



Notice is hereby given that an ordinary Meeting of the Council will be held on:

Date: Thursday 7 February 2019
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Council

OPEN ATTACHMENTS

ATTACHMENTS UNDER SEPARATE COVER

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Hamilton City Operative District Plan 2017 –

Plan Change 3: Temple View Boundary Alteration

February 2019

1.0 Introduction

Temple View is located on the western side of Hamilton's urban boundary, south-west of the suburb of Dinsdale and north-east of Koromatua within the Waipa District. The 14 hectares, as identified on the Locality Plan (Appendix 1) is located to the rear of the former Church College site and sits below the level of Tuhikaramea Road. The former College, the Temple and Temple View settlement straddle Tuhikaramea Road, are approximately 2 km south west of the urban edge of Hamilton.

The land of Temple View, transferred from Waipa District Council to Hamilton City Council in 2004, included land surrounding the Church of Jesus Christ of Latter Day Saints Temple and most of the area occupied by the former Church College. The extent of that area was based on the 2004 Census meshblock boundaries. As a result, an area of approximately 14 hectares of the Church College campus remained under the jurisdiction of the Waipa District Council.

In 2007 Hamilton City Council undertook a variation (Variation 7 to the 2001 Proposed District Plan) to incorporate the Temple View area into the Hamilton City Council's planning framework.

In 2014, The Church of Jesus Christ of Latter-day Saints Trust Board ('LDS') applied to the Local Government Commission for a minor boundary alteration to bring the remaining 14 hectares of College campus into Hamilton. This was granted and gazetted in July 2014 in accordance with the Local Government Act 2002. The zoning of this area under the Waipa District Plan is rural. The proposed plan change seeks to align the zoning of the 14 hectares with the existing Temple View zone that is already applied to the rest of the former Church College site.

The 14 hectares consists of active sports fields, tennis courts and the location of the maintenance hub for the entire school whilst the College was operating. Following the closure of the College and the commencement of the redevelopment of the former campus, the site has been cleared of all previous buildings and is being used for 'pre-loading' materials.

The surrounding area is rural to the south-western side of the 14 hectares and is an operational dairy unit. North-west of the 14 hectares, the former college area is undergoing a major redevelopment programme to provide for greater housing stock and associated amenities to be undertaken in accordance with consented environment.

In accordance with section 81 of the Resource Management Act 1991, the local authority receiving the land is required to undertake a change to its district plan to ensure the newly required land is managed in accordance with that local authority's planning framework. The fundamental purpose of this plan change is to ensure that the 14 hectares of land brought into Hamilton in 2014 is no longer subject to the rural zone provisions of the Waipa District Plan. The plan change is also an opportunity to effectively and efficiently amend the district planning provisions for the Temple View Zone that have the potential to be vires or, if amended, would improve plan administration.

2.0 Section 32

The full evaluation of the proposed plan change, the evaluation of issues, alternatives considered, benefits and costs, and the reasons for the chosen option along with provisions undertaken in accordance with Section 32 of the RMA, is contained in Appendix 2 to this document.

The evaluation of the proposed rules and methods, and the proposed minor amendments to the existing policies address the following resource management issues:

- Council’s obligations under Section 81 of the RMA to make changes to the Hamilton City Operative District Plan to cover the 14 hectares that came into Hamilton City Council’s jurisdiction in 2014 following the boundary alteration with Waipa District Council.
- The potential that existing provisions applying to “development plans” in the Temple View zone may conflict with the principles outlined in decisions of the Environment Court regarding vires.
- The identification of the accurate boundary for the Significant Natural Area (‘SNA’) within the Temple View Zone.
- The notation of the ‘community focal point’ to ensure the referencing in the rules aligns with mapping within the District Plan.
- Minor amendments to rules and methods to ensure up-to-date and accurate plan administration.

The proposed plan change does not introduce any new objectives. There are proposed amendments to existing policies; however, those are considered to be minor and therefore of a very low scale and significance. The key amendments are essentially confined to rules and methods specific to the Temple View zone and do not impact on the strategic framework of the District Plan or impact city-wide provisions.

3.0 Proposed Amendments to the District Plan

In accordance with the July 2014 Waipa District Plan, the 14 hectares is zoned Rural. The predominant activities under this zoning are agricultural and horticultural. The Hamilton City Operative District Plan 2017 zones the land directly adjoining the 14 hectares as Temple View Zone. The predominant activity under this zone is residential urbanisation. This zoning, through this plan change, will replace the rural zoning.

The proposed five options as set out in section 2.0 have been fully considered and evaluated in accordance with Section 32 of the RMA. The analysis and rationale for selecting this zoning option is set out in the Section 32 evaluation report (Appendix 2).

4.0 Consultation

The consultation undertaken with stakeholders and statutory bodies is set out in Appendix 8.4 of the Section 32 report (Appendix 2). A full consultation programme was undertaken during the forming of options and determining the preferred option. In addition to the consultation, the Section 32 evaluation was reviewed in accordance with section 324(A) by Waikato Tainui, the Iwi Authority (Appendix 8.6 of the Section 32 report). Their feedback was received on 14 January 2019; they reiterated their general support for the plan change along with highlighting two matters they wish to have addressed:

- the management of peatlands in relation to the Waikato River catchment
- the sequestration of carbon dioxide through improving land use.

5.0 Statutory Assessment

All matters to be addressed via the plan change matters have been considered against all the relevant provisions set out under the Resource Management Act ('RMA'), relevant National Policy Statements ('NPS'), Waikato Regional Policy Statement ('WRPS') and the Waikato Tainui Environmental Plan. The outcome of those assessments is set out in the Section 32 report (Appendix 2).

6.0 Conclusion

This plan change is the final stage in the overall process of a boundary alteration in accordance with the Local Government Act and the Resource Management Act.

7.0 References

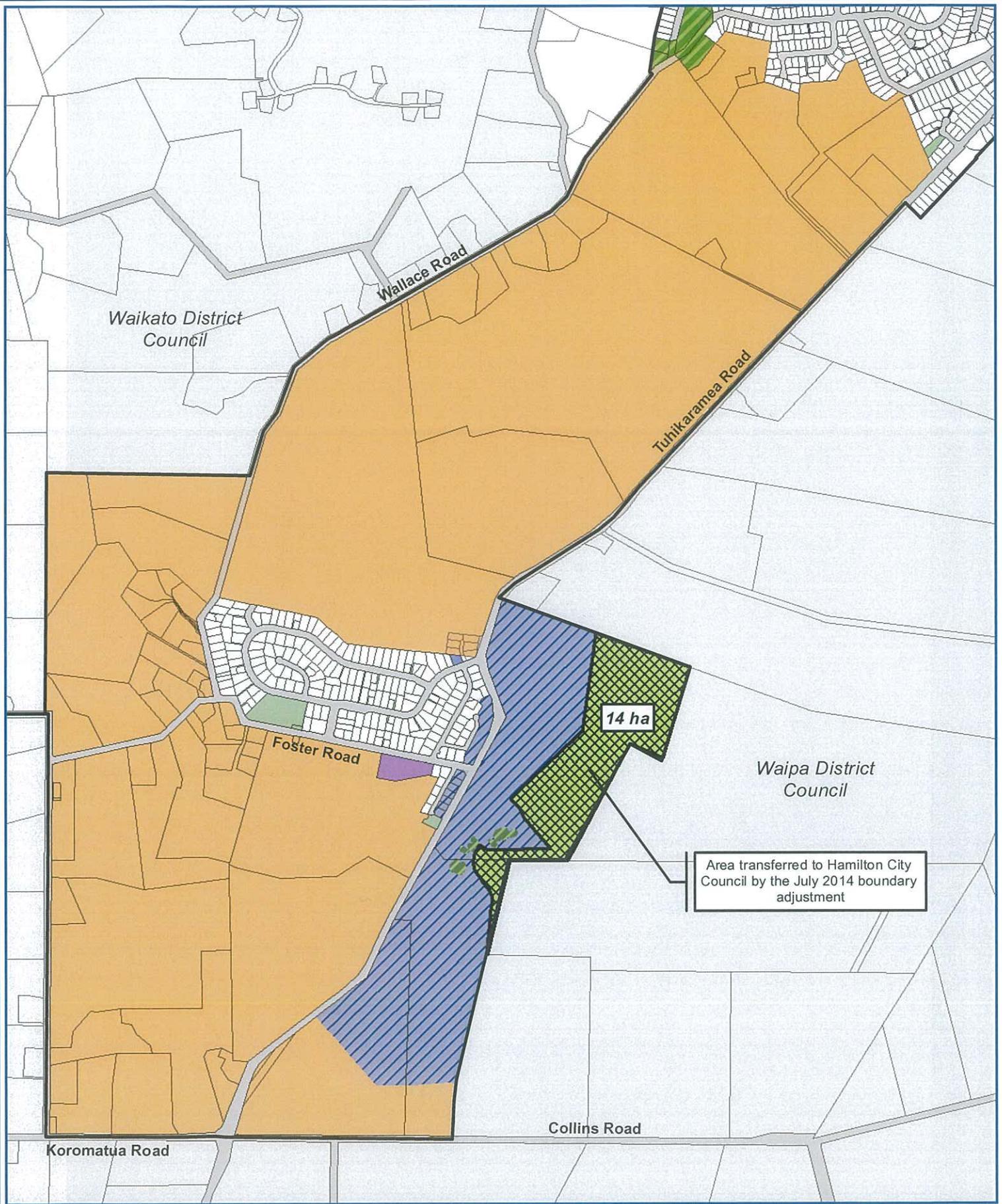
- Resource Management Act
- Waikato Tainui Environmental Plan
- National Policy Statement on Urban Development Capacity
- Future Proof Strategy and Implementation Plan
- Waikato Regional Policy Statement
- Hamilton Urban Growth Strategy
- Waipa District Plan (2014 version)
- Hamilton City Operative District Plan 2017
- Temple View Structure Plan Scoping Report 2016
- Technical Reports – SNA, ICMP, Cultural

8.0 Appendices

- Appendix 1 - Locality Plan
- Appendix 2 - Section 32 Report

ATTACHMENT 1

LOCALITY PLAN



KEY

- Area subject to Plan Change
- Business 6 Zone - Neighbourhood Centre
- Open Space Zone, Neighbourhood Open Space Zone
- Temple View Zone
- Future Urban Zone
- Waipa District, Rural Zone
- General Residential Zone
- Transport Corridor Zone
- Community Facilities Zone
- Open Space Zone, Natural Open Space Zone

ATTACHMENT 2

SECTION 32 REPORT

January 2019

**PLAN CHANGE 3: TEMPLE VIEW BOUNDARY
ALTERATION**

**TO THE HAMILTON CITY OPERATIVE DISTRICT
PLAN**

**RESOURCE MANAGEMENT ACT: SECTION 32
EVALUATION REPORT**

EXECUTIVE SUMMARY

The area known as Temple View, comprising 410 hectares, was transferred from Waipa District Council to Hamilton City Council in 2004. This land, included the land surrounding the Church of Jesus Christ of Latter Day Saints Temple and much of the area occupied by the former Church College. This boundary alteration was based on the Census mesh block boundaries at the time of the 2004 boundary alteration. As a result, approximately 14 hectares of the Church College campus, containing sports fields, tennis courts and maintenance sheds remained under the jurisdiction of Waipa District Council. In 2014, The Church of Jesus Christ of Latter-day Saints Trust Board ('LDS') applied to the Local Government Commission for a minor boundary alteration to bring the remaining 14 hectares of College campus into the jurisdiction of the Hamilton City Council. This was granted and gazetted in July 2014 in accordance with the Local Government Act 2002

In accordance with section 81 of the Resource Management Act 1991, the local authority receiving the land is required to undertake a change to its district plan to ensure the newly required land is managed in accordance with that local authority's planning framework. The fundamental purpose of Plan Change 3 – Temple View Boundary Alteration ("the plan change") is to ensure that the 14 hectares of land is no longer subject to the rural zone provisions as they were under the July 2014 version of the Waipa District Plan. The plan change is also an opportunity to effectively and efficiently amend the district planning provisions for the Temple View Zone that have the potential to be ultra vires or, if amended, would improve plan administration.

This report sets out the evaluation of the plan change in accordance with section 32 of the RMA. The proposed changes to the planning provisions (rules and methods) set out in the 2017 Hamilton City Operative District Plan, as well as proposing minor amendments to existing policies, address the following resource management issues:

- Council's obligation under section 81 of the Resource Management Act 1991 ("RMA"), to make changes to the Hamilton City District Plan ("District Plan") to cover the 14 hectares of land that came into Hamilton City Council's jurisdiction in 2014 following a boundary adjustment with Waipa District;
- The potential that existing provisions applying to "development plans" within the Temple View Zone may conflict with the principles outlined in decisions of the Environment Court regarding *vires*;
- The identification of the accurate boundary for the Significant Natural Area ("SNA") within the Temple View Zone. Recent resource consent processes within the Temple View Zone highlighted a discrepancy between the "indicative" boundary and the actual (accurate) boundary of the identified SNA.
- The notation of a 'community focal point' to ensure the correct linkage between the referencing in Rule 5.5.11 and Figure 4-5.

In addition to the above, minor editorial changes to policies and methods are proposed to ensure consistency across the District Plan and therefore assist with its administration.

Full consultation, in accordance with the Schedule 1 requirements set out by the RMA, has been undertaken to canvas five options to address the above resource management issues; the draft section 32 documentation has been reviewed by the local Iwi Authority in accordance with the requirements under section 32(4A) of that Act.

Several options were presented for consultation. The option proposing to re-zone the 14 hectares to Temple View Zone was the most appropriate. Along with the rezoning, the option proposes:

- the precinct be overlaid to align with the existing Temple View zoned land;
- to remove all referencing of 'Comprehensive Development Plans' relating to the Temple View zone and replace the term with 'Precincts';
- to modify the CDP provisions to ensure there is no implication of vires as per the relevant Auckland case Law; and
- to refine the extent of the existing SNA area.

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Purpose of report.
Section 32.
Legal and statutory context.

2.0 Purpose of Plan Change and Outline of Proposed Methodology

3.0 Resource Management Issue Analysis

4.0 Evaluation

5.0 Identify and assess reasonably practicable options

Boundary change to include 14ha.
Amendments to existing methods in response to case law on Comprehensive Development Plans.
Amendments relevant to identified confined issues (addition of the notation 'Community Focal Point' on Figure 4-5 and boundary of Significant Natural Area).

6.0 Evaluation of preferred option(s) for provisions (policies and methods):

Assess effectiveness, efficiency, benefits, costs, risk.
Most appropriate option.

7.0 Conclusion

8.0 Appendices

Appendix 8.1: Statutory Requirements.
Appendix 8.2: Matters of Consideration.
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Appendix 8.7: Technical Reports.
Appendix 8.8: Planning Provisions modified by Plan Change 3: Temple View Boundary Alteration.

1.0 INTRODUCTION

PURPOSE OF REPORT

The purpose of this report is to set out the evaluation of the proposed plan change provisions, undertaken in accordance with section 32 of the RMA. It evaluates the proposed rules, methods, and the proposed minor amendments to existing policies and amendments which address the following resource management issues:

- Council's obligation under section 81 of the Resource Management Act 1991 ("RMA"), to make changes to the Hamilton City District Plan ("District Plan") to cover the 14-hectare area of land, that came within Hamilton City's jurisdiction in 2014 following a boundary adjustment with Waipa District;
- The potential that existing provisions applying to the Temple View Zone may conflict with the principles outlined in decisions of the Environment Court regarding *vires* of rules and district plan provisions for "development plans";
- The identification of the accurate boundary for the Significant Natural Area ("SNA") within the Temple View Zone through a recent resource consent process (for development in Temple View). The district plan currently identifies an "indicative boundary" of the SNA. However, expert ecological advice provided for the purposes of a resource consent application within the Temple View Zone highlighted a discrepancy between the "indicative" boundary and the actual (accurate) boundary.
- The notation of a 'community focal point' to ensure the correct linkage between the referencing in Rule 5.5.11 and Figure 4-5.

In addition to the above, minor editorial changes to policies and methods are proposed to ensure consistency across the District Plan and therefore to assist with the administration of the District Plan.

SECTION 32

Section 32 of the RMA sets out the requirements for preparing and publishing evaluation reports for proposals for a plan change (amending proposal) to an existing plan (existing proposal).¹ The overall purpose of section 32 in that context is to ensure that any provisions proposed through a plan change are evidence based, clear and certain, and the best means to achieve the purpose of the RMA. Council is required to undertake an evaluation of the proposed provisions prior to notification of the proposed plan change. The section 32 evaluation report sets out the reasoning and rationale for the proposed provisions and should be read in conjunction with those.

In particular, section 32 requires that, prior to public notification of a proposed plan change, Council must examine:

- (a) "the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*

¹ Refer to section 32(3).

- (b) *whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions;”*

The evaluation report must also contain a level of detail that,

- (c) *corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

When assessing efficiency and effectiveness of the provisions in achieving the objectives of the proposed plan the report must under s32(2):

- (a) *” identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*

Section 32(3) states that if the proposal is an **amending proposal**, that the examination under section 32(1)(b) must relate to:

- (a) *The provisions and objectives of the amending proposal; and*
- (b) *The objectives of the existing proposal to the extent that those objectives –*
 - (i) *Are relevant to the objectives of the amending proposal; and*
 - (ii) *Would remain if the amending proposal were to take effect.*

This subsection is relevant to the proposed plan change as it will amend the existing District Plan, which by this definition is the “existing proposal”.

Of relevance in the current context is that the proposed plan change provisions do not introduce any new objectives. The proposed amendments to existing policies are considered to be minor and therefore of a very low scale and significance. The key amendments are essentially confined to rules and methods.

Against that background, it is necessary to consider the RMA definition of “objectives” for the purpose of evaluating the proposed plan change. The RMA defines “objectives” as follows:

Objectives means, -

- (a) *for a proposal that contains or states objectives, those objectives:*
- (b) *for all other proposals, the purpose of the proposal.*

As the proposal does not “contain” or “states” objectives, based on this definition the “purpose of the proposal” must be evaluated as the objective to be achieved (alongside the existing objectives).

Accordingly, following the requirement set out in section 32(3) and section 32(1)(b) (*above*), the relevant existing objectives in the District Plan are examined to the extent that those objectives are relevant to the “purpose of the proposal” and would remain if the amending proposal were to take effect.

For completeness, this evaluation also includes an assessment of whether the new (proposed) provisions will help achieve the relevant existing objectives of the District Plan and will not undermine them.

LEGAL AND STATUTORY CONTEXT

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management means:

“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 well-being and for their health and safety while [emphasis added] –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(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.”

This evaluation under section 32 must, as directed in section 32(1)(a), “*examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve*” the purpose of the RMA.

Section 31 of the RMA sets out the functions of territorial authorities for the purpose of giving effect to the RMA, which includes:

“(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.”

The purpose of a district plan is to assist territorial authorities to carry out their functions to achieve the purpose of the RMA (s72).

Section 74 sets out the matters to be considered by a territorial authority for the purpose of preparing or changing its district plan. This includes its obligation to prepare an evaluation report prepared in accordance with section 32. As explained above, this report sets out that evaluation.

Pursuant to section 81 of the RMA, Council is obligated to make such changes to its district plans as considered necessary to cover any area that comes within its jurisdiction. A critical component of the proposed plan change is to align the district plan provisions applying to an area of land of approximately 14ha which was brought into Hamilton City by way of a further minor boundary change under the Local Government Act 2002 (“LGA”) in 2014.

This plan change is considered to be classed as a “simple plan change”, with an obvious basis for its promulgation and a straightforward solution. It also represents a cost-effective opportunity to also ensure the plan is updated to include relevant information for

development within the Temple View area. The proposed plan change amends the extent of SNAs within the Temple View area will be re-confirmed to align with consented situation; and a notation for 'Community Focal Point' will be added to Figure 4-5 to ensure correct linkage with Rule 5.5.11. This will address other plan outcomes since the district plan was notified in 2012; and the plan change allows an opportune time to ensure good plan administration.

2.0 Purpose of Plan Change and Outline of Proposed Methodology

The purpose of the proposed plan change is to introduce new and/or amended policies and methods to address the resource management issues described above. In particular, the proposal:

- Amends the District Plan to include the geographic extent of the additional 14ha transferred to Hamilton City in 2014 within the Temple View Zone so that the same plan provisions apply to the 14ha;
- Amends the rules within the Temple View Zone to remove any potential conflict with the case law principles regarding comprehensive development plans (or similar);
- Introduces new methods within the Temple View Zone (as it is currently described) to better reflect the existing environment as a consequence of the implementation of resource consents within the Temple View Zone which has occurred within the past 3-4-year period.

A summary of the process to develop the draft proposed plan change and evaluation of the proposed provisions is set out in the table below:

Step	Actions
Define the issue(s)	<p>a) The statutory requirement to make necessary changes to the district plan regarding the management of 14 hectares of land brought into Hamilton from Waipa in 2014.</p> <p>14 hectares of land adjacent to the Temple View Zone was transferred from Waipa District to Hamilton City on 2014. Section 81(3) ('s. 81') of the RMA requires a territorial authority to make such changes to its district plan as it considers necessary to cover any area that comes within its jurisdiction. In the context of the Temple View area, the provisions applying to the Temple View Zone within the District Plan pre-dates 2014 when the additional 14ha of land was transferred. Accordingly, there remains a misalignment between the district plan provisions applying to the transferred area and the remainder of the Temple View Zone (and the District Plan more generally).</p> <p>The fundamental purpose of this proposed plan change is to ensure that the 14ha of land is no longer subject to the rural zone provisions as they were under the July 2014 version of the Proposed Waipa District Plan which has effectively existed as a "bolt on" to the Hamilton City District Plan. The proposed plan</p>

	<p>change is intended to align the provisions applying to the 14ha to that of an urban zone, specifically the same plan provisions and planning framework as it applies to the balance of the Temple View area (and the City).</p> <p>b) The amendment of the current “Comprehensive Development Plan” (“CDP”) provisions which apply to the Temple View Zone to ensure that they do not conflict with the principles set out in the case law regarding rules and provisions in District Plan which enable applications for resource consents for “development plans”.</p> <p>Key decisions of the Environment Court² set out the RMA principles regarding what activities may be applied for through the resource consent process. Those decisions, <i>inter alia</i>, raised doubts as to the <i>vires</i> of an activity status for a particular activity, being determined by whether or not a land use consent (i.e., for a “development plan” or “development consent”) had previously been issued.</p> <p>The current planning provisions for the Temple View Zone include a similar planning tool whereby the status of a range of activities in the activity status table rely on whether a CDP exists. While the CDP itself does not determine the status of a subsequent activity, if resource consent has been issued for activities as a CDP, the fact that one has will determine the activity status for particular activities, based on the current activity status table. Accordingly, to avoid any doubt as to the <i>vires</i> of the provisions, Council considers it necessary for this proposed plan change to amend how the comprehensive development plan mechanism is applied in the Temple View zone.</p> <p>The basis for this is three pronged: first, to remove the potential that the rules may be <i>ultra vires</i>; second, to ensure that the planning provisions are certain and clearly able to be understood; and, third, to ensure that the intended outcomes as expressed in the relevant objectives and policies are achieved through the implementation of those provisions remain intact.</p> <p>c) Minor amendments to ensure consistency of plan provisions across the District Plan and to update specific provisions within the Temple View Zone. In particular:</p> <ul style="list-style-type: none"> • Amend the Significant Natural Areas (‘SNA’) area to reflect the outcomes from the developments on site through the implementation of consented activities; and • Amend Figure 4-5 to include a notation for ‘Community Focal Point’ to ensure correct linkage between the Figure
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² *Queenstown Airport Corporation Limited v Queenstown Lake District Council* [2014] NZEnv 93
Auckland City Council [2016] NZEnvC 056

	and Rule 5.5.11.
Identify and assess objectives	There are no changes proposed to relevant objectives for Temple View. However, there will be minor amendments to some policies for planning administration reasons only. What will be amended will also relate to the relevant or required amendment/additions to policies and plan provisions including text relating to introductions of Chapter 5 and Explanations. (Refer to Appendix 5.)
National and Regional Planning Context	The following higher planning documents are considered and given effect to in the preparation of this plan change: <ul style="list-style-type: none"> • National Policy Statements (NPS) • National Environmental Standards (NES) • Waikato Regional Policy Statement Also, important, albeit not considered higher planning documents are: <ul style="list-style-type: none"> • Waikato Regional Plan • Waikato Tainui Environmental Plan • July 2014 Waipa Proposed District Plan • Hamilton City Operative District Plan
Identify and screen	Following identification of the options for inclusion in the draft proposed plan change, consultation was carried out with Temple View residents via open days and individual meetings with key stakeholders.
	Consultation on the identified options with Temple View residents undertaken via individual meetings with Iwi Authority and their delegated body (Thawk). (Refer to Appendices 4 and 6)
Collect information on the selected option(s)	Assessment on the costs, benefits and risk of each option for the zone change, the modifications to CPD provisions and addition of the 'community focal point notation on Figure 4-5.
Evaluate option(s)	(Refer to Appendices 3 and 5)
Write evaluation report	Analyse options using chosen methodology and identify preferred option for evaluation. (Refer to Appendix 3)

3.0 Resource Management Issue Analysis

If Council does not undertake the plan change the planning regime for the 14 hectares will continue to be managed via the version of the Waipa District Plan dated 10 July 2014. This is contrary to Council's obligations and functions under the RMA. In planning terms, the current provisions do not align with the Hamilton planning framework and do not reflect the growth and development anticipated for the Temple View area.

The purpose of the plan change in this regard is to provide for a cohesive and integrated planning framework within the Hamilton City boundary, including all of the Temple View area.

With respect to the amendments regarding CDPs, it is important that the planning provisions for the Temple View area are lawful, certain, relevant and present best practice. Accordingly, the proposed plan change introduces amendments to the "CDP"

rules, as well as proposed amendments to other methods (rules) for the SNA boundary and corrections to cross-references and figures.

Full analysis for the plan change is contained in the attached Appendices. These appendices provide the evidence base, current plan provisions the consultation undertaken and the planning provisions that need to be amended and why:

- Appendix 2: Matters of Consideration
- Appendix 3: Assessment of Options
- Appendix 4: Consultation
- Appendix 5 Evaluation of Proposed Rules and Methods
- Appendix 6: Waikato Tainui correspondence
- Appendix 7: Technical Reports
- Appendix 8: Planning Provisions modified by Plan Change 3: Temple View Boundary Alteration

4.0 EVALUATION

To ensure that the evaluation of the proposed plan change is carried out to an appropriate level of detail, the table set out in Appendix 5 provides an assessment of the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the amending proposal (objectives, policies and rules). This assessment is required under section 32(1)(c).

In summary, the scale and significance of the effects anticipated from the proposed plan change is low. No new objectives or policies are proposed as part of the plan change. It is confined to a limited geographic area (Temple View Zone) and is primarily focused on the statutory requirement for the District Plan to cover the additional 14ha of land transferred to Hamilton City in 2014.

This is a consultative based approach where the main RMA issue relates to spatial layout of activities; it is for a defined area with a limited number of interested parties.

A weakness of this method is where there are fundamental differences over how resources are to be managed. This is not the case for the Temple View Proposed Plan Change as it is for a contained land area of 14 hectares that has been included into the Council's jurisdiction via a local government boundary adjustment process in 2014; the other changes proposed are specific to the Temple View area and do not impact on either the strategic framework of the Plan in general or impact city wide. Therefore, it is considered the method is the most appropriate.

The other plan change matters pertaining the location of SNAs and the notation of the Community Focal Point will all ensure the district plan is accurate and enable good plan administration.

As stated above, no new objectives or policies are proposed through the plan change. However, some minor amendments are proposed to be made to policies to ensure clarity and linkage with the updated terminology proposed to be applied to the methods (rules).

In summary, the proposed methods (rules) achieve the existing objectives Section 32(3) applies to the examination under section 32(1)(b) (regarding whether the provisions in the proposal are the most appropriate way to achieve the objectives).

5.0 IDENTIFY AND ASSESS REASONABLY PRACTICABLE OPTIONS

BOUNDARY CHANGE TO INCLUDE 14HA

The five options set out in Appendix 3 were canvassed with Temple View Residents and stakeholders during July –August 2016. The feedback received was very limited. However, the feedback identified the need for the proposed plan change provisions to ensure that future development at Temple View will be consistent with the recognised character and heritage values of the former Church College. Furthermore, that there should be a cohesive and considered approach to development within the Temple View Zone area aligned with the approach provided for within the existing plan provisions.

