business hierarchy for the City. Located within the Knowledge Zone the centreone neighbourhood centre; which will also support the zone's perform a* role as the principal focal point for research and innovation activities, *provide retail services to these activities and to adjacent suburbs and will anchor; and provides for* a future passenger transport interchange *at its northern end.*
- d) The Structure Plan creates employment opportunities centred on an inland port and freight and logistics hub and is a strong economic anchor for the City and

region, but does not compromise the function, viability and vibrancy of the Central City.

- e) The Structure Plan sets out the development concept for the long-term growth of Ruakura over the period to 2061. The area's progressive development will be triggered by the co-ordinated provision of Ruakura Strategic Key-i infrastructure including transport corridors, and extensions to Three Waters supply. Ruakura Strategic Key-i infrastructure which is to be provided in advance of certain development includes:
- i. A wastewater ~~drainage~~ network.
 - ii. Water storage and supply network infrastructure.
 - iii. Stormwater management network features.
 - iv. Transport corridor, pedestrian and cycleway connections.
- f) The relevant Ruakura Structure Plan Figures in Appendix 2 are:
- i. Figure 2-14 Ruakura Structure Plan – which shows the land use zoning
 - ii. Figure 2-15 Ruakura Strategic Infrastructure – which shows the strategic infrastructure including three waters and roading within the Ruakura Structure Plan
 - iii. Figure 2-16 Ruakura Land Development Plan Areas – which shows the different areas for staged development within the Ruakura Structure Plan
 - iv. Figure 2-17 Inland Port Building Setbacks and Landscape Controls – which shows the setbacks and controls for the Inland Port
 - v. Figure 2-18 Cyclist and Pedestrian Network Plan – which shows the connectivity of proposed and existing connections within the Ruakura Structure Plan
- g) The Land Development Plan (3.7.3.2) is the key tool to aid the staged process for urbanisation in the Ruakura Structure Plan. All land use, subdivision and development for urban purposes will require resource consent first, being the provision of below ground or at ground infrastructure and services before built development will be considered.
- h) In addition Staging and Traffic Requirements (3.7.3.3) are provided that aligns with the strategic land allocation for industrial development in the Waikato Regional Policy Statement. This is to ensure that the arterial network has capacity and the safety, efficiency and functioning of the transport network is maintained through the land release programme.
- i) Land use in the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan Area will roll out in three stages in accordance with the Regional Policy Statement's industrial land allocation in the Future Proof Area which is as follows:

Industrial Land Allocation in the Future Proof Area

Strategic Industrial Nodes located in Central Future Proof area (based on gross developable area) ¹	Industrial land allocation and staging (ha)			Total allocation
	2010 to 2021	2021 to 2041	2041 to 2061	2010 to 2061 (ha)
Rotokauri	85	90	90	265
Ruakura	80	115 ²	210 ²	405
Te Rapa North	14	46	25	85
Horotiu	56	84	10	150
Hamilton Airport	74	10	40	124
Huntly and Rotowaro	8	8	7	23
Hautapu	20	30	46	96
TOTAL HA	337	383	428	1148

¹ Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including transport corridors, stormwater and wastewater facilities.

² Development beyond the 2021 period is subject to completion of the Hamilton section of the Waikato Expressway.

~~i. The allocation of industrial land shown above may be amended in accordance with Implementation Methods 6.13.2 Land Release and 6.13.3 Criteria for Alternative Land Release as contained in the Regional Policy Statement.~~

ii. The three stages of land use and development in the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan Area are provided for in Rule 3.7.3.34 of this District Plan.

~~ii. The 405ha identified above comprises the Ruakura Inland Port and logistics zone (approximately 195ha) and general industrial land (approximately 210 ha). The staging and timing identified provides for Stage 1 of the Inland Port and logistics zone (shown as A on Figure 2-16 Ruakura Land Development Plan Areas) and up to 30 hectares of general industrial development to 2021. The Ruakura Structure Plan is linked to the development of Hamilton section of the Waikato Expressway. Further development beyond the initial 80ha identified for the 2010-2021 period should not occur until the Hamilton section of the Waikato Expressway is completed and connected to the Ruakura land in a manner that does not undermine the efficient functioning and safety of the transport network, or another infrastructure solution has been demonstrated to satisfy the relevant criteria for alternative land release in Method 6.13.3 of the Proposed Waikato Regional Policy Statement.~~

- g) Land use in the General Residential Zone and the Medium Density Residential Zone in the Ruakura Structure Plan Area will roll out in two stages, in accordance

with the provision of ~~available existing and strategic transport~~ network infrastructure.

The two stages of land use and development in the General Residential Zone and the Medium Density Residential Zone in the Ruakura Structure Plan Area are provided for in Rule 3.7.3.5 of this District Plan.

- h) Land use in the Waikato Innovation Park Precinct of the Knowledge Zone in the Ruakura Structure Plan Area will roll out in two stages, in order to avoid reverse sensitivity issues otherwise potentially affecting the development of land and establishment of land use in the Ruakura Logistics Zone, and in accordance with the provision of Ruakura Strategic Infrastructure and associated network connections.

The two stages of land use and development in the Waikato Innovation Park Precinct of the Knowledge Zone in the Ruakura Structure Plan Area are provided for in Rule 3.7.3.76 of this District Plan.

- i) The Ruakura Structure Plan map identified as Volume 2, Appendix 2, Figure 2-14 indicates the eventual pattern of development within Ruakura. There are also ~~figures maps~~ in Volume 2, Appendix 2, Figures 2-15 to 2-18 indicating the Ruakura Strategic Infrastructure, Ruakura Land Development Plan Areas ~~nature and extent of the proposed transportation hierarchy, and walkways and cycleways, and the Three Waters infrastructure, Inland Port Building Setbacks and Landscape Controls and Ruakura Cyclist and Pedestrian Network Plan.~~

- j) The boundaries of zones for the proposed land uses within the Ruakura Structure Plan are defined by the planning maps. However, some boundaries of the Ruakura Neighbourhood Open Space Zone shown on the planning maps are indicative only, as shown on Figure 2-14 in Appendix 2 and identified as Indicative Neighbourhood Reserve. The linear open space network within the Ruakura Medium Density Residential Zone, which is consistent with the electricity national grid corridor may which would change if the final location of the corridor changes. This matter will be addressed as part of a Land Development Plan application, ~~because the extent of the zone is linked to the vesting of proposed transport corridors (refer Rule 15.4 in the Chapter 15: Open Space Zones).~~

3.7.1 Structure Plan Components

3.7.1.1 Ruakura Logistics Zone – Inland Port

- a) Ruakura is strategically located to satisfy increasing national demand for facilities to efficiently handle freight, particularly that originating at the Port of Tauranga and the Port of Auckland.
- b) The proposed port will be intermodal so freight can be transferred from and to rail and road transport. Railway facilities include sidings, platforms, container hardstand areas, lighting towers, security infrastructure and fire and hazardous substance management facilities. It also involves infrastructure including CCTV, communications and data management infrastructure and stormwater management.
- c) A full diamond interchange will ~~Negotiation on the most appropriate interchange~~ to ~~to~~ service the road-based freight traffic associated with the inland port. ~~is on-~~

~~going~~–In the initial phase, it is envisaged that the inland port will consist of primarily road-based freight until the rail infrastructure is developed.

3.7.1.2 Ruakura Logistics Zone – Logistics

- a) This generally comprises large warehouse buildings and large areas of hardstand. Logistics and freight-handling activities include all aspects of freight handling.
- b) Due to the costs involved in developing the inland port, and the nature of the infrastructure (such as security and MAF/Customs facilities), it is important that the freight and logistics area is occupied by businesses which use the facilities provided by the inland port rather than more general industrial or employment activities.

3.7.1.3 Ruakura Industrial Park Zone

- a) Beyond the area identified for the inland port and logistics is more general industrial land for a wider range of employment and economic activities. This land use is facilitated through a new Industrial Park Zone which encourages industrial activities that support the primary purpose of a port and logistic area, while avoiding offensive and noxious activities. It is intended that this industrial area will deliver a higher standard of amenity than would ordinarily be associated with an industrial zone.

3.7.1.4 Knowledge Zone

- a) The Knowledge Zone provides further employment opportunities and is situated to capitalise on the location of the Waikato Innovation Park, AgResearch Campus and the University of Waikato. The Knowledge Zone is divided into Precincts which reflect these significant land uses. It will provide for a comprehensive range of education, research and development activities with supporting retail and mixed-use activities, all set within a strong landscaped precinct.
- b) The Knowledge Zone is strategically important. ~~While as although~~ the existing Innovation Park, University and AgResearch Campus are all located within reasonably close proximity, they lack strong connectivity and a common focal area. There are significant opportunities to create an environment which supports the existing primary economic base of the region, along with the potential for new research and innovation activities related to the inland port and logistics hub, in a manner which does not compromise the Central City.

3.7.1.5 ~~Ruakura Retail Neighbourhood~~ Centre

- a) The development of the Knowledge Zone provides the opportunity to create further complementary activities in a form that can enhance connectivity and encourage better interaction between existing land uses. The key to achieving these outcomes is the creation of a new north-south link between the University and AgResearch Campus. This area will jointly link the existing activity as well as providing services and ancillary activities. Within this area, it is also proposed to make provision for ~~a retail centre to serve Ruakura and adjacent areas while not undermining the primacy, function and vitality of the Central City, locally-based retail activity~~, centred upon a 'main street' and public plaza, incorporating a potential passenger transport hub to the Central City.

3.7.1.6 Residential Zones

- a) The Ruakura residential area provides for a mixture of development that accords with the densities proposed for General Residential, Medium-Density Residential and Large Lot Residential Zones. The intention is to provide an area with various housing choices, including site size and housing typologies, including an emphasis on affordable housing. Residential development in the General Residential and Medium-Density Residential Zones is positioned to maximise existing connectivity from Fairview Downs and the Hamilton Ring Road. One Integrated Retail Development is provided for within the Ruakura Medium Density Residential Zone to serve the surrounding catchment (see Figure 2-16 in Appendix 2).
- b) The area bounded by Percival and Ryburn Roads and the Waikato Expressway is identified on the structure plan for logistics, to ensure the utilisation of existing and future planned infrastructure.

There are a number of existing dwellings within this area, and as the staging identifies that development won't be required until at least 2021 a Large Lot Residential Zone has been put in place to retain amenity provisions within this area until such time as a future plan change rezones the land for logistics. Mitigation measure controls apply to the Inland Port and the Logistics Zone to also assist in retaining the amenity of this area. Any further fragmentation of the land is discouraged.

3.7.1.7 Transportation Network

- a) The Waikato Expressway forms the eastern boundary of the Structure Plan area. There are two interchanges to the Waikato Expressway at the Greenhill Link Road in the north, and a re-aligned Ruakura Road interchange in the south. Possible interchanges to this Expressway are located in the Structure Plan area. The purpose objective is to integrate the of those interchanges is to provide connectivity with the into the City's strategic transport network with the planned transport infrastructure required to support the structure plan. and access to the inland port and industrial areas. The arterial corridor connections to these interchanges are significant gateways to the City.
- b) An arterial connection (Greenhill Link Road) between the Waikato Expressway and the Wairere Drive / Ring Road is proposed in the north. Future connectivity for the growth cell is provided for through a proposed central north-south Spine Road and Spine Road Extension linking land to the north of Greenhill Road to the re-aligned Ruakura Road interchange with the Waikato Expressway. An extension to Fifth Avenue will create a further connection to Wairere Drive / Ring Road and forms an east-west arterial link to the Spine Road.
- b_c) Adjacent to the sSpine rRoad corridor is an open space corridor of a similar width which incorporates a range of functions, including stormwater reserve, walkways and cycleways. The Spine Road corridor also represents a key utilities corridor for servicing the growth cell and beyond. The Spine Road and arterial network forms part of a wider, more comprehensive cyclist and pedestrian network.

3.7.1.8 Open Space Network

- a) The Ruakura open space network is intended to accommodate and provide for a range of functions including stormwater and ecological management, a well-connected pedestrian and cycleway network linking open space land,

neighbourhood parks for passive and informal recreation, and amenity strips between different activity zones.

- b) Ecological benefits are derived through the provision of a connected greenway that includes the linear wetlands, their vegetated margins, the storage basins, the low flow channels and any indigenous vegetation plantings including amenity plantings. It is important that the design of the open space zone provides the opportunity for these ecological benefits to be realised.

At the northern and southern ends of the Structure Plan area are gullies which will be protected in the same manner as those across the rest of the City. The layout of the residential area has been designed to provide opportunities for the restoration and enhancement of the northern gully.

- b) ~~The primary open space network is the open space corridor adjoining the spine road corridor being the major arterial transport corridor running north to south. A number of smaller connected open spaces are provided to serve the needs of the local communities. The residential area still has over 15ha proposed to become open space – representing some 10% of the residential area. Existing facilities in the wider area means there is no need for a large active recreation sports park. The open space network within the Structure Plan aims to enhance the local recreation needs of the area’s working and residential communities.~~

3.7.1.9 Stormwater

- a) ~~Figure 2-14 Ruakura Structure Plan~~ The Structure Plan shows indicative locations for centralised key stormwater management ~~infrastructure facilities~~. Many stormwater facilities will be located along the open space corridor next to the ~~Spine Road~~ or underneath the national grid transmission lines where ~~other opportunities for other~~ land uses are limited. The precise nature and location of these stormwater facilities will be finalised through detailed catchment management planning and modelling, and undertaken as part of preparing Land Development Plans for the growth cell or arising from an approved ICMP. Opportunities for public access and enhanced recreational opportunities will be created where possible.
- b) Stormwater management must be managed in an integrated manner across the whole catchment with individual developments contributing towards wider network and catchment outcomes, ~~provide for the management of all stormwater within the land being developed, together with drainage from the entire catchment upstream of the proposed system.~~

3.7.1.10 Water and Wastewater

- a) A single reservoir is proposed to meet the demand and level of service requirements for the development of the Structure Plan and existing and future City needs. Figure 2-15 Ruakura Strategic Infrastructure shows an indicative location for a reservoir and bulk mains connecting to the City network. This will be confirmed either through an approved ICMP or as part of preparing Land Development Plans. Any Land Development Plan application will need to be supported by an assessment of options taking account of the whole of life costs for any proposed public infrastructure. Analysis has been undertaken around the existing network in regards to the potable water network and the system design required. This concluded that a boosted single reservoir network would meet

~~demand and level of service requirements for the development of the Structure Plan.~~

- b) ~~The strategic wastewater solution has been developed to service the future development needs for both the Ruakura Structure Plan and Peacocke Structure Plan areas. The Far Eastern Wastewater interceptor will be extended east from Wairere Drive / Crosby Road along the Greenhill Link Road, south along the Spine Road. Beyond the Ruakura Structure Plan the wastewater interceptor will continue to Cobham Drive before passing over the Waikato River into the Peacocke Structure Plan area. Analysis has been undertaken for wastewater in relation to the Structure Plan. A sewer main with sufficient capacity for the land uses proposed for the site, as well as providing enough capacity for future possible connections from other external developments and growth areas, must be provided. It is proposed to position the sewer trunk main along the main spine road with adjacent laterals from sub-catchments and external sites feeding into the system along its length. The sewer trunk main extends from the southern end to the northwest corner of the Structure Plan Area, where it will connect into the existing reticulation in Wairere Drive.~~

3.7.1.11 Indicative Infrastructure Development Programme

- a) ~~Figure 2-15 describes the Ruakura Strategic Infrastructure necessary to support the growth cell. Rule 3.7.3.3 details the nature and staging of transportation and three waters infrastructure requirements. Land Development Plans are expected to further refine these transportation and three waters infrastructure needs. It is expected that the provision of the planned strategic three waters infrastructure network would be integrated and constructed with the transport network (in particular the incremental development of the Spine Road).~~

3.7.1.12 Connections to Ruakura Strategic Infrastructure

- a) ~~The Structure Plan sets the overarching structure and pattern of development, which is supported by strategic infrastructure. While the concepts are flexible in their application to some extent, the pattern of development shall be sequenced in a manner that reflects the Ruakura Strategic Infrastructure as shown on Figure 2-15. There are critical elements of strategic infrastructure that must be provided for within defined corridors and localities (see Figure 2-15).~~
- b) ~~Water supply is available for up to 1250 residential lots in the north of the growth cell. There is no interim water capacity for the remainder of the Ruakura Structure Plan. Any subsequent development within the Structure Plan will require a single reservoir serviced from the existing Bulk Main connection at Wairere Drive.~~
- ~~a)c) There is no interim wastewater capacity within the City’s existing wastewater network to accommodate growth in the Ruakura Structure Plan area. All wastewater is to be disposed via a connection to the Far Eastern Wastewater Interceptor.~~

3.7.2 Objectives and Policies

When consent is required for subdivision and/or development within the Ruakura Structure Plan area, the proposal must be in accordance with the objectives and policies below and any general objectives and policies for Structure Plan areas (refer to 3.3).

Objective	Policies
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Objective	Policies
<p>3.7.2.1 Land within the Ruakura Structure Plan Area will be developed in <u>general</u> accordance with the vision for the Ruakura Structure Plan set out in 3.7 and 3.7.1.</p>	<p>3.7.2.1a The expansion of the City to provide a significant new employment area based around the development of a regional logistics hub which will form a catalyst for further development and attract a wider range of business to the City.</p>
	<p>3.7.2.1b Maximise the use of existing infrastructure investment, including the railway network, and align land-use patterns with the area’s planned infrastructure investment to achieve integrated transport and land use development; with an emphasis on logistics and freight.</p>
	<p>3.7.2.1c Create opportunities for the ongoing development of research, learning and innovation activities; recognising the importance of the University of Waikato, the AgResearch Campus and the Waikato Innovation Park to the City and the Region.</p>
	<p>3.7.2.1d Develop comprehensively planned areas of residential housing connecting with Fairview Downs, providing a range of housing choice and affordability.</p>
	<p>3.7.2.1e Configure land uses around a comprehensive network of well-connected open spaces that will perform a range of functions including <u>recreation</u>, stormwater management, cycle ways, and <u>amenity recreation</u>.</p>
	<p>3.7.2.1f An area of new development within the City which is integrated and complementary to the existing and planned land use pattern for the City.</p>

Objective	Policies
<p><u>3.7.2.2</u></p> <p><u>Development and land use activities in the Ruakura Structure Plan are designed, developed and implemented in a manner which protects the amenity values of surrounding communities and facilities, while providing for urbanisation.</u></p>	<p><u>3.7.2.2a</u></p> <p><u>Development and land use will:</u></p> <ul style="list-style-type: none"> <u>i. Ensure an appropriate level of urban residential amenity in relation to existing and future residential activities; and</u> <u>ii. Ensure an appropriate level of amenity in relation to existing and future facilities in the University of Waikato and AgResearch.</u> <p><u>This will be achieved by:</u></p> <ul style="list-style-type: none"> <u>i. Mitigating the adverse effects of noise, vibration, lighting, glare, odour, dust, and air emissions; and</u> <u>ii. Ensuring attractively designed buildings and landscaped frontages to key public frontages; and</u> <u>iii. Screening and landscaping adjoining sensitive activities.</u>
	<p><u>3.7.2.2b</u></p> <p><u>Land use, subdivision and development of the Ruakura Structure Plan will be undertaken in accordance with <i>Figures 2-14, 2-15, 2-16, 2-17 and 2-18 outlined in Appendix 2 Structure Plans.</i></u></p>
	<p><u>3.7.2.2c</u></p> <p><u>Interim land use and development in the Ruakura Structure Plan will not compromise the integrity and viability of the land use pattern of the Ruakura Structure Plan.</u></p>
	<p><u>3.7.2.2d</u></p> <p><u>The positive effects of logistics, industry, knowledge, residential and open space activities on economic, cultural, social and environmental wellbeing will be encouraged and promoted by providing for these activities.</u></p>
	<p><u>3.7.2.2e</u></p> <p><u>Logistics, industry, knowledge, residential and open space activities and development will use land allocated and serviced for these purposes in accordance <i>Figures 2-14, 2-15, 2-16 and 2-17 outlined in Appendix 2 Structure Plans.</i></u></p>

Objective	Policies
	<p>3.7.2.2f <u>Logistics, industry, knowledge, residential and open space land identified on Figure 2-14 will be safeguarded for these purposes.</u></p> <p>3.7.2.2g <u>Industrial land will be released in a staged manner together with the development of the Inland Port to ensure that co-location and agglomeration benefits of the Inland Port are able to be realised.</u></p>
<p>3.7.2.3 <u>New urban development within the Ruakura Structure Plan is serviced and integrated with the existing and future infrastructure network (including roads and Three Waters) to manage impacts on the network and manage the impacts of infrastructure on new urban development.</u></p>	<p>3.7.2.3a <u>Land within the Ruakura Structure Plan will not be developed until adequate infrastructure is provided.</u></p> <p>3.7.2.3b <u>Staging and sequencing will ensure the capacity of roading and Three Waters infrastructure is not exceeded.</u></p> <p>3.7.2.3c <u>The use and development of land for urban development is inappropriate unless a Land Development Plan has been approved by the Council.</u></p> <p>3.7.2.3d <u>Development will not compromise the safe, efficient and effective operation and use of existing or planned infrastructure.</u></p> <p>3.7.2.3e <u>Development will not result in incompatible adjacent land uses with respect to existing or planned infrastructure.</u></p>
<p>3.7.2.4 <u>An integrated and efficient pattern of land use and transportation so as to sustainably manage the impact of development on existing and</u></p>	<p>3.7.2.4a <u>Integrated Transport Assessments will be undertaken for each Land Development Plan area, and for high traffic generating activities, to manage impacts on existing and planned transport infrastructure.</u></p>

Objective	Policies
<p><u>planned transport infrastructure including Ruakura Strategic Infrastructure.</u></p>	<p>3.7.2.4b <u>The extent to which any staged development extends the construction of the Spine Road minor arterial and provides ongoing connectivity to the existing and future transport network.</u></p> <p>3.7.2.4c <u>Road stopping procedures for parts of Ruakura Road and Percival Road will be required under the Local Government Act to enable the expansion of the Inland Port. The principles to be adhered to, for any alternative access proposal, include (to the extent possible):</u></p> <ul style="list-style-type: none"> <u>i. A route which provides for travel in the general direction of Hillcrest and Silverdale without significant detours in terms of distance, travel times or connectivity;</u> <u>ii. A route which enables use of alternative modes of transport (particularly walking and cycling); and</u> <u>iii. A route which avoids severance effects for the Percival / Ryburn Road community.</u>
<p>3.7.2.5 <u>Development maintains or enhances indigenous biodiversity values and mitigates adverse effects on indigenous biodiversity.</u></p>	<p>3.7.2.5a <u>Development will avoid adverse effects on significant indigenous biodiversity in the first instance, and where effects cannot be avoided, they should be remedied, mitigated or offset in order to maintain indigenous biodiversity values.</u></p> <p>3.7.2.5b <u>Protect, and where appropriate enhance, the water quality of adjacent streams and gully systems in order to maintain or enhance indigenous biodiversity values.</u></p> <p>3.7.2.5c <u>Improved indigenous biodiversity outcomes through restoration and enhancement will be encouraged.</u></p>

Objective	Policies
	<p>3.7.2.5d <u>Create a greenway which provides opportunities for improved habitat and ecological benefits in the Ruakura Structure Plan and in the downstream receiving environment. The greenway in the Ruakura Open Space Zones and road reserves shall include linear wetlands, their vegetated margins, storage basins, low flow channels, indigenous vegetation planting and amenity planting.</u></p> <p>3.7.2.5e <u>Retain and re-establish viable populations of the black mudfish, longfin eel, shortfin eel, and indigenous lizards within the Ruakura Structure Plan, by the establishment and management of linear wetlands and riparian vegetation.</u></p> <p>3.7.2.5f <u>The Land Development Plan will include methods to ensure maintenance or enhancement of indigenous biodiversity values and mitigation of adverse effects on indigenous biodiversity.</u></p>
<p>3.7.2.6 <u>Land use and development in the Ruakura Structure Plan occurs in a manner, which does not compromise the vitality, functions and amenity of the central city and maintains a hierarchy of business centres in Hamilton.</u></p>	<p>3.7.2.6 <u>The distribution, type, scale and intensity of commercial development in the Ruakura Structure Plan will not undermine the vitality, functions, and amenity of the central city.</u></p>
<p>3.7.2.73 The creation of a regionally significant logistics hub in Hamilton.</p>	<p>3.7.2.73a Logistics, freight handling services and supportive activities and infrastructure shall be provided for in the Ruakura Logistics Zone.</p> <p>3.7.2.73b The positive environmental economic and social effects of logistics and freight handling activities and infrastructure shall be recognised and supported.</p>
<p>3.7.2.84 The continued development of a research, education, innovation and technological activity precinct in a manner</p>	<p>3.7.2.84a Research, education, innovation and technological activities and supporting activities and infrastructure shall be supported and co-located within the Ruakura Innovation Zone.</p>

Objective	Policies
<p>which does not compromise the Central City.</p>	<p>3.7.2.84b The manufacture and development of prototype goods, where such activities will complement the primary role of research, education and innovation, shall be provided for.</p>
	<p>3.7.2.84c Activities ancillary to and which support the primary purpose of the zone, such as retail and community activities, shall be recognised and provided for.</p>
	<p>3.7.2.84d The shared use of infrastructure, including car parking and buildings to maximise efficiencies of use, shall be encouraged.</p>
<p>3.7.2.95 The creation of a high quality Industrial Park in Ruakura.</p>	<p>3.7.2.95a Industrial development shall be well designed and of high quality in the Ruakura Industrial Park Zone.</p>
	<p>3.7.2.95b No provision is made for noxious or offensive industrial activities within the Ruakura Industrial Park Zone.</p>
<p>3.7.2.106 An integrated, well-planned residential environment.</p>	<p>3.7.2.106a Residential areas shall be comprehensively planned and developed in co-ordination with transport network connections.</p>
	<p>3.7.2.106b Residential areas shall be integrated with and connected to Fairview Downs.</p>
	<p>3.7.2.106c A range of housing choice and affordability shall be provided.</p>
<p>3.7.2.117 A centre for locally based retail facilities capable of meeting the day to day needs of the immediate surrounding neighbourhoods.</p>	<p>3.7.2.117a Activities within the neighbourhood centre shall principally serve the immediate neighbourhood.</p>
	<p>3.7.2.117b The scale and nature of activities within the neighbourhood centre shall not generate significant adverse amenity effects on the surrounding residential area and transport network.</p>

3.7.3 Rules

3.7.3.1 Ruakura Structure Plan Area

All land use and development within the Ruakura Structure Plan ~~Area~~ shall be in general accordance with:

- a) The Ruakura Structure Plan as set out in section 3.7 of this Chapter, and
- b) Ruakura Structure Plan ~~Figures Maps~~ in Volume 2, Appendix 2, Figures 2-14 to 2-189.
- ~~c) Land Development 3.7.3.2~~
- ~~d) Staging and Traffic Requirements 3.7.3.3~~
- ~~e) Ruakura Strategic Infrastructure Requirements 3.7.3.4~~

3.7.3.2 Land Development

3.7.3.2.1 Consent for Land Development

- a) A resource consent for a restricted discretionary activity is required for the following activities associated with the urbanisation of land in the Ruakura Structure Plan:
 - i. Preparation of land for development purposes including earthworks and vegetation removal.
 - ii. Construction of roads, pedestrian paths and cycle routes.
 - iii. Installation of Three Waters infrastructure (including linear wetlands and storage basins).
 - iv. Works related to the establishment of open space networks.
 - v. Screen planting associated with the Inland Port (Sub Area A (Inland Port)).
- b) The Ruakura Structure Plan is divided into a number of Land Development Plan Areas (as shown in Figure 2-16 in Appendix 2 Structure Plans).
- ~~a) Consent for the urbanisation of land involving the activities listed in Rule 3.7.3.2.1 shall be obtained for the entire or staged section of these areas prior to land use, subdivision and development under any other rule of the Ruakura Structure Plan.~~
- ~~c) Land development and new buildings in the absence of a Land Development Plan is Non Complying.~~
- d) The boundaries of the Land Development Plan areas may be altered to a minor extent as part of detailed design work for the Land Development application. For the purpose of the administration of this provision, a boundary alteration will be considered 'minor' if the land use in the extended area and the effects arising from that land use are, or are likely to be of the same or similar scale, character and intensity as the original Land Development Plan area. A Land Development Plan shall provide the following information as detailed in Rule 3.7.3.2.1e).
- e) A Land Development Plan shall provide the following information as detailed in Appendix 1.2.2.25 Information Requirements – Land Development Plans:

- i. General Requirements;
 - ii. Concept Layout Plan;
 - iii. Landscape Concept and Enhancement Plan (including a Native Fish Management Plan and Native Lizard Management Plan as required);
 - iv. Water Impact Assessment;
 - v. Integrated Transport Assessment;
 - vi. Mitigation of Adverse Land Development Effects on Habitats; and
 - vii. Medium Density Residential Area (where relevant)
 - viii. Open Space Provisions
- f) Where staged development of any Land Development Area is sought then the following indicative information for the balance area shall be provided:
- i. The location and width of proposed roads and carriageways and their integration with the existing transport network;
 - ii. The National Grid electricity transmission network;
 - iii. Where the Land Development Plan contains any part of the Inland Port (Sub Area A (Inland Port))- indicative layout plan showing internal roads, hardstand and impermeable areas, crossing points under transmission lines, indicative building locations, future rail sidings and connections to the East Coast Main Trunk Railway and clearances between finished surface levels of the Inland Port and the National Grid electricity transmission network;
 - iv. The location and size of storm water treatment and control measures; and
 - v. The location, size and purpose of open spaces.
- g) Land Development Plans will be assessed in accordance with the functions of the Hamilton City Council prescribed in Section 31 of the Resource Management Act. Consents may also be required from Waikato Regional Council under the Waikato Regional Plan e.g. for stormwater discharge.

3.7.3.2.2 Water Impact Assessment

- (a) A Water Impact Assessment based on anticipated development in the Land Development Plan that includes the following:
- i. How the proposal is consistent with, or otherwise complies with, the recommendations, measures and targets of any approved Integrated Catchment Management Plan.
 - ii. Where there is no approved Integrated Catchment Management Plan, how the proposal is consistent with the development of and gives effect to Ruakura Strategic Infrastructure including as shown on Figure 2-15 in Appendix 2.
 - iii. How the Land Development Plan provides for the eventual diversion of any temporary connections to strategic infrastructure.

- iv. An assessment of any potential effects (including cumulative effects) of the development in relation to its catchment. In particular, the assessment should include consideration of potential construction effects and the potential effects of new ponds and wetlands on adjacent private property.
- v. Details of what water-sensitive techniques are proposed and methods of implementation.
- vi. Details of the expected water efficiency benefits arising from the proposed water-sensitive techniques compared to the same development without using those water-sensitive techniques.
- vii. Details of how the water-sensitive techniques will be operated and maintained to ensure ongoing water efficiency benefits.
- viii. Confirmation of available Three Waters infrastructure and capacity, existing and proposed, to appropriately service anticipated development in the Land Development Plan area and the wider structure plan area.
- ix. Details of the water demand (flow and pressure) and water sources.
- x. An assessment of the effect that any staged or interim development and infrastructure has on the strategic network described in Figure 2-15 including an assessment of when any diversion to that strategic network is required to restore the city wide network capacity that was being used on an interim basis.

3.7.3.3 Staging and Traffic Requirements

- a) The staging conditions relate to the provisions of the PRPS and in particular Table 6-2 which sets out the strategic industrial land allocation for the Waikato Region. Ruakura is identified for the staged release of land to provide for 405ha of industrial land by 2061. The rules are aimed at ensuring compliance with this land release but still picking up key triggers and levels of tolerance where network upgrades and other constraints lie.
- b) Due to the size of the site and the development timescale the roll out of, and specific mix of Ruakura Logistics to Ruakura Industrial Park land uses, is not yet clarified. Ruakura Logistics activities are expected to have a significantly lower level of traffic generation than Industrial Park Activities. As such a sliding scale of impacts and a range of development options have been encapsulated in the rules while the location and final layout of these activities are fixed the take up of the land will depend on the market demand and as such some staging flexibility is appropriate.
- c) It is noted that the Industrial Stage 2 development and the Precinct C development within the Knowledge Zone are subject to the Waikato Expressway (Hamilton section) being completed and connected to the Ruakura Structure Plan or suitable arterial network capacity being demonstrated or established in a manner that maintains the efficiency, safety and functioning of the transport network. It is considered that where construction is underway and a completion date is available

some flexibility on further land release may be appropriate to ensure benefits are obtained from infrastructure at the earliest possible date and development to cater for market demand is not unduly delayed.

3.7.3.3.1 Industrial Land Stage 1 Rule (PRPS 2021 Allocation)

(a) Up to 80 hectares of land within the Ruakura Structure Plan may be developed before 1 January 2021, with general industrial not exceeding 30 hectares. This can be made up with a combination of the following land allocations:

Ruakura Logistics Zone

- i. up to 20 ha of Ruakura Logistics Zone; or
- ii. up to 40 ha of land in Ruakura Logistics Zone subject to:
 - a. Signalisation of the existing intersection of Ruakura Road/Knighton Road; and
 - b. Signalisation of the intersection of Ruakura Road/Silverdale Road; and
 - c. Total weekday average peak hour generation for the Area for each morning and evening peak periods based on a minimum two week continuous traffic count is less than 180 vph.
- iii). up to 80 ha of Ruakura Logistics Zone subject to:
 - a. Signalisation of the existing intersection of Ruakura Road/Knighton Road; and
 - b. Signalisation of the intersection of Ruakura Road/Silverdale Road; and
 - c. Ruakura Road being realigned and connected from the existing Ruakura Road (east of Silverdale Road) to the existing Ruakura Road (north of Vaile Road), and open to traffic; and
 - d. Formation of a priority controlled intersection where the realigned Ruakura Road meets the old Ruakura Road in the block between Holland Road and Vaile Road; and

Total weekday average peak hour generation for the Ruakura Logistics Area for each morning and evening peak periods based on a minimum two week continuous traffic count is less than 180 vph.

Ruakura Industrial Park Zone

and/or

- iv). Up to 16 ha of Ruakura Industrial Park Zone to the north of AgResearch, provided the overall level of development within the Industrial Land Stage 1 shall not exceed 80 ha; or
- v). Up to 30 ha of land within the Ruakura Industrial Park Zone to the north of AgResearch, provided the overall level of development within the Industrial Land Stage 1 shall not exceed 80 ha; and
 - a) Total weekday average peak hour generation for the Area for each morning and evening peak periods based on a minimum two week

continuous traffic count is less than 15 vph per gross developed hectare; and

- b) An approved Land Development Plan for Land Development Plan Area A being stage 1 of the Inland Port, south of the East Coast Main Trunk Line and west of Percival Road, and associated logistics activities; and
- c) Commencement of development within Land Development Plan Area A (being Stage 1 of the Inland Port (Sub Area A (Inland Port)) and associated logistics activities). For the purpose of this rule commencement of development will be as a minimum, water, and wastewater connections, stormwater solutions and transportation access to the Inland Port consistent with the approved Land Development Plan for the Inland Port, and consistent with any staging and interim infrastructure solution provided for in the Land Development Plan. These connections will be identified on the Land Development Plan.

3.7.3.3.2 Industrial Land Stage 2 Rule (PRPS 2021 - 2041 Allocation)

- (a) An additional 115ha of land within the Ruakura Logistics Zone and Ruakura Industrial Park Zone may be developed post 1 January 2021 subject to:
 - i. The Waikato Expressway (Hamilton section) having been completed and directly connected to the Ruakura Structure Plan, via an interchange at a realignment of Ruakura Road and the direct connection between Greenhill Interchange and Wairere Drive.
 - ii. Weekday average peak hour traffic volume, including the traffic generated by the proposed development, not exceeding 1,200 vehicles per hour (vph) (one way) on Ruakura Road (east of Wairere Drive) and 1,400 vph (one-way) on Wairere Drive (south of Ruakura Road). Where the volume is in excess of either of these thresholds this area can be developed only when the Spine Road is connected and open to traffic from Ruakura Road to Fifth Avenue Extension.
 - iii. The traffic generation and network performance for Stage 1 Activities is in accordance with Rule 3.7.3.3.1.

3.7.3.3.3 The Knowledge Zone Precinct C (including the Ruakura Retail Centre, but excluding Precincts A, B and D) Staging Rule

- (a) Up to 16 ha of land within Precinct C (including the Ruakura Retail Centre) may be developed subject to the following criteria.
 - i. A connection being formed between the Precinct C and Ruakura Retail Centre and the signalised intersection of Ruakura/Knighton Roads.
 - ii. Weekday average peak hour traffic volume, including the traffic generated by the proposed development, not exceeding 1,200 vehicles per hour (vph) (one way) on Ruakura Road (east of Wairere Drive) and 1,400 vph (one-way) on Wairere Drive (south of Ruakura Road). Where the volume is in excess of either of these thresholds this area can only be developed when the Spine Road is connected and open to traffic from Ruakura Road to Fifth

Avenue Extension.

Or

- iii. Suitable arterial network capacity can be demonstrated or established in a manner that maintains the efficiency, safety and functioning of the transport network.

Provided that:

- iv. No more than 5ha can be developed unless the Spine Road is connected and open to traffic from Ruakura Road to Fifth Avenue Extension.

3.7.3.3.4 Medium Density Residential Staging Rule

- (a) Except as provided for in (c) below up to 150 dwellings can be constructed in the Medium Density Residential Zone.
- (b) Development in excess of 150 dwellings can occur in the northern Medium Density Residential Zone subject to a transport connection being established to the E1 Arterial Road at the Wairere/Crosby/Gordonton Road roundabout.
- (c) There is no staging for the Medium Density Residential Zone adjoining Silverdale Road.

3.7.3.3.5 General Residential Staging

- (a) There is no staging for the General Residential Zone.

3.7.3.3.6 Staging Activity Status

- (a) Any application for resource consent not in accordance with Rules 3.7.3.3.1 – 3.7.3.3.5 is a discretionary activity.

The Council's discretion shall include, but not be limited to, the following matters:

- i. Demonstration that any development is consistent with the Industrial Land Allocation or alternative land release criteria specified in any operative or proposed Regional Policy Statement including any approved alternative land release provided for.
- ii. Appropriate provision being made for mitigation works to ensure that development does not result in long term adverse effects on the efficiency, safety and functioning of the transport network. The timing of any other planned local network upgrades that would contribute to the offset of the effects of traffic generation.
- iii. Whether there is certainty of timing over the construction of the Hamilton section of the Waikato Expressway and the extent to which this enables a departure from the provisions of Rule 3.7.3.3.1.
- iv. The ITA matters for discretion set out in *Appendix 1.3.3 M) Ruakura*.

v. For industrial development in excess of 16ha in the Industrial Park Zone north of AgResearch or for any industrial development outside of this area: whether a Land Development Plan for Area A (being Stage 1 of the Inland Port (Sub Area A (Inland Port)) and associated logistics activities) has been approved and the necessary infrastructure connections for the Inland Port are in place.

(b) Except as provided for by Section 95A (2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act, an application under this rule shall be considered without notification or the need to obtain approval from affected persons except that the application shall be limited notified to the following unless the persons have given their affected party approval:

- New Zealand Transport Agency, Waikato Regional Council and Waikato District Council.

3.7.3.3.7 Traffic Generation

Traffic Generation Consent Requirements

(a) Any activity triggering trip generation thresholds of 1500 vehicles per day (vpd) requires resource consent as a restricted discretionary activity.

(b) This rule does not apply to events and temporary activities where a temporary traffic management plan has been approved by the relevant road controlling authority.

3.7.3.2 Integrated Catchment Management Plan

a) An Integrated Catchment Management Plan which is consistent with the requirements of Chapter 4: Residential Zones, Chapter 8: Knowledge Zone, Chapter 10: Ruakura Logistics Zone and Chapter 11: Ruakura Industrial Park Zone, and complies with the requirements of Volume 2, Appendix 1.5.5 is a pre-requisite to all land use and development within the Ruakura Structure Plan Area.

3.7.3.4 Ruakura Strategic Infrastructure

All land use and development within the Ruakura Structure Plan shall be subject to the following:

3.7.3.4.1 Potable Water Supply

a) No more than 1250 residential lots can be constructed from the existing Greenhill Link / Wairere Drive connection.

b) All other development shall be connected to the Ruakura Strategic Infrastructure solution for water for the structure plan area.

3.7.3.4.2 Wastewater Network

a) All development within the structure plan area shall be connected to and discharge into the Far Eastern Wastewater Interceptor.

3.7.3.4.3 Stormwater Network

a) All stormwater management infrastructure shall be in accordance with an approved ICMP where available.

b) In absence of an approved ICMP, stormwater management infrastructure shall be subject to specific catchment management planning and reflect the stormwater connections on Figure 2-15.

3.7.3.4.4 General Matters

All land use and development within the Ruakura Structure Plan Area shall be subject to all infrastructure requirements identified as part of the assessment criteria set out in the relevant rules of:

- a) Chapter 4: Residential Zones
- b) Chapter 8: Knowledge Zone
- c) Chapter 10: Ruakura Logistics Zone
- d) Chapter 11: Ruakura Industrial Park Zone

e) Chapter 15: Open Space Zones

ef) Volume 2, Appendix 1.3.32 Restricted Discretionary Activity – Matters for Discretion and Assessment Criteria

3.7.3.4 Staging Rules for Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan Area

a) Stage 1 Rule

All land use and development within the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan Area shall be subject to all of the following criteria.

- i. A total of no more than 80 hectares of land is to be developed before 1 January 2021.
- ii. Up to 80 hectares of land may be developed for port and logistics land use.
- iii. Up to 20 hectares of land may be developed for industrial land use provided that the ratio between allocated industrial land use and port and logistics land use is no more than 1:4.
- iv. Port and logistics land use shall be located in the Ruakura Logistics Zone in the area south of the east coast main trunk railway line.
- v. Industrial land use shall be located in the Ruakura Industrial Park Zone south of the east coast main trunk railway line or the industrial park area immediately north of the Knowledge Zone (i.e. west of the north-south spine road).

b) Stage 2 Rule

All land use and development within the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan Area in Stage 2 shall be subject to all of the following criteria.

- i. All connections between the City's transport network in the Ruakura Structure Plan Area and the completed Hamilton section of the Waikato Expressway being complete and operational.
- ii. A transport connection must be established during Stage 2 between the Ruakura Industrial Park Zone and the Ruakura Logistics Zone with the transport connection to be established between the Wairere/Crosby/Gordonton Road

~~roundabout and the southern boundary of the General Residential Zone within the Ruakura Structure Plan Area.~~

- ~~iii. No more than 115 hectares of land is to be developed between 2 January 2021 and 1 January 2041.~~

~~c) Stage 3 Rule~~

~~All land use and development within the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan area in Stage 3 shall be subject to the following criteria.~~

- ~~i. No more than 210 hectares of land is to be developed between 2 January 2041 and 1 January 2061.~~

~~3.7.3.5 Staging Rules for General Residential Zone and Medium Density Residential Zone in the Ruakura Structure Plan Area (refer Volume 2, Appendix 2, Figure 2-19)~~

~~a) Stage 1A Rule~~

~~Development of land in the General Residential Zone and the Medium Density Residential Zone in the Ruakura Structure Plan Area shall be subject to satisfaction of all of the following criteria.~~

- ~~i. Between 1 and 200 residential units can be constructed in Stage 1A.~~
- ~~ii. No more than 100 residential units can be constructed in Stage 1A in the main area of land zoned General Residential and Medium Density Residential Zones in the Ruakura Structure Plan Area.~~
- ~~iii. No more than 200 residential units are to be constructed in Stage 1A before a transport connection must be established and operating between Stage 1 and the Wairere Eastern Arterial at the Wairere/Crosby/Gordonton Road roundabout.~~

~~b) Stage 1B Rule~~

~~Development of land in the General Residential Zone and the Medium Density Residential Zone in the Ruakura Structure Plan Area shall be subject to satisfaction of all of the following criteria.~~

- ~~i. Up to 175 residential units can be constructed in Stage 1B, provided that a transport connection has already been established and is operating between Stage 1 and the Wairere Eastern Arterial at the Wairere/Crosby/Gordonton Road roundabout.~~
- ~~ii. No more than 175 residential units can be constructed in Stage 1B before a transport connection must be established and operating between the Wairere/Crosby/Gordonton Road roundabout and the southern boundary of the General Residential Zone within the Ruakura Structure Plan Area. See Appendix 2: Structure Plans, Figure 2-6: Ruakura Residential Staging for identification of the Southern boundary of the General Residential Zone.~~

~~c) Stage 2 Rule~~

~~Development of land in the General Residential Zone and the Medium Density Residential Zone in the Ruakura Structure Plan Area shall be subject to satisfaction of the following criteria.~~

- ~~i. Up to 1,426 residential units can be constructed in Stage 2, provided that a transport connection has already been established and is operating between the Wairere/Crosby/Gordonton Road roundabout and the southern boundary of the General Residential Zone within the Ruakura Structure Plan Area.~~

~~3.7.3.6 Staging Rule for the Innovation Park Precinct of the Knowledge Zone in the Ruakura Structure Plan Area~~

~~a) Staging Rule~~

~~Development of land in the Innovation Park Precinct of the Knowledge Zone in the Ruakura Structure Plan Area shall be subject to satisfaction of all of the following criteria.~~

- ~~i. Development of land in sub-precinct A, B and D shown in Figure 3.7.3a may occur at any time.~~
- ~~ii. Development of land in sub-precinct C shown in Figure 3.7.3a shall not occur before 2041.~~

3.7.4 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 4: Residential Zone
- Chapter 8: Knowledge Zone
- Chapter 10: Ruakura Logistics Zone
- Chapter 11: Ruakura Industrial Park Zone
- Chapter 15: Open Space Zones
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gully Systems
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide
- Volume 2, Appendix 1: District Plan Administration

4 Residential Zones

4.1 Purpose

- a) The Residential Zones assist in creating a compact City. The Central City Zone also contributes significantly to the residential strategy by providing opportunities for higher-density living in the Central City (see Chapter 7: Central City Zone).
- b) The City has a finite amount of residential land. To accommodate more people, Council needs to develop the land it has more efficiently. The key is to provide a range of section sizes and household choices, including smaller sections and more compact living environments (such as townhouses and apartments), as well as the traditional larger lots with backyards.
- c) This District Plan provides for four Residential Zones (shown on the Planning Maps) that promote opportunities for different dwelling densities.
 - i. General Residential Zone.
 - ii. Residential Intensification Zone.
 - iii. Medium-Density Residential Zone.
 - iv. Large Lot Residential Zone.
- d) The provisions of this chapter are designed to assist in meeting the density targets of the Regional Policy Statement.
- e) The District Plan also provides for special character residential areas in Chapter 5: Special Character Zones.
- f) A Land Development Plan prepared in accordance with Rule 3.7.3.2 must be approved by Hamilton City Council before development can occur in the Ruakura Medium Density Residential Zone.

4.1.1 General Residential Zone

- a) The General Residential Zone provides for most of the traditional housing areas. The zone includes established residential suburbs and some greenfield areas.
- b) The General Residential Zone will be an area of stability, with the current form and density of housing continuing. This zone is intended to be primarily for residential buildings and activities.
- c) The building form is likely to be low (one or two-storey) single dwellings with a high ratio of on-site open space to building. There is an expectation of a high level of private, on-site amenity. Duplex dwellings are a higher density form of development but are acceptable so long as they maintain a sense of open space and private, on-site amenity.
- d) Larger sites will be able to accommodate an ancillary, self-contained residential unit.

4.1.2 Residential Intensification Zone

- a) The Residential Intensification Zone is applied to existing residential areas that have been identified as suitable to accommodate higher density development.

The intent is to encourage site redevelopment, primarily for multi-level and attached housing. These are expected to be on larger or amalgamated sites to allow sufficient room for good urban design.

- b) The form of housing is likely to be apartments and town houses.
- c) The Residential Intensification Zone has a Visitor Facilities Area (which can be found on the Planning Map 36B) which recognises the existing visitor accommodation around Ulster Street. This area includes the sites fronting Ulster Street, from Mill Street to Beetham Park and provides for a high-density mix of visitor and permanent residential accommodation in the form of multi-unit and apartment developments. Ancillary activities often accompany visitor accommodation, such as conference facilities and restaurants.
- d) The Residential Intensification Zone in Hamilton East (which can be found on the Planning Maps 45B and 46B) has special rules that recognise and protect elements of the streetscape, including site coverage, building height and wall length. In this area, the focus is on the protection of amenity values – the strong ‘green’ backdrop – rather than the character of the existing buildings. This area is defined by that part of the Residential Intensification Zone:
 - i. South of Te Aroha Street, and
 - ii. West of Peachgrove Road, and
 - iii. North of Albert Street, and
 - iv. East of Memorial Drive to Bridge Street then east of the Waikato River.

4.1.3 Medium-Density Residential Zone

- a) The Medium-Density Residential Zone applies to identified greenfield areas within the Rototuna, Rotokauri and Ruakura Structure Plan areas. This zone recognises that medium-density housing is more easily achieved when it is comprehensively planned from the start, rather than being retrofitted into an existing urban environment.
- b) A Comprehensive Development Plan *or Land Development Plan for Ruakura* must be approved before development in this zone. These plans need to be in general accordance with the relevant Structure Plan and Urban Design Guide.

4.1.4 Large Lot Residential Zone

- a) The Large Lot Residential Zone recognises that there are certain locations where a lower density is required to manage the effects of residential development in a sustainable manner. The Large Lot Residential Zone is similar in most respects to the General Residential Zone, with the obvious difference being the size of allotments within the Large Lot Residential Zone. The locations and rationale for this zone in these locations are outlined below.
 - i. Ruakura Structure Plan (SH26)
 - This location is not serviced and is already characterised by a range of large lot residential and non-residential uses.
 - ii. Ruakura Structure Plan (Percival/Ryburn Roads)

The area bounded by Percival, Ryburn Roads and the designation for the Waikato Expressway, the East Coast Main Trunk (ECMT) rail line and the approved inland port (Logistics Zone, Sub-Area A), is characterised by a range of large lot residential uses and some rural activities. This area is not serviced and is not intended to be serviced.

There are approximately twenty-three existing houses and a number of subdivided but undeveloped properties in the enclave. The houses and outdoor living areas tend to be oriented to the north and north-east and away from the western leg of Percival Road, and to the north-west and north in relation to the northern leg of Percival Road. Typically the houses are more than 30 metres from the zone boundary. Percival Road has the character of a quiet country road being a cul de sac. It joins to Ruakura Road to provide the sole link to the wider City network and the community facilities in the eastern suburbs.

A feature of the area is a more-or-less continuous row of plane trees adjacent to the western leg of Percival Road and a more limited and shorter row of plane trees on the northern leg of Percival Road.

-This area is also planned in the Ruakura Structure Plan to transition to the Ruakura Logistics Zone in future district plans. Future subdivision of this area into further additional large lot residential lots, therefore, is not encouraged. However, to protect amenity a buffer will be necessary at the interface between the land intended to support the expansion of the inland port and future development in the Industrial Park Zone and the residential area. Interface design control measures are therefore adopted in 10.5.4 and 11.5.3 to mitigate the potential and actual effects on residential amenity resulting from the development of the inland port and related activities adjacent to the enclave. Establishment of the buffer is a pre-condition to future development of the inland port in this area and is a requirement of the relevant Land Development Plan.

A precautionary approach is adopted to the conversion of the rural residential area to Logistics zoning by requiring a change or variation to be made to the District Plan when there is sufficient information and certainty about the timing and need for the 'new' zoning. This is consistent with the staged industrial land allocation provided in the Regional Policy Statement.

4.1.5 All Residential Zones

- a) Design and layout of residential sites and buildings are critically important. All residential development must address potential adverse environmental effects and ensure a quality urban environment is achieved through high quality urban design.
- b) Good standards of amenity create a pleasant and attractive living environment, and in doing so contribute to wider neighbourhood amenity. Residential amenity means the many qualities and attributes that allow people to enjoy living where they do – such as visual attributes, sunlight, good access, low noise levels and safety.

- c) All Residential Zones are intended to be primarily for residential purposes and other activities need to maintain residential character and amenity.
- d) In addition to residential activities, some small-scale non-residential activities, such as home-based business and home stays, are appropriate in residential areas. A limited range of non-residential activities that support communities, such as schools and health centres, can potentially establish within the zones. However, this is subject to their compatibility with the existing and anticipated residential character and amenity.

4.2 Objectives and Policies: Residential Zones

Objective	Policies
<p>4.2.1 A range of housing types and densities is available to meet the needs of all communities.</p>	<p>4.2.1a A variety of housing densities and types should be developed, consistent with the:</p> <ul style="list-style-type: none"> i. Capacity of the existing infrastructure. ii. Target densities promoted by Future Proof and the Regional Policy Statement. Specifically this means achieving, as a minimum, the following average gross density targets (excluding transport corridors) over time in the Residential zones.
	<ul style="list-style-type: none"> 1. 16 dwellings per hectare for development (excluding the identified Large Lot Residential Areas). 2. 30 dwellings per hectare for identified intensification areas.
	<p>4.2.1b Higher-density residential development should be located within and close to the Central City, suburban and neighbourhood centres, tertiary education facilities and hospital, and in areas serviced by passenger transport.</p>
	<p>4.2.1c New residential development shall be able to be adequately serviced in terms of Three Waters infrastructure, with the exception of the Ruakura Structure Plan Large Lot Residential Zone.</p>
Explanation	
<p><i>This objective and policies recognise the need for a range of dwelling types and densities to meet the needs of all aspects of the community. These could range from a large family dwelling with plenty of outdoor space to an inner city apartment. Current projections indicate an aging population, as well as an increasing population. Different portions of the community have different housing preferences reflecting income, age,</i></p>	

Comment [HCC1]:
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties, ENV-146;

family size, number of children, and cultural factors.

The Regional Policy Statement sets out dwelling density targets, derived from Future Proof. These will be achieved by managing lot sizes in existing developed areas and subdivision yields in Structure Plan areas.

Different density targets are set for greenfield areas and existing urban areas. Greenfield development can be designed to meet a higher-density target from the outset, whereas intensification is harder to achieve in existing urban areas with an established land-use pattern. The Large Lot Residential Zone identifies areas where topography and existing land uses do not lend themselves to full urbanisation.

The policies require residential development to occur only in those areas identified. This approach ensures stability for established parts of the City and that higher density will not occur where it is not identified and provided for.

Objective	Policies
<p>4.2.2 Efficient use of land and infrastructure.</p>	<p>4.2.2a Residential development shall use land and infrastructure efficiently by:</p> <ul style="list-style-type: none"> i. Delivering target yields from housing development in both greenfield growth areas and intensification areas, as indicated by rules or Structure Plans. ii. Staging and sequencing the development as indicated by rules or Structure Plans. iii. Otherwise complying with relevant Structure Plans.
	<p>4.2.2b New buildings and activities shall mitigate effects on and from regionally significant infrastructure.</p>
	<p>4.2.2c Residential land uses should be managed to avoid potential effects, such as noise, from arterial transport corridors and state highways.</p>

Explanation

The use of land can be affected by the presence of infrastructure. Not only does residential development need to have an adequate level of servicing available, but it needs to respond to regionally significant infrastructure, such as telecommunication infrastructure or the national electricity grid, either existing or planned.

Complying with staging ensures that infrastructure can be planned in advance of development and the effects of increased densities can be better managed. Infrastructure includes Three Waters and transport networks, as well as social infrastructure like libraries and community halls.

The policies recognise the need to manage residential land uses around regionally significant infrastructure, both existing and proposed – both to manage the effects

<i>that residential activities and structures can have on the infrastructure, as well as the adverse effects that the infrastructure can have on residential uses.</i>	
Objective	Policies
<p>4.2.3 Residential development produces good on-site amenity.</p>	<p>4.2.3a Residential design shall achieve quality on-site amenity by providing:</p> <ul style="list-style-type: none"> i. Private, useable outdoor living areas. ii. Access to sunlight and daylight throughout the year. iii. Adequate service areas to accommodate typical residential living requirements. iv. Insulation to minimise adverse noise effects. v. Parking and manoeuvring areas on-site to meet the needs, safety and convenience of residents. vi. Energy-efficient and sustainable design technologies where compatible with the scale and form of residential development.
	<p>4.2.3b Residential sites adjacent to public space shall achieve visual and physical connectivity to these areas.</p>
	<p>4.2.3c Building design and location shall protect the privacy of adjoining dwellings.</p>
	<p>4.2.3d Buildings should be designed to conform to natural topography.</p>
	<p>4.2.3e Development in areas identified for medium and high-density residential activities should be in general accordance with the appropriate Design Assessment Criteria.</p>
<p>Explanation</p> <p><i>Good design of housing is critically important to on-site and off-site amenity, especially where there is higher-density housing. The policies identify the features important for residential development, regardless of what form the dwelling may take, e.g. single, duplex or apartment.</i></p> <p><i>Important design features include access to sunlight, outdoor living space, storage space, space for waste and recycling, visual connectivity to public spaces such as the street, privacy and off-road parking. Incorporation of these features will ensure</i></p>	

<i>functional and high-quality living environments for the occupants.</i>	
Objective	Policies
<p>4.2.4 The development contributes to good neighbourhood amenity as the area matures.</p>	<p>4.2.4a The size and scale of buildings and structures shall be compatible with the locality.</p>
	<p>4.2.4b Buildings should be designed so they do not physically dominate or adversely affect the residential character of the neighbourhood.</p>
	<p>4.2.4c Significant vegetation and trees should be preserved wherever possible.</p>
	<p>4.2.4d Garages, carports and vehicle access points shall be sited to ensure the safety of all road users and the safe and efficient function of the transport corridor.</p>
	<p>4.2.4e Development in the General Residential and Large Lot Residential Zones should not detract from or degrade the existing character of the surrounding area.</p>
<i>Explanation</i>	
<p><i>How buildings relate to a street can have a major bearing on people's perception of the safety of an area. Cumulative effects of development should contribute positively to the streetscape and amenity. The urban amenity expected by residents can be positively or negatively altered by development. It is important that any new development is sympathetic to an area's existing character and amenity.</i></p>	
Objective	Policies
<p>4.2.5 Protect and enhance the character values of the Hamilton East portion of the Residential Intensification Zone.</p>	<p>4.2.5a Development shall:</p> <ul style="list-style-type: none"> i. Enable redevelopment opportunities. ii. Ensure that the siting and design of development recognises the strong visual relationship with the streetscape. iii. Be provided with landscaping and planting that enhances on-site and local residential amenity. iv. Ensure that extensive areas of hard-surfacing are avoided, wherever practicable. v. Be consistent with the local context, scale and

	<p>character.</p> <p>vi. Avoid significant adverse effects on the character of the Hamilton East Area.</p>
Explanation	
<p><i>The Hamilton East Residential Intensification Zone includes 2-storey and multi-unit accommodation in the “sausage block” format typical of the 1970s. As a result of this type of development, setbacks and separation distances are less pronounced than in other Hamilton East developments. Setbacks and separation distances are an important feature because front yard planting contributes to the amenity values the strong green backdrop of this area provides. The focus of the District Plan in this area is on the protection of these amenity values rather than the character of the existing buildings. This zone provides for higher levels of development than elsewhere in Hamilton East. The Hamilton East portion of the Residential Intensification Zone is identified in the Planning Maps.</i></p>	
Objective	Policies
<p>4.2.6 Residential activities remain the dominant activity in Residential Zones.</p>	<p>4.2.6a Non-residential activities should not establish in residential areas, unless the adverse effects on all zones are avoided, remedied or mitigated.</p>
	<p>4.2.6b Visitor facilities such as accommodation and conference facilities should be located primarily in the Visitor Facilities Area.</p>
	<p>4.2.6c Home-based businesses shall:</p> <ul style="list-style-type: none"> i. Be ancillary to the residential activity of the site. ii. Avoid adverse effects on the neighbourhood, character, amenity and the transport network. iii. Take place within dwellings or ancillary buildings. iv. Involve no outdoor storage of vehicles, equipment or goods visible from a public place. v. Be compatible with the character and amenity of the locality, in terms of location, type and scale of activity, number of visitors to the site, and hours of operation.

	<p>4.2.6d Community facilities and community support activities (including managed care facilities and residential centres) shall:</p> <ul style="list-style-type: none"> i. Serve a local social or cultural need. ii. Be compatible with existing and anticipated residential amenity.
	<p>4.2.6e Non-residential activities shall be of an appropriate size to maintain character of the site.</p>

Explanation

Non-residential activities have the potential to generate significant adverse effects in residential areas. Provided home-based businesses – where residential uses still occupy the majority of the dwelling – do not generate off-site effects, they are an acceptable form of non-residential activity. Home-based businesses often perform an incubator role that allows small businesses to become established. Once the home-based business has become established and grown to a certain size, it is more appropriate for it to relocate in either a Business or Industrial Zone. The policy seeks to prevent conversion of sites or buildings into purely business use.

Some other non-residential activities may be appropriate in the Residential Zones. These include community facilities that perform a social or cultural function, such as schools, churches and community halls, as well as emergency service facilities.

Objective	Policies
<p>4.2.7 Activities in Residential Zones are compatible with residential amenity.</p>	<p>4.2.7a Adverse effects of activities on the amenity values of the locality shall be minimised including:</p> <ul style="list-style-type: none"> i. Effects of noise, glare, odour, dust, smoke, fumes and other nuisances. ii. Effects on traffic, parking, and transport networks.

Explanation

This objective ensures that all activities in Residential Zones must be compatible with the amenity reasonably expected by residents. This covers hours of operation, as well as the by-products of the operation itself.

Objective	Policies
<p>4.2.8 Residential buildings make efficient use of water and energy resources.</p>	<p>4.2.8a Development should encourage the efficient use of energy and water, by:</p> <ul style="list-style-type: none"> i. Incorporating water-sensitive techniques.

	ii. Reducing the use of reticulated electricity.
Explanation	
<i>This objective encourages new residential dwellings to use water and energy-efficient technologies and both will range in scale appropriate to the building. Single dwellings, for example, may wish to install solar panels on the roof and install a rainwater tank. Apartment buildings have the ability to incorporate more sophisticated technologies.</i>	
Objective	Policies
4.2.9 Buildings and activities at the interface of Residential Zones with other zones will be compatible with the form and type of development anticipated in the adjacent zone.	4.2.9a Adverse effects of activities that cross zone boundaries shall be managed through setbacks, building design, and landscaping.
	4.2.9b Buildings and structures on the boundary between Residential Zones and public areas shall incorporate CPTED principles.
Explanation	
<i>This objective recognises the importance of managing both structures and activities where Residential Zones adjoin other zones. In most cases this will be reducing the impact that other zones, such as commercial and industrial, have on residential amenity. This can and will be managed by both zones through setbacks, design of buildings, and landscaping.</i>	
<i>This objective also recognises the importance of the interface between Residential Zones and public areas such as roads and reserves.</i>	
<u>Objective</u>	<u>Policies</u>
4.2.10 <u>Protect the amenity values of the Percival – Ryburn Road Large Lot Residential enclave, while providing for the urbanisation of the balance area consistent with the vision for the Ruakura Structure Plan Area.</u>	4.2.10a <u>Maintain the low density living environment by limiting the subdivision of land for further residential purposes to minimise adverse amenity effects in the future on the surrounding environment associated with the development of the inland port and its facilities.</u>
	4.2.10b <u>Maintain efficient on-site management or collectively operated services for wastewater and stormwater treatment and disposal, and water supply to protect the environment.</u>
	4.2.10c <u>Establish and maintain a buffer of effective screen planting along the full length of the boundary of Percival Road capable of screening most of the building bulk of development</u>

	<p><u>associated with activities in any Logistics (Sub-Area B) Zone and the Industrial Park Zone (see Rules 10.5.4 and 11.5.3).</u></p> <p>4.2.10d</p> <p><u>Incorporate the rows of plane trees and any replacement trees as an integral part of the landscaped buffer as a mature element able to intercept sight lines of the upper portions of buildings associated with activities in any Logistics (Sub-Area B) Zone and Industrial Park Zone.</u></p>
<p><u>Explanation</u></p> <p><u>This objective recognises that the area is an established rural residential enclave but that there is a need to manage the intensity of future residential land uses given the area’s central location as part of an inland port which once completed will be of a scale that will make it a regionally significant facility.</u></p>	
<p><u>Objective</u></p> <p>4.2.11</p> <p><u>Further development within the Large Lot Residential Enclave does not compromise any long-term future employment zoning of that land.</u></p>	<p><u>Policies</u></p> <p>4.2.11a</p> <p><u>Manage the conversion of the established large lot residential enclave to a Logistics zoning to meet the expansion plans of the inland port by requiring a variation or change to the District Plan when there is sufficient information and certainty about the timing and need for this zoning.</u></p>
<p><u>The large lot residential zoning for the Percival-Ryburn Road area will change in the future to adopt a zoning consistent with the zoning of the adjoining land that serves the operations of the inland port. This will occur as part of a publicly notified planning process.</u></p>	

4.3 Rules – General Residential, Residential Intensification and Large Lot Residential Zones

4.3.1 Activity Status Table – General Residential Zone, Residential Intensification Zone and Large Lot Residential Zone

Comment [HCC2]:
Property Council New Zealand, ENV-169

Activity	General Residential Zone	Residential Intensification Zone	Large Lot Residential Zone

Activity	General Residential Zone	Residential Intensification Zone	Large Lot Residential Zone
Residential Activities and Structures			
a) Accessory building	P	P	P
b) Apartment building	D	RD	D
c) Ancillary residential unit	P	NC	P
d) Ancillary residential structures	P	P	P
e) Single dwelling: first residential unit per site	P	D	P
f) Single dwelling: second and subsequent residential unit per site	RD	D	RD
g) Duplex dwellings	RD	RD	RD
h) Managed care facilities			
i. up to 9 residents	P	P	P
ii. up to 10 residents (excluding emergency housing)	D	P	D
iii. 11 or more residents (excluding emergency housing)	D	D	D
i) Emergency housing for up to 10 residents	P	P	P
j) Papakainga	RD	RD	RD
k) Residential activities	P	P	P
l) Residential centre	D	D	D
m) Rest home	RD	RD	RD
n) Farming activities	NC	NC	P
o) Rural industry	NC	NC	D
p) Produce stalls	NC	NC	P
q) New building for the purpose of Health Care Services identified in 4.3.1w)	RD	-	-
Commercial Activities and Structures			
r) Childcare facility			
i. up to 5 children	P	RD	P
ii. six or more children	RD	RD	RD
s) Conference facility	NC	D	NC
t) Conference facility in Visitor Facilities Area	-	P	-
u) Dairy	RD	NC	D
v) Health care service	D	D	NC

Comment [HCC3]:
Property Council New Zealand, ENV-169

Comment [HCC4]:
Property Council New Zealand, ENV-169

Activity	General Residential Zone	Residential Intensification Zone	Large Lot Residential Zone
w) Health care services on Lot1 DP S2537, Flat B DP S43060, Flat 1 DP S43568, Flat 2 S67794 (being at 452, 448B, 444A and 444B Ulster Street), Lot 28 DP S4185 and Lot 27 DP S4185 (being at 3 and 5 Ulrich Avenue)	P	-	-
x) Home-based business	P	P	P
y) Homestay accommodation	P	P	P
z) Office, other than as a home-based business	NC	NC	NC
aa) Places of assembly	D	D	NC
bb) Restaurant	NC	D	NC
cc) Restaurant ancillary to visitor accommodation in Visitor Facilities Area	-	P	-
dd) Show homes	P	D*	P
ee) Tertiary education and specialised training facility	RD	D	NC
ff) Visitor accommodation	RD	D	D
gg) Visitor accommodation in Visitor Facilities Area	-	P	-
Community Activities and Structures			
hh) Community centre	RD	D	D
ii) Informal recreation	P	P	P
jj) Marae	D	D	D
kk) Organised recreation	P	P	P
ll) Places of worship	RD	D	D
mm) School	D	D	NC
All Activities and Structures			
nn) Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P
oo) Maintenance, repair and alterations and additions to existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P
pp) Relocated buildings	P	P	P
qq) Emergency service facilities	RD	D	D

Note

1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor.

- 2. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)
- 3. For any activity not identified above see Section 1.1.8.1.

4.3.2 Rules – Ruakura Structure Plan Area General Residential – Staging

- a) Activities listed in 4.3 Rules – Activity Status Table – 4.3.1 General Residential Zone and Residential Intensification Zone which are undertaken in the Ruakura Structure Plan Area shall comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, ~~3.7.3.4, 3.7.3.5, 3.7.3.6 and 3.7.4, 3.7.3.5 and 3.7.3.7~~ in Chapter 3: Structure Plans.

4.4 Rules – General Standards – General Residential, Residential Intensification Zones and Large Lot Residential Zone

- a) The following standards apply in the General Residential, Residential Intensification Zones and Large Lot Residential Zone only.

4.4.1 Density

- a) The minimum or maximum area of land (net site area) required in respect of each residential unit (or resident in the case of residential centres, rest homes and managed care facilities) shall be:

Activity	Net site area (minimums unless otherwise stated)		
	General Residential Zone	Large Lot Residential Zone	Residential Intensification Zone
i. Single dwellings (per residential unit)	400m ² per residential unit 1000m ² per residential unit for lots adjoining Waikato Expressway (Designation 90)	2500m ² (SH26) Ruakura Structure Plan 2ha (Percival/Ryburn Roads) Ruakura Structure Plan	350m ² maximum per residential unit
ii. Duplex dwellings	400m ² per duplex (200m ² per unit)	2500m ² per duplex (1250m ² per unit)	300m ² per duplex (150m ² per unit) 600m ² maximum per duplex (300m ² maximum per unit)
iii. Apartment building	-	-	150m ² minimum per residential unit 300m ² maximum per residential unit

Comment [HCC5]:
Property Council New Zealand, ENV-169

iv. Single dwellings with an ancillary residential unit	600m ² total for both dwelling and ancillary residential unit	3500m ² total for both dwelling and ancillary residential unit	-
v. Relocated dwellings	400m ² per residential unit	2500m ² per residential unit	-
vi. Residential centres	75m ² per resident	300m ² per resident	50m ² per resident
vii. Rest homes	75m ² per resident	300m ² per resident	50m ² per resident
viii. Managed care facilities	100m ² per resident	400m ² per resident	50m ² per resident

4.4.2 Site Coverage

	General Residential Zone	Large Lot Residential Zone	Residential Intensification Zone
a) Site coverage	Maximum 40%	Maximum 20%	Maximum 50% Hamilton East: Maximum 45%

4.4.3 Permeable Surface

	General Residential Zone	Large Lot Residential Zone	Residential Intensification Zone
a) Front sites, corner sites, through sites only: permeability of the front setback, excluding vehicle and access provisions (required by Rule 4.4.6) be planted in grass, shrubs or trees (see Figure 4.4.3d)	100%	Minimum 70%	100%
b) Permeability across the entire site (can include area required by Rule 4.4.3(a) above)	Minimum 30%	Minimum 70%	Minimum 20%

Figure 4.4.3c: Front, corner and through sites – forward of front building line

Comment [HCC6]:
Property Council New Zealand, ENV-169

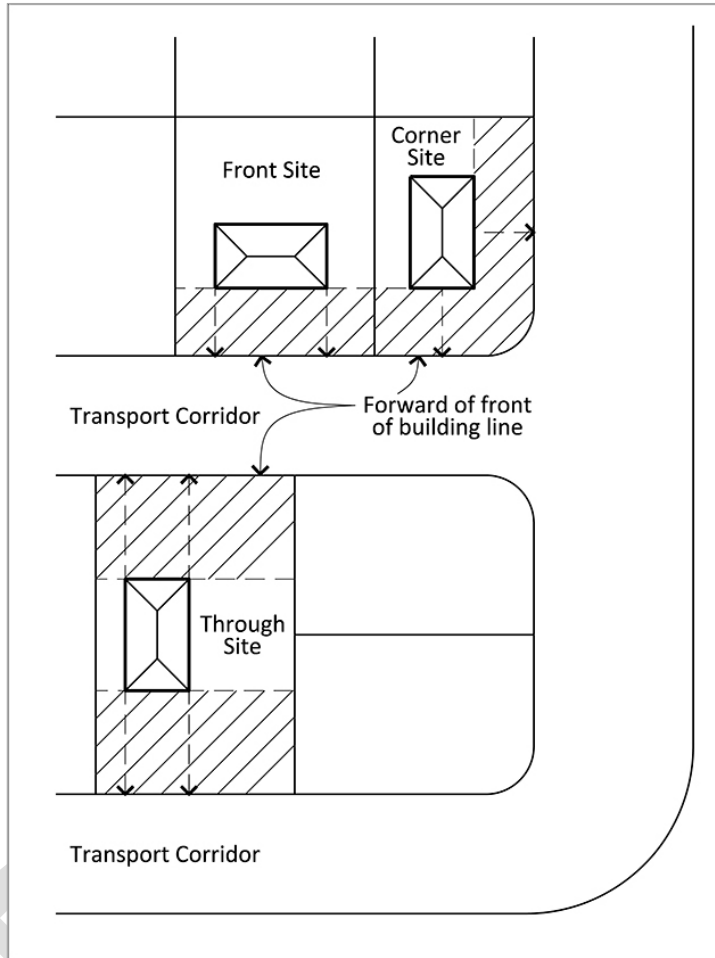
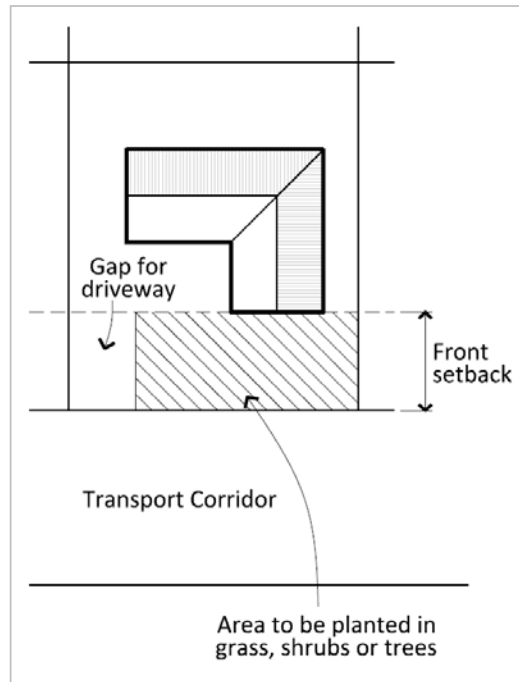


Figure 4.4.3d: Planting requirement in the Front Setback



4.4.4 Building Height

	General Residential Zone	Large Lot Residential Zone	Residential Intensification Zone
a) Height of buildings	Maximum 10m	Maximum 10m	Maximum 12.5m Hamilton East: 10m Opoia Road: 16m

4.4.5 Height in Relation to Boundary

- a) No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees), and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries.

Except that:

- i. Where buildings are attached, no setback is required between those buildings.
- ii. Where a boundary adjoins a transport corridor or access way, the 45-degree angle applies to that boundary, measured 3m above the boundary (see Figure 4.4.5c below).
- iii. Where there are two or more dwellings on the same site, the plane shall be measured at a line midway between the two dwellings rising at an angle of 45 degrees and with this angle measured from 3m above ground level at the midway line.

- b) In the Residential Intensification Zone, the height control plane applies only along a zone boundary adjoining the General Residential Zone or any of the Special Character Zones.