Relevantly, this is consistent with the recommended approach of Council staff which is to apply the same zoning and provisions as that which applies to the rest of the former Church College site. This will ensure a continuation of the integrated approach to development at Temple View.

Following receipt of the feedback which clearly favoured retaining the same integrated approach as that of the existing Temple View zone, Council officers focussed on the Temple View zoning as being the preferred option for evaluation.

AMENDMENTS TO EXISTING METHODS IN RESPONSE TO CASE LAW ON COMPREHENSIVE DEVELOPMENT PLANS

Council received no direct feedback in relation to the proposal to amend the CDP provisions (to address issues relating to the vires of those provisions). Neither did it receive any feedback on the balance of the proposed amendments to plan provisions as described earlier in this evaluation report.

However, the feedback did acknowledge that the provisions in the district plan should be relevant, robust and lawful.

AMENDMENTS RELEVANT TO IDENTIFIED CONFINED ISSUES (ADDITION OF THE NOTATION 'COMMUNITY FOCAL POINT' ON FIGURE 4-5 AND BOUNDARY OF SIGNIFICANT NATURAL AREA)

The plan proposes amendments to provisions relative to the specific issues listed above. These amendments essentially update or correct existing District Plan provisions to the Temple View area, specifically:

- The extent of the identified SNA area on Planning Maps 51B and 60B. This boundary is to be amended to reflect the location of the boundary as explained in ecological studies produced for the purposes of supporting applications for resource consent within the Temple View area.

6.0 EVALUATION OF PREFERRED OPTION(S) FOR PROVISIONS (POLICIES AND METHODS)

ASSESS EFFECTIVENESS, EFFICIENCY, BENEFITS, COSTS, RISK:

Appendix 3 sets out the assessment of the proposed options for the zoning of the 14 hectares. The five options established as valid options for consideration are as follows:

- Option 1: Retain the current Rural zoning (Waipa District Plan zoning and provisions as at the time of the transfer of the land into HCC, 2014).
- Option 2: Rezone the area Future Urban Zone
- Option 3: Rezone the area to General Residential Zone
- Option 4: Rezone area to Temple View Zone
- Option 5: Rezone area to Temple View Zone and overlay Precinct provision to ensure cohesive development with the existing precinct areas within the Temple View Zone.

MOST APPROPRIATE OPTION:

Consideration of the options is set out in Appendix 8.3. Following consultation, and further consideration of the feedback and case law direction, Option 5 was concluded to be the most appropriate.

Option 5 zones the entire 14 hectares as Temple View Zone along with a precinct overlay; it removes all referencing of 'Comprehensive Development Plans' relating to the Temple View zone ' and replaces the term with 'Precincts'; there is modification to the CDP provisions to ensure there is no implication of vires as per the relevant Auckland case Law; and there is refinement of the extent of the existing SNA area.

The development of the area, from being open and undeveloped to an urbanised area, including passive recreational spaces will be fully guided by the: strategic framework set out in Chapter 2 of the District Plan; the specific provisions pertaining to the Temple View Zone; and the assessment criteria in volume two of the District Plan that all resource consent applications are considered against. The District Plan's planning framework addresses the matters, regarding peatland management and the "sequestration of carbon dioxide" as raised by Waikato Tainui following their review of the draft section 32 report (dated November 2018).

7.0 CONCLUSION

This plan change is the final stage in the overall process of a boundary alteration in accordance with the Local Government Act and the Resource Management Act.

Full consultation, in accordance with the Schedule 1 requirements set out by the RMA, has been undertaken to canvas five options to address the resource management issues; the draft section 32 documentation has been reviewed by the local Iwi Authority in accordance with the requirements under section 32(4A) of that Act.

Of the several options considered, Option 5 is the most appropriate to address the matters covered by the plan change to achieve a planning framework over the 14 hectares that ensures the area is aligned with the Hamilton City Council's planning direction.

The plan change is also an opportunity to effectively and efficiently amend the district planning provisions for the Temple View Zone through the removal of potential vires and the refinement of the extent of the SNA area to ensure greater consistency in the plan administration of the area.

8.0 APPENDICES

Appendix 8.1: Statutory Requirements

Appendix 8.2: Matters of Consideration

Appendix 8.3: Assessment of Options:

Appendix 8.3A: Assessment of Options to cover the 14 ha of land as a result of the boundary alternation between Hamilton and Waipa

Appendix 8.3B: Assessment of Options to address provisions to replace 'Comprehensive Development Plan' provisions for the Temple View zone

Appendix 8.3C: Assessment of Options to correctly identify and map the Significant Natural Area within the Temple View Zone

Appendix 8.3D: Assessment of Options to address the identification of the 'Community Focal Point' notation and various administration amendments.

Appendix 8.4: Consultation

Appendix 8.5: Evaluation of Proposed Rules and Methods:

Appendix 8.5A: Proposed provisions to cover 14ha of land following boundary adjustment between Hamilton and Waipa.

Appendix 8.5B: Proposed provisions (amendments to policies, methods and rules) to remove "Comprehensive Development Plans" as a planning tool within the Temple View zone to ensure rules are vires

Appendix 8.5C: Proposed provisions (amendments to policies, methods and rules) to correctly identify and map a Significant Natural Area within the Temple View zone.

Appendix 8.5D: Proposed provisions (amendments to policies, methods and rules) to identify the "Community Focal Point" as a notation

- Appendix 8.5E: Proposed provisions (amendments to policies, methods and rules) to address plan administration issues (minor corrections and amendments)
- Appendix 8.6: Waikato Tainui Correspondence:
- Appendix 8.6A: HCC assessment of the proposed Plan Change against the Environmental Plan and Waikato Tainui's correspondence
 - Appendix 8.6B: Correspondence from THaWK confirming meeting attendance, actions undertaken and support for the Plan Change.
 - Appendix 8.6C: Iwi Authority review and feedback on Plan Change 3: Temple View Boundary Alteration – Section 32 report.
- Appendix 8.7: Technical Reports:

APPENDIX 8.1: STATUTORY REQUIREMENTS

APPENDIX 8.1: STATUTORY REQUIREMENTS		
Section/Clause	Text	Summary – briefly summarise how these clauses/sections have been complied with
Schedule 1 3 Consultation	<p>(1) During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—</p> <ul style="list-style-type: none"> (a) the Minister for the Environment; and (b) those other Ministers of the Crown who may be affected by the policy statement or plan; and (c) local authorities who may be so affected; and (d) the tangata whenua of the area who may be so affected, through iwi authorities; and (e) any customary marine title group in the area. <p>(2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.</p> <p>(3) Without limiting sub clauses (1) and (2), a regional council which is preparing a regional coastal plan shall consult—</p> <ul style="list-style-type: none"> (a) the Minister of Conservation generally as to the content of the plan, and with respect to those activities to be described as restricted coastal activities in the proposed plan; and (b) the Minister of Transport in relation to matters to do with navigation and the Minister’s functions under Parts 18 to 27 of the Maritime Transport Act 1994; and (c) the Minister of Fisheries in relation to fisheries management, and the management of aquaculture activities. <p>(4) In consulting persons for the purposes of sub clause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.</p>	<p>Full consultation has been carried as out as set out in Appendix 4 of this report.</p>

<p>Schedule 1 4A Further Pre-Notification Requirements Concerning Iwi Authorities</p>	<p>(1) Before notifying a proposed policy statement or plan, a local authority must—</p> <p>(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause; and</p> <p>(b) have regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.</p> <p>(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with sub clause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.</p>	<p>During the preparation and formation of the s.32 and plan change documentation full consultation has occurred with the Iwi Authority and their representative hapu collective (refer to Appendix 4).</p> <p>The final draft s.32 was reviewed by Waikato Tainui, as the Iwi Authority in accordance with s.32(4A), between November 2018 and early January 2019. The outcomes of that review have been confirmation of their general support of the plan change and the identification of two overarching matters that are to be considered for all resource management activities, being – the management and protection of remnant peatlands and the sequestration of carbon dioxide through improving land use activities. This feedback has been tested against the strategic framework that already is set out in the Operative District Plan. It is considered that the strategic planning provisions for the district plan already capture and set out an appropriate approach to address the matters raised in the feedback. Accordingly, no additional text is required to be added into the planning document.</p>
<p>5 Purpose</p>	<p>(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.</p> <p>(2) In this Act, sustainable management means managing the use,</p>	<p>A full s.32 evaluation has been completed in accordance with the RMA requirements.</p>

	<p>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 well-being and for their health and safety while—</p> <p>(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</p> <p>(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</p> <p>(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.</p>	
<p>32 Requirements for Preparing and Publishing Evaluation Reports</p>	<p>(1) An evaluation report required under this Act must—</p> <p>(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and</p> <p>(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—</p> <p>(i) identifying other reasonably practicable options for achieving the objectives; and</p> <p>(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and</p> <p>(iii) summarising the reasons for deciding on the provisions; and</p> <p>(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.</p> <p>(2) An assessment under subsection (1)(b)(ii) must—</p> <p>(a) identify and assess the benefits and costs of the environmental,</p>	

	<p>economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—</p> <ul style="list-style-type: none"> (i) economic growth that are anticipated to be provided or reduced; and (ii) employment that are anticipated to be provided or reduced; and <p>(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and</p> <p>(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.</p> <p>(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—</p> <ul style="list-style-type: none"> (a) the provisions and objectives of the amending proposal; and (b) the objectives of the existing proposal to the extent that those objectives— <ul style="list-style-type: none"> (i) are relevant to the objectives of the amending proposal; and (ii) would remain if the amending proposal were to take effect. <p>(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.</p> <p>(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—</p> <ul style="list-style-type: none"> (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice. 	
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	<p>(5) The person who must have regard to the evaluation report must make the report available for public inspection—</p> <p>(a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or</p> <p>(b) at the same time as the proposal is notified.</p> <p>(6) In this section,—</p> <p>objectives means,—</p> <p>(a) for a proposal that contains or states objectives, those objectives:</p> <p>(b) for all other proposals, the purpose of the proposal</p> <p>proposal means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act</p> <p>provisions means,—</p> <p>(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:</p> <p>(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.</p>	
<p>32A Failure To Carry Out Evaluation</p>	<p>(1) A challenge to an objective, policy, rule, or other method on the ground that an evaluation report required under this Act has not been prepared or regarded, a further evaluation required under this Act has not been undertaken or regarded, or section 32 or 32AA has not been complied with may be made only in a submission under section 49, 149E, 149F, or 149O or under Schedule 1.</p> <p>(2) Subsection (1) does not prevent a person who is hearing a submission or an appeal on a proposal from having regard to the matters stated in section 32.</p> <p>(3) In this section, proposal means a proposed statement, national planning standard, plan, or change for which—</p> <p>(a) an evaluation report must be prepared under this Act; or</p>	<p>No comment required, a full s.32 evaluation has been undertaken.</p>

	(b) a further evaluation must be undertaken under this Act.	
72 Purpose of district plans	The purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.	-
73 Preparation and change of district plans	<p>(1) There must at all times be 1 district plan for each district, prepared in the manner set out in the relevant Part of Schedule 1.</p> <p>(1A) A district plan may be changed in the manner set out in the relevant Part of Schedule 1.</p> <p>(1B) A territorial authority given a direction under section 25A(2) must prepare a change to its district plan in a way that implements the direction.</p> <p>(2) Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Part 2 or 5 of Schedule 1.</p> <p>(2A) A request for a plan change may be made jointly with an application to exchange recreation reserve land under 'section 15AA' of the Reserves Act 1977 if the territorial authority—</p> <p>(a) is also the administering body in which the recreation reserve land is vested; and</p> <p>(b) agrees that the request and application may be made jointly.</p> <p>(3) A district plan may be prepared in territorial sections.</p> <p>(4) A local authority must amend a proposed district plan or district plan to give effect to a regional policy statement, if—</p> <p>(a) the statement contains a provision to which the plan does not give effect; and</p> <p>(b) one of the following occurs:</p> <p>(i) the statement is reviewed under section 79 and not changed or replaced; or</p> <p>(ii) the statement is reviewed under section 79 and is changed or replaced and the change or replacement becomes operative; or</p>	-

	<p>(iii)the statement is changed or varied and becomes operative.</p> <p>(5)A local authority must comply with subsection (4)—</p> <p>(a)within the time specified in the statement, if a time is specified; or</p> <p>(b)as soon as reasonably practicable, in any other case.</p>	
74 Matters to be considered by territorial authority	<p>(1)A territorial authority must prepare and change its district plan in accordance with—</p> <p>(a)its functions under section 31; and</p> <p>(b)the provisions of Part 2; and</p> <p>(c)a direction given under section 25A(2); and</p> <p>(d)its obligation (if any) to prepare an evaluation report in accordance with section 32; and</p> <p>(e)its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and</p> <p>(ea)a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and</p> <p>(f)any regulations.</p> <p>(2)In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—</p> <p>(a)any—</p> <p>(i)proposed regional policy statement; or</p> <p>(ii)proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and</p> <p>(b)any—</p> <p>(i)management plans and strategies prepared under other Acts; and</p> <p>(ii)[Repealed]</p> <p>(iia)relevant entry on the New Zealand Heritage List/Rārangi Kōrero required by the Heritage New Zealand Pouhere Taonga Act 2014; and</p> <p>(iii)regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including</p>	All matters have been considered in the preparation of the proposed plan change.

	<p>regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—</p> <p>to the extent that their content has a bearing on resource management issues of the district; and</p> <p>(c)the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.</p> <p>(2A)A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.</p> <p>(3)In preparing or changing any district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.</p>	
<p>75 Contents of district plans</p>	<p>(1)A district plan must state—</p> <p>(a)the objectives for the district; and</p> <p>(b)the policies to implement the objectives; and</p> <p>(c)the rules (if any) to implement the policies.</p> <p>(2)A district plan may state—</p> <p>(a)the significant resource management issues for the district; and</p> <p>(b)the methods, other than rules, for implementing the policies for the district; and</p> <p>(c)the principal reasons for adopting the policies and methods; and</p> <p>(d)the environmental results expected from the policies and methods; and</p> <p>(e)the procedures for monitoring the efficiency and effectiveness of the policies and methods; and</p> <p>(f)the processes for dealing with issues that cross territorial authority boundaries; and</p> <p>(g)the information to be included with an application for a resource consent; and</p> <p>(h)any other information required for the purpose of the territorial</p>	-

	<p>authority's functions, powers, and duties under this Act.</p> <p>(3)A district plan must give effect to—</p> <p>(a)any national policy statement; and</p> <p>(b)any New Zealand coastal policy statement; and</p> <p>(ba)a national planning standard; and</p> <p>(c)any regional policy statement.</p> <p>(4)A district plan must not be inconsistent with—</p> <p>(a)a water conservation order; or</p> <p>(b)a regional plan for any matter specified in section 30(1).</p> <p>(5)A district plan may incorporate material by reference under Part 3 of Schedule 1.</p>	
<p>81 Boundary Adjustments</p>	<p>(1) Where the boundaries of any region or district are altered, and any area comes within the jurisdiction of a different local authority,—</p> <p>(a) the plan or proposed plan that applied to the area before the alteration of the boundaries shall continue to apply to that area and shall, in so far as it applies to the area, be deemed to be part of the plan or proposed plan of the different local authority:</p> <p>(b) any activity that may, before the alteration of the boundaries, have been undertaken under section 19 may continue to be undertaken as if the alteration of the boundaries had not taken place.</p> <p>(2) Where the boundaries of any district are altered to include within that district any area not previously within the boundaries of any other district, no person may use that land unless expressly allowed by a resource consent, until a district plan provides otherwise.</p> <p>(3) A territorial authority shall, as soon as practicable but within 2 years, make such changes to its district plans as it considers necessary to cover any area that comes within its jurisdiction, and, after the changes are made, this section shall cease to apply.</p>	<p>This is the main reason for the proposed plan change.</p>

APPENDIX 8.2: MATTERS FOR CONSIDERATION

APPENDIX 8.2: MATTERS FOR CONSIDERATION¹		
Criteria	Matters for Consideration	Actions Required
Reason for the change	<ul style="list-style-type: none"> • Gives effect to a higher-level RMA documents • Assessed as having high significance under the LGA • Robust district plan administration • Avoidance of vires • Ensure rules are <i>vires</i> and certain 	<p><u>Boundary adjustment:</u> As the land was brought into the City via LGA boundary adjustment in 2014 Council is required to undertake a plan change required under s.81(3) of RMA.</p> <p>A change in the zoning will ensure effective plan administration as the present land zoning does not align with Hamilton’s planning framework.</p> <p><u>Plan Administration:</u> Caselaw over the recent years (Queenstown and Auckland) regarding the application of comprehensive development plans as a district planning tool have been determined by the Courts as having fails with regard to what can and cannot occur through as a result of obtaining a resource consent. Due to this case law the framework for Temple View comprehensive development plans (‘CDPs’) has been reviewed and determined that amendments are required to ensure up-to-date plan administration and remove the potential to offend the Act.</p> <p>Since 2009, resource consented work within the former Church College and Temple sites has occurred. To ensure planning provisions correctly reference these changes the areas of Significant Natural Areas (‘SNAs’) has been reviewed and amended to reflect the updated situation.</p> <p>Add the notation “Community Focal Point” onto Figure 4-5 to ensure the correct</p>

¹ This format is taken from the MfE Guidance on s.32

<p>Degree of shift from the current approach</p>	<ul style="list-style-type: none"> • Address existing or new RMA issue • Proposing a new management refine/minor or major change in rule framework • Extent and scale of regulatory impact • Degree of ‘packaging’ with other plan changes or other interventions • Discrete provisions or broader suite of existing provisions • Changing existing plan objectives and to what degree 	<p>linkage between this figure and Rule 5.5.11.</p> <p><u>Boundary adjustment:</u> The 14 hectares is presently zoned Rural under the Waipa District Plan as at 10 July 2014. The plan change is required pursuant to Section 81, RMA (Refer to Appendix 8.1 of this report). Accordingly, there is now an expectation that the land will be used for urban purposes. Therefore, long-term it is anticipated there will be a visual change from the existing ‘rural’ view into an urban, built form. The proposed zone change will also alter the development potential afforded the 14ha under an urban zoning verse the existing rural zoning.</p> <p>The planning framework proposed for the 14 ha would align directly to that of the existing areas that make up the Temple View Zone. Presently, if urban development was intended on the 14ha area it would need to be considered as a Non-Complying Activity in the Waipa “Bolt-On” section of the District Plan. While under the planning framework for the Temple View zone such development would be at minimum a Restricted Discretionary Activity.</p> <p>This proposed plan change is for the replication of the existing zoning provisions provided for under the Temple View Zone in the Operative District Plan over the 14ha area, subject to the further amendments described below. There are no changes proposed to the existing objectives and policies for the zone.</p> <p><u>Plan Administration</u> Principles arising from the Auckland and Queenstown cases identified the possible <i>vires</i> of rules providing for CDPs, or similar in district plans. As a result, the CDP rules for the Temple View zone were reviewed. The existing CDP rules do not establish a process by which a CDP will determine the activity status of subsequent activities. However, the activity status of a range of will be determined by whether a CDP has been granted or not. This creates uncertainty as to whether the rules are indeed vires. Furthermore, the interpretation and implementation of the rules becomes unclear</p>
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		<p>whether or not a CDP has been issued. Accordingly, the proposed modifications to the provisions set out to remove the provisions requiring the establishment of a CDP. The areas presently identified as CDP '1', '2' and '3' will be renamed as 'Precinct 1', '2', '3'. The amendments ensure that the rules are <i>vires</i> and will provide for integrated development within the Temple View zone which is sympathetic to the special characteristics of the area. The potential for development to be comprehensively planned and implemented is provided for in the proposed amended rules. This means that the Temple View Zone will continue to be developed in an integrated manner.</p> <p>Update the planning provisions to correctly reference the areas of Significant Natural Areas ('SNAs').</p> <p>Add the notation "Community Focal Point" onto Figure 4-5 to ensure the correct linkage between this figure and Rule 5.5.11.</p>
<p>Who and how many will be affected</p>	<ul style="list-style-type: none"> • Degree of public interest and engagement in issue • Degree to which proposal will address identified community outcomes • How many will be affected? Single landowner/multiple landowners/occupiers/ • neighbourhoods/businesses/cities/future generations • Degree of impact on private property • No changes to the fundament of cohesive and connectivity requirement for the Temple View Zone 	<p><u>Boundary adjustment:</u> The 14ha area is under one ownership, being owned by the LDS Trust Board. This area as part of the overall former Church College site and so the development opportunities for the entire area is of interest to the Temple View Community.</p> <p><u>Plan Administration</u> The term 'comprehensive development plans' has been identified as having a key impact on the perception of the output from the planning process. Therefore, it is proposed to replace this term throughout the Temple View zoning chapter. Replacing 'Comprehensive Development Plans' term with 'precincts' and to amend the provisions to outline more clearly the way activities within these areas are to be established will address concerns regarding the <i>vires</i> of rules. There are no fundamental changes proposed (or required) to the anticipated outcomes by these changes. It is considered the proposed changes do not impact on the community.</p> <p>Add the notation "Community Focal Point" onto Figure 4-5 to ensure the correct</p>

		<p>linkage between this figure and Rule 5.5.11.</p> <p>Council staff have engaged through mail and held two 'drop-in' sessions in Temple View so all land owners and residential of the Temple View settlement and surrounding properties in the Waipa and Waikato Districts. Feedback obtained is outlined in Appendix 8.4: Consultation.</p>
Degree of impact on, or interest from iwi/Maori	<ul style="list-style-type: none"> • Level of interest from iwi/Maori engagement with iwi on the issue • Likely degree of impact on iwi/hapu • Impact on sites, areas or resources of significance to iwi/Maori • Degree of consistency with iwi management plans 	<p><u>Boundary Adjustment and Plan Administration</u></p> <p>Council have undertaken to consult with Waikato Tainui, THaWK and directly with Ngaati Mahunga (the Hapu, whose rohe Temple View is located within).</p> <p>A review of the proposed plan change against the Waikato-Tainui Environmental Plan has been undertaken and concluded there was no major concerns that arise from that review. The plan change covers a discrete are of land.</p> <p>This review has been sent to Waikato Tainui for comment identify no issues raised and support given in principal for the plan change subject to the outcome of consultation with Thawk and directly with the hapu of the area, Ngaati Mahunga.</p> <p>Further dialogue has been had with Ngaati Mahunga/THaWK, Refer to Appendix 6: Waikato Tainui correspondence.</p>
When will affects occur?	<ul style="list-style-type: none"> • Temporarily (weeks or months) • For the next 1-5 years • On-going into the future 	<p>The proposed changes will become effective in accordance with the RMA first schedule process and those provisions finalised through the first schedule process being adopted and implemented.</p>
Geographic scale of impacts	<ul style="list-style-type: none"> • Very localised or wide ranging (i.e. single site/whole zones/one or more regions/single or multiple natural resources) 	<p>The proposed changes are localised to the Temple View area.</p>
Type of effect	<ul style="list-style-type: none"> • Acute/chronic/temporary/cumulative/positive/negative/irreversible • Likelihood and consequence (e.g. low 	<p>The overall effect the plan change will have on the surrounding environment and the administration of the plan will be positive.</p>

	<p>probability, high consequence)</p> <ul style="list-style-type: none"> • Part(s) of environment affected (ecosystems, infrastructure, amenity) • Degree of impact on social, cultural or economic well-being • Degree of impact (positive/negative) on Part 2 matters 	<p>The proposed changes will align an existing discrete area of land's zoning with the rest of the Temple View area to ensure a cohesive management of the land resource under the Hamilton City Operative District Plan.</p> <p>Since the 1950s, the area has been modified in the past via agricultural and school uses the existing ecosystem have been modified. Although rezoning of the 14 hectares. The proposal to rezone the area from rural to urban will amend the provisions applying to the area so that the existing land uses within the 14 hectares will change over time as the proposed zoning will enable the intensification of built form within the area (subject to controls as set out in the proposed rules).</p> <p>However, this is the anticipated urban form for the adjoining area within the City's urban limit so it is not it is not considered to impact on the existing ecosystem. This having been modified through redevelopment of the Former Church College site in accordance of consented activities being constructed. The open nature of the area that presently buffers the existing built forms and true rural activities will be lost through urbanisation however it is noted that a large proposition of the 14 hectares will have limited development potential due to geotechnical constraints (peat) which will ensure a degree of 'buffer' remains.</p> <p>It is considered the degree of impact the proposed plan change will have on Part 2, RMA matters is negligible.</p>
<p>Degree of policy risk, implementation risk, or uncertainty</p>	<ul style="list-style-type: none"> • Community reaction • Whether: • Novel, untested approach • Weak evidence base • High uncertain benefits and costs • Dependent on other initiatives (such as non-RMA mechanisms) • Challenging implementation timeframes 	<p>The Council will not achieve its statutory obligations to ensure all land under its jurisdiction is managed via its district planning framework; the retention of the Temple View Zone's CDP rules could be challenged for being unlawful; and continuing to show inaccurate boundaries for the SNA may lead to poor planning outcomes in the future.</p>

APPENDIX 8.3: ASSESSMENT OF OPTIONS

- Appendix 8.3A: Assessment of Options to cover the 14 ha of land as a result of the boundary alternation between Hamilton and Waipa
- Appendix 8.3B: Assessment of Options to address provisions to replace 'Comprehensive Development Plan' provisions for the Temple View zone
- Appendix 8.3C: Assessment of Options to correctly identify and map the Significant Natural Area within the Temple View Zone
- Appendix 8.3D: Assessment of Options to address the identification of the 'Community Focal Point' notation and various administration amendments.

APPENDIX 8.3A: ASSESSMENT OF OPTIONS TO COVER THE 14 HA OF LAND AS A RESULT OF THE BOUNDARY ALTERNATION BETWEEN HAMILTON CITY AND WAIPA DISTRICT (S32(1)(B)(1))

OBJECTIVE	PURPOSE OF PROPOSED PLAN CHANGE – TO AMEND CURRENT PLANNING FRAMEWORK AND TO INTEGRATE 14HA OF LAND FOLLOWING BOUNDARY ADJUSTMENT BETWEEN HAMILTON CITY AND WAIPA DISTRICT				
Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Approach to achieve objective	Describe the option and acknowledge the source of this option (if there is one. For example, feedback from consultation, suggestions from workshops with elected members etc.)	How effective provisions are in achieving the objective(s)	Within council’s powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce	Level of equity and fair distribution of impacts, level of community acceptance Where possible identify at a broad level social, economic, environmental, cultural effects	Discard or evaluate further (with brief explanation)
<p>Option 1: Retain the current Rural zoning (Waipa District Plan zoning and provisions as at the time of the transfer of the land into HCC, 2014).</p>	This option would mean continuing with the existing “bolt on” of the Waipa District Plan rural zoning, including the objectives, policies and methods for that zone.	Retaining provisions which were promulgated under a different local authority’s jurisdiction is not considered effective or relevant in achieving the strategic objectives in the ODP, nor would it achieve the objective of the plan change.	Council could continue to manage this land under the Waipa District Plan. However, this would be inconsistent with the statutory direction in section 81 of the RMA. Furthermore, the option would not align with Council’s strategic direction as set out in	The retention of rural zoning and the “open space” between the urban form of Temple View and the rural hinterland of Waipa District Plan may be acceptable to some parts of the community as it continues with the status quo.	Reject.