Figure 4.4.5c: Height control plane for a boundary adjoining a transport corridor or access

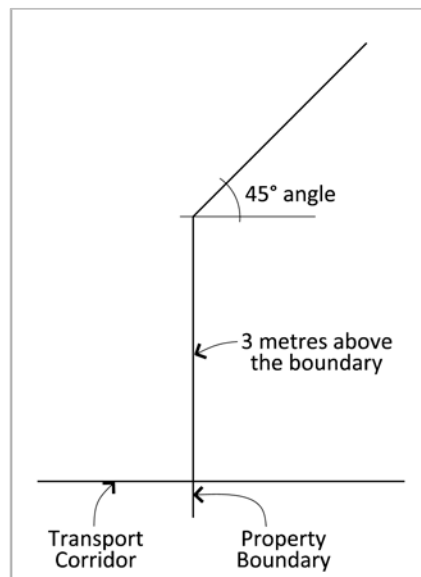
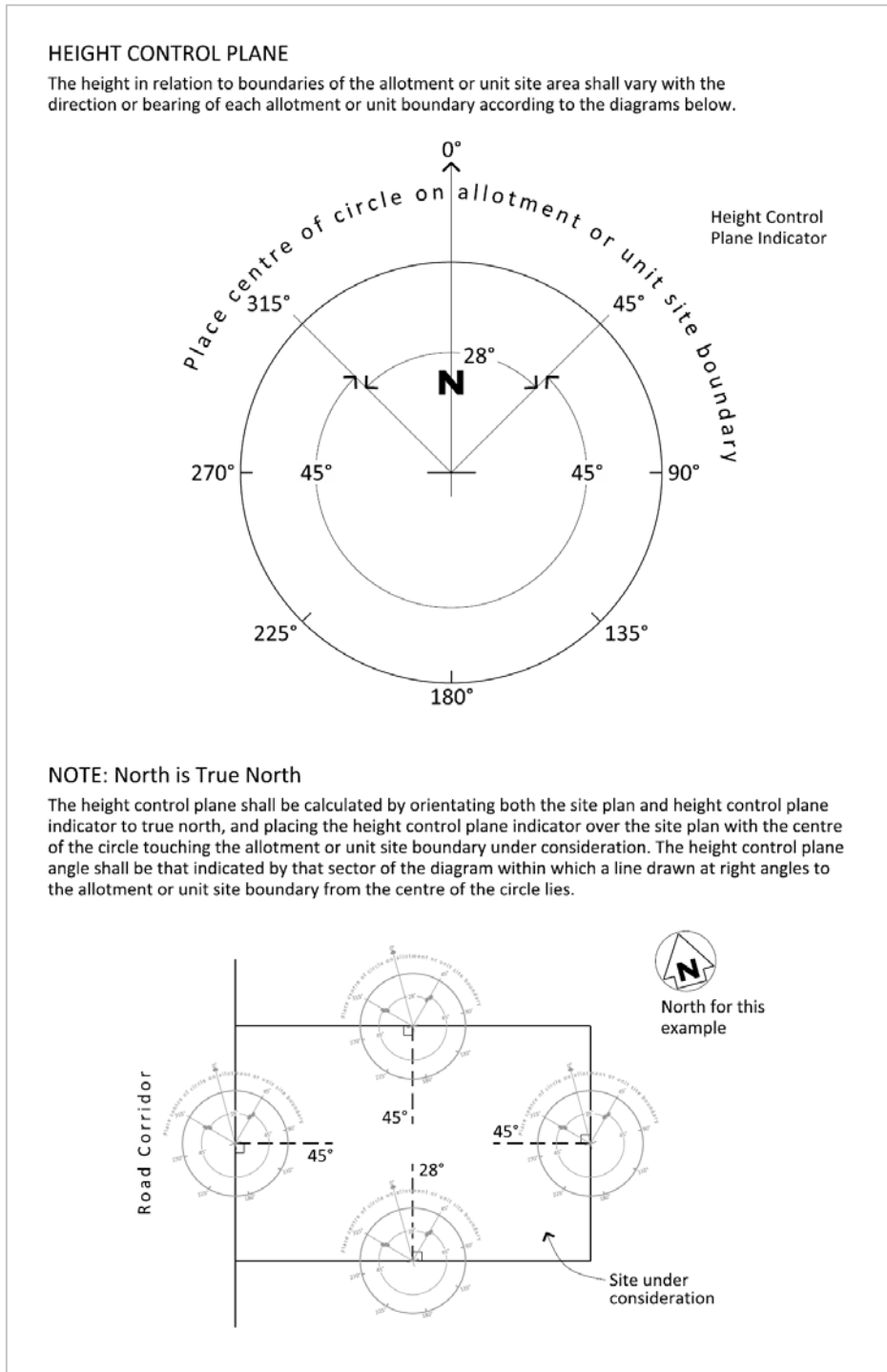


Figure 4.4.5d: Height Control Plane



4.4.6 Building Setbacks

Building setback from	Minimum distance
a) Transport corridor boundary – local and collector transport corridors	3m 5m Large Lot Residential Zone
b) Transport corridor boundary – arterial transport corridors	5m Except that any garage or carport facing the transport corridor shall be set back a minimum of 8m
c) Waikato Expressway (Designation E90 or E90a)	i. 35m from the designation boundary, or ii. 40m measured from the actual carriageway edge of the Waikato Expressway if: <ol style="list-style-type: none"> 1. The location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or 2. Construction is underway or completed.
d) Internal vehicle access serving more than one residential unit on a site (excluding access to an ancillary residential unit)	1.5m or setback may be reduced where the written consent of the owners and/or occupiers of the shared site is obtained.
e) Any other boundary	1.5m or setbacks may be reduced where: <ol style="list-style-type: none"> i. Buildings on adjoining sites are attached, no setback is required along that part of the boundary covered by such a wall; or ii. The written consent of the owners adjoining the relevant setback or setbacks is obtained. For Large Lot Residential Zone: <ol style="list-style-type: none"> iii. 5m setback for SH26 and Percival/Ryburn Roads iv. 50m for buildings and outdoor hardstands used for housing and feeding animals, including milking sheds and shearing sheds. v. 250m for residential units set back from the operational area of an existing intensive farm on any other site. vi. 25m from any water body.

Note

1. See 22.5.6 for setback from the Waikato Riverbank and Gully Hazard Area.

Comment [HCC7]: Editorial

4.4.7 Interface Between Public and Private

- a) These standards only apply to front, corner and through sites.
- b) Location of accessory building:
 - i. All detached accessory buildings shall be located no further forward of the front building line of the dwelling than 0.5m (see Figure 4.4.7f);
 - ii. Accessory buildings that are an integral part of the design and construction of the dwelling shall, if the garage door is to face the street, be located no further forward of the front building line of the dwelling than 0.5m (see Figure 4.4.7e);
 - iii. Accessory buildings that are an integral part of the design and construction of the dwelling, if the garage door is 90 degrees to the street, shall be forward of the front line of the dwelling (see Figure 4.4.7e), by no more than 8m.
- c) At least one habitable room shall have a clear-glazed window facing the transport corridor. For corner and through sites this shall be required only on the frontage from which vehicular access is provided.
- d) Residential Intensification Zone – Hamilton East only: No wall of any building parallel to or up to an angle of 30 degrees to any external boundary except the transport corridor frontage shall exceed 15m in length without there being a step in (or out) plan of at least 2m depth and 5m length.

Figure 4.4.7e: Setback for accessory buildings – example of an accessory building that is an integral part of the design

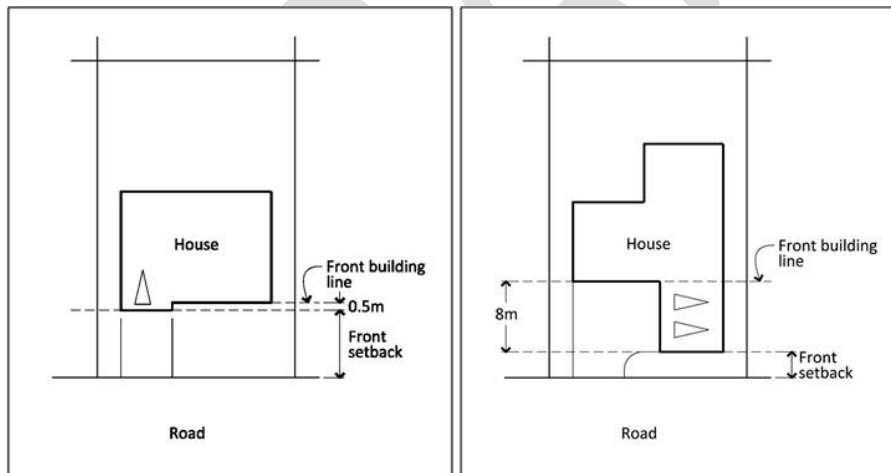
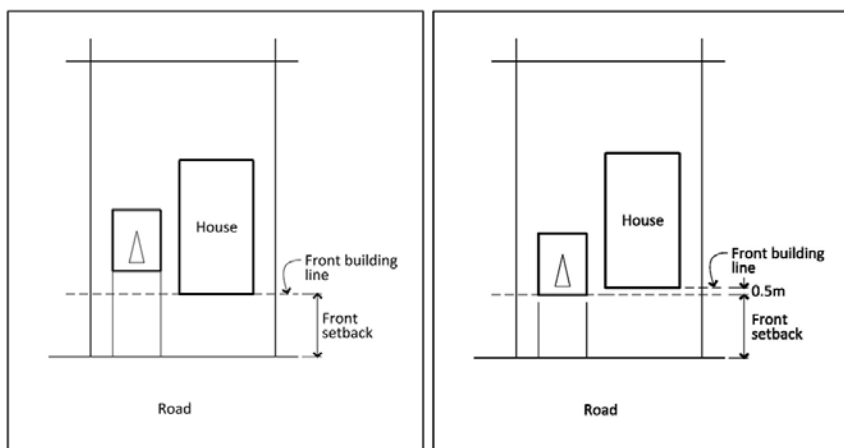


Figure 4.4.7f: Setback for accessory buildings – example of a detached accessory building



4.4.8 Fences and Walls

- a) Fences and walls shall have a maximum height of 1.8m.

4.4.9 Residential Buildings – Separation and Privacy

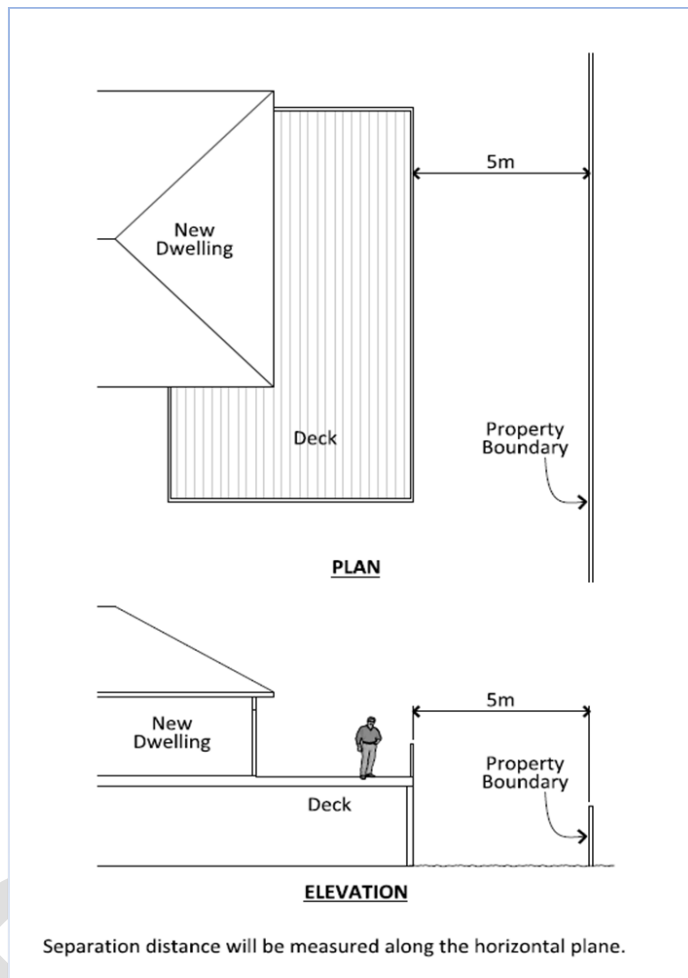
- a) Residential buildings shall be set back at least 3m from the nearest part of any other residential building, except:
 - i. No separation is required between buildings that are attached.
 - ii. Where windows are located and designed (including by glazing) to avoid views between rooms in different buildings, separation distance is a minimum of 1.5m.
- b) A balcony or window of a habitable room at upper-floor level shall be set back at least 5m from all boundaries (see Figure 4.4.9c) except the setback can be reduced to 3m if:
 - i. Window sill height from the finished upper floor level is at least 1.7m
 - ii. Opaque or obscure glazing is provided.

Comment [HCC8]:
 Tainui Group Holdings (Ruakura), ENV-147;
 Chedworth Properties, ENV-146

Comment [HCC9]:
 Property Council New Zealand, ENV-169

This does not apply to a boundary along a transport corridor, access way, right-of-way, private way, access lot, or entrance strip, less than 6m wide.

Figure 4.4.9c: Upper-floor setbacks for separation and privacy



4.4.10 Outdoor Living Area

- a) These standards do not apply to managed care facilities or rest homes.
- b) Each residential unit shall be provided with an outdoor living area that is:
 - i. For the exclusive use of each residential unit.
 - ii. Readily accessible from a living area inside the residential unit.
 - iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
 - iv. Located on a side of the residential unit which faces north of east or west (refer Figure 4.4.10g).
- c) Outdoor living areas shall have areas and dimensions as follows.

Comment [HCC10]:
Property Council New Zealand, ENV-169

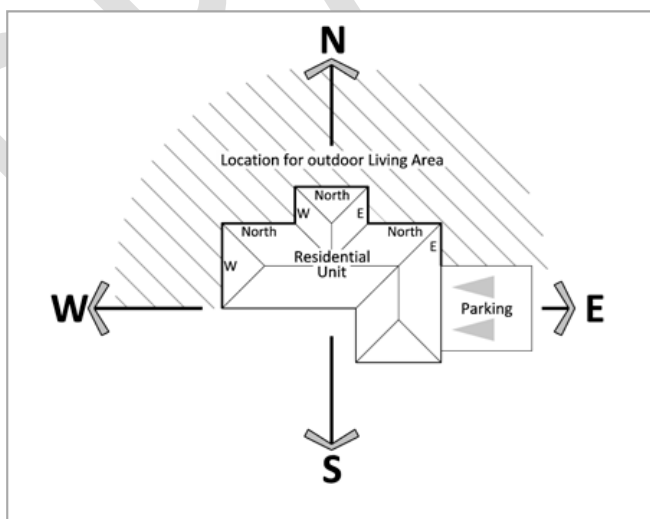
Residential units	Outdoor living area per residential unit	Shape
i. Including single residential dwellings and duplex dwellings	60m ²	Capable of containing a 6m diameter circle No dimension less than 2.5m
ii. Ancillary residential unit	12m ²	No dimension less than 2.5m
iii. Communal open space for 4 or more residential units for the exclusive use of the residential units	12m ²	Capable of containing a 8m diameter circle No dimension less than 4m
iv. Residential Intensification Zone – each residential unit requirement where communal open space is provided	12m ²	No dimension less than 2.5m

Comment [HCC11]:
Property Council New Zealand, ENV-169

- d) The outdoor living area for an ancillary residential unit shall be separate from the outdoor living area provided for the principal residential unit.
- e) In the General Residential Zone, any communal open space shall be optional but cannot contribute more than 50% of the above provisions.
- f) In the Residential Intensification Zone, the communal open space shall serve four or more residential units for the exclusive use of the residential units. Any communal open space shall be optional.

Comment [HCC12]:
Property Council New Zealand, ENV-169

Figure 4.4.10g: Outdoor living area – north of east or west



4.4.11 Service Areas

a) These standards do not apply to managed care facilities or rest homes.

Description	Minimum requirements per Residential Area
b) Every site, including first single dwelling but excluding 4.4.11(d) – (f)	i. At least 20m ² ii. Minimum dimension 3m
c) Second and subsequent residential units, including duplex dwellings	i. Additional 20m ² for second and each subsequent residential unit ii. Minimum dimension 3m
d) Service area per ancillary residential unit	i. Additional 10m ² ii. Minimum dimension 2.5m
e) Apartments	Individual or communal: i. 10m ² ii. Minimum dimension 2.5m
f) Community centres, visitor accommodation, conference facilities	i. 10m ² ii. Minimum dimension 2.5m
g) Dairies (may be indoor or outdoor)	i. Minimum 10m ² ii. Minimum dimension 2.5m iii. Readily accessible to service vehicles iv. Indoor service area separately partitioned v. Outdoor service area; all-weather dust-free surface
h) All service areas	i. Readily accessible from each residential unit ii. Not visible from a public place

4.4.12 Residential Unit Size – Residential Intensification Zone

a) The minimum habitable gross floor area required in respect of each residential unit in the Residential Intensification Zone shall be:

Form of residential unit	Gross floor area
i. Studio unit	Minimum 40m ²
ii. 1 bedroom unit	Minimum 45m ²
iii. 2 or more bedroom unit	Minimum 70m ²
iv. 3 or more bedroom unit	Minimum 90m ²

b) In any one residential apartment building, containing in excess of 20 residential units, the combined number of one-bedroom units and studios shall not exceed 70% of the total number of apartments within the building.

Comment [HCC13]:
Property Council New Zealand, ENV-169

Comment [HCC14]: As above

Comment [HCC15]: As above

Comment [HCC16]: As above

4.4.13 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant:

- Chapter 2: Strategic Framework
- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

4.5 Rules – Medium-Density Residential Zone

4.5.1 Comprehensive Development Plan Process

- a) The Medium-Density Residential Zone is divided into a number of Comprehensive Development Plan Areas *and Land Development Plan Areas* (as shown in Appendix 3). *The Land Development Plan Areas identify which parts of the Ruakura Structure Plan are subject to rules within 3.7.3.2.*
- b) Development in the Medium-Density Residential Zone can only occur once a resource consent for a Comprehensive Development Plan for the whole subject area has been granted by Council (refer to Volume 2, Appendix 1.2.2.8 for what is required in a Comprehensive Development Plan). However, there are some activities that can occur as Permitted Activities, subject to compliance with relevant standards in Rule 4.6, before the approval of a Comprehensive Development Plan. These are:
 - i. Maintenance, repair and minor alterations or additions to existing buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage).
 - ii. Informal recreation and ancillary buildings.
 - iii. Residential activities.
 - iv. Temporary activities.
 - v. Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage).
- c) A Comprehensive Development Plan must be for a whole Comprehensive Development Plan Area as identified in Volume 2, Appendix 3. Activities within an area can proceed on a staged basis if stages have been defined as part of the consent granted.
- d) Unless otherwise stated, a Comprehensive Development Plan for each area identified requires resource consent as a discretionary activity.

- e) The activity status of a Comprehensive Development Plan application will be classified as non-complying if one or more activities that form part of the application:
 - i. Are identified as a non-complying activity in column two of the Activity Status Table (refer to Rule 4.5.3), or
 - ii. Fail to meet one or more of the standards in Rule 4.6 or Rule 4.8.
- f) All activities listed in column one of Rule 4.5.3 are non-complying activities in the absence of an approved Comprehensive Development Plan unless the activity is listed as permitted in 4.5.1(b).

4.5.2 Comprehensive Development Plan Process Once Consent Has Been Granted

- a) All development in an area subject to a Comprehensive Development Plan that has been granted consent is permitted but it must comply with the terms of that consent. Changes to the conditions of a Comprehensive Development Plan consent will be considered as a discretionary activity under section 127 of the Act, except where the proposed changes involve different scale, intensity or character or extend the scope of the original application, in which case a new Comprehensive Development Plan consent is required (refer to 4.5.2b).
- b) For a Comprehensive Development Plan that has been granted consent, any changes in use or changes that involve materially different effects or extend the scope of the original application, will require a new Comprehensive Development Plan consent and will be assessed as the same activity status in the original application for a Comprehensive Development Plan. There are some changes that can occur as permitted activities without the need for a new Comprehensive Development Plan consent, subject to compliance with relevant standards in Rule 4.6.
- c) The activity status of changes in use requiring a new Comprehensive Development Plan consent will be classified as non-complying if one or more activities that form part of the application:
 - i. Are identified as a non-complying activity in column two (refer to Rule 4.5.3), or
 - ii. Fail to meet one or more of the standards in Rule 4.6 or Rule 4.8.

d) See Chapter 3.7.3.2 for Land Development Plan process in Ruakura. The activity statuses for Land Development Plans are identified in the relevant chapter for Medium Density Residential Zone.

4.5.3 Activity Status Table – Medium-Density Residential Zone (excluding Ruakura)

Activities	Activity Status for a Comprehensive Development Plan and changes in use once consent has been granted Note: See Rule 4.5.2(a) for once consent granted
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Comment [HCC17]:
 Chedworth Properties, ENV-146;
 Tainui Group Holdings (Ruakura), ENV-147

Activities	Activity Status for a Comprehensive Development Plan and changes in use once consent has been granted
Residential Activities and Structures	
a) Accessory buildings	D
b) Apartment buildings	D
c) Ancillary residential unit	D
d) Ancillary residential structures	D
	P for changes in use
e) Single dwelling	D
f) Duplex dwellings	D
g) Maintenance, repair, minor alterations and additions to existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
h) Managed care facilities	D
i) Papakainga	D
j) Residential activities	P
k) Residential centre	D
l) Rest home	D
Commercial Activities and Structures	
m) Childcare facility	
i) up to 5 children	D
ii) six or more children	D
	P for changes in use
n) Dairy	D
o) Tertiary education and specialised training facility	NC
p) Health care services	NC
q) Home-based business	D
	P for changes in use
r) Homestay accommodation	D
	P for changes in use
s) Offices	NC

Comment [HCC17]:
Chedworth Properties, ENV-146;
Tainui Group Holdings (Ruakura), ENV-147

Comment [HCC18]: As above

Comment [HCC19]: As above

Comment [HCC20]: As above

Comment [HCC21]: As above

Comment [HCC22]: As above

Comment [HCC23]: As above

Comment [HCC24]: as above

Comment [HCC25]: as above

Comment [HCC26]: as above

Comment [HCC27]: as above

Comment [HCC28]: as above

Comment [HCC29]: as above

Comment [HCC30]: as above

Comment [HCC31]: as above

Comment [HCC32]: as above

Comment [HCC33]: as above

t) Places of assembly	NC
u) Show home	D
v) Visitor accommodation	D
w) Integrated Retail Development (Ruakura CDP Area A only)	D
Community Activities and Structures	
x) Community centre	D
y) General recreation	NC
z) Informal recreation and ancillary buildings	P
aa) Marae	D
bb) Places of worship	D
cc) School	NC
All Activities and Structures	
dd) Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
ee) Relocated buildings	D
ff) Emergency service facilities	D
gg) Temporary activities	P

- Comment [HCC34]: as above
- Comment [HCC35]: as above
- Comment [HCC36]: as above
- Comment [HCC37]: Deferred
- Comment [HCC38]: as above
- Comment [HCC39]: as above
- Comment [HCC40]: as above
- Comment [HCC41]: as above
- Comment [HCC42]: as above
- Comment [HCC43]: as above
- Comment [HCC44]: as above

Note

1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor.
2. For any activity not identified above see Section 1.1.8.1.

4.5.4 Activity Status Table – Ruakura Medium-Density Residential Zone

<u>Activities</u>	<u>Activity Status</u>
<u>Land Development Activities (refer Rule 3.7.3.2)</u>	<u>RD*</u>
Residential Activities and Structures	
<u>a) Residential buildings on sites 400m2 or greater</u>	<u>P</u>
<u>b) Residential buildings on sites 399m2 or less</u>	<u>RD*</u>
<u>c) Semi-detached, duplex and terrace housing</u>	<u>RD*</u>
<u>e) Maintenance, repair, minor alterations and additions to existing buildings</u>	<u>P</u>

Activities	Activity Status
<u>f) Managed care facilities</u>	<u>D</u>
<u>g) Papakainga</u>	<u>D</u>
<u>h) Residential activities</u>	<u>P</u>
<u>i) Residential centre</u>	<u>D</u>
<u>j) Rest home</u>	<u>D</u>
<u>Commercial Activities and Structures</u>	
<u>l) Childcare facility for up to five children</u>	<u>C</u>
<u>m) Childcare facility for six or more children</u>	<u>D</u>
<u>n) Dairy</u>	<u>C</u>
<u>o) Tertiary education and specialised training facility</u>	<u>D</u>
<u>p) Health care services</u>	<u>D</u>
<u>q) Home-based business</u>	<u>P</u>
<u>r) Homestay accommodation</u>	<u>P</u>
<u>s) Places of assembly</u>	<u>D</u>
<u>t) Show home</u>	<u>P</u>
<u>u) Visitor accommodation</u>	<u>D</u>
<u>v) One Integrated Retail Development in accordance with the general location identified on Figure 2.14 in Appendix 2</u>	<u>RD*</u>
<u>w) One Service Station (fronting the Wairere Drive Expressway link road)</u>	<u>D</u>
<u>x) Community centre</u>	<u>C</u>
<u>y) General recreation</u>	<u>D</u>
<u>z) Informal recreation and ancillary buildings</u>	<u>P</u>
<u>aa) Marae</u>	<u>D</u>
<u>bb) Places of worship</u>	<u>D</u>
<u>cc) School</u>	<u>D</u>
<u>dd) Demolition or removal of existing buildings (except heritage buildings)</u>	<u>P</u>
<u>ee) Relocated buildings</u>	<u>C</u>
<u>ff) Emergency service facilities</u>	<u>D</u>
<u>gg) Temporary activities</u>	<u>P</u>

4.5.54 Rule – Ruakura Structure Plan Area – Staging

- a) Notwithstanding Rule 4.5.1 and 4.5.2, activities listed in ~~4.5.34~~ 4.5.4 Rules – Activity Status Table – Medium-Density Residential Zone which are undertaken in the Ruakura Structure Plan Area shall comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, 3.7.3.~~4~~5, 3.7.3.5, 3.7.3.6 and ~~3.7.43-7.3.7~~ in Chapter 3: Structure Plans.

4.6 Rules – General Standards – Medium-Density Residential Zone

4.6.1 Comprehensive Development Plans

- a) All development in an area that is subject to a consented Comprehensive Development Plan shall comply with the terms of that consent.

4.6.2 Development Yield

- a) Comprehensive Development Plans shall demonstrate that the yield achieves within 10% of the residential unit total identified in Comprehensive Development Area Residential Unit Yield.

Location	Comprehensive Development Area	Residential Yield – Units per Comprehensive Development Area (+ or - 10%)
Rototuna	A	84
	B	28
	C	28
	D	90
	E	95
	F	200
Rotokauri	A	162
	B	143
	C	78
	D	185
	E	44
Ruakura	A	275
	B	350
	C	300
	D	250
	E	124

4.6.3 Height in Relation to Boundary

- a) Where a building is on land that adjoins the General Residential Zone or a Comprehensive Development Plan Area:
 - i. No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees), and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries.

Except:

- ii. Where buildings are attached, no setback is required between those buildings.
- iii. Where a boundary adjoins a transport corridor or access, the 45-degree angle applies to that boundary, measured 3m above the boundary.
- iv. Written consent from the owners and occupiers of the adjoining property or Comprehensive Development Plan area is obtained.

Note

- 1. Refer to Figure 4.4.5c for guidance on determining the height control plane when adjoining a transport corridor or access.

4.6.4 Residential Unit Size

- a) The minimum gross floor area required in respect of each residential unit shall be:

Form of residential unit	Gross floor area
i. Studio unit	Minimum 40m ²
ii. 1 bedroom unit	Minimum 45m ²
iii. 2 or more bedroom unit	Minimum 70m ²
iv. 3 or more bedroom unit	Minimum 90m ²

Comment [HCC45]: Property Council New Zealand, ENV-169

Comment [HCC46]: As above

Comment [HCC47]: Property Council New Zealand, ENV-169

- b) In any one apartment building containing in excess of 20 residential units, the combined number of one bedroom units and studios shall not exceed 70 percent of the total number of apartments within the building.

Comment [HCC48]: As above

4.6.5 Permeable Surface

	Medium Density Zone
Permeability across the entire site	Minimum 20%
<u>Front Sites only in the Ruakura Medium Density Residential Zone: Permeability forward of the building line of the dwelling planted in grass, shrubs and trees</u>	<u>Minimum 50%</u>

4.6.6 Site Coverage

The maximum site coverage within the Ruakura Medium Density Residential Zone is 50%.

4.6.7 Building Height

The maximum height of a building or structure in the Ruakura Medium Density Residential Zone is 10m.

4.6.86 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant:

- Chapter 2: Strategic Framework
- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

4.7 Rules – Specific Standards – All Residential Zones

4.7.1 Ancillary Residential Unit

- a) A maximum of one ancillary residential unit per site.
- b) Maximum gross floor area of 60m².
- c) The outdoor living area shall not be included as part of the outdoor living area provided for the principal residential building on site.

4.7.2 Childcare Facility

- a) The activity shall not be part of a multiple residential unit development.
- b) The activity shall be located on a front, corner or through site.
- c) The activity shall have a maximum gross floor area of all buildings of 250m².

4.7.3 Community Centres, Tertiary and Specialised Training Facilities, Schools and Places of Worship

a) Gross floor area of all buildings	Maximum 250m ²
b) Hours of operation	0700 to 2200 hours
c) Additional hours for special event (maximum 1 per calendar year)	2200 to 0200 hours

- d) The display or storage of materials, except for permitted signage, shall not be visible from outside the site.

4.7.4 Dairies

a) Gross floor area of retail	Maximum 100m ²
b) Hours of operation	0700 to 2200 hours
c) Building setback from side or rear boundaries	Minimum 5m

4.7.5 Home-based Businesses

- a) For the avoidance of doubt, if an activity does not comply with all of the standards specified, it is not a home-based business. Home-based businesses shall:
- i. Employ no more than 2 people, one of whom must reside on the site on a permanent basis.
 - ii. Not exceed 30% of the total gross floor area of buildings on the site.
 - iii. Not generate any trips by a heavy motor vehicle.
 - iv. Not generate vehicle trips or pedestrian traffic between 2000 to 0800 hours.
 - v. Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs.
 - vi. Retail only those goods which have been manufactured, repaired, renovated or otherwise produced on the site.
 - vii. Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.
 - viii. Not generate nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects – these shall be measured at the boundaries of the site.
 - ix. Have only one sign with a maximum area of 0.6m², a maximum dimension of 1m and having no part higher than 2m above the adjacent ground level. The sign must be attached to either a fence, wall or building.

4.7.6 Managed Care Facilities

- a) Within one calendar month of its occupancy, the Agency/person(s) responsible for the Managed Care Facility shall provide the residents of the properties adjoining the site and Council's Planning Department a written information pack. The information pack shall include an overview of the Agency and the range of services provided (if relevant), and the type of care and programs to be provided within the Managed Care Facility and shall include the following.
- i. Proposed number of residents.
 - ii. The anticipated number of visitors to the site per week and daily visiting hours.
 - iii. Anticipated full time equivalent staff at the facility.
 - iv. Regular and emergency contact details to enable prompt and effective contact if necessary.
 - v. The policies for the management of possible emergency situations including the management of neighbour relations in an emergency situation.
- b) The outdoor living area shall be provided communally which shall comprise:
- i. At least 15m² per resident in the General Residential Zone.
 - ii. At least 12m² per resident in the Residential Intensification Zone.
 - iii. A minimum dimension of not less than 4m.
 - iv. An area capable of containing a 6m diameter circle.

- v. At least 60% at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.
 - vi. Comprise not more than 35% impermeable surface area.
 - vii. For the exclusive use of the residents.
 - viii. Readily accessible for all residents.
 - ix. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- c) A service area shall be provided that has:
- i. A minimum area of 20m² with a minimum dimension of 3m.
 - ii. In cases where a fully equipped laundry (washing and drying machines) is provided, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.
- d) Staff providing supervision for managed care facilities accommodating eight or more residents shall be present on site at all times that residents are in occupation.
- e) No part of any site or premises used as a managed care facility shall contain a secure unit.

4.7.7 Relocated Buildings

- a) Any relocated building intended for use as a dwelling (excluding previously used accessory buildings) must have previously been designed, built and used as a dwelling.
- b) A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building.
- c) All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
- d) The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period.

4.7.8 Show Homes

- a) Shall be staffed by a maximum number of two staff at any time.
- b) Shall be located on a front, corner or through site.
- c) Shall have a maximum activity duration of two years from the time of first occupation.

4.7.9 Rest Homes

- a) Maximum occupancy shall be 10 residents (including live-in staff).
- b) The maximum density for rest homes shall be:

- i. One person per 75m² of net site area in the General Residential Zone; or
 - ii. One person per 40m² of net site area in the Residential Intensification Zone; or
 - iii. One person per 50m² of net site area in the Medium-Density Residential Zone.
- c) An outdoor living area shall be provided that:
- i. Is for the exclusive use of the residents.
 - ii. Is readily accessible to all residents.
 - iii. Is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
 - iv. Has a maximum area of impermeable surfaces not exceeding 60% of the outdoor living area.
- d) The outdoor living area shall be provided communally which shall comprise:
- i. At least 12m² per resident.
 - ii. A minimum dimension of not less than 4m.
 - iii. At least capable of containing a 6m-diameter circle.
 - iv. At least 60% provided at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.
- e) A service area shall be provided with areas and dimensions as follows:
- i. Minimum area of 20m².
 - ii. Minimum dimension of 3m.
 - iii. Provided that where a fully equipped laundry (both washing and drying machines) is provided in rest home, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.

4.7.10 **Visitor Accommodation**

Comment [HCC49]:
Property Council New Zealand, ENV-169

- a) Maximum occupancy for visitor accommodation shall be 12 guests.
- b) Visitor accommodation shall not provide for the sale of liquor through an ancillary facility such as a bar or a restaurant.

4.8 Rules – Specific Standards – Ruakura Medium-Density Residential Zone

~~4.8.1 Integrated Retail Development (Ruakura CDP Area A only)~~

- ~~a) Activities shall be integrated with residential development and only consist of:~~
- ~~• Retail~~
 - ~~• Cafes~~
 - ~~• Offices~~
 - ~~• Healthcare services~~

i. Combined gross floor area of all tenancies	Maximum of 1500m²
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ii. Gross floor area per tenancy	Maximum of one up to 300m² (excluding offices) Maximum 250m² for offices
iii. Minimum per tenancy	150m²

b) ~~Only one integrated retail development shall be provided within the CDP Area A.~~

4.8.1 One Integrated Retail Development (see Figure 2-14 in Appendix 2)

(a) Activities shall only consist of:

- Retail
- Cafes/Restaurants
- Offices
- Healthcare services
- Community facilities
- Childcare facilities

<u>Combined gross floor area of all tenancies</u>	<u>Maximum of 3500m²</u>
<u>Gross floor area per tenancy (excluding offices)</u>	<u>Maximum 399m²</u>
<u>Gross floor area for office tenancies</u>	<u>Maximum 250m²</u>

(b) Only one integrated retail development shall be provided within the Medium Density Residential Zone.

(c) Maximum Building Height: 10 metres

(d) Where any boundary adjoins a residential boundary, no part of any building shall penetrate a height control plane rising at an angle of 45 degrees beginning at an elevation of 3m above the boundary. Elements such as flues, flagpoles, open balustrades shall be exempt.

(e) Building setbacks

Front Boundary: 5 metres when fronting an arterial road.

Side and Rear Boundaries: 1.5 metres where the boundary adjoins a residential boundary or Open Space Zone.

(f) A maximum building intensity (floor area Ratio) of 1:1 shall apply.

(g) Service Areas

Any building shall provide service areas as follows:

i. At least one service area of not less than 10m² or 1% of the gross floor area of the building, whichever is the greater.

ii. Any additional service areas shall not:

- Be less than 5m²
 - Have a minimum dimension of less than 2.5m
- iii. Any outdoor service area shall be maintained with an all-weather, dust free surface.
- iv. A service area may be located within a building provided that it is separately partitioned with an exterior door directly accessible by service vehicles.
- v. Any services area shall not encroach on to areas required by this District Plan for other purposes (e.g. parking, loading, landscaping and screening).
- (h) Outdoor storage
- Any outdoor storage area used for storage of goods and materials shall:
- i. Be laid out and used in a manner that does not conflict with vehicle access.
 - ii. Be maintained with an all-weather, dust free surface.
 - iii. Be located away from public view or otherwise screened by fencing and landscaping.
- Not encroach on areas required by this District Plan for other purposes (e.g. parking, loading, landscaping and screening).
- (i) No roller doors, or similar, which may obscure windows or entranceways may be installed on the front of any building fronting a public space.

4.8.2 Building Setbacks

a) <u>Transport corridor boundary – local and collector roads</u>	<u>3m</u>
b) <u>Hours of operation</u>	<u>5m</u>
c) <u>Building setback from side or rear boundaries</u>	<u>1.5m</u>

4.8.3 Interface between Public and Private

- (a) The front wall of all accessory buildings that are detached, including carports and garages, should be no further forward of the front building line of the dwelling than 0.5m.
- (b) The front wall of accessory buildings that are an integral part of the design and construction of the dwelling shall, if the garage door faces the street, be located no further forward of the front building line of the dwelling than 0.5m.
- (c) Any wall, except the wall containing the garage door, of an accessory building facing the street must consist of at least 20% of glazed materials.
- (d) Front yard landscaping and planting shall allow visibility between the dwelling and public space.
- (e) For front sites, the primary entrance on the ground floor shall face the street.

(f) At least one principal room shall have a clear-glazed window facing the street. For corner sites and sites with two transport corridor frontages, this is required only on the transport corridor frontage from which vehicular access is provided.

(g) Fences shall be a maximum height of 1.2m for the following circumstances:

- i Front and side boundary fences or walls located forward of the front building line of the dwelling.
- ii For sites adjoining an Open Space Area, fences or walls located between the dwelling and the Area boundary.
- iii All other boundary fences shall have a maximum height of 1.8m.

4.8.4 Residential Buildings – Separation and Privacy

(a) Residential buildings shall be set back at least 3m from the nearest part of any other residential building, except:

- i. No separation is required between buildings that are attached.
- ii. Where windows are located and designed (including by glazing) to avoid views between rooms in different buildings, separation distance shall be a minimum of 1.5m.

4.8.5 Outdoor Living Area

(a) Each residential unit shall be provided with an outdoor living area that is:

- i. For the exclusive use of each residential unit.
- ii. Readily accessible from a living area inside the residential unit.
- iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- iv. Located on a side of the residential unit which faces north of east or west.

(b) Outdoor living areas for residential units shall be a minimum of 40m² capable of containing a 6m-diameter circle and for ancillary residential units shall be 12m² capable of containing a 2.5m-diameter circle.

(c) The outdoor living area for an ancillary residential unit shall be separate from the outdoor living area provided for the principal residential unit.

Note

- 1. Any communal open space is optional and is additional to the above provisions.

4.8.6 Service Areas

<u>Description</u>	<u>Minimum Requirements</u>
<u>a) Detached dwellings, duplex dwellings and dwellings in comprehensive residential developments</u>	<u>20m²</u> <u>Minimum dimension 3m</u>
<u>b) Service area for ancillary residential unit</u>	<u>Additional 10m²</u> <u>Minimum dimension 2.5m</u>

c) All service areas	Readily accessible from each residential unit, not visible from a public place
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4.9 Rules – Specific Standards – Large Lot Residential Zone

4.9.1 Effluent Disposal

- a) Areas for the on-site disposal or storage of sewage (septic tanks) or farm effluent shall not be located within a:
 - i. High Flood Hazard Area.
 - ii. Medium Flood Hazard Area.
 - iii. Low Flood Hazard Area.
 - iv. Temple View Flood Hazard Area.
 - v. Culvert Block Flood Hazard Area.
 - vi. Waikato Riverbank and Gully Hazard Area.
 - vii. Significant Natural Area (refer to Volume 2, Appendix 9, Schedule 9C: Significant Natural Areas).
 - viii. Root protection zone of a significant tree (refer to Volume 2, Appendix 9, Schedule 9D: Significant Trees).
 - ix. Site in Schedule 8B: Group 1 Archaeological and Cultural Sites (refer to Volume 2, Appendix 8, Schedule 8B).
- b) Facilities for the storage and disposal of sewage (septic tanks) or farm effluent shall be sited at least 25m from any natural or artificial water course or any lake.
- c) Facilities for the storage and disposal of farm effluent shall be sited at least:
 - i. 100m from any residential unit on another site.
 - ii. 15m from any site boundary.
 - iii. 150m from any Residential Zone or Special Character Zone boundary.

4.9.2 Produce Stalls

- a) One produce stall shall be allowed per site.
- b) Produce stalls shall not exceed 16m² gross floor area.
- c) Produce sold from a stall shall be grown or made either:
 - i. On the property on which it is offered for sale.
 - ii. On land owned or leased by the vendor of the produce.
 - iii. On land less than 3km from the property on which it is offered for sale.
- d) Produce stalls shall not be established on any site having vehicular access to a major arterial transport corridor or the strategic network.

- e) Produce stalls shall be located to enable two off-road hard stand areas for car parking.

4.10 Controlled Activities: Matters of Control

- a) In determining any application for resource consent for a controlled activity, the Council shall reserve its control over the following matters.

Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)
i. <u>Childcare facility for up to five children</u>	<ul style="list-style-type: none"> • <u>E – Ruakura</u>
ii. <u>Dairy</u>	<ul style="list-style-type: none"> • <u>E – Ruakura</u>
iii. <u>Community centre</u>	<ul style="list-style-type: none"> • <u>E – Ruakura</u>
iv. <u>Relocated buildings</u>	<ul style="list-style-type: none"> • <u>E – Ruakura</u>

4.110 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Comment [HCC50]:
 Chedworth Properties, ENV-146
 Tainui Group Holdings (Ruakura), ENV-147

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. Duplex dwellings*	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
ii. Apartment buildings	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
iii. Childcare facility for 6 or more children	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity

iv. Community centre	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
v. Dairy	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
vi. Tertiary education and specialised training facility	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
vii. Papakainga*	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
viii. Places of worship	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
ix. Rest home*	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
x. New building for the purpose of Health Care Services identified in 4.3.1z)	<ul style="list-style-type: none"> • B – Design and Layout
xi. Second and subsequent single dwellings per site*	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
xii. Visitor accommodation	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
xiii. Emergency service facilities	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
<u>Ruakura Medium Density Residential Zone</u>	
<u>xiii. Land Development Plan</u>	<ul style="list-style-type: none"> • <u>M - Ruakura</u>
<u>xiii. Residential buildings on sites 399m2 or less</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>M - Ruakura</u>
<u>xiii. Semi-detached, duplex and terrace housing</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>M - Ruakura</u>
<u>xiii. One Integrated Retail Development in accordance with the general location identified on Figure 2-14 Appendix 2</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>M – Ruakura</u>
<u>xiii. Any activity generating 1500 or more vehicle movements per day</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>G – Transportation</u>

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

4.11 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following:

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following:

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

8 Knowledge ZoneArea

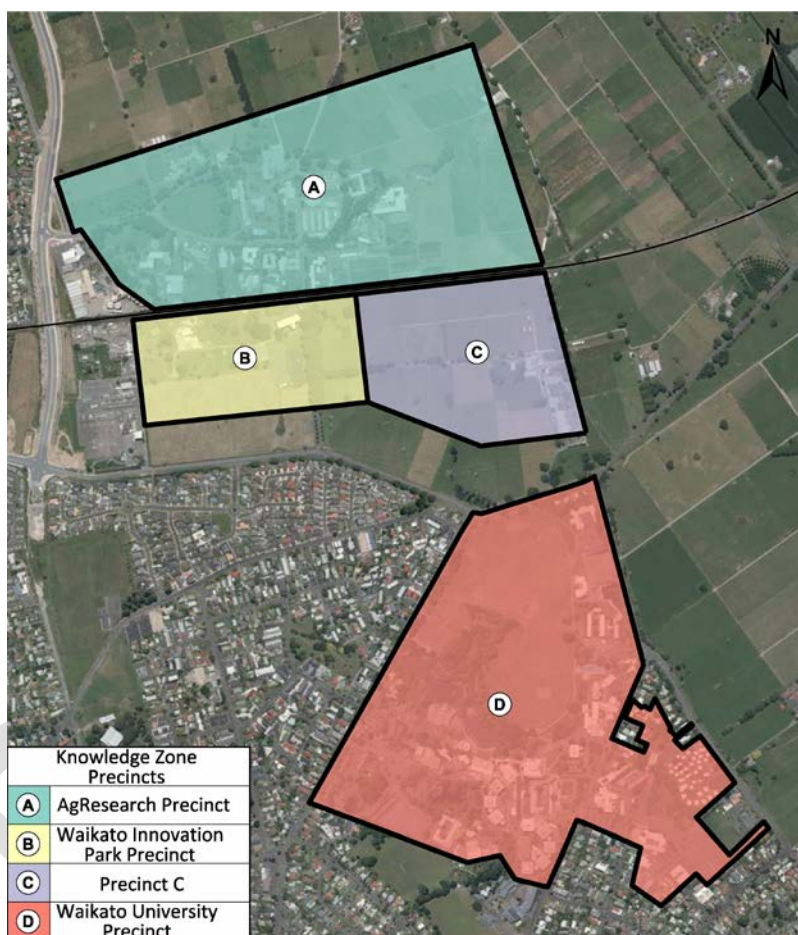
8.1 Purpose

- a) The Knowledge Zone encompasses existing land-use activities which provide significant opportunities for tertiary education, innovation and research; including the University of Waikato, Waikato Innovation Park and the AgResearch Centre campus. The zone reflects the importance of these existing physical resources by providing further opportunities for a wide range of education, research and development activities with supporting retail and mixed-use activities.
- b) The University of Waikato comprises a 65 hectare campus site and is a major employer in education and research as well as serving a student population of approximately 12,000. The campus is characterized by extensive planting and green spaces interspersed with learning and accommodation facilities set in an undulating landscape.
- c) The neighbouring Waikato Innovation Park facilitates the commercialisation and economic development of leading primary sector science, technology and research conducted in the region. It does this by providing business infrastructure ready to support and incubate new business, encouraging collaboration and innovation between research, entrepreneurs and business groups.
- d) The neighbouring AgResearch campus is a Crown Research Institute. The campus comprises 251 hectares. Its focus is to create sustainable wealth in the pastoral and biotechnology sectors.
- e) The extent of the Knowledge Area Zone is strategically important. It assists in enabling the City and wider catchment to meet its social, cultural and economic needs and provides an opportunity through development to achieve connectivity between all three existing land uses.
- f) Enabling existing facilities and Future development within the zone will strengthen the economic base of the region, generating positive economic and social outcomes. The potential for new research and innovation activities related to the operation of activities within the Ruakura Logistics ZoneArea represents further opportunities for the City.
- g) The ongoing development of the zone provides the opportunity to create a wider range of activities that complement its research and innovation functions. It is recognised that the enduring success of such activities rely increasingly upon being able to provide research facilities near related commercial activities, which will increase the end value of innovation and research.
- h) The Knowledge ZoneArea also ~~needs to~~ provides supporting retail and commercial activities which act as a focal point and increase the attractiveness for innovation and research activities to establish here: A Ruakura Retail Centre is provided for which The zone is centred on a 'main street' precinct with a large public plaza. This area makes provision for a passenger transport hub to provide connectivity to the Central City.
- i) Development concepts for activities within the zonearea were developed as part of the Ruakura Structure Plan. This identifies the area as being appropriate for a retail,

commercial and community centre which is referred to as the Ruakura Retail Centre. Activities within the Ruakura Retail Centre will be developed at a scale that will serve the Ruakura [Schedule Area Structure Plan](#) and adjacent area. The scale and nature of the activities in the Ruakura Retail Centre shall not generate significant adverse amenity effects on surrounding residential areas and transport networks or adversely affect the primacy, function, vitality and amenity of the Central City.

j) [The four precincts of the Knowledge Zone are identified on Figure 8.1 below.](#)

Figure 8.1 Knowledge Zone Precincts



a)

8.2 Objectives and Policies: Knowledge [ZoneArea](#)

Objective	Policies
8.2.1 Support the continued development and expansion of a research, education, innovation and technological activity precincts <i>at the University of Waikato, Waikato Innovation Park, AgResearch and Precinct C that comprise the Knowledge</i>	8.2.1a Research, education, innovation and technological activities and their supporting infrastructure and ancillary activities shall be encouraged within the Knowledge ZoneArea .
	8.2.1b Co-location of activities and the shared use of infrastructure shall be encouraged to maximise the efficient use of land.

<u>Zone at Ruakura</u>	8.2.1c Activities involving the commercialisation, manufacture and development of prototype goods should only occur where they will complement the primary role of research, education and innovation.
	8.2.1d Activities that support the primary purpose of the Knowledge <u>ZoneArea</u> shall be provided for, which includes offices relating to a research and innovation function.
	8.2.1e Establishing activities in the Knowledge <u>ZoneArea</u> that would compromise the vitality, functions and amenity of the Central City shall be avoided.
	<u>8.2.1f</u> <u>Development within the Knowledge Zone is in general accordance with an approved Concept Plan or Land Development Plan for Precinct C.</u>

Explanation

The existing Waikato Innovation Park and AgResearch centre are important economic anchors for the City, and serve the wider Waikato Region and upper North Island. Collectively these facilities represent a significant physical resource. It is important they are recognised and provided for in the zone. The immediately adjoining University of Waikato also has a strong education and research function. The significant opportunities for collaboration are enabled through these provisions.

New development should be of a similar activity type to encourage the shared use of infrastructure, and maximise opportunities for interaction both within and outside the zone. Similarly, the provision of appropriate commercial, retail and other ancillary activities that leverage off, and are related to, innovation and research activities, as provided for in Precinct C, will enhance the outcomes sought for the zone. Precinct C includes the Ruakura Retail Centre and the wider research, education, innovation and technological activities provided for in the Knowledge Zone.

A Concept Plan or Land Development Plan for Precinct C is required to provide detailed consideration of the scale, while including innovative and attractive designs to achieve a higher amenity environment.

Objective	Policies
8.2.2 Maximise opportunities for increased accessibility, connectivity and efficiency for all modes of transport within the Knowledge <u>ZoneArea</u> .	8.2.2a The development of at-grade pedestrian and cycling connections from the Knowledge <u>ZoneArea</u> into the University of Waikato campus shall be provided for.
	8.2.2b Provide for the establishment of <u>an</u> integrated

	<p>passenger transport hub that can include both road and rail networks to service the Knowledge <u>ZoneArea</u> and surrounding catchment upon the demand arising.</p>
<p><u>Explanation</u></p>	
<p><i>The zone aims to achieve comprehensively designed precincts tied to a legible network of cycleways, reserves, walkways and connections to the balance of the Ruakura Structure Plan area. The proximity to the East Coast Main Trunk Railway Line is also a significant opportunity to realise rail as a potential mode of passenger transport infrastructure. Planning for new development within the zone must ensure that opportunities to provide such infrastructure are not compromised.</i></p>	
<p>Objective</p>	<p>Policies</p>
<p>8.2.3 To mMaximise the long-term positive, environmental, economic, cultural and social benefits of the Knowledge <u>ZoneArea</u>.</p>	<p>8.2.3a A range of development in a form and at a scale shall be enabled to provide for:</p> <ul style="list-style-type: none"> i. The configuration of activities, buildings and infrastructure within the Knowledge <u>ZoneArea</u> to maximise its appeal as a place to work and socialise. ii. A distinctive identity and a high level of amenity and function. iii. A hierarchy of connected open spaces through the Knowledge <u>ZoneArea</u> and connections to other <u>A</u>areas within the Ruakura <u>Structure Plan</u>chedule Area. iv. Limited residential and accommodation activity where it complements the primary innovation and research function. v. The clustering of appropriate activities around a future passenger transport hub and plaza to maximise the use and efficiency of these elements.
<p><u>Explanation</u></p>	
<p><i>The spatial and landscape character of the existing development is a defining quality of the zone. New development should be provided for through a Concept Plan or Land Development Plan (for Precinct C) process that will build upon such qualities, for example, the character of the existing development pattern and the maintenance of open space areas. However, the range and configuration of activities is recognised as an important factor in maximising the efficiency of the zone, and to draw activities from the nearby university campus into the zone. The incorporation of a 'main street', public plaza and future passenger transport interchange introduces the opportunity to create high-quality precincts that complement other development within the zone and creates a focal point for workers and visitors.</i></p>	

Objective	Policies
<p>8.2.4 <u>To manage the potential adverse effects of activities within the Knowledge Zone.</u></p>	<p>8.2.4a <u>Activities within the zone shall be located where potential adverse effects on security and safety will be avoided.</u></p>
	<p>8.2.4b <u>Activities shall be located within the zone to minimise potential reverse-sensitivity effects on one another.</u></p>
	<p>8.2.4c <u>Activities sensitive to potential adverse effects shall not establish in locations within the zone where effects from activities outside the zone will be more than minor.</u></p>
<p>Explanation</p>	
<p><u>The range of existing activities within the zone is large and includes outdoor research activities in the AgResearch Campus. Some existing activities will be sensitive to new development so care is required when considering how each new activity could impact upon the other. Security and safety issues may be an important consideration depending on the nature of the activities being introduced. A Concept Plan or Land Development Plan (for Precinct C) will minimise the potential for such effects arising.</u></p>	

Ruakura Retail Centre

Objective	Policies
<p>8.2.5 The Ruakura Retail Centre serves other activities within and adjoining the Ruakura Structure Plan area <u>Schedule Area</u> while not undermining the primacy, function, vitality and amenity of the Central City and the function of other centres.</p>	<p>8.2.5a The Ruakura Retail Centre is to provide a mixed use environment that meets the day-to-day retail, commercial and community needs of the Ruakura Structure Plan <u>Schedule Area</u> and adjoining residential catchment.</p>
	<p>8.2.5b The scale and nature of activities and the rate of development are managed to avoid adverse effects on the primacy, function, vitality and amenity of the Central City and the function of other centres.</p>
	<p>8.2.5c A range of activities is provided for so that the Ruakura Retail Centre acts as a focal point for local community development through the control of size, scale, built form and diversity of activity.</p>

	<p>8.2.5d</p> <p>A comprehensive, urban design-led approach, including integration with transport networks, is used to determine the form of the Ruakura Retail Centre.</p>
Explanation	
<p><i>The Ruakura Retail Centre is to provide an attractive, landscaped environment within the Knowledge Zone. This will include a mainstreet and a large public plaza. The scale and nature of the activities are not to generate significant adverse amenity effects on the surrounding residential areas and transport networks or to adversely affect the primacy, function, vitality and amenity of the central city. A Land Development Plan for Precinct C is required to be approved as the basis for managing the overall framework for urban developments.</i></p>	

University of Waikato Precinct

Objective	Policies
<p>8.2.6</p> <p><u>The University of Waikato develops and operates successfully and contributes to the economic, social and cultural wellbeing of the City.</u></p>	<p>8.2.6a</p> <p><u>A mixture of activities shall be enabled to be carried out while retaining the principal purpose.</u></p>
	<p>8.2.6b</p> <p><u>The positive effects of use and development shall be recognised.</u></p>
	<p>8.2.6c</p> <p><u>Adverse effects on neighbourhood amenity values shall be minimised.</u></p>
	<p>8.2.6d</p> <p><u>Development should enable the scale and configuration of buildings and open space to contribute positively to the visual amenity values of the City.</u></p>
	<p>8.2.6e</p> <p><u>Quality urban design, particularly at their interface with public areas, shall be encouraged.</u></p>
	<p>8.2.6f</p> <p><u>-Enable the University to develop and implement a Concept Plan which can assist with the long term planning, use and integration of buildings, facilities and open space areas.</u></p>
Explanation	
<p><i>The University of Waikato is a large-scale educational complex with a range of activities. Therefore the flexibility to develop and adapt is important. However, its size</i></p>	

and complexity can make it difficult to accommodate under normal District Plan provisions and zones.

The intention of the policies is to support the continued functioning and growth of its education services.

The effect of the University on the wider environment and its neighbours must be managed effectively to maintain the ongoing activities of the campus. Co-existence with the neighbouring residential areas is an important element that will contribute to its long-term success.

The development of the University provides opportunities for innovative and attractive design of buildings and facilities based on an approved Concept Plan will help maintain positive effects on the locality.

Waikato Innovation Park and AgResearch Precincts

<u>Objective</u>	<u>Policies</u>
<p>8.2.7 <u>Development within these two adjoining precincts (A and B) is integrated and enables the scale and configuration of buildings and open spaces to contribute positively to the visual amenity values of the wider Ruakura area.</u></p>	<p>8.2.7a <u>Continued development of the Waikato Innovation Park and AgResearch Campus is to be in general accordance with an approved Concept Plan.</u></p>
<p><u>Explanation</u></p> <p><u>The Waikato Innovation Park and AgResearch Campus are significant existing establishments within the Knowledge Zone. A Concept Plan approach to future development within their respective precincts will provide flexibility to the current uses enabled, while recognising the role and function of the zone. The opportunity to leverage off the nearby University of Waikato, the Ruakura Logistics and Industrial Park Zones will provide growth opportunities for the existing facilities.</u></p>	

8.3.1 Rules – Activity Status for Precincts A, B and D

<u>Activity</u>	<u>Class</u>
<u>Precincts A, B and D</u>	
<u>a) A Concept Plan or an update to a Concept Plan</u>	<u>RD</u>
<u>AgResearch (Precinct A) and Waikato Innovation Park (Precinct B) Only</u>	
<u>b) Farming, pastoral grazing, horticulture and farm management activities associated with research establishments, including worker and staff</u>	<u>P</u>

<u>Activity</u>	<u>Class</u>
<u>accommodation</u>	
<u>c) Internal alterations</u>	<u>P</u>
<u>d) Alterations and additions to existing buildings (no greater than 250m² gross floor area)</u>	<u>P</u>
<u>e) Alterations and additions to existing buildings (greater than 250m² gross floor area)</u>	<u>RD</u>
<u>f) Any new buildings</u>	<u>RD</u>
<u>g) Existing research and innovation activities within the Waikato Innovation Park and new activities where those are part of a previously approved Concept Plan administered by the Waikato District Plan and in existence at the time of notification of this District Plan</u>	<u>P</u>
<u>h) All other research, and innovation activities testing, evaluation and laboratory activities</u>	<u>P</u>
<u>i) Tertiary education and specialised training facilities</u>	<u>P</u>
<u>j) Ancillary offices to permitted research, innovation, education and laboratory activities</u>	<u>P</u>
<u>k) Commercialisation of activity ancillary to research, innovation, food production, education and laboratory activities</u>	<u>RD</u>
<u>l) Support/ancillary services (including manufacturing) to research and innovation activities including workshops, plant and vehicle depots, heating and power generators, laundries, telecommunications and data facilities</u>	<u>P</u>
<u>m) Passenger transport facilities and transport depots (passengers)</u>	<u>P</u>
<u>n) Ancillary residential units (e.g. for research and innovation employees, including caretakers and maintenance workers)</u>	<u>P</u>
<u>o) Informal recreation, park maintenance buildings and yards, seating, sculptures and art installations</u>	<u>P</u>
<u>p) Places of assembly</u>	<u>RD</u>
<u>q) Community centres, libraries and childcare centres</u>	<u>P</u>
<u>r) Parking lots and parking buildings</u>	<u>RD</u>
<u>s) Visitor accommodation</u>	<u>RD</u>
<u>t) Healthcare services</u>	<u>RD</u>
<u>u) Any noxious or offensive activity</u>	<u>NC</u>
<u>v) Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)</u>	<u>P</u>
<u>University of Waikato Campus Only (Precinct D)</u>	
<u>w) Accessory buildings</u>	<u>P</u>
<u>x) New buildings, alterations or additions to where there is no approved Concept Plan and which are not located within the Interface Area</u>	<u>P</u>
<u>y) Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)</u>	<u>P</u>

Activity	Class
<u>z) Maintenance or repair of buildings</u>	<u>P</u>
<u>aa) New buildings, relocated buildings, alterations or additions to buildings in accordance with an approved Concept Plan</u>	<u>P</u>
<u>bb) Residential centres, managed care facilities, rest homes, apartments, detached dwellings and visitor accommodation</u>	<u>P</u>
<u>cc) Organised recreation, informal recreation and indoor recreation</u>	<u>P</u>
<u>dd) Licensed premises</u>	<u>P</u>
<u>ee) Parking lots and parking buildings</u>	<u>P</u>
<u>ff) Restaurants</u>	<u>P</u>
<u>gg) Support services, including workshops, plant and vehicle depots, heating and power generators, laundries, printing and publishing, telecommunications and broadcasting</u>	<u>P</u>
<u>hh) Community centres</u>	<u>P</u>
<u>ii) Tertiary education and specialised training facilities</u>	<u>P</u>
<u>jj) Childcare facilities</u>	<u>P</u>
<u>kk) Healthcare services</u>	<u>P</u>
<u>ll) Libraries</u>	<u>P</u>
<u>mm) Marae</u>	<u>P</u>
<u>nn) Places of assembly</u>	<u>P</u>
<u>oo) Places of worship</u>	<u>P</u>
<u>pp) Research and innovation (excluding any noxious or offensive activity)</u>	<u>P</u>
<u>qq) Any activity identified in Rule 8.3(aa) that is not in accordance with an approved concept plan</u>	<u>RD</u>

Note

1. For activities and buildings in the Electricity Transmission Corridors see Chapter 25.7: City-wide – Network Utilities and Electricity Transmission Corridors.
2. Explanation of Rule 8.3(g) above:
As a result of the boundary reorganisation scheme which came into effect on 1 July 2011, the land within which the existing Waikato Innovation Park is situated was transferred from Waikato District Council to Hamilton City Council. Schedule 25B of the Waikato District Plan contains an approved Concept Plan for the Innovation Park. The development of that area in general accordance with the Concept Plan in Schedule 25B can continue as a Permitted Activity. The framework of that previously approved Concept Plan is now integrated into the Ruakura Structure Plan. If there are significant departures from the Structure Plan as the Knowledge Zone evolves, such changes can be considered as a resource consent (Restricted Discretionary) so the effects arising from any change can be considered.
3. Table 15-3c of Volume 2, Appendix 15-3 contains guidance for converting vehicles per day into other units of measures.
4. 'Office' includes space used for desk based research and innovation, associated meeting and administration, conferencing and similar activities and excludes commercial offices and professional offices

8.3.2 Rules – Activity Status for Precinct C (Except Ruakura Retail Centre)

Activity	Class
Precinct C Only	
a) Land Development Plan (refer Rule 3.7.3.2)	RD*
b) Farming, pastoral grazing, horticulture and farm management activities associated with research establishments, including worker and staff accommodation	P
c) Minor works	P
d) Alterations and additions to existing buildings (other than minor works)	RD*
e) Any new buildings	RD*
f) All other research, and innovation activities including (but not limited to) testing, evaluation, office ¹ and laboratory activities	P
g) Tertiary education and other education and specialised training facilities	P
h) Ancillary offices to permitted research, innovation, education and laboratory activities	P
i) Commercialisation of activity ancillary to research, innovation, education and laboratory activities	P
j) Support/ancillary services to research and innovation activities including (but not limited to) workshops, plant and vehicle depots, heating and power generators, laundries, telecommunications and data facilities	P
k) Passenger transport facilities and transport depots (passengers)	P
l) Ancillary residential units (e.g. for research and innovation employees, including caretakers and maintenance workers)	P
m) Informal recreation, park maintenance buildings and yards, seating, sculptures and art installations	P
n) Places of assembly	RD
o) Community centres, libraries and childcare centres	P
p) Parking lots	P
q) Visitor accommodation	RD
r) Healthcare services	RD
s) Any permitted or restricted discretionary activity listed above generating 1500 or more vehicle movements per day	RD*
t) Any noxious or offensive activity	NC
u) Activities not provided for	NC

¹ 'Office' includes space used for desk based research and innovation, associated meeting and administration, conferencing and similar activities and excludes commercial offices and professional offices.

8.3.3 Rules – Activity Status for Precinct C - Ruakura Retail Centre only

Activity	Class
Ruakura Retail Centre Only	
a) Land Development Plan (refer Rule 3.7.3.2)	RD*
b) New buildings	RD*
c) Alterations and additions to existing buildings (excluding minor works)	RD*
d) Minor works	P
e) Accessory Buildings	RD*
f) Demolition, removal, maintenance or repair of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
g) Any industrial activity except light or service industry	NC
h) Light Industry	D
i) Service Industry	D
j) Transport Depot	D
k) Emergency service facility	RD*
l) Noxious or offensive activities	NC
m) Research and Innovation Activities	P
n) Ancillary Office	P
o) Office less than 250m ² gross floor area per tenancy	P
p) Office 250m ² -500m ² gross floor area per tenancy	RD*
q) Office greater than 500m ² gross floor area per tenancy	NC
r) Ancillary retail	P
s) Retail less than 400m ² gross floor area per tenancy	P
t) Retail 400m ² gross floor area per tenancy or greater except where provided for in activity category u) in this table	RD*
u) One Supermarket or Building Improvement Centre 1,000m ² gross floor area or greater within the Ruakura Retail Centre	P
v) Banks	P
w) Yard based retail less than 400m ² gross floor area per tenancy	D
x) Yard based retail 400m ² gross floor area or greater per tenancy	NC
y) Cafes, Restaurants and Licensed Premises	P
z) Commercial places of assembly	P
aa) Parking lots and parking buildings	P
bb) Passenger Transport Facility	P
cc) Health Care Services above ground floor	P
dd) Health care services less than 1000m ² at ground floor	P

Activity	Class
ee) Health care services over 1000m ² at ground floor level	RD
ff) Childcare facility	P
gg) Community centres	P
hh) Tertiary education and specialised training facilities less than 250m ² gross floor area per tenancy	P
ii) Tertiary education and specialised training facilities 250m ² – 999m ² gross floor area per tenancy	D
jj) Tertiary education and specialised training facilities greater than 1000m ² gross floor area per tenancy	NC
kk) Total floorspace in the Ruakura Retail Centre of up to 9,000m ² gross floor area comprised of: <ul style="list-style-type: none"> no more than 7,000m² gross floor area in the activity categories s) to u) no more than 3,000m² gross floor area for any other permitted activities in Rule 8.3.3 	P
ll) Total floorspace in the Ruakura Retail Centre that exceeds: <ul style="list-style-type: none"> 7,000m² gross floor area in the activity categories s) to u); or 3,000m² gross floor area for any other permitted activities in Rule 8.3.3 	RD
mm) Total floorspace in the Ruakura Retail Centre between 9,000m ² and 15,000m ² gross floor area	RD
nn) Total floorspace in the Ruakura Retail Centre that exceeds 15,000m ² gross floor area	NC
oo) Public Art	P
pp) Ancillary residential units	RD*
qq) Visitor accommodation	D
rr) Any permitted or restricted discretionary activity listed above generating 1500 or more vehicle movements per day	RD*

8.4 Rules – General Standards

- [a\) The general standards in Rule 8.4 do not apply to activities listed in Rule 8.3.1 in the University of Waikato Campus \(Precinct D\). See Rule 8.6 for specific standards relating to the University of Waikato Campus \(Precinct D\).](#)
- [b\) The general standards in Rule 8.4 do apply to activities listed in Rule 8.3.1 in the AgResearch Centre \(Precinct A\) and Waikato Innovation Park \(Precinct B\), which are located in the Knowledge Zone.](#)
- [c\) Land use and development in the Knowledge Zone, which is undertaken in the Ruakura Structure Plan Area, shall comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, 3.7.3.4, 3.7.3.5, 3.7.3.7 and 3.7.4 in Chapter 3: Structure Plans.](#)
- [d\) The general standards in Rule 8.4 do apply to activities listed in 8.3.2 Precinct C and 8.3.3 Precinct C \(Ruakura Retail Centre\).](#)

8.4.1 Provision of Concept Plans for the Waikato Innovation Park, AgResearch and University of Waikato Precincts

- [a\) New buildings shall be a permitted activity on the Waikato Innovation Park, AgResearch or University of Waikato Campus when a Concept Plan application has been granted by Council.](#)

- b) Activities that are permitted prior to the approval of a Concept Plan are:
 - i. Maintenance or repair to existing buildings *no greater than 250m2 gfa*
 - ii. Demolition or removal of existing buildings *(except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)*
 - iii. Accessory buildings *no greater than 250m2 gfa*
 - iv. Alteration and additions to existing buildings *no greater than 250m2 gfa*
- c) An application for resource consent for a Concept Plan must be for the whole site; however development of the site may proceed in stages.
- d) The Concept Plan application is classified as restricted discretionary, unless an activity that forms part of the application is non-complying, in which case the concept plan application is a non-complying activity.
- e) Concept Plans must be prepared in accordance with the standards in this chapter and the Information Requirements in Appendix 1.2.2.27
- f) A Concept Plan can include a Concept Plan granted under the previous District Plan.
- g) The development of a Concept Plan does not preclude the requirement to comply with the relevant standards not addressed in the Concept Plan.
- h) Where any development or activity is not in accordance with the provisions of the Concept Plan then separate resource consent will be required for that development or activity.

8.4.2 Location of Buildings and Activities

<u>a) Building location</u>	<u>No building footprint shall be closer than 10m from any indicative local or collector transport corridor identified on the Ruakura Structure Plan</u>
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8.4.32 Site Coverage

- a) Maximum site coverage 50%.

8.4.43 Permeable Surfaces

<u>a) Net site permeability</u>	<u>Minimum 20% of the net site area</u>
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8.4.54 Access from Ruakura Road

- a) No access to service an activity shall be provided directly to Ruakura Road unless consistent with the connection point locations identified on Figure 2-15 in Appendix 225H(2)XXX.

8.4.65 Building Setbacks

- a) Buildings shall have minimum set backs from boundaries as follows:

<u>i. Any boundary adjoining the railway designation (Designation F1)</u>	<u>10m</u>
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ii. Transport corridor boundary (except in the Ruakura Retail Centre) – local and collector roads <u>transport corridors</u>	5m
iii. Transport corridor boundary in Ruakura Retail Centre	0m
iv. Transport corridor boundary – arterial roads <u>transport corridors</u>	15m
v. Any boundary adjoining any Residential, Special Character or Open Space <u>Zones</u> <u>Areas</u>	8m
vi. All other boundaries	0m

8.4.76 Height in Relation to Boundary

- a) No part of any building or structure may penetrate a height control plane rising at an angle of 45 degrees beginning at an elevation of 3m at the boundary of any adjoining zonearea.

8.4.87 Maximum Height

- a) The maximum height of a building or structure is 15m, except that 20% of the footprint of the building may be between 15m and 20m high.

8.4.98 Building Design

a) Building design	No building shall present a blank, plain or unfeatured facade to any boundary with a public space or <u>Recreation</u> / <u>Open Space</u> <u>Zone</u> <u>Area</u>
b) Building frontage in all other areas	Buildings shall have a minimum facade width of 20m, or 75% of the street front boundary; whichever is the greater

8.5 Rules – Specific Standards for AgResearch and Waikato Innovation Park Precincts

8.5.1 Location of Buildings and Activities

Location	
a) Proximity to Ruakura Logistics <u>Zone</u> <u>Area</u> : Noise control	No visitor accommodation shall be situated closer than 40m to the boundary of the Ruakura Logistics <u>Zone</u> <u>Area</u> unless the building within which the activity is located can achieve compliance with the relevant noise controls specified in Rule 25.8.4.4(f), (g) and (h)

8.5.2 Parking Building Design

a) Parking buildings and lots	Parking buildings shall incorporate screening and facade detailing treatments affixed to the face of the building so that 50% of any facade visible from any public space is treated
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8.6 Rules – Specific Standards for University of Waikato Precinct

8.6.1 Building Setbacks

<u>Building setback from</u>	<u>Minimum</u>
<u>a) Residential Zone or Special Character Zone boundary</u>	<u>5m</u>
<u>b) Transport corridor boundary – arterial transport corridor</u>	<u>5m</u>

8.6.2 Building Standards

<u>a) Site coverage</u>	<u>Maximum 45%</u>
<u>b) Height control plane</u> <u>Note: No maximum height control</u>	<u>i. Angle: 45 degrees</u> <u>ii. Starting point above boundaries of campus site:</u> <ul style="list-style-type: none"> <u>• 20m above a boundary along Hillcrest Road</u> <u>• 3m above a boundary adjoining a site in the Residential Zone, Special Character Zone and Community Facilities Zone</u> <u>• 10m above all other boundaries</u> <u>iii. All internal boundaries of the campus site are excluded</u>

8.6.3 Permeable Surfaces

<u>a) Net site permeability</u>	<u>Minimum 20% of the net site area. The area required by Rule 8.6.3(b) is to be included in this percentage</u>
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8.7 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 3: Structure Plans**
- Chapter 19: Historic Heritage**
- Chapter 20: Natural Environments**
- Chapter 21: Waikato River Corridor and Gully Systems**
- Chapter 22: Natural Hazards**
- Chapter 23: Subdivision**
- Chapter 24: Financial Contributions**
- Chapter 25: City-wide**

8.8 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion.**

<u>Activity Specific</u>	<u>Matter of Discretion</u> <u>(Refer to Volume 2, Appendix 1.3.3)</u>
<u>Precincts A and B Knowledge Zone</u>	
<u>i. A Concept Plan or an update to a Concept Plan</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>M – Ruakura</u>
<u>ii. Alterations and additions to existing buildings (greater than 250m² gross floor area)</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>D – Natural Character and Open Space</u> <u>F – Hazards and Safety</u>
<u>iii. Any new buildings</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>D – Natural Character and Open Space</u> <u>F – Hazards and Safety</u>
<u>iv. Commercialisation of activity ancillary to research, innovation, food production, education and laboratory activities</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>F – Hazards and Safety</u>
<u>v. Places of assembly</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>F – Hazards and Safety</u>
<u>vi. Parking lots and parking buildings</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>G - Transportation</u>
<u>vii. Visitor accommodation</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u>
<u>viii. Healthcare services</u>	<u>B – Design and Layout</u> <u>C – Character and Amenity</u> <u>F – Hazards and Safety</u>
<u>Precinct C Knowledge Zone</u>	
<u>ix. Any new buildings*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>M – Ruakura</u>

<u>x. Alterations and additions to existing buildings</u>	<ul style="list-style-type: none"> <u>B – Design and Layout</u> <u>M – Ruakura</u>
<u>xi. Places of assembly*</u>	<ul style="list-style-type: none"> <u>C – Character and Amenity</u>
<u>xii. Visitor accommodation*</u>	<ul style="list-style-type: none"> <u>C – Character and Amenity</u>
<u>xiii. Healthcare services*</u>	<ul style="list-style-type: none"> <u>C – Character and Amenity</u>
<u>xiv. Activities which require resource consent under Rules 8.3.3 p), t), ll) and mm)</u>	<ul style="list-style-type: none"> <u>H – Functionality, Vitality, Viability and Amenity of Centres</u>
<u>xv. Any activity generating 1500 or more vehicle movements per day</u>	<ul style="list-style-type: none"> <u>G – Transportation</u>
<u>xvi. Land Development Plan</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>
<u>Ruakura Retail Centre – Precinct C – Knowledge Zone</u>	
<u>xvii. Any new buildings*</u>	<ul style="list-style-type: none"> <u>B – Design and Layout</u> <u>M – Ruakura</u>
<u>xviii. Alterations and additions to existing buildings</u>	<ul style="list-style-type: none"> <u>B – Design and Layout</u> <u>M – Ruakura</u>
<u>xix. Land Development Plan</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>
<u>xx. Emergency Service Facility</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>
<u>xxi. Accessory Building</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>
<u>xxii. Office 250m²-500m² gross floor area per tenancy</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>
<u>xxiii. Retail 400m² gross floor area per tenancy or greater except where provided for in activity category u) in this table</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>
<u>xxiv. Health care services over 1000m² at ground floor level</u>	<ul style="list-style-type: none"> <u>M – Ruakura</u>

<p><u>xxv. Total floorspace in the Ruakura Retail Centre that exceeds:</u></p> <ul style="list-style-type: none"> • <u>7,000m² gross floor area in the activity categories s) to u); or</u> • <u>3,000m² gross floor area for any other permitted activities in 8.3.3</u> 	<ul style="list-style-type: none"> • <u>M – Ruakura</u>
<p><u>xxvi. Total floorspace in the Ruakura Retail Centre between 9,000m² and 15,000m² gross floor area</u></p>	<ul style="list-style-type: none"> • <u>M – Ruakura</u>
<p><u>xxvii. Ancillary residential units</u></p>	<ul style="list-style-type: none"> • <u>M – Ruakura</u>
<p><u>xxviii. Any permitted or restricted discretionary activity listed above generating 1500 or more vehicle movements per day</u></p>	<ul style="list-style-type: none"> • <u>G – Transportation</u>
<p><u>University of Waikato – Precinct D – Knowledge Zone</u></p>	
<p><u>xxix. Any activity identified in Rule 8.3(z) that is not in accordance with an approved concept plan</u></p>	<ul style="list-style-type: none"> • <u>M - Ruakura</u>

8.9 Notification Rule

- a) Except as provided for by Section 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act applications for any Restricted Discretionary Activity identified with an asterisk(*) in the table above will be considered without notification or the need to obtain approval from affected persons.

8.10 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification Defaults
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Controlled Activities – Matters of Control
- Restricted Discretionary Activities – Matters for Discretion and Assessment Criteria
- Discretionary Activity Assessment Criteria

- [Design Guides and Design Assessment Criteria](#)
- [Information Requirements](#)
- [Acronyms Used in the District Plan](#)
- [Definitions Used in the District Plan](#)
- [Other Methods of Implementation](#)

DRAFT

10 Ruakura Logistics ZoneArea

10.1 Purpose

- a) Ruakura is strategically located and is of an appropriate scale to satisfy growing national demand for enhanced freight-handling infrastructure. It is ideally placed to process containers originating at the Ports of Tauranga and Auckland, and as such has the ability to realise significant agglomeration benefits. It is therefore the preferred location in Hamilton City to establish an inland port.
- b) The Ruakura Logistics ZoneArea provides land for the establishment of the Inland Port (Sub Area A of the Logistics- ZoneArea) and an adjoining logistics area (Sub Area B of the Logistics- ZoneArea) as shown on Figures 2-14 and 2-17 in Appendix 225H(1). Sub Area A is to provide for the core activities of freight handling infrastructure, whereas Sub Area B is a distribution precinct to provide for logistics and support activities.
- c) Agglomeration benefits arise from the fact that production costs fall as related businesses cluster together, share infrastructure, provide economies of scale and reduce the cost of handling and moving freight between Auckland, Bay of Plenty and Waikato regions. A key component to realising these agglomeration benefits will be the development and release of industrial land and the Inland Port in a staged and coordinated manner. With a direct connection to the Waikato Expressway, environmental benefits, including reduced carbon emissions and a reduction in congestion, can also be realised.
- d) The Inland Port will be developed adjacent to the existing rail infrastructure (East Coast Main Line) and the Waikato Expressway. The location of both road and rail infrastructure allows the proposed port to be intermodal, so freight can be transferred between rail and road transport. Railway sidings will be required off the main line and other critical infrastructure includes the development of; container hardstand areas, lighting masts, security infrastructure, Closed Circuit Television (CCTV), communications and data management, as well as fire and hazardous substance response facilities. The development of a comprehensive stormwater management and treatment network will be identified through the Land Development Plan process under 3.7.3.2 and will also need to be planned for at the outset of development.
- e) Due to the costs involved in developing an Inland Port, and the nature of the infrastructure (such as security and Biosecurity/Customs facilities), it is important that the freight and logistics area is occupied by businesses which use the port's facilities, rather than more general industrial or employment activities. A critical mass of such businesses is required for the Inland Port to be economically successful.
- f) The Ruakura Logistics ZoneArea will generally comprise large warehouses and large areas of hardstand. Logistics and freight-handling activities include container storage, container unloading/loading, Biosecurity/Customs procedures, warehousing, distribution/consignment activities, utilities and all ancillary activities including container, equipment and fleet maintenance and administration activities.