		<p>There are no other areas in the City zoned Rural and given the proximity of the land in question to the existing Temple View zone it would be anomalous to continue with a rural zone.</p>	<p>the strategic objectives of the ODP. Retaining the rural zoning would be inconsistent with the objectives for the Temple View zone and character area which is immediately adjacent to the land (the majority of which is indeed owned by LDS)</p>	<p>However, given that the ODP does not have a comparative zone it is likely that most sectors of the community will not consider this option to be acceptable as it will mean an absence of planning controls to ensure both the sustainable development of the land as well as ensuring the character of the Temple View area is managed and protected in an integrated way from unanticipated development (such as agricultural activities) that would not be complementary and cohesive connected development of the area. A lack of strategic</p>	
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				<p>planning for the land could mean ongoing uncertainty for the community (including the land owner(s)). This in turn may mean that the economic opportunities for the land are not realised. Impact.</p>	
<p>Option 2 Rezone the area Future Urban Zone</p>	<p>This option would mean the objectives, policies and rules of the Future Urban Zone will apply to the land. This is essentially a “holding pattern” zone until a structure plan process is carried out to determine a specific zoning. It is noted that the 14ha area is owned by the same land owner of the Temple View zone land (which contains the former Church College and the existing Temple).</p>	<p>The zoning would mean that the additional 14ha is covered by the ODP provisions. However, simply adopting the Future Urban zone does not consider or address the adjoining Temple View zone and the existing environment in which it is located. Because the Future Urban zone objectives and policies under the ODP do not align with those of the adjoining Temple View zone, this</p>	<p>Feasible with respect to Council’s powers etc. However, this zoning option would not align with Council’s strategic direction and the importance of ensuring the Temple View area’s special character is protected (through the Temple View zone objectives, policies and methods. Accordingly, there is a lack of certainty that the zoning will lead to sustainable planning outcomes.</p>	<p>The Future Urban zoning would effectively mean that the 14ha does not have a suite of focussed planning controls which will ensure both the sustainable development of the land as well as ensuring the character of the Temple View area is managed and protected from un-anticipated development. The Future Urban zone would not facilitate integrated and</p>	<p>Reject.</p>

		<p>option would potentially create a conflict between the type and scale of development that is supported under each. For example, the Temple View zone includes objectives and policies which expect provision for fully reticulated urban development in the Temple View zone. However, this is not replicated in the Future Urban zone.</p> <p>While the Future Urban zone is intended to function as a 'holding' pattern before a comprehensive review of land uses is undertaken, given the location and relatively small area of 14ha of land, it is considered logical from a planning</p>		<p>complementary development with that of the existing Temple View zone and this may have some adverse environmental, social and cultural effects.</p>	
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		<p>perspective for the zoning of this are of land to be determined now, rather than deferring until a future date.</p> <p>Rezoning the land Future Urban would result in a planning framework with no clear linkages to with either the existing zone or the adjoining Rural Zone. This is not a sustainable zoning approach.</p>			
<p>Option 3: Rezone the area to General Residential Zone</p>	<p>This would mean that the objectives, policies, rules and methods of the General Residential zone as provided for in the ODP would apply to the 14ha. The General Residential zone applies to a significant proportion of Hamilton City.</p>	<p>This option would achieve some degree of integration of the 14ha within the ODP. For example, the General Residential zone includes objectives and policies regarding reticulated services for urban development.</p> <p>However, the General</p>	<p>Feasible with respect to Council’s powers etc. However, this zoning option would not align with Council’s strategic direction and the importance of ensuring the Temple View area’s special character is protected (through the Temple View zone objectives, policies and methods.</p>	<p>There is likely to be a low acceptance of this option from all sectors. General residential zone would not present a sustainable use of the land due to its proximity to the existing Temple View zone and lack of integration with the Temple View zone provisions (particularly</p>	<p>Reject.</p>

		<p>Residential zone would not provide a planning framework which will manage the relationship between new development and the character elements of the Temple View area (as provided for in the Temple View zone special character area overlay).</p> <p>In that regard, simply rezoning the land General Residential does not represent a sustainable management approach to zoning of the 14ha.</p> <p>While the Temple View “settlement area” is zoned General Residential, the location of the 14ha in relation to the Temple View character area supports a continuation of the</p>	<p>While the zoning might facilitate some development in the short term, there is a risk that such development will conflict with the character of the existing Temple View zone and create adverse effects which are not intended or anticipated for the general area.</p>	<p>ensuring the character of the Temple View area is managed and protected from development which could be inconsistent that that character).</p> <p>There may be some increased short-term development opportunities for the area. However, unless this is integrated with, and complementary to, development in the existing Temple View zone, this may result in adverse environmental, social and cultural effects.</p>	
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		Temple View zone across the 14ha.			
Option 4: Rezone the area to Temple View Zone	This option would introduce the same zoning as the adjacent area, including the objective, policies and rules of the Temple View zone.	This zoning would achieve the objective (purpose) of the plan change and the strategic objectives for Hamilton City as set out in the ODP. There is likely to be a high level of consistency and potential for integration with the adjacent Temple View zone, including fully reticulated urban development.	Feasible with respect to Council's powers etc. This zoning would better align with Council's strategic planning direction to ensure the area's special character is protected through objective, policies and specific provisions. Some degree of uncertainty, given the previous CDP area approach (proposed to be replaced with "Precincts" through proposed plan change) is not part of this option.	There is likely to be a higher level of acceptance from the community as the Temple View zoning is already "understood" and the likely effects of the same provisions (e.g., development possibilities) can be anticipated.	Reject.
Option 5: Rezone area to Temple View Zone and overlay Precinct provisions to ensure fully integrated development between	This option would introduce the same zoning as the adjacent area, including the objective, policies and rules of the Temple	Considered to be the most effective for achieving the objectives. While option 4 would also achieve the objectives,	Feasible. This zoning, together with the addition of the Precinct overlay, which places a greater emphasis on	Anticipated to receive the highest level of acceptance by the community as it expected to achieve consistency and	Support. Recommended option for proposed provisions. Most appropriate to achieve

<p>14ha and the existing Precinct areas (currently described in ODP as CDP areas), within the Temple View Zone.</p>	<p>View zone and would include the overlay of a Precinct to reflect the framework that already exists for the rest of the Temple View zoned area.</p>	<p>it would not be as effective as the proposed "Precinct" approach being applied across the 14ha area.</p> <p>Expected to be a high level of consistency and integration of development between the adjacent Temple View zone, including fully reticulated urban development.</p> <p>Enables the character elements for the Temple View area to be managed consistently.</p>	<p>connectivity of development within the Temple View Zone, provides high level of certainty for achieving the objectives.</p>	<p>integration with the existing character of the Temple View area. For example, the planning provisions for the management of character and heritage will be the same across the additional 14ha as that of the existing Temple View zone.</p> <p>Anticipated long term benefits (positive environmental, social, cultural and economic effects) from having a consistent approach to planning framework. For example, the management of the character and heritage elements over the former Church College site.</p> <p>The overlay of Precinct controls will enhance integration and connectivity between the "areas" within the</p>	<p>objectives.</p>
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				Temple View zone.	
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APPENDIX 8.3B: ASSESSMENT OF OPTIONS TO ADDRESS PROVISIONS TO REPLACE ‘COMPREHENSIVE DEVELOPMENT PLAN’ PROVISIONS FOR THE TEMPLE VIEW ZONE

<p>OBJECTIVE(S)</p>	<p>PURPOSE OF PROPOSED PLAN CHANGE – AMEND EXISTING TEMPLE VIEW ZONE PROVISIONS (USE OF “COMPREHENSIVE DEVELOPMENT PLANS”) TO ENSURE THAT THE RULES ARE VIRES THE RMA.</p> <p><u>CHAPTER 5: SPECIAL CHARACTER ZONES</u></p> <p>OBJECTIVE 5.2.1 THE SPECIAL CHARACTER ZONES RETAIN AND ENHANCE THEIR IDENTIFIED VALUES;</p> <p>OBJECTIVE 5.2.2 RESIDENTIAL DEVELOPMENT PRODUCES GOOD ON-SITE AMENITY;</p> <p>OBJECTIVE 5.2.6 TO ENSURE THAT DEVELOPMENT WITHIN THE TEMPLE VIEW HERITAGE AREA MAINTAINS AND ENHANCES THE SPECIAL HERITAGE CHARACTERISTICS OF THE AREA;</p> <p>OBJECTIVE 5.2.7 TO ENSURE DEVELOPMENT WITHIN THE TEMPLE VIEW CHARACTER AREA MAINTAINS AND ENHANCES ITS SPECIAL CHARACTER.</p>				
<p>Options</p> <p>Approach to achieve objective(s)</p>	<p>Description (brief)</p> <p>Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc)</p>	<p>Relevance</p> <p>How effective are the provisions in achieving the objective(s)</p>	<p>Feasibility</p> <p>Within council’s powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce</p>	<p>Acceptability</p> <p>Level of equity and fair distribution of impacts, level of community acceptance</p> <p>Where possible identify at a broad level social, economic, environmental, cultural effects</p>	<p>Recommendation</p> <p>Discard or evaluate further (with brief explanation)</p>
<p>Retain existing planning provisions</p>	<p>This option would retain the status quo which includes CDP “areas” and rules which apply within the particular areas. The</p>	<p>Retaining the existing CDP planning provisions would not achieve the objective of ensuring that the rules in the Temple</p>	<p>Council has responsibility to ensure that its district plan is robust. While the existing CDP provisions do not offend the most</p>	<p>Retaining the status quo may not impact on the community in a direct way. There may be some indirect impacts if the lack of</p>	<p>Reject. It is not considered appropriate for Council to retain provisions which are at risk of being <i>ultra vires</i> the RMA.</p>

	activity status of any listed activity will depend on whether a CDP has been granted.	View zone are <i>vires</i> . Furthermore, while the status quo could continue without a substantive challenge being made to the CDP approach, the uncertainty regarding the implementation of the provisions undermines the ability for the ODP to achieve existing objectives within the relevant chapters.	critical of the case law principles (i.e., consent is not obtained for a “plan” which then determines activity status for subsequent activities), there remains a level of uncertainty that is considered unacceptable. There is an ongoing risk that the objectives for the Temple View character area may not be achieved due to the uncertainties associated with the CDP rules. Accordingly, this option is not considered to be feasible.	certainty regarding the provisions leads to planning outcomes which aren’t anticipated through the objectives and policies for the zone.	
Revise the CDP planning mechanism for the Temple View zone to remove risk that the provisions are <i>ultra vires</i> the RMA.	This option involves revising the existing CDP mechanism (including relevant rules) and replacing with rules for specific activities which are	This option will achieve the objectives of the plan change and the objectives of the existing zoning of the land. The use of Precincts in place of	Feasible. The proposed modification to the planning provisions, removing the references to CDPs and related provisions can be achieved	Likely to have a high level of acceptance from the community. There will be minimal impact on the community and essentially neutral	Support. Recommended option for proposed provisions. Most appropriate to achieve objectives.

	<p>assigned an activity status in accordance with the scale and character of development provided for within particular development areas – described as “Precincts”.</p>	<p>CDP areas and identifying the type of development to be enabled through the rules will achieve the objectives of the special character area and will integrate with the existing development that has occurred in reliance on the CDP rules.</p>	<p>without the need for wider scale and/or significant modifications to the current planning framework. There is potentially some low-level risk or uncertainty that “new” development may not integrate with existing development under the CDP rules. However, this is not considered to be significant as the existing (unchanged) objectives and policies retain the context for the new rules.</p>	<p>“effects”.</p>	
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APPENDIX 8.3C: ASSESSMENT OF OPTIONS TO CORRECTLY IDENTIFY AND MAP THE SIGNIFICANT NATURAL AREA WITHIN THE TEMPLE VIEW ZONE

OBJECTIVE(S)	<p>OBJECTIVE 20.2.1. SIGNIFICANT NATURAL AREAS ARE PROTECTED, MAINTAINED AND RESTORED AND ENHANCED</p> <p>OBJECTIVE 20.2.2 PUBLIC AWARENESS AND APPRECIATION OF SIGNIFICANT NATURAL AREAS IS INCREASED.</p>				
<p>Options</p> <p>Approach to achieve objective(s)</p>	<p>Description (brief)</p> <p>Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc)</p>	<p>Relevance</p> <p>How effective provisions are in achieving the objective(s)</p>	<p>Feasibility</p> <p>Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce</p>	<p>Acceptability</p> <p>Level of equity and fair distribution of impacts, level of community acceptance</p> <p>Where possible identify at a broad level social, economic, environmental, cultural effects</p>	<p>Recommendation</p> <p>Discard or evaluate further (with brief explanation)</p>
<p>Retain existing planning provisions / Do Nothing</p>	<p>Ignore expert technical evidence from resource consent process that identifies accurate boundaries of SNA and retain the existing mapping.</p>	<p>Retaining the existing planning provisions does not represent best practice. Considering the knowledge of the accurate boundary for the SNA, retaining the existing boundary for</p>	<p>-</p>	<p>Plan provisions will not align with the consented environment. Low level of acceptance considering accurate information about boundaries of SNA. Broadly, economic,</p>	<p>Reject.</p>

		the same will not achieve the relevant objectives.		environmental and community/cultural effects will be negative considering there being accurate technical evidence/information regarding the boundaries and extent of the SNA.	
Align with the consented baseline regarding SNAs and DP provisions	Amend existing identification of extent and boundary of the SNA considering technical evidence provided in the context of a resource consent application within the Temple View Zone.	Most effective to achieve objectives	Feasible. The plan change process provides opportunity for Council to amend boundary and it is considered appropriate that it do so.	Likely to have a high level of acceptance due to accuracy of technical evidence/information. Provides certainty for applicants and community.	Support. Recommended option for proposed provisions. Most appropriate to achieve objectives.

**APPENDIX 8.3D: ASSESSMENT OF OPTIONS TO ADDRESS VARIOUS ADMINISTRATIVE AMENDMENTS TO ODP,
INCLUDING IDENTIFICATION OF THE “COMMUNITY FOCAL POINT” AS A NOTATION**

OBJECTIVE(S)	PURPOSE OF PLAN CHANGE TO MAKE MINOR CORRECTIONS AND AMENDMENTS (PLAN ADMINISTRATION CONSIDERATIONS). OBJECTIVE 6.2.3 A DISTRIBUTION OF LOCALLY BASED CENTRES THAT PROVIDE SERVICES AND HEALTH-CARE SERVICES CAPABLE OF MEETING THE DAY-TO-DAY NEEDS OF THEIR IMMEDIATE NEIGHBOURHOODS.				
Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc)	Relevance How effective provisions are in achieving the objective(s)	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce	Acceptability Level of equity and fair distribution of impacts, level of community acceptance Where possible identify at a broad level social, economic, environmental, cultural effects	Recommendation Discard or evaluate further (with brief explanation)
Retain existing planning provisions / Do Nothing	Ignore the minor matters that should be corrected that have been noted through the application of the planning provisions over the period the Plan has been operative and the outcome because of the consented baseline.	Retaining the existing planning provisions does not represent best practice.	-	Plan provisions will not align with the consented environment. Low level of acceptance considering accurate information about the planning provisions. Broadly, economic, environmental and community/cultural effects will be negative	Reject.

				if the provisions are not relevant and up-to-date.	
Update the planning provision.	Amend the plan provisions that have been identified as needing to be corrected as a result the planning provisions for Temple View having been applied in practice since the Plan has been operative and as an outcome of the consented baseline.	Amend the existing planning provisions will be most effective in achieving the objectives.	Feasible. The plan change process provides opportunity for Council to amend boundary and it is considered appropriate that it do so.	Likely to have a high level of acceptance due to accuracy of technical evidence/information. Provides certainty for applicants and community.	Support. Recommended option for proposed provisions. Most appropriate to achieve objectives.

APPENDIX 8.4. CONSULTATION

APPENDIX 8.4. CONSULTATION				
Event	Date	Name	Comments	Actions
Letter	6 July 2016	To all residents and occupiers of land within the areas known as Temple View	This letter introduced the plan change process and an invitation to attend the first open day/drop in session.	N/A
		To Key Stakeholders	This letter introduced the plan change process and included an invitation to attend the first open day/drop in session.	Individual meetings/discussions set up
Open Day/Drop-in session	21 July 2016	16 people attended	<p>Majority were residents of the Temple View settlement; majority of comments related to other matters (e.g. the roading changes at the Dinsdale Round-about).</p> <p>Owners wanting to know when they would be able to subdivide their rural properties.</p> <p>Commentary about the plan change to rezone the 14ha was received positively and considered a pragmatic approach.</p>	<p>The 5 options to be refined.</p> <p>Roading issues reported to City Transportation</p>
Stakeholder discussions	<p>Month of June 2016</p> <p>21 July 2016</p>	LDS Church Trust Board ('Trust')	HCC held initial discussions with Trust as land owner on the bases for the intended plan change with the 14ha is now under the City's jurisdiction following the Trust initialled boundary adjustment in July 2014.	-

	8 August 2016		LDS reps attended the Open Day Discussions had on the proposed options for the rezoning of the 14 ha.	
	21 July 2016 26 August 2016	Ngaati Mahunga	Attendance at the open day and follow up email communication on 26 August 2016.	Refer to Appendix 6
	27 July 2016	Waikato Tainui	Contact on 27 July 2016.	Plan Change to be considered against the Waikato Tainui Environmental Plan.
	27 July 2016	NZ Transport Agency	Contacted on 27 July 2016 – no concerns raised.	-
	1 August 2016	Temple View NZ Heritage Society ('Society')	Meeting with HCC staff and Ra Puriri. HCC outlined proposed Plan Change and reasons for it. General discussion on the development of Temple View and what the Society sees as lacking (public amenities/school).	No actions set but staff advised that following this round of consultation further refinement would occur on a preferred option which would be further consulted on.
	8 August 2016	Waikato District Council	Email on 13 July 2016 Meeting with between HCC and WDC staff in July 2016.	Waikato had no immediate concerns would wait and review final plan change documentation.
		Waipa District Council	Discussion had between staff on 20 July 2016.	Waipa had no immediate concerns would wait and review final plan change documentation.

	16 August 2016	Te Ha O Te Whenua O Kirikiriroa (THaWK)	HCC staff presented plan change options (1-5) at the THaWK monthly meeting.	No issues raised. HCC directed to consult directly with Ngaati Mahunga.
		Waikato Regional Council	-	-
	-	Ministry for the Environment	No response received to request for HCC meeting.	-
	-	Department of Conservation	No response received to request for HCC meeting.	-
		Heritage NZ	HNZ main concern was any changes to the scheduled heritage buildings on site.	HCC staff advised no changes proposed via email.
	-	Ministry of Education	-	-
	-	Ministry for Primary Industries	No response received to request for HCC meeting.	-
	-	New Zealand Property Council	No response received to request for HCC meeting.	-
Letter	4 November 2016	To all residents and occupiers of land within the area known as Temple View	This second letter set out the direction taken since July 2016 and the invitation to attend the next open day/drop in session.	N/A
	15 November 2016	To Key stakeholders	This second letter set out the direction taken since July 2016 and the invitation to attend the next open day/drop in session.	Individual meetings/discussions set up.
Open Day/ Drop-in session	23 November 2016	14 people attended	Key land owners outside the Temple View settlement wanted to know about future structure planning. Existing Infrastructure issues within the settlement. All positive to the approach being advanced.	Information request for a copy of Panels #7 and #8 of the Open Day display. Infrastructure matters for a specific site were raised with City Development.

Stakeholders discussions	17 November 2016	Waikato District Council	17 November 2016 meeting with Betty Connolly who advised that the planning approach being advanced as practical and no issue to Waikato. However, would like to review the final set of proposed planning provisions.	-
	23 November 2016 21 December 2016	Waipa District Council	Wayne Allen attended the open day. HCC staff spoke directly with him. He advised the planning approach being advanced as practical and no issue to Waipa. However, would like to review the final set of proposed planning provisions. Confirmation letter received from Waipa in support of the proposed plan change and Option 5.	Draft planning provisions are to be sent when finalised.
	23 November 2016	LDS Church Trust Board ('Trust')	Discussion had with Trust's planner at the Public Open Day. No concerns raised on the information provided to date. Will review final set of proposed planning provisions.	-
	1 December 2016 9 December 2016	Waikato Regional Council	WRC advised they will review documentation and advise if there are concerns. WRC will consider the detail of the plan change when it is notified, however, have no concerns with what is proposed based on the information that has been provided to date.	-
	5 December 2016	Temple View NZ Heritage Society ('Society')	Meeting with HCC staff and Ra Puriri. HCC outlined proposed Plan Change Option 5 was being advanced along with additional matters now proposed to be included with the plan change, being the change from CDP to Precincts and consequential	-

			<p>changes accordingly to recent case law regarding the use of development plans in district plans; the alignment of activities with that settled in the residential chapter (e.g. SNA).</p> <p>General discussion on the development of Temple View and the importance Society has on the need for affordable housing and older persons housing. A copy of the panels that were at the open day was provided along with copies of the news letters that was also available at the open day.</p> <p>Mr Puriri expressed general support for the plan change.</p>	
	6 December 2016	Ministry of Education	Email from Ministry of Education – no concerns	-
	7 December 2016	Ngaati Mahunga	<p>HCC followed up letter with email containing relevant information.</p> <p>A response was received 8 December 2016 advising the information will be reviewed.</p>	
	16 December 2016	Waikato Tainui	Assessment of the proposed plan change against the Environmental Plan undertaken and sent to Waikato Tainui on 16 th December 2016.	Meeting set up to discuss and the plan change in general week of 9 th January 2017.
	19 December 2016	NZ Transport Agency	Discussion had on the traffic assessment being carried out for a pending resource consent on the impact of development at Temple View on the Dinsdale round-about.	To understand the implications of traffic management and ensure the 14 hectares are included in the traffic

				analysis.
		Ministry for the Environment	No response received	-
		Department of Conservation	No response received	-
		Heritage NZ	No response received	-
		Ministry for Primary Industries	No response received	-
		New Zealand Property Council	No response received	-
	January 2017	Waikato Tainui	Consultation and feedback received on the HCC assessment of the proposed plan change against the Environment Plan.	Correspondence received from Waikato Tainui following the meeting confirming their support of the plan change direction (refer to Appendix 6).
	9 February 2017	Te Ha O Te Whenua O Kirikiriroa (THaWK)	THaWK committee directed HCC to liaise directly with Ngaati Mahunga representatives, other than whom staff had already been in consultation with. THaWK also advised a cultural assessment was required.	THaWK undertook to provide advice on the cultural assessment needs and whom to specifically consult with from Ngaati Mahunga.
	7 December 2017	Te Ha O Te Whenua O Kirikiriroa (THaWK)	Staff provided an update to THaWK on where the proposed plan change is at following the 9 February 2017 presentation. HCC understood that Ngaati Mahunga had undertaken a full Cultural Assessment report of their rohe. HCC	Ngaati Mahunga representatives at the meeting verbally advised their agreement with the Plan Change in principal. They would advise if they

			<p>sought to utilise the relevant information from that report pertaining to Temple View.</p> <p>HCC staff also advise that in accordance with the RMA amendments the draft s.32 will be sent to Waikato Tainui as the Iwi Authority in February 2018.</p>	<p>considered it necessary to hold any further discussion with HCC staff.</p> <p>THaWK were going to discuss any further need for action once staff left their meeting and will advise formally through their minutes.</p>
	25 October 2018	Te Ha O Te Whenua O Kirikiriroa (THaWK)	Correspondence received from THaWK confirming all meetings and agreed outcomes between 2016 to 2017.	This correspondence addressed all actions mentioned above.
Iwi Authority review and feedback (s.32(4A))	13 December 2017	Waikato Tainui	Email contact made by HCC staff to the Authority's acting Environmental Manager, Lee Tame.	No response
	2 March 2018		Email contact made by HCC staff to the Authority's acting Environmental Manager, Lee Tame.	No Reply received
	24 May 2018		Email contact made by HCC staff to the Authority's newly appointed Environmental Manager, Taroi Rawiri.	
	6 June 2018		Meeting held with T Rawiri and HCC staff.	Full detail of previous correspondence with Waikato Tainui and Thawk provided. Future meeting to be set up to discuss the draft s.32 once it is completed.
	30 July 2018		Email contact made by HCC staff to T Rawiri.	Seeking meeting date for s.32 discussion

	6 August 2018		Email contact made by HCC staff to T Rawiri and L Dixon.	Seeking meeting date for s.32 discussion
	12 November 2018		Meeting held with Lorraine Dixon and HCC staff where the intent of the plan change and the request for the Iwi Authority review to be undertaken occurred.	HCC staff provided a hard copy of the draft s.32 and sent through an electronic version post the meeting.
	14 January 2019		Formal response from Waikato Tainui on the s.32 report received. A corresponding letter (via email) also received from the relevant hapu (Ngaati Maahanga)	Support for the plan change was reiterated; two matters were raised for Council to consider and be addressed. Staff reviewed the district plan and confirmed that the matters raised in their feedback (peatland management and carbon dioxide management are already managed via the Plan's strategic planning framework.

APPENDIX 8.5: EVALUATION OF PROPOSED RULES AND METHODS

Appendix 8.5A: Proposed provisions to cover 14ha of land following boundary adjustment between Hamilton and Waipa.

Appendix 8.5B: Proposed provisions (amendments to policies, methods and rules) to remove “comprehensive development plans” as a planning tool within the temple view zone to ensure rules are *vires*.

Appendix 8.5C: Proposed provisions (amendments to policies, methods and rules) to correctly identify and map a Significant Natural Area within the Temple View zone.

Appendix 8.5D: Proposed provisions (amendments to policies, methods and rules) to identify the “community focal point” as a notation.

Appendix 8.5E: Proposed provisions (amendments to policies, methods and rules) to address plan administration issues (minor corrections and amendments).

APPENDIX 8.5A: PROPOSED PROVISIONS TO COVER 14HA OF LAND FOLLOWING BOUNDARY ADJUSTMENT BETWEEN HAMILTON AND WAIPA.

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE: Purpose of The Plan Change	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Appendix 17: Planning Maps: Zone Map 51A – Identify Temple View zoning for the 14ha area; modify the extent of the Natural Open Space zoning.</p> <p>Zone Map 60A – Identify Temple View Zoning for the 14ha area; modify the extent of the Natural Open Space zoning.</p> <p>Features Map 51B – Identify Temple View Character Area for the 14ha area; modify extent of Significant Natural Area. (Note that amendment to SNA is also addressed in table below.)</p> <p>Features Map 60B – Identify Temple View Character Area for the 14ha area; modify extent of Significant Natural Area. (Again, note that amendment to SNA is also addressed in table below.)</p> <p>Amend relevant figures to show overlay of new Precinct over the 14ha to ensure cohesive development across the existing precinct areas within the Temple View Zone.</p>	Environmental:	Environmental:
	Council compliance with statutory requirement to cover area brought into Hamilton City as a result of the boundary adjustment with Waipa District in 2014.	Neutral. Removes the ability to undertake agricultural activities on the 14ha area.
	Ensures integration and aligns planning provisions with the existing Temple View Zone. Establishes planning framework for future development of the area.	
	Economic:	Economic:
	Clear planning framework for area which provides certainty for development. Allows the owners to develop the land for urban purposes.	Neutral. Ability for the 14ha to be used for agricultural gain will be removed.
	Social:	Social:
Consistency in planning framework within the Temple View area will provide certainty to the community. Provide the ability to provide social and community facilities for the surrounding	Neutral.	

<p>Activity status table, 5.3.4.3a) to bg): Add new precinct to apply to the 14ha of land acquired through boundary adjustment;</p>	<p>communities.</p>	
<p>Volume 2, Appendix 1.4.9.2 Background – amend to include information relating to the development of Temple View as a consequence of the boundary adjustment to include additional 14ha of land within Hamilton City boundary.</p> <p>Update figure 1.4.9a) to include additional 14ha</p> <p>Volume 2, Appendix 1.4.9, figure 1.4.9e and f: amendments to include additional 14ha and identify and delineate the 5 Precincts (note Precinct amendments are replicated in relation to the CDP issue in table below).</p>	<p>Cultural:</p>	<p>Cultural:</p>
	<p>Consistency in planning framework within the Temple View area will provide certainty to the community. Integrated approach will ensure that the heritage and cultural values associated with the Temple View area will be addressed in a manner which is consistent with that in the existing Temple View Zone.</p>	<p>Neutral.</p>
<p>Opportunities for economic growth and employment</p>		
<p>Anticipated that LDS will continue with development plans within the Temple View area including the 14ha area and this will generate some growth.</p>		
<p>Options less or not as appropriate to achieve the objective</p>		
<p>The following options were considered (Refer to options assessment in Appendix 3):</p> <ol style="list-style-type: none"> 1. Retain existing Waipa District Rural Zoning 2. Zone area as Future Urban 3. Zone area as General Residential 4. Zone area Temple View Zone without identifying new Precincts 5. Zone Temple View Zone with New Precincts <p>Amendment to the SNA and Natural Open Space Zoning</p> <ol style="list-style-type: none"> 1. Retain existing boundaries of the SNA's 2. Amend the boundaries to reflect the correct area of significant vegetation. 		
<p>Risk of acting or not acting</p>		

Sufficient information available. Any risk would be associated with Council not fulfilling statutory obligation. The risk of not acting would be the impact on the owners to develop their land in accordance with the intent of the Operative District Plan.

Efficiency and effectiveness

The proposed zone and provisions are considered to be the most appropriate to achieve the purpose of the plan change. The zoning represents the most efficient and effective approach to ensure integration with the existing Temple View Zone and allowing for the sustainable use of the resource while protecting the identified character and heritage within the Temple View Area.