10.2 Objectives and Policies: Ruakura Logistics ZoneArea

Objective	Policies
<p>10.2.1 Logistics and Inland Port land uses establish and operate in an efficient and effective manner.</p>	<p>10.2.1a Logistics, freight-handling services and supportive activities and infrastructure shall be provided for subject to the land allocation set out in Chapter 3.7f)Table 25H(1), and the provision of required infrastructure, including roading and Three Waters.</p>
<p><u>Explanation</u></p> <p><i><u>The strategic location of the Ruakura Logistics Zone within the City and region has the potential to deliver significant positive economic, environmental and social benefits.</u></i></p> <p><i><u>The timing and release of land at Ruakura (including the Logistics Zone) is set out in the Regional Policy Statement and restated in Chapter 3.7f). The land allocations are intended as a high level set of control, to provide certainty for the planning of infrastructure where required and ensure a release of land consistent with the Regional Policy Statement.</u></i></p>	
Objective	Policies
<p>10.2.2 Optimise the long-term positive, environmental, economic and social benefits of the Ruakura Logistics- <u>ZoneArea</u>.</p>	<p>10.2.2a The development of the Ruakura Logistics <u>ZoneArea</u> shall proceed in a manner in which agglomeration benefits and operational efficiency are supported.</p> <p>10.2.2b Logistics and freight-handling activities and infrastructure shall be integrated into Hamilton’s pattern of development.</p> <p>10.2.2c Freight-handling and supporting activities and infrastructure shall be provided for in Sub Area A of the Ruakura Logistics <u>ZoneArea</u>. Logistics and supporting activities and infrastructure shall be provided for in Sub Area B of the Ruakura Logistics <u>ZoneArea</u>. Activities that do not support the freight-handling function of Sub Area A and the logistics function of Sub Area B shall be avoided.</p> <p>10.2.2d Activities sensitive to the adverse effects of logistics activities, freight-handling and supportive activities shall be avoided within the Ruakura Logistics- <u>ZoneArea</u>.</p>
<p><u>Explanation</u></p>	

The opportunity for the efficient use of land can be achieved through the creation of a specific zone to anchor the establishment and operation of a regionally significant inland port. Within the Logistics Zone, Sub Area A is to provide for the core activities of freight handling infrastructure, whereas Sub Area B is a distribution precinct to provide for logistics and support activities. This is a key component to realising the agglomeration benefits. Activities that do not support or strengthen the purpose of the zone shall be avoided.

Objective	Policies
<p>10.2.3 Adverse effects of logistics and freight- handling activities and infrastructure are avoided or mitigated.</p>	<p>10.2.3a The adverse effects of logistics and freight-handling activities and associated structures and infrastructure shall be avoided or mitigated by;</p> <ul style="list-style-type: none"> i. Ensuring an appropriate location and type of development in accordance with Figure <u>2-14 in Appendix 2.25H(1)</u>. ii. Separating logistics and freight-handling services and supportive activities and infrastructure from sensitive activities. iii. Ensuring that development visible from key transport corridors and open spaces meets appropriate bulk, location and design standards. iv. Imposing amenity controls to ensure that the adverse effects of logistics and Inland Port activities are avoided or mitigated when assessed from adjoining facilities or existing residential dwellings and <u>Large Lot Residential Country Living</u> zoned areas. v. Through the preparation, approval and implementation of a Noise <u>and Vibration</u> Management Plan that manages all noise generating activities in the Inland Port. v-vi. <u>Providing for the establishment of a Community Liaison Committee to enable the discussion and seek resolution of matters of potential concern to neighbouring residents and the owners and operators of the Inland Port.</u>
<p><u>Explanation</u></p> <p><i>Activities, structures and infrastructure associated with logistics and freight-handling have the potential to create adverse environmental effects that will need to be carefully managed. While primarily a greenfields site there are sensitive land uses such as residential dwellings in the surrounding areas. The protection of amenity for those properties within the Percival/Ryburn Road locality has been provided for through measures to manage effects at the boundary through planting, screening and bulk and location controls. The establishment of a Community Liaison Committee is one means</i></p>	

to promote the constructive discussion of these matters.

Any adverse effects of logistics and freight handling activities and infrastructure extends to the Knowledge Zone, including AgResearch, Waikato Innovation Park and the University of Waikato which require protection through mitigation measures outlined in the logistics provisions, in combination with other city-wide rules that address issues such as noise and odour.

10.3 Rules – Activity Status Table

Activity	Class
Sub Area A (Inland Port)	
a) Land Development Activities (refer Rule 3.7.3.2-25H.11)	RD*
b) Freight-handling activities	RD*
c) Temporary Logistics activities	C
d) Logistics and freight-handling infrastructure	RD*
e) New buildings, accessory buildings and alterations and additions to existing buildings (outside the Interface Design Control Area)	P
f) New buildings and associated development (within an Interface Design Control Area)	C
g) Alterations and additions to existing buildings within the Interface Design Control Area (other than minor works)	C
h) Minor Works to an existing building	P
i) Demolition/removal of existing buildings	P
j) Maintenance and repair to existing buildings	P
k) Any permitted, controlled or restricted discretionary activity listed above generating 1500 or more vehicle movements per day	RD*
l) Products transported in bulk	NC
m) Activities not otherwise provided for	NC
Sub Area B (Logistics)	
n) Land Development Activities (refer Rule 3.7.3.2-25H.11)	RD*
o) Logistics activities	P
p) Logistics and freight-handling infrastructure (<u>excluding rail sidings in Land Development Plan Area P, see Figure 2-16 in Appendix 2</u>)	P
q) New buildings, accessory buildings and alterations and additions to existing buildings (outside the Interface Design Control Area)	P
r) New buildings and associated development (within an Interface Design Control Area)	C
s) Alterations and additions to existing buildings within the Interface Design Control Area (other than minor works)	C

Activity	Class
t) Minor works to an existing building	P
u) Food and beverage outlets and dairies not exceeding 100m ² gross floor area	P
v) Demolition/removal of existing buildings	P
w) Maintenance and repair to existing buildings	P
x) Short-stay worker accommodation	RD*
y) Ancillary residential units	RD*
z) Any permitted, controlled or restricted discretionary activity listed above generating 1500 or more vehicle movements per day <i>(except Logistics Sub Area B west of Percival Road)</i>	RD*
aa) Activities not otherwise provided for	NC

Note

1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and Electricity National Grid Corridor.

10.4 Rules – General Standards

10.4.1 Permitted Activities

Permitted activities listed in Table 10.3 shall:

- a) Comply with the general standards in Rule 10.4 and the specific standards in 10.5, and
- b) Comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, 3.7.3.4, 3.7.3.5 and Rule 3.7.4 in Chapter 3 Structure Plans

10.4.2 All Other Activities

All activities listed in Table 10.3, other than permitted activities, shall:

- a) Comply with the general standards in Rule 10.4,
- b) Comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, 3.7.3.4, 3.7.3.5 and Rule 3.7.4 in Chapter 3 Structure Plans, and
- c) Be assessed against the assessment criteria in Rule 10.6 and 10.7 and Section 1.3.3 of Volume 2, Appendix 1: District Plan Administration – Assessment Matters and Criteria.

10.4.3 Site Coverage

a) Site coverage	Maximum site coverage 80%
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10.4.4 Permeable Surfaces

a) Permeability <u>across the entire site</u>	Minimum 20%
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10.4.5 Building Height

a) Height of buildings(including loading ramps, link spans, machinery rooms and cranes and other lifting or stacking equipment outside Sub Area A (Inland Port).	Maximum 20m
b) Height of loading ramps, link spans, machinery rooms and cranes and other lifting or stacking equipment within Sub Area A (Inland Port).	Maximum 35m
c) Height of container stacking within the Sub Area A (Inland Port), except as identified in (d) below.	Maximum 25m
d) Height of container stacking and buildings within 100m of the northern boundary of Sub Area A (Inland Port), or within 100m of the Spine Road as identified on Figure 2-17 in Appendix 2.25H(3) .	Maximum 12m
e) Height of container stacking outside Sub Area A (Inland Port).	Maximum 12m
f) Height of lighting towers, poles, aerials and flagpoles.	Maximum 35m

10.4.6 Building Setbacks

Building setbacks from	Minimum distance
i. Any transport corridor boundary.	10m
ii. Any boundary adjoining the Waikato Expressway (Designation E90 and E90a).	15m
iii. Internal boundaries within the Ruakura Logistics ZoneArea (excluding as provided for by i-ii above).	0m

10.4.78 Interface Standards

- a) No storage, stacking, loading or unloading of containers shall take place forward of the front building line of any building fronting a transport corridor or the Waikato Expressway designation.

10.4.8 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- [Chapter 3: Structure Plans](#)
- [Chapter 19: Historic Heritage](#)
- [Chapter 20: Natural Environments](#)
- [Chapter 21: Waikato River Corridor and Gullies](#)
- [Chapter 22: Natural Hazards](#)
- [Chapter 23: Subdivision](#)
- [Chapter 24: Financial Contributions](#)
- [Chapter 25: City-wide](#)

10.5 Rules – Specific Standards

10.5.1 Inland Port Community Liaison Committee

- (a) A Community Liaison Committee (CLC) shall be established by the Inland Port Owner at least three months prior to the application under Rule 3.7.3.225H.11 Land Development for the first stage of the Inland Port (Sub Area A (Inland Port)) and Sub Area B (Logistics) to the north of the East Coast Main Trunk Line. The first meeting shall take place at least two months prior to an application being made and a minimum of two meetings shall be held prior to an application being made.
- (b) Once the Inland Port (Sub Area A (Inland Port)) and Sub Area B (Logistics) to the north of the East Coast Main Trunk Line- are operational, the Inland Port Operator shall maintain and participate in the CLC, and the Inland Port Land Owner shall have no further obligations in respect to the CLC, except as set out in Rule 10.5.1f)25H.5.7.1(f), although is entitled to participate.
- (c) The purpose of the CLC shall be to provide a forum of ongoing consultation between the Inland Port Land Owner/Port Operator and owners and occupiers of properties on Ryburn Road, Percival Road and Brighton Grove concerning all staged development in the Inland Port (Sub Area A) and Logistics (Sub Area B) north of East Coast Main Trunk Line as defined in Figure 2-1425H(1), and to consider the following matters:
- i. Landscape planting plans required under Rule 10.5.425H.5.7 and as submitted with any application under Rule 3.7.3.225H.11 Land Development.
 - ii. The matters included in the Noise and Vibration Management Plan under Rule 10.5.225H.5.4.5.
 - iii. Inland Port operational matters.
 - iv. The timing of, and proposals for, Inland Port staging, future road closures and alternative access.
- (d) The CLC shall operate in accordance with the requirements set out in (i) to (iv) below:
- i. The CLC shall comprise of but is not limited to, the following members:
 - **Inland Port Land Owner** (up to 2 members) (prior to the commencement of the Inland Port operation).
 - **The Inland Port Operator** (up to 2 members) (following the commencement of the Inland Port operation).
 - **Hamilton City Council** (up to 1 member).
 - **Owners and occupiers of properties on Ryburn Road, Percival Road and Brighton Grove** (up to 2 members).
 - ii. The Inland Port Land Owner (and following the establishment of the Inland Port, the Inland Port Operator) shall be responsible for convening the meetings of the CLC and shall cover the direct and reasonable costs of running those meetings.
 - iii. Meetings of the CLC shall be convened at least three times during a calendar year, unless a lesser number is otherwise agreed by the CLC.

- iv. Neither the Inland Port Land Owner nor the Port Operator shall be in breach of Rule ~~10.5.125H.5.7.1~~ if the meeting has been convened but any one or more of the named members of the CLC above either do not wish to participate in the CLC or do not attend particular meetings, or if a quorum comprising 3 members has not been reached.
- (e) The Inland Port Owner or Inland Port Operator shall:
 - i. Nominate a representative to act as a liaison person for the CLC.
 - ii. Establish meeting protocols by agreement with other members of the CLC.
 - iii. Provide a meeting agenda and sufficient information to CLC members at least one week in advance of each CLC meeting to allow meaningful discussion on matters on the agenda. The Inland Port Owner or Inland Port Operator shall include any relevant matter that other members of the CLC request be included, subject to notice being given at least two weeks prior to the meeting.
 - iv. Keep minutes of each meeting and circulate a copy to the members of the CLC no later than one week after the meeting.
 - v. Provide the results of all noise monitoring undertaken since the last meeting, the details of any exceedances of the noise limits, and the details of any complaints received.
- (f) In the event of disputes arising between the owners and occupiers of properties on Ryburn Road, Percival Road and Brighton Grove and/or the Hamilton City Council and the Inland Port Operator, the Inland Port Owner shall attend a CLC meeting upon the reasonable request of any member of the CLC to seek to resolve the dispute.
- (g) The CLC may be discontinued if a minimum 75% majority of the CLC vote that it is no longer necessary. For clarity, this percentage shall be based on either the Inland Port Owner or the Inland Port Operator being a member of the CLC, not both.
- (h) In the event that, based on complaints received and/or monitoring undertaken, Hamilton City Council has reasonable grounds to show that the night-noise limits set out in Rule ~~25.8.3.1325H.13.1~~ are being exceeded in other residential areas than the Percival/Ryburn Road enclave, they may require the Inland Port Owner to invite up to two representatives of such areas to join the CLC.

10.5.2 Noise Management

- (a) Noise shall be managed in accordance with an approved Noise and Vibration Management Plan.

10.5.3 Container Repair Activities

- (a) No container repair activities that generate sudden loud noises shall be carried out between 1800 and 0700 hours.

10.5.4 Landscape Screening

10.5.4.1 Stage One (West of Percival Road)

- a) Prior to the operation of the first stage of the Inland Port (Sub Area A (Inland Port)) to the west of Percival Road, a 5m wide band of screen planting, shown as Interim Landscape Planting on Figure ~~2-17,25H(4)~~, shall be planted on the site along the boundary of Percival Road with suitable quick growing species that can be maintained thereafter to the planting heights shown on Figure ~~2-1725H(4)~~. This planting may be removed upon closure of Percival Road for the expansion of the Inland Port (Sub Area A (Inland Port)); and
- b) Prior to the operation of the first stage of the Inland Port (Sub Area A (Inland Port)), a 5m wide landscape buffer area as shown on Figure ~~2-1725H(4)~~ shall be planted along the northern boundary west of Percival Road and along that part of the northern boundary east of Percival Road (Lot 9, DPS 66853). The Landscape Buffer Area shall be planted with suitable quick growing tree species that can be maintained thereafter to the planting heights shown on Figure ~~2-17 25H(4)~~ and shall provide screening of the Inland Port (Sub Area A (Inland Port)) from Ryburn Road (including screening any required noise barrier). Where the required planting heights over the 1m or 3m sections of Landscape Buffer Areas cannot be met due to the requirements of the Electricity (Hazards from Trees) Regulations 2003, alternative screen planting that achieves a height of 4m shall be provided on 111 Percival Road (Lot 2, DPS 77458) either:
 - i. Along its southern boundary adjacent to and at an equivalent length; or
 - ii. Along its eastern boundary northwards from Percival Road to a point at the intersection of Brighton Grove.

Provided that, in either case, a sufficient gap for access shall be ensured through that land.

10.5.4.2 Stage Two (Following Closure of Ruakura Road and Percival Road)

- a) Prior to the development of any land within the Inland Port (Sub Area A (Inland Port)) following the closure of Ruakura Road and Percival Road, the Landscape Buffer Area shall be extended along the full length of the northern boundary at widths of 5m to 20m as shown on Figure ~~2-1725H(4)~~ and shall be planted with quick growing tree species that can be maintained at a height of no less than 12m for the full length of the boundary.

10.5.4.3 Stage Three (north of east coast main trunk line)

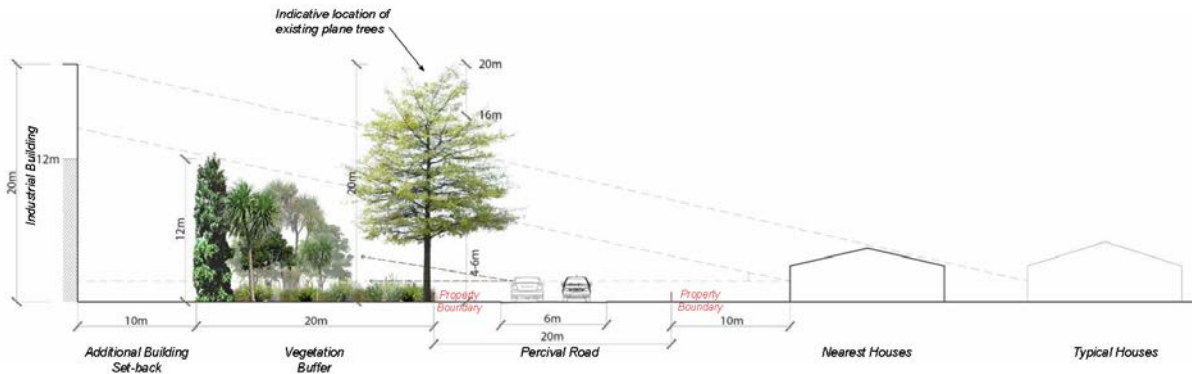
a) Prior to the development of any land within the Ruakura Logistics Zone Sub Area B (north of east coast trunk line) the Landscape Buffer Area outlined in Appendix 2 Figure 2-14 and Appendix 17 Planning Maps shall be established.

b) Landscape Buffer Area (as indicated in Figure 10.5.4.3a below) to include;

- a. Retention of the existing plane trees (and planting of additional trees to fill the gaps) and replacement planting where necessary;
- b. On the boundary of landscape buffer area (i.e. the furthest from Percival Road) a dense evergreen hedge to no less than 12m in height;
- c. A 20m setback consisting of an informal band of indigenous vegetation to provide understory planting between the hedge and the road boundary;

- d. A 10m building setback within the relevant Ruakura Logistics Zone from the edge of the 20m indigenous vegetation outlined in 10.5.4.3c) above;
- e. A 30m setback from Percival Road consisting of 10.5.4.3a), b), c) and d).

Figure 10.5.4.3a: Landscape Buffer Area



10.6 Controlled Activities: Matters of Control

- (a) a) In determining any application for resource consent for a controlled activity, the Council shall reserve its control over the following matters.

Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)
i. New buildings and associated development within an Interface Design Control Area*	<ul style="list-style-type: none"> • B – Industrial Zone • E – Ruakura Logistics Zone
ii. Alterations and additions to existing buildings within the Interface Design Control Area*	<ul style="list-style-type: none"> • B – Industrial Zone • E – Ruakura Logistics Zone
iii. Temporary logistics activities in Sub Area A	<ul style="list-style-type: none"> • E – Ruakura Logistics Zone

10.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion.

Activity	Matter of Discretion (Refer to Volume 2, Appendix 1.3.32)
i. Ancillary residential units*	<ul style="list-style-type: none"> • C – Character and Amenity • M – Ruakura
ii. Short-stay worker accommodation	<ul style="list-style-type: none"> • C – Character and Amenity • M – Ruakura
iii. Freight-handling activities, Logistics activities and Logistics and freight-handling infrastructure	<ul style="list-style-type: none"> • M – Ruakura
iv. Any activity generating 1500 or more vehicle movements per day	<ul style="list-style-type: none"> • G – Transportation

10.8 Notification Rule

- a) Except as provided for by Section 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act applications for any Restricted Discretionary Activity identified with an asterisk (*) in the table above will be considered without notification or the need to obtain approval from affected persons.

10.9 Discretionary and Non-complying Activities

- a) In determining any application for a discretionary activity or a non-complying activity, Council shall have regard to all matters identified in Volume 2, Appendix 1.3: District Plan Administration – Discretionary Activity Assessment Criteria.

10.10 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- [How to Use this District Plan](#)
- [Explanation of Activity Status](#)
- [Activity Status Defaults](#)
- [Notification Defaults](#)
- [Rules Having Early or Delayed Effect](#)

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- [Controlled Activities – Matters of Control](#)
- [Restricted Discretionary Activities – Matters for Discretion and Assessment Criteria](#)
- [Discretionary Activity Assessment Criteria](#)
- [Design Guides and Design Assessment Criteria](#)
- [Information Requirements](#)
- [Acronyms Used in the District Plan](#)
- [Definitions Used in the District Plan](#)
- [Other Methods of Implementation](#)

11 Ruakura Industrial Park **ZoneArea**

11.1 Purpose

- a) The Ruakura Industrial Park **ZoneArea** is an important component of the overall development concept for Ruakura. Ruakura is strategically located and is of an appropriate scale to enable the development of a large, structure planned urban extension. The core to the development concept is the creation of an Inland Port (Sub Area A (Inland Port)) and a logistics hub (Sub Area B (Logistics)).
- b) Key attributes of the *three areas for the* Ruakura Industrial Park **ZoneArea** include its location adjoining strategic infrastructure, including the expressway, *the Spine Road*, the Inland Port, and key educational, research and innovation facilities and the co-locational benefits for businesses that are derived from these facilities. Its location means it also has an important role as a gateway into Hamilton.
- ~~b)c)~~ *There are three industrial park areas. One fronts onto Wairere Drive and the proposed fifth avenue extension (Fifth Avenue Industrial Park). The second is in the vicinity of the Silverdale area, south of the Waikato Expressway connection (Silverdale Industrial Park). The third is north of the Large Lot Residential Zone (Percival and Ryburn Roads) and bounded by the Waikato Expressway on the eastern side and will have access off the Spine Road.*
- ~~c)d)~~ The industrial park concept will be achieved by requiring a high standard of design for all buildings, landscaping and buffer areas and restricting certain types of industrial activities. This includes requiring setbacks from sensitive land uses including a 40m setback from existing residential development to the south-east of the Structure Plan area.
- ~~d)e)~~ The provisions also seek to ensure that the Ruakura Industrial Park **Zone Area** is not occupied by land uses that are non-industrial, unless they are either ancillary to industrial use, support industrial uses, or are more appropriately located within an industrial environment than a business centre. This will reduce the potential for industrial land to be diluted by non-industrial uses, resulting in pressure for new industrial land to be zoned elsewhere, and for existing industrial land to be rezoned to commercial use.

11.2 Objectives and Policies: Ruakura Industrial Park Zone

Objective	Policies
11.2.1 Industrial land uses, appropriate to the Industrial Park and surrounding environment, are able to establish and operate in an efficient and effective manner.	11.2.1a Industrial activities and supportive activities and infrastructure shall be provided for, subject to the land allocation set out in <i>FigureTable 2-1425H(1)</i> , and the provision of required infrastructure, including roading and Three Waters.
	11.2.1b Noxious or offensive activities shall be avoided.
	11.2.1c Non-industrial uses shall establish and operate

	<p>only where they are ancillary and supportive to industrial activities.</p>
	<p>11.2.1d Non-industrial uses shall not adversely affect the industrial use of the Ruakura Industrial Park <u>ZoneArea</u> and shall avoid adverse effects on function, vitality and amenity of the central city and other centres.</p>
<p><u>Explanation</u></p>	
<p><i><u>The area has excellent accessibility to other areas of Hamilton and to infrastructure including the Waikato Expressway, the national rail network and the inland port. The key to success will be maximising the strategic and co-locational benefits of the land.</u></i></p> <p><i><u>Some industrial activities are to be excluded from the Ruakura Industrial Park Zone. Activities to be excluded are heavy industries which would be more suited to a less sensitive industrial environment.</u></i></p> <p><i><u>Within the Ruakura Industrial Park Zone activities that are non-industrial and that are provided for in other parts of the City should in general not be carried out within the zone. The District Plan sets as the key principle in this regard that industrial land should be preserved for industrial activities, but also includes provision for a range of non-industrial activities considered to be ancillary to industrial activity, that support industrial activities, or specific forms of commercial activity that are acceptable within industrial environments, and/or due to their characteristics are better located within an industrial environment.</u></i></p>	
Objective	Policies
<p>11.2.2 The creation of a high amenity industrial environment.</p>	<p>11.2.2a High amenity levels within the Ruakura Industrial Park <u>ZoneArea</u> shall be developed through well designed buildings in the Interface Design Control Area, front yard requirements, setbacks from major roads, Open Space <u>ZonesAreas</u> and residential areas, and through landscaping and screening.</p>
<p><u>Explanation</u></p>	
<p><i><u>The industrial park concept will be achieved by requiring a high standard of design for all buildings, landscaping and buffer areas and restricting certain types of industrial activities.</u></i></p> <p><i><u>The Industrial Park Zone will enable a high amenity employment area. The purpose of this is to create a gateway to the City, a functional and attractive employment area, maintain an appropriate relationship with surrounding land uses and to contribute to raising amenity levels within the City generally.</u></i></p>	
Objective	Policies
<p>11.2.3 Adverse effects of industrial activities are avoided or mitigated.</p>	<p>11.2.3a The adverse effects of industrial activities shall be avoided or mitigated by;</p>

	<ul style="list-style-type: none"> i. Ensuring an appropriate location and type of development in accordance with Figure 2-14 25H(1). ii. Ensuring that development visible from key transport corridors and open spaces meets appropriate bulk and location and design standards. iii. Imposing amenity controls to ensure that the adverse effects of industrial activities on adjoining facilities or existing residential areas are avoided or mitigated.
<u>Explanation</u>	
<i><u>Industrial activities can generate adverse amenity effects beyond the boundaries of the zone. These can have an impact on residential and open space areas where expectations for amenity are far higher.</u></i>	

11.3 Rules – Activity Status Table

Activity	Class
a) Land Development Activities (refer Rule- 3.7.3.225H-11)	RD*
b) New buildings and development	P
c) New buildings and associated development (within an Interface Design Control Area)	C
d) Industrial activities excluding activities (gf) to (kj) below	P
e) Any activity requiring an air discharge consent under the Waikato Regional Plan within 100m of residential activities	RD
f) Logistics and freight-handling activities	P
g) Any noxious or offensive activity	NC
h) Motor vehicle dismantling and repair	NC
i) Recycling plants including the associated storage of metals, plastics, glass, electronic components or batteries prior to processing	NC
j) Processes involving the flaring or incineration of trade wastes or refuse	NC
k) The manufacture or blending of bulk products of fertiliser, animal feed, roading materials, gardening materials, concrete and aggregate	NC
l) Offices	NC
m) Ancillary offices	P
n) Retail	NC
o) Wholesale retail and trade supplies	RD*
p) Transportation service centre	RD*
q) Drive-through services	RD*
r) Commercial motor vehicle sales and servicing	RD*

Activity	Class
s)q) Yard-based retail other than as provided for as a permitted activity	NC
t)r) Food and beverage outlets and dairies not exceeding 250m ² gross floor area	P
u)s) Ancillary retail	P
v)t) Emergency service facilities	RD*
w)u) Passenger transport facilities	P
x)v) Transport depot	RD*
y)w) Parking lots and parking buildings	P
z)x) Accessory buildings	P
aa)y) Minor works to an existing building	P
bb)z) Alterations and additions to existing buildings (other than minor works) outside the Interface Design Control Area	P
ee)aa) Alterations and additions to existing buildings (other than minor works) within an Interface Design Control Area	C
dd)bb) Ancillary residential unit	RD*
ee)cc) Childcare facilities	RD*
ff)dd) Permitted activities which fail to meet the criteria Specific Standards in Rule <u>11.425H.6.57</u>	D
gg)ee) Any activity not complying with the Transportation Service Centre access standard in Rule <u>11.5.225H.46.6.2</u>	D
hh)ff) Any permitted, controlled or restricted discretionary activity listed above generating 1500 or more vehicle movements per day <u>and is within the Fifth Avenue or Silverdale Industrial Parks</u>	RD*
ii) Activities not provided for	NC

Note

1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide - Network Utilities and the Electricity National Grid Corridor.

11.4 Rules – General Standards

11.4.1 Permitted Activities

Permitted activities listed in Table 11.3 shall:

- a) Comply with the general standards in Rule 11.4 and, where relevant, the specific standard in Rule 11.5.1, and
- b) Comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, 3.7.3.4 and Rule 3.7.4 in Chapter 3: Structure Plans

11.4.2 All Other Activities

All activities listed in Table 11.3, other than permitted activities, shall:

- a) Comply with the general standards in Rule 11.4 and, where relevant, the specific standards in Rule 11.5,
- b) Comply with Rules 3.7.3.1, 3.7.3.2, 3.7.3.3, 3.7.3.4, 3.7.3.5 and Rule 3.7.4 in Chapter 3: Structure Plans, and
- c) Be assessed against the assessment criteria in Rule 11.6 and 11.7 and Section 1.3.3 of Volume 2, Appendix 1: District Plan Administration – Assessment Matters and Criteria.

11.4.3 Building Setbacks

Building setback from	Minimum distance
a) Transport corridor boundary – local and collector transport corridors roads	5m
b) Transport corridor boundary – major and minor arterial roads <u>arterial transport corridors</u>	15m
c) Waikato Expressway (Designation <u>90</u>)	<u>40m from the edge of the expressway carriageway for protected premises and facilities</u> 15m from designation boundary for other buildings
d) Any boundary adjoining any Open Space Zone Areas	8m
e) Other boundaries	0m
f) Any boundary adjoining a Residential Zone Area	40m

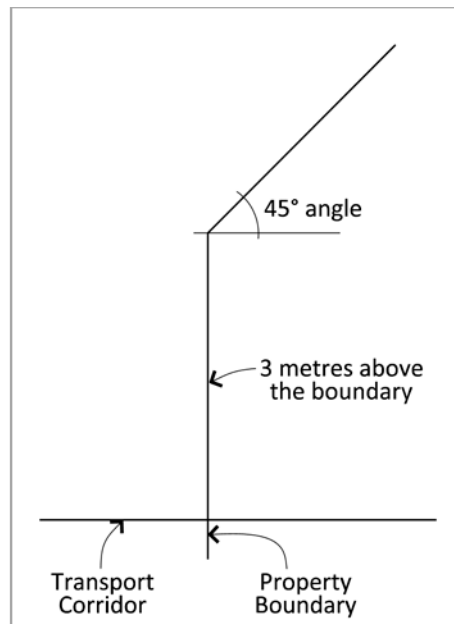
11.4.4 Building Height

a) Maximum building height	20m
b) Maximum container stacking height	6m

11.4.5 Height in Relation to Boundary

- a) No part of a building may penetrate a height control plane rising at an angle of 45 degrees (except for the southern boundary where it is measured at 28 degrees) starting at an elevation of 3m above the boundary of any adjacent Residential, Special Character or Open Space Zones (refer to Figure 11.4.5b).

Figure 11.4.5b: Height control plane for boundaries adjacent to any Residential, Special Character or Open Space Zones



11.4.6 Site Coverage

Maximum 75%.

11.4.7 Site Landscaping

- (a) In addition to the requirements for planting and buffer strips, 20% of the site area shall be landscaped. This requirement may be reduced to 10% of each site where:
- i. The reduction in landscaping is used for car parking purposes.
 - ii. Such car parking is designed in such a way as to be substantially hidden from view from the road and adjoining properties by either:
 1. Excavation
 2. Mounding
 3. Landscape planting or
 4. A combination of one or more of the foregoing, so as to be visually integrated into the remaining landscaped area.
 - iii. Except that landscaping shall always be provided for in required yards adjoining public open space reserve vested in Council and stormwater treatment and control areas.
 - iv. Front yard fences (other than fencing of side yards to the street front) shall be located at or behind the façade of the building facing the street.

11.4.8 Site Layout

- (a) No more than 50% of the area between a building on the site (where that building is within 15m of the front boundary) and the front boundary of the site

shall be used for car parking and/or vehicle manoeuvring. Rear sites are excluded from this requirement.

- (b) No plant or machinery (including air-conditioning units) relating to the activity shall be placed within any building setback.
- (c) Front yards shall not be used for Industrial operational activities (other than access and carparking) or storage areas.
- (d) Offices ancillary to industrial buildings shall be located at the front of building and facing the road. On corner sites, offices are only required to face one road.

11.4.9 Interface Standards

- a) No storage, loading or unloading of containers shall take place forward of the front building line of any building fronting a transport corridor or the Waikato Expressway.

11.4.10 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

11.5 Rules – Specific Standards

11.5.1 Ancillary Retail

- a) Ancillary retail activity shall not occupy more than 10% of the floor space of the principal industrial activity on the site.

11.5.2 Transportation Service Centres

- a) Transportation Service Centres shall be provided with access directly from a State Highway or shall have frontage to an arterial road.

11.5.3 Landscape Screening

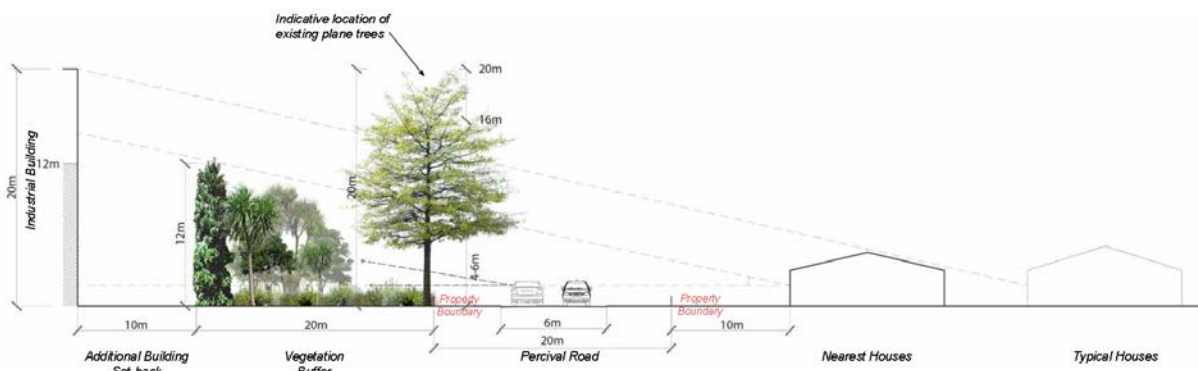
North of east coast main trunk line

a) Prior to the development of any land within the Ruakura Industrial Park Zone (north of Percival Road) the following applies within the Landscape Buffer Area outlined in Appendix 2 Figure 2-14 and Appendix 17 Planning Maps shall be established.

b) Landscape Buffer Area (as indicated in Figure 11.5.3a below) to include;

- a. Retention of the existing plane trees (and planting of additional trees to fill the gaps) and replacement planting where necessary;
- b. On the boundary of Landscape Buffer Area (i.e. the furthest from Percival Road) a dense evergreen hedge to no less than 12m in height;
- c. Informal band of indigenous vegetation to provide understory planting between the hedge and the road boundary;
- d. A 10m building setback within the relevant Ruakura Industrial Park Zone from the edge of the 20m indigenous vegetation outlined in 11.5.3c) above;
- e. A 30m setback from Percival Road consisting of 11.5.3a), b), c) and d).

Figure 11.5.3a: Landscape Buffer Area



11.6 Controlled Matters: Matters of Control

- a) In determining any application for resource consent for a controlled activity, the Council shall reserve its control over the following matters.

Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)
i. New buildings and associated development within an Interface Design Control Area*	<ul style="list-style-type: none"> • <u>B – Industrial</u> • <u>E – Ruakura Logistics Zone</u>
ii. Alterations and additions to existing buildings within the Interface Design Control Area*	<ul style="list-style-type: none"> • <u>B – Industrial</u> • <u>E – Ruakura Logistics Zone</u>

11.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion.

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3.32)
iv. Any activity requiring an air discharge permit under the Waikato Regional Plan within 100m of residential	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
vi. Wholesale retail and trade supplies*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
vii. Transportation service centre*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
viii. Drive-through services*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u> • <u>G – Transportation</u>
ix. Commercial motor vehicle sales and servicing*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
x. Transport depot	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
xiii. Ancillary residential units*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
xiv. Childcare facilities*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
xv. Emergency services facilities*	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>F – Hazards and Safety</u>
xv. Any activity generating 1500 or more vehicle movements per day <u>and is within the Board of Inquiry Plan Change Area</u>	<ul style="list-style-type: none"> • <u>G – Transportation</u>

11.8 Notification Rule

- a) Except as provided for by sections 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act applications for any Restricted Discretionary Activity identified with an asterisk (*) in the table above will be considered without notification or the need to obtain approval from affected persons.

11.9 Discretionary and Non-complying Activities

- a) In determining any application for a discretionary or a non-complying activity, Council shall have regard to all matters identified in Volume 2, Appendix 1.3: District Plan Administration – Discretionary Activity Assessment Criteria.

11.10 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification Defaults
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Controlled Activities – Matters of Control
- Restricted Discretionary Activities – Matters for Discretion and Assessment Criteria
- Discretionary Activity Assessment Criteria
- Design Guides and Design Assessment Criteria
- Information Requirements
- Acronyms Used in the District Plan
- Definitions Used in the District Plan
- Other Methods of Implementation

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15 Open Space Zones

15.1 Purpose

- a) Hamiltonians enjoy the benefit of open space spread throughout the City. Open space is an important part of providing for the social, economic and cultural wellbeing of a community. It is important that Hamilton has land to accommodate parks, sports fields, recreational facilities, amenity areas, buffers and areas with natural value. Frequently, particular open space areas will serve a number of these values. Many open spaces provide links between different parts of the City for pedestrians and cyclists. Open space may also provide for Three Waters assets, solid waste infrastructure and ecological networks.
- b) Reserves are a type of public open space, managed by Council. Management plans, developed subject to the Reserves Act 1977, provide for the day-to-day management of activities on reserves. The District Plan manages the environmental effects of activities.
- c) ~~Five~~ Open Space Zones are provided in this District Plan.
- i. Natural.
 - ii. Neighbourhood.
 - ~~ii~~-iii. *Ruakura*
 - ~~iii~~-iv. Sport and Recreation.
 - v. Destination.
- d) The Natural Open Space Zone includes publicly and privately owned areas that possess natural or landscape values. It is important to protect these areas from disturbance, modification, buildings and uses that would compromise these values. This zone includes esplanade reserves (e.g. river banks and lakes), reserves in gullies, and indigenous vegetation on private land and public reserves (e.g. Grove Park and Jubilee Park), Significant Natural Areas identified in Chapter 20: Natural Environments, and the surface of water.
- e) The Neighbourhood Open Space Zone includes amenity areas and neighbourhood parks. Amenity areas provide visual relief, links between neighbourhoods and buffers between potentially incompatible activities.
- Neighbourhood parks provide for passive recreation and serve as a focal point for the local community. These areas give opportunities for relaxation, walking, children's play, jogging and picnics. Buildings are limited to public toilets and park maintenance buildings.
- ~~f)~~ *The Ruakura Open Space Zone is intended to accommodate and provide for a range of functions including stormwater and ecological management, a well-connected pedestrian and cycleway network linking open space land, neighbourhood parks for passive and informal recreation, and amenity strips between different activity zones.*
- g)f) The Sport and Recreation Open Space Zone includes sports fields (grassed and artificial), courts, greens, athletic tracks, their surrounds and other facilities used predominantly for organised, competitive sports or active recreation. Spectator

stands, clubrooms, toilets, changing rooms, car parks and lighting are often associated with this type of open space.

- hg) The Destination Open Space Zone includes open spaces that cater for a City-wide or regional catchment and are often large areas with a combination of functions and values. A higher level of use and development of these areas is anticipated. These areas include Hamilton Gardens, Hamilton Lake Domain, Claudelands Park, Civic Square and Garden Place.
- ih) Any open space may have additional functions or features such as stormwater management and walkway or cycleway networks, significant natural areas, cultural sites, archaeological sites and historic buildings. This is appropriate provided the predominant function and values of the open space are not compromised.

15.2 Objectives and Policies: Open Space Zones

All Open Space Zones

Objective	Policies
<p>15.2.1 Development and activities must complement the functions and values of the particular open space and the surrounding environment.</p>	<p>15.2.1a Open space shall be developed and used in accordance with any relevant operative Reserves Act Management Plan.</p>
	<p>15.2.1b Buildings and structures shall be designed and sited to be compatible with the function and predominant purpose of the open space.</p>
	<p>15.2.1c Development shall recognise and protect the function of current Three Waters and solid waste assets and infrastructure.</p>
	<p>15.2.1d Development and use of open space shall be managed through specific zoning.</p>
	<p>15.2.1e Development and use of open space shall recognise and support the objectives and policies for adjacent Central City precincts.</p>
<p>Explanation</p>	
<p><i>There are five Open Space Zones which reflect the values and functions relevant to each category of open space. The provisions of these zones ensure the level of activity and development is appropriate to the type of open space. In addition to District Plan controls, Reserves Act Management Plans give further certainty through providing information on the day-to-day management of open space. Where an activity does not fit with the provisions of a particular Open Space Zone, it may be relevant to look at the applicable Reserves Act Management Plan for guidance on what is anticipated</i></p>	

<i>in that particular open space.</i>	
Objective	Policies
<p>15.2.2 Open space accommodates a range of functions where appropriate.</p>	<p>15.2.2a An appropriate mix of activities shall be accommodated.</p>
	<p>15.2.2b Open space may accommodate stormwater management functions, natural, heritage, recreational and amenity values which should be considered as part of the design.</p>
	<p>15.2.2c Public access, walkways and cycleways shall be maintained and enhanced within areas of open space, provided that adverse effects on the amenity, natural and heritage values of those areas are minimised.</p>
	<p>15.2.2d The design and management of structures and activities in Garden Place shall protect vehicle access to properties that have no alternative means of access.</p>
Explanation	
<p><i>Some open spaces serve additional functions, such as stormwater, walkways and cycleways. While it is important to take advantage of such opportunities, care needs to be taken to ensure that the primary function of the open space is not compromised and all values can coexist in a compatible manner.</i></p> <p><i>While the primary function of Garden Place is as open space, vehicle access for specific properties needs to be protected.</i></p>	
Objective	Policies
<p>15.2.3 Well designed and safe open space.</p>	<p>15.2.3a Open space shall be designed and developed to ensure a safe physical environment by:</p> <ul style="list-style-type: none"> i. Providing clear sightlines that maximise visibility of public areas, provided that natural values are not compromised. ii. Achieving passive surveillance by having open space that is overlooked by surrounding development.
	<p>15.2.3b Buildings shall be of a design, bulk and scale that is compatible with the open space and the surrounding environment.</p>
	<p>15.2.3c</p>

	Landscaping shall enhance the amenity of the open space and surrounding environment.
	15.2.3d Any car parking shall be integrated into the site without compromising the open space values and functions.
	15.2.3e Where possible, open space shall be accessible to all, including the disabled.

Explanation

It is important that open space is well designed with regard to site layout and built form. This is to ensure that development is sympathetic to the function and values of a particular open space and it is pleasant and safe to use.

Objective	Policies
15.2.4 Open spaces are used and developed in a way that minimises adverse effects on the surrounding environment.	15.2.4a Buildings, structures and activities shall be designed, sited, operated and maintained to address the potential adverse effects of visual intrusion, loss of sunlight and daylight, noise, glare, lighting and traffic.
	15.2.4b The amenity of the surrounding environment shall not be adversely affected by the scale of buildings or activities on open space.

Explanation

It is important to manage the adverse effects of open space activities on the surrounding environment. Adverse effects include visual intrusion, loss of sunlight and daylight, noise, glare, lighting and traffic.

Natural Open Space Zone

Objective	Policies
15.2.5 Activities within the Natural Open Space Zone are consistent with and contribute to the conservation and restoration of natural character.	15.2.5a Development and use of sites in the Natural Open Space Zone shall: <ul style="list-style-type: none"> i. Support and protect landscape features, ecosystems, biodiversity and ecological links throughout the City. ii. Minimise the number and scale of buildings. iii. Contribute to the restoration of the health of the Waikato River through the retention of existing and creation of new esplanade reserves. iv. Retain vegetation and large specimen trees. v. Maintain or enhance indigenous vegetation and

	habitats.
15.2.6 Activities on the surface of water are consistent with the ecological, cultural and amenity values of the water body.	<p>15.2.6a Activities and structures on the surface of water shall not adversely affect:</p> <ul style="list-style-type: none"> i. Amenity values, particularly through noise. ii. Ecological values, particularly in relation to water quality, bank stability or riparian and aquatic habitat quality, or by transfer of aquatic weeds to and from water bodies. iii. Cultural values. iv. Water flows, particularly through the creation of natural hazards. v. Public access to water bodies. <p>15.2.6b Activities on the surface of water shall be managed to minimise conflicts between users.</p>

Neighbourhood Open Space Zone

Objective	Policies
15.2.7 Activities and development within the Neighbourhood Open Space Zone provide for informal recreation, links between neighbourhoods, visual amenity, and buffers between potentially incompatible activities.	<p>15.2.7a Development and use of sites in the Neighbourhood Open Space Zone shall:</p> <ul style="list-style-type: none"> i. Retain the majority of the site free from buildings. ii. Ensure that location, design, bulk and scale of buildings are compatible with the size and purpose of the open space and with neighbouring properties.

Sport and Recreation Open Space Zone

Objective	Policies
15.2.8 Provide for organised sport for the local, City-wide and regional communities.	<p>15.2.8a Development and use of sites in the Sport and Recreation Open Space Zone shall:</p> <ul style="list-style-type: none"> i. Enable open space to be used for a range of recreational facilities and activities serving the City and region. ii. Ensure that buildings, structures and activities are designed, located and operated so adverse effects on the amenity of the open space or the surrounding environment are minimised.

Destination Open Space Zone

Objective	Policies
<p>15.2.9 Provide high-quality open spaces that cater for a City-wide and regional catchment and accommodate a variety of uses and values.</p>	<p>15.2.9a Development and use of sites in the Destination Open Space Zone shall:</p> <ul style="list-style-type: none"> i. Enable a range of high-quality recreational and community facilities and activities serving the City and region. ii. Ensure that buildings, structures and activities are designed, located and operated so adverse effects on the amenity of the open space and the surrounding environment are minimised.
<p>Explanation</p>	
<p><i>The four Open Space Zones accommodate community needs for both active and passive open space, including protection of natural areas, and cater for City-wide functions and values. The effects of activities will be controlled in relation to the intensity of use, and the sensitivity and amenity of the surrounding environment, having regard to the overall purpose of the particular open space. Note that this is supplemented by the scheduling of archaeological and cultural sites and significant natural areas.</i></p>	

Ruakura Open Space Zone

<u>Objective</u>	<u>Policies</u>
<p>15.2.10 <u>The Open Space Zone at Ruakura shall be provided for and developed as a connected network to achieve a range of functions including passive recreation, active recreation, connectivity, enhancement of amenity, stormwater management and enhancement of ecological values.</u></p>	<p>15.2.10a <u>The location, size and connectivity of the Open Space Zone shall be provided in accordance with that shown on Figure 2-14 in Appendix 2.</u></p>
	<p>15.2.10b <u>A range of activities shall be provided for within the Open Space Zone.</u></p>
	<p>15.2.10c <u>The Open Space Zone shall be developed in a staged and comprehensive manner in accordance with a Land Development Plan.</u></p>
	<p>15.2.10d <u>A network of public access, walkways and cycleways shall be established within the Open Space Zone providing connections to the road network and the Kirikiriroa Stream and Mangaonua Stream gully systems.</u></p>
	<p>15.2.10e <u>The Open Space Zone shall assist stormwater management and function as a corridor for network utilities including transmission lines.</u></p>

	<p>15.2.10f <u>The Open Space Zone shall provide for habitats for indigenous flora and fauna including black mudfish, eels, bats and lizards to enhance long-term ecological resilience.</u></p> <p>15.2.10g <u>Planting undertaken in the Open Space Zone shall include indigenous plant species which are eco-sourced from within the Waikato region, reflect natural plant assemblages and include trees that have capacity to develop cavities to provide habitats for bats.</u></p> <p>15.2.10h <u>The Open Space Zone shall provide for a greenway with a suitable form to enhance long term ecological function, including:</u></p> <ul style="list-style-type: none"> <u>i. All of the natural stormwater treatment infrastructure.</u> <u>ii. Stepping stone patches of indigenous trees and shrubs.</u> <u>iii. Bio-physical and natural features that maximise habitat opportunities for indigenous flora and fauna.</u> <u>iv. Indigenous plants characteristic of natural plant assemblages eco-sourced from the Waikato Region.</u> <u>v. Linear wetlands to support viable populations of black mudfish and eels.</u>
<p><u>Explanation</u></p> <p><u>The addition of a specific Ruakura Open Space Zone recognises the unique and multifunctional role of the open space area. This is evident through the inclusion of special provisions for habitats for indigenous flora and fauna, including black mudfish, eels, bats and lizards are provided to enhance long term ecological resilience at Ruakura.</u></p> <p><u>The open space also provides for active and passive recreation along with public access throughout.</u></p> <p><u>The provision for a key linkage between the Kirikiriroa and Mangaonua Gully Systems and for the management of stormwater and a corridor for network utilities is provided.</u></p> <p><u>The open space also acts as a buffer between any incompatible activities within the Ruakura area. The Land Development Plan process identifies the relationship of the open space and function of this zone within the particular area. The approach to open space at Ruakura is comprehensive and integrated.</u></p>	

15.3 Rules – Activity Status Table

Activity	Open Space Zones				
	Natural	Neighbourhood	Sport and Recreation	Destination	<u>Ruakura</u>
Land Development					
<u>a)</u> Land Development Activities (refer Rule 3.7.3.2)	=	=	=	=	<u>RD*</u>
Buildings					
b) New buildings, alterations and additions to buildings (other than park maintenance buildings and public toilets) associated with a permitted activity*	D	D	RD	RD	<u>RD*</u>
<u>cb)</u> Demolition of existing buildings and structures	P	P	P	P	<u>P</u>
<u>de)</u> Demolition or removal of, or alterations or additions to, any building or structure on Lot 288 DP S929	-	D	-	-	=
<u>ee)</u> Park maintenance buildings	P	P	P	P	<u>P</u>
<u>fe)</u> Public toilet	P	P	P	P	<u>P</u>
<u>gf)</u> Maintenance and repair	P	P	P	P	<u>P</u>
Activities					
<u>hg)</u> Ancillary office	D	D	P	P	=
<u>ih)</u> Changing rooms	D	D	P	P	<u>D</u>
<u>ji)</u> Clubrooms	D	D	P	P	<u>D</u>
<u>kj)</u> Commercial activities on the surface of water	RD	-	-	-	=
<u>lk)</u> Community garden	D	P	P	P	<u>P</u>
<u>ml)</u> Community centre	D	D	P	P	<u>D</u>
<u>nm)</u> Conference facilities	D	D	P	P	=
<u>oa)</u> Customary activities	P	P	P	P	<u>P</u>
<u>pe)</u> Floodlights	D	D	P	P	<u>D</u>
<u>qf)</u> Indoor recreation	D	D	P	P	<u>D</u>
<u>re)</u> Informal recreation	P	P	P	P	<u>P</u>
<u>sf)</u> Maintenance of existing features, including buildings, structures and grounds	P	P	P	P	<u>P</u>
<u>ts)</u> Motorised commercial activities on land	D	D	D	D	=
<u>ut)</u> Organised recreation	P	P	P	P	<u>P</u>

Activity	Open Space Zones				
	Natural	Neighbourhood	Sport and Recreation	Destination	<u>Ruakura</u>
<u>yt</u>) Park furniture	P	P	P	P	<u>P</u>
<u>wv</u>) Pest control	P	P	P	P	<u>P</u>
<u>xw</u>) Pontoon/jetty	RD	RD	RD	RD	<u>D</u>
<u>yx</u>) Private recreation on the surface of water (excluding Lakes Waiwhakareke and Rotokaeo)	P	-	-	-	<u>-</u>
<u>zy</u>) Private recreation on the surface of Lakes Waiwhakareke and Rotokaeo	D	-	-	-	<u>-</u>
<u>aaz</u>) Public art	P	P	P	P	<u>P</u>
<u>bbaa</u>) Retail	D	D	P	P	<u>-</u>
<u>ccab</u>) Restaurant	D	D	D	P	<u>-</u>
<u>ddae</u>) Spectator facility	D	D	P	P	<u>D</u>
<u>eead</u>) Removal of vegetation or trees*	RD	P	P	P	<u>P</u>
<u>ffae</u>) Planting, pruning, and maintenance of vegetation or trees	P	P	P	P	<u>P</u>
<u>ggaf</u>) Walkways and cycleways	P	P	P	P	<u>P</u>
<u>hhag</u>) Subdivision	Refer to Chapter 23: Subdivision and Chapter 24: Financial Contributions				
<u>ii) Stormwater treatment devices (including ponds and swales)**</u>	=	=	=	=	<u>P</u>
<u>jj) Stormwater treatment ponds and wetlands (excluding swales) in the Ruakura Open Space Zone adjacent to the northern boundary of properties on Sheridan Street and Nevada Road, except where approved as part of a Land Development Plan**</u>	=	=	=	=	<u>RD</u>

Note

1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor.
2. Refer to Waikato Regional Council Navigation Safety Bylaw for activities on the surface of the water.
3. Refer to Chapter 1.1.9 for activities marked with an (*).
4. For any activity not identified above, see Section 1.1.8.1.
5. Those activities marked with an (**) do not apply to those areas identified within an approved Land Development Plan for a neighbourhood reserve function.

15.4 Rules – Interpretation of Ruakura Open Space Zone

- a) The Ruakura Structure Plan identifies specific open space widths in Figure 2-14 in Appendix 2. Where a width is specified the open space area is considered fixed, whereby only minor amendments in relation to alignment with the Spine Road

whilst still meeting the minimum widths identified could occur through a Land Development Plan process.

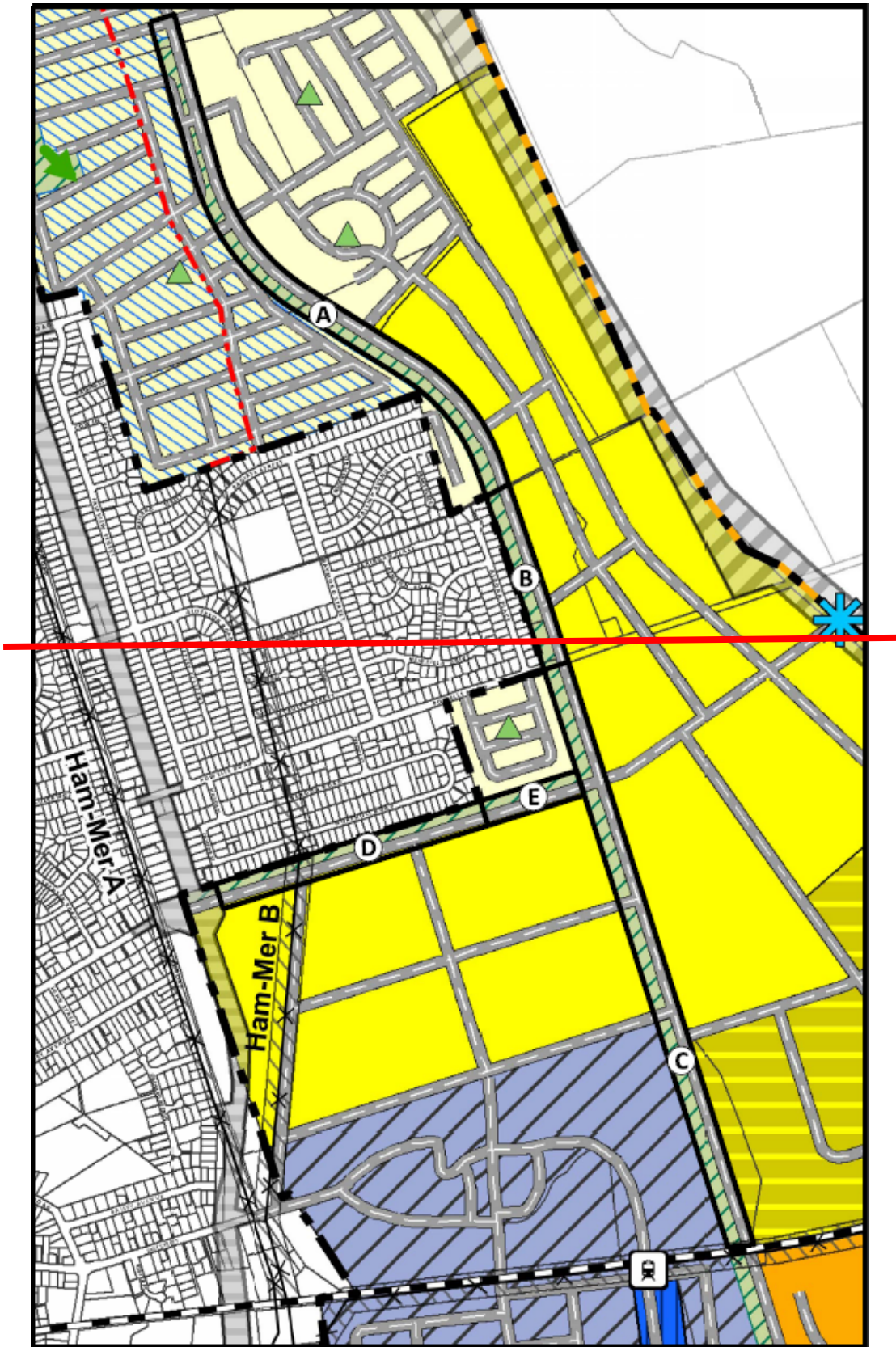
b) The Ruakura Open Space Zone within the Medium Density Residential and General Residential Zones are indicative. This recognises the existing national grid transmission corridor and provides flexibility to the establishment of future neighbourhood reserves within the residential areas as identified on Figure 2-14 in Appendix 2.

15.4 Rules – Definition of the Neighbourhood Open Space Zone in the Ruakura Structure Plan Area

The extent of some boundaries of the Neighbourhood Open Space Zone as shown on the planning maps are indicative only. The boundaries will be defined in relation to final location of proposed transport corridors. The boundaries affected and relevant proposed transport corridors are identified below.

Parts of the zone affected—refer to Figure 15.4a	Aspects of the zone boundary to be defined when proposed transport corridors are vested in Council
A	<p>Northern Extent: Boundary with proposed east-west transport corridor connection from Tramway Road to the proposed north-south spine transport corridor.</p> <p>Eastern Extent: Boundary with proposed north-south spine transport corridor.</p> <p>Western Extent: Extends 50m from the boundary with the proposed north-south spine transport corridor.</p>
B	<p>Eastern Extent: Boundary with proposed north-south spine transport corridor.</p>
C	<p>Eastern Extent: Boundary with proposed north-south spine transport corridor.</p> <p>Western Extent: Extends 50m from the boundary with the proposed north-south spine transport corridor.</p>
D	<p>Southern Extent: Boundary with the proposed east-west transport corridor connection from Tramway Road to the proposed north-south spine transport corridor.</p>
E	<p>Northern Extent: Extends 50m from the boundary with the proposed east-west transport corridor connection from Tramway Road to the proposed north-south spine transport corridor.</p> <p>Southern Extent: Boundary with the proposed east-west transport corridor connection from Tramway Road to the proposed north-south spine transport corridor.</p>

Figure 15.4a: Parts of the Zone affected by Rule 15.4



Note

1. The above figure is part of the Ruakura Structure Plan.

15.45 Rules – General Standards

15.45.1 Site Coverage

Open Space Zone	Natural	Neighbourhood	Sport and Recreation	Destination	<u>Ruakura</u>
Maximum site coverage	50m ²	50m ²	2% or 250m ² gross floor area whichever is the greater	2% or 250m ² gross floor area whichever is the greater	<u>50m²</u> <u>(Applicable in respect of buildings only, not pathways or cycleways)</u>

15.45.2 Gross Floor Area

Open Space Zone	Natural	Neighbourhood	Sport and Recreation	Destination	<u>Ruakura</u>
Maximum gross floor area for park maintenance buildings or public toilets (per building)	50m ²	50m ²	100m ²	100m ²	<u>50m²</u> <u>(Excluding park maintenance buildings)</u>

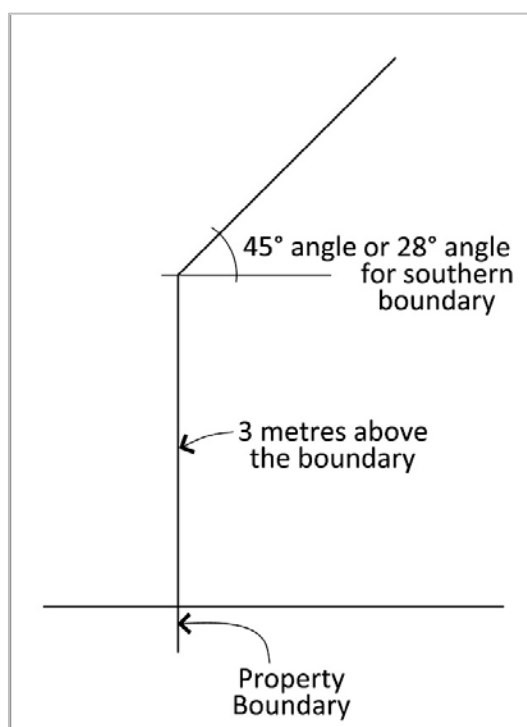
15.45.3 Number of Buildings

- a) The maximum number of buildings permitted on a park in the Neighbourhood or Natural Open Space Zone shall be one.

15.45.4 Building Height

Open Space Zone	Natural	Neighbourhood	Sport and Recreation	Destination	<u>Ruakura</u>
Maximum height of					
a) Buildings	5m	5m	8m	12m	<u>5m</u>
b) Floodlights	-	-	15m	15m	-
c) Height control plane	Starting point: 3m above the site boundary Angle: 28° between northeast (45°) and northwest (315°) 45° in all other directions (see Figure 15.45.4d)				

Figure 15.45.4d: Height control plane



15.5.5 Building Setbacks

Open Space Zone	Natural	Neighbourhood	Sport and Recreation	Destination	<u>Ruakura</u>
Minimum building setback from any boundary adjoining a Residential, Special Character or Future Urban Zone	5m	5m	8m	8m	<u>5m</u>

Note

1. See 22.5.6 for setback from the Waikato Riverbank and Gully Hazard Area.

15.5.6 Fences and Walls

Boundary fences and walls shall have a maximum height of 1.8m, except as provided below.

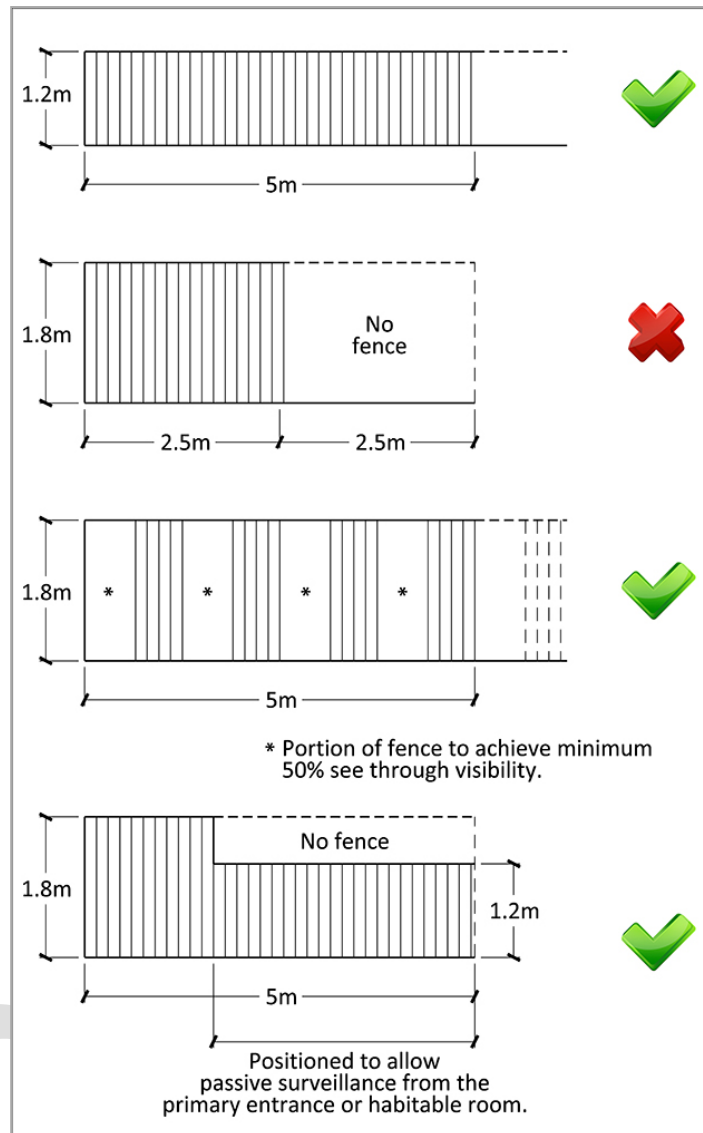
- a) The following design and dimensions shall apply to fences on boundaries adjoining a Transport Corridor, Residential or Special Character Zone.

i. Designed and constructed for less than 50% see-through visibility (e.g. close paling, masonry, or other opaque material)	1.2m maximum height
ii. Materials with 50% or more see-through visibility	1.8m maximum height

Note

1. Refer to Figure 15.5.6b for examples of acceptable solutions.
2. Glass, metal bars or louvres are acceptable fence designs to achieve minimum 50% see-through visibility.

Figure 15.5.6b: Examples of acceptable solutions



15.5.7 Hours of Operation

Open Space Zone	Sport and Recreation	Destination
Day	Operating hours	Operating hours
Organised recreation, clubrooms, community centre, conference facilities, indoor recreation, retail, restaurant		
a) Sunday to Thursday	0700-2230 hours	0700-2400 hours
b) Friday and Saturday	0700-2400 hours	-
c) Friday/Saturday and Saturday/Sunday	-	0700-0100 hours (next day)
Floodlights		
d) All days	0800-2130 hours	0800-2130 hours

15.5.8 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 2: Strategic Framework
- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gully Systems
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contribution
- Chapter 25: City-wide

15.6 Rules – Specific Standards

15.6.1 Retail Activity

- a) Retail activities in any Open Space Zone shall not exceed a total of 100m² gross floor area per park.

15.6.2 Community Centre

- a) Hours of operation may be exceeded for any 24-hour period up to five days per calendar year.

15.6.3 Organised Recreation in the Natural, ~~and~~ Neighbourhood and Ruakura Open Space Zones

- a) Participants shall use existing walkways, cycleways, structures, buildings, facilities and landform in the manner intended.

15.6.4 Garden Place

- a) No structures or activities shall prevent private vehicle access from Lot 3 DP29657 to Alexandra Street.

Note

1. Movable bollards are an acceptable means of complying with this standard.

15.6.5 Walkways and Cycleways

- a) Walkways and cycleways within the Waikato Hydro System operating range will be designed to withstand the effects of inundation.

15.6.6 Ruakura Open Space Minimum Width

- a) A 50 metre width of open space shall be provided between the carriageway of the spine road and the eastern boundary of the AgResearch site at 113B Ruakura Lane, legally described as Lot 3 DPS 78549.

15.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located with the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. New buildings and alterations to buildings*	<ul style="list-style-type: none"> • B – Design and Layout • D – Natural Character and Open Space
ii. Removal of vegetation or trees*	<ul style="list-style-type: none"> • D – Natural Character and Open Space • F – Hazards and Safety
iii. Commercial activities on the surface of water	<ul style="list-style-type: none"> • D – Natural Character and Open Space • F – Hazards and Safety
iv. Pontoon/jetty	<ul style="list-style-type: none"> • D – Natural Character and Open Space • F – Hazards and Safety
v. <u>Stormwater treatment ponds and wetlands (excluding swales) in the Ruakura Open Space Zone adjacent to the northern boundary of properties on Sheridan Street and Nevada Road, except where approved as part of a Land Development Plan</u>	<ul style="list-style-type: none"> • <u>M – Ruakura</u>
vi. <u>Land Development Plan</u>	<ul style="list-style-type: none"> • <u>M – Ruakura</u>

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

15.8 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status

- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

DRAFT

23 Subdivision

23.1 Purpose

- a) Subdivision is essentially the process of dividing a parcel of land or a building into one or more further parcels, or changing an existing boundary location. Subdivision by itself is not a use of land, however it often sets the platform for future development and land use.
- b) The development and use of land and buildings can be facilitated by subdivision. As such, the purpose of this chapter is to ensure that subdivision activities within the City are undertaken in a manner that supports the outcomes sought in the underlying zone. It is also to ensure the integrated management of the effects of the use, development or protection of land and associated natural and physical resources.

23.2 Objectives and Policies: Subdivision

Objective	Policies
<p>23.2.1 To ensure that risk to people, the environment and property is not exacerbated by subdivision.</p>	<p>23.2.1a Subdivision:</p> <ul style="list-style-type: none"> i. Does not result in increased risk of erosion, subsidence, slippage or inundation. ii. Minimises any adverse effects on water quality. iii. Ensures that a building platform can be accommodated within the subdivided allotment clear of any areas subject to natural hazards. iv. Ensures that any risks associated with soil contamination are appropriately remedied as part of the subdivision process. v. Ensures reverse sensitivity mitigation measures avoid or minimise effects such as noise associated from an arterial transport corridor or State Highway.
<p>Explanation</p> <p><i>The policies ensure that land is suitable for subdivision and will not increase risks to people, the environment and property.</i></p>	
Objective	Policies
<p>23.2.2 Subdivision contributes to the achievement of functional,</p>	<p>23.2.2a Subdivision:</p> <ul style="list-style-type: none"> i. Is in general accordance with Subdivision

<p>attractive, sustainable, safe and well designed environments.</p>	<p>Design Assessment Criteria to achieve good amenity and design outcomes.</p> <ul style="list-style-type: none"> ii. Is in general accordance with any relevant Structure Plan. iii. Is in general accordance with any relevant Integrated Catchment Management Plan. iv. Maintains and, where possible, enhances existing amenity values. v. Promotes energy, water and resource efficiency. vi. Provides for the recreational needs of the community. vii. Discourages cross-lease land ownership. viii. Ensures that any allotment is suitable for activities anticipated for the zone in which the subdivision is occurring. ix. Contributes to the achievement of identified residential yield requirements where appropriate. x. Avoids or minimises adverse effects on the safe and efficient operation, maintenance of and access to network utilities and the transport network. xi. Is avoided where significant adverse effects on established network utilities or the transport network are likely to occur. xii. Promotes connectivity and the integration of transport networks. xiii. Provides appropriate facilities for walking, cycling and passenger transport usage. xiv. Provides and enhances public access to and along the margins of the Waikato River and the City's lakes, gullies and rivers. xv. Facilitates good amenity and urban design outcomes by taking existing electricity transmission infrastructure into account in subdivision design, and where possible locating compatible activities such as infrastructure, roads or open space under or in close proximity to electricity transmission infrastructure. xvi. Ensures that a compliant building platform can be accommodated within the subdivided
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Comment [HCC1]:
Property Council New Zealand, ENV-169

allotment outside of the National Grid Yard.	
Explanation	
<p><i>Subdivision has a lasting impact on the built form and function of a city. These policies require that the subdivision process respond to the range of form and function matters, such as urban design and resource efficiency, identified in the policy in order to achieve good environmental and built form outcomes in Hamilton City.</i></p>	
Objective	Policies
<p>23.2.3 Medium-Density Residential Zone and Rototuna Town Centre Zone areas are developed comprehensively.</p>	<p>23.2.3a Subdivision that creates additional allotments in the Medium-Density Residential Zone or the Rototuna Town Centre Zone does not occur without an approved Comprehensive Development Plan <u>or Land Development Plan for Ruakura.</u></p>
Explanation	
<p><i>Comprehensive Development Plans are a useful tool to ensure a comprehensive approach to the layout and design of medium-density development. <u>The Board of Inquiry Decision for Ruakura included a Land Development Plan process that ensures a comprehensive approach to layout and design within the medium density development occurs.</u></i></p>	
Objective	Policies
<p>23.2.4 To ensure the provision of infrastructure services as part of the subdivision process.</p>	<p>23.2.4a Subdivision:</p> <ul style="list-style-type: none"> i. Provides an adequate level of infrastructure and services appropriate for the proposed development. ii. Takes into account and shall not compromise the infrastructural needs of anticipated future development. iii. Does not occur unless appropriate infrastructure and/or infrastructure capacity is available to service the proposed development. iv. Ensures that the capacity, efficiency, performance and sustainability of the wider infrastructure network is not compromised. v. Uses public infrastructure ahead of private infrastructure where appropriate.
Explanation	
<p><i>Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Infrastructure Technical</i></p>	

Comment [HCC2]:
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties, ENV-146

Specifications. The Ruakura Structure Plan includes ~~two~~ areas of Large Lot Residential Zones which ~~is~~ are not anticipated to be serviced with Three Waters infrastructure, and should accommodate on-site servicing. Parts of the Future Urban Zone, where rural uses are to predominate, will also contain on-site servicing.

Objective	Policies
<p>23.2.5 Subdivision occurs in a manner that recognises historic heritage and natural environments.</p>	<p>23.2.5a Subdivision avoids, remedies or mitigates adverse effects on:</p> <ul style="list-style-type: none"> i. Scheduled heritage items. ii. Scheduled archaeological and cultural sites. iii. Scheduled significant trees. iv. Scheduled significant natural areas. v. The Waikato River and gullies and river banks, lakes, rivers and streams.
	<p>23.2.5b Subdivision protects, and where possible enhances any:</p> <ul style="list-style-type: none"> i. Landforms and natural features. ii. Vegetation.
	<p>23.2.5c Subdivision of land which protects and enhances the riparian margins of the Waikato River and the City's lakes, gullies and rivers.</p>
<p>Explanation</p>	
<p><i>Subdivision and the associated development of land often involves modification and this has the potential to cause or exacerbate adverse effects. These effects should be managed through the location and design of subdivision.</i></p>	

23.3 Rules – Activity Status Tables

Table 23.3a: General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 to 6, Industrial, Knowledge, Ruakura Logistics, Ruakura Industrial Park, Future Urban, All Open Space, Major Facilities, Community Facilities and Transport Corridor Zones and All Hazard Areas

Comment [HCC3]:
Property Council New Zealand, ENV-169

Activity	General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 – 6, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park Zones	Future Urban Zone	All Open Space Zones, Major Facilities, Community Facilities, Transport Corridor Zones	All Hazard Areas
For Medium Density Residential, Rototuna Town Centre Zone and Te Rapa North Industrial Zone see Table 23.3b below. For Special Character Zones see Table 23.3c below.				
i. Boundary adjustments	P	RD	P	RD
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings	P	P	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor	RD	RD	RD	D
v. Fee simple subdivision*	RD	RD	RD	D
vi. Cross-lease subdivision	NC	NC	NC	NC
vii. Company-lease subdivision*	RD	RD	RD	D
viii. Unit-title Subdivision*	RD	RD	RD	D
ix. Leasehold Subdivision	RD	RD	RD	D
x. Subdivision involving any allotment within the Electricity National Grid Corridor	RD	RD	RD	D
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedules 8A and 8B	D	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	D	D	D	D

Comment [HCC4]:
Property Council New Zealand, ENV-169; Fonterra, ENV-151; Tainui Group Holdings (Ruakura), ENV-147; Chedworth Properties, ENV-146

Comment [HCC5]:
Property Council New Zealand, ENV-169; Fonterra, ENV-151

Comment [HCC6]: Fonterra, ENV-151; Tainui Group Holdings (Ruakura), ENV-147; Chedworth Properties, ENV-146

Comment [HCC7]:
Property Council New Zealand, ENV-169; Fonterra, ENV-151; Tainui Group Holdings (Ruakura), ENV-147; Chedworth Properties, ENV-146

Table 23.3b: Medium Density Residential and Rototuna Town Centre Zones, and Te Rapa North Industrial Zone

Activity	Medium- Density Residential and Rototuna Town Centre Zones		Te Rapa North Industrial Zone			
	Without an approved CDP or LDP for Ruakura	As part of or after a CDP or LDP for Ruakura has been approved	Deferred Industrial outside of Stages 1A & 1B	Within Stages 1A & 1B without a CDP	Within Stages 1A & 1B after a CDP	Dairy Factory
For General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 to 6, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park, Future Urban, all Open Space, Major Facilities, Community Facilities and Transport Corridor Zones, and all Hazard Areas see Table 23.3a above. For Special Character Zones see Table 23.3c below.						
i. Boundary adjustments	P	P	P	P	P	P
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings	P	P	P	P	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor	RD	RD	RD	D	RD	RD
v. Fee simple subdivision*	NC	D	NC	D	RD	RD
vi. Cross-lease subdivision*	NC	NC	NC	NC	NC	NC
vii. Company-lease subdivision	NC	RD	NC	D	RD	RD
viii. Unit-title Subdivision*	NC	RD	NC	D	RD	RD
ix. Leasehold Subdivision	NC	RD	NC	D	RD	RD
x. Subdivision involving any allotment within the Electricity National Grid Corridor	NC	RD	RD	D	RD	RD
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedules 8A and 8B	NC	D	NC	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C ¹	NC	D	NC	D	RD	RD

Comment [HCC8]:
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties, ENV-146

Comment [HCC9]:
Fonterra, ENV-151;
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties, ENV-146

Comment [HCC10]:
Fonterra, ENV-151;

Comment [HCC11]:
Fonterra, ENV-151;
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties, ENV-146

Comment [HCC12]:
Fonterra, ENV-151;
Tainui Group Holdings (Ruakura), ENV-147;
Chedworth Properties, ENV-146

Table 23.3c: Special Character Zones

Activity	All Special Character zones				Special Natural Zone		Rototuna North East Character Zone, Special Residential Zone, Special Heritage Zone and Special Natural Zone
	Temple View Zone		Peacocke Character Zone		Lot 2 DP425316		
	Without an approved CDP	As part of or after a CDP has been approved	Without an approved Master Plan	As part of or after a Master Plan has been approved	Without an Approved CDP	As part of an application for a CDP or after a CDP has been approved	
<p>For Medium Density Residential, Rototuna Town Centre Zone and Te Rapa North Industrial Zone see Table 23.3b above. For General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 – 6, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park, Future Urban, all Open Space, Major Facilities, Community Facilities, and Transport Corridor Zones, and all Hazard Areas see Table 23.3a above.</p>							
i. Boundary adjustments	RD	RD	RD	RD	RD	RD	P
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings	P	P	P	P	-	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P	-	-	P
iv. Subdivision to accommodate a: - network utility service or - transport corridor	RD RD	RD RD	RD RD	RD RD	RD NC	D D	RD RD
v. Fee simple subdivision*	NC	D	-	-	NC	D	RD
a) Fee Simple Subdivision within the Peacocke Character Zone for lots greater than 10ha	-	-	RD	RD	-	-	-
b) Fee Simple Subdivision within the Peacocke Character Zone for lots between 10ha and 2ha in the Terrace Area and between 10ha and 5000m ² in the Gully and Hill Areas	-	-	D	D	-	-	-

c) Fee Simple Subdivision within the Peacocke Character Zone for lots less than 2ha in the Terrace Area and less than 5000m ² in the Gully and Hill Areas	-	-	NC	D	-	-	-
d) Subdivision within the Peacocke Character Zone to establish a Master Plan neighbourhood area according to Volume 2, Appendix 2, Figure 2-3 Peacocke Structure Plan – Character Areas and Neighbourhoods	-	-	D	D	-	-	-
e) Subdivision within the Temple View Zone to establish a CDP area according to Volume 2, Appendix 4, Figure 4-5	D	D	-	-	-	-	-
f) Boundary relocation	-	-	D	D	D	D	-
vi. Cross-lease subdivision	NC	NC	NC	NC	NC	NC	NC
vii. Company-lease subdivision*	NC	D	NC	D	NC	D	RD
viii. Unit-Title subdivision*	NC	D	NC	D	NC	D	RD
ix. Leasehold subdivision	NC	D	NC	D	NC	D	RD
x. Subdivision involving any allotment within the Electricity National Grid Corridor	-	-	-	-	-	-	RD
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedule 8A and 8B	D	D	D	D	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	D	D	D	D	NC	D	D

Note

1. Consultation with Transpower New Zealand Limited (or its successor) is advised when considering subdivision within the Electricity National Grid Corridor.
2. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).
3. For any activity not identified above, see Section 1.1.8.1.

23.4 Rules – Application of the Transport Corridor Zone

- a) After 13 November 2012 land that is vested in the Council or the Crown as road pursuant to any enactment or provision in this plan, and has been formed as road to Council's required standards, then from the date of formation of the road, the land shall be subject to the rules in the Transport Corridor Zone but shall retain its current zoning.

23.5 Rules – General Standards

23.5.1 Telecommunication, Electricity, Gas and Computer Media

- a) Telecommunication, electricity, gas and ducting for computer media shall be provided at the time of subdivision, in accordance with the requirements of the relevant network utility operator and the relevant standards of the applicable zone.
- b) Telecommunication, electricity, gas and ducting for computer media shall be underground where possible.

Note

1. Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.

23.5.2 Provision of Esplanade Reserves and Strips

- a) An Esplanade Reserve or Esplanade Strip of not less than 20m measured from the edge of any river or lake shall be set aside and vested in Council in accordance with section 231 of the Act where any subdivision of land results in the creation of an allotment that adjoins the banks of:
 - i. The Waikato River.
 - ii. The margins of Lake Rotoroa (Hamilton Lake).
 - iii. Any watercourse where the average width of the bed is 3m or more where the river flows through or adjoins an allotment.
 - iv. Where a reserve or road of less than 20m width already exists along the edge of any river or lake, then additional land shall be vested to increase the minimum width to 20m.

23.5.3 Provisions in Other Chapters

- a) The provisions of the following chapters apply to activities within this chapter where relevant.
 - Chapter 3: Structure Plans
 - Chapter 25: City-wide

23.6 Rules – Specific Standards

- a) The standards of Rule 23.6 shall not apply to the subdivision of land to accommodate a network utility service.

23.6.1 Subdivision in the Ruakura Structure Plan Area

- a) Any subdivision which creates new allotments in the Ruakura Structure Plan Area cannot initiate land use or development which is contrary to Rules 3.7.3.1 to 3.7.3.7~~6~~ and Rule 3.7.4 of Chapter 3: Structure Plans, except as provided for within the Large Lot Residential Zone.
- b) A consent notice may be registered against the title of any new allotment to ensure compliance with the Ruakura Structure Plan Area rules in Rules 3.7.3.1 to 3.7.3.7~~6~~ and Rule 3.7.4 of Chapter 3: Structure Plans.
- c) Any subdivision which creates new allotments, and is in accordance with (a) and (b) above where applicable, shall be in accordance with the zoning of the land as identified on the Planning Maps and in accordance with Rule 3.7.3.1.

23.6.2 Company Leases and Unit Title Subdivision

- a) Where an allotment is subject to an application for subdivision consent by way of company lease or unit title subdivision the following rules shall apply.
 - i. All existing buildings to which the subdivision relates shall have:
 - Existing use rights.
 - Been erected in accordance with a resource consent or certificate of compliance and building consent has been issued.
 - Comply with any relevant standards.
 - b) All areas to be set aside for the exclusive use of each building or unit shall be shown on the survey plan, in addition to any areas to be used for common access or parking or such other purpose.
 - c) In all staged subdivisions, provision shall be made for servicing the building or buildings and all proposed future buildings on the allotment.
 - d) Where subdivision consent has been approved, no alterations shall be made to the position of the boundary lines delineated on the survey plan, or otherwise defined, without further subdivision consent.
 - e) A design report shall be submitted detailing the effects of the proposed subdivision on the existing buildings pursuant to Section 116A of the Building Act 2004.
 - f) If alterations to buildings are necessary to fulfil the requirements of the Building Act or conditions of subdivision consent, they shall be undertaken in terms of a building consent and completed before the issue of a certificate under Section 224 of the Resource Management Act 1991. Such alterations shall comply with the relevant standards of the relevant zone and this chapter.

23.6.3 Amendments to a Cross-lease, Company Lease or Unit Title Plan

- a) The amendments shall be for the purpose of showing alterations to existing buildings.
- b) The alteration shall be either permitted or otherwise lawfully established.

23.6.4 Cross-lease to Freehold Subdivision

- a) The proposed boundaries shall align with those exclusive uses area boundaries on the cross-lease plan, except where there are no exclusive use areas.
- b) Where required to protect services, easements shall be provided.

23.6.5 Leasehold Subdivision

Where an allotment is subject to an application for subdivision consent by way of leasehold subdivision the following rules shall apply where relevant.

- a) Section 23.4 Application of the Transport Corridor
- b) Section 23.5 Rules - General Standards
- c) Section 23.6 Rules - Specific Standards
- d) Section 23.7 Subdivision Design Standards

23.6.6 Boundary Adjustments

- a) Any boundary adjustment shall not result in the creation of additional allotments. The number of resulting allotments shall equal or be less than the number of existing eligible allotments.
- b) Any boundary adjustment shall not alter the size of an existing allotment by greater than 10% of the registered allotment size.
- c) Any allotment subject to a boundary adjustment shall comply with all relevant development and performance standards.
- d) Where required to protect services, easements shall be provided.

Comment [HCC13]:
Property Council New Zealand, ENV-169

23.6.7 Subdivision Activities within the Electricity National Grid Corridor

- a) Any subdivision which creates new allotments within the Electricity National Grid Corridor shall identify a building envelope, compliant with the relevant zone standards and the standards of this Chapter and clear of the National Grid Yard.
- b) Failure to comply with the above standard will result in the proposal being assessed as a non-complying activity.

23.6.8 Subdivision in the Medium-Density Residential and Rototuna Town Centre Zones

- a) Subdivision shall only take place in conjunction with a Comprehensive Development Plan *or Land Development Plan, for Ruakura*, application or after a Comprehensive Development Plan *or Land Development Plan, for Ruakura*, application has been granted.
- b) Allotment area and configuration shall conform to the allotment areas approved as part of the land-use consent.
- c) A consent notice shall be registered against the title of each allotment to ensure compliance with the terms of the land-use consent.
- d) The standards in Rule 23.6.7 a) to **eb)** do not apply to subdivision to accommodate a network utility service or transport corridor.

23.6.9 Subdivision in the Te Rapa North Industrial Zone

- a) Subdivision occurring in Stages 1A and 1B shall only occur over the following land areas:
 - i. Post the Te Rapa section of the Waikato Expressway being open for public use, and prior to 1 January 2021 no more than 14ha of land shall be able to be subdivided; 7ha only in Stage 1A and 7ha in Stage 1B.
 - ii. After 1 January 2021 a maximum of 46ha of land shall be able to be subdivided, 23ha in Stage 1A and 23ha in Stage 1B, being additional to the 7ha provided for in each of the stages prior to 2021.

23.6.10 Subdivision Within Stage 1 of the Peacocke Structure Plan Area

- a) As part of any subdivision of Sec 1 SO 57582 or the balance of this parent lot, the following infrastructure requirements shall be met and certified by Council.
 - i. Upgrading of the existing wastewater network to provide for future development on the site.
 - ii. Implement a solution at the Dixon Road and State Highway 3 intersection that mitigates the adverse effects of potential traffic volumes from within Stage 1.
 - iii. Any subdivision that does not comply with i) and ii) above will be a non-complying activity.

23.6.11 Subdivision in the Peacocke Character Zone

Activity	Standards	
	Terraced Area	Gully Area and Hill Areas
a) Fee Simple Subdivision for lots greater than 10ha	180m frontage onto a formed and sealed legal road forming part of the City's transport network	
b) Fee Simple Subdivision for lots between 10ha and 2ha in the Terrace Area and between 10ha and 5000m ² in the Gully and Hill Areas	<u>1. Lots between 10ha and 2ha</u> i. Only applies to allotments created prior to 1 September 2011 or if the allotment was created by an acquiring authority, or by boundary adjustment ii. Limited to one new lot per parent title, other than for utility and access allotments	<u>2. Lots between 10ha and 5000m²</u> i. Only applies to allotments created prior to 1 September 2011 or if the allotment was created by an acquiring authority, or by boundary adjustment ii. Average lot Size = 1ha iii. Limited to one new lot per parent title other than for utility and access allotments

Activity	Standards	
	Terraced Area	Gully Area and Hill Areas
	<p>Note</p> <p>1. A simple Integrated Transport Assessment (ITA) is required as part of the subdivision consent information requirements (refer Volume 2, Appendix 1.2.2.14)</p> <p>2. A Subdivision Concept Plan is required as part of the subdivision consent information requirements (refer Volume 2, Appendix 1.2.2.2d))</p>	
c) Fee Simple Subdivision for lots less than 2ha in the Terrace Area and less than 5000m ² in the Gully and Hill Areas	<p><u>1. Lots Less than 2ha</u></p> <p>i. Provide full urban infrastructure</p> <p>ii. Connection to the existing wastewater network to the satisfaction of Council</p> <p>iii. Provision of a transport corridor connection across the Waikato River to join with the existing transport network</p>	<p><u>2. Lots less than 5000m²</u></p> <p>i. Provide full urban infrastructure</p> <p>ii. Connection to the existing wastewater network to the satisfaction of Council</p> <p>iii. Provision of a transport corridor connection across the Waikato River to join with the existing transport network</p>
	<p>Note</p> <p>1. A Master Plan is required as part of the subdivision consent information requirements (refer Volume 2, Appendix 1.2.2.3)</p>	
d) Boundary Relocation Subdivision	<p>i. Minimum lot size of 5000m²</p> <p>ii. Shall not create any additional certificates of title.</p> <p>iii. All lots involved in the subdivision shall have formed and legal vehicle access</p> <p>iv. A concept plan shall be prepared showing how the allotments in the subdivision can be subsequently re-subdivided in accordance with Volume 2, Appendix 1.2.2.2</p>	

- e) Any subdivision, other than for urban purposes, shall be required to have a consent notice placed on all titles issued from the subdivision (including the parent lot) requiring the payment of any outstanding development contributions prior to the subdivision of the title for urban purpose being allowed.
- f) Except that the lots approved via subdivision consents (Council Consent Reference Numbers: 11.2009.20620, 11.2009.20621, 11.2099.20769, 11.2009.20770, 11.2007.18574, and 11.2011.22366) granted over the land described as Pt Lot 6 DP 34164, Lot 1 DPS 12991, Lot DPS 78023, Lot 1 DPS 76734, Lot 5 DPS 45202, Lot 2 DP 23381, Lot 5 DP 17475 Lot 8 DP 34164, Allotment 87, Pt Allotment 93 and Pt Allotment 94 Te Rapa PSH, Lot 3 DPS 45202, lots 1, 2 and 3 DPS 40592 and Lots 1, 2, 3, and 4 DPS 81210 can be used to create up to 52 lots for urban purposes without complying with Rule 23.6.10(c)1 or 2 provided that:
 - i. A wastewater system sufficient to service urban purposes is provided and certified by Council.
 - ii. A stormwater disposal solution is provided and certified by Council.

- iii. A Master Plan for the area of not less than one neighbourhood, as identified within Volume 2, Appendix 2, Figure 2-3. Refer to Volume 2, Appendix 1.2.2.3 for information requirements.
- iv. No further subdivision creating additional allotments is permitted unless Rule 23.6.11(c)1 or 2 is complied with.
- g) Any subdivision for urban purposes that is in accordance with an approved Master Plan shall not be required to prepare an Integrated Catchment Management Plan.
- h) Any subdivision for urban purposes that is in accordance with an approved Master Plan shall not be required to prepare an Integrated Transport Assessment.
- i) Any subdivision within the Peacocke Character Area which does not comply with the standards in Rule 23.6.11 will be a non-complying activity.

23.6.12 Subdivision in the Rototuna North East Character Zone

- a) The maximum development yield shall be 1100 residential units.
- b) The provision of a neighbourhood park area:
 - i. The first subdivision of land adjoining the Waikato Expressway designation (Designation E90) shall submit for approval as part of the subdivision, a neighbourhood park concept plan, consisting of detailed plans and supporting documentation for the entire future reserve area as located on the Rototuna Structure Plan.
 - ii. The neighbourhood park shall:
 - Ensure varied widths no less than 20m.
 - Address and accommodate topographical constraints to ensure usability of the area for informal recreation.
 - Include flat open spaces for informal recreational.
 - Include one area of between 300m² and 800m² for the provision of a children's play area. The location and design of this plan area shall ensure the safe operation of the playground and shall have regard to any stormwater attenuation areas and the roading and cycling network. Where necessary, additional safety measures will be taken, such as fencing.
 - Include landscaping areas to provide an interesting and varied visual amenity for the area. These areas are to include varied vegetated areas (with the exception of the proposed Cycle and Walking access point across the Waikato Expressway, stormwater attenuation areas and identified viewing areas shown on the Rototuna Structure Plan) having a minimum planting width of 2m when parallel to the boundary of the Waikato Expressway, and consisting of native vegetation capable of reaching heights of at least 8m at maturity.
 - Reflect the principles of Crime Prevention Through Environmental Design (CPTED).
 - Include both a walking and cycling network in accordance with the Rototuna Structure Plan.

- Show how the area will relate to its surrounding area, including the Waikato Expressway.
- iii. Any subdivision of land adjoining the Waikato Expressway (Designation E90) shall have regard to and implement the portion of the approved neighbourhood concept plan over the land area the subdivision is for at the time of subdivision.
- c) At the time of subdivision of land and only if either the location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or confirmed through an Outline Plan of Works approval under S.176A of the RMA; or construction is underway or completed; the following shall be identified on the subdivision plan to be submitted for consent:
 - i. A 55dB_{L_{Aeq}(24hr)} contour line from the Waikato Expressway carriageway boundary utilising the following criteria:
 - Traffic flow of 12700 vpd
 - 10%HCV
 - Vehicle speed of 100km/hr (or the posted speed limit if that is lower)
 - Noise mitigation as confirmed by an approved Outline Plan of Works for Designation E90
 - Finished ground levels based on the proposed subdivision design
 - ii. Identification of all lots where any boundary is intersected by the 55 dB_{L_{Aeq}(24hr)} contour line.

23.6.13 Subdivision of Lot 2 DP425316 Lake Waiwhakareke Landscape Character Area

Subdivision shall only take place in conjunction with a Comprehensive Development Plan application or after a Comprehensive Development Plan application has been granted.

23.7 Subdivision Design Standards

- a) The standards of Rule 23.7 shall not apply to the subdivision of land to accommodate a network utility service.
- b) The standards of Rule 23.7.1 shall not apply to the unit title subdivision of existing lawfully established buildings provided that all relevant development and performance standards are met in relation to the proposed boundaries around that building or unless otherwise authorised by resource consent.

23.7.1 Allotment Size and Shape

Zone	Minimum Net Site Area	Average Net Site Area	Max Net Site Area	Min Shape Factor
a) General Residential Zone (unless otherwise stated)	400m ²	-	-	15m-diameter circle

Comment [HCC14]:
Property Council New Zealand, ENV-169

Zone	Minimum Net Site Area	Average Net Site Area	Max Net Site Area	Min Shape Factor
b) General Residential Zone (within the Rototuna Structure Plan Area)	400m ²	650m ²	750m ²	15m-diameter circle
c) General Residential Zone (adjoining the Waikato Expressway)	1000m ²	-	-	-
d) Residential Intensification Zone	350m ²	-	-	-
e) Special Residential Zone	Front, corner or through site – 600m ²	-	-	15m-diameter circle
	Rear Site – 400m ²	-	-	15m-diameter circle
f) Large Lot Residential – SH26, Ruakura Structure Plan	2500m ²	-	-	15m-diameter circle
g) Large Lot Residential – Percival/Ryburn Rd, Ruakura Structure Plan	2ha	-	-	Rule 23.7.1(w) applies
h) Rototuna North East Character Zone	500m ²	700 m ²	-	15m-diameter circle
i) Special Heritage Zone (unless otherwise stated)	600m ²	-	-	15m-diameter circle
j) Special Natural Zone (Lake Waiwhakareke Landscape Character Area)	350m ²	-	800m ² where a boundary to a site is adjoining the Lake Waiwhakareke Heritage Park or is separated from it only by a road reserve.	15m-diameter circle
k) Special Natural Zone (Ridgeline Character Area)	800m ²	-	-	15m-diameter circle
l) Peacocke Character Zone (Terrace Area)	200m ²	-	-	15m-diameter circle Medium

Comment [HCC14]:
Property Council New Zealand, ENV-169

Comment [HCC15]:
Property Council New Zealand, ENV-169

Comment [HCC16]:
Hamilton JV Investments & Hounsell Holdings, ENV-143

Zone	Minimum Net Site Area	Average Net Site Area	Max Net Site Area	Min Shape Factor
				density Residential – N/A
m) Peacocke Character Zone (Gully Area)	800m ²	-	-	15m-diameter circle
n) Peacocke Character Zone (Hill Area where slopes are less than 5 Degrees)	400m ²	-	800m ²	15m-diameter circle
o) Peacocke Character Zone (Hill Area where slopes are greater than 5 Degrees)	800m ²	-	-	15m-diameter circle
p) Temple View Zone (except in the Residential Precinct and Rest Home Precinct)	500m ²	-	-	15m-diameter circle
q) Temple View Zone (Residential Precinct and Rest Home Precinct)	200m ²	-	-	General Residential - 15m-diameter circle Medium density Residential – N/A
r) Central City Zone, Knowledge Zone, Business 1 to 6 Zones	1,000m ²	-	-	20m-diameter circle
s) Industrial Zone, Rotokauri Employment Area, Riverlea Industrial Area and Frankton Employment Area	Front, corner or through site – 1,000m ² Rear sites – 500m ²	-	-	Rule 23.7.1(x) applies Rule 23.7.1(x) applies
t) Te Rapa North Industrial Zone	500m ²	-	-	Rule 23.7.1(x) applies
u) Ruakura Logistics Zone and Ruakura	3500m ²	-	-	Rule 23.7.1(x)

Comment [HCC14]:
Property Council New Zealand, ENV-169

Comment [HCC17]:
Property Council New Zealand, ENV-169

Zone	Minimum Net Site Area	Average Net Site Area	Max Net Site Area	Min Shape Factor
Industrial Park Zone				applies
v) Future Urban Zone	10ha	-	-	-

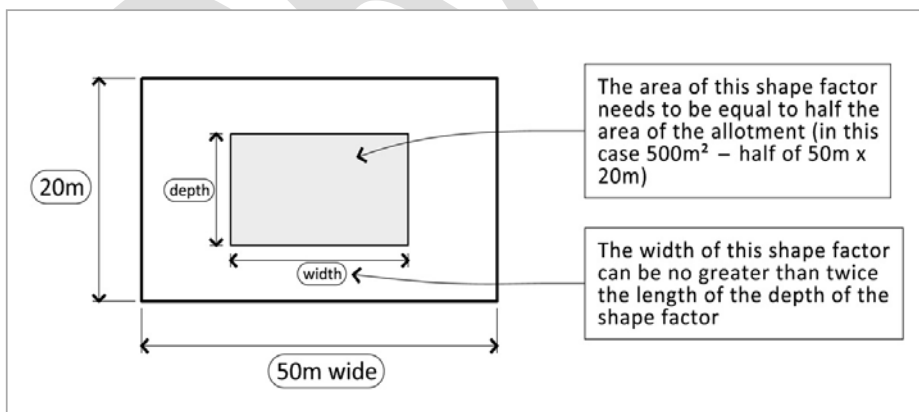
Comment [HCC14]:
Property Council New Zealand, ENV-169

Comment [HCC18]:
Tainui Group Holdings (Ruakura), ENV-147

- w) Where the shape factor circle standard applies to any subdivision, unless otherwise specified, each allotment shall be of a shape that can accommodate a circle of the specified diameter in a position which does not infringe any required front yard requirements of the respective zone.
- x) Allotments in the Industrial, Te Rapa North Industrial, Ruakura Logistics and Ruakura Industrial Park Zones shall be of such a shape as to contain a rectangle having an area equal to half the area of the allotment (or in the case of a rear site, half the net site area) and having the longer side not greater than twice the length of the shorter side (refer to Figure 23.7.1a). The rectangle shall not infringe any required front yard requirements of the respective zone.
- y) The location of the shape factor circle for each allotment in the Rototuna North East Character Zone, in addition to Rule 23.7.1 w) shall be positioned so not to require land modification in excess of 40m³.
- z) Allotments in the Rototuna North East Character Zone, adjoining the Waikato Expressway Designation (Designation E90), and prior to either the location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or confirmed through an Outline Plan of Works approval under S.176A of the RMA; or construction is underway or completed the location of the shape factor circle for each allotment shall not infringe the 65m habitable building setback (refer to Figure 5.4.6c).

Comment [HCC19]:
Property Council New Zealand, ENV-169;
Tainui Group Holdings (Ruakura), ENV-147

Figure 23.7.1a: Industrial Zone Shape Factor Example



Comment [HCC20]:
Tainui Group Holdings (Ruakura), ENV-147

23.7.2 Subdivision Suitability

- a) All subdivisions creating additional allotments shall ensure that new allotments are of a size and shape to enable future land use to comply with Bulk and Location Provisions for the relevant zone.

Comment [HCC21]:
Property Council New Zealand, ENV-169;
Tainui Group Holdings (Ruakura), ENV-147

23.7.3 General Residential Zone, and All Special Character Zones

a) Minimum transport corridor boundary length for a front site (except in the Terrace area of the Peacocke Character Zone and the Residential Precinct and Rest Home Precinct of the Temple View Zone)	15m
b) Minimum transport corridor boundary length for a front site within the Terrace area of the Peacocke Character Zone and the Residential Precinct and Rest Home Precinct of the Temple View Zone	10m
c) Minimum rear boundary length of a front site	10m
d) Maximum number of allotments served by a single private way	6
e) Minimum private way width serving 1-3 allotments	3.6m
f) Minimum private way width serving up to 6 allotments	4.5m
g) Maximum private way gradient	1:5m
h) Maximum private way length	50m
i) Maximum cul-de-sac length	150m
j) Maximum number of private ways accessing directly on to a cul-de-sac	0
k) Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0
l) Maximum pedestrian accessway length through a block	80m
m) Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide

Comment [HCC22]:
Property Council New Zealand, ENV-169

Comment [HCC23]: As above

Comment [HCC24]: As above

Comment [HCC25]: As above

Note

- Standard 23.7.3 only has immediate legal effect when subdivision occurs in the Special Heritage Zone or Heritage Area of the Temple View Zone, as shown on Planning Map 60B.

23.7.4 Large Lot Residential Zone

a) Minimum transport corridor boundary length for a front site	40m
b) Minimum rear boundary length of a front site	10m
c) Maximum number of allotments served by a single private way	6
d) Minimum private way width serving 1-3 allotments	3.6m
e) Minimum private way width serving 6 allotments	4.5m
f) Maximum private way gradient	1:5m
g) Maximum private way length	100m with passing every 50m
h) Maximum cul-de-sac length	150m

i) Maximum number of private ways accessing directly on to a cul-de-sac	0
j) Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0
k) Maximum pedestrian accessway length through a block	80m
l) Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide

23.7.5 Residential Intensification Zone

a) Minimum transport corridor boundary length for a front site	15m
b) Minimum rear boundary width of a front site	10m
c) Minimum private way width serving 1-4 allotments	3.5m
d) Minimum private way width serving 5+ allotments	6.5m
e) Maximum private way gradient	1:5
f) Maximum private way length	100m
g) Maximum pedestrian accessway length through a block	80m
h) Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide

23.7.6 Business 1 to 6 Zones, Central City Zone, Te Rapa North Industrial Zone, Ruakura Industrial Park Zone, Ruakura Logistics Zone and Industrial Zone

a) Minimum transport corridor boundary length	8m
b) Minimum transport corridor boundary length adjoining a major arterial transport corridor	20m
c) Minimum access or private way width serving an allotment with a net site area of less than 2000m ²	8m
d) Minimum access or private way width serving an allotment with a net site area of 2000m ² –5000m ²	10m
e) Minimum access or private way width serving an allotment with direct access to a major arterial transport corridor	10m
f) Minimum private way width serving 1-5 allotments	10m

Comment [HCC26]:
Tainui Group Holdings (Ruakura), ENV-147

Comment [HCC27]: As above

Comment [HCC28]: As above

g) Maximum private way gradient	1:8
h) Maximum private way length	100m
i) Maximum pedestrian accessway length	80m
j) Minimum pedestrian accessway width	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide

Comment [HCC29]:
Tainui Group Holdings (Ruakura), ENV-147

Comment [HCC30]: As above

23.8 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully hazard Area, or Significant Natural Area Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Comment [HCC31]:
New Zealand Transport Agency, ENV-159

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number <i>(Refer to Volume 2, Appendix 1.3)</i>
i. Boundary adjustments	<ul style="list-style-type: none"> C – Character and Amenity
ii. Subdivision involving any allotment within the Electricity National Grid Corridor	<ul style="list-style-type: none"> I – Network Utilities and Transmission
iii. Subdivision in a Hazard Area	<ul style="list-style-type: none"> F – Hazards and Safety
iv. Subdivision that may require the provision of Esplanade Reserves and Strips	<ul style="list-style-type: none"> C – Character and Amenity D – Natural Character and Open Space
v. Subdivision to accommodate a network utility service or transport corridor	<ul style="list-style-type: none"> C – Character and Amenity I – Network Utilities and Transmission
vi. Fee simple subdivision*	<ul style="list-style-type: none"> C – Character and Amenity
vii. Company-lease subdivision*	<ul style="list-style-type: none"> C – Character and Amenity
viii. Unit-title subdivision*	<ul style="list-style-type: none"> C – Character and Amenity
ix. Leasehold Subdivision	<ul style="list-style-type: none"> C – Character and Amenity

Comment [HCC32]:
New Zealand Transport Agency, ENV-159

Comment [HCC33]: As above

Comment [HCC34]: As above

Comment [HCC35]: As above

Comment [HCC36]: As above

Comment [HCC37]: As above

Comment [HCC38]: As above

Comment [HCC39]: As above

Comment [HCC40]: As above

Comment [HCC41]: As above

<p>x. Fee Simple Subdivision in the Peacocke Character Zone for lots greater than 10ha</p>	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character
<p>xi. Subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C, within Stages 1A and 1B after a CDP in the Te Rapa North Industrial Zone</p>	<ul style="list-style-type: none"> • D – Natural Character and Open Space
<p>xii. Fee Simple subdivision and Boundary Adjustment (within Special Character Zones)</p>	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character
<p>xiii. Subdivision to accommodate a network utility service or transport corridor (within Special Character Zones)</p>	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character • I – Network Utilities and Transmission

Comment [HCC42]: As above

Comment [HCC43]: As above

Comment [HCC44]: As above

Comment [HCC45]: As above

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).

23.9 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

25 City-wide

This chapter has two roles. Firstly, it provides objectives, policies, activity status and standards for activities that are relevant across the City and are not zone specific:

- Earthworks and vegetation removal
- Events and temporary activities
- Hazardous facilities
- Network utilities and the electricity national grid corridor
- Signs
- Transportation

Secondly, the chapter provides City-wide objectives, policies and standards that are applicable to the activities in the zone chapters:

- Development suitability
- Landscaping and screening
- Lighting and glare
- Noise and vibration
- Public art
- Smoke, fumes, odour and dust
- Solid waste
- Three Waters
- Transportation
- Urban design

25.7 Network Utilities and the Electricity National Grid Corridor

25.7.1 Purpose

- a) Network utilities are services and facilities such as Three Waters systems, telecommunications, radio communications, electricity and gas networks. (For roads see Chapter 25.14: City-wide – Transportation.) Network utilities are provided by public and private organisations.
- b) The successful functioning of the City depends on network utilities. It is therefore vital that construction, maintenance and operation of these services and facilities be effectively provided for in the District Plan.
- c) While the core function of a network utility (e.g. water supply or telecommunications) will have overall positive effects, some may incidentally have adverse effects, for example from noise, odour or visual effects. Amenity values, landscape character, streetscape, heritage values, and public health and safety are all issues managed by the District Plan, while still allowing network utilities to function efficiently.
- d) The provisions in this chapter apply to network utilities in all zones. The underlying zone objectives, policies and rules do not apply unless specifically referred to. City-wide rules such as those related to noise, dust, lighting and hazardous substances will still apply.
- e) The provisions relating to the Electricity National Grid Corridor in this chapter apply to all development and activities within the Electricity National Grid Corridor. The underlying zone objectives, policies, rules, city-wide rules and subdivision rules still apply.
- f) District Plan rules do not cover all network utilities activities. Network utilities may be exempt from rules because they operate under designations (see Chapter 26: Designations) or national environmental standards. In addition, national policy statements (such as the National Policy Statement on Electricity Transmission) or special legislation may affect the scope and administration of the District Plan.
- g) Amateur Radio is provided for within the Network Utilities section, even though it is not a Network Utility by definition. Amateur Radio is important to ensure emergency management and international communications can be maintained and provided for.

25.7.2 Objectives and Policies: Network Utilities and the Electricity National Grid Corridor

These objectives and policies apply to all zones, and need to be read alongside, the Regional Policy Statement and relevant national policy statements, including the National Policy Statement on Electricity Transmission, National Policy Statement on Telecommunications and the National Policy Statement on Renewable Electricity Generation.

Objective	Policies
<p>25.7.2.1 The importance of network utilities to support the development and functioning of Hamilton is recognised.</p>	<p>25.7.2.1a The positive effects and importance of network utilities, including the Electricity National Grid Corridor, for the social and economic wellbeing of Waikato region and Hamilton shall be recognised.</p>
	<p>25.7.2.1b The operation, maintenance and upgrading of and access to existing network utilities shall not be adversely affected by subdivision, land use and development.</p>
	<p>25.7.2.1c Subdivision, use and development in the Electricity National Grid Corridor shall not adversely affect the safe and efficient operation, maintenance of and access to the electricity transmission network.</p>
	<p>25.7.2.1d Sensitive Land Uses including schools, childcare facilities, residential buildings or hospitals, shall not establish close to high-voltage electricity transmission lines.</p>
	<p>25.7.2.1e The alteration or extension of existing development already within the Electricity National Grid Corridor shall be provided for where it does not compromise the electricity transmission network.</p>
	<p>25.7.2.1f Reverse-sensitivity effects shall be avoided.</p>
	<p>25.7.2.1g Network utility infrastructure shall be deployed in conjunction with land development.</p>
	<p>25.7.2.1h All development shall be adequately serviced by network utilities including Three Waters, gas, electricity and telecommunications.</p>
	<p>25.7.2.1i New network utilities shall have adequate capacity to support the potential scale and timing of development to be served.</p>
	<p>25.7.2.1j Broadband infrastructure shall be established and operated throughout the City.</p>

Explanation	
<p><i>This objective and its policies recognise that network utility structures and services are critical for the functioning of the City. The policies require that an appropriate level of services must be planned in advance of new development, which is particularly the case in greenfields. It is important that the services provided are of sufficient capacity to accommodate the level of growth proposed.</i></p> <p><i>There is potential for existing network utility infrastructure to be adversely affected by subdivision, use and development of surrounding land uses. Changes in land uses can affect access to the network utility or affect its ongoing operation and maintenance. Where network utility infrastructure is already existing, surrounding land uses need to be carefully managed to protect both the functioning of the utilities and to avoid risks to people and property. Sensitive land use should not be located where future conflicts are predictable, to avoid reverse-sensitivity effects where possible.</i></p> <p><i>Reverse sensitivity effects include recognising the operation of the Waikato Hydro Scheme as it relates to Waikato River levels through Hamilton. Development and activities could compromise the operating levels for the Waikato Hydro Scheme if careful consideration of location and design of three waters infrastructure, walkways, cycleways, boat ramps, pontoons and jetties and the like are not taken into account.</i></p> <p><i>Broadband is critical to the progress of the City. The Hamilton Economic Development Strategy includes an outcome that Hamilton has leading broadband infrastructure.</i></p>	
Objective	Policies
<p>25.7.2.2 Network utilities (excluding renewable electricity generation activities) are located, designed and operated to avoid, remedy or mitigate adverse effects on amenity and the surrounding environment.</p>	<p>25.7.2.2a Network utilities shall be designed, located, installed, operated and maintained to:</p> <ul style="list-style-type: none"> i. Minimise the potential discharge of contaminants to the environment. ii. To the extent practicable avoid potential adverse effects on the health, safety and wellbeing of people and communities. iii. Minimise effects on the scale and character of surrounding land uses. iv. Minimise adverse visual effects as far as practicable through design and location, landscaping and screening. v. Be placed underground where practicable, excluding stormwater. vi. Allow for the provision and efficient operation of other network utilities. vii. Co-locate or co-site where possible. viii. Minimise adverse effects to adjacent properties.

	<p>25.7.2.2b Network utilities that generate electromagnetic or radio frequency fields shall comply with national and international standards as specified in the relevant National Environmental Standard.</p> <p>25.7.2.2c Network utility structures are to be in accordance with all relevant National Environmental Standards.</p> <p>25.7.2.2d To the extent practicable network utility structures should not be located within areas of high amenity values listed in Volume 2, Appendix 13: Areas with Historic Heritage Values or Visual Amenity Values.</p>
Explanation	
<p><i>This objective recognises that network utility structures can adversely affect the environment and amenity, and seeks to manage potential adverse effects, particularly through design and location. This objective excludes renewable electricity generation activities in recognition of the National Policy Statement for Renewable Electricity Generation.</i></p> <p><i>Adverse visual effects can often be managed by putting the services underground. For networks, such as those with cables, that can be located underground, this is the required approach. Where network utility structures are located above ground, particular attention should be given to their design, location and minimising of any adverse visual effects. This can be achieved in a number of ways including screening, careful placement, size and appearance.</i></p> <p><i>In the case of broadband, above-ground deployment of cables will allow rapid, relatively inexpensive and less disruptive installation of fibre to areas where overhead electricity distribution lines already exist. However in the longer term, underground installation is required to reduce visual pollution.</i></p> <p><i>Co-location and co-siting of network utilities may provide environmental benefits in terms of visual amenity. Where possible, opportunities for co-location should be explored. However, it is recognised that co-location is not always possible due to operational issues such as radiofrequency interference, electrical interference and structural capacity.</i></p> <p><i>Health and safety effects can arise from network utilities and their structures. Where electricity national grid corridors already exist, sensitive land use should not locate in close proximity. The National Policy Statement on Electricity Transmission defines sensitive activities.</i></p> <p><i>There are a number of national and international standards that are external to the District Plan but that must be complied with. These are identified in the National Environmental Standards.</i></p>	

Objective	Policies
<p>25.7.2.3 Increased use and development of renewable energy resources.</p>	<p>25.7.2.3a The positive effects of using and developing renewable energy resources, for the environment and economic and social wellbeing, shall be recognised.</p>
	<p>25.7.2.3b The renewable energy resources of Hamilton (including geothermal, hydro, biomass, solar and wind) shall be recognised and encouraged for their potential contribution to national and local energy production.</p>
	<p>25.7.2.3c Investigation, identification and assessment of potential sites and energy sources for renewable electricity generation shall be encouraged.</p>
	<p>25.7.2.3d Renewable electricity generation activities shall be designed, located, installed, operated and maintained to:</p> <ul style="list-style-type: none"> i. Minimise the potential adverse effects to the environment. ii. Avoid, reduce or displace greenhouse gas emissions. iii. Maximise the use of the renewable energy resource. iv. Offset any adverse residual environmental effects with measures or environmental compensation which benefit the local environment and community affected.
	<p>25.7.2.3e The development and use of small and community-scale distributed renewable electricity generation shall be encouraged, subject to:</p> <ul style="list-style-type: none"> i. Acceptable effects on amenity values, especially from noise, visual impacts on neighbourhoods, air emissions, glare and lighting, flicker effects on natural light, steam and odour. ii. Acceptable effects on water bodies, landscapes and significant natural areas. iii. An assured standard of long-term maintenance of sites and equipment.

Explanation	
<p><i>This objective and associated policies recognise that the production and use of renewable electricity resources can have positive effects on the environment and community wellbeing. However, making the best use of renewable resources may adversely impact on other resources and values, such as landscape and local amenity.</i></p> <p><i>The Act requires the District Plan to have particular regard to the benefits derived from the use and development of renewable energy. Although not stated in the Act, these benefits may include security of supply and greater reliability (by diversifying sources of energy), reduction in greenhouse gas emissions, reduction in dependence on the national grid, and reduction of transmission losses. Such use will also add to electricity generation capability on a more sustainable basis.</i></p> <p><i>The National Policy Statement for Renewable Electricity Generation recognises that energy demand has been growing steadily and will continue to do so. Renewable electricity can assist in meeting this demand. Policies relating to this objective recognise and provide for renewable electricity generation at a range of scales. “Small and community-scale distributed electricity generation” are promoted by the national policy statement, subject to the local context, which in Hamilton City will involve consideration of urban and suburban amenity values.</i></p>	
Objective	Policies
<p>25.7.2.4 Efficient operation, maintenance and upgrade of the existing electricity transmission network and to enable the establishment of new electricity transmission resources.</p>	<p>25.7.2.4a The national, regional and local benefits of sustainable, secure and efficient electricity transmission shall be recognised.</p>
	<p>25.7.2.4b The effective operation, maintenance, upgrading and development of the electricity transmission network shall be supported.</p>
	<p>25.7.2.4c The technical and operational requirements of the network shall be considered.</p>
	<p>25.7.2.4d Adverse effects of new transmission infrastructure or major upgrades of existing transmission infrastructure shall be addressed by the route, site and method selection.</p>
	<p>25.7.2.4e The reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets shall be recognised.</p>
	<p>25.7.2.4f Substantial upgrades of transmission infrastructure shall be used as an opportunity to reduce existing adverse effects of transmission.</p>

	<p>25.7.2.4g New transmission infrastructure should be avoided in urban environments, areas of high recreational value or amenity, and adjoining sensitive land use.</p>
	<p>25.7.2.4h New transmission networks shall in preference be established using the designation process for efficient long-term development, operation and maintenance of electricity transmission infrastructure.</p>
<p>Explanation</p>	
<p><i>This objective and policies gives effect to the National Policy Statement on Electricity Transmission, which is itself intrinsically linked to the National Environmental Standard for Electricity Transmission Activities. While the national policy statement provides the strategic policy framework, the national environmental standard provides rules for the existing transmission infrastructure. The NPSET has one objective with several components :</i></p> <ul style="list-style-type: none"> • <i>To recognise the national significance of the electricity transmission network.</i> • <i>To facilitate the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources.</i> • <i>To manage the adverse environmental effects of the network.</i> • <i>To manage the adverse effects of other activities on the network.</i> 	
<p>Objective</p>	<p>Policies</p>
<p>25.7.2.5 Amateur Radio Configurations are provided for where they do not have a significant adverse effect on visual amenity and residential character.</p>	<p>25.7.2.5a Amateur Radio Configurations are designed, constructed and located to minimise adverse effects on existing or anticipated residential character and amenity of adjoining properties or the surrounding neighbourhood.</p>
<p>Explanation</p>	
<p><i>This objective and policy provides for Amateur Radio Configurations in the General Residential Zone and Future Urban Zone. Providing for the activity of Amateur Radio configuration is important given the role they play in emergency response and international telecommunication. However, this requires balancing between providing for Amateur Radio and protecting the community and environment from significant adverse effects on amenity values.</i></p>	

25.7.3 Rules – Activity Status

The rules contained in Sections 25.7.3 – 25.7.4 override all zone rules unless a particular zone rule is specifically referred to in this chapter.

Activity – All Zones	Class
All Network Utilities	
a) The operation of existing network utilities, whether underground or above ground	P
b) The installation and upgrading of network utilities located underground (excluding electricity transmission lines)	P
c) The maintenance and repair of any existing network utility	P
d) The removal of existing network utilities, whether underground or above ground	P
e) The trimming and pruning of vegetation necessary to protect electric lines (including as required to meet the Electricity (Hazards from Trees) Regulations 2003) or telecommunication lines	P
f) Network utility development, operation, or maintenance not otherwise mentioned in any section of this table	P
Electricity Transmission at and above 110kV	
g) New above-ground lines and support structures (other than relocation)	D
h) New underground lines and associated structures	D
i) Substations	D
j) Switching stations	D
k) Minor upgrading of existing above-ground lines and support structures	P
l) Upgrading of existing above-ground lines and support structures	RD
Electricity Distribution up to 110kV	
m) Underground lines, including underground connections from buildings and sites	P
n) New above-ground single-pole lines and support structures	RD
o) Minor upgrading of existing above-ground lines and support structures	P
p) Upgrading of existing above-ground lines and support structures	RD
q) New and upgraded transformers, substations and switching stations distributing electricity at a voltage up to, and including 110kV, and ancillary buildings in the Open Space Zones and Special Character Zones (except within the Peacocke Character Zone)	D
r) All other zones	P
Telecommunications	
s) Underground telecommunication lines, including underground connections from buildings and sites	P
t) Minor upgrading of existing telecommunication equipment	P

Activity – All Zones	Class
u) New overhead connections from buildings and sites to existing overhead line networks	P
v) New above-ground single-pole structures and associated telecommunication lines	RD
w) New above-ground single-pole structures and associated telecommunication lines in existing overhead network areas for ultra-fast fibre installation	P
x) Addition of telecommunications lines and fittings to existing supporting structures	P
y) Antenna in Special Character Zones and Open Space Zones	D
z) Antenna in all other zones	P
aa) Amateur Radio Configuration	P
bb) Cabinet in Open Space Zones and Special Character Zones (except within the Peacocke Character Zone)	RD
cc) Cabinets in all other zones	P
dd) Mast in Special Character Zones and Open Space Zones	D
ee) Mast in all other zones	P
ff) Up to two satellite dishes per site in all zones, except in the Industrial Zones, Business 1 to 6 Zones and Residential Intensification Zone where up to four satellite dishes per site	P p
gg) Card and coin operated telephone booths (excluding Open Space Zone)	P
hh) Installation of equipment internally within any telephone exchange	P
ii) Installation of telecommunications facilities in Transport Corridor Zone within an area having historic heritage values or visual amenity values listed in Volume 2, Appendix 13.	RD
Gas	
jj) Underground gas transmission pipelines at a pressure less than 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations, but not compressor stations	P
kk) Underground gas transmission pipelines at a pressure of 2000 kilopascals or greater, including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses	D
ll) Gas valve and takeoff stations, sales gates and regulator systems	P
Water Infrastructure	
mm) New underground pipelines conveying Three Waters and overland stormwater conveyances (open drains and channels)	P
nn) Pump stations and aerial crossings on bridges or structures or over water courses and other depressions	RD
oo) Water and wastewater treatment plants	D
pp) Water supply reservoirs	RD

Activity – All Zones	Class
qq) Stormwater detention, treatment and/or soakage facilities to service more than 1 site	RD
Meteorological	
rr) Meteorological enclosures and buildings, automatic weather stations, and voluntary observer sites and associated microwave links	P
ss) Single metrological instrument sites	P
tt) Two or more meteorological instruments per site (including associated support structures)	D
Energy	
uu) Structures associated with the investigation and assessment of potential electricity generation from biomass, hydro or geothermal resources	RD
vv) Wind energy facility and windpower generators for bulk power supply	D
ww) Small scale distributed renewable energy generation	P
xx) Community scale distributed renewable energy generation	D
yy) Solar panels and solar heating systems for the purposes of serving the site on which they are located	P
zz) Solar panels and solar heating systems for the purposes of serving more than one site	RD
aaa) Temporary diesel-fuelled generation activities in all Zones	P

25.7.4 Rules – Activity Status – Electricity National Grid Corridor

Activities and Buildings within the Electricity National Grid – All Zones	Class			
	Within Greenfield Areas National Grid Yard	Within Greenfield Areas National Grid Corridor	Within Urban Areas National Grid Yard	Within Urban Areas National Grid Corridor
a) New buildings or additions to the building envelope of existing buildings for a sensitive land use	NC	P	NC	P
b) Any building associated with non-sensitive land uses (including commercial or industrial activities) on existing developed sites within urban areas	N/A	N/A	P	P
a) Any building associated with non-sensitive land uses (including commercial or industrial activities and accessory buildings) on Lot 1 DPS 75707 (1 Bisley Road)	D	P	P	P
d) Maintenance, repair and internal alterations to existing buildings that do not result in the alteration of the building envelope and/or an increase in floor space for a sensitive land use	P	P	P	P
e) Establishment of a sensitive land use and changes of activity to a sensitive land use	NC	P	NC	P
f) Any building within the National Grid Corridor, except as otherwise provided for in a) to e) above	NC	P	NC	P
g) Any building within 12m of the outer visible edge of a <u>National Grid transmission</u> -support structure-	NC	NC	NC	NC
h) Any new building less than 2.5m high and 10m ² in area <u>(excluding i) below)</u>	P	P	P	P
<u>i) Within the Ruakura Structure Plan area</u> Any new building less than 2.5m high and 10m ² in area <u>and any fencing up to 2.5 metres high, lighting up to 2.5 metres high, and traffic management structures up to 2.5 metres high (including as required to manage activities under the lines), subject to compliance with NZECP 34:2001 and no closer than 12 metres clearance from the outer visible edge of a National Grid support structure</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Activities and Buildings within the Electricity National Grid – All Zones	Class			
	Within Greenfield Areas National Grid Yard	Within Greenfield Areas National Grid Corridor	Within Urban Areas National Grid Yard	Within Urban Areas National Grid Corridor
<u>j) In the Logistics Zone, unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities (outside of approved crossings under k) below) in the National Grid Yard.</u>	NC	N/A	N/A	N/A
<u>j) In the Logistics Zone, unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities in the National Grid Corridor</u>	N/A	RD	N/A	N/A
<u>k) In the Logistics Zone, crossings for Mobile Plant as defined in NZECP 34:2001 (does not apply to the movement of containers on trucks or trains) in the National Grid Yard.</u>	RD	N/A	N/A	N/A
<u>l) In the Logistics Zone, light towers, walls and fences greater than 2.5 metres high in the National Grid Yard and National Grid Corridor.</u>	RD	RD	N/A	N/A
<u>m) Any activity not complying with Rule 25.7.6.1 National Grid Buildings and Structures</u>	NC	NC	NC	NC
<u>n) Network utilities</u>	Refer to Rule 25.7.3 above			

Note

1. All activities or buildings within the Electricity National Grid Corridor shall have the activity class identified above, except where the class of the activity or building is more restrictive within the relevant zone or city wide rules, in which case the more restrictive activity status shall apply. Where Electricity National Grid Corridors for different lines intersect, the most restrictive Corridor will apply. Where an activity is not identified above, it shall be controlled by the relevant zone and city wide rules.
2. The controls within the Electricity National Grid Corridors do not apply to sections of a line which have subsequently been placed underground, or removed. In such cases the relevant zone and city wide rules will apply.
3. The operation, maintenance, upgrading, relocation or removal of an existing electricity transmission line and structures is largely controlled by the Resource Management Act (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.
4. The installation and operation of telecommunications facilities (antennas and cabinets in the road reserve) is largely controlled by the National Environmental Standards for Telecommunications Facilities (2008), separate to this District Plan.
5. Works in close proximity to all electric lines can be dangerous. Compliance with the New Zealand Electrical Code of Practice 34:2001 is mandatory for any construction, buildings, excavation or other work on or near an electric line.

6. Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines especially within 20m of those lines, contact the line operator.
7. Network utilities that transmit radiofrequency fields or emit electromagnetic fields shall comply with the relevant New Zealand Guidelines or Legislation.
8. Network utilities that emit electro-magnetic fields shall comply with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines.
9. Consultation with Transpower New Zealand Limited (or its successor) is advised when considering development within the High Voltage Electricity National Grid Corridor. Transpower New Zealand Limited will be an affected party for any development requiring resource consent under or adjacent to high voltage transmission lines.
10. For any activity not identified above, see Section [1.1.8.1](#).

Comment [HCC1]: Editorial

25.7.5 Rules – General Standards

25.7.5.1 Height

Zones	Maximum height
a) Maximum height of the entire structure including any attached antennas, support structures, etc (except lightning rods): All Residential, Special Character, Community Facilities, Open Space, and Future Urban Zones, and in the Transport Corridor Zone adjoining any of these zones	15m
b) Maximum height of the entire structure including any attached antennas, support structures, etc (except lightning rods): All Business 1 to 6, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics and Knowledge Zones and in the Transport Corridor Zone adjoining these zones	24m
c) Maximum height of entire structure including any attached antennas, support structures, etc, where co-located on the same structure (except lightning rods): All Business 1 to 6, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics and Knowledge Zones and in the Transport Corridor Zone adjoining these zones	26m
d) Maximum height of lightning rods above a structure or building: All zones	2m
e) Maximum height above a building that an antenna or dish can protrude: All Residential, Special Character and Future Urban Zones	1m
f) Maximum height above a building that a antenna or dish can protrude: All Community Facilities, Open Space, Business 1 to 6, Industrial, Central City, Ruakura Logistics and Transport Corridor Zones	4m
g) Meteorological instruments, anemometer mast: All zones	12m

Note

1. Explanation to Rule 25.7.5.1(c) above:
Co-location refers to the shared use of a network utility for multiple purposes or by multiple providers. For example, the network utility structure may incorporate telecommunication masts and meteorological devices.
2. Transport Corridor Zone:
Where two different zones adjoin the Transport Corridor Zone the more restrictive standard shall apply.

25.7.5.2 Cross-section Width of Antenna, Poles and Masts

Zones	Maximum cross-sectional width
a) All Residential, Special Character Community Facilities, Open Space and Future Urban Zones, and in the Transport Corridor Zone adjoining any of these zones	0.7m
b) All Business 1 to 6, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics, and Knowledge Zones and in the Transport Corridor Zone adjoining any of these zones	1.3m
c) All Business 1 to 6, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics, Knowledge zones and in the Transport Corridor Zone adjoining any of these zones where antennas, poles and/or masts are co-located on the same structure	2.1m

Note

1. Explanation to Rule 25.7.5.2(c) above:
Co-location refers to the shared use of a network utility for multiple purposes or by multiple providers. For example, the network utility structure may incorporate telecommunication masts and meteorological devices.
2. Transport Corridor Zone:
Where two different zones adjoin the Transport Corridor Zone the more restrictive standard shall apply.

25.7.5.3 Separation Distance

a) Minimum separation distance between poles and masts: All zones	15m
b) Minimum separation distance between poles and masts within 20m of the intersection of two or more roads within the Transport Corridor Zone	5m
c) Minimum separation distance between antenna: All zones	0m
d) Separation distance in respect of (a), (b) and (c) above excludes utility poles supporting overhead services in the Transport Corridor Zone.	-

25.7.5.4 Size of Panels and Dishes

a) Maximum diameter of any dish: <ol style="list-style-type: none"> i. Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Business 1 to 6, Central City, Ruakura Logistics Zones, or in the Transport Corridor Zone adjoining these zones ii. All other zones or in the Transport Corridor Zone adjoining any of these zones 	4m 2m
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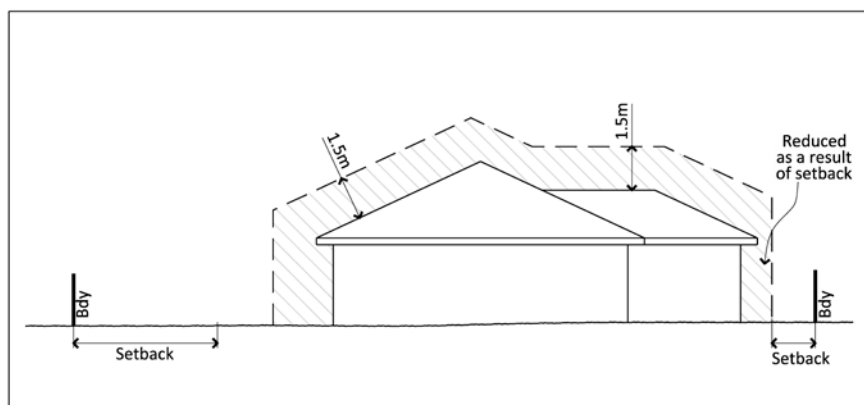
b) Maximum distance beyond a building profile that solar panel or solar heating structure can protrude (see Figure 25.7.5a): All zones	1.5m
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Note

1. Transport Corridor Zone:

Where two different zones adjoin the Transport Corridor Zone the more restrictive standard shall apply.

Figure 25.7.5a: Example of maximum distance beyond a building profile that a solar panel or solar heating structure can protrude

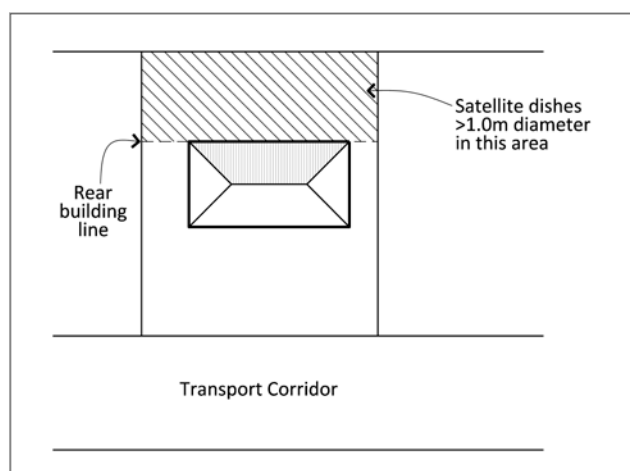


25.7.5.5 Cabinets, Equipment and Other Structures

a) Maximum volume for individual cabinets or other above ground structures for electricity and telecommunications:	
i. Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Business 1 to 7, Central City and Ruakura Logistics zones	25m ³
ii. Transport Corridor Zone and all other zones	6.5m ³
b) Maximum volume for underground structures: All zones	40m ³
c) Maximum area for buildings housing network utility equipment: All zones	40m ² GFA
d) Maximum height for buildings housing network utility equipment: All zones	Refer relevant zone standards

25.7.5.6 Setbacks

- a) Network utilities structures with a volume greater than 6.5m³ shall comply with the minimum building setback for the relevant zone.
- b) For all Residential and Special Character zones, satellite dishes over 1m diameter shall be located behind the rear building line of the dwelling (see Figure 25.7.5a).
- c) The zone performance standards for an accessory building shall apply to solar panels and solar water-heating devices not attached to a building.

Figure 25.7.5b: Setback for Satellite Dishes

25.7.5.7 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 2: Strategic Framework
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

25.7.6 Specific Standards

25.7.6.1 National Grid Buildings and Structures

All buildings or structures permitted by 25.7.4a) and b) must comply with at least one of the following conditions:

- i. A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or
- ii. Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions. As required by the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

25.7.6.2 Amateur Radio Configuration

The following amateur radio configurations are permitted activities within the General Residential and Future Urban Zones under this Rule, unless they are proposed to be located within a site that has a Significant Natural Area, Historic Heritage Item or Significant Archaeological Site.

25.7.6.2.1 Antennas

- a) Where attached to a building or other structure (including a mast) radio and telecommunications antenna up to and including 2m in diameter for an antenna dish and not exceeding 2m² in area or 2m in any dimension for a panel antenna; provided the antenna does not overhang a site boundary; and
- b) One pedestal mounted antenna per site provided that:
 - i. The antenna is pivoted less than 4m above the ground with a maximum diameter of 5m; and
 - ii. The pedestal and/or the antenna are located in accordance with the , setback and height in relation to boundary standards applying to buildings in the zone in which they are located

25.7.6.2.2 Aerials

- a) Aerials that comply with the following:
 - i. Any of the elements making up the aerial do not exceed 80mm in diameter;
 - ii. For horizontal HF yagi aerials, the maximum element length does not exceed 14.9m, and the boom length does not exceed 13m;
 - iii. No part of the aerial (including aerial wires) overhangs a site boundary;
 - iv. The setback standards applying to buildings in the applicable General Residential Zone or Future Urban Zone (except that aerial wires are not required to comply with the setback standards);
 - v. No part of the aerial exceeds the maximum stated height applying to buildings in the applicable General Residential Zone or Future Urban Zone by more than 2m (except for vertical aerials as provided for in vi below);
 - vi. For vertical aerials, one vertical aerial to a maximum height of 20m, provided there is only one vertical aerial or one supporting structure (and attached aerial(s) or antenna(s) under c) below per site that exceeds the maximum stated height applying to buildings in the applicable General Residential Zone or Future Urban Zone by more than 2m.

25.7.6.2.3 Supporting Structures

- a) No more than six support poles for wire aerials of less than 115mm in outside diameter per site provided:
 - i. The maximum height of the support poles is the maximum building height applying in the zone in which they are located;
 - ii. The setback and height in relation to boundary standards shall not apply to these support poles;
 - iii. Where guy wires are used these must not exceed 12mm in diameter; and
- b) One pole support structure (excluding support poles for wire aerials) or lattice support structure per site provided that:

- i. The maximum height of the pole support structure is 9m and the maximum inscribed circle of the pole and any lowering mechanism shall be 600mm below 4m in height and 115mm above 4m; or
 - ii. The maximum height of the lattice support structure is 9m and the maximum inscribed circle and any lowering mechanism shall be 900mm below 8m in height and 660mm above 8m; and
 - iii. The pole or lattice structure is located in accordance with setback standards applying to buildings in the zone in which they are located. For the purpose of this rule the height in relation to boundary standards shall not apply to the pole or lattice support structure; and
 - iv. Where guy wires are used these must not exceed 12mm in diameter; and
 - v. At no point must any guy wire overhang the boundary.
- c) For each site, one support structure can exceed the maximum stated height applying to buildings in the applicable General Residential Zone and Future Urban Zone by more than 2m, provided that:
- i. The maximum height of the support structure and any attached aerials or antennas is 20m;
 - ii. The supporting structure may be one of the following:
 - 1. A guyed mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 115mm; or
 - 2. A guyed lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 300mm. The mast may be of constant width or tapering; or
 - 3. A self-supporting lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m and 420mm at 20m; or
 - 4. A self-supporting tubular mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 230mm at 9m and 115mm at 20m.
 - iii. There may be local enlargement of support structure to accommodate a rotator mechanism;
 - iv. The supporting structure is located in accordance with setback standards applying to buildings in the applicable General Residential Zone or Future Urban Zone. For the purpose of this rule the height in relation to boundary standards shall not apply to the supporting structure;
 - v. Where guy wires are used these must not exceed 12 mm in diameter;

- vi. At no point must any guy wire overhang the boundary.

25.7.6.3 Temporary Diesel-Fuelled Generators

Temporary Diesel-Fuelled Generation Activities, including associated transformers and fuel storage tanks shall:

- a) Produce no greater than a combined output of 10MW per site;
- b) Operate for no longer than 6 months in any calendar year.

25.7.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. Electricity Transmission - upgrading of existing above-ground lines and support structures	<ul style="list-style-type: none"> • I – Network Utilities and Transmission
ii. Electricity distribution – new above-ground single-pole lines and support structures	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
iii. Electricity distribution – upgrading of existing above-ground lines and support structures	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
iv. Telecommunications – new above-ground single-pole structures and associated telecommunication lines	<ul style="list-style-type: none"> • E – Heritage Values and Special Character • I – Network Utilities and Transmission
v. Telecommunications – cabinet in Open Space Zones and Special Character Zones (except within the Peacocke Character Zone)	<ul style="list-style-type: none"> • E – Heritage Values and Special Character • I – Network Utilities and Transmission

<p>vi. Telecommunications – facilities in the Transport Corridor Zone within an area having historic heritage values or visual amenity values as identified in Appendix 13</p>	<ul style="list-style-type: none"> • E – Heritage Values and Special Character • I – Network Utilities and Transmission
<p>vii. Water infrastructure – pump stations and aerial crossings on bridges or structures or over water courses and other depressions</p>	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
<p>viii. Water infrastructure – water supply reservoirs</p>	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
<p>ix. Water infrastructure – stormwater detention, treatment and/or soakage facilities to service more than 1 site</p>	<ul style="list-style-type: none"> • E – Heritage Values and Special Character • I – Network Utilities and Transmission
<p>x. Energy – structures associated with the investigation and assessment of potential electricity generation from biomass, hydro or geothermal resources</p>	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
<p>xi. Energy – solar panels and solar heating systems for the purposes of serving more than one site</p>	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
<p>xii. Energy – Temporary diesel-fuelled generation activities in all Zones</p>	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • F – Hazards and Safety • I – Network Utilities and Transmission
<p><u>xiii. In the Logistics Zone, unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities in the National Grid Corridor</u></p>	<ul style="list-style-type: none"> • <u>I – Network Utilities and Transmission</u> • <u>M - Ruakura</u>
<p><u>xiv. In the Logistics Zone, crossings for Mobile Plant as defined in NZECP 34:2001 (does not apply to the movement of containers on trucks or trains) in the National Grid Yard.</u></p>	<ul style="list-style-type: none"> • <u>I – Network Utilities and Transmission</u> • <u>M - Ruakura</u>

<p><u>xv. In the Logistics Zone, light towers, walls and fences greater than 2.5 metres high in the National Grid Yard and National Grid Corridor.</u></p>	<ul style="list-style-type: none">• <u>I – Network Utilities and Transmission</u>• <u>M - Ruakura</u>
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25.7.8 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

25.8 Noise and Vibration

25.8.1 Purpose

- a) Noise and vibration can have an adverse effect on amenity values, adversely affecting people's health, interfering with communication and disturbing sleep and concentration. Under the Act, noise includes vibration, so the objectives and policies on noise cover vibration as well, unless the context requires otherwise.
- b) District Plan standards for noise are important in determining when resource consents will be required for land uses and the assessment of applications. The District Plan provisions are subject to Section 16 of the Act, which requires everyone carrying out activities to adopt the best practicable option to ensure that noise does not exceed a reasonable level.
- c) The duty to adopt the best practicable option is not always avoided by compliance with a District Plan rule on noise. Noise may be deemed to be unreasonable even though the District Plan does not require resource consent. Enforcement action for unreasonable noise will usually be based on the noise enforcement provisions of the Act, but may be based on exceeding the District Plan standards.

25.8.2 Objectives and Policies: Noise and Vibration

Objective	Policies
<p>25.8.2.1 Activities have minimal adverse noise and vibration effects on other activities and sites, consistent with the amenity values of the receiving environment.</p>	<p>25.8.2.1a The amenity values of the surrounding neighbourhood and adjoining activities, especially noise-sensitive activities, shall be protected from adverse noise effects.</p>
	<p>25.8.2.1b Construction, maintenance and demolition activities shall be required to minimise potential adverse effects on the surrounding neighbourhood and adjoining activities.</p>
	<p>25.8.2.1c Noise effects arising from new and altered roads should be managed using best practicable options to ensure noise levels received by existing premises and facilities that are sensitive to noise are reasonable.</p>
	<p>25.8.2.1d Commercial, industrial and community activities shall ensure that noise received at the boundary of Residential and Special Character Zones is consistent with the existing residential ambient noise environment.</p>

Comment [HCC2]:
Tainui Group Holdings (Ruakura), ENV-147

Comment [HCC3]:
Tainui Group Holdings (Ruakura), ENV-147

	<p>25.8.2.1e Noise from non-residential activities in residential areas shall not unduly adversely affect residential amenity values.</p> <p>25.8.2.1f Temporary events shall minimise noise impacts on residential activities when taking into account the level and duration of the noise.</p>
Explanation	
<p><i>The policies ensure that noise levels will be appropriately managed to protect the amenity values of receiving environments.</i></p> <p><i>Management of the interface between areas is important to ensure that noise is within a reasonable expectation for the zoning and noise levels meet accepted minimum standards for the receiving environment. Within industrial and commercial areas, higher noise levels are accepted, but will be controlled to prevent unreasonable noise from transferring between sites.</i></p> <p><i>The policies will capture changes to the noise environment arising from new and altered roads. The Plan aims to limit people’s exposure to traffic noise from new transport corridors by reducing noise at the source, and requiring insulation for new development beside busy transport corridors (see Objective 25.8.2.2).</i></p> <p><i>Many construction activities are inherently noisy but methods are available which can control the emission and impact of this noise. Noise experienced during construction is of a temporary nature and provided that noise at inconvenient times can be mitigated or avoided, reasonable levels of construction noise can be accommodated.</i></p>	
Objective	Policies
<p>25.8.2.2 Reduce reverse-sensitivity effects arising from new noise-sensitive activities locating:</p> <ul style="list-style-type: none"> i. Within the Central City, Business, Industrial, Te Rapa North Industrial, Ruakura Logistics and Ruakura Industrial Park Zones. ii. Near to transport networks. iii. Within a defined helinoise boundary. iv. Within the noise emission boundary of the Te Rapa Dairy Factory. 	<p>25.8.2.2a Noise-sensitive activities locating within the Central City, Business, Industrial, Ruakura Logistics, Te Rapa North and Ruakura Industrial Park Zones or within an existing defined helinoise boundary or within the Te Rapa Dairy Factory Noise Emission boundary should include design and materials to reduce interior noise to acceptable levels.</p> <p>25.8.2.2b Noise-sensitive activities locating near transport corridors that carry high traffic volumes, or railways, should include design and materials to reduce interior noise to acceptable levels.</p> <p>25.8.2.2c Noise-sensitive activities located within the Rototuna North East Character Zone adjacent to the Waikato Expressway (Designation E90) within the habitable building setback should provide</p>

	sufficient acoustic treatment to protect its residential noise environment.
Explanation	
<p><i>The objectives and policies recognise that some areas of the City contain a diverse range of activities, and that there is increased potential for conflict over noise, particularly when noise-sensitive activities locate near existing noisy activities.</i></p> <p><i>The objective and policies recognise that noise-sensitive activities establishing in these areas will require appropriate design and materials, such as acoustic insulation, to achieve an acceptable internal noise environment.</i></p> <p><i>The objectives and policies also recognise that the noise levels within the Te Rapa Dairy Factory Noise Emission Boundary were agreed through an appeal settlement on the Waikato District Plan and the area around the Dairy Factory was subsequently transferred into Hamilton City. Noise sensitive activities locating within the Dairy Factory Noise Emission boundary need to be aware of the existing noise levels within the Noise Emission Boundary.</i></p> <p><i>In the Rototuna North East Character Zone, the use of a specific building setback provision pre and post the construction of the Waikato Expressway (Designation E90) negates the need for additional acoustic mitigation of dwellings beyond the setback and provides protection for the outdoor amenity of residential properties within the setback. However, habitable buildings located within the setback do have an increased potential to be affected. Accordingly noise-sensitive activities establishing in this area will require appropriate design and materials, such as acoustic insulation, to achieve an acceptable internal noise environment.</i></p>	
Objective	Policies
<p>25.8.2.3 Reduce reverse-sensitivity vibration effects arising from new development locating near to the rail transport network.</p>	<p>25.8.2.3a New buildings locating near to the rail network should include design and materials to reduce vibration to acceptable levels.</p>
Explanation	
<p><i>The objectives and policies recognise that in some areas of the City near to the rail network there is potential for vibration effects. The objective aims to ensure that new buildings locating near to the rail are designed to recognise the environment in which they are located.</i></p>	

25.8.3 Rules – Specific Standards

25.8.3.1 Measurement and Assessment of Noise

- a) Noise levels shall be measured in accordance with NZS 6801:2008 “Acoustics – Measurement of Environmental Sound” and assessed in accordance with NZS 6802:2008 ‘Acoustics – Environmental Noise’. These apply unless otherwise stated.

25.8.3.2 Construction Noise

- a) All construction noise shall comply with the relevant noise levels stated in NZS6803: 1999, section 7.2 'Recommended numerical limits for construction noise' and shall be measured and assessed in accordance with NZS 6803:1999 'Acoustics – Construction Noise'.

25.8.3.3 Construction Vibration

- a) Construction vibration received by any building on any other site shall comply with the provisions of and be measured and assessed in accordance with German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures.

25.8.3.4 Design and Construction of New and Altered Roads

- a) Application of this standard.
 - i. This standard shall apply only to new and altered roads predicted to carry at least 2000 annual average daily traffic (AADT) at the design year.
- b) This standard shall not apply:
 - i. In circumstances where NZS 6806: 2010 does not apply, as listed in paragraph 1.3.1 of NZS 6806: 2010.
 - ii. To local transport corridors identified within Volume 2, Appendix 15-5b to 15-5f.
 - iii. To altered roads where the vertical or horizontal alignment changes relate solely to providing pedestrian footpaths, cycleways, dedicated passenger transport or high-occupancy vehicle lanes, vehicle stopping or parking whereby that part of the carriageway dedicated to usual vehicle movement does not move closer to any protected premises and facilities.
- c) Road-traffic noise shall be measured and assessed in accordance with NZS 6806:2010 'Acoustics – Road traffic noise – New and altered roads'.
- d) Subject to 25.8.3.4(a) and (b) above, new or altered roads are designed and constructed to mitigate road-traffic noise in compliance with NZS 6806: 2010 'Acoustics – Road traffic noise – New and altered roads'.

Note

1. This rule mainly affects road controlling authorities such as Council and the New Zealand Transport Authority, but sometimes may affect a private developer building or altering a road in a subdivision designed to carry the requisite traffic volumes. The practical effect of the standard is that traffic noise received at 'protected premises and facilities' will be reduced by design features such as quieter road surfaces.

25.8.3.5 Helicopter Landing Area Noise

- a) Helicopter noise from helicopter landing areas shall be measured and assessed in accordance with NZS 6807:1994 'Noise management and land-use planning for helicopter landing areas'.

Note

1. An activity that does not comply with NZS6807:1994 in Rule 25.8.3.5 will require consent, and the operator may be required to establish a helinoise boundary around the helicopter landing area, as described in NZS 6807:1994 via a change to the District Plan in accordance with the first schedule of the Act. Any new 'noise-sensitive activities' inside a defined helinoise boundary may be subject to the noise insulation requirements of NZS 6807:1994.

2. In addition to District Plan requirements, helicopter operation is subject to civil aviation controls.

25.8.3.6 Events and Temporary Activities

- a) The relevant zone noise standards shall apply to all events and temporary activities, except as provided in Rule 25.3.5.2(c) and 25.3.5.3(e).

25.8.3.7 Noise Performance Standards for Activities in all Zones Except Major Facilities, Knowledge, and Open Space Zones, Ruakura Logistics and Ruakura Industrial Park Zones

- a) Activities in all Zones except Major Facilities, Knowledge, and Open Space, Ruakura Logistics and Ruakura Industrial Park Zones, shall not exceed the following noise levels at any point within the boundary of any other site in the:

- i. Residential Zone.
- ii. Special Character Zone.

Or, any point within the:

- iii. Notional boundary of any residential unit on any other site within the Ruakura Logistics Zone at the time of notification of this Plan (as identified in Volume 2, 14-1 – Residential Units in the Ruakura Logistics Zone).

Time of day	Noise level measured in L _{Aeq} [15 min]	Noise level measured in L _{AFmax}
iv. 0600 – 0700 hours	45 dB	75 dB
v. 0700 – 2000 hours	50 dB	-
vi. 2000 – 2300 hours	45 dB	-
vii. 2300 – 0600 hours	40 dB	75 dB

- Comment [HCC4]: Tainui Group Holdings (Ruakura), ENV-147
- Comment [HCC5]: As above
- Comment [HCC6]: As above
- Comment [HCC7]: As above

- b) Activities in all zones except the Major Facilities, Knowledge and Open Space Zones shall not exceed the following noise levels at any point within the notional boundary of any other site in the Future Urban Zone.

Time of day	Noise level measured in L _{Aeq} [15 min]	Noise level measured in L _{AFmax}
i. 0700 – 2200 hours	55 dB	-
ii. 2200 – 0700 hours	40 dB	75 dB

- c) Any activity within the Industrial, and Te Rapa North Industrial, Ruakura Logistics and Ruakura Industrial Park zones shall not exceed a noise level of 65dBA (L_{Aeq} [15 min]) at any point within the boundary of any other site within that zone. This standard does not apply to sites held in common ownership with the site containing the activity generating the noise. This standard applies to Stages 1A and 1B of the Te Rapa North Industrial Zone, but does not apply to the remainder of the Te Rapa North Industrial Zone until such time as the Deferred Industrial Zone overlay is removed.

- Comment [HCC8]: As above

- d) Application of this standard.
- i. This standard does not apply to activities provided for by Rule 25.3.5.2(c) and 25.3.5.3(e)

- ii. This standard does not apply to helicopter noise at helicopter landing areas, road traffic noise, or construction noise.
- iii. This standard does not apply to residential activities, including the use of garden equipment (such as lawnmowers, chainsaws or wood chippers) ancillary to residential activities. Short duration use at reasonable times will usually be acceptable.
- iv. This standard does not apply to noise from temporary emergency use of generators for continued power supply provided that the best practicable option to control the noise is adopted.
- v. This standard does not apply to night time noise (2200 – 0700) from activities within the Dairy Factory overlay.
- vi. This standard applies to all other activities, including home-based businesses, pool pumps, air conditioning units and domestic wind turbines.

Note

- 1. The Te Rapa North Deferred Industrial Area, excluding Stages 1A and 1B, is assessed against the Future Urban noise standards until such time as the Deferred Industrial Zone overlay is removed.