APPENDIX 8.5B: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO REMOVE “COMPREHENSIVE DEVELOPMENT PLANS” AS A PLANNING TOOL WITHIN THE TEMPLE VIEW ZONE TO ENSURE RULES ARE VIRES

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Purpose of The Plan Change:</p> <p><u>Chapter 5: Special Character Zones</u> Objective 5.2.1 The Special Character Zones retain and enhance their identified values; Objective 5.2.2 Residential development produces good on-site amenity; Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area; Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p> <p><u>Chapter 23: Subdivision</u> Objective 23.2.2 Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well-designed environments. Objective 23.2.4 To ensure the provision of infrastructure services as part of the subdivision process. Objective 23.2.5 Subdivision occurs in a manner that recognises historic heritage and natural environments.</p>		

<u>Chapter 5 – Special Character Zones</u>	Environmental:	Environmental:
<p>Temple View Heritage Area: Amendment to 5.1.4.1e), 5.1.4.2c) and 5.1.4.2h) to remove reference to “comprehensive development plan” to address potential issue concerning <i>vires</i> of provisions.</p> <p>5.3.4 Activity status table – Temple View Zone, 5.3.4.1 Comprehensive Development Plan – Process within the Temple View Zone: Amendments to text in 5.3.4.1, 5.3.4.1a), 5.3.4.1b), 5.3.4.1c), 5.3.4.1d), 5.3.4.1e), 5.3.4.1f), 5.3.4.2, 5.3.4.2a) to g) to remove reference to “comprehensive development plans” and/or delete references to the same.</p> <p>5.3.4.3a) to bg) Activity status table (rules): Amendments to the table format to remove references to CDP and to ensure that each activity is assigned a status within a particular Precinct and is not based on whether a CDP has previously been granted.</p> <p>Align activity status of activities for each Precinct.</p>	<p>Amending the existing provisions to remove CDP rules and replace with Precincts and associated rules will not have a material impact in relation to the environmental benefits of the Temple View Zoning and special character areas. However, the amendments to establish the Precincts and rules will provide certainty as to the environmental outcomes of development. It will remove any potential confusion regarding the CDP process and clarifies how the zone is intended to be management through the use of Precincts (which are essentially development areas).</p> <p>Overall, the amendments provide certainty in relation to the application and implementation of provisions controlling development within the Temple View Zone.</p> <p>This approach is considered to be the most appropriate to achieve the objectives in both chapter 5 (Special Character Zones) and chapter 23 (subdivision).</p>	<p>Neutral. Information added for explanation and accuracy purposes.</p>
<u>5.4 Rules – General Standards</u>	Economic:	Economic:
<p>5.4.1 Density: Amend titles in table to remove reference to CDP and insert Precinct references.</p>	<p>Some potential benefits arising from greater certainty regarding outcomes of development in light of potential uncertainty</p>	<p>Minimal/neutral costs.</p>
<u>5.4.2 Site Coverage:</u>		

<p>Amend titles in table to remove reference to CDP and replace with reference to “Temple View Zone”.</p>	<p>regarding the use/status of CDPs.</p>	
<p><u>5.4.3 permeable Surface and Planting</u> 5.4.3a) to c), Figure 5.4.3a: Amend the title line in table 5.4.3 and replace with reference to “Precincts” and “character” or “heritage” areas, as relevant.</p>	<p>Social: Removing uncertainty regarding use of CDPs is anticipated to have some benefits. Specific rules for Precincts protects character of the area.</p>	<p>Social: Neutral.</p>
<p><u>5.4.4 Building Height</u> Table 5.4.4b: Amend title line and amend references to CDPs and replace with “Precincts” and “character” or “heritage” areas as relevant. Amend heights to reflect the anticipated activities in each precinct area; and to provide further clarity on location.</p> <p><u>5.4.6 Building Setbacks</u> Table 5.4.6 a), b), d), e): Amend setbacks to reflect the anticipated activities in each Precinct area.</p>	<p>Cultural: Specific rules for Precincts protects character of the area.</p>	<p>Cultural: Neutral.</p>
<p><u>Rule table 23.3.3c: Special Character Zones</u> Delete references to CDPs. Table 23.3ce) Delete in its entirety</p>		
<p><u>23.7 Subdivision Design Standards</u> 23.7.1 Allotment Size and Shape – 23.7.1 Amend to include new “p)” to refer to Precincts</p>		

in Temple View Zone and provide standards for minimum net site area

23.7.3 General Residential Zone, and All Special Character Zones

23.7.3a) delete reference to CDPs and insert “Character Area”.

Volume 2, Appendix 1: District Plan Administration –

1.2.2.8 Comprehensive Development Plan

1.2.2.8b) Delete reference to “Development Plan Area (Temple View)”

1.2.2.8c) and d) Delete the “Temple View Zone” column.

1.2.2.8e) Delete the column titled “Temple View Zone” and provisions that specifically refer to Temple View.

1.2.2.8f)-v) Delete “Temple View Zone” column.

1.2.2.8w) to x) Delete requirements relating to CDPs.

Insert New Provisions for Temple View Precincts as Section 1.2.2.8A “Temple View Precincts”:

Appendix 1.3.3 Restricted Discretionary, Discretionary and Non-Complying assessment criteria.

1.3.3A3.b)xi) – insert new reference “Temple View Precincts”

1.3.3E11 – amend to insert reference to relevant Precincts and add “Temple View” before words

<p>“Character Area”.</p> <p>1.3.3E17 – amend to delete reference to “CDPs”</p> <p><u>1.4.9 Temple View Zone Urban Design Guide</u></p> <p>1.4.9.1 Purpose of the Guide – replace all references to “CDP” with “Precinct(s)”.</p> <p>Volume 2, Appendix 1.4.9, figure 1.4.9f: amendments to identify and delineate the 5 Precincts.</p>		
<p>Opportunities for economic growth and employment</p>		
<p>Essentially remains unchanged. May be some benefits as a consequence of certainty regarding activities anticipated within Precincts. Not able to be quantified.</p>		
<p>Options less or not as appropriate to achieve the objective</p>		
<p>Refer to options assessment.</p> <p>Options considered include</p> <ol style="list-style-type: none"> 1. Retrain the existing provisions 2. Amended provision to remove the use of Comprehensive Development Plan 		
<p>Risk of acting or not acting</p>		
<p>Sufficient information available. Any risk would be associated with not addressing potential issue with <i>vires</i> of CDP provisions.</p>		
<p>Efficiency and effectiveness</p>		
<p>The proposed precinct approach provides clear direction as to what activities can/should happen within each precinct and gives better certainty regarding scale and character of development which is anticipated in each precinct. The precinct approach provides for an integrated approach to development in the context of the Special Character of Temple View. This amended approach ensures that the relevant existing objectives are achieved.</p>		

APPENDIX 8.5C: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO CORRECTLY IDENTIFY AND MAP A SIGNIFICANT NATURAL AREA WITHIN THE TEMPLE VIEW ZONE

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Purpose of The Plan Change:</p> <p>Objective 5.2.1 The Special Character Zones retain and enhance their identified values;</p> <p>Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;</p> <p>Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p>		
<p>Features Map 51B – Modify extent of Significant Natural Area. (Note that amendment to SNA is also referenced in table above).</p> <p>Features Map 60B – Modify extent of Significant Natural Area. (Note that amendment to SNA is also referenced in table above.).</p>	<p>Environmental:</p> <p>Accurate identification will protect the feature. Remove the requirement for any RC or works within areas that are not naturally significant.</p>	<p>Environmental:</p> <p>Neutral.</p>
	<p>Economic:</p> <p>Applicants/plan users will have benefit of accurate mapping for potential future applications. Reduce the need to prepare technical reports regarding areas that have no natural significance.</p>	<p>Economic:</p> <p>Neutral.</p>
	<p>Social:</p>	<p>Social:</p>

	Neutral. However, may have some benefit as community will have certainty that the feature is identified correctly and will be protected.	Neutral.
	Cultural:	Cultural:
	Neutral. However, may have some benefit as community will have certainty that the feature is identified correctly and will be protected.	Neutral.
Opportunities for economic growth and employment		
Not relevant.		
Options less or not as appropriate to achieve the objective		
See option assessment. The options considered were: <ol style="list-style-type: none"> 1. Retain existing demarcation of the SNA and Natural Open Space 2. Review the extent of the SNA and Natural Open space to correctly reflect the area of significance 		
Risk of acting or not acting		
Potential Resource Consent requirements for areas that are not naturally significant		
Efficiency and effectiveness		
Most appropriate to achieve objectives as accurate identification of the feature is considered necessary to do so.		

APPENDIX 8.5D: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO IDENTIFY THE “COMMUNITY FOCAL POINT” AS A NOTATION

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Objective 5.2.1 The Special Character Zones retain and enhance their identified values;</p> <p>Objective 5.2.2 Residential development produces good on-site amenity;</p> <p>Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;</p> <p>Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p>		
<p>Appendix 4 – Special Character Zones, Figure 4-5 Temple View Precinct Areas.</p> <p>Modify Figure to include reference to community Focal Point as referenced in Chapter 5 Special Character Zones, Rule 5.5.11 Retail activities within the Peacocke Character Zone and Temple View Zone.</p>	Environmental:	Environmental:
	Greater certainty regarding the location of business land use within the character zone.	No cost to environment
	Provides clarity on how business activities within the area are to be administrated.	
	Economic:	Economic:
	Neutral	Limits the types of business activities that will permitted within the Temple View Zone.
	Social:	Social:
Neutral	Neutral	

	Cultural: Neutral	Cultural: Neutral
Opportunities for economic growth and employment		
Provides certainty regarding the types of business activities that may occur in the Temple View Zone.		
Options less or not as appropriate to achieve the objective		
Rezoned the land Business zone 6. Do not provide guidance on the location and types of retail activities within the Temple View Zone		
Risk of acting or not acting		
Allowing activities that are not appropriate for the location would have an impact on the special character of the area and impact on other larger retail centres within the area e.g. Dinsdale		
Efficiency and effectiveness		
Most appropriate way of ensuring the control of retail activities within the area while still having some flexibility on the final location of these activities.		

APPENDIX 8.5E: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO ADDRESS PLAN ADMINISTRATION ISSUES (MINOR CORRECTIONS AND AMENDMENTS)

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Objective 5.2.1 The Special Character Zones retain and enhance their identified values;</p> <p>Objective 5.2.2 Residential development produces good on-site amenity;</p> <p>Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;</p> <p>Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p> <p><u>Chapter 23: Subdivision</u></p> <p>Objective 23.2.2 Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well-designed environments.</p> <p>Objective 23.2.4 To ensure the provision of infrastructure services as part of the subdivision process.</p>		

<p>Activity status table, 5.4.3a) to bg):</p> <p>Insert reference to privacy wall</p> <p>Update description of “teacher housing character corridor”</p> <p>Renumbering</p> <p>Temple View Zone: Amendment to 5.1.4a) to clarify the way the zone is managed;</p> <p>Temple View Heritage Area: Amendments to 5.1.4.1a), 5.1.4.1c), 5.1.4.1d), to clarify the way the zone is managed;</p> <p>Temple View Character Area Amendments to 5.1.4.2a), 5.1.4.2c), 5.1.4.2d), 5.4.1.2f) to clarify the way the zone is managed; Amendment to 5.1.4.2h), remove unnecessary duplication with revised wording of 5.1.4.1a).</p> <p>Amendments to policies 5.2.7c, 5.2.7e, 5.2.7g to add text to better reflect the location and spatial form of the teacher housing.</p> <p>Amendment to Explanation to the above policies to better reflect the location and spatial form of the teacher housing.</p>	<p>Environmental:</p>	<p>Environmental:</p>
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<p><u>5.4.9 Residential Buildings – Separation and Privacy</u></p> <p>5.4.9c): amend reference to “teacher housing area” and replace with “teacher housing character corridor”.</p> <p><u>5.4.10 Buildings and Activities within the Temple View Character Area and Temple View Heritage Area</u></p> <p>5.4.10 (Title) – amend title of heading only. 5.4.10c) Amend reference to “character area” by adding “s” to area.</p> <p><u>23.7 Subdivision Design Standards</u></p> <p>23.7.1 Allotment Size and Shape – 23.7.1p) amend to refer to “all character areas” and amend Minimum Net Site Area from 500m² to 600m².</p> <p>Volume 2, Appendix 1.3.3 Assessment Criteria 1.3.3E14 and E15 – amend to add “Temple View”</p> <p><u>1.4.9 Temple View Zone Urban Design Guide</u></p> <p>1.4.9.1 Purpose of the Guide – amendments to correct spelling of “Latter-day” Saints.</p> <p>Volume 2, Appendix 1.4.9, figure 1.4.9d) and e): editorial amendments to refer to redevelopment</p>	<p>Various amendments provide better certainty for development and therefore environmentally beneficial outcomes. Accurate depiction of existing/recent development will assist in any future development consent processes and their outcomes.</p> <p>Increase in net site area assists with retaining character of area.</p>	<p>Neutral.</p>
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in 2016	Economic:	Economic:
	Amendments provide better certainty for plan users/developers which in turn may mean less cost in any application process.	May have some minimal costs associated with increased net site area.
	Social:	Social:
	Certainty of plan provisions.	Neutral.
	Cultural:	Cultural:
	Certainty of plan provisions.	Neutral.
Opportunities for economic growth and employment		
Not relevant/neutral.		
Options less or not as appropriate to achieve the objective		
Retain current planning provisions		
Risk of acting or not acting		
Information is sufficient. Retaining current provision would make the administration of the plan unclear and not consistent with the objectives and policies of the Plan.		
Efficiency and effectiveness		
Accurate and consistent plan provisions are the most appropriate to achieve the objectives for the relevant zone.		

APPENDIX 8.6: WAIKATO TAINUI CORRESPONDENCE

Appendix 8.6A: HCC assessment of the proposed Plan Change against the Environmental Plan and correspondence from Waikato Tainui's correspondence

Appendix 8.6B: Correspondence from THaWK confirming meeting attendance, actions undertaken and support for the Plan Change.

Appendix 8.6C: Iwi Authority review and feedback on Plan Change 3: Temple View Boundary Alteration – Section 32 report

Appendix 8.6A: HCC assessment of the proposed Plan Change against the Environmental Plan and correspondence from Waikato Tainui

Alice Morris

From: Tim Manukau <Tim.Manukau@tainui.co.nz>
Sent: Tuesday, 26 July 2016 10:39
To: Mark Roberts
Cc: Muna Wharawhara; Alice Morris
Subject: RE: Temple View Boundary Adjustment Plan Change
Attachments: Waikato-Tainui Env Plan Assessment.pdf

Hi Mark,

Thanks for the below, as a matter of process please assess the proposal against our Environmental Plan.

From this assessment we will determine next step.

Please consult with Ngati Mahanga on this.

Cheers,

Tim

From: Mark Roberts [mailto:Mark.Roberts@hcc.govt.nz]
Sent: Tuesday, 26 July 2016 10:23 a.m.
To: Tim Manukau <Tim.Manukau@tainui.co.nz>
Cc: Muna Wharawhara <Muna.Wharawhara@hcc.govt.nz>; Alice Morris <Alice.Morris@hcc.govt.nz>
Subject: Temple View Boundary Adjustment Plan Change

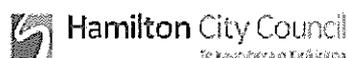
Morning Tim

I am following up on the e-mail sent to you by Alice Morris on the 15th July regarding the Temple View Boundary Adjustment Plan Change. As a key stakeholder we would like to meet with yourself and any other representatives of your organisation to brief you on the project as well as discuss any concerns that you may have. If possible could we meet on Monday the 8th August at 2 o'clock, if this date or time does not suite you please provide me with a suitable date and time or contact me to discuss an alternative arrangement.

Kind Regards

Mark Roberts
Senior Planner | City Planning

DDI: 07 838 6618 | Email: mark.roberts@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

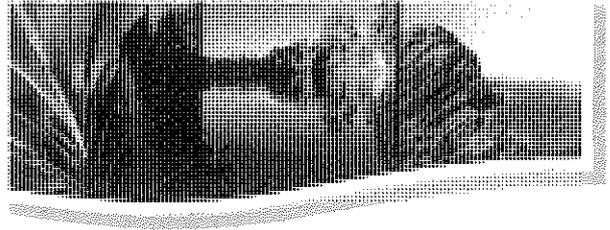
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**TAI TUMU
TAI PARI
TAI AO**

WAIKATO-TAINUI ENVIRONMENTAL PLAN

OUR PLAN OUR ENVIRONMENT OUR FUTURE



Please assess your proposal, application or activity against the relevant chapters in our Waikato-Tainui Environmental Plan – Tai Tumu, Tai Pari, Tai Ao; in particular the Vision to restore our environment; and Chapter 7 – Towards Environmental Enhancement.

Your proposal should be assessed against all chapters in Section C, General Matters in particular Chapter 10.

If there is doubt on whether a chapter is relevant or not, please assess against the chapter.

Please see link to our environmental plan <http://www.waikatotainui.com/environmental-management-plan/> or download it as an app.



We recommend that your proposal is consistent with our Environmental Plan. Where there are inconsistencies, please highlight these and what measures will be undertaken to ensure alignment.

On completion, please send the assessment to Kevin O'Shannessey kevinO@tainui.co.nz to review.

Please undertake the above assessment for any future proposals involving consultation with Waikato-Tainui. Please reference our Waikato-Tainui Envi-

Alice Morris

From: Alice Morris
Sent: Friday, 16 December 2016 15:02
To: 'Tim Manukau'; Mark Roberts
Cc: Muna Wharawhara; Luke O'Dwyer
Subject: RE: Temple View Boundary Adjustment Plan Change
Attachments: WT EMP Temple View PC review draft 14 Dec 2016.docx

Hi Tim,

Further to the email correspondence in July, and our most recent in November, please find attached the draft assessment of the proposed TV plan change against the Environmental Plan we have prepared.

We would like to also arrange a time to meet with you and discuss this draft assessment and the plan change in general.

Although the festive season being upon us are you available to meet next week? Alternately, during the week of the 9th January 2017?

Please let me know so we can set a time.

Kind regards,
Alice

Alice Morris
Team Leader | City Planning

DDI: 838 6431 | Fax: 838 6464 | Email: alice.morris@hcc.govt.nz



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From: Tim Manukau [<mailto:Tim.Manukau@tainui.co.nz>]
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Cc: Muna Wharawhara <Muna.Wharawhara@hcc.govt.nz>; Alice Morris <Alice.Morris@hcc.govt.nz>
Subject: Temple View Boundary Adjustment Plan Change

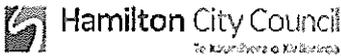
Morning Tim

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Kind Regards

Mark Roberts
Senior Planner | City Planning

DDI: 07 838 6618 | Email: mark.roberts@hcc.govt.nz



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Hamilton City Council – Proposed Plan Change 2: Temple View Initial Assessment against the Waikato-Tainui Environmental Plan- Te Tumu Tai Paru Tai Ao

One | Introduction

The Proposed Temple View Plan Change considers 14 hectares of land that was transferred into Hamilton City in 2014 as part of a boundary adjustment with Waipa Council. The area of land has been administered under the Waipa District Plan since this boundary adjustment and the purpose of the plan change is to bring the subject area of land under the administration of the Hamilton City Council Partly Operative District Plan (2016) as required under section 81 of the RMA 1991.

As part of this process it is also proposed to update how land development is managed under the district plan in order to reflect recent case law that relates to the use of comprehensive development plans. Currently, the Temple View Zone is managed through three comprehensive development plan areas. It is proposed to alter the relevant provisions of the plan to refer to 'Precincts' and amend how these are managed through the resource consent process. Council's preferred option is to subject the 14 ha of land that is currently managed under the Waipa District Plan to the same provisions that apply in the Temple View Zone, including the addition of a new Precinct.

The Waikato-Tainui Environmental Plan - Tai Tumu Tai Paru Tai Ao (the Plan) was developed from the long-term development approach called Whakatupuranga 2050, which is the blueprint for cultural, social and economic advancement for Waikato-Tainui. The key strategic objectives of the Plan include tribal identity and integrity, with the Plan *“designed to enhance Waikato-Tainui participation in resource and environmental management. The overarching purpose of the Plan is to provide a map or pathway that will return the Waikato-Tainui rohe (region) to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha”*.

The Plan is the recognised environmental planning document for Waikato-Tainui, pursuant to section 35A of the Resource Management Act 1991 (RMA). As such, and pursuant to section 74(2A) of the RMA, Hamilton City Council as the local authority is required to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority. Further, section 40 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2014 states that a local authority preparing a RMA planning document must recognise the Plan in the same manner as would be required under the RMA.

The objectives and policies contained in the Waikato-Tainui Environmental Plan are articulated generally, and the following assessment addresses those areas that are considered to have relevance to the land subject to the proposed plan change in Temple View.

Two | Consultation and Engagement with Waikato-Tainui Raupatu Trust (Waikato-Tainui)

Chapter 6 of the Waikato-Tainui Environmental Plan highlights the importance of consultation with Waikato-Tainui and ensuring that it is undertaken in a consistent, participatory manner. Initial conversations have been had by staff, ensuring Waikato-Tainui are aware of the proposed plan change. Conversations have also been had with Te Ha O Te Whenua O Kirikiriroa (TaWOK) and Ngaati Mahunga. The preparation of this initial report will assist in further, on-going discussions with Waikato-Tainui, TaWOK and Ngaati Mahunga regarding the plan change.

Three | Towards Environmental Enhancement

The goal of Waikato –Tainui is to ensure that the future needs of present and future generations are provided for in a manner that goes beyond sustainability towards an approach that enhances the environment. The plan explains that the aim is to ensure positive ecological and social outcomes are achieved so that future generations can benefit from an enhanced quality of use of the land, air and water resources over and above the levels that are currently enjoyed.

The area of land subject to the proposed plan change has been highly modified from its original state (this is discussed in more detail below). The use of the currently vacant site will ensure on-going use of the site for residential purposes, benefiting those that dwell on the land. The Koromatua Stream is immediately adjacent to the site is also in a modified state. It is considered that careful design of any development will ensure any adverse effects on the stream will be able to be avoided through the resource consent process.

Three | Section C: General Waikato-Tainui Environmental Matters

The following identifies the strategic objectives and policies of the Plan that are relevant for consideration against the plan change.

Chapter 10 - Tribal Strategic Plan

The strategic objectives in Chapter 10 Tribal Strategic Plan are already considered in part by the PODP through Chapter 2 Strategic Framework, which is also applicable to the Temple View area. Specifically, the Strategic Framework incorporates objectives and policies of its own which acknowledge and promote the important relationship that tangata whenua have with the city. These include:

- Objective 2.2.8 *“Resource management priorities are to be developed in partnership with tangata whenua”.*
- Policy 2.2.8c confirms that decisions on land use, subdivision and development include ongoing consultation and collaboration with tangata whenua where appropriate, as part of the development process.

The above will be achieved through frequent open dialogue with Waikato-Tainui on all relevant matters regarding the Proposed Plan Change.

Chapter 11 - The Vision and Strategy for the Waikato River (Te Ture Whaimana o Te Awa o Waikato)

Objectives 11.7.1 and 11.7.2 of the district plan relate to giving effect to the vision and strategy of the Waikato River and state the following:

- Objective 11.7.1: *“Te Ture Whaimana prevails in any resource management, use and activity within the Waikato River catchment in the Waikato-Tainui rohe”,* and
- Objective 11.7.2: *“Te Ture Whaimana is a guide to resource management, use, and activities in all catchments within the Waikato-Tainui rohe.”*

The Vision and Strategy for the Waikato River is embedded into the district plan. Chapter 1 Plan Overview part 1.1.2.2b) of the PODP specifically considers the Vision and Strategy of the Waikato River. Other sections of the plan, for example, Volume 2, Appendix 10: Waikato River Corridor and Gully Systems, sets out Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River, are also applicable to the Temple View Plan Change.

Chapter 12 – Right of First Refusal on Crown Lands

The area of land subject to the proposed plan change is not under Crown ownership.

Chapter 13 - Waikato-Tainui Communities

Chapter 13 of the Plan focuses on Waikato-Tainui Communities and outlines the types and importance of papakaaigna. The objective and relevant policies listed in the Plan to illustrate this importance include:

- Objective 13.3.1: *“Papakaaigna development is sustainable and supported,”* and
- Policy 13.3.1.1: *“To ensure that papakaaigna development is sustainable and supported,”* and
- Policy 13.3.1.2: *“To ensure that papakaaigna are able to be developed in rural and urban areas.”*

Papakaaaigna are not anticipated in the Temple View Zone which is Council’s preferred zoning for the area subject to Plan Change Two. Papakaaaigna are however provided for in the General Residential Zone which is the most prevalent residential zoning in the district plan. This includes the residential area to the west of Tuikaramea Road in the Temple View village. Papakaaaigna are also provided for in the Residential Intensification Zone and the Large Lot Residential Zone.

Chapter 14 - Customary Activities

Chapter 14 of the Plan addresses customary activities and the unique and historical relationship that Waikato-Tainui has with its traditional lands and waterways. The Plan includes the following objectives of relevance to the Temple View Plan Change:

- Objective 14.3.1: *“Waikato-Tainui access to and ability to undertake customary activities and resource use, including along the margins of waterways, is protected and enhanced”,* and

- Objective 14.3.2: *“The ability of Waikato-Tainui to undertake customary activities is protected and enhanced within the rohe, particularly on, in, and around waterways and their margins, including wetlands and reserves.”*

This chapter largely focuses on customary activities around and within waterways. The Waikato River is beyond the Temple View plan change area however, the Koromatua Stream and one of its tributaries flow through the area. Both are highly modified with a predominantly agricultural catchment. Although highly modified it is considered to be of regional significance as it is likely to provide habitat for longfin eel, an at risk species.

The Archaeological report prepared by W Gumbley Ltd indicated that the Temple View area has been settled since antiquity, discussion will happen with Ngaati Mahunga to understand any impact on customary activities the proposed plan change may have.

Chapter 15 - Natural Heritage and Biosecurity

Chapter 15 relates to natural heritage and biosecurity, and outlines the concerns of Waikato-Tainui in relation to indigenous plant and animal species. This is highlighted through the following objectives of the Plan:

- Objective 15.3.1: *“The full range of Waikato ecosystem types found throughout the Waikato-Tainui rohe are robust and support representative native flora and fauna,”* and
- Objective 15.3.2: *“Cultural, spiritual, and ecological features of the Waikato landscape that are significant to Waikato-Tainui are protected and enhanced to improve the mauri of the land.”*

The plan change area was previously used as sports fields associated with the former Church College and is adjacent to the Koromatua Stream and one of its tributaries. As identified above, both are highly modified but are considered to be regionally significant because of the likelihood of providing habitat for longfin eel. The ecological report carried out by Kessels Ecology¹ recommends the following:

- Maintaining or enhancing the habitat and water quality of the Koromatua Stream and its tributary;
- Maintaining hydrological patterns in the Koromatua Stream and its tributary; and
- Enhancing indigenous vegetation to provide a corridor to other vegetation fragments in the wider area, e.g. the existing SNAs.

The report also discusses the two Significant Natural Areas that are adjacent to the plan change area. The report states *“From an ecological point of view, this SNA presents a group of trees in a park landscape, with limited understorey. Ecological value is limited because the components and processes present in a natural native forest are largely absent. The trees may however provide habitat for indigenous species such as birds and bats.”*

The report states that a range of potential effects may arise during construction/development and operation of any residential activity on the site but considers that because the area is already highly modified, any adverse ecological effects will be able

¹ Price, G. and van der Zwan, W. (2016) *Ecological Assessment for Re-zoning of Waipa Bolt On*. Hamilton: Kessels Ecology

to be avoided through careful design. These are able to be considered and addressed through the resource consent process.

Discussion will happen with Ngaati Mahunga to further understand any cultural, spiritual or ecological features of the area.

Chapter 16 - Valuable historical items, highly prized sites, sites of significance

Chapter 16 of the Plan covers ngaa taonga tuku iho (valuable historical items), waahi tapu (highly prized sites) and waahi tuupuna (sites of significance), including archaeological sites. The importance of these sites and the management of any discoveries are illustrated by the below relevant objectives from the Plan:

- Objective 16.3.1: *"Site management protocols exist to ensure a precautionary approach to site works to manage the potential for waahi tapu and taonga tuku iho discovery,"* and
- Objective 16.3.4: *"Procedures are in place to manage the discovery of taonga and archaeological sites,"* and
- Objective 16.3.5: *"The adverse effects of resource use and activity operation are managed so as to appropriately protect areas and sites of significance."*

Chapter 19 of the district plan covers historic heritage, including archaeological and cultural sites. Specific objectives and policies are included that aim to protect significant archaeological and cultural sites from damage or destruction, and recognise and provide for the relationships of tangata whenua with sites of spiritual, cultural or historical significance.