25.8.3.8 Te Rapa Dairy Factory Noise Emission Boundary

- a) Any activity within the Dairy Factory Overlay shall be designed and conducted so that night time noise (2200 – 0700) from site activities, other than construction noise, measured at the Te Rapa Dairy Factory Noise Emission Boundary shown on Planning Maps 1B, 2B, 6B and 7B shall not exceed 45dB $L_{Aeq} (15\text{-mins})$.

25.8.3.9 Noise Performance Standards for Activities in the Major Facilities Zone, Knowledge Zone and Open Space Zones

- a) Activities within the Major Facilities Zone, Knowledge Zone and Open Space Zones shall not exceed the following noise levels at any point within the notional boundary of any other site within the:
 - i. Future Urban Zone.

Or, any point within the boundary of any other site in the:

 - ii. Residential Zone.
 - iii. Special Character Zone.

Time of day	Noise level measured in L_{Aeq} [15 min]	Noise level measured in L_{AFmax}
iv. 0700 – 2300 hours	55dB	-
v. 2300 – 0600 hours	40dB	75 dB
vi. 0600 – 0700 hours	45dB	75 dB

- b) Rule 25.8.3.9(a) shall not apply to crowd noise from events.
- c) For Seddon Park, Waikato Stadium, Claudelands Events Centre and Te Rapa Racecourse the noise standards outlined in Rule 25.8.3.9(a) shall apply except for six days per calendar year when the following standards shall apply.

i. The noise (including practice or testing) does not exceed the following noise levels at any point within the boundary of any site in the:

- Residential Zone
- Special Character Zone

Time of day	Noise levels measured in L_{Aeq} [15 min]	Noise levels measured in L_{AFmax}
ii. 1000 – 2300 hours	75 dB 70 dB at 63Hz 65 dB at 125Hz	85 dB
iii. On New Year's Eve these noise levels shall apply up to 0030 hours the following day (January 1).		

iv. Rule 25.8.3.9(c)i shall not apply to crowd noise from events.

v. The noise event does not exceed four hours' duration, except on two of the six occasions when the duration of the noise event must not exceed seven hours, exclusive of practice and sound checks.

vi. Practice or testing involving the use of electronic sound amplification must not exceed two hours.

vii. The public is notified at least 14 days before the noise event, including information about:

- The nature of the noise event and the fact that the noise limits for general activities may be exceeded.
- Proposed dates and start and finish time of the event itself, and the expected times of any testing or practice.
- Contact details before and during the noise event.
- Possible alternative dates in the event of postponement.

Note

1. A suitable method for achieving compliance with this standard is the publishing of a public notice containing the required information in a newspaper with a circulation that covers the entire area affected by the proposal.

viii. Provide a noise management plan to Council at least one month before the event to demonstrate compliance with the relevant noise standards.

d) Application of this standard:

i. This standard does not apply to activities provided for by Rule 25.3.5.2(c) and 25.3.5.3(e)

ii. This standard does not apply in relation to noise received from the Te Rapa Racecourse at the following existing sites on Minogue Drive.

- Pt Lot 1 DP 311765
- Lot 5 DP 443687
- Section 3 SO 318174

- iii. This standard does not apply to noise from helicopter noise at helicopter landing areas, road traffic noise, or construction noise.

25.8.3.10 Noise-sensitive Activities – Activities in all Zones

- a) The standards in Rule 25.8.3.10 (e), (f) and (g) shall apply to the construction of new and altered buildings to be used for noise-sensitive activities within:
 - i. The Central City Zone, Business 1 to 7 Zones, Industrial Zone, Ruakura Logistics Zone, Ruakura Industrial Park Zone, Te Rapa North Industrial Zone, the Te Rapa Dairy Factory Noise Emission Boundary, Rotoruna Town Centre Zone.
 - ii. All sites, near existing and proposed transport corridors that carry high traffic volumes, as defined in 25.8.3.10 (b), (c) and (d) below.
 - iii. All sites, near a railway line, as defined in 25.8.3.10(d) below.
- b) “Near existing and proposed transport corridors that carry high traffic volumes” applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the nearest edge of the carriageway of:
 - i. All existing transport corridors, and
 - ii. Designated transport corridors (where the designation defines the location of the carriageway),

That are predicted to carry an annual average daily traffic level (AADT) at the design year of at least:

 - i. 5,000 AADT where the posted speed limit is ≤50km/hr.
 - ii. 2,000 AADT where the posted speed limit is >50km/hr.
- c) “Near existing and proposed transport corridors that carry high traffic volumes” also applies to noise sensitive activities where the building line of the building containing the activity is within 35m of the boundary of the Waikato Expressway (Designation E90 and E90a), except that this standard does not apply to the land north of the Waikato Expressway designation zoned Rotoruna North East Character Zone as defined in 25.8.3.10(h) below. Rule 25.8.3.10(c) will no longer apply and instead Rule 25.8.3.10(b) will apply when:
 - i. The location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or
 - ii. Construction is underway or completed.
- d) “Near a railway line” applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the boundary of a designation for Railway Purposes (Designations F1 and F1a).
- e) Where this standard applies (as defined by Rule 25.8.3.10(a) to (d) above):
 - i. Any habitable room in a building shall be protected from noise arising from outside the building by ensuring the building is designed and constructed to meet an indoor design sound level of 35dBA $L_{eq(24hr)}$ in bedrooms and 40dBA $L_{eq(24hr)}$ in all other habitable rooms , or

Comment [HCC9]:
New Zealand Transport Agency, ENV-159

Comment [HCC10]:
New Zealand Transport Agency, ENV-159

- ii. Where only 25.8.3.10(a)ii and iii apply, an acoustic design certificate shall state that the indoor design sound level of 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) in all other habitable rooms is able to be met.
- f) Compliance with Rule 25.8.3.10(e)i shall be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with:
 - i. An acoustic design certificate stating the proposed design will achieve compliance with the performance standard in Rule 25.8.3.10(e)i.
- g) Where Rule 25.8.3.10(f) applies, where rooms with windows that can be opened are proposed, a positive supplementary source of fresh air ducted from outside shall be required at the time of fit-out. The supplementary source of air is to achieve a minimum ventilation as specified in Section G4 – Ventilation of the New Zealand Building Code 2011.
- h) The exception to Rule 25.8.3.10(c) in the Rototuna North East Character Zone, any habitable rooms in new residential activities or the construction of new habitable rooms or extensions to habitable rooms in existing residential activities where constructed on a site within the applicable set back for the zone shall meet the following criteria:

Any residential activity located within the habitable building setback of 65m shall be designed and constructed to ensure that the noise level from the Waikato Expressway designation boundary is no greater than 35dBL_{Aeq(24hr)} in any bedroom and 40dBL_{Aeq(24hr)} in any other habitable room (the internal noise limits). The outdoor noise level shall be the level incidental on the residential activity based on the noise level prediction parameters in Rule 23.6.12 c).

 - i. Any residential activity within the a 55dBL_{Aeq(24hr)} contour line from the Waikato Expressway, established via subdivision in accordance with 23.6.12 c), shall be designed and constructed to ensure that the noise level from the Expressway is no greater than 35dBL_{Aeq(24hr)} in any bedroom and 40dBL_{Aeq(24hr)} in any other habitable room (the internal noise limits). The outdoor noise level shall be the level incidental on the residential activity based on the noise level prediction parameters in Rule 23.6.12 c).
 - ii. A design report shall be prepared by a suitably qualified acoustic engineer approved by the Hamilton City Council, and provided to the Planning Guidance Manager, Hamilton City Council, that demonstrates the internal noise limits will be achieved.
 - iii. For those rooms where windows and doors need to be closed to achieve the internal noise limit, an alternative ventilation system that complies with the requirements of Section G4 of the Building Code shall be installed. This system shall be designed to achieve a level of no less than 10dB L_{Aeq} below the traffic design level for that room.

Note

1. If habitable rooms are located outside of the 65m setback or 55dBL_{Aeq(24hr)} noise contour, no acoustic treatment is required even if one or more boundaries of the lot is intersected by either the setback or noise contour.

25.8.3.11 Noise-sensitive Activities – Ruakura Logistics Zone, Ruakura Industrial Park Zone and Precinct C of Knowledge Zone

- a) Buildings to be used for noise-sensitive activities shall not be constructed with any part of the building within 40m of the designation for the Waikato Expressway. This requirement shall not apply to the feeder roads serving the Greenhill and Ruakura interchanges.
- b) The following standards in this rule shall apply to the construction of new and altered buildings to be used for noise-sensitive activities within:
- i. The Ruakura Logistics Zone, the Ruakura Industrial Park Zone and Precinct C of the Knowledge Zone.
 - ii. All sites, near existing and proposed transport corridors that carry high traffic volumes, as defined in Rule 25.8.3.11-(c) and (d) below.
 - iii. All sites, near a railway line, as defined in Rule 25.8.3.11(e) below.
- c) “Near existing and proposed transport corridors that carry high traffic volumes” applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the nearest edge of the carriageway of:
- i. All existing transport corridors, and
 - ii. Designated transport corridors (where the designation defines the location of the carriageway), that are predicted to carry an annual average daily traffic level (AADT) at the design year of at least:
 - 5,000 AADT where the posted speed limit is ≤50km/hr.
 - 2,000 AADT where the posted speed limit is >50km/hr.
- (d) “Near existing and proposed transport corridors that carry high traffic volumes” also applies to noise-sensitive activities where the building line of the building containing the activity is within 100m of the boundary with the Waikato Expressway designation.
- (e) “Near a railway line” applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the boundary of a designation for Railway Purposes.
- (f) Where this standard applies, either:
- Any room in a building shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the minimum performance standard of $D_{2m,nT,w} + C_{tr} > 30$ dB, or
 - Where only Rule 25.8.3.11(b)ii and iii apply, an acoustic design certificate signed by a suitably qualified acoustic engineer shall state the outdoor noise levels will not exceed 55 dB $L_{Aeq(1h)}$ for rail noise or 57 dB $L_{Aeq(24h)}$ for road-traffic noise at the building facade.
- (g) Where Rule 25.8.3.11(f) applies, a supplementary source of air shall be provided is to achieve a minimum ventilation as specified in Section G4 Ventilation of the New Zealand Building Code 2011 and provide cooling. The ventilation system shall generate less than 35dB L_{Aeq} measured at 1 metre from the internal grill/diffuser.

25.8.3.12 Operational Vibration from Rail Lines – Activities in All Zones

- a) Any new building developed for a vibration sensitive activity within 20m of a boundary of a designation for railway purposes shall comply with Class C vibration limits in NS 8176E:2005 – Vibration and Shock: Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.

b) Where Rule 25.8.3.12(a) applies a design report prepared by an acoustics engineer, demonstrating compliance with the vibration criteria, shall be submitted to the Council prior to construction of the building

Note

- 1. Some properties more than 20m from a rail line may experience vibration from passing trains. Factors such as soil ground conditions, distance from rail lines and building design will affect the amount of vibration received. For more information, professional advice can be sought from engineers before undertaking building work near the rail corridor.

25.8.3.13 Noise Performance Standards for Activities in the Ruakura Logistics and Ruakura Industrial Park Zones

a) Activities shall not exceed the following noise limits within the boundary of any other site in the:

- i. Notional boundary of any residential unit on any other site within the Ruakura Logistics Zone or within the Ryburn Road and Percival Road Large Lot Residential Zone.
- ii. Residential Zone or Knowledge Zone University Precinct (D)

<u>Time of day</u>	<u>Noise levels measured in L_{Aeq} [15 min]</u>	<u>Noise levels measured in L_{Amax}</u>
<u>0700 – 2000 hours</u>	<u>55 dB</u>	<u>=</u>
<u>2000 – 2300 hours</u>	<u>50 dB</u>	<u>=</u>
<u>2300 – 0700 hours</u>	<u>40 dB</u>	<u>=</u>

b) Any activity within the Ruakura Logistics and Ruakura Industrial Park Zones shall not exceed a noise limit of 70dB (L_{Aeq} [15 min]) within the boundary of any other site within that Zone. This standard does not apply to sites held in common ownership with the site containing the activity generating the noise.

c) Application of this standard.

- i. This standard does not apply to temporary activities
- ii. This standard does not apply to noise from helicopters at helicopter landing areas, road noise, or construction.
- iii. This standard does not apply to residential activities, the use of garden equipment (such as lawnmowers, chainsaws or wood chippers) ancillary to residential activities. Short duration use at reasonable times will be acceptable.

- iv. This standard applies to all other activities, including home-based businesses, pool pumps, air conditioning units and site based wind turbines.
- v. Assessment of the standard shall be in accordance with NZS6801:2008 and NZS6802:2008 including a reference time interval (t) of 15 minutes.
- d) A noise barrier shall be provided to ensure that the noise limits in Rule 25.8.3.13(a) are met and in accordance with the following:
 - i. The barrier shall be constructed at, or to the north of, the northern-most limit of the Inland Port operations area (Sub Area A (Inland Port)) and in any other locations necessary to ensure the noise limits in Rule 25.8.3.13(a) will be met.
 - ii. The barrier may be constructed in stages to suit staged development of the Inland Port (Sub Area A (Inland Port)).
 - iii. The barrier shall be designed and constructed in accordance with best practice and certified by a suitably qualified expert.
 - iv. The barrier shall be designed to avoid or minimise the reflection of noise from passing trains onto residential properties on Ryburn Road.
 - v. The noise barrier shall form part of the Noise Management Plan for each stage of development of the Inland Port (Sub Area A (Inland Port)).

25.8.3.14 Non-Conformity with Standards in the Ruakura Logistics Zone

- a) Any activity in the Inland Port (Sub Area A (Inland Port)) which is between 40 dBLAeq(15 min) and 45 dBLAeq(15 min) between 2300 and 0700 hours is a restricted discretionary activity. This shall be considered without notification or the need to obtain approval from affected persons, except as provided for by sections 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act.
- b) Any activity in the Inland Port (Sub Area A (Inland Port)) which exceeds 45 dBLAeq(15 min) between 2300 and 0700 hours is a non-complying activity.

25.8.4 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides

- Other Methods of Implementation

DRAFT

25.10 Signs

25.10.1 Purpose

- a) Signs and other outdoor advertising displays are important for communicating information to the public. In particular they provide directions, identify premises, assist businesses in selling goods and services, and promote events and activities.
- b) The quality and location of signs have the potential to contribute positively to an area but also have the potential to create adverse visual effects, particularly in areas where high amenity levels are expected. The location of signs, particularly on or adjacent to transport corridors, also has the potential to adversely affect traffic safety. The District Plan controls signs to preserve accepted levels of amenity and safety. In particular, the District Plan controls high-intensity signs in all zones, signs on historic heritage buildings and sites, and provides more permissive standards in the Central City, Business, Industrial, Ruakura Logistics and Ruakura Industrial Park Zones such as enabling signs that do not relate to the on-site activity.

25.10.2 Objectives and Policies: Signs

Objective	Policies
<p>25.10.2.1 Provide for signs which contribute positively to an area and do not compromise visual amenity and transport safety.</p>	<p>25.10.2.1a The number, size, location and appearance of signs visible from public places shall maintain the character of the area.</p>
	<p>25.10.2.1b Signs shall not create adverse effects from illumination, light spill, flashing or reflection.</p>
	<p>25.10.2.1c Messages or images on signs visible from transport corridors shall not confuse or distract transport corridor users.</p>
	<p>25.10.2.1d Signs in the Central City Zone that contribute to an attractive and vibrant centre should be allowed.</p>
	<p>25.10.2.1e Signs on scheduled historic heritage buildings and sites and archaeological and cultural sites shall be compatible with the heritage values being protected.</p>
	<p>25.10.2.1f Signs shall be well maintained to minimise impacts on visual amenity values.</p>

Explanation
<p><i>Signs have the potential to create adverse effects, particularly in areas where high visual amenity standards are expected. Inappropriate signs can detract from the character and values associated with an area, as well as impacting on traffic safety. The objective and policies address the potential adverse effects of signs on traffic safety, visual amenity, light spill, character and scheduled heritage buildings.</i></p> <p><i>Signs can contribute positively to a sense of vibrancy and the policies recognise the need to enable signs, particularly in the Central City Zone, where this District Plan is encouraging a vibrant Centre.</i></p> <p><i>The City has many events that require temporary signs and off-site advertising for promotional reasons. These requirements need to be managed so that the adverse visual effects created are minimised and experienced only for a short period. The policies also address impacts from a lack of maintenance when signs age, or are damaged or vandalised.</i></p>

25.10.3 Rules – Activity Status Table

Activity	Class
a) Temporary signs	P
b) Low-intensity signs	P
c) Any low-intensity sign which is not visible from beyond the site on which it is located	P
d) Traffic control devices and signs erected by a public authority	P
e) Safety signs required to meet legislative requirements	P
f) Low-intensity signs on historic heritage buildings in Volume 2, Appendix 8, Schedule 8A and archaeological and cultural sites in Volume 2, Appendix 8, Schedule 8B (except within the Major Facilities Zone – Waikato Hospital Campus)*	RD
g) High-intensity signs other than those in Rule 25.10.3h)	D
h) Any electronic sign in the Central City <u>Zone</u> , Business 1-6 Zones, and Industrial Zone, <u>Ruakura Logistics Zone and Ruakura Industrial Park Zone</u> which complies with Rule 25.10.4 and Rule 25.10.5	RD
<u>i) Signs not associated with an activity on the site in the Knowledge Zone, the Ruakura Logistics Zone or the Ruakura Industrial Park Zone (excluding temporary signs)</u>	<u>C</u>

Note

1. The erection of signs on Hamilton City Council land and public places is controlled under a bylaw for public places. Information on the size and format of traffic signs is set out in the Hamilton City Infrastructure Technical Specifications. Signs on state highways are controlled under the New Zealand Transport Agency’s ‘Manual of Traffic Signs’ and ‘Markings and Traffic Control Devices Manual’.
2. Activities (a) to (e) and (g) only have immediate legal effect if they are located in the Special Heritage Zone or the Temple View Heritage Area, as shown on Planning Map 60B.
3. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).
4. For any activity not identified above, see Section 1.1.8.1.

Comment [HCC11]: Editorial

25.10.4 Rules – General Standards

- a) Signs that are not visible from outside the site on which they are located shall not be required to comply with any of the standards in Rule 25.10.5.

Note

- 1. Light spill shall be controlled under the relevant provisions of the District Plan, where it is from a sign not visible from any public place or nearby site.

- b) Signs shall not project over a transport corridor or be located within a transport corridor (except as provided for in 25.10.5.10), other than a traffic sign or safety sign erected by, or at the direction of, a public authority or a sign controlled under a Council bylaw.

- c) Signs shall not be placed so they block sight distances at intersections or driveways.

- d) Signs should not create a distraction to transport corridor users.

Note

- 1. Where the sign is adjacent to a state highway with a speed limit higher than 60 km/h, the NZTA comments shall be taken into account.

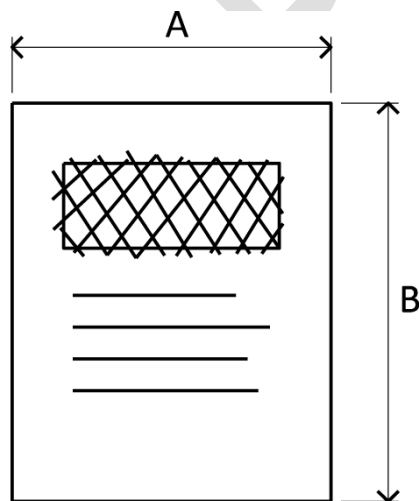
- e) Signs shall not be required to meet the setback requirements specified in the underlying zone rules.

- f) Where a maximum permitted area is specified for a sign in Rule 25.10.5:

- i. The area of the sign shall be calculated by measuring the rectangular area which encloses all symbols or letters which make up the sign surface (see Figure 25.10.4a).
- ii. Where the sign is an uneven shape the area shall be calculated by measuring the rectangular area which encloses the uneven shape (see Figure 25.10.4b).
- iii. The total area of a sign is taken to be the sum of the area of all faces of the sign.

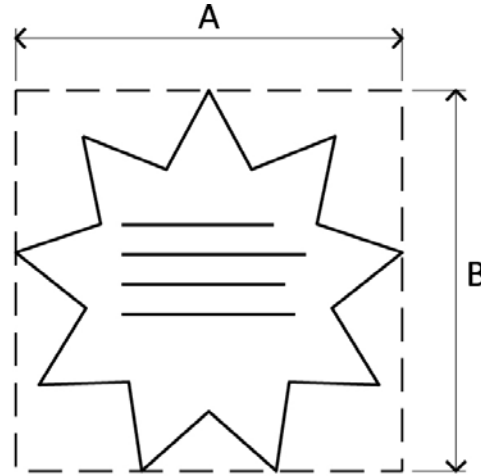
Comment [HCC12]:
Kiwi Income Property Trust and Others,
ENV-161

Figure 25.10.4a: Calculating the area of a sign



Area = A x B

Figure 25.10.4b: Calculating the area of an uneven shaped sign



Area = A x B

- g) Where a standard is specified for a sign in Rule 25.10.5:
 - i. Any V-shaped sign containing an interior angle of 90 degrees or more is deemed to be one sign (see Figure 25.10.4c below).
 - ii. Any V-shaped sign containing an interior angle of less than 90 degrees is deemed to be two signs (see Figure 25.10.4c below).
- h) Advertising signs shall not be similar in appearance to any traffic control device.

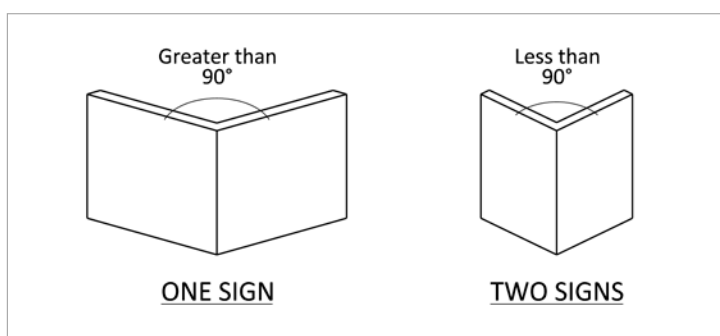


Figure 25.10.4c: V-shaped signs

25.10.5 Rules – Specific Standards

25.10.5.1 Illuminated Signs

Illuminated signs shall meet the following intensity standards:

- a) Subject to Rules 25.10.5.1(b) and (c) below, no illuminated sign shall produce:
 - i. More than 1000 candelas/m² for signs less than 10m² in area.
 - ii. More than 800 candelas/m² for signs equal to or greater than 10m² in area.
- b) No illuminated sign located in the Future Urban, Large Lot Residential, Residential, Special Character and Open Space zones, shall produce:
 - i. 600 candelas/m² for signs less than 10m² in area.
 - ii. 400 candelas/m² for signs equal to or greater than 10m² in area.
- c) Any sign shall conform to the luminance levels in Rule 25.10.5.1(b) if the face of the sign is:
 - i. At a 90-degree axis to any transport corridor or railway line, or
 - ii. Within 20m of a transport corridor and 20 degrees of either side of a motorist's or train driver's line of sight, or
 - iii. At a transport corridor intersection or railway level crossing.
- d) The lighting filament used to light any sign shall not be visible from any point measured within 2m of ground level.

Note

1. This rule does not apply to electronic signs which shall be subject to the luminance standards in Rule 25.10.5.7(b).

25.10.5.2 Future Urban Zone

- a) All signs shall be associated with the activity on the site, and shall be located on the site to which they relate.
- b) Signs may provide only the property name, or the name, logo and contact information for a home-based business or other activity carried out as a permitted activity on the site, or relate to site access or safety.
- c) Signs shall not advertise goods or services, other than as inherent in a business name.
- d) Signs in the Future Urban Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
One	0.6m ²	1m	2m

25.10.5.3 Open Space Zones

- a) All signs shall be associated with the activity on the site, and shall be located on the site to which they relate.
- b) Signs in the Open Space Zones shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
i. One directional sign at each entrance to the site	0.6m ² per sign	-	1.5m
ii. One single-sided sign at each entrance to the site	3m ² per sign	2.5m	2m
iii. One park development sign for the purpose of providing proposed park development information	2m ²	2m	-

25.10.5.4 Major Facilities Zone

- a) Signs in the Major Facilities Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
One double-sided sign at each entrance to the site	3m ²	3m	3m

- b) Seddon Park – the rules in 25.10.5.4(b)i to vii below are in addition to Rule 25.10.5.4(a).
- i. Signs that are ‘inset’ or attached to the exterior of buildings providing sponsors names shall not exceed an area of 40m² per building.
 - ii. Signs relating to activities within each building shall not exceed an area of 20m² per building.
 - iii. Signs under Rule 25.10.5.4(b)i or ii shall not exceed an area of 10m² on any building with frontage to Seddon Road that is directly opposite dwellings in any Residential Zone.
 - iv. Event advertising and City happenings signs on transport corridor frontages shall be limited to four signs, with no sign exceeding an area of 6m².
 - v. Venue naming signs shall be limited to one per transport corridor frontage, with no sign exceeding an area of 12m².
 - vi. No standards shall apply to signs located in the site that are directed primarily at patrons inside the venue, including signs on the perimeter of playing arenas (painted, illuminated, static, electronic scrolling).
 - vii. The area and height of signs shall be calculated in accordance with Figures 25.10.4a and 25.10.4b.
- c) Waikato Stadium – the rules in 25.10.5.4(c)i to vii below are in addition to Rule 25.10.5.4(a).
- i. Signs that are “inset” or attached to the exterior of buildings providing sponsors names shall not exceed an area of 40m² per building. These signs may be back lit or surface lit.
 - ii. Signs relating to activities within each building shall not exceed an area of 20m² per building.
 - iii. Signs under Rule 25.10.5.4(c)i or ii shall not exceed an area of 10m² on any building with frontage to Seddon Road that is directly opposite dwellings in the Residential Zone.
 - iv. Event advertising and city happenings signs on transport corridor frontages shall be limited to four signs with no sign exceeding an area of 6m².
 - v. Venue naming signs shall be limited to one per transport corridor frontage, with no sign exceeding an area of 12m².
 - vi. No sign area standards shall apply to signs located in the site that are directed primarily at patrons inside the venue including signs on the perimeter of playing arenas (painted, illuminated, static, electronic scrolling).
 - vii. The area and height of signs shall be calculated in accordance with Figure 25.10.4a and 25.10.4b.
- d) Te Rapa Racecourse Thoroughbred Business Park.
- i. For activities in the Thoroughbred Business Park the standards in Rule 25.10.5.7 Business and Industrial Zones shall apply.
- e) Waikato Hospital –rule 25.10.5.(e)i below is in addition to Rule 25.10.5.4(a).
- i. No sign area standards shall apply to signs located internally on the Waikato Hospital site that are directed at visitors inside the site, including naming and

directional signs. For the purposes of this rule signs visible on Pembroke Street, between the intersection with Ohaupo Road/Selwyn Street and the second intersection with Ohaupo Road, are deemed to be internal to the Waikato Hospital site.

25.10.5.5 Community Facilities Zone

- a) All signs shall be associated with the activity on the site, and located on the site to which they relate.
- b) Signs in the Community Facilities Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
i. One access or safety sign at each entrance to the site	0.6m ² per sign	-	1.5m
ii. Either One other sign at each entrance to the site, or	0.6m ² per sign	1m	2m
One other sign per site	3m ² (single sided)	2.5m	2m

25.10.5.6 Residential and Special Character Zones

- a) All signs shall be associated with the activity on the site, and located on the site to which they relate.
- b) Signs may only provide the property name, or the name, logo and contact information for a home-based business or other activity carried out as a permitted activity on the site, or relate to site access or safety.
- c) Signs shall not advertise goods or services, other than as inherent in a business name.
- d) Signs shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
One	0.6m ²	1m	2m

Note

- 1. Standard 25.10.5.6 only has immediate legal effect for activities located in the Special Heritage Zone or the Temple View Zone Heritage Area, as shown on Planning Map 60B.

25.10.5.7 Central City, Business 1 to 6, and Industrial, Ruakura Logistics, Ruakura Industrial Park and Knowledge (Precinct C) Zones

- a) Signs in the Central City, Business 1 to 6 and Industrial zones shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum sign height (from ground level)
i. One directional sign may be displayed at each entrance to the site	1.2m ² each	2m
ii. Any sign, whether attached to the face or roof of the building or protruding from the face of the building	1m ² for every metre of site frontage. For rear sites 1m ² for every metre of any single site boundary.	A maximum sign height equal to the building height of the relevant zone provided that it does not exceed the height of the parapet or facade of the building
iii. Free-standing signs: One double-sided sign for each frontage	1m ² for every metre of site frontage to a maximum of 10m ²	A maximum sign height equal to the building height of the relevant zone

Comment [HCC13]:
Progressive Enterprises, ENV-173

Comment [HCC14]:
Progressive Enterprises, ENV-173

- b) Electronic signs shall also comply with the following standards:

- i. Sign content shall be limited to static displays only.
- ii. Sign content shall not change at intervals greater than once every 8 seconds.
- iii. Changes to sign content shall be limited to a maximum transition time of 1 second between two messages/images. There must be no scroll, flash, type or fade between the messages/images.
- iv. Maximum Electronic Luminance shall have the following limits:
 - Day Time Luminance: when full sunlight directly strikes the face of the sign 6000 cd/m² and otherwise 3000 cd/m²
 - Day Time Luminance Morning/Evening Twilight and Inclement Weather: 600cd/m²
 - Night Time Luminance: 350cd/m²

Note

- 1. All electronic signs must also have a facility for automatically adjusting the sign luminance so that the sign brightness is always comparable with the surrounding luminance conditions and restrictions above.

- v. Minimum letter size shall comply with the following standards.

Posted speed limit (km/h)	Letter height (mm)		
	Main message	Property name	Secondary message
50	150	100	75
60	175	125	90
70	200	150	100
80	250	175	125
100	300	200	150

- vi. Minimum forward sight distance to the sign shall comply with the following standards.

Posted speed limit (km/h)	Minimum Visibility (m)
50	80
60	105
70	130
80	175
100	250

- vii. A Maintenance Plan shall be developed to address procedures for maintenance and repair of any faults. The Maintenance Plan shall include provisions for automatic shutdown of the sign in the event of a fault which affects the signs performance.
- viii. Demonstrate compliance with any relevant national standard.
- ix. A regular review shall be undertaken to assess the compliance with the above standards.

25.10.5.8 Knowledge Zone (excluding Precinct C)

- a) Signs in the Knowledge Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum sign height (from ground level)
i. Two signs affixed to the face of the tenancy or department building	10m ² per tenancy/ department	A maximum sign height equal to the building height of the zone provided that it does not project beyond the top of the façade of the building
ii. Any directional signage	2m ² per tenancy/ department	2m
iii. One double-sided sign at each entrance to the site	3.4m ² per face of the sign	3m

- b) University of Waikato – the rules 25.10.5.8(b)i and ii below are in addition to Rule 25.10.5.8(a):

- i. No standards shall apply to signs located in the site that have been approved as part of a concept plan.
- ii. No standards shall apply to signs located in the site that are located outside the Interface Area.

~~25.10.5.9 Ruakura Logistics and Ruakura Industrial Park Zones~~

~~a) Signs in the Ruakura Logistics and Ruakura Industrial Park Zones shall comply with the following standards.~~

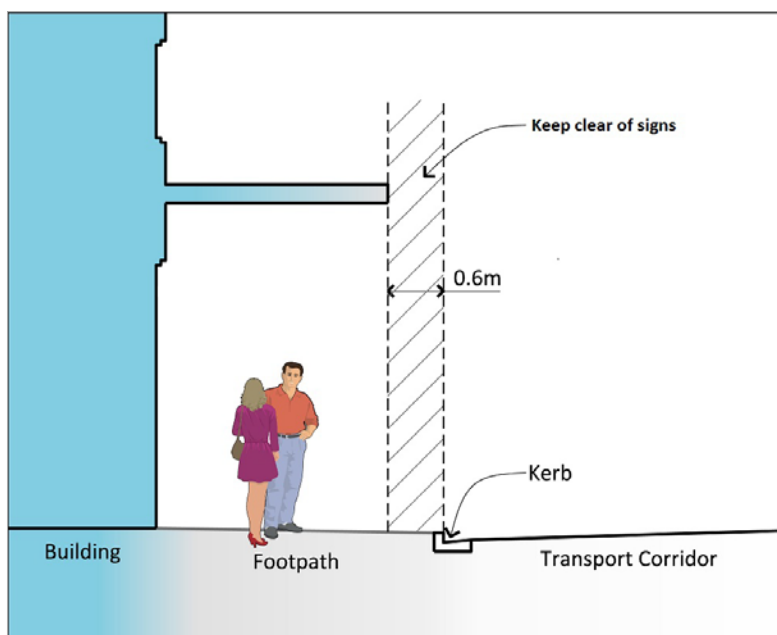
Maximum number of signs per entrance	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
i. Free standing signs: One double-sided sign for each road frontage	24m²	6m	16m
ii. One sign attached to the face of a building	24m²	6m	A maximum sign height equal to the building height of the relevant zone provided that it does not exceed the height of the parapet or facade of the building

~~b) Security and directional signage shall be excluded.~~

25.10.5.10 Veranda Signs Above the Transport Corridor Zone

- a) Signs attached beneath verandas shall leave a clearance of 2.75m to the footpath.
- b) Signs attached beneath verandas shall be set back not less than 0.6m from a vertical line measured from the edge of the carriageway kerb (refer to Figure 25.10.5a).
- c) Signs located on top and on the fascia of a veranda shall not extend beyond the fascia of the building and shall be set back not less than 0.6m from a vertical line measured from the carriageway kerb (refer to Figure 25.10.5a).
- d) Veranda signs shall be restricted to signs advertising businesses, services or products located on the site associated with the sign.
- e) Signs located on top or beneath verandas shall be structurally sound and affixed to the veranda in a safe manner.

Figure 25.10.5a: Area to be kept free from signs



25.10.5.11 Scheduled Historic Heritage Buildings and Sites listed in Schedule 8A and 8B of Volume 2, Appendix 8: Historic Heritage

- a) All signs shall be associated with the activity on the site.
- b) Signs on sites identified in Schedule 8A and 8B of Volume 2, Appendix 8: Historic Heritage shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
Two	Maximum total area per sign is 0.5m ²	1m	2m

Note

1. Signage should be consistent with the Heritage New Zealand guidelines for signage on Historic Heritage.

25.10.5.12 Temporary Signs

- a) Temporary signs shall comply with the following standards.

Zone or specific site	Maximum number of signs	Maximum area per sign	Maximum total area of signage per site
i. Residential, Special Character, Future Urban and Community Facilities zones	Two signs per site, or two signs per frontage in the case of a corner site	1.8m ²	3.6m ²

ii. Business 1-6, Central City, and Industrial, <u>Ruakura Logistics, Ruakura Industrial Park and Knowledge (Precinct C only)</u> zones	Two signs per site, or two signs per frontage in the case of a corner site	3m ²	6m ²
iii. Open Space, and Major Facilities <u>and Knowledge (excluding Precinct c)</u> zones	Two signs per site, or two signs per frontage in the case of a corner site	6m ²	-
iv. Scheduled historic heritage building or site identified in Schedule 8A or 8B of Volume 2, Appendix 8: Historic Heritage	Two signs per site, or per frontage in the case of a corner site	1.8m ²	3.6m ²

- b) Temporary signs shall not exceed the height permitted for permanent signs on the site under zone rules, except in the case of signs related to elections which may be up to 2.5m in height or the maximum sign height for permanent signs on the site under zone rules, whichever is the greater.
- c) Temporary signs shall be displayed for the following time periods.
 - i. Real estate signs shall be removed within 14 days after the transfer of property ownership has been completed.
 - ii. Signs that advertise construction projects shall be located on the site to which they relate and shall be removed no later than two weeks after construction has been completed.
 - iii. Signs related to elections shall be displayed for no more than three months before an election and must be removed before polling, or such lesser time as may be prescribed by legislation.
 - iv. Signs that advertise a temporary retail activity (refer to Rule 25.3.5.12 of Chapter 25.3: City-wide – Events and Temporary Activities) shall be displayed only for the duration of that activity and must be within the site where the activity is taking place.
 - v. Signs for the purpose of public notification shall be displayed as prescribed by legislation.
 - vi. Signs that advertise any other event shall be displayed within a period of up to four weeks before to three days after the event.

Note

1. The Electoral Act 1993 and its associated regulations also specifies controls on election signs.
2. Standard 25.10.5.12(a)j only has immediate legal effect for activities located in the Special Heritage Zone or the Temple View Zone Heritage Area, as shown on Planning Map 60B.

25.10.6 Controlled Activities: Matters of Control

In determining any application for resource consent for a controlled activity, the Council shall reserve its control over the following matters.

Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)
i. <u>Signs not associated with an activity on the site in the Knowledge Zone, the Ruakura Logistics Zone or the Ruakura Industrial Park Zone (excluding temporary signs)</u>	<ul style="list-style-type: none"> E – Ruakura Logistics Zone

25.10.76 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a) In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located within the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area, Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3.3)
i. Signs on scheduled historic heritage buildings and archaeological and cultural sites identified in Volume 2, Appendix 8, Schedule 8A or 8B*	<ul style="list-style-type: none"> E – Heritage Values and Special Character
ii. Any electronic sign in the Central City Zone, Business 1-6 Zones, Industrial Zone, <u>Ruakura Logistics Zone and Ruakura Industrial Park Zone</u> which complies with Rule 25.10.4 and Rule 25.10.5	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character

Comment [HCC15]:
Progressive Enterprises, ENV-173

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

25.10.87 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults

- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

DRAFT

Appendix 1: District Plan Administration

Purpose

This chapter contains matters necessary for administering and implementing the District Plan and Council's assessment and determination of resource consent applications. These matters are:

- 1.1 Definitions and Terms
 - 1.1.1 Acronyms Used in the District Plan
 - 1.1.2 Definitions Used in the District Plan
- 1.2 Information Requirements
- 1.3 Assessment Criteria
 - 1.3.1 Guide to Using the Criteria
 - 1.3.2 Controlled Activities – Matters of Control
 - 1.3.3 Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria
- 1.4 Design Guides

This chapter also identifies other methods of implementation (1.5) relevant to the issues raised in the District Plan.

1.1 Definitions and Terms

1.1.1 Acronyms Used in the District Plan

AEE	Assessment of Environmental Effects
CDP	Comprehensive Development Plan
cds/m ²	Candelas per square metre
CPTED	Crime Prevention through Environmental Design
FTE	Full-Time Equivalent
GFA	Gross Floor Area
GLFA	Gross Leasable Floor Area
ICMP	Integrated Catchment Management Plan
ITA	Integrated Transport Assessment
LIUDD	Low-Impact Urban Design and Development
LAP	Local Area Plan
LTP	Long-Term Plan
m ²	Square metres
m ³	Cubic metres
NIMTR	North Island Main Trunk Railway
NMP	Noise Management Plan
PFA	Public Floor Area
RPS	Regional Policy Statement
VPD	Vehicles Per Day

1.1.2 Definitions Used in the District Plan

Unless specified otherwise the definitions below apply in this District Plan. Where any term used in the District Plan is not defined below or elsewhere in the District Plan (including by reference) then the following hierarchy of definition sources applies as appropriate and relevant to the context:

- a) The Resource Management Act 1991 and its regulations.
- b) Any relevant National Policy Statement or National Environmental Standard.
- c) Any other relevant New Zealand legislation and their regulations.
- d) The Oxford Concise English Dictionary.

The shaded definitions below only have immediate legal effect when they form part of a rule that has immediate legal effect.

Accessible: Means able to be accessed by all users including those with sight and mobility impairment.

Accessibility: Means the ease with which activities, either economic or social, can be reached or accessed by people.

Accessibility modelling: Means the measurement of how easy it is for an individual to participate in desired activities, based on a set of factors, including mode and destination choice.

Accessible parking spaces: Means parking spaces designed specifically for vehicle users with mobility impairments.

Accessory building: Means a building, which is clearly incidental to the principal building or primary land use on a site. Accessory buildings include garages, carports, sleep-outs, rumpus rooms, garden sheds, and storage sheds. Such a building will not meet all of the primary living requirements of the occupants, and the occupants remain members of the principal household. An accessory building used as a sleep-out must contain no more than two bedrooms and must not contain any kitchen facilities or laundry facilities. Solar panels and solar water-heating devices not attached to a building are included in the definition of an accessory building. Accessory buildings can be either attached to or detached from another building on the site.

Access strip: Means a strip of land created by the registration of an easement in accordance with Section 237B of the Resource Management Act for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except that held, administered, or managed under the Conservation Act 1987 and the Acts named in the First Schedule to that Act).

Access way: As defined in s315(1) of the Local Government Act 1974.

Acoustic Design Certificate: Means a certificate provided by an acoustic engineer, architect or other person(s) experienced in the field of acoustic design.

Act: Means the Resource Management Act 1991 and any amendments.

Comment [HCC1]:

Property Council New Zealand, ENV-169 – add new definitions;
Kiwi Income Property Trust and Others, ENV-161 – add a new definition.

Active frontage: Means a façade of a building that includes windows and preferably an entrance to encourage activity and allow passive surveillance of the street, carpark or area of public space.

Active modes of transport: Means those methods of transportation that involve physical effort such as walking and cycling.

Adjacent: Means lying near to, but not necessarily contiguous to.

Adjoining: Means next to and joined with or is contiguous to.

Allotment: Means:

- a) Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:
 - i. The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted by Council.
 - ii. A subdivision consent for the subdivision shown on the survey plan has been granted under the Act.
- b) Any parcel of land or building or part of a building that is shown or identified separately:
 - i. On a survey plan.
 - ii. On a licence within the meaning of Part 7A of the Land Transfer Act 1952.
- c) Any unit on a unit plan.
- d) Any parcel of land not subject to the Land Transfer Act 1952.

Alterations and additions: Means any work to existing buildings or structures which involves the addition, change, removal or replacement of walls, windows or features which results in an external appearance different to its existing appearance, but excludes other alterations and additions that are either not visible from a public space or result in an additional GFA of no more than 25m², or any other activities identified as minor works. It may result in increasing or decreasing floor space through change of the external walls.

Amateur radio: Means a radio-communication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, by duly authorised persons interested in radio technique solely with a personal aim and without pecuniary interest.

Amateur radio configuration: Means the antennas, aerials (including rods, wires and tubes) and associated supporting structures which are owned and used by licensed amateur radio operators.

Amenity Protection Area: Means an area within an Industrial Zone adjacent to the boundary with residential sites or other sensitive areas. The extent of Amenity Protection Areas is indicated on the Planning Maps. Amenity Protection Areas provide greater control with respect to building height, site coverage, hazardous facilities, landscaping and screening within the Industrial area in order to minimise adverse effects on the amenity of residential sites, or other sensitive areas, adjacent to land zoned Industrial.

Comment [HCC2]:
Heritage New Zealand Pouhere Taonga,
ENV-184

Amenity values: means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

Ancillary: Means an activity or structure which is subordinate or subsidiary to the principal activity on the site.

Ancillary residential structure: Means a structure associated with the day-to-day running of a household that does not meet the definition of a 'building'. This includes letterboxes, clothes lines, swimming pools and accessories, ornamental pools, fences and walls not exceeding 2.5m in height, steps, terraces and patios (not roofed or enclosed, and not exceeding 1m in height).

Ancillary residential unit: Means a self-contained residential unit held in common ownership with the primary activity on the site. To be self-contained the ancillary residential unit must have a kitchen, bathroom, bedroom(s), living room and laundry facilities. The ancillary residential unit can be attached to the principal building, or be a detached stand-alone structure. In the Industrial and Ruakura Logistics Zone it means any residential unit ancillary to any activity undertaken on site, e.g. a caretaker's residence, live-in employees or security staff accommodation.

Ancillary retailing and offices: Means any retail or office premises on the same site as another principal building or activity, and whose use is **incidental** to that principal building or principal activity (e.g. a retail showroom attached to a manufacturing premises) occupying not more than 25% or 250m² of the activity's gross floor area on the site and associated premises (including any associated premises on an immediately adjoining site), whichever is the lesser.

Annual Average Daily Traffic (AADT): Refer to NZS6806: 2010 Acoustics – Road traffic noise – New and altered roads.

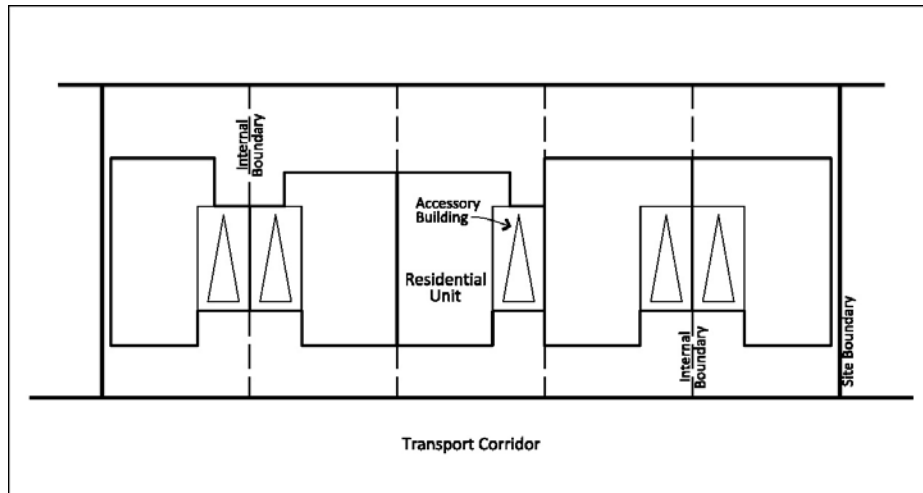
Annual Exceedance Probability (AEP): Means the probability, expressed as a percentage, that a flood of a given magnitude will be equalled or exceeded in any one year. For example, a 1% AEP means an event that has a 1% probability of occurring or being exceeded in any one year.

Antenna (defined in the National Environmental Standard for Telecommunications Facilities 2008): Means a device that:

- a) Receives or transmits radio-communication or telecommunication signals.
- b) Is operated by a network operator.
- c) Includes the mount, if there is one, for the device.
- d) Includes the shroud, if there is one, for the device.

Any activity specified in the Hamilton City Public Places Bylaw 2009 or Public Places Policy 2009: Means outdoor dining, signs in public places, markets, stalls, merchandise displays and mobile shops, busking, hawking and charitable collection.

Apartment building: Means a residential building comprising three or more attached residential units. For the avoidance of doubt, residential units physically connected by one or more accessory buildings, such as garages, will also be deemed to be attached.



Archaeological Site (as stated in the Historic Places Act 1993): Means any place in New Zealand that:

- a) Either —
 - i. Was associated with human activity that occurred before 1900 or,
 - ii. Is the site of the wreck of any vessel where that wreck occurred before 1900.
- b) Is or may be able, through investigation by archaeological methods, to provide evidence relating to the history of New Zealand.

Arterial transport corridor: Means any major or minor arterial transport corridor.

Artificial watercourse: A watercourse that contains no natural portions from its confluence with a river or stream to its headwaters and includes irrigation canals, water supply races, canals for the supply of water for electricity power generation and farm drainage canals.

Assessment Period: means the time over which traffic conditions for the expected environment should be considered as part of a simple or broad Integrated Transport Assessment as described in Appendix 15-3. This should include traffic growth, planned infrastructure and changes in nearby land use and access characteristics.

Bed: Means:

- a) In relation to any river:
 - i. For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks.
 - ii. In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks.
- b) In relation to any lake, except a lake controlled by artificial means:
 - i. For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin.

- ii. In all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin.
- c) In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.

Bioaccumulation: Means accumulation of a substance within the tissues of living organisms.

Block: Means accumulation of allotments bounded on all sides by public roads.

Boarding kennels and catteries: means any land, structures or buildings used for the purpose of accommodating dogs or cats on a commercial basis, but does not include the keeping of dogs or cats as an ancillary activity for domestic purposes, or the keeping of dogs to assist in the management of a farm or other rural activity.

BOD₅: Means the biochemical oxygen demand (measured at 20°C over a 5-day period), which is the amount of dissolved oxygen in a body of water required for the breakdown of organic matter in the water. When discharged to surface water or groundwater, these substances have the potential to deplete oxygen as a result of microbial decomposition of organic material (e.g. milk or other foodstuffs). In the context of a hazardous substance a high BOD₅ is >10,000 mg/l.

Buffer Strip: Means a planting strip of a permeable nature with planting consisting of shrubs which can grow to a mature growth height of at least 2 metres, planted at a maximum of 1.5 metres apart, and including at least 1 tree for every 10m of boundary length

Building: Means any structure of any kind, whether temporary or permanent, moveable or immoveable, and includes:

- a) Any fence or wall over 2.5m in height.
- b) Any retaining wall over 1.5m in height and load bearing.
- c) Any scaffolding or falsework erected temporarily for maintenance or construction purposes.
- d) Any vehicle, trailer, tent, caravan or boat, whether fixed or moveable, used as a place of accommodation, business or storage.
- e) Any swimming pool with walls more than 1.2m above the ground level at any point.
- f) Any deck more than 1m above the ground level at any point.
- g) A mast pole or a telecommunication aerial that is on, or forms part of, a building and that is more than 7m in height above the point of its attachment or base support (except a dish aerial that is less than 2m wide).

A building does not include:

- h) Except for the purposes of the Electricity Transmission Corridor Rules in Table 25.7.4:
 - (i) Pergolas, not roofed or enclosed, and not exceeding 3m in height; and
 - (ii) Lych-gates not exceeding 3m in height.
- i) Steps, terraces and patios, not roofed or enclosed, and not exceeding 1m in height.

j) Public art, floodlights, goal posts, park furniture.

Buildings housing network utility equipment: Means structures needed for housing pumps, weather stations, recording stations, etc, containing network utility structures.

Building improvement centre: Means premises used for the storage, display and sale of goods and materials to the general public used in the construction, repair, alteration and renovation of buildings and includes nurseries and garden centres.

Comment [HCC3]: Bunnings, ENV-160

Building line: Refer to **building line restriction, front building line** or **rear building line** as relevant.

Building line restriction: Means a restriction imposed on a site to ensure that when new buildings are erected, or existing buildings re-erected, altered or substantially rebuilt, no part of any such building shall stand within the area between the building line and the adjacent site boundary.

Bulk and location provisions: Means density, site coverage, permeable surfacing, height in relation to boundary, building setback, separation, outdoor living area and service area related provisions.

Bulk power supply: Means greater than 20kW generation.

Business activities: Means activities carried out on a site principally for commercial gain.

Business activities associated with the racing industry: Means businesses which are associated with horse-racing activities, such as those undertaken at Te Rapa Racecourse. This includes administration services for the racing industry, authorised betting agencies, offices for businesses involved in bloodstock and/or breeding and/or training and/or racing of horses, businesses providing veterinary and/or research services, and retail and/or manufacturing activities which predominantly handle equine-related products.

Cabinet (defined in the National Environmental Standard for Telecommunication Facilities, 2008): Means a casing around equipment that is necessary to operate a telecommunication network.

Central City transport corridor: Means any transport corridor identified as a Central City transport corridor in Appendix 15, Figure 15-5E, the function and form of which is defined in Volume 2, Appendix 15-5.

Centre Viability Assessment Report: Means an analysis to determine whether the scale and trading format of the activity is appropriate for the location, having regard to the hierarchy of business centres, maintaining the primacy of the Central City and the opportunity for development within higher order centres.

Childcare facilities: Means premises where children are cared for or given basic tuition and includes a crèche, day or after-school care, pre-school, kindergarten, kohanga reo or play centre. This term excludes a school.

Clean fill: Includes soil, clay, sand, gravel, silt, rock and other inert materials such as broken concrete and brick, or mixtures of any of the above, but excludes materials:

- a) Containing hazardous substances.
- b) Contaminated with hazardous substances or pathogens.

- c) Derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices.
- d) Medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health.
- e) Likely to create leachate by biological or chemical breakdown.
- f) Containing organic content of 5% or more of the total volume.
- g) Having a particle size of 200mm or more.

Clubrooms: Means premises which are set aside for the use, convenience and enjoyment of a recreational or community organisation which may be licensed under the Sale of Liquor Act 1989.

Collector transport corridor: Means any transport corridor identified in Appendix 15, Figure 15-5B to 15-5F as Collector or Proposed Collector, the function and form of which is defined in Appendix 15-5.

Commercial activities on the surface of water: Means any activity undertaken on the surface of water for commercial gain. This includes motorised and non-motorised commercial activities such as jet-boats, cruise boats and kayak tours.

Communal open space: Means a quantity of landscaped land freely available to all residents on the site, exclusive of driveways, buildings, and private outdoor space of individual residential units.

Community garden: Means a garden operated by a group or collective on public land for the purpose of growing plants, vegetables or fruit. Not for commercial gain.

Community Centre: Means premises designed to act as a meeting place for people of all ages in the local community. It provides for a range of functions such as playgroups for children, before- and after-school care, crafts, education courses/seminars, spiritual, cultural, recreational, health and wellbeing purposes. It also acts as a base for social support and possibly delivers some social services. They can also include ancillary offices, temporary fundraising activities and one small retail activity for the purpose of providing fundraising or a social service (such as an opportunity shop). Such centres are owned/administered by local or central government authorities, and voluntary /charitable organisations providing voluntary/not-for-profit services.

Community scale energy generation (produces less than 20kW): Means renewable energy generation for the purpose of using electricity on a particular site, supplying an immediate community, or connecting into the distribution network (but excludes solar panels supplying electricity for the site on which they are located).

Company lease: Has the same meaning as the Act.

Conference facilities: Includes seminar rooms.

Construction work: Means any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of:

- a) Any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level.

- b) Any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome.
- c) Any drainage, irrigation, or river control work.
- d) Any electricity, water, wastewater, stormwater, gas, or telecommunications reticulation.
- e) Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation.
- f) Any scaffolding.

Construction work includes:

- a) Any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of any construction work.
- b) The use of any plant, tools, gear or materials for the purpose of any construction work.
- c) Any construction work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation.
- d) Any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.

Construction noise: Means noise arising from any construction work, as defined above.

Contaminated land: Has the same meaning as the Act.

Council: Means the Hamilton City Council and includes any committee, subcommittee or person acting under delegated authority.

CPTED: Means Crime Prevention Through Environmental Design, a crime-prevention philosophy based on the premise that

“proper design and effective use of the physical environment can produce behavioural effects that will reduce the incidence and fear of crime, thereby improving the quality of life. These behavioural effects can be accomplished by reducing the propensity of the physical environment to support criminal behaviour”

(Crowe, 1991, *Crime Prevention Through Environmental Design: Applications of Architectural Design and Space Management Concepts.*)

Cross lease: Has the same meaning as the Act.

Culvert Block Flood Hazard Area: Means that part of any land affected by flooding as a consequence of a blocked culvert downstream. This is the maximum extent of flooding before water overtops the accessway or transport corridor above the culvert (refer to the Planning Maps).

Cumulative risk: Means the risk posed by a Hazardous Facility added to or multiplied, or otherwise cumulated by risks from other facilities.

Customary activities: As described in Schedule 3 of Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and includes cultural harvest as defined in Section 63(9) of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Dairy: Means the use of a building in a residential area for the sale of day-to-day food and associated household items. The majority of its trade must be derived from the sale

of milk, bread, non-alcoholic beverages and other day-to-day convenience merchandise. Retail activity involving food cooked on the premises and the sale of alcohol are excluded.

Demolition or removal of buildings: Means dismantling, destruction and/or removal of part or all of any building.

Design Speed Environment: Means the maximum speed of vehicles created by traffic management and the design of transport corridors. These speeds reflect the desirable maximum speeds given the land use environment and transport corridor hierarchy. Refer to Appendix 15-7 for further detail.

Design year (Chapter 25.8: City-wide – Noise and Vibration): Refer to NZS6806: 2010 Acoustics – Road traffic noise – New and altered roads.

Development: Means any activity undertaken to change the scale, character or intensity of any use of land, and includes any building activity.

Development Agreement: Means a binding contract between Council, other infrastructure providers and developers for the funding of additional infrastructure and the use and upgrading of existing infrastructure.

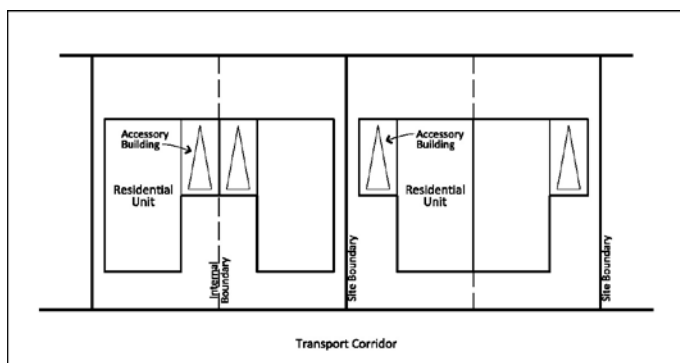
Dish: Means an antenna with which signals are transmitted to, or received from, a communications satellite. This applies to dishes attached to a building, as well as those mounted on their own support structure.

Dispensing facility: Means for drive-through fast food or service outlets each single combination of an order point, a payment point, and a collection point and for service stations a single petrol pump or a group of petrol pumps that are grouped on a single 'island'.

Disposal: Means discharge of a hazardous substance into the environment, with or without biological or chemical treatment that may change composition and characteristics of the substance.

Drive-through services (excluding service stations within the Rotorua Town Centre Zone): Means any premises where goods and services are offered for sale to the motoring public, primarily in a manner where the customer can remain in their vehicle. Drive-through services can include dispensing and associated storage of motor fuels (as the primary activity) and the sale of associated goods, services, food and beverages, fast-food outlets providing on-demand meals prepared on the premises for consumption therein or take away, the provision of servicing and running repairs for light motor vehicles and any other activity of a drive-through nature, including those ancillary to the above.

Duplex dwellings: Means a residential building comprising two attached residential units. For the avoidance of doubt, residential units physically connected by one or more accessory buildings, such as garages, will also be deemed to be attached.



Earthworks: Means the disturbance of the land surface by moving, removing, placing or replacing soil or earth, by excavation, cutting or filling, but excludes cultivation of land and foundation piling.

Eave: Means that portion of the roof extending beyond the exterior wall of a building, having a maximum overhang of 500mm.

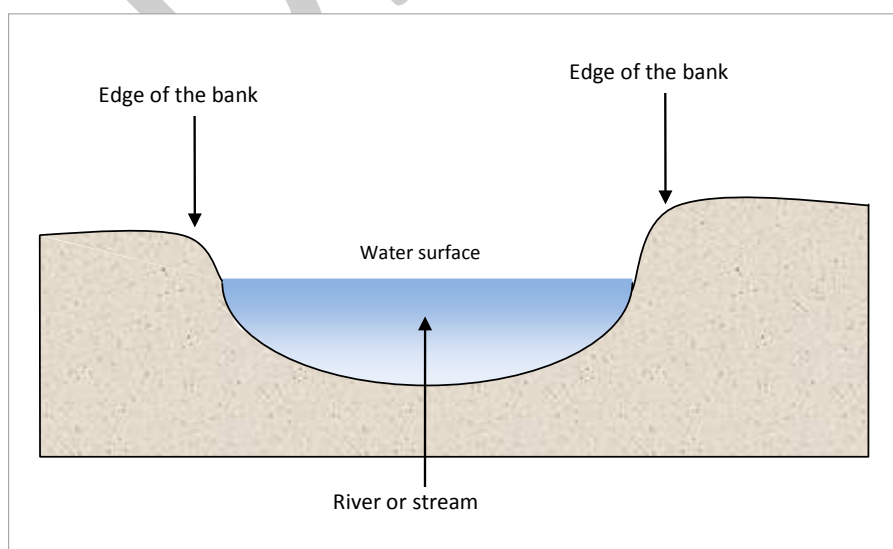
Ecological corridors: Means natural corridors that provide for the movement of flora and fauna for a variety of purposes, including feeding and breeding.

Eco-sourced: Means plants which are grown from seeds or propagules collected from naturally occurring vegetation in a locality close to where they are replanted as part of a restoration or re-vegetation project.

Ecosystem: Means any system of interacting terrestrial or aquatic organisms within their natural and physical environment.

Ecosystem services: Means the benefits people obtain from ecosystems. These include provisioning services such as food and water; regulating services such as flood and disease control; cultural services such as spiritual, recreational, and cultural benefits; and supporting services such as nutrient cycling that maintain the conditions for life on Earth.

Edge of the bank: Means the topographical feature defined in the diagram below:



Effect: Means:

- a) Any positive or adverse effect.
- b) Any temporary or permanent effect.
- c) Any past, present or future effect.
- d) Any cumulative effect which arises over time or in combination with other effects regardless of the scale, intensity, duration, or frequency of the effect, and also includes:
 - i. Any potential effect of high probability.
 - ii. Any potential effect of low probability which has a high potential impact.

Electricity distribution: Means the lines (above and below ground) and structures involved in the final stage of delivery of electricity to end users. A distribution system's network conveys electricity from the transmission network and delivers it to consumers. Typically, the network would include low, medium and high-voltage (less than 110 kV) electric lines, substations, switching stations and road side transformers, ring main units and pillar boxes.

Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system: All mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand. This is owned and operated by Transpower NZ Limited.

Electronic Sign (also called digital signs): Means a form of illuminant advertising media that are created solely from a light source and include digital screens, cinema projections, LED and neon signs and the like.

Emergency housing: Means any Managed Care Facility in which temporary residential accommodation, care and/or support are provided by another person or agency for five or more residents (including children) on an emergency basis or for their personal protection. For the purpose of calculating the number of residents, account shall be taken of owners and/or staff and any of their children aged 16 years or older who live on the premises. Including, but not limited to night shelters and women's refuges.

Emergency service facilities: Means those facilities of organisations which are responsible for the safety and physical welfare of people or property in the community, and includes fire, ambulance and police stations.

Entertainment and recreation facility: Means land or buildings which are used principally for the public or private assembly of persons for cultural, entertainment, recreation, leisure, education or similar purposes. They include gymnasiums, public halls, theatres and cinemas, display galleries and museums, bowling alleys.

Entrance strip: Means that part of a rear site extending from the street frontage, which has a width less than or equal to the minimum subdivision frontage standard required for a rear lot in the zone, and accommodates the driveway for that site.

Environment: Means:

- a) Ecosystems and their constituent parts, including people and communities.

- b) All natural and physical resources.
- c) Amenity values.
- d) The social, economic, aesthetic and cultural conditions which affect the matters stated in a) to c) of this definition or which are affected by those matters.

Environmental maintenance: Means the routine care and attention of the transport corridor to maintain safety, aesthetic and environmental standards, including:

- a) Clearing the carriageway of damaged vehicles, crash debris and spills.
- b) Maintenance of planting, including pruning.
- c) Control of weeds and pest plants.
- d) Mowing of the grass berm.
- e) Removal of litter.
- f) Removal of rocks and slip material from the transport corridor or catch fences.
- g) Removal of, and protection against, graffiti.
- h) Snow clearing and ice control.
- i) Sweeping loose chip and detritus.

Event: Means an activity that is irregular or infrequent and does not require the construction of a permanent building, the installation of permanent infrastructure or services, or works such as vegetation clearing or other operational work. Events involve large groups of people either as participants or spectators and include carnivals, parades, concerts, markets, craft or trade fairs, field days, open days, displays and the like. This definition applies only where the activity is **not** covered by another definition/activity in the District Plan.

Excavation, modification and disturbance: Means to dig into the soil, or the removal of soil or other material from the ground; or the movement of soil or other material on to or within the site which changes the existing profile of the landform; with the exception of those matters defined as minor work.

Exotic vegetation or trees: Means vegetation or trees which do not occur naturally in New Zealand (refer also to the definition of **indigenous vegetation**).

Expected outcome: Means in relation to any rule the environmental outcome expected from compliance with that rule.

Expressway: Means a road mainly for through traffic, usually a dual carriageway with full or partial control of access. Intersections are generally grade separated.

Fabric: Means all the physical material of a building, object, site, place or area that contributes to its character.

Farming: Means a land-based activity having as its primary purpose the commercial production of any livestock or vegetative matter, and includes bee-keeping, horse training agistment, but excludes forestry and intensive farming.

Fence: Means any structure, intended to be a permanent division, screen or barrier, but shall not include a post-wire fence or temporary fence.

Flammable: Means having the capability to be ignited in the presence of oxygen and to sustain combustion. Refer Hazardous Substances and New Organisms Act 1996 Regulations.

Flood Hazard Area: Means the land shown on the Planning Maps as:

- a) High Flood Hazard Area.
- b) Medium Flood Hazard Area.
- c) Low Flood Hazard Area.
- d) Temple View Flood Hazard Area.
- e) Culvert Block Flood Hazard Area.

Flood protection structure: Means physical structures for the purpose of flood protection, such as dams, stop-banks and flood gates.

Floor area ratio: Means the ratio between the gross floor area of a building and the net area of the site which for the purposes of this definition comprises one or more lots in permanent contiguous ownership and occupied exclusively by the development to which the requirement applies.

Food and beverage outlets: Means premises serving food and/or beverages prepared for immediate consumption on or off the premises to the general public. It includes bakeries, lunch bars and cafes operating during normal working hours, but excludes restaurants, licensed premises, and supermarkets.

Forestry: Means the establishment (including replanting) and management of forest or tree plantations for commercial gain but does not include saw-milling or other timber processing. Includes pruning and thinning (manual operations done from the ground). Does not include Christmas tree farms.

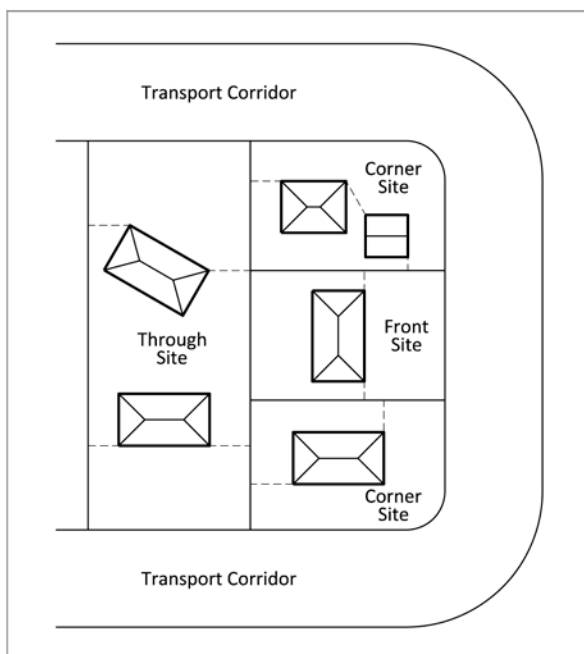
Formal recreation: Means sports fields, greens, courts.

Frangible: Means able to be broken and absorb enough impact energy to reduce the severity of a vehicle collision. Non-hardwood species of trees with a diameter of less than 100mm when measured 400mm above the ground are considered to be frangible.

Note

Guidance for frangible species can be found in Appendix 1 of 'Guidelines for Highway Landscaping' December 2006, Transit New Zealand.

Front building line: Means a line or lines drawn across the site creating a space forward of the façade of any buildings facing an adjoining transport corridor.



Frontage: Means that portion of the boundary of any lot which is also the boundary of an existing road, or road to be vested or otherwise legalised as a condition of subdivision consent. For the purpose of this definition 'road' does not include any service lane or accessway.

Fronting: Means a site having legal and or physical frontage or access to a road.

General recreation: Means any active sports or games or recreational pursuits for participants and/or spectators and the fields necessary to accommodate them but excludes motorised vehicle sports.

Greenfield development: means subdivision and/or urban development of previously undeveloped rural land.

Green corridors: Means a strip of land, the majority of which is vegetated and which may include surface water, and its associated airspace, which afford access and connectivity for pedestrians, cyclists or wildlife. Green corridors are often, but not necessarily, along the route of a transport corridor, a natural or artificial waterway or a network utility and may include an underpass or an overpass. These corridors may serve several functions simultaneously, including amenity, recreation, transportation, drainage, ecological, biodiversity and network utility functions. Green corridors could comprise privately or publicly owned land.

Gross Floor Area (GFA): Means the sum of the gross floor area of all floors of all buildings on a site measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Gross floor area shall:

- a) Include elevator shafts, stairwells and lobbies at each floor and mezzanine floors and balconies.

- b) Exclude any provided car-parking, loading and servicing areas and access thereto and building service rooms containing equipment such as lift machinery, tanks, air conditioning and heating plants.

Gross Leasable Floor Area (GLFA): Means the sum of any floor areas (within the external walls of buildings) designed for tenant occupancy and exclusive use including both freehold and leased areas. It includes any stock storage or preparation areas whether exclusive or not, but excludes the following areas where these are common and not designed for rental: liftwells and stair wells including landing areas; corridors and malls; building service rooms; required parking areas.

Ground level: See **natural ground level**.

Habitable floor area (natural hazards): Means that part of any building used for residential activities but excludes floorspace used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.

Habitable room: Means any room that is part of a building used for any noise sensitive activity, apart from those rooms used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.

Harvesting forestry: Means the felling and extracting of trees, processing them into logs and then loading on to trucks. Does not include Christmas tree farms.

Hazard: Means physical situations, processes and actions that have the potential for adverse effects on people, property or the natural environment.

Hazard Area: Means the land shown on the Planning Maps as:

- a) High Flood Hazard Area.
- b) Medium Flood Hazard Area.
- c) Low Flood Hazard Area.
- d) Temple View Flood Hazard Area.
- e) Culvert Block Flood Hazard Area.
- f) Waikato Riverbank and Gully Hazard Area.

Hazardous facility: Means any activity involving hazardous substances and sites at which these substances are stored, used, transported or disposed of, and any installations or vehicles parked on site that contain hazardous substances. A Hazardous Facility does not include:

- a) Wastewater networks, or waste treatment and disposal facilities (this exception does not apply to the storage of hazardous substances or waste associated with these facilities).
- b) The incidental use and storage of hazardous substances in minimal domestic quantities.
- c) LPG installations using one or more cylinders as part of a piped system for domestic heating and cooking purposes that:
 - i. Have a maximum capacity of 100kg, and
 - ii Are limited to one per household

- d) Retail outlets for the sale of hazardous substances for domestic use (e.g. supermarkets, hardware shops, pharmacies, home garden centres) .
- e) Facilities using genetically modified or new organisms.
- f) Facilities presenting a dust explosion risk of non-hazardous substances.
- g) Gas or oil pipelines, including all incidental equipment.
- h) Fuel contained in tanks of motor vehicles, agricultural and forestry equipment, boats, aircraft and small engines.
- i) Developments that are or may be hazardous but do not involve hazardous substances (e.g. radio masts, electrical substations).
- j) The occasional loading and unloading of hazardous substances on a site where this forms only a minor part of site operations.
- k) Routine, renewal and new works to a transport corridor and transport infrastructure including related storage, all within road reserves.

Note

The above activities must comply with any relevant Hazardous Substances and New Organisms Act 1996 or regulation requirements to be excluded from the definition of a Hazardous Facility.

Hazardous substance: Means any substance:

- a) With one or more of the following intrinsic properties:
 - i. Explosiveness.
 - ii. Flammability.
 - iii. A capacity to oxidise.
 - iv. Corrosiveness.
 - v. Toxicity (including chronic toxicity).
 - vi. Ecotoxicity, with or without bioaccumulation.

Or

- b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a).

Or

- c) Containing radioactive material.

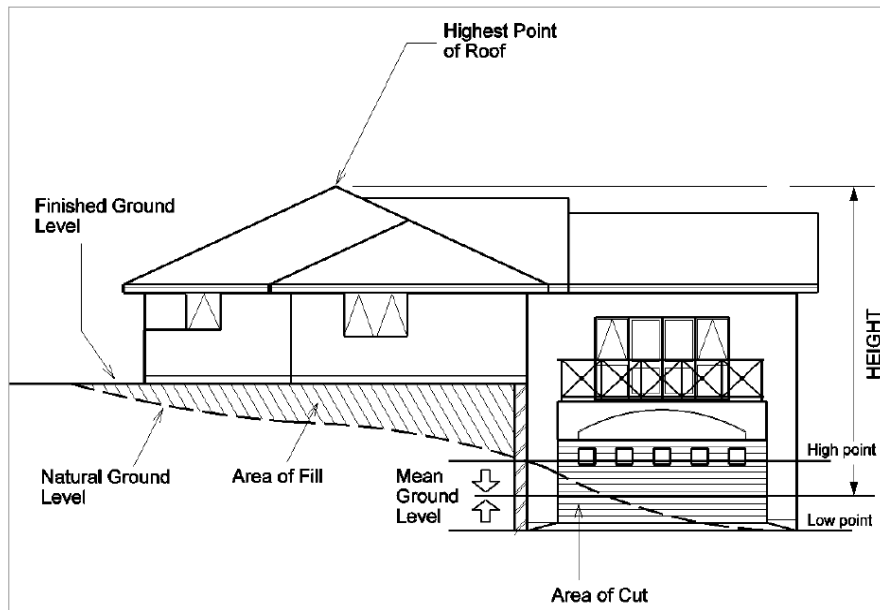
Or

- d) That in water has a high BOD₅ (>10,000 mg/l)

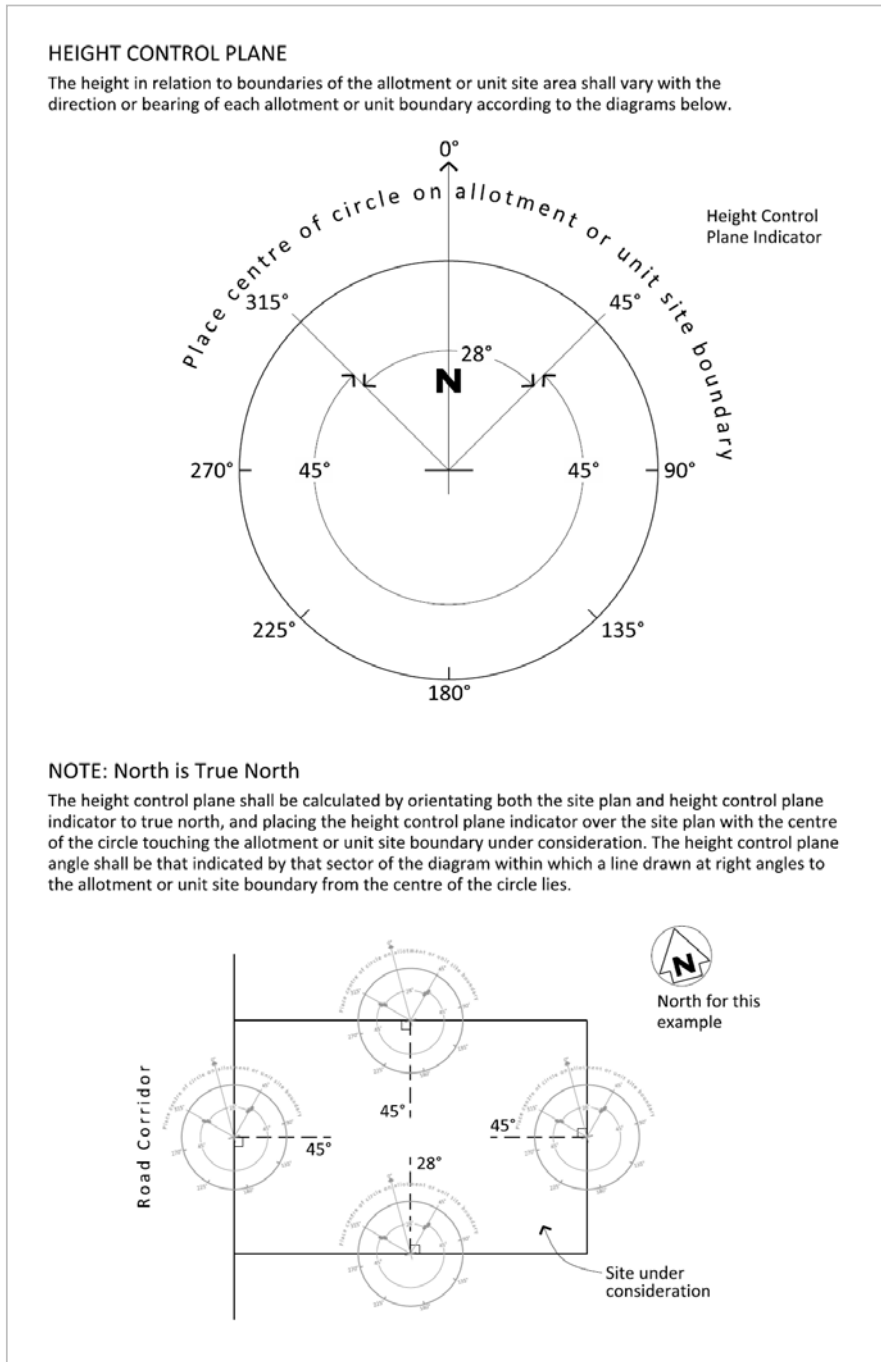
Health care services: Means services relating to physical and mental health and welfare, performed by duly qualified practitioners or by persons in their employ and includes services provided by medical practitioners or by persons in their employ including surgical procedures and day-patient care, dentists and veterinary surgeons but excludes a **hospital**.

Height (in relation to maximum height of a building): Means the vertical distance between:

- a) A horizontal plane through the highest point of the roof, excluding service rooms containing equipment such as lift machinery, tanks, air-conditioning and heating plants, aerials and dishes as permitted in Volume 1, Chapter 25.7 City-wide – Network Utilities and the Electricity National Grid Corridor; and chimneys, flues and similar projections of less than 1m² in area and projecting not more than 2m above maximum permitted height.
- b) A horizontal plane through the mean of the highest and lowest point of the natural ground level along the relevant external wall of the building provided that any calculated mean height shall not exceed the maximum permitted height.



Height control plane: Means a surface through which no part of a building other than chimneys, flues and similar projections not exceeding 2m in height and 1m² in area or an aerial as permitted in Volume 1, Chapter 25.7 City-wide – Network Utilities and the Electricity National Grid Corridor may protrude. It is defined by drawing height control lines from all points on the boundaries of an allotment or unit site area. Such lines are to start at a specified vertical distance above the natural ground level at the boundary, point into the site at right angles to the boundary and rise at a specified angle.



Heliport: Means a facility for the landing, take-off, parking, storage, refuelling and routine maintenance of helicopters including associated buildings, but does not include facilities for overhaul or long-term engine testing.

Heritage item: Means a building, structure, object, site or place and all elements of that item, which have been identified as having heritage value.

High BOD₅: See BOD₅.

High Flood Hazard Area: Means that part of any land predicted to be affected by river or surface flooding during a 1% annual exceedance probability event. Further detail for how this Flood Hazard Area category has been derived is contained in Appendix 11. High Flood Hazard Areas are identified on the Planning Maps.

High-intensity sign: Means any flashing, moving or animated sign, or any other active sign including electronic signs and LED billboards.

High-use allocation: Means industrial activities requiring more than 15m³ of water per day excluding:

- a) Water used for human drinking and sanitation.
- b) The volume of water discharged into the municipal wastewater system.

Home-based business: Means an occupation, craft or profession which is incidental to the residential use of the site, where the principal operator of the home business is a permanent resident on the site. A home-based business excludes: activities involving heavy vehicles, panel beating, spray painting, motor vehicle repairs, motor vehicle dismantling, motor body building, servicing of internal combustion engines, fibreglassing, sheet metal work, wrought iron work or manufacture, bottle or scrap metal storage, rubbish collection, establishments for boarding domestic pets, funeral parlours, and the sale/trading of motor vehicles. The owner or occupier of a household unit is not precluded from carrying out normal maintenance and repair of domestic equipment including vehicles owned by the household owner/occupier.

Homestay accommodation: Means a portion of a dwelling occupied on a temporary (periods of up to 3 months continuous occupation during any 12-month period) basis and includes bed and breakfast establishments. The maximum occupancy is six guests at any one time.

Household: means a person or a group of people related or unrelated who reside together and interact on a daily basis to maintain a self-contained housekeeping unit. This definition excludes people living in residential centres or managed care facilities.

Hospital: Means an institution providing primarily in-patient care for the sick or injured, including medical, surgical, maternity, mental health, convalescent or hospice care, and includes all hospital clinics, dispensaries, out-patient departments, operations and maintenance support services (such as laundries, kitchens, cafeterias, refreshment facilities, residential centres, generators, substation, storage facilities and workshops), hospital administration offices, ancillary retail facilities and undertakings maintained in connection with, or incidental to, the hospital activity.

Impermeable surfaces: Means surfaces such as roads, roof tops, footpaths, paving, decking, swimming pools, patios or highly compacted soil that are not vegetated and do not infiltrate run-off.

Incidental: Means accompanying as a minor part to something else.

Indigenous vegetation or trees: Means vegetation or trees that occur naturally in New Zealand or arrived in New Zealand without human assistance.

Indoor recreation: Means recreational activities within a building. Includes courts, swimming pools and gyms, with ancillary facilities such as changing rooms.

Industrial activity: includes:

Comment [HCC4]: Fonterra, ENV-151

- a) All types of processing, manufacturing, service and repair activities.
- b) Laboratories and research facilities.

Comment [HCC5]:
Hills Laboratories, ENV-154

Informal recreation: Means an activity whose aim is the enjoyment of leisure of a primarily non-competitive casual nature and includes resting, sitting, walking, cycling, jogging, enjoying nature, picnicking, barbecuing, spontaneous informal games and kite flying.

Infrastructure: Means:

- a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;
- b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;
- c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;
- d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person -
 - i. uses them in connection with the generation of electricity for the person's use; and
 - ii. does not use them to generate any electricity for supply to any other person;
- e) a water supply distribution system, including a system for irrigation;
- f) a drainage or sewerage system;
- g) structures for transport on land by cycleways, rail, roads, walkways, or any other means;
- h) facilities for the loading or unloading of cargo or passengers transported on land by any means;
- i) an airport as defined in section 2 of the Airport Authorities Act 1966;
- j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990;
- k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;
- l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.

Integrated Catchment Management Plans: Means an Integrated Catchment Management Plan (ICMP) or sub-integrated catchment management plan. Prepared, lodged and certified in accordance with Rule 1.2.2.6.

Integrated retail development: Means a development of retail activities on a site which are managed as a comprehensive entity, and which has combined facilities (i.e. service areas, loading spaces and parking) which are accessible from, and can be used by, all the individual tenancies of the development.

Integrated Transport Assessment: Means an analysis to determine impacts of a development on the transport network for all modes of travel and effects on safety,

parking, efficiency, access and the capacity of the transport network. This District Plan identifies two levels of assessment, simple and broad; the content of these is detailed in Appendix 15-3.

Intensive farming: Means the commercial raising and keeping of plants or animals, which is dependent on a high input of food or fertiliser, is not dependent on the soil characteristics of the site, and is contained in buildings or outdoor enclosures. This includes, but is not limited to, poultry farms, piggeries and mushroom farms.

Interface area: Means land within the Major Facility Zone *or Knowledge Zone Precincts A, B or D* that is within 30m of any public space external to the zone. This excludes any land within the Major Facilities Zone *or Knowledge Zone Precincts A, B or D* that is positioned behind an existing building or landscaping so as to be screened from the adjoining public space.

Interfacing with a public place: Means the area within the Community Facilities Zone that is within 30m of any boundary with the Community Facilities Zone, any Open Space Zone or the Transport Corridor Zone.

Interface Design Control Area (Ruakura Logistics Zone and Ruakura Industrial Park Zone): Means the area within 50m of a transport corridor including the Waikato Expressway but excludes any private road within the area to be used as an Inland Port.

Internal alteration of buildings: Means changes to the interior of a building that do not result in any external visible change.

Internal vehicle access: Means a combined access arrangement (e.g. accessway, right-of-way, shared driveway) serving two or more dwellings or business occupancies on the same site or serving two or more allotments.

Jetty: Means a landing pier attached to the bed of a lake or river and includes boat ramps.

L_{dn}: Means the day-night noise level which is calculated from the 24-hour L_{eq} with a 10 dBA penalty applied to the night time L_{eq} (2200-0700 hours).

L_{eq}: Means the time-averaged noise level (i.e. the constant noise level which would contain an equal amount of sound energy to the actual fluctuating noise level).

L_{max}: Means the maximum noise level recorded during the particular measurement period. L_{max} is generally used to assess the potential sleep disturbance of individual noise events.

Lake: Means a body of fresh water that is entirely or nearly surrounded by land.

Landscape design: Means the functional layout and design of a site involving the planned use of open space, landform, plant-form, water and artificial features for the purpose of beautifying or enhancing a site for human use and enjoyment.

Land use environment: Means groupings of land-use zones that provide for activities that share similar sensitivities to, or demands of, the transport network. These groups are defined in Table 15.5a of Appendix 15-5.

Less mobile users: Means those vehicle users who are less mobile but are not eligible to use accessible spaces allocated to disabled users. These include the elderly, parents with infants, people with temporary mobility disabilities.

Licensed premises: Means land, buildings or part of a building used principally for the serving of liquor, for consumption on the premises. Licensed premises include (but are not limited to) hotels, taverns, wine bars and clubs (both chartered and night).

Lifeline utilities: Means the same as in the Civil Defence and Emergency Management Act 2002.

Light industry: Means manufacturing, warehouse, bulk storage, service and repair activities which do not involve the use of heavy machinery, are carried out indoors and are unlikely to give rise to significant adverse effects beyond the site and are generally of a small scale. They include printing works, furniture manufacture, car repairs, light engineering, tradesmen's depots and the like.

Lightning rod: A grounded metal rod placed high on a building or structure to prevent damage by conducting lightning to the ground.

Line: Means the conductors (cables) of any above ground network utility infrastructure.

Loading space: Means a space on a site suitable and available for the temporary station of a vehicle which is primarily on the site to load/unload goods that are required for the nature of that particular business on that site.

Local Transport Corridor: Means any transport corridor identified as local or any other formed road not otherwise identified in Appendix 15, Figures 15-5B to 15-5F, the function and form of which is defined in Appendix 15-5.

Logistics and freight-handling activities: Includes:

- a) All aspects of freight handling such as loading and unloading of goods from and to road or rail, container storage, container devanning and MAF/customs procedures, warehousing and distribution/consignment activities.
- b) All ancillary activities including container, equipment and fleet maintenance and administration activities.
- c) All offices and facilities associated with inland port management or customs excise functions.
- d) All offices and specialised training facilities directly related to a logistics or freight-handling activity on site, having a maximum gross floor area of 10% of the total gross floor area of a site or area of a leased site.

Logistics and freight-handling infrastructure: Includes rail siding, platforms, hardstand storage areas, private roads, lighting towers, fences, car parking, CCTV, security infrastructure, fire and hazard substance management facilities, and communications and data management infrastructure.

Lot: See **Allotment**.

Low flow (for the purposes of events for motorised water activities on the Waikato River): Means a river level of less than 11.80m above mean sea level (Moturiki Datum) measured at the Waikato Regional Council Victoria Bridge Recorder Station.

Low flow fixtures: Means the following.

- a) Showers using not more than nine litres of water per minute. Being the nominal flow rate measured in accordance with AS/NZS 3662: 2005 Performance of showers for bathing.

- b) Tap equipment using not more than nine litres of water per minute. Being the nominal flow rate measured in accordance with AS/NZS 3718: 2005 Water supply – Tap ware (excludes outdoor tap equipment).
- c) Toilets using not more than four litres on average per flush:
 - i. For single-flush cisterns – the discharge flush volume, determined in accordance with AS 1172.2 Water closet (WC) pans of 6/3 L capacity or proven equivalent – Cisterns.
 - ii. For dual-flush cisterns – the average flush of one full-flush discharge and four reduced-flush discharge volumes, with the full-flush discharge flush volume and reduced-flush discharge volumes determined in accordance with AS 1172.2 Water closet (WC) pans of 6/3 L capacity or proven equivalent – Cisterns.

Note

1. Toilets, showers, and taps with at least a 3 star rating in accordance with the New Zealand Water Efficiency Labelling Scheme meet this definition.

Low Flood Hazard Area: Means that part of any land affected by river or surface flooding during a 1% annual exceedance probability event. Further detail for how this Flood Hazard Area category has been derived is contained in Appendix 11. Low Flood Hazard Areas are identified on the Planning Maps.

Low Impact Urban Design and Development (LIUDD): Means design and development techniques that aim to protect aquatic and terrestrial ecological integrity while allowing urbanisation based on the following principles.

- a) *Work with nature's cycles on a catchment basis to maintain the integrity and mauri of ecosystems and minimise ecological footprints.*
- b) *Adverse effect and impact minimisation through site selection.*
- c) *Use ecosystem services and infrastructure efficiently.*
- d) *Promote and support alternative development forms that maintain, enhance or create natural spaces and increase infrastructure efficiency.*

Note

Refer to the source document for further guidance on LIUDD principles and their application. Source: M van Roon and H van Roon "Low Impact Urban Design and Development: the big picture", The University of Auckland, Manaaki Whenua Press, Landcare Research Science Series No.37, 2009.

Low-intensity sign: Means any painted or similar sign, device or symbol and includes statically illuminated signs.

Maintenance and repair of buildings and structures: Means activities required to restore to a good or sound condition after decay or damage, including strengthening and repair with similar materials. In terms of buildings, this involves no visible structural change to the external façade.

Maintenance and repair of buildings and structures (in relation to Chapter 19: Historic Heritage): Means work for the purpose of weatherproofing, plumbing and electrical work restoration and for the purpose of repair which includes patching, piecing in, splicing or consolidating of any original structure including the repair of materials and replacement of minor components where these are beyond repair or are missing. The

replacement should be of original or similar material, and maintain a consistency in colour, texture, form and design as the original it replaces.

Major arterial transport corridor: Means any transport corridor identified in Appendix 15, Figures 15-5b to 15-5f as major arterial or proposed major arterial, the function and form of which is defined in Volume 2, Appendix 15-5.

Managed care facilities: Means land or buildings, in which residential accommodation, supervision, assistance, care and/or support are provided by another person or agency for residents. For the purpose of calculating the number of residents, account shall be taken of owners and/or staff and any of their children aged 16 years or older who reside on the premises. All other staff are excluded from that calculation. They include but are not limited to, emergency housing and rehabilitation centres. They exclude:

- a) A residence established in accordance with section 364(2)(d) of the Children, Young Persons and Their Families Act 1989, or replacement thereof.
- b) Apartment buildings.
- c) Hospitals.
- d) Retirement villages.
- e) Rest homes.
- f) Residential centres.
- g) Secure units.

Manoeuvring area: Means that part of the site used by vehicles to move about to gain access to and from parking spaces. Parking spaces and loading spaces may be served in whole or part by a common manoeuvring area. The manoeuvring area excludes any required queuing length.

Marae: Means land and buildings generally associated with hapu or iwi, which are used for whanau, community, cultural, social and educational gatherings (including tangi hanga), and includes whare-nui (meeting house), whare-kai (kitchen/dining hall) and ablution facilities.

Margins: Means the land/water boundary of any permanent, natural watercourse, lake or wetland.

Market days: Means an event with temporary stalls for the display and sale of food, plants and flowers to the public. Market days may be regular or irregular occurrences and are principally for marketing and selling goods produced within the Waikato Region by vendors directly involved in the growing or production process.

Mast: Means any mast, pole, tower or similar structure designed to carry antennas to facilitate telecommunications, radio-communications and broadcasting and which is fixed to the ground.

Means of compliance: Means those standards, terms, restrictions, prohibitions, classifications and other provisions forming a rule.

Medium Flood Hazard Area: Means that part of any land predicted to be affected by river or surface flooding during a 1% annual exceedance probability event. Further detail for how this Flood Hazard Area category has been derived is contained in Appendix 11. Medium Flood Hazard Areas are identified on the Planning Maps.

Meteorological instrument: Means masts and supporting sensors established for the purposes of recording and transmitting meteorological data, including anemometers and wind vanes.

Minor arterial transport corridor: Means any transport corridor identified in Appendix 15, Figures 15-5b to 15-5f as minor arterial or proposed minor arterial, the function and form of which is defined in Appendix 15-5.

Minor upgrading (in Volume 1, Chapter 25.7: City-wide – Network Utilities and the Electricity National Grid Corridor): In terms of electricity line means an increase in carrying capacity, efficiency or security of electricity and telecommunication lines and equipment where this uses the existing support structures or structures of a similar scale and character and includes:

- a) The addition of conductors to form a twinned or duplex-pairing.
- b) The reconductoring of the line with higher capacity conductors.
- c) The resagging of conductors.
- d) The addition of longer, more efficient insulators.
- e) The addition of earthwires (which may contain telecommunication lines), earthpeaks and lightning rods.
- f) The replacement of an existing overhead wire with another one or more of similar character and scale.
- g) The addition or replacement of antennas.
- h) The addition of circuits and conductors.
- i) The addition of telecommunication fittings.
- j) The replacement of existing cross-arms with cross-arms of an alternative design.
- k) The increase in voltage of electric lines from 11kV to 33kV.
- l) An increase in support structure height by not more than 15% of the base height of the support structure, and where the base height is defined as the height of the structure at date of public notification of the Plan.
- m) Support structure replacement within a similar location as the support structure that is to be replaced.

Note

It does not include an increase in the voltage of the line up to or above 110kV unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage, or the addition of extra lines.

In terms of telecommunications facilities means the maintenance, replacement or increase in the carrying capacity utilising the same or similar structure(s), provided that the effects of the upgrade is of the same or similar character, intensity and scale to the telecommunications facility which is being upgraded.

Minor works (in the Business 1-6, Central City, Industrial, Ruakura Logistics and Ruakura Industrial Park Zones): Means all works to an existing building for the purpose of:

- a) Maintenance activities.

- b) Repair works.
- c) Re-cladding.
- d) Internal refurbishment works.
- e) Internal alterations.
- f) Painting and signage

And other alterations and additions that are either:

- g) Not visible from a public space, or
- h) That result in additional gross floor area of no more than 25m².

Minor work (in relation to Volume 1, Chapter 19: Historic Heritage): Means the maintenance of existing site landscape features such as gardens, lawns, and planting beds; but excludes the development or re-development of the site which involves excavation, modification or disturbance of the ground.

Motorised commercial activities on land: Means Segway tours, trains, and tram rides and tours. Does not include motorsport.

Motorised recreation activity: Means indoor or outdoor recreation activity where the operation of vehicles by members of the public is the primary form of entertainment and/or recreation.

Motorised vehicle activity: Means any activity involving a motor-driven vehicle and can include cars, motorbikes and karts; but does not include modelled or scaled-down versions of vehicles operated through remote control.

Motorised water activity: Means any activity involving a motor-driven vessel and can include jetboats, water skiing, jet skis, hovercraft and the use of inboard and outboard motors, but does not include modelled or scaled-down versions of boats operated through remote control.

Motorway: Means a road declared as a motorway by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of the Government Roadway Powers Act 1989 and includes all bridges, drains, culverts, or other structures or works that form a part of any motorway so declared but does not include any other road, accessway or service land (or the supports) that crosses over or under a motorway at a different level.

Multi-purpose facilities for international sports, events and functions: Means land and buildings that provide for:

- a) International standard playing surfaces.
- b) International standard facilities for use by professional sports codes.
- c) International standard facilities for televised sports and events broadcasting.
- d) Spectator facilities including but not limited to stands, seating, corporate and entertainment boxes, audio-visual screens.
- e) Places of assembly including function rooms and facilities for concessions to serve food and refreshments including liquor; restaurants, licensed premises and catering services, entertainment, exhibitions and conferences.

and may include:

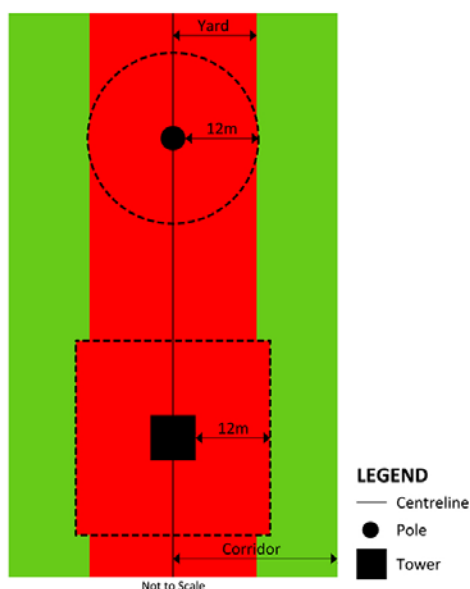
- f) Retail and offices.
- g) Visitor accommodation.
- h) Out-catering services to serve venues, facilities and functions beyond the major facility.

Note

“Event” excludes the use of the playing areas for training, practice and rehearsals at night time, notwithstanding that lights and floodlights may be used.

National Grid Corridor and National Grid Yard: Means a buffer area around the national grid high voltage electricity transmission lines identified on the Planning Maps. The purpose of this yard and corridor is to manage activities and structures in close proximity to the National Grid transmission lines and is required by the National Policy Statement for Electricity Transmission. The corridor seeks to ensure that subdivision is designed so that future buildings will avoid the yard. The Corridors within Urban Areas and Greenfield Areas are differentiated on the Planning Maps.

Diagrammatically, the Yard and Corridor are as follows.



National Grid Yard (shown in red)

- the area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- the area located 10 metres either side of the centreline of any above ground 110kV National Grid line on single poles (HAM-MER A, ARI-HAM A); or
- the area located 12 metres either side of the centreline of any above ground National Grid line on towers (HAM-MER B, HAM-WHU A, ARI-HAM B, HAM-KPO A, HAM DEV A).

National Grid Corridor

means the area measured either side of the centreline of any above ground electricity transmission line as follows:

- 14m for the 110kV National Grid lines on single poles (HAM-MER A, ARI-HAM A)
- 16m for the 110kV National Grid lines on pi poles
- 32m for 110kV National Grid lines on towers (HAM-MER B, HAM-WHU A, ARI-HAM B, HAM-KPO A)
- 37m for the 220kV transmission lines (HAM DEV A)

Note

The National Grid Corridor and National Grid Yard do not apply to underground cables or any transmission lines (or sections of line) that are designated.

Natural and physical resources: Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.

Natural Ground Level: Means the lowest of:

- a) The level of the ground at the time the Section 224 certificate is issued.
- b) The finished level of the ground as the result of building construction work.
- c) The finished level of the ground as the result of any subsequent works.

Natural hazard: Means any atmospheric or earth- or water-related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

Natural values (in terms of this District Plan): Means the City's key natural features – the Waikato River corridor and gully systems, peat lakes, wetlands and associated peat land, remnant and regenerated indigenous vegetation, surface and groundwater resources and the ecosystems and habitats that depend on these natural features. It also includes the landscape and visual qualities associated with these features.

Natural watercourse: Means a continually or intermittently flowing body of fresh water including streams but not including any artificial watercourse.

Net site area: Means the area of the site, excluding any right-of-way, private way or access lot.

Comment [HCC6]:
Property Council New Zealand, ENV-169

New and altered roads: Refer to NZS6806: 2010 Acoustics – Road traffic noise – New and altered roads.

Network utility: Means any activity or structure relating to:

- a) Distribution or transmission by pipeline of natural or manufactured gas petroleum or geothermal energy.
- b) Telecommunication or radiocommunication.
- c) Transformation, transmission, or distribution of electricity.
- d) The holding, transmission and distribution of water for supply.
- e) Stormwater drainage or sewerage reticulation systems.
- f) Beacons and natural hazard emergency warning devices.
- g) Meteorological services.
- h) Construction, operation and maintenance of power-generation schemes.

- i) A project or work described as a “network utility operation” by regulations made under the Resource Management Act 1991.

And includes the operation and maintenance of the network utility service. The definition of network utilities does not include roads or structures associated with the operation of roads such as signs, traffic signals or street lights. Amateur Radio is excluded from this definition; see **Amateur Radio Configuration**.

New works: Means work that adds to or otherwise physically alters the existing transport infrastructure. This includes, but is not limited to, new or altered:

- a) Paved surfaces (e.g., carriageways, pedestrian paths, cycle ways, access ways).
- b) Lanes and other changes that alter the flow of traffic, including clearways and bus lanes.
- c) Access controls or restrictions.
- d) Stormwater assets.
- e) Intersection controls such as traffic signals or roundabouts.
- f) Structures including bridges, retaining walls, underpasses and overpasses.
- g) Median barriers and segregation strips.
- h) On-road parking controls or restrictions.
- i) Street furniture such as a bus shelter, rubbish bin, seat.
- j) Landscaping, including planted areas and street trees.
- k) Traffic services.
- l) Traffic islands and pedestrian refuge islands.
- m) Vehicle crossings.
- n) Closing or stopping of roads that does not affect the function of connected transport corridors as described in the transport corridor hierarchy plan.

Noise-sensitive activities: Means residential activities (including residential accommodation in buildings which predominantly have other uses such as commercial or industrial premises), marae, spaces within buildings used for overnight patient medical care, and teaching areas and sleeping rooms in buildings used as educational facilities. For the purpose of this definition educational facilities includes tertiary institutions and schools, and premises licensed under the Education (Early Childhood Services) Regulations, and playgrounds which are part of such facilities and located within 20m of buildings used for teaching purposes.

Non-industrial activity: Means all activities other than industrial activities.

Non-residential activities: Means all activities other than residential activities.

Notional boundary: A line 20m from any side of any dwelling or the legal boundary where this is closer than 20m.

In relation to existing residential units within the Ruakura Logistics Zone means a line measured 20m from the external wall of any habitable room or the boundary of the site, whichever is the lesser.

In relation to residential unit in the Future Urban Zone means a line measured 20m from the external wall of any habitable room or the boundary of the site, whichever is the lesser.

Noxious or offensive activities: Means those activities that emit or have the potential to emit odours, gases or other substances to air which would be so offensive as to impact on the amenity values of neighbouring sites or which could constitute a health risk for people in the vicinity. They include:

- a) Blood or offal treating, bone boiling or crushing, dag crushing, fellmongering, fish cleaning or curing, gut scraping and treating, tallow melting.
- b) Flax pulping, flock manufacture or teasing of textile materials for any purpose, wood pulping.
- c) Storage and disposal of night-soil, septic tank sludge or refuse.
- d) Slaughtering of animals for any purpose other than human consumption, storage, drying or preserving of bones, hides, hoofs or skins, tanning, wool scouring.
- e) The burning of waste oil in the open air, or in any combustion processes involving fuel-burning equipment, or other than any combustion processes involving fuel-burning equipment, if carried out primarily for the purposes of producing energy, which singly or together have a maximum fuel-burning rate of 1000kg/hr or more carbonaceous fuels or those containing hydrocarbons or sulphur.
- f) The open burning of coated or covered metal cable or wire including metal coated with varnish or lacquers or covered with plastic or rubber.
- g) Any activity with the potential to discharge asbestos to air including the removal or disposal of friable asbestos, except where it complies with the Health, Safety, and Employment Regulations for Asbestos and is supervised and monitored by Occupational Safety and Health.
- h) Burning out of the residual content of metal containers used for the transport or storage of chemicals.
- i) The open burning of municipal, commercial or industrial wastes or the use of single-chamber incinerators for disposal of waste.
- j) Any industrial wood pulp process in which wood or other cellulose material is cooked with chemical solutions to dissolve lining and the associated processes of bleaching and chemical and by-product recovery.

Offices: Means premises used for administration, consultation, or management of and shall include:

- a) Administrative offices for the purposes of managing the affairs of an organisation, whether or not trading is conducted.
- b) Commercial offices such as banks, insurance agents, or real estate agents where trade (other than for the immediate exchange of money for goods) is transacted.
- c) Professional offices such as the offices of accountants, solicitors, architects, engineers, surveyors, stockbrokers, and consultants where a professional service is available and carried out.

d) Non-custodial premises used by Corrections staff for administration and delivery of community-based activities, including, inter alia, Probation Centres and bases for Community Work activities.

e) Within Chapter 8 Knowledge Zone 'office' shall include space used for desk based research and innovation, associated meeting and administration, conferencing and similar activities and excludes commercial offices and professional offices

In this context “office” shall exclude activities meeting the definition and performance standards for a “home-based business”.

Open space network: Means a network of open space corridors throughout the City, consisting of both public and private land, that supports the natural environment and ecological processes. The Waikato River and associated gully system form the backbone of the open space network.

Organised recreation: Means any active sports or games or recreational pursuits for participants and spectators, the fields and structures (such as goal posts, nets, and courts) necessary to accommodate them but excludes motorised vehicle sports. It does, however, include mountain bike tracks and BMX.

Outdoor living area: Means an on-site, outdoor area for the exclusive use of each residential unit, (unless otherwise stated, e.g., communal outdoor living areas for residential centres), free of any building or carparking, but which may include the area beneath eaves, and uncovered decks and terraces regardless of height. In the case of multi-storey apartments covered decks and balconies are included.

Overland flow path: Means the route along which stormwater flows. A subset of overland flow paths is called “secondary flow path”. These routes carry water which cannot flow through the primary storm water system (usually piped) because the water flow has exceeded the capacity of that network.

Papakāinga: Means a community where tangata whenua live, primarily clustered around marae and other places of significance. Also means contemporary or ancient marae sites with or without accompanying residences or buildings. The extent of individual papakāinga should be determined in consultation with tangata whenua and is not necessarily confined to multiple-owned Māori land. The definition may also extend to include ‘taura here’ communities who establish modern/urban papakāinga.

Park: Means a defined and named area of recreation land administered or owned by Hamilton City Council.

Parking lots and parking buildings: Means land or buildings used specifically for the lease or hire of car parking as the primary activity on the site, and which are not provided to fulfil the parking requirements of the Plan for any other on-site activity. Parking lots are single level parking facilities at ground level. Parking buildings are facilities that have multiple storeys.

Parking space: Means a space on a site suitable and available for the parking of a vehicle which complies with standards referred to in Volume 1, Chapter 25.14: City-wide – Transportation.

Park furniture: Means structures designed to facilitate the use and enjoyment of a public open space and include park benches, bicycle racks, band rotunda, shelters under 20m², rubbish bins, playgrounds, adult recreation equipment, fountains, skate bowls, confidence courses and drinking fountains.

Park maintenance building: Means buildings associated with the maintenance of the park or for storage, e.g. equipment or tractor shed.

Passenger transport facility: Means land and buildings, used for scheduled passenger transport services. This may include bus bays, taxi ranks, drop-off and pick-up points, cycle parking, shelters, waiting rooms, ticket office, information centre, luggage lockers, public toilets, showers, changing rooms and ancillary activities.

Peat lakes: Means lakes which are influenced by the presence of extensive areas of peat within their catchments and dystrophic characteristics being relatively low in nutrients, low in pH and their waters stained by dissolved humic compounds.

Peat Lakes, Wetlands and Peat Lake Catchments (Chapter 20: Natural Environments): Means those areas identified on the Planning Maps as Peat Lakes and wetlands or peat lake catchment.

Pedestrian focus area: Means any transport corridor identified as being part of a pedestrian focus area in Appendix 15, Figure 15-5E, the function and form of which is defined in Appendix 15-5.

Performance assessment: Means, in relation to any rule, those provisions intended to guide Council in determination of resource consents.

Pergola: With a roof it becomes an accessory building, a pergola attached to dwelling becomes an attached accessory building.

Permeable surface: Means any part of a site which is grassed or planted in trees or shrubs and is capable of absorbing water. It does not include impermeable surfaces or any area which:

- a) Falls within the definition of building coverage.
- b) Is covered by decks which do not allow water to drain through to a permeable surface.
- c) Is occupied by swimming pools.
- d) Is paved, sealed or formed to create a solid surface.
- e) Is used for vehicle parking, manoeuvring or access.

Note

A green or living roof may provide a suitable alternative to permeable surfaces requirements but will be assessed on a case by case basis.

Personal risk: Means a measure of the danger to an individual using the transport network as part of a simple or broad Integrated Transport Assessment, as described in Appendix 15-3. Personal risk is calculated as:

$$\frac{\left(\frac{\text{Number of Fatal Crashes} + \text{Number of Serious Injury Crashes}}{\text{Number of years of data}} \right)}{\left(\frac{\text{Number of Vehicles}}{\text{Number of years of data}} \right)}$$

Pest control: Means any activity undertaken by, or at the direction of a local authority for the control, management or eradication of species identified in a Pest Management Plan prepared under the Biosecurity Act 1993.

Places of assembly: Means land or buildings which are used principally for the public or private assembly of persons for cultural, entertainment, recreation, leisure, education or similar purposes. They include conference centres, seminar rooms, gymnasiums, public halls, theatres and cinemas, display galleries and museums.

Places of worship: Means premises used for public or private religious worship, religious ceremonies, religious meetings or instruction and social gatherings directly related to the work of the religious organisation. They include temporary fundraising activities.

Planned infrastructure: Means, in the case of a specific subdivision, use or development proposal, consented or designated infrastructure. However, where district plan changes or structure plans are being considered a broader application of the term 'planned' covers infrastructure for which feasibility studies have been completed, where funding has been allocated to advance consenting or designation processes or where such infrastructure is included in strategic documents such as the Regional Land Transport Strategy.

Planting: Means the provision of trees, shrubs, and/or groundcover plantings, and may include any other vegetative forms so arranged as to improve visual amenity.

Planting Strip: means an area of planting of a permeable nature consisting of a combination of groundcovers, shrubs and trees, which is designed in such a manner so as not to obscure visibility for road users.

Pontoon: Means a landing pier that floats on the surface of a water body and is attached to the bank of the water body.

Pre-development: Means pre-development characteristics and refers to the physical characteristics of the site at the point of lodgement (with Council) of a new resource consent application. Any unimplemented resource or building consents are excluded from the definition of pre-development characteristics.

Private way: As defined by Section 315 of the Local Government Act 1974. A private way is designed to provide vehicular and/or pedestrian access to a public street, and may comprise separately owned entrance strips subject to rights-of-way or a separate lot (access lot) which is jointly owned and used by adjacent lots. It includes any common area defined for the purposes of providing the vehicular access for cross-lease or unit title subdivision.

Private recreation on the surface of water: Includes canoeing, rafting, boating, kayaking, rescue and research craft of a non-commercial nature.

Produce stalls: Means any land, building or part of any building that is used for the sale, to the public only, of goods grown or produced on the property on which the produce stall is sited.

Products Transported in Bulk: includes cement, clinker, coal, cotton seed meal, palm kernel, fertilizers, sand, gravel, scoria, loose logs, wood chips, salt, soy flour, and goods of a like nature. For clarity, this definition excludes any product stored or moved in a unitised or packaged form including in a container and storage associated with the unloading or loading of containers.

Proper speed: Means speed of a watercraft discounting the contribution of any current to that speed.

Protected premises and facilities: Refer to NZS6806: 2010 Acoustics – Road traffic noise – New and altered roads.

Protected tree: Means any tree/shrub or group of trees or shrubs listed in the Significant Tree Register of this District Plan (refer Appendix 9, Schedule 9D).

Pruning, trimming and maintenance (of a significant tree or indigenous vegetation in a Significant Natural Area): Means detaching foliage, branches, and roots from a significant tree or indigenous vegetation in a Significant Natural Area.

Public art: Means artistic works created for, or located in, part of a public space or facility and accessible to members of the public. Public art includes works of a permanent or temporary nature located in the public domain. A public space means all those spaces which the public has access to or can view. This includes, but is not limited to, parks, streets, squares, gardens walkways, public plazas and building foyers.

Public floor area: Means the sum of all floor areas contained within the external walls of any building or within the boundaries of any outdoor area available for the use of the general public in association with the activity, excluding any areas used for:

- a) Lift wells, including the assembly area outside the lift doors for a maximum depth of 2m.
- b) Stairwells, including landing areas.
- c) Toilets and bathrooms.
- d) Parking areas required by the District Plan.

Public space: Means any space (whether in public or private ownership) that can be accessed without charge by everyone to use or see. This can include roads, squares, public place, parks and reserves.

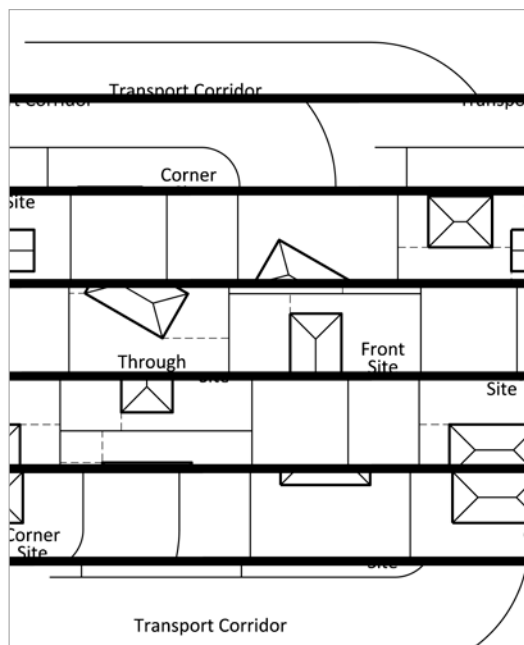
Pyrotechnic displays: Means a professional fireworks display undertaken by an approved handler.

Queuing length/space: Means the area between the kerb and the on-site manoeuvring area which is used solely for queuing and/or to gain access to the manoeuvring area and on which there is no parking.

Radioactive material: Means any article containing a radioactive substance giving it a specific radioactivity exceeding 100 kilobecquerels per kilogram and a total radioactivity exceeding three kilobecquerels (radioactive substance means a radionuclide or mixture of radionuclides, either alone or in chemical combination with other elements) but excluding smoke detectors.

Railway houses: Means pre-cut timber single dwellings constructed in the 1920s by the NZ Railways for employees and their families and located in the Frankton Railway Village.

Rear building line: Means a line or lines drawn across the site creating a space behind the rear façade of any buildings.



Recreational activities: Means the passive or active recreational use of any land. Does not involve buildings but may include gardens, playing fields, courts, park furniture and playgrounds.

Regionally significant infrastructure: Includes:

- a) Pipelines for the distribution or transmission of natural or manufactured gas or petroleum.
- b) Infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001.
- c) Radio apparatus, as defined in section 2(1) of the Radio Communications Act 1989.
- d) The national electricity grid, as defined by the Electricity Industry Act 2010.
- e) Facilities for the generation of electricity that is fed into the national grid or a network (as defined by the Electricity Industry Act 2010).
- f) Lifeline utilities as defined in the Civil Defence and Emergency Management Act 2002, and their associated essential infrastructure and services.
- g) Flood and drainage infrastructure managed by Waikato Regional Council.
- h) Transport corridors identified in Appendix 15, Figures 15-5b to 15-5f as 'Major Arterial Transport Corridor', 'Proposed Major Arterial Transport Corridor', 'Strategic Network', or 'Strategic Network and Pedestrian Focus Area'.
- i) Hamilton City bus terminal and Hamilton Railway Station terminus.
- j) Hamilton International Airport.

- k) All KiwiRail managed railway lines that extend through the City.
- l) The electricity distribution network (as defined by the Electricity Industry Act 2010).

Reinstatement: Means work carried out to restore the exterior of a building to a completed and integrated standard and appearance. This includes the reassembling of the building as a unified whole, the replacement of defective exterior materials with materials in keeping with the character of the building, and exterior repainting.

Relocated building: Means a building originally built off site which is repositioned on to a new site, or relocated within the original site, or the removal from the original site unless a building within a Special Character Zone or identified in Schedule 8A Heritage, but does not include new buildings or accessory buildings.

Remnant or regenerated indigenous vegetation: Means vegetation dominated by indigenous species or with a substantial component of indigenous species, i.e. species native to the Hamilton Ecological District (McEwen, M.C, 1987: *Ecological Regions & Districts of New Zealand*, Department of Conservation, Wellington). This may be indigenous vegetation that remains after a larger area has been incompletely cleared, e.g. Claudelands Bush which still contains some original or old growth trees. It also includes vegetation dominated by indigenous species that has developed following major disturbance or destruction of the original vegetation, e.g. second or third-growth vegetation which has regenerated naturally but which may be essentially different to the original vegetation, e.g. the induced kanuka forest of some Hamilton river scarps and terraces. It does not include plantations of indigenous species.

Renewal works: Means work required to repair or otherwise return existing transport infrastructure assets to their intended level of service, where for reasons of economies of scale or practicality the works have been extended to include more than that part of the asset that requires immediate attention. This includes but is not limited to:

- a) Resurfacing of part or all of a transport corridor.
- b) Replacement of stormwater assets including catchpits, culverts and kerb and channel.
- c) Pavement and footpath rehabilitation.
- d) Pavement and footpath reconstruction.
- e) Replacement of traffic services.
- f) Replacement of street furniture and lighting.
- g) Replanting of street trees and landscaping.

Research and innovation activities: Includes all activities involved in the research, development, manufacture and commercial application of advanced technology including, but not limited to, agritechology, biotechnology, chemical processes, food technology, laser physics, information technology, energy technology, transportation technology, manufacturing technology, medical technology, materials technology, telecommunications and data management and processing, soil, air and water research, infrastructure systems and management, and activities required to serve the aforementioned activities.

Residential activities: Means the use of land and buildings by people for living accommodation (whether or not any person is subject to care or supervision).

Residential building: Means any building or part thereof used, or intended to be used for human habitation.

Residential centre: Means land or buildings used for long-term shared residential accommodation occupied by five or more persons in addition to staff and not constituting a household. They include boarding houses, hostels, and other long-stay accommodation. They exclude:

- a) Visitor accommodation.
- b) Hospitals.
- c) Rest homes.
- d) Retirement villages.
- e) Managed care facilities.
- f) Secure units.
- g) Apartment buildings.
- h) A residence established in accordance with section 364(2)(d) of the Children, Young Persons and Their Families Act 1989, or replacement thereof.

Residential unit: Means a building or group of buildings, or part of a building or group of buildings that is:

- a) Used, or intended to be used, only or mainly for residential activities.
- b) Occupied, or intended to be occupied, exclusively as the home or residence of not more than one household.

Residual risk: Means the remaining level of risk control after risk control measures have been taken

Rest Home: Means land or buildings for the accommodation of the elderly and/or infirm where nursing/medical care is provided. They exclude hospitals, managed care facilities and residential centres.

Restaurant: Means premises where food is sold principally for consumption on the premises, whether or not the premises are licensed under the Sale of Liquor Act.

Restoration: Means returning the existing physical material of heritage resources to a known earlier state.

Retail: Means the use of land or buildings where goods and services are offered or exposed to the general public for sale, hire or use, and includes premises serving food such as bakeries and cafes and ancillary storage and warehousing of goods to be sold through that retail activity, but excludes restaurants, licensed premises, offices or drive-through services.

Retail – bulky goods: Means buildings and activities involving the sale to the public of large bulky goods, such as furniture and whiteware appliances, where the gross floor area of the outlet exceeds 500m².

Retail – nurseries and garden centres: Means the use of land or buildings involving the sale of plants and associated merchandise (excluding power-driven equipment) for the

home gardener, and includes premises for the propagation, display or storage of plants for sale to the public.

Retail – food and beverage: Means buildings and activities associated with preparation and sale of food which is processed or cooked and ready to eat immediately. This includes cafes, lunch bars, restaurants, takeaways, bakeries.

Retail – specialised food: Means buildings and activities associated with the display and sale of food that requires processing or cooking first. This includes butchers, fishmongers, fruit and vegetable shops.

Risk: Means the likelihood of specified consequences of a specific event (e.g. an explosion, a fire or a toxic release) on people, property or the natural environment.

Risk assessment: Means the overall process of risk identification, risk analysis and risk evaluation.

Riverfront overlay: Means that area shown in Appendix 5: Central City Zone, Appendix 5-1.

Road: Means all land comprising formed and unformed roads as defined in section 315(1) of the Local Government Act 1974.

Road Controlling Authority: Means the territorial local authority, agency or approved organisation in control of roads in accordance with section 317 Control of Roads of the Local Government Act 1974. Approved organisation is defined in the Land Transport Management Act 2003.

Root protection zone: Means the minimum area required to ensure a tree's health and stability is safeguarded, as calculated using the following table.

Tree age	Vigour	Metres
Young trees (where the age of the tree is less than 20% of life expectancy)	Good vigour	6 x DBH*
	Poor vigour	9 x DBH
Mature trees (where the age of the tree is between 20% and 80% of life expectancy)	Good vigour	9 x DBH
	Poor vigour	12 x DBH
Over mature trees (where the age of tree is greater than 80% of life expectancy)	Good vigour	12 x DBH
	Poor vigour	15 x DBH

*DBH means Diameter at Breast Height which in NZ is diameter at 1.4m high (the diameter of the stem 1.4m above ground level).

Routine work: Means the operational and maintenance work required to repair or otherwise return existing transport infrastructure assets to their intended level of service. This includes but is not limited to:

- a) General and environmental maintenance.
- b) Cleaning and maintenance of stormwater assets including street sweeping.
- c) Localised carriageway, footpath and cycle path repair, for example pavement digouts, patching and pothole repairs.

- d) Maintenance of street trees and landscape planting.
- e) Repair of traffic services.
- f) Repair of street furniture.
- g) Transport network inspections including structural inspections, and roughness and condition rating surveys.
- h) Structures maintenance, including repairs to guardrails and handrails associated with the structure, cleaning and painting, and stream clearing and debris removal to maintain water course under bridges.
- i) Traffic count surveys including pedestrian and cycle counts.

Ruakura Structure Plan Area: Means all of the area contained in the Ruakura Structure Plan boundary as shown in Appendix 2, Figures 2-14 to 2-19.

Rural industry: Means any industry ancillary to rural activities which is dependent primarily on the direct handling of raw produce of, or supply of services to, farming, horticulture, intensive farming or forestry and includes; packing and storage of produce, engineering workshops for the repair and servicing of farm equipment, depots for rural transporters and farming contractors, depots for the receipt of produce for preparation for market, agricultural, horticultural, or silvicultural research, horticultural services and primary processing of horticultural produce. It excludes saw mills, abattoirs, wool scouring and the like.

Rural production: Means an agricultural activity or combination of activities for commercial gain or exchange and can include:

- a) The cultivation of land.
- b) The keeping, maintenance and farming of animals and birds (including poultry) for the production of meat, fibre, or other animal-derived produce (including offspring).
- c) Horticulture (including all forms of fruit, vegetable, flower, seed, or grain crop farming).

But excludes forestry and intensive farming.

Satellite dishes: Refer to **Dish**.

School: Means land and/or buildings used to provide regular instruction or training of children including, primary, intermediate and secondary schools, and their ancillary administrative, cultural, recreational or communal facilities. This term excludes tertiary education and specialised training facilities and childcare facilities.

Secondary containment system: Means a system in which pooling substances held in a place will be contained if they escape from their original package or container from which they can, subject to unavoidable wastage, be recovered.

Secure unit: Means land or buildings using physical barriers and/or guards for the purpose of preventing departure from the facility for the primary purpose of the protection of property and/or the security or safety of any person other than staff, visitors and residents at the facility. For the purpose of this definition 'Managed Care Facilities' that require detaining or confining a resident for their own protection or for the protection of other people in the facility are excluded.

Sensitive Transport Network: Means transport corridors identified as Sensitive Transport Network in Appendix 15, Figure 15-9.

Note

1. The Sensitive Transport Network is derived from the following factors:
 - a) The Strategic Network.
 - b) Cycle lanes – Transport Corridors with cycle lanes marked in accordance with the Traffic Control Devices (Rule) 2004.
 - c) Bus route – Transport Corridors with a key bus route operated by a local authority or an agent of a local authority.
 - d) Central City Zone – All Transport Corridors within or adjoining the Central City Zone, excluding to the east of the Waikato River (refer Planning Maps).
2. As some of these factors alter over time administrative changes to the District Plan will be required from time to time to keep the Sensitive Transport Network planning map up to date. Bus route information can be sourced from the Waikato Regional Council website or www.busit.co.nz/hamilton-routes/

Sensitive land use: As defined in the National Environmental Standard for Electricity Transmission Activities (2009), this includes the use of land for a childcare facility, school, residential building, or hospital.

Service areas: Means an area provided for the service needs of the occupants of a residential unit; commercial; industrial; community or recreational activity, and may include associated access and loading areas.

Service industry: Means premises occupied by activities involving light manufacturing or the repair or servicing of goods of a light nature and includes repair of household appliances, electronic equipment assembly and servicing, craft manufacture and clothes manufacture. It does not include car repairs, furniture making and the like.

Comment [HCC7]:
Hills Laboratories, ENV-154

Service lane: Means land dedicated as service lane which is used from time to time for the vehicular servicing of adjacent properties.

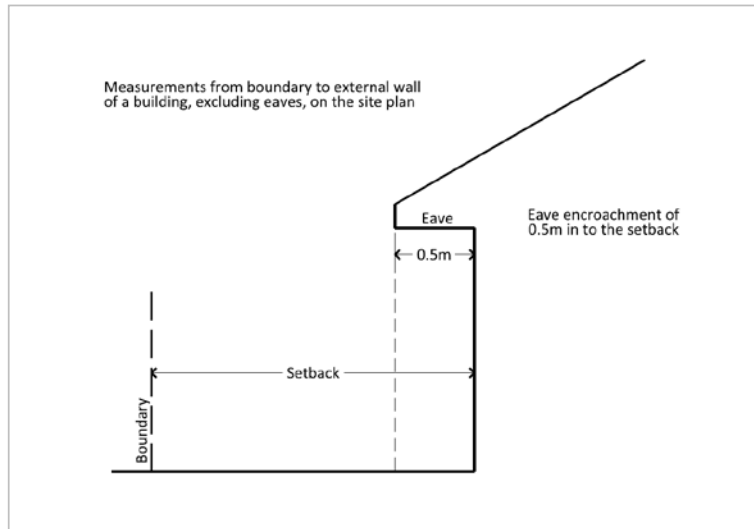
Service Station (within the Rototuna Town Centre Zone): Means any premise primarily used for the sale of motor fuels and lubricants by retail and includes:

- a) Mechanical repair and servicing.
- b) Ancillary retail of goods and food provided that the trading space provided within the building devoted to their display, sale or hire does not exceed 50m² GFA.
- c) Vehicle washers.
- d) The hire of trailers.
- e) The storage and retailing of LPG and CNG.

But excludes:

- f) Panel beating and spray painting.
- g) Heavy engineering such as engine reboring and crankshaft grinding.

Setback: Means the distance from the boundary, specified object, or building line restriction in respect of a road widening, which is required to be free, unoccupied or unobstructed by buildings from the ground upwards, with the exception of eaves and, except as otherwise provided for in this District Plan. Front and rear setbacks extend across the full width of the site and side setbacks lie along the length of a side boundary between the front and rear setbacks.



Shared-use access way: Means, for the purpose of this District Plan, an access way to provide for the movement needs of pedestrians, including the use of motorised disability equipment (e.g. mobility scooters), and cyclists.

Shopping frontage: Means the principal face of a commercial building which is intended to be occupied by retail activities or which adjoins other such buildings and which is on or adjacent to the street frontage or which faces a customer parking area with 15 or more car spaces.

Short-stay worker accommodation: Means the same as visitor accommodation but for the exclusive use of employees or contractors.

Show home: Means a residential building and land which displays the design, construction materials, and building techniques available to potential house buyers including outside living areas and gardens. The show home is likely to include an office and is available for inspection by the public.

Sign: Means any advertising, informational or directional device or advertising matter, whether consisting of a specially constructed device, structure, erection or apparatus, or painted, printed, written, carved, inscribed, endorsed, projected on to, placed or otherwise affixed to or displayed upon anything.

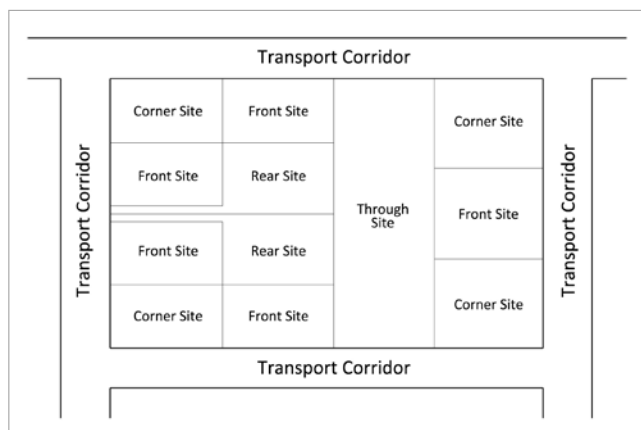
Single dwelling: Means a residential building designed for, and occupied exclusively by, one household.

Site: Means an area of land which is:

- a) Comprised in a single certificate of title or in respect of which a single certificate of title could be issued without further consent from the Council.
- b) Composed of two or more lots held together in one (or more) certificate(s) of title and where no single lot can be dealt with separately without the prior consent of the Council.
- c) An area of land which has been defined for the purpose of transferring it from one certificate of title to another.

- d) An area of land which is, or is to be, used or developed as one property whether or not that use or development covers the whole or a part(s) of one or more lots.

Allotments shown on a subdivision or survey plan for the purposes of effecting cross leases or company leases or issuing separate unit titles under the Unit Titles Act 2010, shall be deemed to comprise one site.



Front site: Means an allotment:

- Which complies with the relevant frontage requirements for the zone.
- Whose frontage is not less than two-thirds the maximum width of the allotment, measured parallel to its street frontage.
- Is not a corner site as defined below.

Corner site: Means an allotment which lies within a general change of direction (being a change of 45° or more) of the abutting street or streets.

Through site: Means any allotment having two or more street frontages that are not contiguous.

Rear site: Means any allotment other than a front, corner or through allotment as defined above.

Site coverage: Means that portion of a site which is covered by buildings, whether principal or accessory, excluding eaves and uncovered decks and terraces. The net site area shall be used for the purpose of calculating coverage.

Small-scale energy generation (produces less than 20kW): Means renewable energy generation for the purpose of using electricity on a particular site or connecting into the distribution network (but excludes solar panels supplying electricity for the site on which they are located).

Soil conservation and river control works: Means any activity undertaken by or at the direction of a local authority for the express purpose of soil conservation, river and erosion control.

Spectator facility: Means an activity within a structure or building which supplies seating or standing accommodation at any racecourse, sports ground, recreation ground or similar place, whether or not such construction is enclosed or covered.

Spill containment system: Means a structure which will contain liquid or solid hazardous substances in the event of a spill, and prevent them from entering the stormwater system or a natural water body.

State highway: Means a road whether or not constructed or vested in the Crown that is declared to be a state highway under Section 11 of the National Roads Act 1953, or Section 60 of the Government Roading Powers Act 1989, and includes:

- a) All land along or contiguous with its route that is the road.
- b) Any part of an intersection that is within the route of the state highway.

Storage (in relation to hazardous substance facilities): Means the containment of a substance, either above ground or underground, in enclosed packages, containers or tanks.

Strategic network: Means any transport corridor identified as being part of the strategic network in Appendix 15, Figures 15-5B to 15-5F, the function and form of which is defined in Appendix 15.5.

Streetscape: Means the physical features such as buildings, landscaping, street furniture and other elements that contribute to the appearance or view of a road.

Structure Plan: Means a plan that sets out the development concept for longer-term growth and the likely extent of future infrastructure provision within a locality. It may set out a logical sequence and timing for provision of infrastructure and establish the principles on which development levies are to be paid as part of a subdivision and/or development.

Structures associated with the generation, storage, transmission or distribution of any network utility: Means any pole, mast, aerial, dish, or equipment shelter used for the transmission, switching, measurement, or regulation of any approved network utility.

Studio unit: Means a residential unit with living areas combined into one main room (e.g. kitchen, lounge, and bedroom may be open plan with bathroom and toilet facilities in a separate room).

Subdivision: Has the same meaning as contained within section 218 of the Resource Management Act 1991 which means:

- a) The division of an allotment:
 - i. By an application to a District Land Registrar for the issue of a separate certificate of title for any part of the allotment.
 - ii. By the disposition by way of sale or offer for sale of the fee simple to part of the allotment.
 - iii. By a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years.
 - iv. By the grant of a company lease or cross-lease in respect of any part of the allotment.
 - v. By the deposit of a unit plan, or an application to a District Land Registrar for the issue of a separate certificate of title for any part of a unit on a unit plan.

- b) An application to a District Land Registrar for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.

The term subdivide land has a corresponding meaning.

Supermarket: This includes:

An individual retail outlet that sells, primarily by way of self service, a comprehensive range of:

- a) domestic supplies such as fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products; kitchenwares; toilet paper, diapers and other paper tissue products; pharmaceutical, health and personal hygiene products and other toiletries; cigarettes, magazines and newspapers, batteries, flashlights, light bulbs and related products; and
- b) non-domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to) clothing and footwear; furniture; electrical appliances; greeting cards and stationery; barbecue and heating fuels; audio visual products; and has a store footprint over 1,000sqm GFA.

Temple View Flood Hazard Area: Means that part of any land within the vicinity of Temple View affected by flooding during a 1% annual exceedance probability event. This is identified as Temple View Flood Hazard Area within the Planning Maps.

Temporary activities in a public place: This includes:

- a) Outdoor dining areas.
- b) Markets, stalls, merchandise displays and mobile shops.
- c) Busking, hawking and charitable collections.

A public place is:

- d) Under the control of Council.
- e) Open to, or being used by, the public, whether or not there is a charge for admission.

and includes:

- f) A road, whether or not the road is under the control of Council.
- g) Any part of a public place; but excludes reserves which are regulated by the Parks, Domains and Reserves Bylaw 2007.

Note

Refer to the Hamilton City Public Places Bylaw 2009 and Hamilton City Public Places Policy 2009 for restrictions to activities in a public place.

Temporary buildings and structures ancillary to an event: These include marquees and spectator stands.

Temporary logistics activities: Logistics activities provided for in the Logistics Area (Sub Area A) as a controlled activity in Rule 10.3c) and excluding freight handling activities.

Comment [HCC8]:
The National Trading Company of New Zealand, ENV-170;
Progressive Enterprises, ENV-173

Temporary sign: Means a sign that is not reflectorised, illuminated, flashing or moving and the sign is used to:

- a) Advertise that the property is for sale, and is displayed only while the property is on the market.
- b) Advise of any temporary construction project being undertaken on the site.
- c) Inform of a public election.
- d) Inform for the purpose of public notification.
- e) Advertise an event associated with any temporary recreational or community activity.

Tenancy: Tenancy is defined as the gross floor area occupied by way of exclusive use by a tenant and includes both freehold and leasehold area.

Tertiary education and specialised training facility: Means land and/or buildings used to provide regular instruction, training and/or related research not meeting the definition of school and includes tertiary education institutions, work skills training centres, and their ancillary administrative, cultural, recreational, accommodation, retailing, research or communal facilities.

TEU: Means 20-foot equivalent unit and is a measure of container throughput in the freight industry.

Three Waters: Means the three key areas of strategic water management (including associated infrastructure) within the City. Three Waters comprises:

- a) Water supply – including drinking water and other water abstracted from the Waikato River, treated and used within the City, and water for fire fighting purposes.
- b) Wastewater – liquid waste (including liquids containing waste solids) from domestic, industrial and commercial premises including toilet wastes, grey water and tradewastes.
- c) Stormwater – rainwater that runs off a surface into streams, waterways, underground aquifers, rivers and eventually, far beyond Hamilton’s boundaries, ends up in the sea.

Trade and industry training facilities: Means premises accommodating specialised education and training facilities where groups of people are given trade or industry tuition and training on a formal basis.

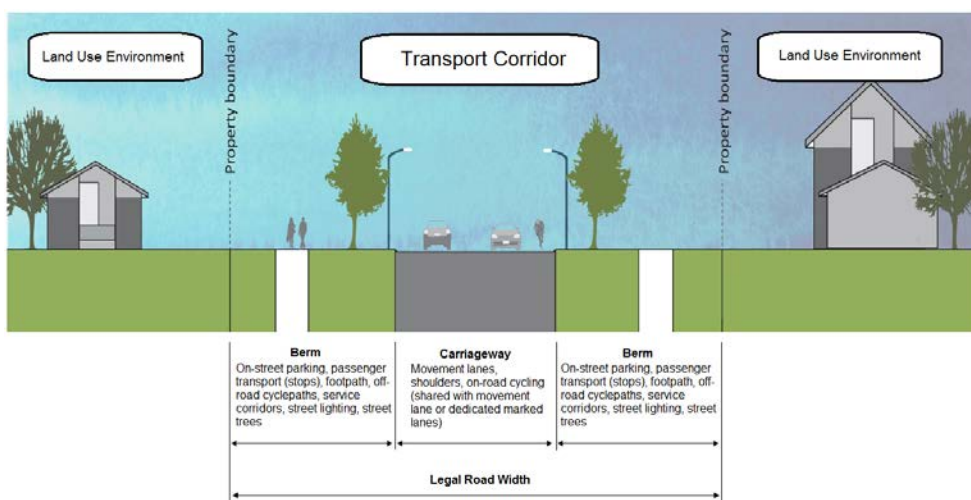
Traffic services: Means the transport corridor furniture, pavement markings and lighting assets that make up part of the transport infrastructure, and includes:

- a) Belisha beacons and lighting at pedestrian crossings.
- b) Carriageway and footpath lighting.
- c) Guard rails, pedestrian railings and fences.
- d) Pavement markings, including cycleway markings.
- e) Transport corridor delineation, including edge marker posts and raised and reflective pavement markers.

- f) Sight rails.
- g) Signs, including the posts.
- h) Traffic signals.
- i) Variable message signs (VMS).

Transplanting (of a significant tree or indigenous vegetation in a Significant Natural Area): Means the relocation of a significant tree or indigenous vegetation to a new site in accordance with standard arboricultural practice.

Transport corridor: Means the whole corridor that provides for carriageway, berms and any adjoining pedestrian or cycle paths, landscaping and lighting, and includes roads, but excludes private roads in the Ruakura Logistics Zone.



Comment [HCC9]:
 Tainui Group Holdings, ENV-147;
 Chedworth Properties, ENV-146

Transport depot: Means land, buildings and infrastructure used principally for the receiving, dispatching or holding of goods or passengers in transit by road or rail and any associated provision for vehicles.

Transport infrastructure: Means any structure that is necessary for the functioning of the transport network and that caters for the needs of transport users. This includes but is not limited to surfacing and pavement, traffic services and structures such as transport lighting, bridges, retaining walls, bus shelters, taxi shelters, information fixtures for bus passengers, parking and loading spaces and facilities, litter bins, drinking fountains, mobility scooter charging points, and public seating.

Transport network: Means the combined network of:

- a) Existing and future transport corridors (as shown on any Structure Plan, Figures 15-5b to 15-5f or Designation).
- b) Private roads and ways, access ways, service lanes pedestrian, cycle and passenger transport lanes or routes (both within and outside the transport corridor).
- c) Rail, river ferry and air travel routes

that provides for the movement of people and goods to, from and through the City. It includes all of the ancillary support transport infrastructure and activities, and vehicle entrances. It also includes those facilities in addition to transport infrastructure that support the use of the transport network, as well as (but not limited to) end-of-journey facilities and Travel Management Plans.

Transportation service centre: Means a development with the primary purpose of providing an accessible range of services to the motoring public using the State Highway network including commercial freight vehicles. A Transportation Service Centre may include the following uses.

- a) Service Stations and car wash facilities.
- b) Truck stops, truckers' lounges and associated accommodation.
- c) Food and refreshment facilities (including drive through services).
- d) Rest, picnic and sealed vehicle parking areas.
- e) Public toilets and showers.
- f) Lotto facilities.
- g) Playgrounds.
- h) Information centre for the provision of information for travellers and tourists.
- i) Storage area for tow trucks.
- j) Telephones, mail box, coin laundry, automatic teller machine banking facilities (ATMs) and fax/communication facilities.
- k) Premises for emergency and transport related regulatory services.
- l) Accessory buildings for the foregoing uses.

Travel plan: Means a set of measures to encourage people (e.g. employees, visitors and students) to travel to and from the site (e.g. workplace or school) by walking, cycling, passenger transport and car sharing or car pooling.

Tree (in relation to landscaping and screening): Means a large perennial plant with a woody trunk that has a mature growth height of greater than 3m or with a trunk diameter at its base of greater than 100mm.

Unit site area: Means either:

- a) A delineated area for exclusive use on a proposed plan of cross lease, company lease subdivision.
- b) A principal unit and its accessory unit entitlements on a proposed unit title subdivision.

Upper floor levels: Means those floors at a level higher than 2.5m above ground level at any corner of external foundations of the building.

Use (in relation to the hazardous facilities screening procedure contained in Appendix 12): Means the manufacturing, processing or handling of a substance for a particular activity without necessarily changing the physical state or chemical structure of the substance involved. This includes mixing, blending and packaging operations, or the use of a substance as a cooling or heating medium. It does not include:

- loading out and dispensing of petroleum products; or
- the filling or drawing of substances from bulk storage tanks where the connection to the bulk storage tank is not permanent.

Vegetation removal: Means removing any vegetation or trees of any height including the root structure of such vegetation, provided that this shall not include emergency removal of protected trees and/or removal or alteration of vegetation necessary to avoid injury to persons or imminent danger to property or works undertaken by regional or territorial authorities for erosion control, flood management, or plant pest management purposes.

Vegetation trimming and maintenance: Means for the purpose of maintaining existing fence lines, vehicle tracks, walkways, cycleways, drains, ponds, utilities or other structures. It includes clearance required for the management of exotic plant species or compliance with a Pest Management Plan under the Biosecurity Act 1993 and must be in accordance with currently accepted arboricultural practice.

Vehicle crossing: Means the formed and properly constructed vehicle entry/exit point from the carriageway of any road up to and including that portion of the road boundary of the site across which a vehicle entry or exit point is permitted by this District Plan. It includes any culvert, bridge or kerbing.

Vehicle control point: Means a point on an internal vehicle access route controlled by a barrier, or similar means, at which a vehicle is required to stop.

Vibration sensitive activities: Means residential activities, marae, hospitals, facilities for the elderly, hotels, accommodation and educational establishments.

Visitor accommodation: Means any land or buildings used for day-to-day accommodation of visitors on a temporary basis (up to three months' continuous occupation during any 12-month period). It includes motels, hotels, holiday or tourist flats, backpacker accommodation, motor or tourist lodges. It excludes camping grounds and motor camps.

Waahi tapu: Means a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense.

Waikato Hydro System Operating Range: Means

Waikato Hydro System Operating Range		
Location	Lower Level (m)	Upper Level (m)
Cobham Bridge	11.60	15.80
Victoria Bridge	11.40	15.44
Claudelands Bridge	11.20	15.29
Whitiora Bridge	10.99	15.18
Fairfield Bridge	10.83	15.06
Ann Street	10.70	14.92
Wairere Drive	10.40	14.38

Waikato River: Means the 'Waikato River' as defined by section 6 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Waikato Riverbank and Gully Hazard Area: Means the area identified on the Planning Maps as Waikato Riverbank and Gully Hazard Area and is susceptible to land instability because of its slope and/or soil types.

Note

Council holds mapping information that separates the gully network and Waikato Riverbank components of this Hazard Area.

Walkways and cycleways: Means publicly accessible formed pathways and includes mountain bike/BMX tracks, boardwalks, shared paths, footpaths and cycle paths.

Warehouse: Means premises used for the receipt, storage and disposal of materials, articles or goods destined for a retail outlet, trader or manufacturer.

Water-sensitive techniques: These include a variety of methods designed for water conservation. They include many techniques referred to under other names, e.g. low-impact design (LID), water-sensitive urban design (WSUD), low-impact urban design and development (LIUDD), sustainable urban drainage systems (SUDS), "natural", "green" and "sustainable". A primary aim of water-sensitive techniques is to maximise the achievement of multiple benefits rather than a single engineering technical efficiency measure. Recognised water-sensitive techniques include:

- a) For water supply:
 - i. Rainwater reuse systems comprising rainwater tanks and appropriate connections that use rainwater instead of potable water for toilet flushing and landscape irrigation.
 - ii. Low-flow fixtures.
 - iii. Leak resistant fixtures and fittings.
 - iv. Automated greywater reuse systems that use greywater instead of potable water for toilet flushing and landscape irrigation.
 - v. Drought-resistant landscaping (e.g. xeriscape) with low water requirements.
 - vi. Conservation education.
- b) For stormwater:
 - i. Rainwater tanks/chambers/ponds for reuse or detention.
 - ii. On-site soakage.
 - iii. Green roofs.
 - iv. Reed beds/wetlands.
 - v. Rain gardens.
 - vi. Vegetative filter strips.
 - vii. Swales and depression landscaping.
 - viii. Gross pollutant traps.
 - ix. Permeable paving.

- x. Requiring buildings to be built above the freeboard of a 1% annual exceedance probability event.
- c) For wastewater:
 - i. Low-flow and leak resistant fittings and fixtures on a water supply.
 - ii. Automated greywater reuse systems as in a) above.
 - iii. Best practice inflow and infiltration reduction methods.
- d) Biodiversity:
 - i. Reed beds.
 - ii. Wetlands.
 - iii. Ponds.
 - iv. Rain gardens.
 - v. Green or living roofs.
 - vi. Water-quality protection and improvement devices.
 - vii. Maintenance or restoration of natural flow regimens.
- e) Cultural:
 - i. Traditional food and fibre plants within riparian areas.
 - ii. Water-quality protection and improvement devices.
 - iii. Facilitation of appropriate water body access.
 - iv. Maintenance or restoration of natural flow regimens.

Wetland: Means permanently or intermittently wet areas, shallow water, and land-water margins that support a natural ecosystem of plants and animals adapted to wet conditions.

Wholesale retail and trade supplier: Means premises that engage primarily in the storage, distribution and sale of goods to other businesses (rather than the general public, although it may include a minor proportion of its sales to the general public), including premises engaged in supplying the construction and building industries, such as plumbing and building materials, farming and primary production supplies (including seed and grain merchants, farming and horticultural equipment suppliers, and equestrian and veterinary suppliers).

Yard: Has the same meaning as setback.

Yard-based retailing: Means a retail activity selling or hiring products where more than half of the display area (not including any parking, servicing, landscaping or manoeuvring areas) is located outside of an enclosed building. Such activities include, but are not limited to car, boat and heavy machinery sales yards; garden centres and landscaping supplies; automotive and boating accessories; trailer and caravan sales yards, building and farm supply outlets, and hire pools.

1.2 Information Requirements

Comment [HCC10]:
IMPORTANT: All of section 1.2 is appealed by Tainui Group Holdings (Ruakura), ENV-147 and Chedworth Properties, ENV-146

Where noted and relevant the following information is to be supplied with applications for resource consents and certificates of compliance.

Any information and plans provided must be in writing and in sufficient detail and accuracy to enable a full assessment of compliance with the District Plan and to evaluate any environmental effects of the proposal.

Note

1. Wherever possible application material should also be provided in an electronic format. Checklists, forms, templates and guides are available from Council. Further general guidance on the Act and its processes is available from the Ministry for the Environment website: www.mfe.govt.nz/rma/index.html

1.2.1 All Applications

a) **Description of the proposal**

An introductory background providing a clear description of:

- i. The proposed activity and how it is intended to operate (including information such as hours of use, numbers of users, etc).
- ii. The proposed use of all existing and proposed buildings on the site.
- iii. The current use of the site.
- iv. Resource consents applied for, identifying what aspects of the proposal do not comply with relevant standards and assessment criteria within the District Plan (including any plan changes or variations).

b) **Legal description of the subject site**

- i. Street address, legal description and allotment area(s) of the subject site.
- ii. A copy of the current Certificate of Title(s) for the subject site and documents detailing any associated:
 - Consent notices
 - Easement documents
 - Hamilton City Council covenants
 - Building line restrictions

Note

1. Certificates of Title may be obtained from Land Information New Zealand. Please ensure that the Certificate of Title consists of both the cover page and attached pages showing the survey plan.

c) **Locality plan**

A locality plan or aerial photograph showing the physical location of the subject site in relation to adjoining roads and sites.

Note

1. One copy at a scale of 1:500 is required with all applications.

d) Site plan/s

Showing the following.

- i. North point.
- ii. Allotment boundaries and dimensions.
- iii. Date the plans were drawn.
- iv. Any historic or natural feature identified in Appendix 8 or Appendix 9 as follows:
 - Schedule 8A: Built Heritage (structures, buildings and associated sites)
 - Schedule 8B: Group 1 Archaeological and Cultural Sites
 - Schedule 8C: Group 2 Archaeological and Cultural Sites
 - Schedule 9C: Significant Natural Areas
 - Schedule 9D: Significant Trees
- v. Other natural features (e.g. wetlands, springs, streams, location of banks).
- vi. Frontages to public road (noting the road's hierarchy in the Transport Corridor Hierarchy Plans in Appendix 15, Figures 15-5B to 15-5F).
- vii. Locations and layout of existing and proposed buildings (including key dimensions from buildings to boundaries).
- viii. Floor plans showing the internal room layout and identifying the floor area and any habitable rooms (the outline of any upper storey should be indicated on the site plan).
- ix. Access and vehicle crossings from road boundaries to parking, loading and manoeuvring areas.
- x. Location of buildings on adjoining sites.
- xi. Location, layout and dimensions of existing and proposed:
 - Parking spaces (cars, motorbikes, bicycle, accessible)
 - Loading spaces
 - Service areas
 - Living court areas
 - Storage areas
- xii. Location, layout, dimensions and description of existing (noting any that are to be retained or removed) and any proposed:
 - Landscaping and vegetation
 - Walls or fences
 - Signs (including sign design)
 - Utility services (e.g. water lines, street lights), which may also require details about connections to Three Waters infrastructure (including size, depth at boundary, grade and distance to boundary pegs)

Note

1. This may need to include features beyond the property boundary (e.g. utility services along the road frontage which may affect the desirable location of proposed vehicle accesses).

xiii. Original and proposed future contours of the site with contours marked at 0.5m intervals.

xiv. Nature and extent of any:

- Proposed earthworks (e.g. cut or fill, quantities)
- Designations affecting the site (refer Volume 1, Chapter 26: Designations)
- Natural hazards (including hazard layers identified by the District Plan – refer Volume 1, Chapter 22: Natural Hazards and the Planning Maps)

Note

1. Two copies at a scale of 1:100, and one reduced A4 copy is required with any application.

e) **Elevation drawings**

Elevation drawings of all buildings to be constructed or altered, showing the relationship, design and appearance of proposed buildings, including:

- i. The natural ground level, and the nature and extent of any proposed earthworks (e.g. cut or fill, quantities).
- ii. Existing and finished ground levels.
- iii. Maximum building height and relevant height control plane angles.
- iv. Ground floor levels in relation to the top of the kerb at entry locations from any adjoining transport corridor.
- iv. Height above floor level of any upper-storey windows.
- v. Floor levels in relation to the depth of a 1% annual exceedance probability flood event.

Note

1. Two copies at a scale of 1:50, 1:100 or 1:200, and one reduced A4 copy is required with any application.

f) **Engineering design plans for any proposed infrastructure**

Engineering design plans should be included for any proposed infrastructure.

Note

1. Guidance on engineering plan information requirements is contained within the Hamilton City Infrastructure Technical Specifications.

g) **Other specialist information specifically required by the District Plan**

This may include Integrated Transport Assessments, Acoustic Design Certificates, and Landscape and Planting Plans. Specific information required is referred to in the following Sections 1.2.2.

h) **Other resource consents/permits**

A description of whether any additional resource consents are required for the proposal and whether these have been applied for (e.g. Regional Council Discharge Permits, Regional Council Water Take Permit if the proposal is likely to involve a commercial or industrial-type activity that is likely to consume more than 15m³ of water per day).

i) **Assessment of environmental effects**

- i. An assessment of the environmental effects (AEE) of a proposal shall be provided with applications for resource consents. Any AEE shall be prepared in accordance with the Fourth Schedule of the Act and shall discuss all the actual and potential effects of the proposal on the environment.
- ii. The amount of detail provided must reflect the scale and nature of the effects. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects should be included. It may require the provision of information from a suitably qualified and experienced practitioner (e.g. a traffic engineer). If the effects of the proposal are small, then a less detailed AEE may be appropriate.
- iii. The AEE should identify how any adverse environmental effects are to be avoided, remedied, or mitigated, and shall also ensure that the following matters are addressed.
 - Consultation undertaken with affected parties
 - Effects of the proposal on the natural environment (including existing vegetation and natural land form), neighbourhood amenity, and infrastructure
 - Heritage issues (such as waahi tapu)
 - Site constraints (such as flooding)
 - External impacts (such as discharges)
 - Construction impacts (such as noise)
 - Other matters associated with the proposal
- iv. In the case of controlled and restricted discretionary activities the AEE need address only those matters which Council has retained control over or restricted its discretion to in the District Plan.

1.2.2 Additional Information Requirements

1.2.2.1 General

- a) In addition to the information specified in 1.2.1 above, any other relevant plans, reports or information are to be provided with any application for a resource consent, to enable the full assessment and determination of the proposal, including:
 - i. Details and outcomes of any consultation undertaken (e.g. Waikato iwi and local hapu, Kiwi Rail, Transpower, New Zealand Transport Agency, Heritage New Zealand Pouhere Taonga, Waikato Regional Council).
 - ii. Potential future subdivision of site.
 - iii. How the proposal is compatible with any design guidance referenced in the District Plan.
 - iv. Details about previous uses of the site and an assessment on whether the National Environmental Standard on Assessing and Managing Contaminants in Soil to Protect Human Health applies.
 - v. Any other relevant rules or provisions in the District Plan, such as any overlay provisions and bonus provisions.

- b) Reports and management plans demonstrating how adverse environmental effects associated with the proposed activity are to be avoided, remedied or mitigated with respect to:
- i. Nuisances such as noise, dust, odour, glare, and vibration.
 - ii. Stormwater disposal and sediment control measures.
 - iii. Hazardous facilities and substances.
 - iv. Discharges of contaminants.

Note

1. Historical and cultural sites and natural features are of significance to iwi and local hapu. In respect of any developments or activities requiring a resource consent, or for plan changes it is advisable that iwi representatives are notified at the earliest stages of planning. This will assist with the identification and mitigation of any potential adverse effects that may impact on cultural values. It is also advisable that before any archaeological surveys or investigations are undertaken iwi representatives are consulted.
2. It is recognised that traditional iwi/hapu customary processes are a complementary method of control outside the District Plan for activities that can adversely affect cultural values associated with natural features (such as the pollution of waterways that are used as important food-gathering sites). Customary processes may vary in different situations and could include:
 - *Mauri* – the notion of respect towards the health and wellbeing of significant sites
 - *Rahui* – an embargo or restriction on access to a site until it is lifted (usually in relation to a polluted or hazardous site)
3. Consultation with iwi can assist in identifying any appropriate customary processes to be followed where special tangata whenua values are identified.