Further, the district plan contains site management protocols to ensure a precautionary approach to site works managing potential discoveries through Appendix 1.2.2.7 of Volume 2. This section contains requirements which are to be included in any resource consent application for sites listed in the relevant historic heritage schedules of the PODP, with advice from relevant iwi being required for sites with identified tangata whenua values. The intention of these is to ensure that sites of cultural significance are recognised and protected.

The district plan identifies site A11 – *Koromatua Urupa* on the land adjacent to the plan change area, this is subject to the provisions of Chapter 19 of the district plan.

A report entitled *Assessment of Archaeological Values in relation to the area proposed for plan change by Hamilton City Council at Temple View* has been prepared by Warren Gumbley of W Gumbley Ltd – Archaeologists. He identifies that previous studies and oral history indicate the Temple View area has been occupied since antiquity.

He also identifies that the area subject to the proposed plan change is located over land that was previously a swamp that has since been drained and there is no potential for intact archaeological deposits to be present. Further he states that previous development within the former school grounds has had a significant impact on the land surface in the area further diminishing the chance of any intact archaeological deposit being present. If any archaeological remnants are discovered during development, the relevant process through legislation such as the RMA 1991 and the Heritage New Zealand Pouhere Taonga Act 2014 will be required to be followed.

Chapter 17 - Natural Hazards

Chapter 17 of the Plan relates to natural hazards, a specific natural hazards section is also included in the PODP. The Plan contains the following relevant objectives:

- Objective 17.3.1: *“Land use and the construction of structures occurs in a way that does not increase the risk or magnitude of a natural hazard event, and does not increase the risk or effects on human life or activity in the event that a natural hazard event occurs.”*

Chapter 22 of the district plan manages natural hazards and contains objective 22.2.1 which aims to *“manage activities to avoid or mitigate adverse effects on, and minimise risk to people, property and the environment, from natural hazards, in order to increase community resilience, reduce the risks from natural hazards, and support effective and efficient response and recovery from natural hazard events.”* This objective illustrates the importance that has been placed on managing natural hazards in the district plan. The objectives and policies relating to hazard management are applicable to development within the Temple View Plan Change Area where they have been identified as relevant in the planning maps.

Four | Specific objectives and policies of relevance to the Temple View Plan Change

The following identifies the specific objectives and policies of the Plan that are relevant for consideration by the proposed plan change.

Chapter 19 - Freshwater

The Freshwater chapter of the Plan contains the following relevant objectives, including one specifically addressing integrated catchment management (ICMP):

- Objective 19.4.2: *“Water quality is such that fresh waters within the rohe of Waikato-Tainui are drinkable, swimmable and fishable in all places (with water quality to the level that Kiingi Taawhiao could have expected in his time).”*
- Objective 19.4.3: *“An integrated and holistic approach to management of water is achieved.”*

While the Waikato River is beyond the Temple View plan change area, the area is within the wider catchment and also contains Koromatua Stream and one of its tributaries. Chapter 25.13 of the PODP covers Three Waters and specifically notes that ICMP's will be used as a tool to help manage, at a high level, the form and function of Three Waters infrastructure in an integrated, effective, efficient, functional, safe and sustainable manner.

Where an ICMP does not exist, additional policies and measures have been put in place to ensure good outcomes are still able to be achieved. A water impact assessment is an alternative option where an ICMP does not exist, and additional policies require three waters infrastructure to minimise the effects of urban development on downstream receiving waters and groundwater, for stormwater management techniques to maintain or improve the quality of stormwater entering the receiving environment, and for wastewater to be treated and disposed of in a way that minimises effects on cultural values. It is through these measures that the quality of stormwater from this development can be managed to ensure compliance with the water quality level necessary for Hamilton City Council to meet its Comprehensive Stormwater Discharge Consent requirements.

It is noted that resource consent applications from the LDS Church have included a sub-catchment ICMP in order to ensure that the effects of development are understood.

Chapter 21 - Land

The land chapter of the plan includes the following relevant objectives and policy:

- Objective 21.3.2: *“The life supporting capacity of land and soils effectively manages soil nutrient loss and water quality so there is minimal impact on nutrient loss to waterways.”*
- Policy 21.3.3: *“Promote and encourage the development and adoption of land management practices that protects waterways from suspended sediments, nutrients and pollutants.”*
- Objective 21.3.4: *“Integrated catchment management occurs across the entire rohe of Waikato-Tainui, including in catchments that impact on, or flow into the Waikato-Tainui rohe. Integrated catchment management includes the effective and sustainable management of floodplains and drainage areas to promote natural habitat enhancement.”*

The proposed zoning for the plan change area will enable residential development. It is acknowledged that development, unless carefully designed, has the possibility of adversely affecting the waterways through run-off and sedimentation.

The comprehensive approach to development proposed by Council encourages land to be developed in a cohesive manner in order to enable Council to fully understand the effects, both positive and negative, of development during the resource consent process. It is proposed to amend the mechanics of the plan provisions to ensure that they reflect the most up to date case law regarding comprehensive development. The proposed change from “Comprehensive Development” areas to “Precincts” will not change the approach to integrated management of the Temple View area.

Development will also be required to address the matters covered in Three- waters chapter of the plan. Integrated Catchment Management has been discussed in the freshwater section. It is considered that development of the land subject to the proposed plan change will be able to be managed through the resource consent process to ensure that any adverse effects are no more than minor.

Chapter 22 – Fisheries

This chapter identifies taonga species which include tuna, shortfinned and longfinned eel and a range of other species. Waikato-Tainui aims to protect and enhance their fisheries resources in the rohe.

- Objective 22.3.2: *“Taonga species are protected, restored and managed, consistent with the tikanga, kawa, maatauranga and mana whakahaere of Waikato-Tainui.”*

The ecological report carried out by Kessels Ecology identifies that the Koromatua Stream and its tributaries are considered to be regionally significant because of the likelihood of

providing habitat for longfin eel. The report recommends a number of actions to ensure that the habitat quality of the stream is enhanced. The report also considers that any effects of development can be managed through careful design to ensure there is no adverse effect on the stream. This will be managed through the resource consent process and be informed by the sub-catchment Integrated Catchment Management Plan (ICMP).

Chapter 25 - Land Use Planning

This chapter is particularly relevant to the proposed Temple View Plan Change. While the area of land subject to the plan change is small (14 hectares), it is important that the planning framework that is in place is the most appropriate way of achieving sustainable management of Hamilton's natural and physical resources.

- Objective 25.3.1: *"Development principles are applied to land use and development (urban and rural) and, in particular, development in new growth cells, that enhance the environment."*
- Objective 25.3.2: *"Urban and rural development is well planned and the environmental, cultural, spiritual, and social outcomes are positive."*
- Policy 25.3.2.1: *"To ensure that urban development is well planned and the environmental, cultural, spiritual, and social outcomes are positive."*

Enhancing the environment is a high level to attain and should be strived for where possible. The objectives of Chapter 5 of the district plan seek for development within the Temple View Character Area to maintain and enhance the areas special character. While the provisions of the zone focus on the built form and character of the area, the Temple View Design Guide requires the design and layout of roads and the location and size of future development responds to the context of the area including open space, views and natural features.

By enabling the development of the 14 hectare area with the preferred provisions of the Temple View Zone including the inclusion of a Precinct, it provides the opportunity to ensure development is well planned and managed by encouraging a comprehensive approach through the resource consent process.

In assessing the proposed plan change, it generally aligns with the direction provided in the Waikato-Tainui Environmental Plan - Te Tumu Tai Paru Tai Ao. The area covered by the proposed plan change is highly modified from its original state – being used as playing fields in the previously operating high school. The plan provisions proposed by Council encourage development to occur in comprehensive manner with objectives to maintain and enhance the areas special character and ensure that works that may affect the treatment of open space and boundaries are managed.

Chapter 26 - Infrastructure

The infrastructure chapter of the Plan highlights the essential role of infrastructure in providing for the economic, social, cultural, spiritual, and environmental health and wellbeing of the community, and that this development should occur in a sustainable manner. The Plan also highlights that if possible, enhancement is a better goal than sustainability, and recognises that planning is necessary to strive to achieve this where it is possible.

The plan change area is to be used for residential activity. The environmental plan sets the following objectives:

- Objective 26.3.1: *“Infrastructure development, upgrade and maintenance with the Waikato-Tainui rohe occurs in partnership with Waikato Tainui.”*
- Objective 26.3.2: *“Infrastructure development, upgrade, and maintenance manages economic, social, cultural, spiritual, and environmental effects.”*

The district plan is one of the tools that manages infrastructure in Hamilton City. Development of the plan change area will be managed through the resource consent process and the provisions of the district plan will apply.

Some key objectives and policies include:

Solid Waste

- Objective 25.12.2.1: *“Reduce the amount of solid waste generated and ultimately entering landfills”*
- Policy 25.12.2.1a: *“Promote the reduction of solid waste volumes based on the following hierarchy: reduction, reuse, recycle, recovery, treatment, disposal”*
- Objective 25.12.2.2: *“Solid waste activities and facilities are managed in a way that addresses adverse effects from the storage and disposal of solid waste.”*

Three waters

- Objective 25.13.2.1: *“Water resources are protected from the adverse effects of subdivision and development.”*
- Policy 25.13.2.1b: *“Subdivision and development on the margins of natural watercourses and wetlands should be located and designed to maintain, and where possible enhance:

 - i. Riparian margins.
 - ii. Water quality.
 - iii. Water resources.
 - iv. Aquatic habitats.”*
- Objective 25.13.2.3: *“Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:

 - Integrated
 - Effective
 - Efficient
 - Functional
 - Safe
 - Sustainable”*

A sub-catchment ICMP has been prepared as part of the resource consent application from the LDS Church for development in the area². This will inform how three waters infrastructure is managed and ensure any potential effects on the Koromatua Stream and its tributaries are able to be managed.

² Dawson, C. (2016) *The Church of Jesus Christ of Latter Day Saints Temple View Development Sub-catchment Integrated Catchment Management Plan*. Hamilton: Bloxam Burnett & Olliver Ltd.

Transport

- Objective 25.14.2.1: *“An integrated multi-modal transport network that meets national, regional and local transport needs and is:*
 - *Responsive*
 - *Efficient*
 - *Affordable*
 - *Safe*
 - *Accessible*
 - *Sustainable*
 - *Integrated with land use”*

An integrated transport assessment (ITA) will be required to be provided as part of the precinct development. ITA's provide a consistent approach to assessing proposals and the means by which to address any adverse transportation effects that may arise.

Infrastructure will also be managed through Hamilton City Council's *Infrastructure Technical Specifications*. This sets out the minimum design standards for design and construction of public infrastructure within Hamilton.

Other chapters considered but not relevant to the proposed plan change

- Chapter 20: Wetlands
- Chapter 23: Air
- Chapter 24: Coastal Environment
- Chapter 27: Electricity Generation
- Chapter 28: Mining and Quarrying oil, gas, minerals
- Chapter 29: Recreation and Tourism

Five | Summary

The proposed plan change covers a discrete area of land that has been previously managed under the Waipa District Plan. In order to fulfil its obligations under the RMA, HCC is required to make changes to the district plan to ensure the area is managed under its jurisdiction. The provisions of the plan change aim to ensure the area is able to be developed in a sustainable manner and a positive development outcome is obtained for the community. Due to the unique nature of the Temple View area, the district plan focuses on its character and heritage value, however the Temple View Design guide requires development respond to the context of the area including open space, views and natural features.

Council hope to continue conversations with Waikato- Tainui and Ngaati Mahunga to better understand any concerns/issues they may have.

Alice Morris

From: Kevin O'Shannessey <Kevin.O'Shannessey@tainui.co.nz>
Sent: Wednesday, 18 January 2017 13:46
To: Alice Morris
Cc: Mark Roberts; Muna Wharawhara; Luke O'Dwyer
Subject: RE: Temple View Boundary Adjustment Plan Change
Attachments: Templeview plan change.pdf

Kia ora Alice

Thanks for the reports. Please find enclosed a letter of support.

Thanks



Kevin O'Shannessey
Environmental Advisor
Environment

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PO Box 481	Facsimile:	+64 7 839 4576
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From: Alice Morris [mailto:Alice.Morris@hcc.govt.nz]
Sent: Tuesday, 17 January 2017 4:29 p.m.
To: Kevin O'Shannessey <Kevin.O'Shannessey@tainui.co.nz>
Cc: Mark Roberts <Mark.Roberts@hcc.govt.nz>; Muna Wharawhara <Muna.Wharawhara@hcc.govt.nz>; Luke O'Dwyer <Luke.O'Dwyer@hcc.govt.nz>
Subject: RE: Temple View Boundary Adjustment Plan Change

Hi Kevin,

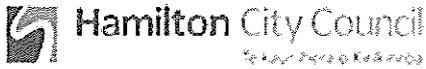
Thank you for meeting with Muna, Mark and I last week to discuss the proposed Temple View Plan Change (PC2) as well as our draft assessment of the Plan Change against the Environmental Plan. It was a great discussion.

As promised, please find attached the two reports (Ecological and Archaeological) that are referenced in the Assessment Report.

Kind regards
Alice

Alice Morris
Team Leader | City Planning

DDI: 838 6431 | Fax: 838 6464 | Email: alice.morris@hcc.govt.nz



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From: Tim Manukau [<mailto:Tim.Manukau@tainui.co.nz>]
Sent: Monday, 9 January 2017 10:04 AM
To: Alice Morris
Cc: Mark Roberts; Muna Wharawhara; Luke O'Dwyer; Kevin O'Shannessey
Subject: Re: Temple View Boundary Adjustment Plan Change

Kia ora Alice,

Kevin will be at the meeting I will be in Wellington.

Nga mihi,

Tim Manukau
PH 021 546 310

On 16/12/2016, at 3:02 PM, Alice Morris <Alice.Morris@hcc.govt.nz> wrote:

Hi Tim,

Further to the email correspondence in July, and our most recent in November, please find attached the draft assessment of the proposed TV plan change against the Environmental Plan we have prepared.

We would like to also arrange a time to meet with you and discuss this draft assessment and the plan change in general.

Although the festive season being upon us are you available to meet next week? Alternately, during the week of the 9th January 2017?

Please let me know so we can set a time.

Kind regards,
Alice

Alice Morris
Team Leader | City Planning

DDI: 838 6431 | Fax: 838 6464 | Email: alice.morris@hcc.govt.nz

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From: Tim Manukau [<mailto:Tim.Manukau@tainui.co.nz>]
Sent: Tuesday, 26 July 2016 10:39 AM
To: Mark Roberts
Cc: Muna Wharawhara; Alice Morris
Subject: RE: Temple View Boundary Adjustment Plan Change

Hi Mark,

Thanks for the below, as a matter of process please assess the proposal against our Environmental Plan.

From this assessment we will determine next step.

Please consult with Ngati Mahanga on this.

Cheers,

Tim

From: Mark Roberts [<mailto:Mark.Roberts@hcc.govt.nz>]
Sent: Tuesday, 26 July 2016 10:23 a.m.
To: Tim Manukau <Tim.Manukau@tainui.co.nz>
Cc: Muna Wharawhara <Muna.Wharawhara@hcc.govt.nz>; Alice Morris <Alice.Morris@hcc.govt.nz>
Subject: Temple View Boundary Adjustment Plan Change

Morning Tim

I am following up on the e-mail sent to you by Alice Morris on the 15th July regarding the Temple View Boundary Adjustment Plan Change. As a key stakeholder we would like to meet with yourself and any other representatives of your organisation to brief you on the project as well as discuss any concerns that you may have. If possible could we meet on Monday the 8th August at 2 o'clock, if this date or time does not suite you please provide me with a suitable date and time or contact me to discuss an alternative arrangement.

Kind Regards

Mark Roberts
Senior Planner | City Planning

DDI: 07 838 6618 | Email: mark.roberts@hcc.govt.nz

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<WT EMP Temple View PC review draft 14 Dec 2016.docx>



C/- Kevin O'Shannessey
Waikato Tainui Te Whakakitenga o Waikato Inc
P.O Box 481
Hamilton 3204

18 January 2017

Alice Morris
Team Leader | City Planning
Hamilton City Council
Private Bag 3010, Hamilton 3240

Kia ora Alice

RE: APPLICATION FOR TEMPLE VIEW BOUNDARY ADJUSTMENT PLAN CHANGE

This letter outlines the key recommendations from the Waikato Raupatu River Trust (WRRT) regarding the proposed plan change for 14 hectares located at Temple View. The purpose of the plan change is to bring the subject area of land under the administration of Hamilton City Council. This will allow for the updating of how the land development will be managed with the surrounding areas.

SUMMARY OF RECOMMENDATIONS FROM WRRT

WRRT would like it noted that we support the plan change providing all concerns from Ngati Maahanga have been mitigated.

Nгаа Mihi

A handwritten signature in black ink, appearing to read "Kevin O'Shannessey".

Kevin O'Shannessey
Environmental Advisor
Waikato-Tainui

Appendix 8.6B: Correspondence from THaWK confirming meeting attendance, actions undertaken and support for the Plan Change.

Alice Morris

From: Paratai Tai rakena <paratai.tairakena@xtra.co.nz>
Sent: Tuesday, 26 July 2016 22:05
To: Mark Roberts
Cc: Muna Wharawhara; Alice Morris
Subject: Re: Temple View Boundary Adjustment Plan Change

Kia ora Mark

I have been up and about the Temple View area with the NZ Maori Missionaries and the Temple View Project Management team for a site visit and was given an overview of developments. Wonderful things happening there. I also dropped by the open day for the proposed Temple View plan change, and met Alice there.

The next Ngaa Uri o Maahanga board meeting is Monday next week. I will agenda the temple View Boundary Adjustment Plan Change for discussion and advice you as soon as possible of the outcome.

I look forward to a meeting.

Ngaa mihi

Paratai

On Tuesday, 26 July 2016 10:33 AM, Mark Roberts <Mark.Roberts@hcc.govt.nz> wrote:

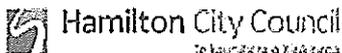
Morning Paratai

I am following up on the e-mail sent to you by Alice Morris on the 8th July regarding the Temple View Boundary Adjustment Plan Change. As a key stakeholder we would like to meet with your organisation to brief you on the project as well as discuss any concerns that you may have. If possible could you please provide me with a suitable date and time for us to come and present the project to Nga Uri o Mahanga or alternatively please contact me to discuss an alternative arrangement.

Kind Regards

Mark Roberts
Senior Planner | City Planning

DDI: 07 838 6618 | Email: mark.roberts@hcc.govt.nz



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Alice Morris

From: Paratai Tai rakena <paratai.tairakena@xtra.co.nz>
Sent: Thursday, 8 December 2016 08:05
To: Mark Roberts
Subject: Re: Temple View Boundary Adjustment Plan Change

Tēnā koe Mark

Thank you for your email regarding the Temple View Boundary Adjustment Plan Change. We appreciate your acknowledgement of Ngaati Maahanga as tangata whenua of the area.

I will consult with my fellow colleagues of the Ngaa Uri o Maahanga Trust Board regarding your email and respond back to you early next week.

Kia pai tō rā
Paratai

On Wednesday, 7 December 2016 3:56 PM, Mark Roberts <Mark.Roberts@hcc.govt.nz> wrote:

Kia ora Paratai

I am following up with regards to the Temple View Boundary Adjustment Project. As you are aware we had a public open day on the 21st July 2016 following which we undertook further work including feedback obtained from the open day to refine the options we presented at the open day. As a result we notified the Temple View community and key stakeholders of a second open day held on the 23rd November at which we presented our preferred option for the area. I have attached an information sheet which was available at the open day that sets out our intend planning framework for the proposed areas as well as a number of minor changes to the exiting planning provisions for Temple View.

As Ngaa Uri o Maahanga is a key stakeholder we would like to meet with you to discuss the proposed plan change in more detail. If you could please have a read of the information sheet and let me know if you think it is necessary for us to discuss the matter further I will arrange a meeting for us to do this..

If you need any further information or clarification please do not hesitate to get hold of me.

Regards

Mark Roberts
Senior Planner | City Planning

DDI: 07 838 6618 | Email: mark.roberts@hcc.govt.nz



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From: Paratai Tai rakena [<mailto:paratai.tairakena@xtra.co.nz>]
Sent: Tuesday, 26 July 2016 10:05 PM
To: Mark Roberts
Cc: Muna Wharawhara; Alice Morris
Subject: Re: Temple View Boundary Adjustment Plan Change

Kia ora Mark

I have been up and about the Temple View area with the NZ Maori Missionaries and the Temple View Project Management team for a site visit and was given an overview of developments. Wonderful things happening there. I also dropped by the open day for the proposed Temple View plan change, and met Alice there.

The next Ngaa Uri o Maahanga board meeting is Monday next week. I will agenda the temple View Boundary Adjustment Plan Change for discussion and advice you as soon as possible of the outcome.

I look forward to a meeting.

Ngaa mihi

Paratai

On Tuesday, 26 July 2016 10:33 AM, Mark Roberts <Mark.Roberts@hcc.govt.nz> wrote:

Morning Paratai

I am following up on the e-mail sent to you by Alice Morris on the 8th July regarding the Temple View Boundary Adjustment Plan Change. As a key stakeholder we would like to meet with your organisation to brief you on the project as well as discuss any concerns that you may have. If possible could you please provide me with a suitable date and time for us to come and present the project to Nga Uri o Mahanga or alternatively please contact me to discuss an alternative arrangement.

Kind Regards

Mark Roberts
Senior Planner | City Planning

DDI: 07 838 6618 | Email: mark.roberts@hcc.govt.nz



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31 October 2018

To Whom it my Concern

Re : Temple View Plan Change

Hamilton City Council has consulted with Te Haa O Te Whenua O Kirikiriroa (Thawk) regarding the proposed Plan Change to rezone 14ha of Land introduced into Hamilton as part of a boundary adjustment in 2014. Consultation with Thawk was undertaken on the following dates:

1. 9 February 2017 – Management (Rawiri & Robin) attended a public meeting with Hamilton Council Staff seeking Thawks' direction and support.
2. 21 February 2017 – Council Staff attended Thawk's monthly hui & advised that funding was available to do a cultural assessment of the area. Thawk advised that the research being carried out by PareTutaki Hayward for and on behalf of Ngati Mahanga may cover this area and as such Council should wait till then before **deciding whether another is required**. It was suggested that if it wasn't required, then Councils funding could be utilised on mitigations and commemorations. Council staff also advised that they would also be consulting with Ngati Mahanga through Nga Uri O Mahanga (NUOM) which Thawk supported.
3. In July 2017 - Council staff again sought our direction regarding NUOM. Thawk continued to support them.
4. 7 December 2017 - Council staff attended a Thawk hui seeking our support for the plan change. The Ngati Mahanga representatives to Thawk agreed to support this Plan Change **on condition** that the Developer commits to full consultation with Thawk in respect of the actual developments being planned for the area of the plan change. This future consultation would provide for the resolution of pt 2 above.

To date nobody has advised us where the project has progressed to although we understand that a hearing took place due to Namtok (Wiremu Puke) objections, and we also know that HCC, Alice and Chris Dawson have in their possession the Ngati Wairere kaumatua letter, disclosing the situation regarding the Namtok mandate.

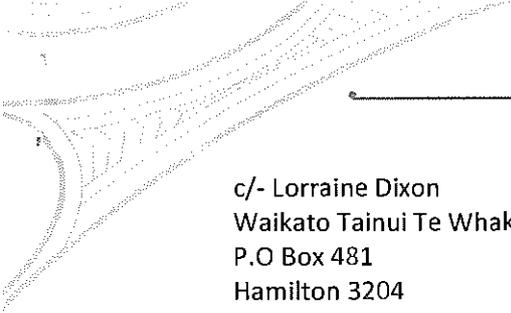
Consequently our position is still that as per point 4 above as recorded in the minutes of 7 December 2017.

Nga mihi



Rawiri Bidois
Manager
Te Haa O Te Whenua O Kirikiriroa

Appendix 8.6C: Iwi Authority review and feedback on Plan Change 3: Temple View Boundary Alteration – Section 32 report.



c/- Lorraine Dixon
Waikato Tainui Te Whakaitenga o Waikato Inc
P.O Box 481
Hamilton 3204

11 January 2019

Alice Morris
Team Leader City Planning Heritage, Urban Design and Spatial
Hamilton City Council
Private Bag 3010. Hamilton 3240

Teena koe Alice,

Re: Proposed Plan Change 2: Temple View

Thank you for allowing Waikato-Tainui to provide any updates from the previous support letter dated 18 January 2017. We acknowledge Hamilton City Council Proposed Plan Change 2: Temple View Initial Assessment against the Waikato-Tainui Environmental Plan – Tai Tumu Tai Pari Tai Ao (Waikato Tainui Plan) has been attempted.

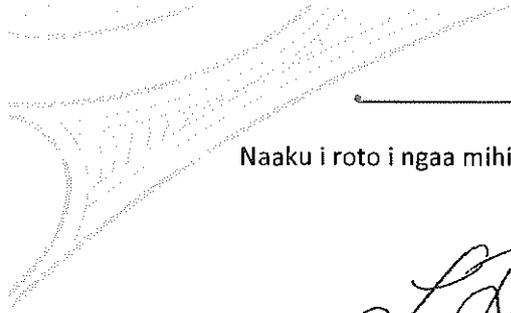
Waikato-Tainui would like to attention the following:

Waikato River, in its entirety includes the Temple View Plan change area. This place was once a swamp area and is one of the remaining remnants of peat lands in the Waikato. This area was drained and degraded for agricultural development, thus releasing carbon emissions from drained peatlands for well over a century. It is well documented that Carbon Dioxide emissions are continuously released from continuously drained peatlands and will continue for as long as the peatland remains drained and the peat keeps oxidising. This can continue for decades and even centuries.

In order to fulfill section 32 of the RMA (1991) A precautionary approach whereby a balance to avoid emissions from land use change and consequent land use is required; the improvement of management practices to reduce carbon dioxide emissions from land development and the sequestration of carbon dioxide through improving land use and management needs to be taken into account for the proposed Plan Change 2: Temple View. This will contribute towards achieving the Paris Agreement, whereby New Zealand has a post-2020 commitment to reducing greenhouse gas emissions under this agreement.

Waikato- Tainui will support the Plan Change with the following conditions:

- a) A precautionary approach to the consent terms should be given.
- b) A specific “soft approach” land enhancement management plan to mitigate disturbance effects of land development on peat land (including its surrounding environment), and to include (at the very least), the reduction of oxidation, soil subsidence, nutrient losses in ground and surface waters and green house gas emissions on the degradation within peat land areas.



Naaku i roto i ngaa mihi, naa



Lorraine Dixon
Environmental Project Advisor,
Oranga - Waikato-Tainui



NGAA URI O MAAHANGA
C/O – nuomtb@gmail.com



14 January 2019

Email: Alice.Morris@hcc.govt.nz

Hamilton City Council

C/- Alice Morris

Private Bag 3010

Hamilton

BY EMAIL ONLY

Tēnā koe e Alice,

Re: Temple View – Plan Change 3

1. Ngaati Maahanga via our representative and Trustee on Ngaa Uri o Maahanga Trust (Board), Paratai Tai Rakena advise that we have been consulted regarding the Draft Proposal for Plan Change 3.
2. At this stage, Ngaati Maahanga wish to advise that we support the Draft Proposal for Plan Change 3 that was presented to our representative, Paratai Tai Rakena.
3. Ngaati Maahanga request that the Project Manager for the Temple View Project, continue to regularly update and consult with Paratai.
4. Should any kōiwi/taonga be found, please consult our Accidental Discovery Protocol as provided to the Temple View Project Manager.

Nāku iti noa, nā

Rik Te Awarutu Samuels

Chairman

Ngaa Uri o Maahanga Trust

APPENDIX 8.7: TECHNICAL REPORTS

Hamilton City Council
Private Bag 3010
Hamilton 3240

Attention: Mark Roberts

Dear Mark

Temple View SNA review

1 Introduction

Hamilton City Council (HCC) has contracted Tonkin & Taylor (T+T) to undertake a review of a 2016 Significant Natural Area (SNA) assessment performed on SNA 14.1 - Temple View Kahikatea. The SNA is located within the boundaries of the Hamilton City Council's governing area and includes four stands of remnant kahikatea (*Dacrycarpus dacrydioides*) (Appendix A, Figure 1). This SNA has previously been assessed on two occasions: initially, in 2010; and subsequently, in 2016.

The original assessment of the Temple View Kahikatea SNA was undertaken in December 2010 by Cornes *et al.* (2012)¹ which identified SNA 14.1 as two distinct areas. Within the two areas were four separate remnant stands of indigenous trees. The northern block contained one stand of kahikatea; and the southern block contained three stands of trees. The southern three stands included two kahikatea stands and a -eastern stand composed of kahikatea, titoki (*Electryon excelsus*), and exotic conifers. Each of the three stands within the southern block were connected by mown and paved areas. This assessment was undertaken prior to the closing of Church College and the surrounding landscape has changed since this original assessment.

In 2016, the site was assessed again by Kessels & Associates Ltd as part of an ecological assessment of the Waipa Bolt On². This assessment concluded that the same four stands of trees should be classified as SNAs but refined the boundary of the blocks to exclude the grassed and paved areas, separating the southern area into the three distinct stands (Appendix A, Figure 2).

This letter presents the findings of our review of the four remnant kahikatea stands, to determine whether the 2016 assessment and boundary adjustments recommended are still valid as HCC are unable to use documents that are more than two years old to guide formal decision-making processes.

¹ Cornes, T.S., Thomson, R.E., Clarkson, B.D. (2012). Key Ecological Sites of Hamilton City: Volume I. Technical report prepared for Hamilton City Council by the Centre for Biodiversity and Ecology Research, University of Waikato.

² Price, J. & van der Zwan, W. (2016). Ecological Assessment for Re-zoning of Waipa Bolt On. Technical report prepared for Hamilton City Council by Kessels Ecology

2 Original SNA assessment

The original assessment performed by Cornes *et al.* (2012) in 2010 described SNA 14.1 as containing four stands of trees. The original SNA assessment described the canopy cover as being dominated by kahikatea, and other species present included willow (*Salix* sp.), cabbage trees (*Cardyline australis*), rewarewa (*Knightia excelsa*), redwood (*Sequoiia sempervirens*) and other exotic gymnosperms, miro (*Prumnopytis ferruginea*), kauri (*Agathis australis*), magnolia (*Magnolia* sp.), wheki (*Dicksonia squarrosa*), and silver beech (*Lophazonia menziesii*). The understory was described as sparse but containing individuals of karamu (*Coprasma robusta*), kohuhu (*Pittasporum tenuifolium*), lacebark (*Hoheria* sp.), lemonwood (*Pittosparum eugenioides*), and tree ferns. Two of the four stands contained mown lawns beneath the canopy of trees and were void of any understory vegetation. The other two stands contained a ground layer of mulch and leaf litter.

The stands closest to the temple were identified as showing the most evidence of human interference and contained several ornamental exotic species such as palms and wonder tree. The understory was still sparse but denser than the other two stands.

The vegetation type using the method described by Atkinson (1985)³ was described as:

Kahikatea-(titoki)-(willow)/karamu-kohuhu-lacebark-lemonwood-*Pseudapanax*-tree ferns/(tradescantia)-(Carex secta)-(blackberry)-(arum lily).

See Appendix B for an explanation of the Atkinson (1985) vegetation type descriptions.

In the original SNA assessment, the four stands were assessed against section 11A of the Waikato Regional Policy Statement (RPS) which presents criteria for determining significance of indigenous biodiversity. As the stands were deemed to be remnant Kahikatea Forest, they were determined significant under criteria 4 as “*It is indigenous vegetation, habitat or ecosystem type that is under-represented (20% or less of its known or likely original extent remaining) in an Ecological District, or Ecological Region, or nationally*”.

3 2016 SNA assessment

In 2016, a second assessment of SNA 14.1 was conducted as part of a larger ecological assessment report for the re-zoning of the Waipa Bolt On². This second assessment concluded that, as the four stands were Kahikatea Forest, they should all remain as SNAs but that the boundaries required refining (Appendix A, Figure 2).

The 2016 review focused largely on the south-eastern stand of trees as the significance of this area was uncertain. The vegetation in this block was noted as containing kahikatea, titoki, matai (*Prumnopytis taxifolia*), and exotic trees such as conifers, magnolias, and poplars (*Populus* sp.). The ground cover at the eastern end of the stand contained mown grass while the western end contained mulch and occasional mapou (*Myrsine australis*) and pittosporums. This assessment noted that the “*ecological value is limited because components and processes in a natural native forest are largely absent*” but continued to state that the stand may provide habitat for indigenous fauna such as bats and birds.

³ Atkinson, I. (1985). Derivation of vegetation mapping units for an ecological survey of Tongariro National Park, North Island, New Zealand. *New Zealand Journal of Botany*, 23, 361-378.

4 2018 SNA review

A third review of the SNA in 2018 was undertaken to confirm if the 2016 assessment was still valid. This included a site walkover of each of the four kahikatea four on 20 June 2018 by a T+T Ecologist. Details regarding the vegetation on site were recorded including species observed, spatial extent, and the structural composition of each stand.

The 2018 assessment found that the integrity of the three northernmost sites has been maintained and likely enhanced following the landscaping developments completed by the Church of the Latter Day Saints around the kahikatea stands over the past four years (Appendix A, Figure 1). These three northernmost stands are still considered Kahikatea Forest and, as such, continue to form an SNA.

On the contrary, the ecological value of the south-eastern stand has declined to a state where it is no longer considered to be Kahikatea Forest and is now more accurately described as Kahikatea-(titoki) Treeland. This stand is, therefore, no longer meets the criteria of an SNA.

An updated map with the recommended SNA boundaries following the 2018 assessment is provided in Appendix A, Figure 1.

The canopy of the south-eastern stand that had previously been identified as an SNA is still dominated by kahikatea and titoki, however, the largest tree in the stand is now an exotic redwood. It appears that some trees have been removed including a large cabbage tree and all understorey vegetation that was previously documented in the two prior SNA assessments has been removed (Appendix D, Photos 1 & 2). The removal of vegetation has now reduced the stand to less than 80% canopy cover and a total of 21 trees exist over an area of approximately 1,500 m², a density of around 1 tree per 70 m² (Appendix D, Photo 3). The ground remains covered with mulch and herbaceous weeds in places. In contrast to the vegetation description produced in 2010, the current vegetation within the south-eastern stand has been reduced to a single tier and can be described as Kahikatea-(titoki) Treeland.

The ecological value of the south-eastern stand has been assessed against the criteria outlined in the EIANZ Ecological Impacts Assessment guidelines (2018)⁴ as well as against the Waikato Regional Council (WRC) "Criteria for determining significance of indigenous biodiversity" from the Waikato Regional Policy Statement (RPS)⁵. These assessments are presented in Tables 3.1 and 3.2, respectively.

Although the ecological value of the south-eastern stand has declined, the ecological value across the other three stands within the SNA has improved. Many exotic weed species that were noted in the 2010 assessment of the site, such as willows, *Tradescantia fluminensis* and arum lily (*Zantedeschia aethiopica*), have been removed. In addition, the immediate landscape between the four kahikatea stands has been converted into a pond with marginal wetlands and sedgeland plant communities (Appendix C, Photo 4).

⁴ Roper-Lindsay, J., Fuller S.A., Hooson, S., Sanders, M.D., Ussher, G.T. (2018). Ecological Impact Assessment. EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems. 2nd edition. Melbourne, Australia: EIANZ.

⁵ Waikato Regional Council. (2016). The Waikato Regional Policy Statement - Te tauākī kaupapahere o te rohe o Waikato. Waikato Regional Council, Hamilton. Document # 3647993.

Table 3.1: Assessment of the south-eastern kahikatea stand against the assessment criteria proposed in the EIANZ Ecological Impact Assessment guidelines (2018).

Criteria for assessment	Description for site	Score
Representativeness	Structure and composition is not typical of a natural system. Although the majority of canopy trees are typical species of a remnant kahikatea forest, some exotic trees are present and no understorey or ground layer vegetation is present. The ground is covered in mulch rather than a natural layer of leaf litter.	Low
Rarity/distinctiveness	The stand is dominated by kahikatea and titoki, two common indigenous tree species. Leather leaf fern (<i>Pyrrhosia elaeagnifolia</i>) is also common as an epiphyte. No Threatened ⁶ or At Risk plant species are present within the stand.	Low
Diversity and pattern	Botanical diversity within the stand is low. At a species level, only five indigenous species were observed in the site. These include kahikatea, titoki, totara, rimu (<i>Dacrydium cuppresinum</i>), and leather leaf fern (as an epiphyte). The stand includes a total of 21 trees in an area of approximately 1,500 m ² . No environmental gradients such as changes in elevation, flooding, salinity, or temperature are present across the stand.	Low
Ecological context	In the wider landscape, the stand of trees is surrounded by agricultural farmland and urban environments. If left unmanaged, the site would not be self-sustainable. The site does provide value as additional habitat for fauna in conjunction with the other three kahikatea stands within the SNA.	Low

Table 3.2: Assessment of the south-eastern stand against the criteria for determining significance of indigenous biodiversity from the Waikato Regional Policy Statement.

Criteria	Assessment
Previously assigned site	
1. It is indigenous vegetation or habitat for indigenous fauna that is currently, or is recommended to be, set aside by statute or covenant or by the Nature Heritage Fund, or Ngā Whenua Rāhui committees, or the Queen Elizabeth the Second National Trust Board of Directors, specifically for the protection of biodiversity, and meets at least one of criteria 3-11.	No
Ecological values	
2. In the Coastal Marine Area, it is indigenous vegetation or habitat for indigenous fauna that has reduced in extent or degraded due to historic or present anthropogenic activity to a level where the ecological sustainability of the ecosystem is threatened.	No

⁶ de Lange, P. J., Rolfe, J. R., Barkla, J. W., Courtney, S. P., Champion, P. D., Perries, L. R., Heenan, P. B., ... Ladley, K. (2018). New Zealand Threat Classification Series 22. Conservation status of New Zealand indigenous vascular plants, 2018. Wellington New Zealand: Department of Conservation. Retrieved from <https://www.doc.govt.nz/Documents/science-and-technical/nztcs22entire.pdf>

Criteria		Assessment
3.	It is vegetation or habitat that is currently habitat for indigenous species or associations of indigenous species that are: <ul style="list-style-type: none"> • classed as threatened or at risk, or • endemic to the Waikato region, or • at the limit of their natural range. 	Potentially. The trees within the stand have the potential to provide habitat for Nationally Critical ⁷ long-tailed bats (<i>Chalinolobus tuberculatus</i>).
4.	It is indigenous vegetation, habitat or ecosystem type that is under-represented (20% or less of its known or likely original extent remaining) in an Ecological District, or Ecological Region, or nationally.	No. Previous assessments have classed this vegetation as remnant kahikatea forest but the stand has no understorey or ground cover vegetation and less than 80% canopy cover. It is, therefore, classified as treeland vegetation rather than forest. Kahikatea treeland was, historically, not a common vegetation type and is not under-represented with regards to its original extent.
5.	It is indigenous vegetation or habitat that is, and prior to human settlement was, nationally uncommon such as geothermal, chenier plain, or karst ecosystems, hydrothermal vents or cold seeps.	No
6.	It is wetland habitat for indigenous plant communities and/or indigenous fauna communities (excluding exotic rush/pasture communities) that has not been created and subsequently maintained for or in connection with: <ul style="list-style-type: none"> • waste treatment; • wastewater renovation; • hydro electric power lakes (excluding Lake Taupō); • water storage for irrigation; or • water supply storage; unless in those instances they meet the criteria in Whaley et al. (1995).	No
7.	It is an area of indigenous vegetation or naturally occurring habitat that is large relative to other examples in the Waikato region of similar habitat types, and which contains all or almost all indigenous species typical of that habitat type. Note this criterion is not intended to select the largest example only in the Waikato region of any habitat type.	No

⁷ O'Donnell, C., Borkin, K., Christie, J., Lloyd, B., Parsons, S. and Hitchmough, R. (2018). Conservation status of New Zealand bats, 2017. New Zealand Threat Classification Series 21. Department of Conservation, Wellington. Retrieved from <http://www.doc.govt.nz/Documents/science-and-technical/nztcs21entire.pdf>

Criteria		Assessment
8.	It is aquatic habitat (excluding artificial water bodies, except for those created for the maintenance and enhancement of biodiversity or as mitigation as part of a consented activity) that is within a stream, river, lake, groundwater system, wetland, intertidal mudflat or estuary, or any other part of the coastal marine area and their margins, that is critical to the self sustainability of an indigenous species within a catchment of the Waikato region, or within the coastal marine area. In this context "critical" means essential for a specific component of the life cycle and includes breeding and spawning grounds, juvenile nursery areas, important feeding areas and migratory and dispersal pathways of an indigenous species. This includes areas that maintain connectivity between habitats.	No
9.	It is an area of indigenous vegetation or habitat that is a healthy and representative example of its type because: <ul style="list-style-type: none"> its structure, composition, and ecological processes are largely intact; and if protected from the adverse effects of plant and animal pests and of adjacent land and water use (e.g. stock, discharges, erosion, sediment disturbance), can maintain its ecological sustainability over time. 	No
10.	It is an area of indigenous vegetation or habitat that forms part of an ecological sequence, that is either not common in the Waikato region or an ecological district, or is an exceptional, representative example of its type.	No
Role in protecting ecologically significant area		
11.	It is an area of indigenous vegetation or habitat for indigenous species (which habitat is either naturally occurring or has been established as a mitigation measure) that forms, either on its own or in combination with other similar areas, an ecological buffer, linkage or corridor and which is necessary to protect any site identified as significant under criteria 1-10 from external adverse effects.	No

5 Conclusions

The findings from the 2018 assessment of SNA 14.1 Temple View Kahikatea conclude that the south-eastern stand should be excluded from the SNA. This is due to the loss of mature canopy trees and understorey vegetation which has resulted in a canopy cover of less than 80% and now stratification of the vegetation. The stand is, therefore, now considered to be Kahikatea-(titoki) Treeland habitat rather than remnant Kahikatea Forest. The remaining three Kahikatea Forest stands are still considered significant natural areas and have improved in ecological value since the original SNA assessment was undertaken in 2010.

6 Applicability

This report has been prepared for the exclusive use of our client Hamilton City Council, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

Tonkin & Taylor Ltd

Environmental and Engineering Consultants

Report prepared by:



Adam Purcell

Ecologist

Authorised for Tonkin & Taylor Ltd by:



Peter Cochrane

Project Director

ADPU

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Appendix B: Atkinson (1985) vegetation descriptions

Key to vegetation descriptions derived from Atkinson (1985). Generally, only species with a cover greater than 10% are included in the name but conspicuous or emergent species may also be included.

<u>Species</u>	>50% of total vegetation cover of underlined species in a particular tier
Species	20-49% of total vegetation cover of a species in a particular tier
(species)	10-19% of total vegetation cover of a bracketed species in a particular tier
[species]	1-10% of total vegetation cover of square bracketed species in a particular tier
Species1/species2	Species 1 in a tier above species (e.g. species emergent above the canopy)
Species1-species2	Species occurring within the same tier

Appendix C: Site photos



Photo 1: Stump of a felled cabbage tree within the south-eastern stand of trees. Indicative location of the photo is provided in Appendix B, Figure 1.



Photo 2: Bare ground layer and understorey in the south-eastern stand that contained mapou and pittosporums in the 2016 assessment. Indicative location and orientation of the photo is provided in Appendix B, Figure 1.



Photo 3: The sparse distribution of trees in the south-eastern stand. Indicative location and orientation of the photo is provided in Appendix B, Figure 1.



Photo 4: Man-made pond and wetland habitat with extensive native planting between and adjacent to the kahikatea stands of SNA 14.1. Indicative location and orientation of the photo is provided in Appendix B, Figure 1.

APPENDIX 8.8: PLANNING PROVISIONS MODIFIED BY PLAN CHANGE 3: TEMPLE VIEW BOUNDARY ALTERATION

- Appendix 8.8A: Operative District Plan – Volume 1, Chapter 5: Special Character Zones
- Appendix 8.8B: Operative District Plan – Volume 1, Chapter 23: Subdivision
- Appendix 8.8C: Operative District Plan – Volume 2, Appendix 1: District Plan Administration
- Appendix 8.8D: Operative District Plan – Volume 2, Appendix 4: Special Character Zones
- Appendix 8.8E: Operative District Plan – Volume 2, Appendix 17: Planning Maps

Appendix 8.8A: Operative District Plan – Volume 1, Chapter 5: Special Character Zones

5 Special Character Zones

5.1 Purpose

- a) There are areas of Hamilton City that are recognised as having a distinctive and special character. Character is influenced by the natural and built environment, architectural styles, the layout of streets and residential lots (and their size), land use, the trees, fences, landscaped areas and open space and the heritage and cultural values. Both public and private spaces contribute to defining the character of an area. The unique character or values of these areas can be compromised by site redevelopment, infill development, demolition of character homes, additions and alterations of existing buildings and the design and location of structures such as fences, if these have little regard to the area's dominant character.
- b) The intention of the Special Character Zones is to protect, maintain and enhance the respective 'special' characteristics of those areas. Five special zones are provided in this District Plan:
 - i. Special Residential Zone.
 - ii. Special Heritage Zone.
 - iii. Special Natural Zone.
 - iv. Temple View Zone.
 - v. Peacocke Character Zone.
 - vi. Rototuna North East Character Zone.
- c) Design and layout of residential sites and buildings are critically important. All residential development must address potential adverse environmental effects and ensure a good quality urban environment is achieved through urban design.
- d) 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.
- e) Special Character Zones other than the Temple View Zone are intended to be primarily for residential purposes and any other activities need to maintain residential character and amenity. In particular, the character and amenity of established residential areas need to be, where possible, enhanced by both public and private development.
- f) 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. A suburban centre is also provided for within the Peacocke Character Zone to serve the local community. However, non-residential activities are subject to several

considerations, particularly their compatibility with the existing and anticipated residential character and amenity of the residential area.

- g) Special Character Zone, Temple View Zone is intended to provide for the repurposing of the identified area that places a strong focus on the area's character and historic heritage while enabling a mix of residential and non-residential activities that do not compromise the characteristics of the area.

5.1.1 Special Residential Zone

- a) The Special Residential Zone comprises:
 - i. Claudelands West
 - ii. Hamilton East
 - iii. The Dwelling Control Area

5.1.1.1 Claudelands West

- a) Claudelands West comprises that part of the Special Residential Zone:
 - i. South of Boundary Road
 - ii. West of Heaphy Terrace
 - iii. North of Te Aroha Street
 - iv. East of the Waikato River
- b) Claudelands West derives its character largely from period housing providing links with the City's early settlement, including bungalows, Arts and Crafts houses and villas. The area also contains the 'sausage style' apartment blocks that dominated infilling in the 1960s – 70s and detached second infill development units; commercial activities that support the area are located on the fringe of the area. Overall the area is characterised by its predominately low-density development. Areas of mature vegetation (including street trees) and front yard gardens are also a significant element.
- c) The character of Claudelands West can be maintained in several ways. The low-density housing pattern is an important element, as is ensuring that any new buildings are compatible with houses constructed before 1939. This means height, scale and bulk similar to the existing built form. The front yard and the streetscape are important and can be maintained by buildings set back from the road and low front fences. This ensures that the building line is preserved and there are opportunities for front-yard gardens and tree planting.

5.1.1.2 Hamilton East

- a) Hamilton East comprises that part of the Special Residential Zone:
 - i. South of Te Aroha Street
 - ii. West of Dey Street
 - iii. North of Cobham Drive
 - iv. East of the Waikato River
- b) Hamilton East is the City's oldest suburb. The original framework of streets laid out on a grid pattern in the 1860s provided the basis for early subdivision into

uniform 1-acre lots. The area continued to develop over successive generations and now contains a variety of building styles. The wider neighbourhood has retained the original, regular configuration of allotments.

- c) Sites typically have generous front and side yard setbacks resulting in relatively low building coverage. The variety of building styles, predominantly single-storeyed, avoids a uniform or regimented appearance but the unifying feature is large setbacks from a heavily vegetated streetscape and from each other. There are similarities with siting, scale, height, building design and orientation, and vegetation. Garages and accessory buildings are generally located to the rear of a site, maintaining a strong relationship between the dwelling and the street.
- d) There is significant planting within private properties and major reserves such as Steele Park and Galloway Park. One of the defining features of Hamilton East is the extensive mature trees and planted berms.
- e) It is not intended that the elements that contribute to the character and amenity values of the neighbourhood be 'frozen in time' and that new development mimic existing building styles. What is intended is that development as a whole is sympathetic to, and respects, the neighbourhood's special qualities.
- f) While some dwellings are identified and protected for their heritage values, those pre-dating 1940 contribute to the local character without necessarily being of heritage value individually.

5.1.1.3 The Dwelling Control Area

- a) The Dwelling Control Area is defined in the Planning Maps (also refer to Volume 2, Appendix 4, Figure 4-1).
- b) The Dwelling Control Area is an area where specific 'character homes', generally pre-1940 dwellings, make a significant contribution to the character and amenity values of the area.
- c) These pre-1940 dwellings are concentrated in the blocks that surround the Hamilton East part of the Residential Intensification Zone (refer to Volume 2, Appendix 4, Figure 4-1) and the streets immediately south of Te Aroha Street. Demolition and removal of these dwellings needs to be controlled as they make a significant contribution to the character of these streets and the wider neighbourhood and help to retain a sense of history.
- d) The 'Soldiers' Cottages' situated on Cook Street are Californian bungalow-style properties constructed between 1922 and 1935 (Art Deco). This enclave of five properties is unusual, even within Hamilton East, although their value is due to local interest rather than historic heritage value. The building style is similar to other examples in Hamilton East but the section sizes and setbacks are smaller which results in a more intimate relationship between buildings and the street. Although some have been substantially modified over the years, they still retain a strong element of visual and architectural unity.

5.1.2 Special Heritage Zone

- a) The Special Heritage Zone has been identified for heritage values derived from a combination of a number of built elements (rather than individual items) and the spatial pattern between them.

- b) The Special Heritage Zone comprises:
 - i. Frankton Railway Village
 - ii. Hayes Paddock
 - iii. Hamilton East Villas

5.1.2.1 Frankton Railway Village

- a) Frankton Railway Village, as shown in Volume 2, Appendix 4, Figure 4-4, comprises that part of the Special Heritage Zone:
 - i. South of Lincoln Street
 - ii. North of Massey Street
 - iii. East of Rifle Range Road
- b) It is one of the last and largest remaining railway settlements in the country and is considered nationally significant. It represents a historical reminder of one of the busiest railway junctions in New Zealand. The area has been identified as worthy of protection for the following heritage characteristics:
 - i. It provides a relatively unmodified example of a planned railway settlement, representing design elements of the 'garden suburb' movement, fashionable at that time (with the hall and central open space for workers).
 - ii. It contains a number of different design variations on the railway house, which is a basic villa design, with front porch, horizontal weather boarding, and galvanised corrugated iron roofing.
 - iii. It comprises predominately separate, single-storey residential dwellings.
 - iv. It has consistent building setback from the street frontage with houses orientated to the street.

5.1.2.2 Hayes Paddock

- a) Hayes Paddock, as shown in Volume 2, Appendix 4, Figure 4-2, comprises that part of the Special Heritage Zone:
 - i. West of MacFarlane Street
 - ii. East of the Waikato River
- b) Hayes Paddock is a surviving example of a former state housing area, designed and built by the first Labour Government from the late 1930s following the design principles of the 'garden suburb' movement. The layout of the neighbourhood and design of individual houses reflected the economic circumstances and social ideals of the time in terms of the provision of high-quality worker housing. The area has been identified as being worthy of protection for the following heritage characteristics:
 - i. It provides a relatively intact example of a planned state housing neighbourhood, providing high-quality worker housing constructed before 1945 and following contemporary design elements of the 'garden suburb' movement.

- ii. Dwellings exhibit a wide variety of design detailing but retain a high degree of visual unity through common use of a limited palette of materials and colours.
- iii. Dwellings are typically, but not exclusively, single-storey with solid hipped and tiled roofing.
- iv. The relatively narrow curving street pattern with berms and street trees discourages through traffic and reinforces a distinct residential character.
- v. Services, including electricity supply and telephone lines are underground.
- vi. Walkways provide connectivity between streets and the recreational reserve areas.
- vii. The location of the existing cafe and access to the riverside reserve at Jellicoe Drive and Plunkett Terrace reflects the historical focal point of the area, being the location of the original shop units.
- viii. The area still displays the original characteristic setback and separation between dwellings.
- ix. The design concept that the street scene, comprising the road, berms, gardens and dwellings, should be viewed as a whole is still clearly evident.
- x. Section sizes are typically about 600m² creating a distinctly low-density residential character.

5.1.2.3 Hamilton East Villas

- a) Hamilton East villas are located in that part of the Special Heritage Zone:
 - i. South of Albert Street
 - ii. West of Nixon Street
 - iii. North of Naylor Street
 - iv. East of Grey Street

And are shown in Volume 2, Appendix 4, Figure 4-3.
- b) The area has a high concentration of villa-style houses and has historical significance as it reflects the popularity of the villa throughout Hamilton East in the late Victorian and Edwardian periods. The dates of the villas in the area are between 1891 and 1916. The area has been identified as worthy of protection for the following heritage characteristics:
 - i. Consistency with the villa style, including a main gable facing the street, with ornate decoration in and/or supporting the gable, under eaves and on verandas.
 - ii. Main entrance facing the street with front bay or gable.
 - iii. Buildings are predominately single storey.
 - iv. Consistent building setback from the street frontage with houses orientated to the street.
 - v. Buildings are constructed with a timber frame, weatherboards and joinery with predominately corrugated iron roofs.

- vi. Most buildings have double-hung sash windows.
- vii. Most buildings have bays or double bays.
- viii. Most villas have verandas.

5.1.3 Special Natural Zone

- a) The Special Natural Zone identifies those areas of the City where a combination of natural, cultural and recreational values are of such significance to warrant the imposition of specific controls on development to protect, maintain and, where possible, enhance the special natural values of the area.
- b) The Special Natural Zone comprises:
 - i. Lake Waiwhakareke Landscape Character Area
 - ii. Rotokauri Ridgeline Area

5.1.3.1 Lake Waiwhakareke Landscape Character Area

- a) The Lake Waiwhakareke Landscape Character Area comprises that part of the Special Natural Zone:
 - i. South of Rotokauri Road
 - ii. North of Baverstock Road
 - iii. East of Brymer Road
- b) It derives its character from a combination of elements – its topography, the Lake Waiwhakareke Natural Heritage Park and the natural, cultural and recreational values of the area. The significance of these character elements warrants the imposition of specific controls on residential development in order to create, maintain and enhance the character of this area. The zone aims to create a residential area that is distinctive and responds to Lake Waiwhakareke Landscape Character Area.
- c) The proximity of the site ‘Lot 2 DP425316’ to Lake Waiwhakareke is such that development is required to be carried out in such a way that responds to the Lake Waiwhakareke’s character and setting whilst protecting the water quality and ecological and landscape values of the Lake. In order to achieve this, development must be in accordance with an approved Comprehensive Development Plan (CDP). The area subject to the CDP process is identified in Volume 2, Appendix 4, Figure 4-8. Before a CDP application can be made, an approved ICMP must be completed, and any development on this site must take into account the approved ICMP and address any effects on surface run-off and ground water infiltration.

5.1.3.2 Rotokauri Ridgeline Character Area

- a) The Ridgeline Character Area comprises that part of the Special Natural Zone:
 - i. North of Rotokauri Road
 - ii. East of Lee Road and Exelby Road
- b) It identifies a locally significant landscape feature in the western hills of Rotokauri. The area warrants special landscape management and planning provisions to

retain the legibility of the ridgelines and achieve a form and density of development that enables a sense of the underlying landform to be retained. The Ridgeline Character Area comprises a primary ridgeline that runs from north to south and follows the alignment of Exelby Road; and ridgelines (or spurs) aligned in a generally east-west direction.

- c) The Ridgeline Character Area is made up of a number of key visual and physical characteristics, the pattern of which create a backdrop to the western edge of the City.