1.2.2.2 Subdivision

a) **General**

Any subdivision application shall include plans, reports, and other information to show how the proposed allotments and access can adequately accommodate the development potential of the site.

b) **Scheme Plan**

A Scheme Plan covering the following matters should be provided.

- i. Unit site area of each proposed allotment.
- ii. Net site area of each proposed allotment.
- iii. Dimensions of all:
 - Existing boundaries
 - Proposed boundaries
- iv. Shape factor shown on all proposed allotments, including those with existing buildings.
- v. Schedule of existing easements.
- vi. Memorandum and dimensions of proposed easements.
- vii. Existing and proposed land contours at 0.5m intervals and/or sufficient spot heights to allow accurate representation of the land surface.
- viii. Existing trees and other vegetation proposed for retention or removal.

- ix. All existing buildings (plan views of roof and wall outlines).

Note

1. Documents should also be provided to show that existing buildings have been legally established.
- x. All proposed buildings and building platforms (including buildings being re-positioned on site).
 - xi. Service areas, living areas, storage areas, vehicle parking areas and loading areas for all existing buildings.
 - xii. Parking spaces (cars, motorbikes, bicycle, accessible) and loading spaces.
 - xiii. Vehicle manoeuvring tracking curves.
 - xiv. Vehicle queuing areas.
 - xv. Distance of building eaves from abutting accessway or right-of-way boundaries.
 - xvi. Vertical cross-section of building eaves/stairs/doors and windows that encroach accessway/right of way boundaries/unit title common areas.
 - xvii. Existing and proposed Three Waters reticulation.
 - xviii. All existing and proposed vehicle crossings.
 - xix. Sight distances of all existing and proposed vehicle crossings.
 - xx. Distance of all existing and proposed vehicle crossings from intersections or railway crossings.
 - xxi. Distance between all existing and proposed vehicle crossings (including adjoining sites).
 - xxii. Location of proposed roads, reserves, easements, and essential services.
 - xxiii. Land to be vested in the Crown, Council, or network utility operator.
 - xxiv. Nature and standard of existing and proposed roads and network utility services such as sewage disposal, stormwater management, water supply, telecommunications and electricity supply.
 - xxv. Proposed final legal status (e.g. freehold, cross-lease, unit title).

Note

1. A checklist is provided by Council outlining all the information required with a subdivision application. Staged subdivisions should have each stage shown on a separate scheme plan, as well as a scheme plan showing the complete subdivision.

c) **Site Analysis**

A site analysis shall be provided in such detail as corresponds with the scale and significance of the potential effects that the subdivision and any associated or subsequent development may have on the environment.

The site analysis shall identify, and where relevant provide detail of, how the proposed subdivision addresses (avoids, remedies or mitigates) adverse effects (on and or from), or where possible enhances (the values of):

- i. Topography and landforms, natural features, wetlands, springs and streams.
- ii. Existing native vegetation and significant trees.

- iii. Soils and groundwater.
- iv. Any significant viewshafts.
- v. Existing buildings and structures.
- vi. Heritage and cultural elements.
- vii. The road to be accessed and the surrounding transport networks.
- viii. Reserves, parks and open space.
- ix. Stormwater and wastewater systems, stormwater paths and any downstream capacity issues.
- x. Infrastructural capacity, performance and/or availability.
- xi. Any contamination issues.
- xii. Natural hazards.
- xiii. Impacts on community facilities.
- xiv. Surrounding character.

Note

1. All applications for subdivision are also required to provide a Water Impact Assessment as set out in 1.2.2.5 below or an Integrated Catchment Management Plan in accordance with, and where required by, Rule 25.13.4.1 in Volume 1.

d) **Subdivision Concept Plan**

A Subdivision Concept Plan shall accompany subdivision applications for the following.

- Any single or staged subdivision creating more than 10 additional lots
- Any subdivision creating additional lots within Stage 1 of the Peacocke Structure Plan

The information provided as part of a Subdivision Concept Plan must demonstrate how the proposal meets, is consistent with, or otherwise satisfies:

- a) Objectives and Policies of:
 - i. The relevant zone.
 - ii. Chapter 3: Structure Plans (as relevant to specific Structure Plan Areas).
 - iii. Chapter 23: Subdivision.
- b) Relevant standards
- c) Relevant design guides in Appendix 1.4

A Subdivision Concept Plan is made up of the following components, which are described further below.

- Context Analysis Plan
- Site Analysis Plan
- Concept Plan

i) Context Analysis Plan

A context analysis plan identifies the constraints and opportunities within the wider site context (minimum 800m radius from the site); and helps to establish how development of the site either mitigates (constraints) or maximises (opportunities) these elements. The elements to be considered include but are not limited to:

- a) The wider transport network both existing and proposed, identified within the Structure Plan and Transport Corridor Hierarchy Plan (transport corridors, cycle and pedestrian routes).
- b) Opportunities to connect and integrate with adjacent transport networks.
- c) Existing and planned:
 - i. Open spaces, parks, and green linkages.
 - ii. Local centres, community facilities (e.g. schools, parks), passenger transport and direct routes to these.
 - iii. Residential areas, surrounding subdivision lot density, housing typologies or styles, parks and networks.
- d) Existing infrastructure and reticulated services (including overhead transmission lines), available connections and capacity.
- e) The form and scale of the built and natural environment.
- f) The amenity and character of the wider area.
- g) Notable natural (e.g. significant trees), heritage and cultural features.
- h) Landscape or landform features such as wetlands, streams, rivers, vegetation.
- i) Significant views and aspects.

ii) Site Analysis Plan

A detailed site analysis should be undertaken once the context analysis has been completed. The detailed analysis of the specific site and its close surroundings facilitates the design of appropriate subdivision responses.

A site analysis should be provided in such detail as corresponds with the scale and significance of the potential effects that the subdivision and any associated or subsequent development may have on the environment.

The site analysis should identify and, where relevant, provide detail of how the proposed subdivision addresses (avoids, remedies or mitigates) adverse effects (on and/or from), or where possible enhances (the values of) the following.

- a) Topography and landforms, natural features, wetlands, springs and streams.
- b) Existing native vegetation and significant trees.
- c) Soils and groundwater.
- d) Any existing and significant viewshafts.
- e) Existing buildings and structures.
- f) Heritage and cultural elements.
- g) The road to be accessed and the surrounding transport network.

- h) Reserves, parks and open space.
- i) Stormwater and wastewater systems, stormwater paths and any downstream capacity issues.
- j) Infrastructural capacity, performance and/or availability.
- k) Any contamination issues.
- l) Natural hazards.
- m) Impacts on community facilities.
- n) Surrounding character.

Note

1. All applications for subdivision are also required to provide a Water Impact Assessment as set out in 1.2.2.4 below or an Integrated Catchment Management Plan in accordance with, and where required by, Rule 25.13.4.1 in Volume 1.

iii) Concept Plan

The concept plan shall be prepared once the context and site analysis plans have been completed and there is a good understanding of the opportunities and constraints within the site and the wider neighbourhood.

- a) A subdivision concept plan shall specifically include the following information.
 - i. The location and width of proposed roads and carriageways and the integration of the roads with the existing transport network.
 - ii. The location and dimension of public reserves.
 - iii. The location and dimension of shared-use pedestrian/cycle accessways.
 - iv. The intended use of each lot in the subdivision and the ways in which the subdivision will integrate with all neighbouring sites either as already developed or as proposed in accordance with existing resource consents.
- b) In preparing the concept plan the assessment criteria in Appendix 1.4.1.3 shall also be considered.
- c) Concept plans within the Peacocke Structure Plan Area shall be prepared in accordance with the neighbourhoods identified in Appendix 2.3.
- d) All concept plans shall be prepared by the applicant in consultation with Council officers as necessary and other stake holders prior to completing detailed subdivision proposals for the resource consent. Council officers shall use the concept plan to assess the subdivision application and will as necessary require compliance with concept plan for subdivision through conditions of consent and consent notices.

1.2.2.3 Master Plan for Peacocke Character Zone Neighbourhoods

A Master Plan shall accompany subdivision applications for in the Peacocke Character Zone for Fee Simple Subdivision where lots created are less than 2ha in the Terrace Area and less than 5000m² in the Gully and Hill Areas.

Master Plans shall be prepared in accordance with the neighbourhoods identified in Appendix 2-3 and the Peacocke Structure Plan (refer to Volume 1, Chapter 3: Structure Plans).

A Master Plan will also be required to include a Subdivision Concept Plan (refer to Appendix 1.2.2.2d)), an analysis over all adjoining neighbourhoods to the subject site to ensure issues impacting on the development are understood and address the following matters.

a) **Transport Network**

The Master Plan will need to outline the street pattern as well as set out the street typologies that will be used in the development, the pedestrian and cycle network and how this links with the City's/area's transport network and open space network. As part of the Master Plan a broad Integrated Transport Assessment will be required (refer to Appendix 1.2.2.14).

b) **Infrastructure and Servicing**

The Master Plan will need to identify the approach to the provision of infrastructure and services which is aligned with the structure plan and the wider city infrastructure development program. Incorporate a low impact urban design and development approach in association with the development of an Integrated Catchment Management Plan, as set out in Appendix 1.2.2.6, for the stormwater catchment area in which the Master Plan neighbourhood or neighbourhoods are located. Demonstrate the integration of any short term infrastructure solutions created under Rule 23.6.10(f) into the overall infrastructure solution for the Peacocke Structure Plan area as identified by the Master Plan.

c) **Natural Environment Network**

The Master Plan will need to identify the natural and ecological systems within the area and demonstrate how these areas have been either integrated into the urban design or how they are to be protected. The integration of the natural environment into the urban form has strong links to how the open space system is developed and the establishment of the land use patterns.

d) **Open Space Network**

The Master Plan will need to demonstrate how the open space links with the natural environment, the Waikato River esplanade, the transport network, and land uses; how the pedestrian and cycle networks have been integrated into the open space network and river esplanade.

e) **Land Use**

The Master Plan will need to identify the location of commercial and community facilities as well as residential densities. It will need to also develop the street pattern taking into account the open space, natural environment and transport network. The street pattern will also need to take into consideration the development principles set out in the structure plan and the transport corridor hierarchies.

f) **Detailed Development Response**

The approach proposed for the urban form of the neighbourhood will need to be developed. This will demonstrate the urban design and architectural responses to

the opportunities and constraints within the neighbourhood and will need to consider the design guides set out in Appendices 1.4.1, 1.4.2 and 1.4.3.

g) **Staging**

The plan will need to identify the staging of development to demonstrate how any urban development created under Rule 23.6.10(f) is integrated into the overall master plan for the neighbourhood.

1.2.2.4 Landscaping Plan

All subdivision applications and any resource consent for development that has not complied with any landscaping and screening standards shall include, as part of the resource consent application, a Landscaping Plan in such detail as appropriate to the scale and significance of the potential effects that the activity may have on the environment. The Landscaping Plan shall contain as relevant:

- a) Site and property boundaries.
- b) Transport corridors and public spaces such as parks and walkways adjacent to the site.
- c) The location of existing and proposed site features including buildings and structures, hard surfaces, retaining walls and fences, landforms, grassed areas and any other relevant features.
- d) Description of the location, size and species of existing and proposed vegetation.

1.2.2.5 Water Impact Assessments

Comment [HCC11]: Fonterra, ENV-151

- a) As part of an assessment of environmental effects a Water Impact Assessment will be required in accordance with Table 1.2.2.5a below:

Table 1.2.2.5a: Water Impact Assessments – Where required and what type

Where required	Type of Water Impact Assessment required
Except as provided for by Rule 25.13.4.6(b) in Volume 1: Any development or subdivision: <ul style="list-style-type: none"> i. Failing to comply with relevant standards in Volume 1, Rule 25.13.4.5 Water efficiency measures. ii. Failing to comply with any relevant permeable surface standards for the zone. iii. Creating four or more residential units on any site. (excluding lots for the purpose of reserves, network utilities or transport corridors). iv. Creating four or more additional allotments (excluding lots for the purpose of reserves, network utilities or transport corridors). v. Involving more than 1ha of land. vi. Creating a new building for industrial activities 	Type 1 (Residential activities) Type 2 (Other activities)

<ul style="list-style-type: none"> with a gross floor area greater than 1000m². vii. Involving any new activity which will have a water requirement greater than 15m³ per day. viii. Creating a new building for non-residential activities (other than industrial activities) with a gross floor area greater than 300m². 	
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b) The information required in a Water Impact Assessment shall be in such detail as appropriate to the scale and significance of the potential effects that the activity may have on the environment, and only if relevant to the proposal. Table 1.2.2.5b outlines the information requirements for the different types of Water Impact Assessments referenced in Table 1.2.2.5a above.

Note

1. The extent and degree of assessment needed for a Water Impact Assessment may be greater when without an existing Integrated Catchment Management Plan.
2. As an outcome of the Water Impact Assessment, conditions may be applied to the development. These may include financial contributions, monitoring and the requirement for the installation of specific water sensitive techniques.

Table 1.2.2.5b: Information required for each type of Water Impact Assessment

Information to be provided	Type of Water Impact Assessment and what information is to be provided (✓ = required)	
	Type 1	Type 2
i. How the proposal is consistent with, or otherwise complies with, the recommendations, measures and targets of any relevant Integrated Catchment Management Plan.	✓	✓
ii. An assessment of any potential effects (including cumulative effects) of the development in relation to its catchment.	✓	✓
iii. Details of what water-sensitive techniques are proposed.		
iv. Details of the expected water efficiency benefits arising from the proposed water-sensitive techniques compared to the same development without using those water-sensitive techniques.		
v. Details of how the water-sensitive techniques will be operated and maintained to ensure ongoing water efficiency benefits.	✓	✓
vi. Where no water-sensitive techniques are proposed, an assessment containing reasons and justification for not incorporating water-sensitive techniques, having particular regard to the objectives and policies of the Volume 1, Chapter 25.13: City-wide – Three Waters.		
vii. Confirmation of available Three Waters infrastructure and capacity to appropriately service the proposal.	✓	✓

Information to be provided	Type of Water Impact Assessment and what information is to be provided (✓ = required)	
	Type 1	Type 2
viii. Details of the water demand (flow and pressure) and water sources.	✓	✓
ix. Where the water demand of the proposal is greater than 15m ³ of water per day, details of a programme explaining how the proposal intends to reduce its water consumption to achieve that level. Note Consent from the Regional Council for an increased water take may be required where a proposal is to take in excess of 15m ³ of water per day.		✓
x. Information on how wastewater (including trade waste) will be managed to minimise any impacts on the reticulated network.		✓
xi. A list of measureable targets and performance indicators to allow the efficient and effective monitoring of the proposal's compliance with any conditions arising from the Water Impact Assessment.		✓

1.2.2.6 Integrated Catchment Management Plans (ICMP)

An ICMP required for any land use or development pursuant to an objective, policy or rule in this Plan, shall include the development site and also assess the effects of the land use or development across the wider catchment.

An ICMP shall be developed in consultation with Council and Waikato Regional Council and completed in accordance with the requirement set out below. Upon completion, the ICMP shall be lodged with Council and Council shall review the content of the ICMP and certify whether it complies with the requirements of this Rule set out below.

An ICMP shall provide for or address the following.

- a) Catchment maps or drawings of the catchment, delineating the catchment boundary.
- b) Catchment topography, receiving environment and existing land uses within the catchment.
- c) Social, economic, ecological, amenity and cultural objectives being sought for the catchment.
- d) Identification of the key stakeholders within the catchment, and details of the consultation initiatives undertaken with key stakeholders.
- e) Classification of the receiving waters within the catchment.
- f) An assessment of the current status of the catchment and receiving environment, and the provision of detailed baseline information of the geological, hydrological, ecological and existing infrastructural characteristics of the catchment, including any existing resource use authorisations within the catchment.

- g) Identification of potential urban growth, development and land use intensification within the catchment.
- h) Confirmation of available Three Waters infrastructure and infrastructure capacity to appropriately service the potential urban growth, development and land use intensification within the catchment.
- i) Confirmation of the availability of an appropriate and sustainable water source to service the potential urban growth, development and land use intensification of the catchment.
- j) An assessment of the potential effects of any diversion, discharge or water take activities on the catchment and receiving environment, including but not limited to effects on:
 - i. Sites of cultural or historical significance.
 - ii. Public health and amenity values.
 - iii. Flooding hazards.
 - iv. Receiving water hydrology, including base flows in rivers and streams and long-term aquifer levels.
 - v. Receiving water sediment and water quality.
 - vi. Receiving water habitat, ecology and ecosystem health.
 - vii. The natural and amenity values of receiving waters.
 - viii. Groundwater or surface water sources.
 - ix. Receiving water riparian vegetation.
 - x. The extent and quality of open stream channels.
 - xi. Fish passage for indigenous and trout fisheries.
 - xii. Erosion and sedimentation of receiving waters.
 - xiii. The discharge and accumulation of litter.
 - xiv. Existing infrastructure.
 - xv. Existing authorised resource use activities.
- l) The cumulative effects of diversion, discharge or water take activities within the catchment, the range of general management options available and the Best Practicable Option to prevent and minimise the adverse effects of diversion, discharge or water take activities, and to mitigate or offset any significant unavoidable adverse effects.
- m) The need for any changes or variations to the relevant District Plan, as a result of the findings and approach of the ICMP.
- n) Education initiatives to support the catchment management objectives.
- o) Appropriate water sensitive techniques to be applied in the catchment.
- p) The methods by which all diversion, discharge and water take activities can be managed.

- q) A description of all infrastructure works scheduled by Hamilton City Council which may significantly affect Three Waters management within the catchment.
- r) The effects of climate change.
- s) All ICMPs shall be of sufficient scope and detail to inform development of Water Impact Assessments.

Note

1. Council will hold some information and modelling data that may assist in preparing an ICMP. All ICMPs will require significant collaboration with Council and their guidance should be sought prior to commissioning any ICMP work.
2. Catchment boundaries will not always follow the boundary of a site. Large sites may fall within multiple three water catchments.
3. There will be two types of an ICMP –
 - ICMP developed by Council for a full catchment
 - Sub-catchment ICMPs developed by the developer in support of their proposals for larger developments where there is not an existing ICMP.

1.2.2.7 Historic Heritage – Schedule 8A and 8B Sites (Historic Heritage)

Any activity requiring a resource consent relating to Schedule 8A or 8B sites (refer Volume 2, Appendix 8) shall include as part of the resource consent application:

- a) Written advice from an appropriately qualified person or body concerning the effects of the proposed activity on the cultural and heritage values identified for the site and outlining possible mitigation measures.
- b) In the case of the site having identified tangata whenua values, advice from relevant iwi.
- c) Where the site history indicates that there may be historical artefacts or other physical remains, advice from a suitably qualified and experienced archaeologist.
- d) Advice that the necessary authority to modify or damage an archaeological site has been obtained from Heritage New Zealand Pouhere Taonga under the Historic Places Act 1993.

Note

1. An archaeological assessment, advice from Heritage New Zealand Pouhere Taonga, or consultation with iwi will not be required where there is documentary evidence held by Council that this has previously been carried out for the site, and that the proposed new work is covered by that documentary evidence.

1.2.2.8 Comprehensive Development Plan

Any CDP application shall show the total expected development for an identified Comprehensive Development Plan area (even if the development is to proceed in stages) through plans and explanatory text.

For CDP applications in the Industrial Zone refer to Rule 9.3.1.

Other CDP applications shall include where relevant, but not be limited to the following.

Note

1. Depending on the nature of the development and the stage it is at, not all information maybe required as part of the CDP.

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	All other CDPs (excluding Industrial Zone)
a) Demonstrating how the land-use pattern and features proposed in the relevant Structure Plan will be achieved.	✓	✓	✓
b) Demonstrating via an urban design assessment how the proposed development is in general accordance with the relevant assessment criteria and design guide.	✓	✓	✓
c) Demonstrating how the standards of the zone will be met and the extent to which the relevant assessment criteria is achieved.	✓	✓	✓
d) Defining the exact boundaries between the precinct and adjoining precincts.	✓		
e) The method by which the development of each Comprehensive Development Plan Area is to be managed, and how it will relate to surrounding land, and the wider Structure Plan area.		✓	✓
f) The method by which the development of each precinct is to be managed, and how precincts will relate to each other, surrounding land and the wider Rototuna Town Centre area.	✓		
g) How transportation and other infrastructure is to be provided to enable the efficient, safe, effective, functional and sustainable delivery of infrastructure. This must take into account the subject Comprehensive Development Plan Area, integration with the surrounding CDP areas and the wider Structure Plan area.		✓	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	All other CDPs (excluding Industrial Zone)
h) How transportation and other infrastructure is to be provided to enable the efficient, safe, effective, functional and sustainable delivery of infrastructure. This must take into account the subject Comprehensive Development Plan Area, integration with the surrounding CDP areas, the wider Rototuna Town Centre and the wider Structure Plan area.	✓		
i) Showing the exact location and design of proposed areas of open space, ecological links and natural features which are to be retained or enhanced, and the areas to be developed for stormwater purposes.	✓	✓	✓
j) Site development. Illustrate:			
i. Activity types	✓	✓	✓
ii. Building footprints	✓	✓	✓
iii. Individual shop and business tenancy sizes	✓		
iv. The number of residential units proposed	✓	✓	✓
v. External layout and floor areas of residential units	✓	✓	✓
vi. How the identified yield is to be met	✓	✓	✓
vii. Pedestrian walkways and cycleways	✓	✓	✓
viii. Carparking areas and vehicular circulation	✓	✓	✓
ix. Vehicular access points between the site and public roads	✓	✓	✓
x. Landscaping areas	✓	✓	✓
xi. Service areas with appropriate screening	✓	✓	✓
xii. Outdoor living courts		✓	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	All other CDPs (excluding Industrial Zone)
xiii. Position of any existing buildings on adjacent land	✓	✓	✓
xiv. How the proposal integrates with adjacent properties in terms of contributing to an overall urban design and streetscape character including treatment of building frontages, and relationship between internal boundaries of Comprehensive Development Areas (e.g. glazing and orientation)		✓	✓
xv. How the proposal integrates with adjacent properties in terms of contributing to an overall urban design and streetscape character including treatment of building frontages (e.g. glazing and orientation)	✓	✓	
k) Development staging: Explain if the development of the Comprehensive Development Area is to be staged, the manner and proposed timeframes for the staging and the means of managing any vacant land during the staging process.	✓	✓	✓
l) Elevations. Illustrate: <ul style="list-style-type: none"> i. Building height and orientation, building exterior design features, any balconies, any artificial lighting to exterior walls and features, and how the proposed development will integrate with adjacent properties in terms of overall urban design, streetscape character and amenity. 	✓	✓	✓
ii. Verandas	✓		
m) Signs. Give details on number, dimensions, location, content, means of support and attachment. This includes signs of the names of the	✓	✓	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	All other CDPs (excluding Industrial Zone)
residential development if applicable.			
<p>n) Transportation. Carry out an Integrated Transport Assessment (ITA) which addresses:</p> <ul style="list-style-type: none"> i. Provision for pedestrians, cyclists and passenger transport ii. Consistency with Access Hamilton and associated action plans iii. On-site provision of car parking, servicing and manoeuvring space iv. How car parking is to be provided, taking into account surrounding land uses and the opportunities for shared car parking v. Safe and efficient provision of entry and exit, including safety for all road users vi. Safe sight visibility distance for access points vii. Safe separation of access points from intersections and other access points viii. Impact of access on safe and efficient traffic flow on the transport network ix. Impact on the capacity and performance of the transport network. 	✓	✓	✓
<p>o) Possible transport and accessibility modelling to assist in the preparation of the ITA. Applicants must also demonstrate whether a Travel Plan is required to mitigate any transport impacts from the development.</p>	✓	✓	✓
<p>p) Servicing. Explain the provision, staging, location and capacity of network utilities and integration with existing and planned network utilities, quantity and quality of stormwater and proposed stormwater treatment, management and disposal facilities.</p>	✓	✓	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	All other CDPs (excluding Industrial Zone)
Prepare an assessment of the impact on the infrastructure including network capacity and tolerance to support the development including future maintenance requirements.			
<p>q) Road Design. Provide details of:</p> <ul style="list-style-type: none"> i. Form, function and design of internal roads including the integration with the existing transport network ii. Pavement and surfacing materials iii. Location of parking areas iv. Planting and street furniture v. Provision for pedestrians and cyclists vi. Location of passenger transport facilities, including corridors or priority treatments vii. Provision for road lighting viii. Proposed speed limit and design speed ix. The location and concept design of the roads (including typologies). 		✓	✓
<p>r) Pedestrian and Cycle Links. Provide details of the position of walkways and cycle ways, links to adjacent sites, consideration of passive surveillance and other CPTED principles, and any artificial lighting to be used within these areas.</p>	✓	✓	✓
<p>s) Planting and Screening. Provide details of:</p> <ul style="list-style-type: none"> i. The type of landscaping to be established in yards, carparking areas, and other landscape areas ii. Identification of the plant and tree species to be used iii. Size of the vegetation iv. Number of plants to be used v. Artificial lighting or screening to be used vi. Consideration of passive 	✓	✓	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	All other CDPs (excluding Industrial Zone)
surveillance and other CPTED principles vii. Maintenance provisions.			
t) Public Square: Show the type of landscaping and materials to be used, taking into consideration CPTED and lighting for safety, amenity and ambience. Consideration must be given to the multifunctional use of the square and its relationship with surrounding buildings and features.	✓		
u) Gateways: Show how the areas defined as gateways in the Rototuna Town Centre Design Guide will be treated in terms of opportunities for landmark buildings, structures, and public art to announce the sense of arrival and departure.	✓		
v) ICMP: Show how the development takes into account and addresses a completed and approved ICMP.		✓	

Where a CDP area is to be developed in stages, the information required for a consent for each stage of the CDP process must be sufficient to enable assessment of the application in terms of the Concept Plan, Structure Plan and Urban Design Guide. The application should include a development framework (or a concept development plan) setting out the main block pattern, roads and access ways, stormwater solutions, reserves, bulk and scale of the buildings for the entire CDP area, together with appropriate detail for the stage under consideration, including detailed design of urban spaces, buildings and their service infrastructure.

1.2.2.9 Flood Risk Assessment Report

Any application for subdivision consent creating additional lots within a Flood Hazard Area is to undertake a flood risk assessment report as outlined below.

This report is a site specific flood assessment supporting proposed subdivision, use or development of land which may be affected by flooding. Its purpose is to provide information about the subject site, the proposed activity, the likelihood, nature and extent of the relevant flood hazard and an explanation as to whether the resulting level of flood risk is acceptable. It can be used to provide a more site specific assessment of flood hazards than the broad flood hazard categorisation identified on the Planning Maps and implemented by rules in Volume 1, Chapter 22: Natural Hazards.

The flood hazard modelling information used by Council to identify Flood Hazard Areas should be used to inform this report.

- a) The report must be prepared by an appropriately experienced and qualified practitioner and consider up to at least a 1% annual exceedance probability event.
- b) The report must include, but may not be limited to, the following matters, where applicable.
 - i. The existing use and development of the site.
 - ii. An outline of the likelihood and effects of flooding on the site.
 - iii. A site layout plan showing:
 - Land potentially affected by flooding in a flood event, including areas of overland flow paths on the subject site and all adjoining sites.
 - The location of the proposed activity, including any proposed building platforms, in relation to the land potentially affected by flooding.
 - iv. Whether there is a reasonable or practicable alternative to locating the proposed use or development on land within a Flood Hazard Area.
 - v. The sensitivity of the proposed activity to the adverse effects of flooding.
 - vi. The potential risk to life, health and safety, and property during a flood event including consideration of:
 - Frequency, duration, extent, depth and velocity of flooding on the site and any access to the proposed activity,
 - Cumulative risks from interactions with any other natural hazard affecting that site (e.g. geotechnical conditions),
 - Any available flood warning time, and
 - The ability to access or evacuate the site and the danger to residents and emergency service personnel if the site or access to the proposed activity is affected by flooding.
 - vii. The positive or adverse effect of the proposed activity on:
 - Overland flow paths (e.g. obstructing or diverting),
 - Hydrological capacity (e.g. reduced flood water storage capacity),
 - Flood water depths, and
 - Flood water velocities.
 - viii. Whether the proposed activity creates a new or exacerbates an existing natural hazard both on or off site.
 - ix. Options to avoid or mitigate the adverse effects of flood hazards and reduce risk to the proposed activity to an acceptable level, including consideration of the appropriateness of any mitigation measures proposed. This may require:
 - An elevation plan showing freeboard heights in relation to the top water flood level of a 1% annual exceedance probability event.
 - Information confirming that the proposed design of sub-floor structures, walls or fences allows for the free passage of flood waters.

- Information confirming that the design of proposed structures or buildings is sufficient to withstand inundation by flood waters.
- c) If the report relies on flood hazard modelling information other than that used by Council to identify the Flood Hazard Areas in the Planning Maps then the report must include detail about the model methodology, assumptions and limitations, validation and any peer review.
- d) The report may recommend the refinement of the extent of the Flood Hazard Areas depicted in the Planning Maps to reflect a greater level of topographical detail than that used in Council's flood hazard modelling. An explanation of the methodology used and the nature, extent and effect of the refinement is required.

Note

1. Recommended refinements cannot alter the activity status of the proposal.

1.2.2.10 Site Management Plan (Waikato Riverbank and Gully Hazard Area)

Any application for resource consent for subdivision, use or development within the Waikato Riverbank and Gully Hazard Area or any activity not complying with standards in Rule 20.4.1, must be accompanied by a Site Management Plan prepared by an appropriately experienced and qualified practitioner. This will include, but may not be limited to:

- a) Location, extent and form of all existing and proposed:
 - i. Buildings and structures.
 - ii. Landscaping (including retaining walls and fences).
 - iii. Sealed and impermeable ground surfaces.
- b) Existing and proposed site contours at 0.5m intervals.
- c) Location, extent and species of:
 - i. Existing vegetation being removed.
 - ii. Existing vegetation being retained.
 - iii. Any proposed new vegetation.
- d) The location of vehicle access, manoeuvring and parking areas.
- e) The nature of the ground conditions and the suitability of the proposal having regard to these ground conditions.
- f) Any risk mitigation measures proposed.
- g) Land stability, erosion, earthquake (amplification and liquefaction) or any other natural hazard, including any modification to landforms and removal of vegetation.
- h) Methods proposed for site management of earthworks and stormwater.

In relation to Peat Lakes, Wetlands and Peat Lake Catchments:

A description of the measures to be undertaken to help prevent or reduce effects on:

- Ecosystems, plants and animals any any disturbance of habitats

- Any natural watercourse including any discharge of sediment to the waterway and any effect on water quality, water clarity and in-stream habitats.

1.2.2.11 Stormwater Disposal Report

Any application for resource consent for subdivision, use or development within the Waikato Riverbank and Gully Hazard Area or any activity not complying with standards in Rule 20.4.1, must be accompanied by a Stormwater Disposal Report prepared by an appropriately experienced and qualified practitioner. This will include, but may not be limited to:

- a) A description of the site, including:
 - i. Natural drainage patterns and any other drainage features (including any spring or groundwater seepage).
 - ii. Its relationship to broader stormwater catchments.
 - iii. Ground conditions and any particular geotechnical vulnerabilities.
- b) Existing stormwater consent constraints (if any) and whether these impact on the proposal.
- c) An assessment of the wet season (winter) water table that establishes the minimum capacity of the ground to absorb water.
- d) An assessment of post-development stormwater flows and the means to be employed to match these to predevelopment flows.

1.2.2.12 Hazardous Facilities

Any application for resource consent for Hazardous Facilities shall include as part of the resource consent application the following information.

- a) The proposed site and layout, with a description of the nature and scale of the proposed hazardous facility and associated operations.
- b) Quantities of hazardous substances proposed to be used, stored, transported or disposed of on the site.
- c) Site drainage and off-site infrastructure, including the biophysical characteristics of the site and surrounding areas (e.g. stormwater systems, transport corridors).
- d) Design and location of site access to provide safe access to and from the transport network.
- e) The sensitivity of the surrounding human, natural and physical environment and proposed measures to protect them.
- f) Separation distances from neighbouring activities and people potentially at risk from the hazardous substance facility, including consideration of the proximity to people oriented activities (e.g. childcare facilities, hospitals, schools, rest homes).
- g) Identification of on-site hazards and exposure pathways from the proposed facility, including a description of the environment actually or potentially affected by the proposal.
- h) Potential cumulative effects with neighbouring facilities.

- i) Preliminary hazard and risk assessment that systematically addresses the site hazards, likely accident scenarios, exposure pathways, receiving environments and potential environmental effects.
- j) Management of wastes containing hazardous substances, including a waste management plan.
- k) Fire safety and fire water management.
- l) Proposed contingency measures and emergency plans.
- m) Proposed monitoring and maintenance schedules.
- n) **Risk assessment.** For any activity that requires discretionary activity consent under Chapter 25.4 City-wide – Hazardous Facilities, the Assessment of Environmental Effects must contain a risk assessment that systematically addresses site hazards, likely accident scenarios, exposure pathways, receiving environments and potential environmental effects. The detailed hazard analysis and risk assessment of installations, operations and processes involving hazardous substances is to be appropriate to the type and scale of the proposed facility. For significant facilities a quantitative risk assessment may be required. This assessment should place emphasis on:
 - i. Identification of potential hazards, failure modes and exposure pathways; assessment of the probability and potential consequences of an accident leading to a release of a hazardous substance or loss of control, including, as applicable, cumulative or synergistic effects.
 - ii. Acceptability of the assessed risks, including cumulative risks.
 - iii. Residual risks after applying proposed risk control and mitigation measures.
- o) **Alternatives.** For any activity that requires discretionary activity consent under Chapter 25.4 City-wide – Hazardous Facilities, the Assessment of Environmental Effects must also contain an evaluation of alternatives (sites or locations, substances, quantities, processes or equipment, site management, etc) to determine whether there are any alternatives to the proposal, particularly where it is possible that the activity is likely to result in significant environmental effects.
- p) **Risk mitigation and control.** For any activity that requires discretionary activity consent under Chapter 25.4 City-wide – Hazardous Facilities, the Assessment of Environmental Effects must clearly identify proposed risk control and mitigation measures, with emphasis on sensitive land-use activities and environments, including, as applicable:
 - i. Equipment, systems and engineered safety measures such as containment devices, fire safety apparatus and spill contingency or clean-up equipment.
 - ii. Emergency management plans, monitoring and maintenance schedules, and training programmes.

1.2.2.13 Harvesting of Forestry

Any application for resource consent for the harvesting of forestry must include the following information.

- a) An estimate of the volume of wood to be harvested.

- b) The expected programme of work for harvesting.
- c) The roads proposed to be used and anticipated volume and timing of traffic.
- d) Extent to which the proposal meets rules regarding access, parking and loading.
- e) Specific traffic management proposals to mitigate the effects of logging trucks in rural areas.
- f) Outline of sediment and erosion control measures and setbacks from water bodies.

1.2.2.14 Integrated Transport Assessment

- a) A simple or broad Integrated Transport Assessment (ITA) may be required for discretionary and non-complying activities.

Note

Specific provisions in the Plan may also require the preparation of a simple or broad ITA, for example Restricted Discretionary Activities under Rule 25.14.3b) in accordance with Rule 25.14.4.3).

- b) A broad ITA shall be prepared for the subdivision of the 500 lots within Stage 1 of the Peacocke Structure Plan area.
- c) A simple ITA shall be prepared for Fee Simple Subdivisions for lots between 10ha and 2ha in the Terrace Area and between 10ha and 5000m² in the Gully and Hill Areas.
- d) A broad ITA shall be prepared as part of any Master Plan required for subdivision within the Peacocke Character Zone.
- e) All ITAs shall be completed by suitably qualified professionals and should generally follow the approach and guidelines of NZTA Research Report 422: Integrated Transport Assessment Guidelines, November 2010. Requirements and report format for both simple and broad ITAs are included in Tables 15-3a and 15-3b of Appendix 15: Transportation.

1.2.2.15 Events

Any event requiring resource consent shall, as part of the resource consent application, provide a waste management plan, transport management plan and noise management plan prepared by suitably experienced and qualified practitioners, as outlined below:

- a) **Waste Management Plan**

The Waste Management Plan shall outline:

- i) An estimate of the types and volumes of waste to be generated by the event.
- ii) Any opportunities for waste minimisation.
- iii) Steps to be taken to maximise the use and collection of recyclables or re-usable materials.
- iv) Waste and recyclables collection, storage and transportation equipment to be provided.

- v) The method of and person responsible for the collection and disposal of waste generated by the event.
- vi) The arrangements made for the provision of post-event waste analysis and reporting of that information to the Council.
- vii) The arrangements made for the provision of litter minimisation, collection, and removal from within the event site and its immediate surrounds.

b) Transport Management Plan

The Transport Management Plan shall outline:

- i) On and off street parking provisions.
- ii) Travel plan including (but is not limited to):
 - i. Provision for access on and off the site for walking, cycling, passenger transport and the mobility impaired.
 - ii. Promotion of options for travel.
 - iii. Incentives for using passenger transport, walking or cycling.
 - iv. Cycle-parking facilities.
 - v. Map for ease of route planning.
- iii) A Temporary Traffic Management Plan prepared in accordance with the NZTA Code of Practice for Temporary Traffic Management.
- iv) The outcome of consultation with NZTA, NZ Police, emergency services, directly affected residents/businesses and Waikato Regional Council (passenger transport), wherever relevant.
- v) A contingency plan which specifies a clear set of roles and procedures in the case of a traffic accident or emergency.

c) Noise Management Plan

The Noise Management Plan shall outline:

- i) Days and times of pre-event sound testing and practice, and of the main event.
- ii) Identification of likely noise sources and the nature of noise emissions (including frequency of occurrence and duration and any special audible characteristics).
- iii) The applicable noise performance standards.
- iv) Identification of likely affected persons and any special needs of those persons.
- v) Community consultation and notification of affected persons.
- vi) Mitigation measures, including for any pre-event sound testing and practice.
- vii) Monitoring of sound levels during the event to ensure compliance with the noise performance standards.
- viii) Complaints management procedure.
- ix) Contact details of key personnel.
- x) Reporting of monitoring results to Council.

1.2.2.16 Concept Plan for Major Facilities

Any application for a Concept Plan for major facilities shall show the total expected development of the facility (even if the development in that area is to proceed in stages) through plans and explanatory text which may include the following information (as relevant).

- a) How the proposal is in general accordance with the urban design approach objectives and policies in Volume 1, Chapter 25.15: City-wide – Urban Design.
- b) Demonstrate how the objectives, policies and rules in Volume 1, Chapter 17: Major Facilities Zone have been met.
- c) Demonstrate how the relevant assessment criteria have been met.
- d) Details of any consultation undertaken.
- e) A Concept Plan shall show diagrammatically, in the form of precincts:
 - i. The general distribution of activities, buildings, open space and parking facilities.
 - ii. Provision for access to and movement within the site for vehicles.
 - iii. Pedestrian and cycle links. Show the position of existing and proposed walkway and cycleway links within the site and to adjacent sites.
 - iv. The interrelationships with the surrounding locality, including buffer areas, links to local centres and access to passenger transport.
 - v. Future development areas, major landscaping areas and protected natural heritage and cultural features.
 - vi. The parameters to which development in different areas will be subject, in terms of the general configuration and bulk of existing and proposed buildings.
 - vii. Development Staging. Explain if development of the major facility is to be staged, the manner and proposed timeframes for the staging (if known) and the means of managing any vacant land during the staging process.
 - viii. In the case of Waikato Stadium a shading diagram showing the extent and duration of shading resulting from new development proposals over any neighbouring properties.
- f) Any other information that may be needed to assess the application.
- g) New Concept Plans shall include a Broad ITA in accordance with Appendix 1.2.2.14.

1.2.2.17 Waste Minimisation Plan

Any resource consent for any activity that fails the solid waste standard 25.12.3.1, or a service area or outdoor storage standard of the relevant zone, shall provide a Waste Minimisation Plan as part of the application. The waste minimisation plan shall identify:

- a) An estimate of the type and volume of waste to be generated.
- b) Any opportunities for waste minimisation.

- c) The steps to be taken to maximise the use and collection of recyclables or re-usable materials.
- d) The waste and recyclables collection, storage and transportation equipment to be provided.

1.2.2.18 Managed Care Facilities Information Pack

- a) A written information pack shall be provided. The information pack shall be prepared by the Agency/person(s) responsible for the managed care facility and include an overview of the Agency and the range of services provided (if relevant), and the type of care and programs to be provided within the managed care facility. The information pack shall include:
 - i. Proposed number of residents.
 - ii. The anticipated number of visitors to the site per week and daily visiting hours.
 - iii. Anticipated full time equivalent staff at the facility.
 - iv. Regular and emergency contact details to enable prompt and effective contact if necessary.
 - v. The policies for the management of possible emergency situations including the management of neighbour relations in an emergency situation.

Upon obtaining consent to establish the managed care facility, the Agency/person(s) responsible for the facility shall, within one calendar month of its occupancy, provide the written information pack to residents of the properties adjoining the site.

1.2.2.19 Centre Assessment Report

Any resource consent for office or retail activities (excluding ancillary office/ retail) shall provide a Centre Assessment Report as part of the application.

a) Purpose

To address the potential effects associated with a proposal for retail or office activity in terms of the specified restricted discretionary activity criteria set out in Appendix 1 – clause 1.3.3H.

The content and detail of the Centre Assessment Report shall correspond with the scale, nature and potential adverse effects of the proposal. A detailed assessment may not be required if the applicant can clearly demonstrate that the proposed development is unlikely to have any significant effects in relation to the matters referred to above.

b) Information requirements

The information shall include:

- i. A summary of the methodology and data sources used to prepare the assessment.
- ii. The following comparative indicators on the current vitality, functions and amenity of the Central City and sub-regional centres for the activity and a summary analysis of discernible trends:

Comment [HCC12]:
Tainui Group Holdings, ENV-149;
Bunnings, ENV-160;
Property Council New Zealand, ENV-169

Comment [HCC13]:
Property Council New Zealand, ENV-169

Comment [HCC14]:
Bunnings, ENV-160

- Retail expenditure patterns
 - Floorspace and activity mix
 - Employment by type
 - Pedestrian environment and flows
 - Parking and public transport services and connections
 - Retail and office demand and supply, including vacancy levels.
- iii. The existing and consented development located outside of the Central City and/or sub-regional centres, which has been taken into account when assessing the potential adverse effects of the development.
- iv. Any external non-development factors such as macroeconomic trends or site specific factors that could influence the above indicators
- v. Information should be included to demonstrate the appropriateness of the timeframes used to demonstrate trends and future predictions.

1.2.2.20 Ruakura Structure Plan (Noise – Inland Port)

- ~~a) The Operator of the Inland Port shall implement and maintain a Noise Management Plan (NMP). The NMP shall set out the measures to be used by the Operator to manage noise effects of port operations. The NMP shall include but not be limited to the following matters:~~
- ~~i. The identification of noise sources and the nature of noise emissions.~~
 - ~~ii. The applicable noise performance standards.~~
 - ~~iii. Identification of likely affected persons.~~
 - ~~iv. Community consultation and notification of affected persons.~~
 - ~~v. Noise mitigation measures proposed to meet the applicable noise performance standards.~~
 - ~~vi. Procedures for monitoring noise levels to ensure compliance with the stated noise levels.~~
 - ~~vii. Management of noise emissions at night, with particular emphasis on the methods to effectively manage the noise effects on noise sensitive activities.~~
 - ~~viii. Procedures for receiving and addressing noise complaints.~~
 - ~~ix. Contact details of key personnel.~~
 - ~~x. Reporting of monitoring results to Council.~~

1.2.2.20 Ruakura Logistics Zone

- (a) Applications for Freight-handling activities and Logistics and Freight-handling infrastructure within the Inland Port (Sub Area A (Inland Port)) shall be accompanied by a Noise and Vibration Management Plan for the relevant stage of the Inland Port which shall include the following:
- i. The result of any noise monitoring undertaken to demonstrate that earlier stages of Inland Port development and logistics activities, if any, met noise performance standards, with an analysis of compliance as necessary.

- ii. A recalibrated model based on the results of the above monitoring.
- iii. The identification of construction and operational noise and vibration sources and the noise emissions associated with each stage of the development of the Inland Port (Sub Area A (Inland Port)), including refrigerated containers.
- iv. The applicable noise performance standards to be achieved at different times of the day.
- v. The applicable vibration performance standards.
- vi. Operational strategies and configurations adopted for each stage based on modelling which achieve compliance with the noise and vibration performance standards set out in Rule 25.8.
- vii. Plans and diagrams sufficient to illustrate the location, scale and dimensions of the noise barrier designed to achieve compliance with the noise performance standards set out in Rule 25.8.
- viii. Strategies and configurations to be adopted during construction which achieve compliance with the noise and vibration performance standards set out in Rule 25.8.
- ix. A signed statement by its author stating that the measures identified will enable the activity to comply with the noise and vibration performance standards set out in Rule 25.8.
- x. A subsequent signed statement by the designer of the noise barrier that it has been constructed in a way that makes it fit for purpose.
- xi. Identification of persons potentially affected by noise and vibration from the operation and construction of the Inland Port (Sub Area A (Inland Port)) (including but not limited to members of the Inland Port Community Liaison Committee required under Rule 10.5.1, a record of meetings held and consultation undertaken with such potentially affected persons, and responses to matters raised in consultation.
- xii. Procedures for monitoring noise levels to ensure compliance with the noise performance standards in Rule 25.8.
- xiii. Management of noise emissions at night, with particular emphasis on the methods to effectively manage the noise effects on noise sensitive activities and which avoid or minimise sudden and/or loud noises at night.
- xiv. Procedures for receiving and addressing noise complaints.
- xv. Methods for updating the Noise and Vibration Management Plan as appropriate to respond to changing requirements.
- xvi. Contact details of key personnel, including the name of the person with overall responsibility for ensuring noise limits are met.
- xvii. An independent peer review report prepared by a suitably qualified and experienced expert acceptable to the Council that considers all aspects of the Noise and Vibration Management Plan, in particular the accuracy of

modelling, the matters of discretion listed in *Appendix 1.3.3 (M2) Ruakura and compliance with noise and vibration performance standards.*

(b) Applications for activities generating 1500 or more vehicle movements per day shall be accompanied by an Integrated Transport Assessment in accordance with Rule 3.7.3.3.7.

1.2.2.21 Ruakura Industrial Park Zone

(a) Applications for activities generating 1500 or more vehicle movements per day shall be accompanied by an Integrated Transport Assessment in accordance with Rule 3.7.3.3.7.

1.2.2.22 Knowledge Zone Precinct C

a) Applications for activities generating 1500 or more vehicle movements per day shall be accompanied by an Integrated Transport Assessment in accordance with Rule 3.7.3.3.7.

1.2.2.22.1 Centre Assessment Report

a) Purpose

To address the potential effects associated with a proposal for retail, office and other activities in terms of the specified restricted discretionary activity criteria set out in *Appendix 1.3.3 M Ruakura.*

The content and detail of the Centre Assessment Report shall correspond with the scale, nature and potential adverse effects of the proposal. A detailed assessment may not be required if the applicant can clearly demonstrate that the proposed development is unlikely to have any significant effects in relation to the matters referred to above.

b) Information requirements

The assessment shall include the following information:

- i. A summary of the methodology and data sources used to prepare the assessment.
- ii. The following comparative indicators on the current vitality, functions and amenity of the Central City and sub-regional centres for the activity and a summary analysis of discernible trends:
 - Retail expenditure patterns
 - Floorspace and activity mix
 - Employment by type
 - Pedestrian environment and flows
 - Parking and public transport services and connections
 - Retail and office demand and supply, including vacancy levels.

- iii. The existing and consented development located outside of the Central City and/or subregional centres, which has been taken into account when assessing the potential adverse effects of the development.
- iv. Any external non-development factors such as macroeconomic trends or site specific factors that could influence the above indicators.
- v. Information should be included to demonstrate the appropriateness of the timeframes used to demonstrate trends and future predictions.

1.2.2.23 Medium Density Residential Zone

- a) Applications for activities generating 1500 or more vehicle movements per day shall be accompanied by an Integrated Transport Assessment in accordance with Rule 3.7.3.3.7.

1.2.2.24 Ruakura Open Space Zone

- a) Applications for activities generating 1500 or more vehicle movements per day shall be accompanied by an Integrated Transport Assessment in accordance with Rule 3.7.3.3.7.

1.2.2.25 Land Development Plans

Land Development Plan

An application under Rule 3.7.3.2.1 shall be accompanied by a Land Development Plan including the following information:

General

- (a) The exact boundaries between the Land Development Plan and adjoining Land Development Plan Areas.
- (b) The exact boundaries of any Open Space Zone included in the Land Development Plan.

Concept Layout Plan

- (c) The location, width and design of proposed roads and carriageways (including lighting, street furniture and signs) and the integration of roads with the existing transport network and the National Grid electricity transmission network.
- (d) Within the Inland Port (Sub Area A (Inland Port)) – an indicative layout plan showing internal roads, hardstand and impermeable areas, crossing points under transmission lines, indicative building locations, future rail sidings and connections to the East Coast Main Trunk Railway and clearances between finished surface levels of the Inland Port and the National Grid electricity transmission network.
- (e) The location and design of storm water treatment and control measures.
- (f) The location and dimension of open spaces, and the total area provided for each open space purpose consistent with the purpose of the Ruakura Open Space Zone and Ruakura Structure Plan.
- (g) The location and dimension of pedestrian and cycle ways.

- (h) Existing and proposed Three Waters infrastructure necessary to service the Land Development Area.
- (i) Existing and proposed ground levels and associated earthworks (Note: consent for earthworks within a National Grid Yard may also be required under Rule 25.2.3 or 25.7.4.
- (j) Methods to provide public access to and use of the Open Space, except as may need to be limited for safety reasons.

Landscape Concept and Ecological Enhancement Plan

- (k) A Landscape Concept and Ecological Enhancement Plan that includes the following:
 - i. A landscape concept for the area of open space included in the Land Development Plan, which identifies the total area provided for each open space purpose consistent with the purpose of the Ruakura Open Space Zone and Ruakura Structure Plan.
 - ii. Details of landscape treatment of streets, footpaths and cycleways.
 - iii. Details of landscape treatment of storage basins, swales and linear wetlands, which show at a minimum the following:
 - a) 100% cover of indigenous wetland vegetation in linear wetlands associated with arterial, collector roads and local roads in Industrial Park Zone; and
 - b) 80% cover of indigenous wetland vegetation in linear wetlands associated with the main greenway corridor, including the Silverdale Road to Mangaonua greenway and the corridor adjoining the expressway in the Logistics and Industrial Park Zones.
 - iv. Details of the Landscape Buffer Areas in the Inland Port (Sub Area A (Inland Port)) required in Rule 10.5 and as shown on Figure 2-17 in Appendix 2. These details shall include:
 - a) Measures to ensure that filled ground provides optimum growing conditions such as avoiding the placement of compacted fill and installing topsoil that has been stripped and stockpiled according to sound practice.
 - b) Plant types and species, sizes at time of planting and spacing sufficient to achieve the screening purpose of the buffer areas.
 - c) The selection of quick growing trees that are capable of achieving the planting heights (other than understory and edge planting) specified on Figure 2-17 in Appendix 2 according to the following growth rates:
 - Year 1 = 2m
 - Year 5 = 6m-8m
 - Year 8 = 8m-10m
 - Year 10 = 10m-12m

- d) Details of ongoing maintenance to ensure the planting achieves the best possible growth rates.
- v. Measures to ensure the implementation and ongoing maintenance of the Landscape and Ecological Concept Plan. In particular, the Landscape and Ecological Concept Plan shall detail the proposed timeframes for the implementation of the planting in the Landscape Buffer Areas in the Inland Port (Sub Area A (Inland Port)) relative to the proposed development and operation of logistics and freight-handling activities and infrastructure.
- vi. A design statement, and details of plant species¹ and materials including indigenous trees and shrubs bordering the linear wetland to improve the ecological function without hindering their treatment functions.
- ¹ Note: On the basis of the soil type within the storage basin to be planted, shrubland and forest species shall be selected from Clarkson B D, Clarkson B R and Downs T M, 2005: Indigenous Vegetation Types of Hamilton Ecological District, CBER Contract Report 58. The percentage vegetation cover of the storage basins shall be consistent with Hamilton City Council Infrastructure Technical Specifications October 2013 or its replacement.
- vii. Methods in the design and layout of Open Space to provide for the amenity of adjoining and adjacent activities.
- viii. The design of the linear wetlands to support black mudfish, shortfin eels and longfin eels, including a range of vegetation suitable to support these fish species without hindering the treatment functions of the linear wetland. The design shall take account of risk factors for black mudfish including competition from pest fish, lack of suitable peat soils, drying out, lack of cavities for mudfish to aestivate (sleep over summer) and inappropriate pH of water due to lack of peat. This may necessitate retention or incorporation of peat soils in the construction of the linear wetlands.
- ix. Methods to ensure implementation of a Native Fish Management Plan for the Land Development Plan Area consistent with the requirements of a Schedule Area-wide Native Fish Management Plan.
- x. Methods to ensure implementation of a Native Lizard Management Plan for the Land Development Plan Area consistent with the requirements of a Schedule Area-wide Native Lizard Management Plan.
- xi. The Native Fish Management Plan and Native Lizard Management Plan prepared by suitably qualified and experienced ecologist and shall include:
- a) containment and translocation methods for at risk species;
 - b) methods to ensure adequate separation between black mudfish and longfin eels;
 - c) adaptive management, monitoring and response process to determine the success or otherwise and to implement a contingency plan if necessary; and
 - d) an analysis of risk relating to timing of collection, containment and translocation.

Water Impact Assessment

- (l) A Water Impact Assessment based on anticipated development in the Land Development Plan that includes the following:
- i. How the proposal is consistent with, or otherwise complies with, the recommendations, measures and targets of any approved Integrated Catchment Management Plan.
 - ii. Where there is no approved Integrated Catchment Management Plan, how the proposal is consistent with the development of and gives effect to Ruakura Strategic Infrastructure including as shown on Figure 2-15 in Appendix 2.
 - iii. How the Land Development Plan provides for the eventual diversion of any temporary connections to strategic infrastructure.
 - iv. An assessment of any potential effects (including cumulative effects) of the development in relation to its catchment. In particular, the assessment should include consideration of potential construction effects and the potential effects of new ponds and wetlands on adjacent private property.
 - v. Details of what water-sensitive techniques are proposed and methods of implementation.
 - vi. Details of the expected water efficiency benefits arising from the proposed water-sensitive techniques compared to the same development without using those water-sensitive techniques.
 - vii. Details of how the water-sensitive techniques will be operated and maintained to ensure ongoing water efficiency benefits.
 - viii. Confirmation of available Three Waters infrastructure and capacity, existing and proposed, to appropriately service anticipated development in the Land Development Plan area and the wider structure plan area.
 - ix. Details of the water demand (flow and pressure) and water sources.
 - x. An assessment of the effect that any staged or interim development and infrastructure has on the strategic network described in Figure 2-15 in Appendix 2 including an assessment of when any diversion to that strategic network is required to restore the city wide network capacity that was being used on an interim basis.

Note: Consent from the Regional Council for an increased water take may be required where a development proposal is to take in excess of 15m³ of water per day.

Integrated Transport Assessment

- (m) An Integrated Transport Assessment (ITA) for anticipated development within the Land Development Plan area, prepared in accordance with the requirements of Appendix 1.2.2.26 and confirming that the anticipated levels of development will comply with Rule 3.7.3.3 Staging and Traffic Requirements. Prior to

approving an ITA or Land Development Plan for the first stage of the Inland Port (Sub Area A (Inland Port)), the upgrading requirements of Ruakura Road from, and including, the Silverdale Road intersection to Wairere Drive shall be reviewed. Any upgrading required shall be agreed with the Hamilton City Council, and be completed in accordance with the agreement before operation of the Inland Port (Sub Area A (Inland Port)) or other development commences.

(n) Details of how the Land Development Plan has been designed to align with the Cyclist and Pedestrian Network Plan in Figure 2-18 in Appendix 2.

(o) Details of any proposed crossing of the East Coast Main Trunk Railway by the Spine Road, which show how it will be grade-separated.

Mitigation of Adverse Land Development Effects on Habitats

(p) Details of how land development avoids, remedies or mitigates adverse effects on, or where possible enhances, any significant habitats of indigenous fauna.

Medium Density Residential Zone

(q) The layout of roads, public spaces and lots, showing how compliance with a minimum net density of 16 dwellings per hectare will be achieved.

(r) The specific location and extent of the Integrated Retail Development consistent with that shown on Figure 2-14 in Appendix 2.

Open Space Provisions

The following characteristics of the open space network are to be considered when developing a Land Development Plan to ensure varying functions are not compromised.

a) Linear Wetlands

Stormwater function: The proposed linear wetlands are an integral part of an alternative stormwater management solution. The linear wetlands form one of the components of the greenway within the open space zone, and they will replace existing farm drains that traverse the structure plan. The greenway also includes the vegetated margins of the linear wetlands, the storage basins, low-flow channels and any indigenous vegetation plantings, including some amenity plantings, as well as road reserve with linear wetlands and street trees.

Ecological function: Provide for linear wetlands, planting and the proposed greenway as ecological outcomes that form new and replacement habitats for the black mudfish, longfin eel and shortfin eel to retain and re-establish viable populations of these native species.

b) Greenway

Create opportunities for improved habitat and ecological benefits in the Ruakura Structure Plan area and in downstream receiving environments. The greenway includes, but is not limited to, linear wetlands, Spine Road linear open space, buffer and interface areas.

c) Gullies

At the northern and southern ends of the structure plan area are gullies which will be protected in the same manner as those across the rest of the City. The layout of the residential area has been designed to provide opportunities for the restoration and enhancement of the northern gully.

d) Visual amenity

Visual amenity benefits from the open space areas include the creation of buffers between different types of land uses.

e) Connectivity and recreation function

A concept layout plan at Land Development Plan stage will show the location and dimension of pedestrian and cycle ways as well as the landscape treatment of streets, footpaths and cycleways.

f) Buffer and interface

Open space as a buffer and interface between residential neighbourhoods in Silverdale and Fairview Downs and the University of Waikato.

g) Spine Road Linear Open Space

Multiple functions through connectivity of Spine Road Linear Open Space running the north to south length of the structure plan and include important stormwater management, connectivity and ecological functions.

h) Neighbourhood reserves

These provide a range of informal recreation facilities including children's play areas and will be required as part of the subdivision process and the establishment of residential neighbourhoods. As such they are not indicated specifically on Figure 2-14 within Appendix 2. Each neighbourhood reserve shall be an area of approximately 0.5ha. Neighbourhood reserves complement the range of facilities provided by the Ruakura Open Space Zone and provide a smaller scale focal point for the local community. They serve a catchment area of approximately 500m radius and provide for both local amenity and passive recreation.

1.2.2.26 Staging and Traffic Requirements

- (a) The application shall be accompanied by an Integrated Transport Assessment (ITA) prepared in accordance with Appendix 1.2.2.14.
- (b) All ITAs required shall be prepared by suitably qualified professionals and should generally follow the approach and guidelines of New Zealand Transport Agency's "Research Report 422: Integrated Transport Assessment Guidelines, November 2010", or its replacement.

1.2.2.27 Concept Plan for Knowledge Zone (excluding Precinct C)

Any application for a Concept Plan for Precinct A, B or D in the Knowledge Zone shall show the total expected development of the facility (even if the development in that area is to proceed in stages) through plans and explanatory text which may include the following information (as relevant).

- a) How the proposal is in general accordance with the urban design approach objectives and policies in Volume 1, Chapter 25.15: City-wide – Urban Design.
- b) Demonstrate how the objectives, policies and rules in Volume 1, Chapter 8: Knowledge Zone have been met.
- c) Demonstrate how the relevant assessment criteria have been met.

- d) Details of any consultation undertaken.
- e) A Concept Plan shall show diagrammatically, in the form of precincts:
- i. The general distribution of activities, buildings, open space and parking facilities.
 - ii. Provision for access to and movement within the site for vehicles.
 - iii. Pedestrian and cycle links. Show the position of existing and proposed walkway and cycleway links within the site and to adjacent sites.
 - iv. The interrelationships with the surrounding locality, including buffer areas, links to local centres and access to passenger transport.
 - v. Future development areas, major landscaping areas and protected natural heritage and cultural features.
 - vi. The parameters to which development in different areas will be subject, in terms of the general configuration and bulk of existing and proposed buildings.
 - vii. Development Staging. Explain if development of the precinct is to be staged, the manner and proposed timeframes for the staging (if known) and the means of managing any vacant land during the staging process.
 - viii. How Interface Areas on site are being appropriately planned for in the development of Concept Plans.
- f) Any other information that may be needed to assess the application.
- g) New Concept Plans shall include a Broad ITA in accordance with *Appendix 1.2.2.14*.

1.3 Assessment Criteria

Comment [HCC15]: IMPORTANT: All of section 1.3 is appealed by Property Council New Zealand, ENV-169

1.3.1 Guide to Using the Criteria

This chapter provides a range of Assessment Criteria that are to be used, where relevant, in the assessment of activities that require resource consent.

Specifically:

1. Controlled Activities will be assessed against the matters over which Council has reserved control. The assessment criteria are provided within section 1.3.2 with the section headings being the Matters of Control.
2. Restricted Discretionary Activities that are restricted solely due to failed standards will be assessed only against the effects of non-compliance with those standards.

Note

The relevant general criteria in this instance is A1. To assist with assessing the effects of the non-compliance, there may be more specific criteria elsewhere within the chapter that could be of use in assessing the application i.e. criteria for parking could be useful for assessing non-compliance with the parking standards.

3. Restricted Discretionary Activities that are restricted solely due to being listed in the chapters as a Restricted Discretionary Activity will be assessed against the specific matters of discretion which are identified against each activity in the chapter. The headings within section 1.3.3 relate to the matters of discretion. The criteria listed under each heading are to be used where relevant. Subheadings are provided under each subject matter to define zone or activity specific criteria for that subject matter, thereby enabling them to be considered or discarded depending on relevance.
4. Restricted Discretionary Activities that are restricted by virtue of being listed in the chapter as a Controlled Activity and also fail standards will be assessed against the relevant criteria as outlined in points 1 & 2 above.
5. Restricted Discretionary Activities that are restricted by virtue of being listed in the chapter as a Restricted Discretionary Activity and also fail standards will be assessed against the relevant criteria as outlined in points 2 and 3 above.
6. Restricted Discretionary Activities that are restricted only for design and layout related matters and where there is a relevant design guide should address the matters in the design guide rather than the listed criteria.
7. Discretionary and Non-Complying Activities may use the criteria in section 1.3.3 as a guide with specific reference to the general criteria in A2.

1.3.2 Controlled Activities – Matters of Control

The following section contains matters over which Council has reserved control for Controlled activities. These are referenced in other parts of the District Plan.

Note

- Example: chapters in this District Plan may include a section titled “Controlled Activities – Matters of Control” and a table like the example below.

Activity	Matter of Control Reference Number (Refer to Volume 2, Appendix 1.3.24)
i. Teaching and research laboratories	A. Hazardous Facilities

In this example the controlled activity is “i. Teaching and research laboratories”. The matters of control are identified by the reference “A”. These references align with the lists below. In this example “A” is associated with Hazardous Facilities with the relevant matters of control listed beneath.

A.	Hazardous Facilities
	Management of effects on, and risks to, the health and safety of people, property and the environment, including:
i.	Matters referred to in the relevant standards in Rule 25.4.4 of Chapter 25.4 City-wide – Hazardous Facilities.
ii.	Safe access to and from the transport network.
iii.	Effects due to the sensitivity of the surrounding natural, human and physical environment.
iv.	Separation distances and the type of environment/number of people potentially at risk from the proposed facility.
v.	Potential hazards and exposure pathways arising from the proposed facility.
vi.	Potential cumulative hazards presented in conjunction with neighbouring facilities.
vii.	Proposed: <ul style="list-style-type: none"> • Fire safety and fire water management • Spill contingency and emergency planning • Monitoring and maintenance schedules • Waste disposal management • Hazardous substance transport arrangements
viii.	Compliance with relevant Standards and Codes of Practice.
ix.	Any other measures to avoid or mitigate risks posed by the activity.
	Note Relevant Standards and Codes of practice referred to above may include:
	<ul style="list-style-type: none"> • Below Ground Stationary Container Systems for Petroleum – Design and Installation HSNOCOP 44, Environmental Protection Agency, May 2012 • Below Ground Stationary Container Systems for Petroleum – Operation HSNOCOP 45, Environmental Protection Agency, May 2012

	<ul style="list-style-type: none"> Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand, Ministry for the Environment, 1999 Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand, Ministry for the Environment, 1998 NZS8409: 2004 Management of Agrichemicals AS/NZS 1596: 2008 – Storage and Handling of Liquid Petroleum Gas AS/NZS 2982: 2010 – Laboratory Design and Construction AS/NZS 2243.1: 2005 – Safety in Laboratories – Planning and Operational Aspects AS/NZS 2243.2: 2006 – Safety in Laboratories – Chemical Aspects AS/NZS 2243.3: 2010 – Safety in Laboratories – Microbiology AS/NZS 2243.5: 2004 – Safety in Laboratories – Non-ionising Radiation AS/NZS 2243.6: 2010 – Safety in Laboratories – Plant and Equipment Aspects AS/NZS 2243.8: 2006 – Safety in Laboratories – Fume Cupboards AS/NZS 2243.9: 2009 – Safety in Laboratories – Recirculating Fume Cabinets AS/NZS 2243.10: 2004 – Safety in Laboratories – Storage of Chemicals
B.	Industrial Zone
a)	Building Design, External Appearance and Configuration
i.	Where any activity involves buildings within 15m of the frontage with a transport corridor then such buildings should present an attractive visual appearance to passing traffic and in particular avoid: <ul style="list-style-type: none"> Unpainted metal cladding for any façade facing the transport corridor. Large featureless building façades facing the transport corridor. The placement of any plant or machinery (including air conditioning units) relating to the activity (except where displayed for sale) on the front of the building or the front yard setback. The effects of over-dominant illuminated signage within the site. Front fences, walls and signs from enabling an active visual and physical relationship between the site and street/primary transport corridor. The location of the service and outdoor storage areas within the front or side yard setbacks.
ii.	Buildings should be designed and located to minimise any adverse effects, including noise, dust, fumes, light glare and loss of privacy on adjoining activities.
iii.	For ancillary residential activities: <ul style="list-style-type: none"> Outdoor living areas or balconies should be contiguous with the internal living areas. The design, size and location of the private and/or communal open space, parking, loading spaces and driveways on the site shall achieve a high standard of amenity, noise and visual privacy for residents, whilst effect from dust, fumes and light glare are reduced.
b)	Site Layout
i.	The location of buildings, parking areas and outside storage areas should have regard to their potential impact on the amenity of any adjoining

Comment [HCC16]:
Hamilton JV Investments & Hounsell Holdings, ENV-143; Porter Developments & Porter Properties, ENV-145; A & A King Family Trust (Industrial Rules), ENV-156

Comment [HCC17]: As above

Comment [HCC18]: As above

Comment [HCC19]: As above

Comment [HCC20]: As above

Comment [HCC21]: As above

Comment [HCC22]: As above

Comment [HCC23]: As above

	residentially zoned land.
ii.	The potential effects of reverse sensitivity on industrial development, arterial transport corridors and state highways and the provision of separation distances from adjacent industrial sites, arterial transport corridors and state highways should be assessed in terms of safety and nuisances.
iii.	Parking, loading spaces and driveways adjacent to any Residential or Special Character Zone should not be visually dominant and should be located and designed to protect from noise, and provide privacy and visual amenity to residents.
iv.	The site layout should incorporate crime prevention through environmental design principles by locating the building forwards on the site to enhance streetscape and improve passive surveillance.
v.	Site layout should incorporate sustainable, onsite stormwater conservation measures and minimise the level of impervious areas.
c) Vehicular and Pedestrian Access	
The management, design or formation of site accesses; service areas; parking and loading areas; drop-off areas; queuing spaces; manoeuvring areas; and internal vehicle pedestrian areas should:	
i.	Integrate with, and minimise adverse effects on the safe and efficient functioning of the transport network and infrastructure.
ii.	Minimise conflicts between users, both within the site and any adjoining transport corridor.
iii.	Encourage easy and safe pedestrian access and circulation for those not arriving by vehicle.
iv.	Maximise convenient and safe circulation for connections and/or the provision of facilities for passenger transport modes of travel relative to the scale of the proposal.
v.	Provide for integration with neighbouring activities to reduce the need for separate traffic movements on the transport network.
vi.	Be consistent with any structure plan transport network and relevant design criteria and specifications of the Hamilton City Infrastructure Technical Specifications.
d) Landscaping	
i.	Landscaping should be incorporated within the site layout to reduce the bulk of new development and mitigate adverse visual effects. This is particularly important in relation to setback from the front boundary and those parts of the site visible from public spaces and interfaces along state highways, arterial transport corridors and City gateways.
ii.	Within the Rotokauri Employment Area, landscaping should enhance amenity at key interfaces such as State Highway 1, green corridors, arterial

Comment [HCC24]:
A & A King Family Trust (Industrial Rules), ENV-156

Comment [HCC25]: As above

Comment [HCC26]: As above

Comment [HCC27]: As above

Comment [HCC28]: As above

		transport corridors, Wintec Rotokauri Campus and the Rotokauri Suburban Centre.
e)	Sustainable Use of Resources	
	i.	The extent to which water sensitive techniques and energy efficient approaches have been incorporated into the proposal.
C.	Knowledge Zone and Major Facilities Zone	
a)	Building Design, External Appearance and Configuration	
	i.	The external appearance, scale and design of buildings (including material and colour, equipment or structures and car parking areas):
	1.	Shall provide compatibility between the height of the building and its integration with other development on the site, on adjacent sites and the surrounding public space.
	2.	Shall provide active frontage to landmarks within the City's transport network and built fabric, particularly for corner sites.
	3.	Shall minimise effects on adjacent public spaces (including footpaths) in terms of shading and daylight.
	ii.	The cumulative effect of buildings and whether opportunities have been taken to cluster buildings and/or ensure that areas are left free from buildings.
	iii.	The design of the development shall:
	1.	Minimise any adverse effects on adjoining sites, particularly residential activities.
	2.	Incorporate landscaping to enhance the amenity values of the site.
	3.	Enhance the parts of the site visible from public spaces.
	4.	Provide for signage of an appropriate scale, design, number and location consistent with the character of the area, and does not create adverse safety effects.
	iv.	To protect amenity values of the streetscape and adjoining sites, parking, manoeuvring areas, driveways and outdoor service areas shall be designed and located:
	1.	Incorporating screening and landscaping.
	2.	To be away from the front of the site and buildings, and not be a visually dominant feature.
	3.	To minimise traffic conflicts and provide safe and efficient vehicle circulation on the site.
	v.	Building design and development shall:
	1.	Make a positive contribution to the local character of the site and surrounding area.

	2.	Improve large façades (including side walls) that are visible from public places by ensuring they are modulated, articulated, detailed or visually treated in a way that provides visual interest and reduces the apparent bulk of the building.
	vi.	Crime prevention through environmental design principles including site layout, building design, car parking and landscaping shall be incorporated.
In addition to the above general matters, the following relate to site specific matters of control.		
University of Waikato		
	vii.	Existing linkages between land uses shall be reinforced by the layout of buildings and transport corridors. New connections created shall enhance accessibility through the zone and have regard to connectivity to the adjoining University of Waikato campus.
	viii.	High rise buildings shall be concentrated on the Hillcrest Road ridge.
	ix.	The location of buildings shall avoid adversely affecting the safe and efficient operation of network utilities, including high voltage transmission lines.
Knowledge Zone		
	*.	The open space character of the northwest sector of the site shall be maintained.
Claudlands Event Centre		
	xi.	The open space character of the eastern part of the site shall be maintained and a suitable buffer must be provided adjoining Jubilee Park.
Te Rapa Racecourse		
	xii.	Development of the site shall be undertaken in a manner that retains views between the racecourse and Minogue Park.
Waikato Hospital		
	xiii.	Activities of an industrial nature and the heliport shall be grouped in the southwestern sector of the site.
	xiv.	High rise buildings shall be concentrated towards the centre of the hospital complex.
Waikato Stadium and Seddon Park		
	xv.	Future buildings and the enhancement of facilities including any provision for office, retail and visitor accommodation shall ensure a high degree of visual cohesion and functional integration with the site.
Wintec Rotokauri		
	xvi.	Development of the site shall have regard to the future development of the Rotokauri Area and the relationship of the site with Lake Waiwhakareke and the Rotokauri Suburban Centre.

b)	Vehicular and Pedestrian Access	
	i.	The management, design or formation of site accesses; service areas; parking and loading areas; drop-off areas; queuing spaces; manoeuvring areas; internal vehicle pedestrian areas shall:
		1. Integrate with, and minimise adverse effects on the safe and efficient functioning of the transport network and infrastructure.
		2. Minimise conflicts between users both within the site and any adjoining transport corridor.
		3. Encourage easy and safe pedestrian access and circulation for those not arriving by vehicle.
		4. Maximise convenient and safe circulation for connections and/or the provision of facilities for passenger transport modes of travel relative to the scale of the proposal.
		5. Provide for integration with neighbouring activities to reduce the need for separate traffic movements on the transport network.
		6. Be consistent with any structure plan transport network and relevant design criteria and specifications of the Hamilton City Infrastructure Technical Specifications.
c)	Landscaping	
	i.	Landscaping shall be incorporated within the site layout to reduce the bulk of new development and mitigate adverse visual effects, particularly for the setback from the front boundary and those parts of the site visible from public spaces and interfaces along state highways, arterial transport corridors and City gateways.
d)	Sustainable Use of Resources	
	i.	The extent to which water sensitive and energy efficient techniques have been incorporated into the proposal.
D.	Te Rapa North Industrial Zone	
a)	Concept Development Plan for Stage 1A	
	i.	It identifies the total area not exceeding 30ha available for industrial development within Stage 1A.
	ii.	Defines the location and extent of the development area not exceeding 7ha pursuant to Rule 12.6.1.
	iii.	Defines the general location and extent of the development area not exceeding 23ha pursuant to Rule 12.6.1.
	iv.	Demonstrates connectivity and sequential development between the 7ha and 23ha land release areas and adjacent sites.
	v.	Provides an indicative internal road layout and it provides for alternative modes of transport including public transport, pedestrians and cycle linkages within and between the 30ha and adjacent land.

	vi.	An Integrated Transport Assessment in accordance with Rule 25.14.4.3.
	vii.	Demonstrates compliance Chapter 25.14: City-wide – Transportation.
	viii.	Specifies methods by which vehicle movements will be managed to achieve compliance with Rule 12.4.8(b).
	ix.	Any existing indigenous vegetation and areas of ecological value including recognition of existing gully systems and proposals for their management.
	x.	Proposed landscaping and screen planting including landscaping buffers where land adjoins the Waikato Expressway designation boundary.
	xi.	Provides a report which demonstrates the extent to which the provision of reticulated infrastructure for the entire 30ha within the Stage 1A development area will occur; provided that existing infrastructure available from the Te Rapa Dairy Factory and/or Council infrastructure and headworks (water and wastewater only) may be relied on for the 7ha development under Rule 12.3.3(f).
	xii.	Demonstrates compliance with the bulk and location requirements applying within the Zone.
		<p>Note The above does not involve:</p> <ul style="list-style-type: none"> • Activities requiring an air discharge consent under the Regional Plan (except on land situated to the north of Hutchinson Road, east of Te Rapa Road) • Hazardous waste reprocessing, disposal or storage, except for temporary storage of waste from commercial activities awaiting collection • An extractive industry • Offices, except those that are ancillary to industrial uses • Hospitals, day care facilities, and educational institutions • Retail activities, except for food outlets less than 200m² • Residential activities unless associated with a lawfully established activity.
b)	Concept Development Plan for Stage 1B	
	i.	It identifies the total area not exceeding 30ha available for industrial development within Stage 1B.
	ii.	Defines the location and extent of the development area not exceeding 7ha pursuant to Rule 12.6.1.
	iii.	Defines the general location and extent of the development area not exceeding 23ha pursuant to Rule 12.6.1.
	iv.	Demonstrates connectivity and sequential development between the 7ha and 23ha land release areas and adjacent sites.
	v.	Provides an indicative internal road layout and it provides for alternative modes of transport including public transport, pedestrians and cycle linkages within and between the 30ha and adjacent land.
	vi.	Demonstrates how the provision of infrastructure will occur for the area not exceeding 7ha under Rule 12.3.3(h) (how wastewater will be managed prior to disposal at the Hamilton Waste Treatment Plant; and how water supply will not adversely affect Hamilton City's water quality rating); or how wastewater and water supply will be managed using Council's reticulated

		infrastructure.
	vii.	Demonstrates how the provision of reticulated infrastructure for the entire 30ha within the Stage 1B development area will occur using council infrastructure and headworks (water and wastewater only) when development occurs beyond the 7ha service centre.
	viii.	Demonstrates compliance with the bulk and location requirements applying within the Zone.
	ix.	Any existing indigenous vegetation and areas of ecological value including recognition of existing gully systems and proposals for their management.
	x.	An Integrated Transport Assessment in accordance with Rule 25.14.4.3.
	xi.	Demonstrates compliance Chapter 25.14: City-wide – Transportation.
	xii.	Specifies methods by which vehicle movements will be managed to achieve compliance with Rule 12.4.8(c).
	xiii.	Demonstrates compliance with Chapter 25.13: City-wide – Three Waters.
	xiv.	Provides for landscaping and screen planting including landscaping buffers where land adjoins the Waikato Expressway designation boundary.
		<p>Note</p> <p>The above does not involve:</p> <ul style="list-style-type: none"> • Hazardous waste reprocessing, disposal or storage, except for temporary storage of waste from commercial activities awaiting collection • Any extractive industry • Offices, except those that are ancillary to industrial uses • Hospitals, day care facilities, and educational institutions • Retail activities, except for food outlets established in association with the service centre • Residential activities unless associated with a lawfully established activity.
E		<u>Ruakura</u>
	a)	<u>Interface Design Control Area</u>
		<u>Landscaping</u>
	1)	<u>Ruakura Logistics Zone - Subject to biosecurity requirements, landscaping should be incorporated within the site layout to reduce the bulk of new development and mitigate adverse visual effects. This is particularly important in relation to setbacks from the front boundary and those parts of the site visible from public spaces and interfaces along state highways, arterial transport corridors, and Open Space Zones and City gateways.</u>
	2)	<u>In relation to the Waikato Expressway, whether landscaping along the boundary with the Expressway Designation is of appropriate scale and density so as to soften views from the Expressway of industrial development.</u>
	3)	<u>Ruakura Industrial Park Zone – Landscaping and screening should be incorporated within the site layout to reduce the bulk of new buildings and associated development, and to mitigate adverse visual effects - particularly from storage, loading and operational areas likely to be visible from residential areas. This is also important in relation to setbacks from the front boundary and those parts of the site visible from public spaces and interfaces along state highways, arterial transport corridors, and Open</u>

	<u>Space Zones and city gateways.</u>
4)	<u>Ruakura Industrial Park Zone – In relation to buildings and associated development on sites that adjoin the open space zone and abutting the northern boundary of properties on Sheridan Street and Nevada Road or are adjacent to Silverdale Road, proposed landscaping and screening is subject to specific assessment and the standards in Rule 25.5.3.1 are to be used as a guide only.</u>
b)	<u>Crime Prevention Through Environmental Design</u>
1)	<u>Buildings and the site layout shall be designed to:</u>
a)	<u>Provide surveillance from offices over main access, car parks and the adjacent street.</u>
b)	<u>Ensure a clear distinction between visitor areas and operational areas.</u>
c)	<u>Provide direct, legible and well lit visitor routes.</u>
d)	<u>Avoid opportunities for concealment.</u>
c)	<u>Temporary Logistics Activities in Sub Area A</u>
1)	<u>Conditions shall be imposed to ensure that the location of buildings associated with logistics is temporary, the future rail spur corridor is not compromised and that buildings and activities do not preclude the future full development of the Inland Port.</u>
d)	<u>Medium Density Residential Zone</u>
1)	<u>Impact of building design, external appearance and configuration on the public realm particularly when viewed from an open space zone and arterial corridor</u>
2)	<u>Site layout</u>
3)	<u>Landscaping</u>
4)	<u>The extent to which the amenity and safety of future occupiers will be protected</u>
e)	<u>Signs</u>
1)	<u>Size, design, location and number of signs</u>
i)	<u>High intensity signs should not create a distraction to motorists and pedestrians, or create situations which are hazardous to road users</u>
ii)	<u>Naming and directional signs should not create a concentration of signs in one confined location which would detract from surrounding amenity values</u>
iii)	<u>Signs not associated with an on-site activity should not create a distraction to motorists, inhibit the visibility of road users or pedestrians, create situations which are hazardous to roads users, or adversely affect the amenity values of the surrounding environment</u>

1.3.3 Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria

The following section contains assessment criteria under subject headings that relate to the ‘Matters of Discretion’ for Restricted Discretionary activities. These are referenced in other parts of the District Plan.

Note

Example: Chapters in this District Plan may include a section titled “Restricted Discretionary Activity – Matters for Discretion, Assessment Criteria and Non-Notification Rule” and a table like the example below.

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.2)
i. Vegetation clearance	D - Natural character and open space

In this example the restricted discretionary activity is “i. Vegetation clearance”. The matters to which discretion has been restricted to are identified by the subject heading of “D - Natural character and open space”

A range of criteria are provided under that heading in this section and where these criteria are relevant they can be used to assess the application. All criteria under the identified subject heading do not need to be assessed, only those relevant to the application.

Discretionary and Non-Complying Activities may use the criteria in this section as a guide, with specific reference to the general criteria in A2.

A	General Criteria	
	Restricted Discretionary Activities due to Performance Standard Non-Compliance	
A1	The effects resulting from an activity not complying with any relevant standard(s) in this District Plan.	
	Discretionary & Non-Complying Activities - General Criteria	
A2	Without restricting the exercise of its discretion to grant or refuse consent or impose conditions, the Council shall have regard to the assessment criteria set out below when considering any application under sections 104 and 104B of the Act. Discretionary activities and Non-Complying activities shall be assessed against, but not limited to the following assessment criteria:	
	a)	Assessment against relevant objectives and policies including Chapter 2 Strategic Framework
	b)	The extent to which the proposal is consistent with relevant:
	i)	Standards in this Plan.
	ii)	Assessment Criteria, listed in this plan.
	iii)	Design Guides.
	iv)	Structure Plans.

Comment [HCC29]:
Fonterra, ENV-151 – reinstate Criterion A4 from the Notified Version of the Proposed Plan.
Waikato Regional Council, ENV-167 – add new criteria

Comment [HCC30]:
IMPORTANT: All of sectin 1.3.3 is appealed by Tainui Group Holdings (Ruakura), ENV-147 and Chedworth Properties, ENV-146

	v)	Comprehensive Development Plans.
	vi)	Concept Plans.
	vii)	Reserve Management Plans.
	viii)	Iwi or Hapu Management Plans.
	ix)	Waikato River Vision and Strategy.
	x)	Master Plans.
B	Design and Layout	
	General	
B1	Whether the proposed building design and / or site layout is consistent with the provisions of any relevant design guide in Appendix 1 Section 1.4. Note If an activity is a Restricted Discretionary Activity solely to Design and Layout matters and there is a relevant design guide; then the activity should seek to address the outcomes sought in the design guide as a priority over any other criteria in this section.	
B2	Whether the external appearance, scale and design of buildings (including material and colour), equipment and structures:	
	a)	Provide visual interest through a variety of styles and forms in terms of footprint, design and height.
	b)	Provide compatibility between the height of the building and its integration with development on adjacent sites and the surrounding public space.
	c)	Are consistent with the purpose of the zone and make a positive contribution to the character and amenity of the surrounding area, streetscape qualities and adjoining land uses.
	d)	Are compatible with heritage or open space values of the Riverfront Overlay area and adjoining riverbank area.
	e)	For corner sites, provide active frontages along both elevations that reflects their potential as landmarks.
	f)	Enhance the experience of the Waikato riverside and Garden Place when adjacent.
	g)	Would overshadow surrounding properties, or obstruct the views from habitable rooms of surrounding properties.
	h)	Minimise effects on adjacent public spaces (including footpaths) in terms of shading and daylight.
	i)	Contribute to local character and streetscape through bulk, scale, modulation, rooflines, verandas, balconies and the choice of materials and colour.
	j)	Incorporate crime prevention through environmental design principles.
	k)	Incorporate landscaping to enhance the amenity values of the site.
	l)	Enhance those parts of the site visible from public spaces e.g. major arterial transport corridor frontages, state highways, and City gateways.
	m)	Reduce any adverse effects on the visual amenity of major arterial transport corridors.
	n)	Provide for signage of an appropriate scale, design, number and location consistent with the character of the area, and do not create adverse safety

Comment [HCC38]:
Bunnings, ENV-160;
McDonald's Restaurants (New Zealand), ENV-164;
The National Trading Company of New Zealand, ENV-170 – all of 1.3.3 B

	effects.
B3	The cumulative effect of buildings and whether opportunities have been taken to cluster buildings or ensure that areas are left free from buildings.
B4	The extent to which the proposed design provides or continues to provide for informal surveillance of public spaces within and adjacent to the development including streets, parks, plazas and through-site links where practical, by:
a)	Locating doors, windows and other openings associated with living and working areas, so that they overlook and interact with public spaces.
b)	Locating primary entrances to buildings to face the transport corridor frontage, with the main entrance located adjacent to the frontage with the most pedestrian traffic.
B5	The extent to which building design will add interest and vitality to the streetscape through articulation of a façade, attention to fenestration and rooflines, the design of verandas and balconies and the careful choice of materials and colour.
B6	Whether the proposed building setback and the use of such setback will adversely affect the definition, use and safety of public spaces, or the continuity of defined shopping frontages.
B7	The extent to which the proposal:
a)	Uses materials with low embodied energy content.
b)	Includes suitable orientation to reduce the need for artificial lighting and heating.
c)	Minimises wind funnelling.
d)	Uses durable, low maintenance materials and inert, exterior cladding to maximise solar access and natural ventilation.
e)	Uses materials from a renewable resource (where possible) and materials that have a long life span and require low maintenance.
f)	Incorporates water sensitive techniques and energy efficient design and devices.
B8	The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:
a)	To avoid disturbance to surrounding sites and protect the acoustic privacy and visual amenity of residents.
b)	To protect amenity values of the streetscape and adjoining sites by screening and landscaping.
c)	To not be visually dominant.
d)	To be away from the front of the site and buildings.
e)	To ensure traffic generation minimises adverse effects on amenity values.
f)	To minimise impacts on the stability of the riverbank.
g)	To minimise traffic conflicts and provide safe and efficient vehicle circulation on the site.
h)	So as not to compromise the safe use of the footpath adjacent to the site.
i)	To avoid fragmentation of the pattern of built development along the streetscape.
j)	To integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, verandas, parking, loading areas, access

Comment [HCC31]:
Porter Developments & Porter Properties,
ENV-145

Comment [HCC32]: As above

Comment [HCC33]: As above

Comment [HCC34]: As above

Comment [HCC35]: As above

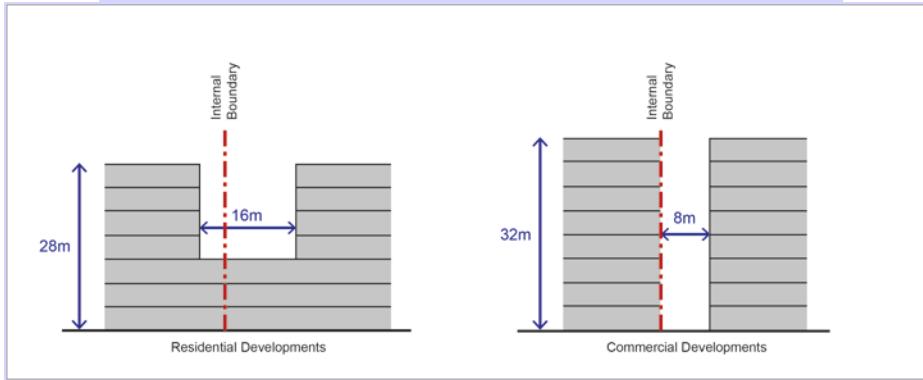
Comment [HCC36]: As above

Comment [HCC37]: As above

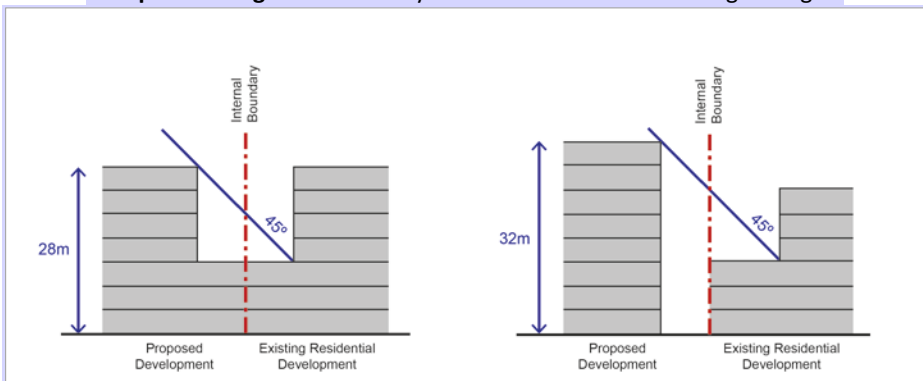
		to public transport and pedestrian linkages.
B9		The extent to which the proposed development obstructs public views from or towards prominent natural or built landmarks, including to the Waikato River, St Peters Cathedral (from Victoria Street) and views from Wintec City Campus.
		Landscaping and Screening
B10		The extent to which planting and landscaping is used to:
	a)	Establish and maintain a well vegetated environment that is compatible with the zone and existing character.
	b)	Visually reduce the bulk of new development and mitigate adverse visual effects particularly from the front boundary and those parts of the site visible from public spaces and interfaces along state highways, arterial transport corridors and City gateways.
	c)	Help provide summer shade, wind breaks and access to winter sun.
	d)	Create an attractive environment that maintains safety and amenity for pedestrians.
B11		Whether landscape treatments and planting concepts form part of a comprehensive design concept which integrates building design and private, communal and publicly accessible land.
B12		Whether the proposed landscaping takes into account and responds to any surrounding natural landscape qualities and characteristics.
B13		The extent to which any fence:
	a)	Detracts from the amenity values or safety of the public realm and adjoining properties.
	b)	Is necessary to provide security for a business and/or public wellbeing.
B14		Whether changes in topography or other mitigation measures will provide appropriate screening.
		Waste Management
B15		The extent to which developments provide for goods handling, storage, waste and recycling areas that are:
	a)	Easily accessible for collection agencies and avoid adverse visual, noise or odour effects.
	b)	Consistent with the amenity values of the site and avoid causing nuisance for neighbouring residential activities.
	c)	Suitable for the demand expected by the activity.
B16		The effect of, and the probability of, litter from the operation of solid-waste management sites.
		Central City Zone
B17		Whether the proposal:
	a)	Promotes increased building height at "Gateway" locations identified within Appendix 5, Figure 5-4 Pedestrian Connections and Gateways Overlay Plan.
	b)	Provides design features that enhances the Gateway location.
B18		The extent to which the development (including signs and landscaping) impacts on views and vistas identified within Appendix 5, Figure 5-6 – Views and Vistas Overlay

	Plan.
B19	Whether the design and external appearance of the building:
	a) Makes a positive contribution to Garden Place, and
	b) Avoids overshadowing which will reduce the public's enjoyment or use of Garden Place.
B20	The extent to which a comprehensive development meets the intent of the relevant standards for residential development within Volume 1, Chapter 7: Central City Zone.
B21	Whether the design of the building or the activity proposed:
	a) Achieves the purpose of the relevant active frontages.
	b) Results in an inactive frontage or awnings that reduce visual amenity of the streetscape.
B22	Whether the addition of an awning would likely detract from the original character of an identified heritage buildings in Schedule 8A and 8B of Appendix 8.
B23	Whether the design of the external façade relates to and compliments the surrounding architectural form, and breaks down the scale of the building so as not to create a large featureless building façade.
B24	In relation to the setbacks from internal boundaries at upper levels (i.e. fourth level and above), whether the proposal minimises shadowing and loss of natural light on existing adjacent buildings by providing adequate separation between the proposed development and existing development.
	Note As a guide and as one possible outcome, new buildings could develop as follows to achieve the above criteria:
	a) Separation distances (refer interpretative diagram B24a : Building separation distances) of:
	i. 16m between adjacent residential activities.
	ii. 12m between adjacent residential and commercial activities.
	iii. 8m between adjacent commercial activities.
	b) New development located north, east or west of an existing residential building(s) could allow for 30-40 per cent retention of existing solar gain/light penetration (refer interpretive diagram B24b : Retention of existing solar gain)

Interpretive diagram B24a : City Centre – building separation distances



Interpretive diagram B24b : City Centre – retention of existing solar gain



Knowledge Zone

B25 Whether public spaces, streets, plazas and hard landscape areas have been designed to attract people, be accessible and open to the public at all times, except where closed for operational safety or security reasons.

Future Urban Zone

B26 The extent to which the activity:

- a) Provides for the character and openness of the rural environments.
- b) Creates an aggregation of buildings not in keeping with the rural character of the Future Urban Zone.

University of Waikato

B27 Whether existing linkages between land uses are reinforced by the layout of buildings and transport corridors. New connections created should enhance accessibility through the zone and have regard to connectivity to the adjoining University of Waikato campus.

B28 Whether high rise buildings are concentrated on the Hillcrest Road ridge.

B29 The extent to which the open space character of the northwest sector of the site is maintained.

Sites Adjoining the Waikato Riverbank

B30	Whether development of a site adjoining the riverbank:	
	a)	Is landscaped to provide a transition between the built and natural environment.
	b)	Considers the extent to which the scale and design of any building or structure is compatible with that of adjoining development, the street and reserve areas, and with the character and amenity, heritage or open space values of the Riverfront Overlay Area (refer to Appendix 5, Figure 5-1) and adjoining riverbank area.
	c)	Makes adequate provision for building design and configuration, site layout and/or landscaping which enhances the visual and/or physical relationship with the Waikato River.
	d)	Encourages pedestrian access to and facilitates public use and enjoyment of, the promenade and environs of the Waikato River.
	e)	Accommodates vehicle parking and/or movement so as to minimise impacts on the riverbank.
	f)	Adequately mitigates the impact of large developments and vehicular oriented activities on the amenity values of the riverbank environment.
	g)	Adequately mitigates the impact of developments adjoining the riverbank on natural hazards.
Development within a Structure Plan Area		
B31	The extent to which the proposal is consistent with any relevant structure plan or could prejudice or foreclose options for future urban development and in particular with the proposals shown on the relevant Structure Plan for the area.	
B32	The extent to which the proposal (including the proposed transport network) compromises or reduces opportunities to achieve:	
	a)	A legible and logical pattern of development in accordance with the planned transport network identified within the relevant structure plan or the ability to extend existing transport networks, and
	b)	The future transport network within the relevant structure plan area for which more precise design, location and layout has been approved.
Residential Activities		
B33	The extent to which:	
	a)	Outdoor living areas or balconies are contiguous with the internal living areas.
	b)	The design, size and location of private or communal open space, parking, loading spaces and driveways on the site achieve a high standard of amenity, acoustic and visual privacy for residents.
	c)	Service areas and parking are located close to and are conveniently accessible from each residential unit.
B34	Whether the proposed density could be increased without detracting from environmental outcomes, and whether the densities and proposed built form are in keeping with the vision for the zone.	
B35	The extent to which the design of residential development will provide visual interest and passive surveillance of public spaces and streets.	

	Dairies
B36	Whether the site can adequately accommodate the dairy, any associated residential activity, parking, planting, service areas and signage, whilst ensuring that the building would not dominate the streetscape.
C	Character and Amenity
	General
C1	The extent to which the activity:
	a) Makes adequate provision to protect the visual and acoustic privacy of abutting sites including through building and site design and hours of operation.
	b) Will result in a fragmented pattern of built development that would undermine the qualities of the adjacent street.
	c) Is compatible with the location in terms of the effects on the local streetscape and wider urban form.
	d) Is compatible in terms of intensity and hours of operation with surrounding land uses.
	e) Is able to avoid, remedy or mitigate adverse effects on the existing and foreseeable future amenity of the area, particularly in relation to noise, traffic generation, dust, odour and lighting.
	Reverse Sensitivity
C2	The extent to which the development (including residential development):
	a) Has been designed and located so that it minimises adverse effects arising from neighbouring activities.
	b) Minimises conflict with other activities on the site or on adjacent sites, and ensures a reasonable degree of noise attenuation.
C3	The extent to which:
	a) The activity could give rise to reverse sensitivity effects.
	b) The potential for reverse sensitivity effects is minimised through the positioning of entrance ways, private space and windows in relation to service areas, outdoor dining or entertainment areas and extraction equipment associated with adjacent activities.
C4	Whether the proposed location of activities avoids giving rise to the potential for reverse sensitivity effects, including on the operation of existing activities within the existing AgResearch Centre and on activities within the Ruakura Logistics Zone.
	Residential Zone
C5	Whether the cumulative effects of a non-residential activity together with other non-residential activities will result in an adverse effect to the residential character of the neighbourhood.
	Central City & Business Zones
C6	Whether the relationship of buildings and their associated parking, storage and service areas to the street helps to maintain or enhance the amenity values of public spaces and streets.
C7	Whether any parking or service area is provided, landscaped, screened and maintained in a form which minimises any nuisance to adjacent activities and does

Comment [HCC39]:
McDonald's Restaurants (New Zealand), ENV-164;
The National Trading Company of New Zealand, ENV-170 -

Comment [HCC40]: As above

Comment [HCC41]: As above

Comment [HCC42]: As above

Comment [HCC43]: As above

Comment [HCC44]: As above

Comment [HCC45]: As above

Comment [HCC46]: As above

Comment [HCC47]: As above

Comment [HCC48]: As above

Comment [HCC49]: As above

Comment [HCC50]: As above

Comment [HCC51]: As above

Comment [HCC52]: As above

Comment [HCC53]: As above

Comment [HCC54]: As above

Comment [HCC55]: As above

Comment [HCC56]: As above

	not detract from the streetscape.	Comment [HCC57]: As above
C8	Whether the level of non-retail activity within a defined shopping frontage would adversely affect the attraction of shoppers and visitors.	Comment [HCC58]: As above
C9	Whether the level of veranda coverage, glazing or entrances to a defined shopping frontage would enhance the attraction of the frontage for shoppers and visitors.	Comment [HCC59]: As above
C10	The extent to which the non-retail activity is required to serve the needs of the surrounding area taking into account other existing activities that may already adequately serve these needs.	Comment [HCC60]: As above
	Future Urban Zone	Comment [HCC61]: As above
C11	The extent to which the location and siting of effluent storage and disposal can avoid effects to dwellings or adjoining sites.	Comment [HCC62]: As above
C12	The extent to which the rural activity remains the predominant activity on the site.	Comment [HCC63]: As above
C13	The extent to which any intensive farming activity has adverse effects of noise, odour, vermin and other potential health hazards associated with such activities are avoided or mitigated by management practices, site layout (placement and orientation), design of buildings, screening and landscaping.	Comment [HCC64]: As above
C14	The extent to which any buildings, feedlots or other areas associated with intensive farming, including areas for the treatment and/or disposal of wastes, detract from the amenities of adjoining properties is minimised.	Comment [HCC65]: As above
C15	The measures to be adopted to avoid, remedy or mitigate potential effects on residential activities on the site and adjoining properties.	Comment [HCC66]: As above
	Residential Activities in Business or Central City Zones	Comment [HCC67]: As above
C16	Whether residential activity would conflict with the functioning of a centre or defined shopping frontage.	Comment [HCC68]: As above
C17	The extent to which the location and design of residential activities will avoid the possibility of reverse sensitivity effects arising with other permitted activities in the area.	Comment [HCC69]: As above
	Non-Industrial Activities in the Industrial Zone	Comment [HCC70]: As above
C18	The potential for increased demand for further non-industrial activity in the vicinity by virtue of the activities themselves or the standards of amenity proposed.	Comment [HCC71]: As above
C19	The extent to which the non-industrial activity, within an Industrial Zone:	Comment [HCC72]: As above
	a) Serves the needs of an industrial area, or is more appropriate to an industrial location than in other areas having regard to the nature of the activity, travel demand characteristics and amenity expectations.	Comment [HCC73]: As above
	b) Needs to locate within the Industrial Zone, and why the needs of the proposal could not be met within the Central City, or within an existing business centre.	Comment [HCC74]: As above
	Events and Temporary Activities	Comment [HCC75]: As above
C20	Whether the proposed hours of operation of the event or activity has the potential to create nuisance for adjoining sites, particularly sites containing residential activities.	Comment [HCC76]: As above
C21	Whether an extension to the permitted attendance numbers for the event will have an adverse effect on the amenity of the surrounding area.	Comment [HCC77]: As above
C22	Whether the frequency of events and the time elapsed between them adequately avoids or mitigates effects on the existing amenity of the surrounding area.	Comment [HCC78]: As above

C23	Whether a complaints management system and community liaison is necessary and if so, in place.
C24	The extent to which the venue or location is suitable for the scale, duration and type of event and whether structures or features already exist on the site for the event.
	Subdivision
C25	Whether the proposal is consistent with any relevant design guidance in Appendix 1 Section 1.4.
C26	The extent to which any boundary adjustment would have potential adverse effects on the site or the surrounding area.
C27	Whether the subdivision creates lots that are appropriate for:
	a) Their intended use; and
	b) The character of the locality.
C28	The degree to which subdivision or subsequent building design, including the location of transport corridors and reserves, provides for existing electricity lines and their corridors.
D	Natural Character and Open Space
	General
D1	The extent to which buildings, earthworks, developments and site layout and clustering:
	a) Complements and retains the underlying landform and the legibility of the ridgeline features including views to and from ridgelines, having regard to both immediate and cumulative effects.
	b) Provides a sufficient area of open space to enable a sense of the underlying landform to be retained.
	c) Retains and incorporates natural features and established mature and indigenous vegetation into the design.
D2	The extent to which the site for a proposed building or structure integrates with the site features of the open space.
	Activities Affecting Scheduled Trees or a Significant Natural Area
D3	Whether subdivision or the trimming, maintenance, earthworks, design, footings or pilings associated with the proposal will:
	a) Adversely affect any identified value of the tree.
	b) Adversely affect the health of the tree.
	c) Adversely affect any identified value of the Significant Natural Area.
	d) Adversely affect the health of the Significant Natural Area.
	e) Cause; loss of habitat that provides a key life-cycle function for, or the physical disturbance of, indigenous species listed as 'threatened' or 'at risk' in the New Zealand Threat Classification Systems Lists.
D4	The extent to which impermeable surfaces adversely affect water quality, and the surrounding watertable.
D5	Whether vegetation removal adversely affects the natural character or landscape value of any lake or wetland and the ability to offset such effects through restoration

Comment [HCC79]: As above

Comment [HCC80]: As above

Comment [HCC81]: As above

Comment [HCC82]: As above

Comment [HCC83]: As above

Comment [HCC84]: As above

Comment [HCC85]: As above

Comment [HCC86]: As above

Comment [HCC87]: As above

	or enhancement.
D6	Whether any earthworks will adversely affect the surrounding water table and water quality and the opportunity to mitigate the loss of water from the site.
D7	The extent to which earthworks exacerbate or contribute to flooding, both on-site and off-site.
D8	Whether the removal of peat soils can be minimised to protect the surrounding water table.
D9	Where it is clearly impractical to dispose of stormwater to ground the provision of other mitigation measures to maintain the water table and protect water quality.
D10	Whether undertaking the activity will enable replacement or enhancement of existing vegetation, natural values, or the improvement of riparian margins.
	Non-emergency Works to, Removal or Transplanting of, a Scheduled Tree
D11	Whether the tree is causing serious damage to structures.
D12	Whether the tree's chance of survival, in the case of transplanting, can be assured.
D13	Whether the tree's chance of survival, in the case of transplanting, is better than in its existing location.
D14	Possible alternative developments avoiding the need to remove the tree(s).
D15	Whether the condition of the tree constitutes a hazard to human health, property and infrastructure unless the work is done.
	Surface of Water
D16	The extent to which water flows are impeded and the potential for debris to be snagged.
D17	The extent of the effect of the proposal on:
	a) Natural character, ecological values, riparian habitat, recreational values, landscape quality and amenity values of the waterway.
	b) Public access to the waterway and on the surface of water.
	c) Adjacent scheduled historic buildings, structures and sites, significant natural areas and significant trees.
	d) Land-based activities.
	e) Other users of the water body including recreational and other commercial activities.
	f) Health and safety and effects on navigation.
	g) Stirring sediment, transporting weeds and aquatic pests.
	h) Bank erosion.
D18	Whether the effects of the size, speed and frequency of motorised craft on the stability of river banks and erosion have been taken into consideration.
D19	Whether the effects of the proposal on and from other users of the water body have been taken into consideration, including:
	a) Times when the event has exclusive use of relevant areas of the river.
	b) Intervals in the event to allow safe passage of other vessels on the river, and for other permitted activities to take place, as appropriate.
D20	Whether the effects of flow levels of the river have been taken into account. (Events

	should not take place when the Waikato River is in flood, or in low-flow condition.)
D21	The extent to which the design of a pontoon, jetty or boat ramp allows for the operation of the Waikato Hydro System between the lower and upper operating levels for the System.
	Esplanade Reserves and Strips
D22	Any reduction in the required width of esplanade reserve or strip may be considered where:
	a) Topography or the location of an existing building dictates a practical boundary less than 20m.
	b) Reduction of part is offset with a compensatory increased width elsewhere.
	c) For any stream, the purpose of the reserve can be met by a lesser width but shall not be less than 4m.
	And, whether the varied width of the esplanade reserve or strip is such that:
	a) There is adequate public access to any river, lake or stream and their margins to enable the public to meet any social, recreational or cultural needs.
	b) The natural habitats of flora and fauna in, on or surrounding the river, lake or stream are not adversely affected.
	c) Any Significant Historic Heritage sites identified in Schedule 8A or 8B of Appendix 8 are protected from encroaching development.
	d) Any adverse impacts on water quality are adequately and efficiently mitigated.
D23	In assessing whether an esplanade strip should be set aside, the Council will consider:
	a) Whether there is a need to retain public access because the opportunity to acquire an esplanade reserve is unlikely to arise.
	b) Whether public benefits can be achieved.
D24	The banks of any river, lake or stream can be adequately and efficiently maintained.
E	Heritage Values and Special Character
	General
E1	The extent to which the proposal, development, excavation or subdivision of a historic heritage site or place:
	a) Is consistent with the identified heritage values, including scale, design, form, style, bulk, height, materials and colour, and retains, protects or enhances the historic context.
	b) Provides for design, layout or location of the activity, including associated building platforms, vehicle access and services on site in a manner that will minimise the disturbance of the site.
	c) Provides for the on-going maintenance of the site to ensure that the site is preserved and that damage does not occur.
	d) In Schedule 8A of Appendix 8 maintains visual linkages between the building or structure and the street.
	e) Is compatible with the reasons for inclusion of the building, structure or site and its significance in Schedules 8A or 8B, of Appendix 8.
	f) Addresses cumulative effects on heritage values.

	g)	The irreversibility of an effect (e.g. the loss of unique features)
	h)	The opportunities for remediation and the costs and technical feasibility of remediation.
	i)	The resilience of the heritage feature to change (e.g. the ability of the feature to assimilate change, or the vulnerability of the feature to change).
	j)	Adheres to the conservation principles of International Council on Monuments and Sites (ICOMOS) New Zealand Charter (2010) for the Conservation of Places of Cultural Heritage Value, where applicable.
	k)	Includes consultation with Heritage New Zealand Pouhere Taonga.
	l)	In the event of relocation, has adequately considered whether the relocation is necessary and whether appropriate measures are proposed to ensure any potential adverse effects on heritage values are avoided, remedied or mitigated.
	m)	Incorporates proposed planting, fencing and identification (e.g. signage) sufficient to ensure site recognition.
E2		Whether the heritage values of any buildings or places identified in Schedules 8A or 8B of Appendix 8 would be adversely affected by the proposal.
E3		Whether the proposal including modification, re-use, renovation or restoration to the building or structure:
	a)	Contributes positively to the character of the surrounding area and maintains the relationship of the building or structure with its setting.
	b)	Will have positive environmental, social, or cultural effects for the wider community.
	c)	Considers the extent to which the primary façade of a scheduled building is proposed to be altered, and whether the main determinants of the style and character, and the heritage significance, of the building are maintained or restored.
	d)	Ensures new buildings respect the design, scale and materials of any original façade.
E4		The extent to which it is practicable to provide noise insulation to the required standard without compromising the heritage significance and fabric of the building.
E5		Whether the proposed work is necessary. For example in the case of demolition where retaining the item would cause unreasonable financial hardship.
		Temple View Heritage Area
E6		The extent to which new development or earthworks (including the planting or removal of vegetation and trees) would adversely affect the landscape setting and views of the Temple from Tuhikaramea Road.
E7		Whether works to a transport corridor or parking area continue the consistent use of materials and kerb edging used throughout the Heritage Area.
E8		The extent to which provision has been made for the investigation, recording or preservation of any archaeological deposits or features.
		Temple View Character Area
E9		The extent to which development maintains the characteristic setback of buildings from the transport corridor, visibility between the dwelling and the transport corridor

Comment [HCC88]:
Heritage New Zealand Pouhere Taonga,
ENV-184

	and high levels of landscaping and permeable surfaces within the front building setback.
E10	The extent to which the proposed development, building, structure, alteration or addition is compatible with the scale, form, style, bulk, height, colour or materials of surrounding buildings or structures within the same comprehensive development plan area.
E11	Whether removal of any building or structure within the Character Area will affect the gateway appearance of the Character Area.
E12	The extent to which the generous spacing between single dwellings is maintained.
E13	Whether it has been clearly demonstrated that demolition of any heritage building in Schedule 8A of Appendix 8 is necessary, considering alternatives for the refurbishment or re-use of the building, financial cost and technical feasibility.
E14	Any immediate or cumulative effects of the loss, alteration or removal of any buildings on the overall coherence of the Character Area.
E15	The extent to which new development or earthworks would adversely affect the landscape setting and views of the Character Area.
E16	The extent to which the development would adversely affect the spatial relationship between the curtilage wall and Tuhikaramea Road, and the consistency of design of the privacy walling separating the covered walkways from Tuhikaramea Road.
E17	The extent to which new development maintains a coherent character within the same comprehensive development plan area.
	Peacocke Special Character Zone
E18	Whether the siting of ponds and effluent disposal systems for wastes will mitigate any adverse effects on surrounding properties and on water quality, taking into account prevailing and seasonal weather conditions, topography, type of treatment and quantity of effluent.
E19	The extent to which provision for effluent and stormwater disposal minimises any risk of landslip or erosion and avoids adverse effects on water quality as it relates to ground water, the Waikato River, and the Mangakotukutuku gully ecosystem.
E20	The extent to which the proposed development takes into account existing rural activities, the location of existing use building platforms and the proposed arterial transport corridors as shown on the Peacocke structure Plan.
E21	Whether the placement of buildings would facilitate future urban re-subdivision particularly with regards to achieving a cohesive urban layout anticipated by the Peacocke Structure Plan and does not compromise the economic provision of future infrastructure.
E22	The extent to which the development provides for the avoidance of natural hazards.
E23	The extent to which a development could have an adverse effect on the consistency and amenity of the area or the presence of mature vegetation.
E24	Any positive impacts to the neighbourhood or the wider community, including the extent to which the activity might enhance the amenity of the area.
E25	Any cumulative effects from the activity, whether on its own or in combination with other activities in the area.
E26	The extent to which the proposed development is compatible with the intent of the consented Master Plan.

	Rototuna North East Character Zone
E27	The extent to which any proposed development or building is consistent with the development controls for the Rototuna North East Character Zone and responds to the existing landform, including the extent to which it avoids excessive earthworks including significant cutting and filling, and does not adversely affect the natural topography, the construction or operation of the Waikato Expressway (Designation E90) or Council infrastructure.
E28	The extent to which the development is compatible with the landform and size of the site, having regard to the intended open space and character of the area.
E29	The relationship between the scale of any buildings on the site and existing residential development, having regard to the intended character of the area.
E30	The extent to which the subdivision creates a block pattern with lots fronting streets and backing onto the rear of other lots, addressing the natural landform of the area and on the steeper land, the shape factor circle is located to the front of the sites with low gradients to facilitate building development and access, transitioning the slope to the steeper areas to the rear of the site.
E31	Any positive impacts to the neighbourhood or the wider community, including the extent to which the activity might enhance the amenity of the area.
E32	The extent to which the design of the dwelling or building within the 65m setback from the Waikato Expressway (Designation 90) considers effects from the Waikato Expressway, particularly: <ul style="list-style-type: none"> i. The extent of a reasonable internal noise environment ii. The siting of any principal outdoor living area to mitigate future traffic noise iii. The extent of any acoustic mitigation to new buildings or additions for habitable uses to mitigate noise.
E33	The extent to which any principal outdoor living area within the 65m setback from the Waikato Expressway (Designation 90) is sited to mitigate the traffic noise of the future Waikato Expressway, including whether it is located to the north of the dwelling to utilise noise attenuation provided by the building form.
E34	The extent to which the acoustic mitigation of new residential buildings or additions to existing residential buildings for habitable uses will result in mitigating any noise issues generated from the operation of the Waikato Expressway (Designation 90).
	Railway Park
E35	Whether any new building or additions or alterations to an existing building in Railway Park (Lot 1 DP S37471) is compatible with the material, form and design of the surrounding residential development and existing buildings within Railway Park, in particular the Frankton Junction NZ Railways Institute Hall (Refer to Appendix 8, Schedule 8A, H44)
F	Hazards and Safety
	General
F1	Whether the size, location and design of the proposed building, infrastructure, structures, stored goods and materials, fences or walls:
	a) Affects the scale, location and orientation of any overland flow path.

	b)	Provides for sufficient permeability:
	i.	So as not to obstruct any overland flow, and
	ii.	To minimise the likelihood of debris becoming trapped.
	c)	Has sufficient height clearance to minimise the risk of being affected by inundation.
	d)	Has the structural integrity to withstand inundation.
F2	Whether the applicant has proven, through the use of a certified engineering design report:	
	a)	That the risk of ground failure can be reduced to avoid the effects on the safety of occupiers and neighbours.
	b)	That any structure will perform safely under hazard conditions for the life of the structure.
	c)	That any work can be carried out in a manner which ensures the protection of the riverbank or gully and does not increase the risk of ground instability on the subject site, or adjacent sites.
F3	The extent to which the health and safety of people has been addressed, including the need for on-site services and whether an evacuation plan is required.	
F4	Whether an appropriate building platform can be provided free from any identified hazard area.	
F5	Whether a flood risk assessment report submitted, with the proposal, contains recommended refinements to the extent of any Flood Hazard Area as a result of additional flood hazard modelling or site specific topographical analysis.	
	Earthworks	
F6	The extent to which the earthworks:	
	a)	Will obstruct or provide overland flow paths or natural surface ponding areas.
	b)	Are managed, designed and constructed to:
	i.	Provide any sediment control measures necessary to control the discharge of sediments.
	ii.	Remain safe and stable for the duration of the intended land use.
	iii.	Be geotechnically sound.
	iv.	Provide safe and accessible building sites and infrastructure.
	v.	Withstand and remain stable under anticipated loads.
	vi.	Provide for the adequate control of stormwater, cater for natural groundwater flows, and avoid adverse effects from changes to natural water flows and established drainage paths.
	vii.	Avoid exacerbating the effects of natural hazards and ecological effects arising from additional sediment release.
	Hazardous Facilities	
F7	The extent to which the proposed site design, construction and operation of a hazardous facility are appropriate to:	
	a)	Avoid the accidental release, or loss of control, of hazardous substances, and whether adequate emergency and spill contingency plans are provided; and

	b)	Avoid and mitigate any adverse effects resulting from activities on the site involving hazardous substances on people, property and environmentally sensitive areas.
F8		Whether off-site transport of hazardous substances has been adequately addressed, and the extent to which vehicles transporting hazardous substances use appropriate routes and do not use local transport corridors in residential areas.
F9		Whether the waste management plan adequately addresses the management of significant quantities of wastes containing hazardous substances, including procedures for disposal practices and use of waste contractors.
F10		Whether alternative locations have been considered adequately.
F11		Whether the risks presented by the hazardous facility to humans, the environment and property have been assessed fully and systematically, and whether they are able to be avoided or minimised satisfactorily.
F12		The degree of risk to the general public through the presence of hazardous substances or potentially dangerous industrial processes.
		Nuisance and Health
F13		Whether industrial activities giving rise to significant nuisance can be adequately managed or sited so as to reduce the impact on neighbouring sites.
F14		Whether noise effects have been addressed in a noise management plan, including the location of specific noise generating activities, hours of amplified sound and the potential mitigation proposed.
F15		The extent to which the activity may have adverse effects on the environment including water discharges, air pollution, noise and other emissions.
F16		Whether the habitable rooms are located, oriented or designed in such a way that would make noise insulation to the required standards unnecessary.
G		Transportation
		General
G1		The extent to which the proposal:
	a)	Integrates with, and minimises adverse effects on the safe and efficient functioning of the transport network and infrastructure.
	b)	Minimises conflicts between users both within the site and any adjoining transport corridor.
	c)	Encourages easy and safe access and circulation for those not arriving by vehicle.
	d)	Provides for the accessibility needs of all users of the site.
	e)	Maximises convenient and safe circulation for connections and/or the provision of facilities for passenger transport modes of travel relative to the scale of the proposal.
	f)	Provides for integration with neighbouring activities to reduce the need for separate traffic movements on the transport network.
		Note Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Infrastructure Technical

		Specifications.
G2		The extent to which the proposal and the traffic (including nature and type of the traffic, volume and peak flows, travel routes) generated by the proposal:
	a)	Requires improvements, modifications or alterations to the transport network and infrastructure to mitigate its effects.
	b)	Achieves efficient connectivity and accessibility of transport corridors, pedestrian accessways, cycleways, public reserves and green corridors.
	c)	Adversely affects the streetscape amenity, particularly in relation to sensitive land use environments (e.g. residential land use environments identified within Table 15-5a of Appendix 15).
		Integrated Transport Assessment
G3		The extent to which the proposal considers and responds to:
	a)	The issues, opportunities and shared outcomes in the Access Hamilton Strategy and its associated Action Plans.
	b)	Relevant:
		i. New Zealand Transport Agency guidelines
		ii. Kiwirail guidelines
		iii. Regional and national transport and growth strategies
	c)	The recommendations and proposed conditions of any integrated transport assessment prepared to accompany the application.
	d)	Issues and outcomes arising from consultation with the relevant road controlling authorities and/or Kiwirail.
G4		Whether the proposal incorporates travel demand management and is well-located to be served by passenger transport, or encourages other active modes of travel such as walking or cycling.
G5		The extent to which an integrated transport assessment assesses how the proposal and any mitigation measures ensure that the safety and efficiency of the transport network is maintained or enhanced.
		Note <i>Guidance on 'safety' and 'efficiency'</i> As part of assessing the effects on the transport network the ITA should consider any changes over the relevant assessment period to the:
	a)	Predicted level of personal risk to individuals (safety) using the network.
	b)	Levels of service (efficiency) of the network. This should include specific consideration of whether the desirable levels of service below can or should be maintained. This should recognise the pre-proposal levels of service and whether other benefits accrue that could have the potential to offset or otherwise support a lesser level of service. For example longer traffic delays resulting in slower speeds may support a pedestrian-friendly land use environment in the Central City. It is not a requirement of the Plan that individual proposals mitigate the effects of other proposals in order to achieve the desirable levels of service. Where the pre-proposal desirable levels of service over the assessment period have already been exceeded, it is not expected that a proposal be required to restore the network to the desirable levels

		of service, rather it is expected that the proposal mitigates its effects to maintain the pre-proposal level of service for the relevant assessment period.
		<i>Desirable levels of service</i>
	i.	An average delay per vehicle during Peak Periods on the approaches to intersections of no greater than:
		<ul style="list-style-type: none"> • 55 seconds for the Strategic Network, Major and Minor Arterial transport corridors • 80 seconds for all other transport corridors
	ii.	On the Strategic Network, Major and Minor Arterial transport corridors during Peak Periods:
		<ul style="list-style-type: none"> • Average vehicle speeds between intersections restricted to no less than 90% of the posted speed limit • Average vehicle speeds, including intersections, constrained to no less than 18 km/h
	iii.	Unless demonstrated otherwise with site specific data, Peak Periods are taken to be 7am to 9am and 4pm to 6pm Monday to Friday.
	c)	Whether access restrictions, auxiliary lanes or other measures are necessary to provide for the safe and efficient operation of key transport corridors such as:
	i.	Major arterial transport corridors
	ii.	Transport corridors that are part of the Strategic Network
	iii.	Transport corridors carrying more than 20,000 vehicles per day or with four or more vehicle lanes.
	Access	
G6	The extent to which the proposal minimises the number of vehicle access points to transport corridors, taking into account:	
	a)	Opportunities that exist for shared access with adjoining sites.
	b)	The hierarchy of the fronting transport corridor and opportunities that exist for access to transport corridors of a lower status (e.g. collector or local transport corridors or service lanes).
	c)	Traffic generated by the proposal.
	d)	The siting of the access points with respect to adjacent access points, visibility and flow.
	e)	The operational requirements of the proposal.
	f)	Potential obstruction for access to network utilities.
	g)	The appropriateness of restricting types of movements (e.g. left in/out only, entry or exit only).
	h)	The impact of multiple vehicle entrances (which break up berm, landscaping, footpath and cycleway continuity) on streetscape amenity, retail frontage areas and pedestrian and cycle movements.
	i)	The cumulative effects on traffic safety and efficiency from multiple vehicular accesses on to major arterial routes and whether this can be adequately addressed.
	Parking	
G7	Whether the proposal provides for anticipated parking demand.	

G8	In assessing a lesser number of parking spaces and the adequacy of end-of-journey facilities, regard may be had for the following:
	a) The total parking demand generated by the proposal including typical operating and peak conditions. Where it can be demonstrated that this is less than the number of spaces required by the standard a lesser number of parking spaces may be accepted.
	b) The hours of operation relative to other activities on the site or on adjoining sites and opportunities for sharing parking spaces.
	c) The ability and appropriateness of adjacent transport corridors being used to accommodate on-road parking, particularly in regard to the safe and efficient operation of the transport network and the protection of local character.
	d) The availability of appropriate off-road public parking in the locality.
	e) Any inappropriate modification to the natural environment that would result from providing the required parking.
	f) Options for providing additional parking if required in the future.
	g) The extent to which the provision of end-of-journey facilities, such as bicycle parking, showers, changing rooms and lockers are provided.
	h) The extent to which provision for active modes of transport or travel planning has been made.
	i) The availability of passenger transport services in the locality, the proximity of the proposed activity to passenger transport stops and the extent to which those passenger transport services are suited to providing for the transport needs of the proposed activity.
G9	In assessing whether the parking demand for a particular proposal may be provided on other sites, regard shall be given to the following:
	a) Whether off site parking is in close proximity with clear, safe and convenient access.
	b) Whether shared parking provision is acceptable particularly where hours of operation are different.
	c) The desirability of avoiding vehicular access to the site because of the effects on traffic safety or pedestrian amenity.
	d) The convenience and safety of those using the parking spaces especially the general public.
	e) Any arrangement for alternative parking provision is adequately secured by a legally binding mechanism.
	f) The extent to which the safe and efficient functioning of the transport corridor is affected.
G10	In assessing proposals that supply parking 25% over the minimum parking requirements (excluding the Central City Zone where there are no minimum requirements), regard may be had to the following:
	a) Whether the extra parking is suitable and made available to meet an undersupply of parking within the locality.
	b) Whether the proposal demonstrates that additional parking will be required to meet the current and future needs of the proposed activity.

	c)	Whether the demand for the additional parking could be minimised through other means such as travel demand management.
	d)	Any adverse effects on the vibrancy and amenity values of business centres from the impacts of additional parking.
G11		The extent to which car parking forward of the front building line is necessary and otherwise unable to be provided within any other location on the site.
G12		The extent to which landscaping and the design of the parking relates to and complements surrounding architectural form and avoids detracting from the public space.
		Parking Lots
G13		Whether the design of the parking building or lot has considered crime prevention through environmental design principles in relation to the surrounding streetscape and built environment.
G14		The proposed duration and hours of operation of the commercial parking lot.
G15		The need for a temporary commercial parking lot.
		Pedestrian Access
G16		The extent to which the activity can be designed, located and undertaken in a manner that allows access to the transport network within the centre, without adversely affecting pedestrian safety.
G17		The degree to which any landscaping supports or enhances access or movement of pedestrians or cyclists.
		New Transport Corridor Design
G18		The extent to which transport corridor design provides design elements identified in or otherwise contrary to any criteria contained in Table 15-7a of Appendix 15.
G19		Whether transport corridor design meets the traffic needs of the area and the wider transport network, taking into account the function of the corridor in the transport corridor hierarchy.
G20		Whether the width and alignment of the transport corridor is sufficient to accommodate, in a safe and efficient manner, the volume and type of traffic likely to use it, including service and emergency vehicles and heavy vehicles.
G21		The adequacy of provision for the movement of pedestrians, cyclists, physically impaired and transport disadvantaged and any implications for their safety.
G22		The adequacy of provision within the transport corridor for parking spaces relative to existing and potential developments on adjoining land.
G23		The degree to which the extension to an existing, new or an upgraded transport corridor 'matches' the rest of the existing transport network (e.g. levels, design, construction).
G24		Whether the design of the road allows for easy installation and maintenance of non-transport infrastructure and amenity tree planting.
G25		The extent to which the design of the transport corridor recognises the character and amenity values of the adjacent land use.
G26		The comments of the relevant road controlling authority.
		Note In considering the above matters Council may have regard to relevant parts of Austroads

	Design Guides and NZS 4404:2010 Land Development and Subdivision Infrastructure, and the Hamilton City Infrastructure Technical Specifications.
G27	The extent to which the provision and use of vehicular access adversely affects pedestrian activity along frontages considered important for shopping or entertainment activities.
H	Functionality, Vitality, Viability and Amenity of Centres
H1	<p>Whether and to what extent the proposed retail or office activity (having regard to its size, composition and characteristics), in conjunction with other established or consented retail or office activity:</p> <ul style="list-style-type: none"> a) Avoids adverse effects on the vitality, function and amenity of the Central City and sub-regional centres that go beyond those effects ordinarily associated with competition on trade competitors. b) Avoids the inefficient use of existing physical resources and promotes a compact urban form. c) Promotes the efficient use of existing and planned public and private investment in infrastructure. d) Reinforces the primacy of the Central City and the functions of other centres in the business hierarchy. <p>To demonstrate the above criteria can be satisfied an applicant must supply a Centre Assessment report. The content of the Centre Assessment report shall be prepared in accordance with clause 1.2.2.19.</p>
I	Network Utilities and Transmission
	Network Utilities
I1	Whether alternative technologies and techniques have been considered.
I2	Whether co-location of overhead electricity and telecommunication lines is technically, economically and practically reasonable.
I3	Whether the proposal is in accordance with relevant industry standards and meets specified clearance requirements for operational and safety reasons.
I4	Whether the proposal will adversely affect the amenity values of the site and locality.
I5	Whether there are difficult ground conditions, topography or obstructions which make undergrounding impractical.
I6	The necessity of the proposed site to provide and maintain essential network utility services.
	Electricity Transmission
I7	Location, height, scale, orientation and use of buildings and structures to ensure the following effects are addressed.
	a) The risk to the structural integrity of the transmission line.
	b) The effect on the ability of the transmission line owner to access, operate, maintain and upgrade the transmission network.
	c) The risk of electrical hazards affecting public or individual safety, and risk of property damage.
	d) The extent of earthworks required, and use of mobile machinery near transmission lines, which may put the line at risk.

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	e)	Minimising adverse effects including reverse sensitivity, visual and nuisance effects and from transmission lines.
	f)	Any other matters set out in plans for buildings and/or structures.
	g)	Outcomes of any consultation with the relevant line owner.
	Note Consultation with Transpower New Zealand Ltd (or its successor) is advised when considering construction within Transmission Corridors A or B. The New Zealand Electrical Code of Practice NZECP: 34 contains restrictions on the location of structures in relation to lines.	
I8	The extent of separation between specified building envelopes and existing lines ensures any adverse effects on and from the Electricity Transmission network and on public safety are appropriately avoided, remedied or mitigated.	
I9	The extent of separation between the location of any proposed trees and existing lines, taking into account:	
	a)	The likely mature height of the trees,
	b)	Whether they have potential to interfere with the lines, and
	c)	Whether an alternative location for the trees would be more suitable to meet the operational requirements of the lines' owner.
	Note All trees/vegetation planted in the transmission corridor must achieve compliance with the Electricity (Hazards from Trees) Regulations 2003.	
I10	Whether appropriate safeguards are in place to avoid contact or flashovers from lines, and effects on the stability of support structures.	
	Note All earthworks, including the use of mobile plant, must comply with the requirements of the New Zealand Electrical Code of Practice 34:2001 (NZECP34:2001).	
I11	The extent to which the design of the subdivision, any earthworks and the construction of any subsequent buildings will comply with the safe separation distance requirements in NZECP34:2001.	
J	Three Waters Capacity and Techniques	
J1	The extent to which the proposal:	
	a)	Can be adequately serviced by capacity within existing Three Waters infrastructure, including access to and use of an appropriate and sustainable water source.
	b)	Can dispose of stormwater and wastewater without adversely affecting the surrounding environment.
J2	Whether the servicing needs of the proposal would necessitate additional public investment in Three Waters infrastructure, services or amenities.	
J3	Whether the proposal is consistent with the provisions of any Integrated Catchment Management Plan relevant to the site and a consideration of consent conditions imposed in order to achieve that consistency.	
J4	The extent to which the proposal incorporates sustainable management techniques and controls to:	
	a)	Protect water quality.
	b)	Protect the integrity and health of any water courses.

	c)	Maintain land stability.
	d)	Limit erosion and sedimentation.
	e)	Limit water wastage.
	f)	Limit the generation of stormwater and wastewater.
	g)	Limit water usage.
J5		For all new industrial and commercial users with a requirement for high volumes and pressures, the extent to which onsite water storage is provided.
J6		For development that will create a trade waste discharge:
	a)	The extent to which suitable and safe practices will be employed.
	b)	The extent to which such waste can be treated or pre-treated onsite to improve the quality of the waste or decrease the amount of the waste, prior to any discharge to the municipal wastewater treatment network.
J7		The extent to which any physical works associated with the proposal affects stormwater storage and retention and whether an equivalent capacity is restored at the completion of works.
J8		The extent to which the proposal and site layout:
	a)	Incorporates sustainable on-site stormwater conservation measures, including rainwater harvesting devices, green roofs, integration with landscaping, rain gardens and wetland treatment systems and stormwater planter boxes (subject to soil contamination considerations), and any open space networks.
	b)	Has facilitated stormwater management systems, sought to avoid substantial changes to natural hydrological conditions in the locality, and limited contamination of natural water.
	c)	Considers site characteristics, including permeable surfaces, so as to accommodate on-site ground water soakage.
	d)	Minimises impervious areas, including buildings, parking and manoeuvring areas.
K		Major Facility Concept Plan Consistency
		General
K1		The extent to which the proposal is consistent with the approved Concept Plan for the Major Facility.
		Concept Plan Development
K2		The extent to which the preparation of a Concept Plan or an update to an existing Concept Plan has given regard to the following.
	a)	The extent to which the major facility integrates with surrounding land uses and transport network.
	b)	Whether the development has been designed to minimise any adverse effects on adjoining activities, particularly residential activities.
	d)	The degree to which any large façades (including side walls) that are visible from public places have been modulated, articulated, detailed or visually treated in a way that reduces the apparent bulk of the building or provides visual interest.
	e)	The extent to which the proximity of facilities intended to accommodate events

	are sited close to residential areas.
f)	The extent to which the provision for vehicular and pedestrian access and circulation facilitates ready dispersal of vehicles and patrons from large events.
g)	The extent to which provision for vehicular and pedestrian access and circulation prioritises pedestrian safety.
h)	The extent to which appropriate, convenient provisions enable public transport to service the site, recognising the need for such services to directly access the Central City area.
i)	The extent to which signage is directed primarily at the patrons attending the venues and television audiences and the extent to which visibility is limited from any public space or near-by site, with the exception of signage associated with the naming of the major facility and signs that advertise coming events.
Claudlands Events Centre	
K3	The extent to which the open space character of the eastern part of the site is maintained and in particular whether a suitable buffer is provided adjoining Jubilee Park.
Te Rapa Racecourse	
K4	The extent to which development of the site retains views between the racecourse and Minogue Park.
Waikato Hospital Complex	
K5	The extent to which activities of an industrial nature and the heliport are grouped in the south-western sector of the site.
K6	The extent to which high rise buildings are concentrated towards the centre of the hospital complex.
Waikato Stadium and Seddon Park	
K7	The extent to which future buildings and the enhancement of facilities, including any provision for office, retail and visitor accommodation, ensure a high degree of visual cohesion and functional integration within the site.
K8	The extent to which security fencing is unobtrusive and maintains views of the Stadia grounds from surrounding streets, accepting that no views will be available of the principal playing surfaces and that the Stadia need to ensure the security of the venues as 'charge grounds'.
K9	The extent to which the bulk and location of additional buildings at Waikato Stadium and Seddon Park has been designed and constructed to minimise the extent and duration of shading cast over residential sites.
K10	The extent to which the design and appearance of any replacement grandstand or a substantial alteration to an existing grandstand aims to create an enduring statement and identity, which reflects the pre-eminent role of these sites in hosting international events. Additionally, the extent to which recognition is provided for the cultural heritage of the Whatanoa Gateway.
K11	The extent to which the Mill Street frontage of the Waikato Stadium, including the Mill Street Field, is maintained as open space to continue the historical association with the West Town Belt, providing an attractive vista, enhancing links with the Central City area and highlighting the iconic status of the Stadium building.
K12	The extent to which development and landscaping proposals provide for the

	retention of the existing Kahikatea trees on the Seddon Road frontage of the Waikato stadium and the existing mature trees on the Norton Road and Tristram Street frontages of Seddon Park.
	Wintec Rotokauri Campus
K13	The extent to which development of the site has regard to the future development of the Rotokauri Area and the relationship of the site with Lake Waiwhakareke and the Rotokauri Suburban Centre.
K14	The extent to which farming activities are adequately buffered from neighbouring Residential or Special Character Zones.
M	<u>Ruakura</u>
M1	<u>Land Development Plans</u>
	<u>In determining the application for resource consent for a restricted discretionary activity, Council shall reserve its discretion to the following matters, where relevant.</u>
<u>i</u>	<u>Integration with and effects on transport and Three Waters infrastructure</u>
<u>ii</u>	<u>Consistency with any approved Integrated Catchment Management Plan or regional discharge consent</u>
<u>iii</u>	<u>Effects on significant habitats of indigenous fauna and habitat values of natural water courses</u>
<u>iv</u>	<u>Open Space and road reserve design, layout and use</u>
<u>v</u>	<u>Construction effects</u>
<u>vi</u>	<u>Effects of new stormwater ponds and wetlands (excluding swales) on private property</u>
	<u>In determining the application, the Council shall consider the following assessment criteria:</u>
<u>a)</u>	<u>Whether there is appropriate Three Waters infrastructure and capacity, existing and proposed, to appropriately service anticipated development in the Land Development Plan area. For new stormwater ponds and wetlands, the extent to which the following adverse effects of the works on adjacent private property are avoided:</u> <u>i. Flooding and adverse effects on ground water levels; and</u> <u>ii. Creating habitat for mosquitoes and other undesirable insects</u>
<u>b)</u>	<u>Whether the proposal is consistent with, or otherwise complies with, the recommendations, measures and targets of any approved Integrated Catchment Management Plan</u>
<u>c)</u>	<u>Whether the Land Development Plan provides for the eventual diversion of interim connections to Ruakura Strategic Infrastructure including as shown on Figure 2-15 and any approved Integrated Catchment Management Plan</u>
<u>d)</u>	<u>Whether anticipated development in the Land Development Plan area integrates with, and minimises adverse effects on the safe and efficient functioning of the transport network and transport infrastructure, having regard to the cumulative traffic effects of other approved Land Development Plans</u>
<u>e)</u>	<u>Whether the Land Development Plan is consistent with the Cyclist and Pedestrian Network Plan in Figure 2-18</u>

<u>f)</u>	<u>The ITA matters for assessment set out in Appendix 1.3.3 M2</u>
<u>g)</u>	<u>Whether the Land Development Plan considers and responds to the recommendations and proposed conditions of the Integrated Transport Assessment and Water Impact Assessment prepared to accompany the application</u>
<u>h)</u>	<u>The potential for cumulative construction noise effects to adversely affect individual residential properties, and the mitigation methods proposed to minimise such effects</u>
<u>i)</u>	<u>Whether the Land Development Plan considers and responds to issues and outcomes arising from consultation with relevant road controlling agencies, the New Zealand Transport Agency and, where relevant, KiwiRail</u>
<u>j)</u>	<u>Whether appropriate consideration has been given to electrical hazards associated with the installation of underground Infrastructure within 12 metres of a National Grid support structure</u>
<u>k)</u>	<u>Where land development will cause loss of significant habitats of indigenous fauna (including but not limited to, black mudfish, shortfin eels and longfin eels), require that unavoidable adverse effects on such habitat are remedied or mitigated through:</u> <ul style="list-style-type: none"> <u>i. Replacing significant habitat; or</u> <u>ii. Creating new habitat; or</u> <u>iii. Enhancing areas of alternative habitat supporting similar ecological values and/or significance; and</u> <u>iv. Legal and physical protection</u>
<u>l)</u>	<u>Whether land development will adversely affect the flooding, water quality and habitat values of adjoining natural water courses</u>
<u>m)</u>	<u>Whether the Landscape Concept and Ecological Enhancement Plan provides for a comprehensive and connected section of Open Space and road reserves, which incorporates, as necessary:</u> <ul style="list-style-type: none"> <u>i. connectivity of open space and streets;</u> <u>ii. passive and active recreation opportunities;</u> <u>iii. Crime Prevent Through Environmental Design principles;</u> <u>iv. pedestrian and cycle paths forming a network with adjacent parts of the Open Space network;</u> <u>v. general amenity planting and amenity for adjoining properties, including use of specimen trees in roads;</u> <u>vi. street furniture;</u> <u>vii. provision for habitats;</u> <u>viii. lighting design that does not deter bat movement; and</u> <u>ix. stormwater management</u>
<u>n)</u>	<u>Whether the Land Development Plan will appropriately provide for indigenous fish and lizards</u>
<u>o)</u>	<u>Whether the Land Development Plan includes a greenway that provides for improved habitat and ecological benefits</u>
<u>p)</u>	<u>Whether the Landscape Concept and Ecological Enhancement Plan provides for</u>

	<u>a greenway to enhance long term ecological function</u>
	<i>Additional Matters for the Open Space Zone</i>
g)	<p><u>Whether the layout and design of Open Space Zones:</u></p> <ul style="list-style-type: none"> <u>i. Creates an informal parkland character</u> <u>ii. Integrates with the landscape design of roads within the Land Development Plan area</u> <u>iii. Applies Crime Prevention Through Environmental Design principles</u> <u>iv. Utilises planting to soften the views of industrial development</u> <u>v. Contains pedestrian and cycle paths forming a network with adjacent parts of the Open Space Network</u> <u>vi. Provides for the amenity of adjoining and adjacent activities</u> <u>vii. Integrates linear wetlands and stormwater treatment devices</u>
r)	<u>Whether provision has been made to ensure public access to and use of the Open Space, except as may need to be limited for safety reasons</u>
s)	<u>The extent to which the different functions of the Open Space Zone are clearly identified and provided for in the Land Development Plan application.</u>
	<i>Additional Matters for the Medium Density Residential Zone</i>
t)	<p><u>The extent to which the street network promotes a high degree of connectivity and permeability through the following:</u></p> <ul style="list-style-type: none"> <u>i. A grid-like street layout.</u> <u>ii. Block sizes that promote permeability for pedestrians/cyclists as well as for vehicles.</u> <u>iii. Connections to the City-wide arterial networks.</u> <u>iv. Paths to the Open Space Network</u>
u)	<u>Street amenity shall be provided by the location of specimen trees and landscaped areas interspersed by kerb-side parking</u>
	<i>Additional Matters for Precinct C within the Knowledge Zone</i>
v)	<p><u>The extent to which the street network is:</u></p> <ul style="list-style-type: none"> <u>i. Orientated toward the Ruakura Retail Centre.</u> <u>ii. Permeable for pedestrians/cyclists as well as for vehicles.</u> <u>iii. Legible with a simple and readily understood street pattern.</u> <u>iv. Provides a connected path network to the Open Space Zone</u>
w)	<u>The extent to which blocks and lots are configured to facilitate walking and accommodate operational areas in rear yards</u>
	<i>Additional Matter for the Logistics Zone (Inland Port)</i>
x)	<u>Whether the planting of the Landscape Buffer Areas will achieve the purpose of screening the Inland Port (Sub Area A (Inland Port)) from Ryburn and Percival Roads</u>
y)	<u>The effects of the planting of the Landscape Buffer Areas on the operation, maintenance, upgrading and development of the National Grid transmission</u>

	<u>network and the requirements of the Growth Limit Zones Schedule of the Electricity (Hazards from Trees) Regulations 2003</u>
z)	<u>Whether Level of Service D will be achieved at the intersections of Silverdale Road and Knighton Road with Ruakura Road when Stage 1 of the Inland Port (Sub Area A (Inland Port)) is operational</u>
	<u>Construction</u>
aa)	<p><u>Whether appropriate conditions can be placed on the resource consent to manage adverse effects associated with construction of the activities proposed in the Land Development Plan. This will be satisfied by a condition requiring the lodgement of a Construction Management Plan for Council approval, prior to the commencement of the works</u></p> <p><u>The Construction Management Plan shall include at a minimum:</u></p> <ul style="list-style-type: none"> <u>i. Details of the works, their timing and duration.</u> <u>ii. Methods to control dust, debris on roads and silt laden runoff during construction.</u> <u>iii. Anticipated truck movements and routes to and from the site during construction.</u> <u>iv. Means to ensure compliance with the Construction Noise Standards in Rule 25.8.3.2 and Construction Vibration Standard in Rule 25.8.3.3.</u> <u>v. Contact details for the contractor, including a process for complaints and remedying concerns</u> <p><u>The Construction Management Plan shall also ensure that:</u></p> <ul style="list-style-type: none"> <u>vi. Prior to the opening of the Waikato Expressway (Hamilton Section) and the realignment of Ruakura Road to traffic, construction traffic arising from the Land Development Plan area shall be managed to ensure that the capacity of local roads, as determined by normal Hamilton City Council traffic management design criteria, is not exceeded</u> <u>vii. Once the Waikato Expressway (Hamilton Section) and realigned Ruakura Road are open for traffic, construction traffic arising from the Land Development Plan area shall, to the extent reasonable and practicable, be directed to use the Waikato Expressway (Hamilton Section) to minimise effects on local roads</u>
M2	<u>Construction Noise and Operation Noise of the Inland Port (Sub Area A)</u>
1)	<p><u>The extent to which:</u></p> <ul style="list-style-type: none"> <u>a) The construction and operation of the Inland Port avoids or mitigates adverse noise and vibration effects on adjoining facilities, existing residential dwellings and/or Large Lot Residential zoned areas.</u> <u>b) Measures to avoid where possible, and otherwise minimise sudden and/or loud noises at night have been incorporated.</u> <u>c) Lower noise producing equipment and methods have been investigated and incorporated.</u>

	<p><u>d) The location and orientation of refrigerated containers have been selected to minimise noise effects on residential properties.</u></p> <p><u>e) The accuracy of the noise model used for predicting noise levels in Stages 2 and 3 of the development of the Inland Port, taking into account recalibration based on monitoring of previous stages.</u></p>
	<p><u>2) The adequacy of the consideration of alternative methods that would meet the night time noise limits set out in Rule 25.8.3.13 and their costs and benefits.</u></p>
	<p><u>3) At individual residential properties where noise levels would exceed the night-times noise limits set out in Rule 25.8.3.13, the extent to which the ambient night-time noise levels at those properties exceed 40 dBL_{Aeq(15)} once the Waikato Expressway is operational.</u></p>
M3	<u>Ruakura Retail Centre</u>
	<p><u>1) Staged development should be in accordance with an overall master plan for the Ruakura Retail Centre which shall show the location of the Ruakura Retail Centre Mainstreet, building footprints, circulation network, public open space, provision for parking.</u></p>
	<p><u>2) A Ruakura Retail Centre Mainstreet shall be provided and should be orientated towards and integrate with the location of the proposed transport interchange.</u></p>
	<p><u>3) Buildings should directly align and address the street network and provide a constant and intact edge to streets and public places.</u></p>
	<p><u>4) Buildings should be located and designed to avoid extensive or inactive edges with entrances designed to maximise pedestrian flow and to support active street frontages.</u></p>
	<p><u>5) Building frontages to the Ruakura Retail Centre Mainstreet should incorporate a high proportion of glazing and provide veranda canopies over footpaths and a high level of ground floor architectural detail.</u></p>
	<p><u>6) Building design should create a varied fine grained pattern of development through the modulation of height and roof form, façade depth and relief and variety in materials and colours.</u></p>
	<p><u>7) Site Layout should provide options for pedestrian, cycling and vehicular circulation and permeability within and to adjoining areas.</u></p>
	<p><u>8) Footpaths should be legible and be of a sufficient width with quality paving and detailing, including footpaths to and from the centre and Open Space Areas.</u></p>
	<p><u>9) Where public open space is provided, it should be centrally located adjacent to main pedestrian flows and shall be highly visible.</u></p>
	<p><u>10) Public outdoor spaces should be sheltered and sunny with provision for summer shade and shall be anchored by active building edges.</u></p>
	<p><u>11) Carparks should be landscaped to define the street boundary and adjacent spaces.</u></p>
	<p><u>12) Carparking should avoid interrupting active frontages and pedestrian circulation along the Ruakura Retail Centre Mainstreet.</u></p>
	<p><u>13) Loading and service areas should not interrupt active edges and should be</u></p>

		<u>separated from public circulation where possible.</u>
M4	<u>Concept Plan for Precincts A, B and D in the Knowledge Zone</u>	
	<u>1) General</u>	<u>The extent to which the proposal is consistent with the approved Concept Plan for the Precinct within the Knowledge Zone.</u>
	<u>2) Concept Plan Development</u>	
	<u>a)</u>	<u>The extent to which the preparation of a Concept Plan or an update to an existing Concept Plan has given regard to the following.</u>
		<ul style="list-style-type: none"> <u>i. The extent to which the precinct integrates with surrounding land uses and the transport network.</u> <u>ii. Whether the development has been designed to minimise any adverse effects on adjoining activities, particularly residential activities.</u> <u>iii. The degree to which any large façades (including side walls) that are visible from public places have been modulated, articulated, detailed or visually treated in a way that reduces the apparent bulk of the building or provides visual interest.</u> <u>iv. The extent to which the proximity of facilities intended to accommodate events are sited close to residential areas.</u> <u>v. The extent to which the provision for vehicular and pedestrian access and circulation facilitates ready dispersal of vehicles and patrons from large events.</u> <u>vi. The extent to which provision for vehicular and pedestrian access and circulation prioritises pedestrian safety.</u> <u>vii. The extent to which appropriate, convenient provisions enable public transport to service the site, recognising the need for such services to directly access the Central City area.</u>
	<u>b)</u>	<u>The extent to which the following have been applied as part of a new Concept Plan, an update to an existing Concept Plan or in the absence of a Concept Plan within the Interface Areas of Precincts A, B and D.</u>
	<u>a) Built Form and Layout</u>	
		<ul style="list-style-type: none"> <u>i. The extent to which the external appearance, scale and design of buildings</u> <ul style="list-style-type: none"> <u>• Contributes to compatibility between buildings and its integration with other development on the site, adjacent sites and surrounding public spaces</u> <u>• Contributes to active frontage along public streets and open space, particularly for corner sites</u> <u>• Minimises, as practicable, effects on adjacent public spaces (including footpaths) in terms of shading and daylight</u> <u>ii. The extent to which building design and development</u> <ul style="list-style-type: none"> <u>• Makes a positive contribution to the local character of the site and surrounding areas</u> <u>• Ensure large facades are well designed to provide visual interest</u>

		<p><u>and reduce the apparent bulk of buildings within the Interface Area</u></p> <ul style="list-style-type: none"> • <u>The extent to which crime prevention through environmental design principles have been incorporated</u>
		<p><u>b) Landscaping</u></p> <ul style="list-style-type: none"> <u>i. Incorporation of landscaping within the site layout to reduce the bulk of new development and mitigate adverse visual effects of development within the Interface Area, particularly as they interact with public spaces</u> <u>ii. Incorporates landscaping to maintain and enhance the character and amenity of the site and surrounding areas</u>
M5	<u>Ruakura Open Space Zone</u>	
	<u>1)</u>	<u>For new stormwater ponds and wetlands, the extent to which adverse effects of the works on adjacent private property are avoided in relation to:</u>
	<u>a)</u>	<u>Flooding and adverse effects on groundwater levels; and</u>
	<u>b)</u>	<u>Creating habitat for mosquitoes and other undesirable insects</u>
M6	<u>Development within a Greenfield Area</u>	
	<u>1)</u>	<u>The extent to which the proposal is consistent with an approved Land Development Plan or could prejudice or foreclose options for future urban development and in particular with the proposals shown on Figure 2-14.</u>
<u>National Grid Corridors</u>		
M7	<u>In determining any application for resource consent for crossing points, the Council shall have regard to the following matters:</u>	
	<u>(a)</u>	<u>Suitable mechanisms are in place to ensure that mobile plant and machinery moving in the National Grid Yard can not infringe safe clearance distances specified in NZECP:34. This may include physical, operational or electronic measures and will be deemed satisfied by overhead gate structures (e.g. hurdles) being erected no closer than 4.5 metres from the lowest sag of the line at maximum operating temperature.</u>
	<u>(b)</u>	<u>Crossings are approximately perpendicular to the National Grid Yard.</u>
	<u>(c)</u>	<u>Crossings and any associated traffic management structures are located no closer than 12 metres from the outer visible edge of a National Grid support structure.</u>
	<u>(d)</u>	<u>Any overhead gate structure (e.g. hurdle) is constructed to a suitable engineering standard to withstand vehicle (including mobile plant transporting containers) impact travelling at normal operating speed.</u>
	<u>(e)</u>	<u>Appropriate management and operational methods to ensure safe procedures are specified in the resource consent conditions and followed when crossing beneath the lines.</u>
M8	<u>For the unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities and Light Towers, noise walls and fences greater than 2.5 metres high .</u>	

	(a)	<u>Any operational procedures and physical measures to ensure compliance with NZECP:34, including layout and allowable height limits for container stacking.</u>
	(b)	<u>Light towers shall ensure sufficient clearances in accordance with NZECP:34 are provided including any setback requirements for mobile plant required for maintenance and lamp replacement.</u>
	(c)	<u>Suitable mechanisms are in place to ensure that mobile plant and machinery moving in the National Grid Corridor can not infringe safe clearance distances specified in NZECP:34. This may include physical, operational or electronic measures.</u>
M9		<u>For earthworks that are a Restricted Discretionary Activity the matters to which the Council shall restrict its discretion are limited to:</u>
	(a)	<u>The effects of the earthworks on the operation, maintenance, upgrading, and development of the National Grid transmission network.</u>
M10		<u>For Subdivision that is a Restricted Discretionary Activity the matters to which the Council shall restrict its discretion are limited to:</u>
	(a)	<u>The extent to which the subdivision design, including the location of roads and reserves, landscaping and building platforms, allows for activities to be set back from National Grid transmission lines to ensure adverse effects on, and from, the National Grid and on public safety are appropriately avoided, remedied or mitigated.</u>
	(b)	<u>The extent to which the subdivision design/layout and consequential development will minimise the potential reverse sensitivity on, and amenity and nuisance effects of, the National Grid.</u>
	(c)	<u>The provision for on-going inspection, operation, maintenance and development of the National Grid, including continued reasonable access.</u>
	(d)	<u>The extent to which the design and development will minimise the risk of injury and/or property damage from such lines.</u>
	(e)	<u>Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001).</u>
	(f)	<u>Outcomes of any consultation with Transpower New Zealand Limited.</u>
		<u>Signs</u>
M11	(a)	<u>The extent to which the scale and nature of the signage is compatible with the surrounding environment.</u>
	(b)	<u>The impact of the signage on the amenity values of adjoining residential land and the surrounding environment.</u>
	(c)	<u>The effect of the signage on the open space character of Open Space Area.</u>
	(d)	<u>The extent to which the signage is obtrusively visible from outside the site or Area.</u>
	(e)	<u>The extent to which signage is likely to give rise to a distraction to motorists and pedestrians, or create situations which are hazardous or</u>

	<u>dangerous to road users.</u>
(f)	<u>The effect of any illuminated signage on motorists and adjoining properties.</u>
(g)	<u>The extent to which the signage creates visual clutter, particularly along major arterial roads.</u>
(h)	<u>The opportunity for signage to enhance local amenity values and character.</u>

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