5.1.4 Temple View Zone

- a) The Zone identifies those areas of Temple View which, through a combination of built and landscaped features deriving significant influence from the facilities built by The Church of Jesus Christ of Latter-day Saints, has produced a distinctive character. The zone comprises two broad areas consisting of 5 precincts:

- i. Temple View Heritage Area
- ii. Temple View Character Area

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5.1.4.1 Temple View Heritage Area

- a) The Heritage Area is defined on Planning Map 60B. It consists of one precinct ('Heritage Area') only, identified in Volume 2, Appendix 4, Figure 4-5 as Precinct 5.
- b) The heritage values of this area are derived from the combination of the built and landscaped environment immediately surrounding the Temple of the Church of Jesus Christ of Latter-day Saints. The Temple itself was the first in the Southern Hemisphere and is the focal point of the Church of Jesus Christ of Latter-day Saints in New Zealand.
- c) The siting, design and landscape treatment of the Temple emphasise the vertical proportions of the building and create an impression of a monument. Other buildings within the precinctHeritage Area include the Visitor Centre, which has a strong visual relationship with the north elevation of the Temple, and other elements such as dormitory accommodation on the eastern side, the central parking area and the Temple President's house, which is visually connected by the walled car parking area to the south of the Temple. Landscaping and tree planting emphasises the dramatic and dominant position of the Temple in the local landscape and also includes trees that mark periods of occupation before development of the site by the Church.
- d) The Heritage Area is contiguous with the Character Areas, in which buildings were was built with the same locally manufactured concrete blocks by the same missionary programme and retains a strong visual relationship with this area, particularly through the continuous curtilage walling adjacent the road frontage. Some of the features within the Heritage Area are separately identified and protected through specific rules, recognising the group value of these features within their wider site context.
- e) The Heritage Area provisions anticipate a range of include a Temple Comprehensive Development Plan which outlines a range of different activities that can be undertaken, which are compatible with and will enhance the purpose and nature of the Heritage Area.

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5.1.4.2

Temple View Character Area

- a) The Temple View Character Area is defined in the Planning Maps (see Maps 51B and 60B), and is divided into four precincts (1-4) identified in Volume 2, Appendix 4, Figure 4-5.
- b) As a result of site planning, development and subsequent management by the Church of Jesus Christ of Latter-day Saints, the area contains elements of the built and landscaped environment which have combined to produce a distinctive character.
- c) The provisions in the Character Area have been designed to enable a range of different activities within each precinct. The intension of the specific mix is to enhance and complement to take place, with a view to enhancing and complementing the adjacent Heritage Area while retaining the distinctive features of the Temple View Character Area. Two Comprehensive Development Plan (CDP) areas within the Character Area provide overall guidance on development. The four precincts have either a residential and commercial, or a residential and community focus.
- d) The Character Area straddles Tuhikaramea Road and includes a number of Heritage Items and Significant Trees that are individually protected through District Plan provisions, but the Temple View Character Area values extend beyond these individual items. The character of the area originates from the widespread use of certain key elements such as colour, materials, landscape treatment, consistency of building form and design, and internal roading.
- e) Through features such as siting, design, and proportions there is considerable cohesiveness between different areas of activity. This cohesiveness is carried through into the treatment of buildings, boundary walls, landscaping and roadways within the adjoining Heritage Area.
- f) The built form within the former teacher housing corridor arrangement of former teacher housing on either side of Tuhikaramea Road creates a distinctive gateway approach to the Temple. The corridor displays a unique spatial pattern which is articulated through uniformity in the height, bulk, architecture, materials and vernacular style of its buildings and other structures. The spacing between buildings, set back from the road and open campus-style setting, all contribute to the character of the area. New development, which is compatible in scale, materials, form and design, and provides a similar spatial treatment, will enhance and maintain this special character.
- g) The distinctive values of the heritage buildings listed in the District Plan should be reflected in new development.
- ~~h) — Development in the Character Area must be in accordance with the identified Comprehensive Development Plan Areas and cannot occur until a CDP is approved by the Council. The area subject to the CDP process is identified in Volume 2, Appendix 4, Figure 4-5.~~

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5.1.5

Peacocke Character Zone

- a) The Peacocke Character Zone identifies the unique natural area within the Peacocke area that has strong landscape features. These include the Managakotukutuku Gully network, the Waikato River, and the strong natural

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topography found in the south of the area. The development of the Peacocke area needs to respond positively to these landscape features. The aim is to create an interesting and distinctive urban form based on these natural areas. The Peacocke Character Zone comprises:

- i. Terrace Area
 - ii. Gully Area
 - iii. Hill Area
- b) The elements that make up the three areas have been identified in the Peacocke Structure Plan in Chapter 3. Along with setting out the components of the Structure Plan it provides a number of objectives that guide the development of the Peacocke area.

5.1.6 Rototuna North East Character Zone

- a) The Rototuna North East Character Zone identifies the natural rolling topography of the area north of the Waikato Expressway (Designation E90). The area visually links back into the City creating a backdrop to Rototuna and the City. It is also a distinctive edge of the City rising to the ridgeline that forms the City boundary with Waikato District Council as well as accommodating both Kay and Horsham Downs Roads. The development of this area needs to respond positively to the natural land form for the area and the Waikato Expressway. The aim is to create an interesting and distinctive urban form based on the strong natural form of the area while being fully incorporated into the overall context of the Rototuna area.

5.2 Objectives and Policies: Special Character Zones

All Special Character Zones

Objective	Policies
<p>5.2.1 The Special Character Zones retain and enhance their identified values.</p>	<p>5.2.1a Cumulative adverse effects on the character of the area are avoided wherever practicable.</p>
	<p>5.2.1b Development is consistent with the reasons for the site being included within a Special Character Zone.</p>
	<p>5.2.1c The size and scale of buildings and structures is compatible with the amenity of the locality.</p>
	<p>5.2.1d Buildings are designed so they do not physically dominate or adversely affect the residential character of the neighbourhood.</p>

	<p>5.2.1e Significant vegetation and trees should be preserved.</p>
	<p>5.2.1f New urban development in the Peacocke Structure Plan area should demonstrate consistency with the urban design guide for the development and create residential and commercial areas of high amenity which respond positively to the area’s natural environment.</p>
	<p>5.2.1g Urban development in the Rototuna North East Character Zone maintains the natural pattern of the area’s landforms as a key feature of residential development along with ensuring that development retains upper hill slope as legible features of the area’s skyline.</p>
<p>Explanation</p>	
<p><i>All the areas which have been identified as Special Character Zones have particular features which make them unique within the City. It is important that these unique features are identified and any new development does not harm these characteristics.</i></p> <p><i>For the Peacocke Character Zone new development will result in a change in character from rural to urban. The resulting urban development will need to achieve the vision for the Peacocke area which is to create a high quality urban environment that is based on urban design best practice, social well-being and environmental responsibility.</i></p> <p><i>The landscape feature of the north eastern area of Rototuna is locally significant in the context of the remaining growth cell areas of the Rototuna Structure Plan, resulting in the need for special landscape management and planning provisions to retain the character while achieving a form and density of the development that enables a sense of the underlying landform to be retained.</i></p>	
<p>Objective</p>	<p>Policies</p>

<p>5.2.2 Residential development produces good on-site amenity.</p>	<p>5.2.2a Residential design achieves 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 storage space and service areas to accommodate typical residential living requirements. iv. Insulation to avoid or mitigate adverse noise effects. v. Parking and manoeuvring areas on-site to meet the needs and convenience of residents. vi. Energy-efficient and sustainable design characteristics and technologies where compatible with the scale and form of residential development.
	<p>5.2.2b Residential sites adjacent to public space should achieve visual and physical connectivity to these areas.</p>
	<p>5.2.2c Building design and location should protect the privacy of adjoining sites.</p>
	<p>5.2.2d Buildings should be designed to conform to natural topography.</p>
<p>Explanation</p>	
<p><i>Good design of housing is critically important to on-site and off-site amenity. The policies identify the features important for each residential unit, regardless of what form the dwelling may take. Important design features include access to sunlight, outdoor living space, storage space, visual connectivity to public spaces such as the street, privacy, and off-road parking. Incorporation of these features will ensure functional and high-quality living environments for the occupants.</i></p>	

Special Residential Zone

Objective	Policies
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5.2.3 Recognise, protect and, where possible, enhance the values of the identified Special Residential Zone.	5.2.3a Development is consistent with the generally low intensity and low-density residential character of the area through: <ul style="list-style-type: none">i. Providing front and side yard setbacks.ii. Providing a low level of site coverage.iii. Being consistent with the existing dwelling densities.
	5.2.3b Development should retain a strong visual relationship to the streetscape through: <ul style="list-style-type: none">i. Ensuring any front yard fencing enables visibility with the streetscape.ii. Orienting buildings to overlook the street.iii. Ensuring the design of buildings avoids creating blank facades facing public spaces.
	5.2.3c Mature trees and other vegetation should be retained, particularly in the front yard.
	5.2.3d The local context, scale and character are retained.

	5.2.3e Existing valued character elements shall be protected and enhanced by: <ul style="list-style-type: none">i. Retaining pre-1940 dwellings within the dwelling control area.ii. Retaining pre-1939 dwellings within the Claudelands West area.iii. Ensuring alterations or additions to the streetscape façade of pre-1940 dwellings in the dwelling control area do not adversely affect the special character of the area.
	5.2.3f New buildings and structures are compatible with the form, height and bulk of houses constructed before 1939 in Claudelands West.
	5.2.3g Non-residential activities should not establish in any Special Residential Zone unless potential adverse effects are less than minor.

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	<p>5.2.3h Buildings are located only within the front yard setback where other sitings are proven to be impracticable. Buildings located within the front yard setback shall provide mitigation by provision of planting and screening and minimising the prominence of the building in relation to the main dwelling when viewed from the transport corridor.</p>
<p><i>Explanation</i></p>	
<p><i>These policies identify the important elements that lend the Special Residential Zone its uniqueness.</i></p>	

Special Heritage Zone

Objective	Policies
<p>5.2.4 Recognise, protect and, where, possible enhance the heritage values of the identified Special Heritage Zone.</p>	<p>5.2.4a Development should:</p> <ol style="list-style-type: none"> i. Maintain the predominately low-intensity and density characteristics of the area. ii. Be compatible with the site layout, site size and dimensions, building form, height, design, materials, scale and other heritage values of the area. iii. Ensure that original buildings and structures are retained on the site. iv. Provide landscaping in keeping with local residential amenity. v. Avoid any significant adverse effects on the heritage values of the Special Heritage Zone. vi. Encourage the protection and ongoing maintenance of the Special Heritage Zone. vii. Avoid any significant adverse effects on the streetscape appearance of the area. viii. Avoid removal of any significant vegetation in the Special Heritage Zone. ix. Reflect the characteristic separation of original dwellings including their open aspect to the streetscape. x. Ensure that any car parking, servicing, lighting and sign requirements do not adversely affect the heritage character of the area or the relationship of a building with the streetscape. xi. Ensure that the front and side elevations (including roofs) of new buildings and structures are consistent with the design, fenestration, materials and finishes of neighbouring original dwellings.
	<p>5.2.4b Within the Frankton Railway Village, buildings should be single storey with a low-pitched gable roof.</p>

	<p>5.2.4c The demolition or removal of a building is allowed only where it has been demonstrated to be the only practicable option.</p>
	<p>5.2.4d Non-residential activities should not establish in any Special Heritage Zone unless potential adverse effects are less than minor.</p>
<p>Explanation</p>	
<p><i>These policies identify the important elements that lend the Special Heritage Zone its uniqueness. A specific policy is identified for the Frankton Railway Village.</i></p>	

Special Natural Zone

Objective	Policies
<p>5.2.5 Create a distinctive residential environment that recognises, protects and enhances water quality, ecological, natural, cultural, landscape and recreational values.</p>	<p>5.2.5a Subdivision and development should:</p> <ol style="list-style-type: none"> i. Protect and enhance ecological connections to Lake Waiwhakareke as part of improving its ecological functioning and resilience. ii. Maximise visual and physical connections with Lake Waiwhakareke and the Waiwhakareke Natural Heritage Park, including long-distance views of the park from public spaces on the ridgelines iii. Encourage planting schemes that complement the Natural Heritage Park in the Lake Waiwhakareke Landscape Character Area. iv. Encourage safety and surveillance of public spaces, including the street, through: <ul style="list-style-type: none"> • Ensuring the form and design of fencing sharing a boundary with public spaces does not obstruct visibility. • Orienting buildings to overlook public spaces. v. Ensure that development contributes to the retention and enhancement of the ridgelines and upper hill slopes as legible features of the Rotokauri skyline. vi. Maximise the public amenity value of existing ridgeline roads to provide viewing opportunities of the City and surrounding rural landscape.

	<p>vii. Be consistent with the Rotokauri Structure Plan.</p> <p>viii. Be consistent with the Lake Waiwhakareke Landscape Character Area Design Guide.</p> <p>ix. Ensure that development avoids any adverse effects on the water quality or ecological values of Lake Waiwhakareke.</p>
	<p>5.2.5b Non-residential activities should not establish in any Special Natural Zone unless potential adverse effects are less than minor.</p>
	<p>5.2.5c Development of Lot 2 DP425316 shall provide a park edge transport corridor that acts as transitional space on the interface of the Special Natural and Open Space Zones.</p>

Explanation

The Lake Waiwhakareke Landscape Character Area and Rotokauri Ridgeline Area are unique in that they are greenfield areas with special natural landscape characteristics. It is important the new development in these areas recognises the natural values and enhances them. These areas are also in close proximity to Lake Waiwhakareke a Significant Natural Area and development in the surrounding area needs to ensure that adverse effects on water quality and ecological values of the Lake are avoided.

The proximity of Lot 2 DP425316 to Lake Waiwhakareke and the Waiwhakareke Heritage Park requires development to respond to the character of the Park. The inclusion of a park edge transport corridor is crucial to ensuring the amenity of the Waiwhakareke Heritage Park is maintained and an appropriate transition occurs between the built environment and the open space zone.

Temple View Zone

Objective	Policies
<p>5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area.</p>	<p>5.2.6a The continued use of the Heritage Area as a focus for the Church of Jesus Christ of Latter-day Saints is provided for.</p>
	<p>5.2.6b Development within the Heritage Area is sensitive in terms of scale, form and design with the existing heritage characteristics of the area.</p>
	<p>5.2.6c Fragmentation through subdivision is prevented.</p>

	<p>5.2.6d Development should ensure that the siting and design of new buildings and structures are sensitive to the setting and significance of the Temple as a spiritual and physical landmark.</p>
	<p>5.2.6e The maintenance and repair of buildings, curtilage wall, landscapes, roads, tracks and car parking areas should have regard to the distinctive character of the precinct and the pre-eminence of the Temple building.</p>
	<p>5.2.6f Additions and alterations to buildings and curtilage wall should be consistent with the character of the precinct and the pre-eminence of the Temple building.</p>
	<p>5.2.6g Demolition should not adversely impact on the landscape significance of the Temple.</p>
	<p>5.2.6h Works that would adversely affect the strong relationship between the Temple, Visitor Centre and Temple President's house are avoided.</p>
	<p>5.2.6i Re-contouring or modification of the landscape recognises the high visibility and prominence of the Temple and provides for the management of effects on archaeological deposits or features.</p>
	<p>5.2.6j The landscape characteristics and qualities of the Heritage Area are retained, including open and structured spaces, in particular the formal front entry staircases, lawns, walls and planting boxes.</p>

Explanation

The policies aim to enable the ongoing use of the Temple View Heritage Area by the Church or other organisations for a wide range of activities, subject to controls that ensure that the overall coherence and integrity of the area, the pre-eminence of the Temple itself and the key characteristic elements of the area are properly recognised and provided for. As a building in active use for religious purposes, it is recognised that proposals may be made for the erection of religious symbolism and effigies in the future, in addition to works needed to ensure compliance with building design standards and the functionality and appearance of the Temple.

Objective	Policies
<p>5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p>	<p>5.2.7a Development maintains the character, appearance and relationship to Tuhikaramea Road and the Temple View Village.</p>
	<p>5.2.7b The design of new buildings and structures in terms of their height, materials, scale and form is in keeping with the scale and character of the area.</p>
	<p>5.2.7c New buildings and structures within the former teacher housing area corridor are located to retain the existing set back from Tuhikaramea Road established by the First House.</p>
	<p>5.2.7d New buildings and structures are located to retain generally consistent spatial character along the Tuhikaramea road corridor.</p>
	<p>5.2.7e New structures, such as fences and walls, within the setback of the former teacher housing corridor fronting Tuhikaramea Road are consistent with the original colour and materials used throughout the Character Area.</p>
	<p>5.2.7f The existing low brick walls in the front yard of houses fronting Tuhikaramea Road are retained or rebuilt as required.</p>
	<p>5.2.7g Additions, alterations and renovations of the buildings within the former teacher housing corridor are implemented in a sensitive and sympathetic manner that retains the form and style of existing buildings and the appearance of the streetscape.</p>
	<p>5.2.7h Works that may affect the treatment of open spaces and boundaries are managed.</p>
	<p>5.2.7i The heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage are used and developed in a manner that maintains their distinctive heritage values.</p>

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Temple View

Explanation

A significant characteristic of the corridor along Tuhikaramea Road is based on the subservient and simple architectural style of the early missionary houses, ~~used~~ latterly that were used as teacher housing. These buildings ~~are~~ were set within an open, campus-style landscape. The corridor forms an important gateway to the New Zealand Temple of the Church of Jesus Christ of Latter-day Saints and the adjoining former Church College Campus.

The style of the houses along Tuhikaramea Road and separation distances between them is similar, giving consistency in form. The uniformity in scale and space is reinforced by the extensive use of the standardised cream-coloured brickwork throughout Temple View and the low cement brick wall, which encloses the front yards of the houses on both sides of Tuhikaramea Road. In providing for future use and development of the Former Church College campus and the teacher housing corridor ~~area~~, it is important to recognise the significant contribution that these characteristics make to the diversity and appeal of the City's built environment. Although the school has closed, the Church College campus and former teacher houses provides an opportunity to open a new chapter in the development of the local community and its environment.

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Peacocke Character Zone

Objective	Policies
<p>5.2.8 To ensure urban development within the Peacocke Character Zone delivers high levels of residential amenity, respects and restores the area's natural environment, and is sustainably integrated with the city as a whole.</p>	<p>5.2.8a Ensure through master planning that urban development is not compromised through inappropriate land use activities.</p>
	<p>5.2.8b Ensure the appropriate nature, scale and intensity of urban development is undertaken in an efficient and coordinated manner in order that integrated and efficient development occurs within and between the neighbourhoods and the City as a whole.</p>
	<p>5.2.8c Ensure that development is consistent with the Peacocke Structure Plan and any master plan prepared for the area.</p>
	<p>5.2.8d Ensure that development of non-residential activities are located in areas identified in the Peacocke Structure Plan or any approved master plan that provides for such activities.</p>

Explanation

The character to be established is a high quality urban environment that is based on the urban design principles outlined in the Peacocke Structure Plan and which recognises a number of specific natural character elements. A master plan approach has been developed to achieve this by ensuring that infrastructure provisions and staging are integrated with development while enabling flexibility and innovation in design.

Urban development within the Peacocke Character Zone is limited until the necessary bulk trunk infrastructure and transport networks have been established to join Peacocke to the City's existing infrastructure network. It is limited by the capacity of existing infrastructure.

Rototuna North East Character Zone

Objective	Policies
<p>5.2.9 To recognise the local significance of the Rototuna ridgeline as a landscape feature and ensure that the form and pattern of residential development in the northeastern area (Rototuna North East Character Zone) of the Rototuna Structure Plan helps retain this underlying landform and is not incompatible with the future operation of the Waikato Expressway or the City's infrastructure.</p>	<p>5.2.9a Maintain the public amenity value of existing ridgeline roads and the identified viewing points shown on the structure plan within the open space area as viewing opportunities of the City and surrounding rural landscape.</p>
	<p>5.2.9b Ensure development does not constrain the development, construction or operation of the future Waikato Expressway (Designation E90).</p>
	<p>5.2.9c Ensure development does not constrain the operation of the City's infrastructure.</p>
	<p>5.2.9d Provide a maximum development yield and minimum average lot size to ensure the character of the natural topography of the area is maintained and the sustainable use of the City's land resource is promoted while mitigating against the effects from the development of this area of land on the City's infrastructure.</p>
	<p>5.2.9e Promote a connection across the Waikato Expressway designation (Designation E90), such as an underpass, to facilitate walking and cycle network connectivity between the Rototuna North East Character Zone and the remaining</p>

Explanation

As a landscape feature, the north eastern area of Rototuna is locally significant in the context of the Rototuna growth cell. The mixed nature of the landscape, bounded by Horsham Downs Road (as the boundary edge between Hamilton City and Waikato District Councils) to the north and the Waikato Expressway designation to the south helps to physically and visually define the area's character. In particular, the Horsham Downs Road ridgeline is a strong feature that differentiates the urban edge of the Rototuna Growth Cell from the adjoining rural landscape of Waikato District.

This area warrants special landscape management and planning provisions to retain the character of the elevated landscape to achieve a form and density of development that enables a sense of the underlying landform to be retained. The Rototuna North East Character Zone comprises a primary ridgeline that runs from west to east direction. The area also contains a number of inner areas that have lower lying topography.

The zone is made up of a number of key visual and physical characteristics. These are as follows:

- *Distinctive pattern of ridges that constitute a coherent and discrete topographic feature of the north eastern part of the Rototuna Growth Cell;*
- *The differentiation between the elevated hill area from the surrounding lower flat land;*
- *The role of the primary ridgeline in defining the boundary between the growth cell and the adjoining rural parts of the Waikato District to the north;*
- *The role of the ridgelines and hills in defining a series of basins and associated flats on the lower lying ground and flat plateaus on the elevated areas;*
- *The visual and physical connection with the rest of the Rototuna Growth Cell, specifically the Rototuna Town Centre Zone and with the City beyond the Waikato Expressway Designation, notwithstanding that the designation to an extent visually separates the Rototuna North East Character Zone from the rest of the Rototuna Growth Cell.*

The opportunity exists to promote development that responds positively to the underlying landscape facilitating greater legibility and the creation of a distinctive urban character.

5.3 Rules – Activity Status Table

5.3.1 Activity Status – Special Residential, Special Heritage, Special Natural Zones and Rototuna North East Character Zone

Activity	Special Residential Zone	Special Heritage Zone	Special Natural Zone	Rototuna North East Character Zone
Residential Activities and Structures				
a) Any activity or development on 'Lot 2 DP425316' without an approved CDP (Refer to 5.3.2)	-	-	NC	-
b) Accessory buildings	P	P	P	P
c) Alterations and additions (excluding as provided for by d), e) and f) and heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P	P
d) Alterations and additions forward of the front building line to a pre-1940 dwelling on a front, corner or through site within the Hamilton East Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-1)	RD	-	-	-
e) Alterations and additions forward of the front building line to a pre-1939 dwelling on a front, corner or through site within the Claudelands West Area Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-7)	RD			-
f) Alterations and additions forward of the rear building line on a front, corner or through site to: <ul style="list-style-type: none"> i. Frankton – original railway houses (refer to Volume 2, Appendix 4, Figure 4-4) ii. Hayes Paddock – original state houses (refer to Volume 2, Appendix 4, Figure 4-2) iii. Hamilton East Villa Precinct – villas (refer to Volume 2, Appendix 4, Figure 4-3) 	-	D	-	-
g) Apartments	NC	NC	D	D
h) Ancillary residential unit	P	RD*	RD*	P
i) Ancillary residential structures	P	P	P	P
j) Single dwelling: First residential unit per site	P	D	P	P
k) Single dwelling: Second and subsequent residential unit per site	RD*	D	RD*	RD*
l) Duplex dwellings – excluding Hayes Paddock	NC	NC	RD*	RD*
m) Duplex dwellings – Hayes Paddock only (refer to Volume 2, Appendix 4, Figure 4-2)	-	(D)	-	-

Activity	Special Residential Zone	Special Heritage Zone	Special Natural Zone	Rototuna North East Character Zone
n) Managed care facilities				
i. For up to 9 residents	P	P	P	P
ii. For up to 10 residents (excluding emergency housing)	D	D	D	D
iii. For 11 or more residents (including emergency housing)	D	D	D	D
o) Emergency housing for up to 10 residents	P	P	P	P
p) Papakainga	NC	NC	D	RD
q) Residential activities	P	P	P	P
r) Residential centre	D	NC	D	D
s) Rest home	D	NC	D	RD*
Commercial Activities and Structures				
t) Childcare facility				
i. For up to five children	P	P	P	P
ii. For six or more children	RD	D	RD	RD
u) Dairy	D	NC	RD	D
v) Tertiary education and specialised training facility	D	NC	RD	NC
w) Health care service	D	NC	D	NC
x) Home-based business	P	P	P	P
y) Homestay accommodation	P	P	P	P
z) Office, other than as a home-based business	NC	NC	D	NC
aa) Places of assembly	D	NC	D	NC
bb) Show homes	P	D	P	P
cc) Visitor accommodation	D	NC	D	D
Community Activities and Structures				
dd) Community centre	D	NC	RD	D
ee) Marae	NC	NC	D	D
ff) Places of worship	D	NC	D	D
gg) School	D	NC	D	NC
All Activities and Structures				
hh) Demolition or removal of existing buildings (excluding as provided for by (hh) to (jj) and heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P	P

Activity	Special Residential Zone	Special Heritage Zone	Special Natural Zone	Rototuna North East Character Zone
ii) Demolition or removal of existing dwellings on a front, corner or through site: i. Frankton – original railway houses (refer to Volume 2, Appendix 4, Figure 4-4) ii. Hayes Paddock – original state houses and commercial building on Lot 129 DPS 930 (refer to Volume 2, Appendix 4, Figure 4-2) iii. Hamilton East Villa Precinct – villas (refer to Volume 2, Appendix 4, Figure 4-3)	-	NC	-	-
jj) Demolition or removal of a pre-1940 dwelling on a front, corner or through site within the Hamilton East Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-1)	D	-	-	-
kk) Demolition or removal of a pre-1939 dwelling on a front, corner or through site within the Claudelands West Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-7)	NC	-	-	-
ll) Relocated buildings	P	D	P	P
mm) Informal recreation	-	-	-	P
nn) Organised recreation	-	-	-	P
oo) Any activity not listed above	NC	NC	NC	NC

Note

1. Consultation with Heritage New Zealand

A notified resource consent application will be served on Heritage New Zealand by Council for any application which affects any historic area registered under the Heritage New Zealand Pouhere Taonga Act 2014 (formerly the Historic Places Act 1993). The Frankton Railway Village is registered as a historic area.

For a non-notified resource consent application, any development relating to a historic area registered under the Heritage New Zealand Pouhere Taonga Act 2014 (formerly the Historic Places Trust Act 1993), consultation with Heritage New Zealand is recommended before an application is submitted to Council and Council may then require that written approval be obtained from Heritage New Zealand.

For a fuller understanding of the notification requirements of the Act, reference should be made to the Act itself, in particular section 95.

2. Hamilton East Villas

The provisions of the Special Heritage Zone apply to the villa properties marked in Volume 2, Appendix 8, Schedule 8A: Built Heritage. For those unmarked properties located within this area and for non-villas (in respect of dwellings) situated on the same site as a villa, the provisions of the Special Residential Zone shall apply.

5.3.2 Development of 'Lot 2 DP425316' Lake Waiwhakareke Landscape Character Area

5.3.2.1 Comprehensive Development Plan (CDP) – Process

- a) Urban development within “Lot 2 DP425316” will be subject to the preparation and approval of a CDP. (Refer to Volume 2, Appendix 1.2.2.8 for what is required in a CDP).
- b) Lot 2 DP425316 is required to have a consented CDP prepared prior to urban development occurring. Development within a CDP area may proceed in stages if staging has been defined as part of the consent granted for the CDP.
- c) All development and activities requiring resource consent are subject to consented CDP requirements.
- d) A CDP cannot be applied for without completion of an approved ICMP.

5.3.2.2 Rules – Status of Activities

- a) An application for a CDP without an approved ICMP in place is a Non-Complying activity.
- b) A CDP requires an application for resource consent as a discretionary activity.
- c) The activity status of a CDP will be classified as Non-Complying if one or more activities that form part of the application are identified as Non-Complying activities in the Activity Status Table below (5.3.2.3).
- d) In the absence of an approved CDP, all activities listed in the Activity Status Table below (5.3.2.3) are Non-Complying activities unless they are identified as permitted activities in Column A.
- e) Activities within a CDP that fail to meet the one or more of the relevant standards in the Plan will be assessed as Discretionary activities with particular regard to the effects arising from the failure to meet the relevant standard or standards.
- f) The development of a CDP must take into account the approved ICMP and address any effects on surface run-off, ground water infiltration and ensure the water quality of Lake Waiwhakareke is maintained or enhanced.
- g) Once a CDP has been approved by Council, resource consent is required where identified in the Activity Status Table below (5.3.2.3) under Column B “With an approved CDP in place”.
- h) Changes to the conditions of a CDP consent will be considered as a discretionary activity under section 127 of the Act, except where the proposed changes involve materially different effects or extended scope of the original application. In these instances a new CDP is required. There are some changes that can occur as permitted activities without the need for a new CDP consent. These activities are subject to compliance with the relevant standards in Rules 5.4 and 5.5, and are as follows:
 - i. Maintenance, repair and minor alterations to existing buildings
 - ii. Informal recreation and ancillary buildings

Activity Status Table

Activity	A	B
	Without an approved CDP	With an approved CDP in place
Residential Activities and Structures		
a) Accessory buildings	NC	P
b) Alterations and additions (excluding as provided for by (c) and (d) and heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P
c) Apartments	NC	D
d) Ancillary residential unit		RD*
e) Ancillary residential structures		P
f) Detached dwelling: First detached dwelling per site		P
g) Detached dwelling: Second and subsequent detached dwellings per site		RD*
h) Duplex dwellings		RD*
i) Managed care facilities		
i. For up to 9 residents		P
ii. For up to 10 residents (excluding emergency housing)		D
iii. For 11 or more residents (including emergency housing)		D
j) Emergency housing for up to 10 residents		P
k) Papakainga		D
l) Residential activities		P
m) Residential centre	D	
n) Rest home	D	
Commercial Activities and Structures		
o) Childcare facility	NC	
i. For up to five children		P
ii. For six or more children		RD
p) Dairy		RD
q) Tertiary education and specialised training facility		RD
r) Health care service		D
s) Home-based business		P
t) Homestay accommodation		P
u) Office, other than as a home-based business		NC

Activity	A	B
	Without an approved CDP	With an approved CDP in place
v) Places of assembly	NC	D
w) Show homes		P
x) Visitor accommodation		D
Community Activities and Structures		
y) Community centre	NC	RD
z) Marae		D
aa) Places of worship		D
bb) School		D
All Activities and Structures		
cc) Demolition or removal of existing buildings (excluding heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P
dd) Relocated buildings	NC	P
ee) Farming Activity	P	NC
ff) Any activity not listed above	NC	NC

5.3.3 Activity Status – Peacocke Character Zone

5.3.3.1 Master Plan – Process within the Peacocke Character Zone

- a) Urban development in the Peacocke Character Zone will be subject to the preparation and approval of a Master Plan. (Refer to Volume 2, Appendix 1.2.2.3 for what is required in a Master Plan.)
- b) The Peacocke Character Zone has been divided into a number of neighbourhood areas (Volume 2, Appendix 2, Figure 2-3), each of which is required to have a Master Plan prepared prior to urban development occurring.
- c) The Master Plan must be prepared for the whole neighbourhood according to Volume 2, Appendix 1.2.2.3. The development of the master planned neighbourhood can proceed on a staged basis if staging has been defined as part of the consent granted for the Master Plan.
- d) Land use consents required under 5.4.13 may be incorporated into the consent process for a Master Plan as Discretionary Activities.

5.3.3.2 Master Plan – Status of Activities

- a) The activity status of activities in the Peacocke Character Zone is contained within the Activity Status Table (refer to Rule 5.3.3.3):

- i. Column A identifies the activity status of activities in the absence of a Master Plan.
 - ii. Column B identifies the activity status for activities that are part of a Master Plan application process and approval.
 - iii. Column C identifies the activity status for activities that are inconsistent with the approved Master Plan.
- b) The activity status for the preparation of or amendment to a Master Plan application within the Peacocke Character Zone will be deemed non-complying if an activity that forms part of the application:
 - i. Is identified as a non-complying activity in the related Column B of the Activity Status Table (refer to Rule 5.3.3.3).
- c) Once a consent for a Master Plan has been granted and implemented, any activity within that neighbourhood is permitted, provided it:
 - i. Is in general accordance with an approved Master Plan for the neighbourhood; or
 - ii. Any activity that is listed in Column C as a permitted activity is permitted, subject to compliance with relevant standards in Rule 5.4.
- d) Unless otherwise stated, a Master Plan for each area identified in the Peacock Character Zone requires resource consent as a discretionary activity.
- e) All activities identified in Column A of Rule 5.3.3.3 are non-complying activities in the absence of an approved Master Plan unless the activity is identified as a permitted activity.
- f) Activities identified as part of an approved Master Plan within the Peacocke Character Zone shall not be required to prepare an Integrated Transport Assessment as stated under Rule 25.14.4.3.
- g) Activities identified as part of an approved Master Plan within the Peacocke Character Zone shall not be required to prepare an Integrated Catchment Management Plan as stated under Rule 25.13.4.1.
- h) Activities identified in Chapter 25 City Wide that have been addressed as part of an approved Master Plan are not required to obtain a separate resource consent.
- i) Retail activities identified as part of an approved master plan within the Peacocke Character Zone are required to comply with the standards set out in Chapter 6: Business 5 and 6 Zones.

5.3.3.3

Activity Status Table – Peacocke Character Zone

Activity	Peacocke Character Zone		
	A	B	C
	In the absence of a Master Plan	Forming part of the Master Plan process and approval	Inconsistent with an approved Master Plan
Residential Activities and Structures			
a) Accessory buildings	P	P	RD
b) Apartments	NC	D	D
c) Ancillary residential unit	P	D	D
d) Ancillary residential structures	P	P	P
e) Single dwelling: first residential unit per site	P	P	D
f) Single dwelling: second and subsequent residential units per site	NC	D	D
g) Duplex dwellings	NC	D	D
h) Managed care facilities			
i. For up to nine residents	NC	P	P
ii. For up to 10 residents (excluding emergency housing)	NC	D	D
iii. For 11 or more (including emergency housing)	NC	D	D
i) Emergency housing for up to 10 residents	NC	P	P
j) Papakainga	NC	D	D
k) Residential activities	P	P	P
l) Residential centre	NC	D	D
m) Rest home	NC	D	D
Commercial Activities and Structures			
n) Childcare facility			
i. For up to 5 children	NC	P	P
ii. For 6 or more children	NC	D	D
o) Dairy	NC	D	D
p) Tertiary education and specialised training facility	NC	D	NC
q) Health care service	NC	D	D
r) Home-based business	P	P	P
s) Homestay accommodation	P	P	P
t) Office, other than as a home-based business	NC	D	D

Activity	Peacocke Character Zone		
	A	B	C
	In the absence of a Master Plan	Forming part of the Master Plan process and approval	Inconsistent with an approved Master Plan
u) Places of assembly	NC	D	NC
v) Retail activity, other than as a home-based business	NC	D	D
w) Show homes	NC	D	D
x) Visitor accommodation	NC	D	D
Community Activities and Structures			
y) Community centre	NC	D	D
z) Activities ancillary to any permitted activity, including health care services, library, offices, retail, workshops, depots, storage	NC	D	NC
aa) General Recreation	NC	D	NC
bb) Informal recreation and ancillary buildings	P	P	P
cc) Marae	NC	D	NC
dd) Places of worship	NC	D	D
ee) School	NC	D	NC
All Activities and Structures			
ff) Alterations and additions to any building except: i. Heritage buildings and structures in Volume 2, Appendix 8, Schedule 8A: Built Heritage	P	P	P
gg) Demolition or removal of existing buildings (excluding as provided for by (hh), and heritage buildings scheduled in Schedule 8A, Appendix 8: Historic Heritage)	P	P	P
hh) Demolition or removal of an accessory building	P	P	P
ii) Interior alterations	P	P	P
jj) Maintenance and repair to existing buildings and structures	P	P	P
kk) Production stalls	P	NC	NC
ll) Relocated buildings	P	P	P
mm) Rural Production	P	NC	NC
nn) Rural industry	D	NC	NC
oo) Intensive farming	NC	NC	NC
pp) Walkways and cycleways	RD*	D	D
qq) Any activity not listed above	NC	NC	NC

5.3.4 Activity Status Table – Temple View Zone

5.3.4.1 ~~Comprehensive Development Plan—Process~~ within the Temple View Zone

- a) ~~The types of activities in the five precincts within the Temple View Zone is divided into three Comprehensive Development Plan (CDP) areas (see Volume 2, Appendix 4, Figure 4-5). The establishment establish the anticipated mix of activities and how the five precincts interact and are connected. of the CDP areas are to ensure that~~
- b) ~~anyAny development shall maintain and enhance within the Character Area maintains and enhances its special character and development within the Heritage Area maintains and enhances the heritage values of the area whilst being consistent with and maintaining the overall character of the zone.~~
- b) ~~Applications for a CDP must be for the whole CDP area as identified in Volume 2, Appendix 4, Figure 4-5, however development within the CDP area may proceed in stages. (Refer to Volume 2, Appendix 1.2.2.8 for what is required in a CDP.)~~
- c) ~~All development and activities are subject to consented CDP requirements.~~
- d) ~~The establishment of the final alignment of the CDP boundary between CDP Area 1 and CDP Area 2 (refer Volume 2, Appendix 4, Figure 4-5) shall be done as part of the consent process for either CDP Area1 or CDP Area 2.~~
- e) ~~Apart from the exceptions set out below, development of any land in the Character Area and Heritage Area cannot be commenced unless it is in accordance with a consented CDP.~~
- f) ~~Land use consents and requirements under 5.4.13 can be incorporated into the consent process for Comprehensive Development Plan as Discretionary Activities.~~

Proposed Plan Change 3-
Temple View

5.3.4.2 ~~Comprehensive Development Plan—Status of Activities~~

- a) ~~The activity status of activities in the Temple View Zone is contained within the Activity Status Table (refer to Rule 5.3.4.3):~~
- i. ~~Column A identifies the activity status of activities in the absence of a Comprehensive Development Plan.~~
- ii. ~~Column B identifies the activity status for activities that are part of an application process and approval for, or amendment of, a Comprehensive Development Plan.~~
- iii. ~~Column C identifies the activity status for activities that were not consented for in a Comprehensive Development Plan once the CDP has been implemented.~~
- b) ~~The activity status for the preparation of or amendment to a Comprehensive Development Plan application within the Temple View Zone will be deemed non-complying if an activity that forms part of the application:~~
- i. ~~Is identified as a non-complying activity in the related Column B of the Activity Status Table (refer to Rule 5.3.4.3).~~
- c) ~~Any activity that is listed in Column C of the Activity Status Table as permitted activity is permitted, subject to compliance with relevant standards in Rule 5.4.~~

- d) Unless otherwise stated, a Comprehensive Development Plan for each area identified in the Temple View Zone requires resource consent as a discretionary activity.
- e) All activities identified in Column A of Rule 5.3.4.3 are non-complying activities in the absence of an approved Comprehensive Development Plan unless the activity is identified as a permitted activity.
- f) Activities identified in Chapter 25 City Wide that have been addressed as part of an approved Master Plan or Comprehensive Development Plan are not required to obtain a separate resource consent.
- g) Retail activities identified as part of an approved Comprehensive Development Plan within the Temple View Zone are required to comply with the standards set out in Chapter 6: Business 5 and 6 Zones.

Proposed Plan Change 3-
Temple View

5.3.4.3 Activity Status Table – Temple View Zone

Activity	Temple View Zone					
	A	CDP Area 1 and CDP Area 2			CDP Area 3 E Activities not included in a granted CDP	
		B	E	B		
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP		
Residential Activities and Structures						
a) Accessory buildings (except for within the Heritage Area of the Temple View Zone)	NC	RD	RD*	D	D	
b) Accessory building in the Heritage Area of the Temple View Zone	NC	-	-	D	NC	

Proposed Plan Change 3-
Temple View
Proposed Plan Change 3-
Temple View

Activity	Temple View Zone				
	A	CDP-Area-1 and CDP-Area-2			CDP-Area-3 C Activities not included in a granted CDP
		B	C	B	
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP	
c) Apartments	NC	RD	D	NC	NC
d) Ancillary residential unit	NC	RD	RD ¹	NC	NC
e) Ancillary residential structures	NC	RD	RD ¹	NC	NC
f) Single dwelling: first residential unit per site	NC	RD	RD ¹	NC	NC
g) Single dwelling: second and subsequent residential units per site	NC	RD	RD ¹	NC	NC
h) Duplex dwellings	NC	RD	D	NC	NC
i) Managed care facilities					
i. For up to nine residents	NC	RD	D	NC	NC
ii. For up to 10 residents (excluding emergency housing)	NC	RD	D	NC	NC
iii. For 11 or more (including emergency housing)	NC	RD	D	NC	NC
j) Emergency housing for up to 10 residents	NC	RD	D	NC	NC
k) Papakainga	NC	NC	NC	NC	NC
l) Residential activities (except in the Temple View Heritage Area)	NC	RD	D	D	D
m) Residential activities in the Temple View Heritage Area (Map 60B).	NC			NC	NC
n) Residential centre	NC	NC	NC	NC	NC
o) Rest home	NC	RD	D	NC	NC

Proposed Plan Change 3
Temple View

Proposed Plan Change 3
Temple View

Activity	Temple View Zone				
	A	CDP-Area-1 and CDP-Area-2			CDP-Area-3 C Activities not included in a granted CDP
		B	C	B	
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP	
Commercial Activities and Structures					
p) Childcare facility					
i. For up to 5 children	NC	RD	RD*	NC	NC
ii. For 6 or more children	NC	RD	D	NC	NC
q) Dairy	NC	RD	RD	NC	NC
r) Tertiary education and specialised training facility	NC	RD	RD	NC	NC
s) Health care service	NC	RD	RD*	NC	NC
t) Home-based business	P	P	P	P	P
u) Homestay accommodation	P	P	P	P	P
v) Office, other than as a home-based business	NC	RD	D	NC	NC
w) Places of assembly	NC	RD	D	D	D
x) Retail activity, other than as a home-based business	NC	RD	NC	NC	NC
y) Show homes	NC	D	D	NC	NC
z) Visitor accommodation (except in the Temple View Heritage Area of the Temple View Zone)	NC	D	D	RD	RD
aa) Visitor accommodation within the Temple View Heritage Area of the Temple View Zone	NC	-	-	NC	NC
Community Activities and Structures					

Activity	Temple View Zone				
	A	CDP-Area-1 and CDP-Area-2			CDP-Area-3 C Activities not included in a granted CDP
		B	C	B	
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP	
bb) Community centre	NC	RD	D	NC	
cc) Activities ancillary to any permitted activity, including health care services, library, offices, retail, workshops, depots, storage	NC	RD	D	NC	
dd) Marae	NC	RD	D	NC	
ee) Places of worship	NC	RD	D	D	NC
ff) School	NC	RD	D	NC	NC
All Activities and Structures					
gg) Alterations and additions to any building except: i. Visitor centre ii. Teacher housing fronting Tuhikaramea Road iii. Walling separating covered walkways from Tuhikaramea Road iv. Formal Temple entrance area elements including steps, planting boxes, retaining walls between the visitor centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6) v. Heritage buildings and structures in Volume 2, Appendix 8, Schedule 8A: Built Heritage	P	P	P	P	P
hh) Alteration, demolition or removal of the boundary wall to Tuhikaramea Road	NC	RD	D	-	-
ii) Alterations and additions to the visitor centre	NC	-	-	RD	D

Proposed Plan Change 3
Temple View

Activity	Temple View Zone				
	A	CDP Area 1 and CDP Area 2			CDP Area 3 C Activities not included in a granted CDP
		B	C	B	
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP	
jj) Alterations and additions to the exterior of the teacher housing	NC	RD	RD*	-	
kk) Alterations and additions to the exterior of walling separating the walkways from Tuhikaramea Road	NC	RD	D	-	-
ll) Alterations and additions to the formal Temple entrance area elements including steps, planting boxes, retaining walls between the visitor centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6)	NC	-	-	RD	D
mm) Construction of additional private transport corridors or carpark areas	NC	RD	RD*	RD	RD
nn) Construction of new buildings	NC	RD	RD*	RD	RD
oo) Contouring and modification of the landform	NC	RD	RD*	RD	RD
pp) Demolition or removal of existing buildings (excluding as provided for by (rr), (ss)) and heritage buildings scheduled in Schedule 8A, Appendix 8: Historic Heritage)	NC	RD	RD*	RD	RD
qq) Demolition or removal of any building except: i. Accessory buildings ii. Visitor centre iii. Temple president's house	NC	RD	RD*	RD	RD
rr) Demolition or removal of an accessory building	P	P	P	P	P

Proposed Plan Change 3
Temple View

Activity	Temple View Zone				
	A	CDP Area 1 and CDP Area 2			CDP Area 3 G Activities not included in a granted CDP
		B	C	D	
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP	
ss) Demolition or removal of the visitor centre or Temple president's house	NC	-	-	D	D
tt) Erecting, constructing, planting or extending a sign visible from a public place	NC	RD	RD*	NC	NC
uu) Erection of any boundary structure along Tuhikaramea Road	NC	RD	RD*	RD	RD
vv) External illumination of buildings and grounds	P	P	P	P	P
ww) Individual vehicular crossings to the teacher housing directly from Tuhikaramea Road	NC	NC	NC	-	-
xx) Interior alterations	P	P	P	P	P
yy) Maintenance and repair to existing buildings and structures	P	P	P	P	P
zz) Maintenance and repair to any private road or carpark area	P	P	P	P	P
aaa) Minor work on any: i. Building ii. Curtilage wall iii. Temple entrance elements	P	P	P	P	P
ab) Relocated buildings	D	RD	D	NC	NC
ac) Siting of any building or structure between Tuhikaramea Road and the privacy walling enclosing the covered walkways	NC	D	NC	-	-

Proposed Plan Change 3
Temple View

Activity	Temple View Zone				
	A	CDP Area 1 and CDP Area 2			CDP Area 3 C Activities not included in a granted CDP
		B	C	B	
	In the absence of a CDP	Part of an application for a CDP	Activities not included in a granted CDP	Part of an application for a CDP	
ad) Tree planting and removal except for: i. Tree planting in Temple view shafts area ii. Tree removal in the Temple entrance area (Refer to Volume 2, Appendix 4, Figure 4-6) iii. Removal of a significant tree in Volume 2, Appendix 9, Schedule 9D: Significant Trees	P	P	P	P	P
ae) Tree planting in Temple View shafts area (Refer to Volume 2, Appendix 4, Figure 4-6)	NC	-	-	RD	RD
af) Tree removal in the Temple entrance area (except for a significant tree in Volume 2, Appendix 9, Schedule 9D: Significant Trees)	NC	-	-	RD	RD

Proposed Plan Change 3
Temple View

Activity	Temple View Zone					Heritage Area Precinct 5
	Character Area					
	Precinct 1	Precinct 2	Precinct 3	Precinct 4		
Residential Activities and Structures						
a) <u>Accessory buildings (except for within the Heritage Area)</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>D</u>	
c) <u>Apartments</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
d) <u>Ancillary residential unit</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
e) <u>Ancillary residential structures</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
f) <u>Single dwelling: first residential unit per site</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
g) <u>Single dwelling: second and subsequent residential units per site</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
h) <u>Duplex dwellings</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
i) <u>Managed care facilities</u>						
i. <u>For up to nine residents</u>	<u>RD</u>	<u>D</u>	<u>DDD</u>	<u>D</u>	<u>NC</u>	
ii. <u>For up to 10 residents (excluding emergency housing)</u>	<u>RD</u>	<u>D</u>		<u>D</u>	<u>NC</u>	
iii. <u>For 11 or more (including emergency housing)</u>	<u>RD</u>	<u>D</u>		<u>D</u>	<u>NC</u>	
j) <u>Emergency housing for up to 10 residents</u>	<u>RD</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>NC</u>	
k) <u>Papakainga</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	
l) <u>Residential activities (except Heritage Area)</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	-	
m) <u>Residential activities in the Heritage Area (Map 60B).</u>	-	-	-	-	<u>NC</u>	
n) <u>Residential centre</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	
o) <u>Rest home</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	
Commercial Activities and Structures						
g) <u>Childcare facility</u>						
i. <u>For up to 5 children</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	
ii. <u>For 6 or more children</u>	<u>RD</u>	<u>RD</u>	<u>D</u>	<u>NC</u>	<u>NC</u>	
r) <u>Dairy</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	

Proposed Plan Change 3-
Temple View

<u>Activity</u>	<u>Temple View Zone</u>					<u>Heritage Area Precinct 5</u>
	<u>Character Area</u>					
	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>		
<u>s) Tertiary education and specialised training facility</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	
<u>t) Health care service</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	
<u>u) Home-based business</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>v) Homestay accommodation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>w) Office, other than as a home-based business</u>	<u>RD</u>	<u>D</u>	<u>D</u>	<u>NC</u>	<u>NC</u>	
<u>x) Places of assembly</u>	<u>RD</u>	<u>RD</u>	<u>D</u>	<u>D</u>	<u>D</u>	
<u>y) Retail activity, other than as a home-based business</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	
<u>z) Show homes</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>NC</u>	<u>NC</u>	
<u>aa) Visitor accommodation (except in the Heritage Area)</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>RD</u>	<u>-</u>	
<u>ab) Visitor accommodation within the Heritage Area</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>NC</u>	
<u>Community Activities and Structures</u>						
<u>ac) Community centre</u>	<u>RD</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>NC</u>	
<u>ad) Activities ancillary to any permitted activity, including health care services, library, offices, retail, workshops, depots, storage</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
<u>ae) Marae</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	
<u>af) Places of worship</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	<u>D</u>	
<u>ag) School</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u>	<u>NC</u>	
<u>All Activities and Structures</u>						

Proposed Plan Change 3-
Temple View

Activity	Temple View Zone					Heritage Area Precinct 5
	Character Area					
	Precinct 1	Precinct 2	Precinct 3	Precinct 4		
ah) Alterations and additions to any building except: i. Visitor centre ii. Buildings within the Former Teacher housing character corridor-fronting Tuhikaramea Road iii. Walling separating covered walkways from Tuhikaramea Road iv. Formal Temple entrance area elements including steps, planting boxes, retaining walls between the visitor centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6) v. Heritage buildings and structures in Volume 2, Appendix 8, Schedule 8A: Built Heritage	P	P	P	P	P	
ai) Alteration, demolition or removal of the boundary wall to Tuhikaramea Road and the privacy wall enclosing the covered walkways	D	RD	RD	-	-	
aj) Alterations and additions to the Visitor Centre	-	-	-	-	D	
ak) Alterations and additions to the exterior of buildings within the former teacher housing character corridor	-	RD	-	-	-	
al) Alterations and additions to the exterior of wall separating the walkways from Tuhikaramea Road	RD	RD	-	-	-	
am) Alterations and additions to the formal Temple entrance area elements including steps, planting boxes, retaining walls between the visitor centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6)	-	-	-	-	D	
an) Construction of additional private transport corridors or carpark areas	RD	RD	RD	RD	RD	
ao) Construction of new buildings	RD	RD	RD	RD	RD	
ap) Contouring and modification of the landform	RD	RD	RD	RD	RD	
aq) Demolition or removal of existing buildings (excluding as provided for by (as), (at)) and heritage buildings scheduled in Schedule 8A, Appendix 8: Historic Heritage)	RD	RD	RD	RD	RD	
ar) Demolition or removal of any building except: i. Accessory buildings ii. Visitor centre iii. Temple president's house	RD	RD	RD	RD	RD	
as) Demolition or removal of an accessory building	P	P	P	P	P	

Proposed Plan Change 3-
Temple View

Activity	Temple View Zone					Heritage Area Precinct 5
	Character Area					
	Precinct 1	Precinct 2	Precinct 3	Precinct 4		
at) Demolition or removal of the Visitor Centre or Temple president's house	-	-	-	-	D	
au) Erecting, constructing, planting or extending a sign visible from a public place	RD	RD	RD	RD	NC	
av) Erection of any boundary structure along Tuhikaramea Road	RD	RD	RD	RD	RD	
aw) External illumination of buildings and grounds	P	P	P	P	P	
ax) Individual vehicular crossings to the housing from Tuhikaramea Road	NC	NC	NC	NC	-	
ay) Interior alterations	P	P	P	P	P	
az) Maintenance and repair to existing buildings and structures	P	P	P	P	P	
ba) Maintenance and repair to any private road or carpark area	P	P	P	P	P	
bb) Minor work on any: i. Building ii. Curtilage wall iii. Temple entrance elements	P	P	P	P	P	
bc) Relocated buildings	RD	RD	RD	RD	NC	
bd) Siting of any building or structure between Tuhikaramea Road and the privacy wall enclosing the covered walkways	D	D	-	-	-	
be) Tree planting and removal except for: i. Tree planting in Temple view shafts area ii. Tree removal in the Temple entrance area (Refer to Volume 2, Appendix 4, Figure 4-6) iii. Removal of a significant tree in Volume 2, Appendix 9, Schedule 9D: Significant Trees	P	P	P	P	P	
bf) Tree planting in Temple View shafts area (Refer to Volume 2, Appendix 4, Figure 4-6)	-	-	-	-	RD	
bg) Tree removal in the Temple entrance area (except for a significant tree in Volume 2, Appendix 9, Schedule 9D: Significant Trees)	-	-	-	-	RD	
bh) Any activity not listed above	NC	NC	NC	NC	NC	

Proposed Plan Change 3-
Temple View

5.4 Rules – General Standards

The general standards set out below for the Peacocke Character Zone and Temple View Zone will be used as a guide to assess any Master Plan or any Comprehensive Development Plan and as standards after the Master Plan or Comprehensive Development Plan has been approved.

Proposed Plan Change 3-
Temple View

5.4.1 Density

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

Table 5.4.1a: Density – Special Residential, Special Heritage, Rototuna North East Character Zone, Special Natural and Temple View Zones

Activity	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple View Zone	
				Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area	GDP Area 1 and GDP Area 2 Character Area	GDP Area 3 Heritage Area
For Peacocke Character Area see Table 5.4.1b.							
a) Single dwellings - front, corner and through site (including relocated dwellings) (per unit)	600m ²	600m ²	500m ²	350m ²	600m ²	600m ²	-
b) Single dwellings – rear site (including relocated dwellings) (Except within the Claudelands West Area) (per unit) Detached dwellings – rear site (including relocated dwellings) within the Claudelands West Area (per unit)	400m ² 600m ²	600m ²	500m ²	350m ²	600m ²	600m ²	-
c) Duplex dwellings (per residential unit)	-	-	-	200m ² (400m ² per Duplex)	-	200m ² (400m ² per Duplex)	-

Proposed Plan Change 3-
Temple View

Activity	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple View Zone	
				Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area	ERP-Area-1 and ERP-Area-2 Character Area	ERP-Area-3 Heritage Area
d) Single dwellings with an ancillary residential unit (*total area for both dwelling and ancillary residential unit)	*700m ²	*700m ²	*700m ²	*435m ²	*800m ²	*700m ²	-
e) Managed care facilities (minimum per resident)	100m ²	100m ²	100m ²	100m ²	100m ²	100m ²	-
f) Rest homes (minimum per resident)	75m ²	75m ²	75m ²	75m ²	75m ²	75m ²	-

Table 5.4.1b: Density – Peacocke Character Area

Activity	Peacocke Character Area			
	Terrace Area	Hill Area (Slope less than 5 Degrees)	Hill Area (Slope greater than 5 Degrees)	Gully Area
For Special Residential Zone, Special Heritage Zone, Special Natural Zones and Temple View Zone see Table 5.4.1a.				
a) Single dwellings – front, corner and through site (including relocated dwellings) (per unit)	400m ²	400m ²	800m ²	800m ²
b) Single dwellings – rear site (including relocated dwellings) (per unit)	400m ²	400m ²	800m ²	800m ²
c) Duplex dwellings (per residential unit)	200m ² (400m ² per Duplex)	200m ² (400m ² per Duplex)	-	-
d) Single dwellings with an ancillary residential unit (*total area for both dwelling and ancillary residential unit)	*435m ² (net site area)	*600m ² per unit	*800m ² per unit	*800m ² per unit
e) Managed care facilities (minimum per resident)	100m ²	100m ²	100m ²	100m ²
f) Rest homes (minimum per resident)	75m ²	75m ²	75m ²	75m ²

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5.4.2

Site Coverage

	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple View Zone	Temple View Zone		Peacocke Character Area				
				Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area		CDP Area 1 and CDP Area 2	CDP Area 3	In the absence of an approved Master Plan	Terrace Area	Hill Area (Slope less than 5 degrees)	Hill Area (Slope greater than 5 degrees)	Gully Area
a) Front Sites (maximum % unless otherwise stated)	35	35	Net site area less than 750m ² – 40% Net site area greater than 750m ² – 20%	40	25	40	40	40	Net site area is greater than 5000m ² – 8% up to a maximum of 1200m ² GFA Net site area is 5000m ² or less – 25% up to a maximum of 500m ² GFA	40 Apartments and Duplex units – 50%	40	35	35
b) Rear Sites (maximum % unless otherwise stated)	40	35	Net site area less than 750m ² – 40% Net site area greater than 750m ² – 20%	40	25	40	40	40	Net site area is greater than 5000m ² - 8% up to a maximum of 1200m ² GFA Net Site area is 5000m ² or less – 25% up to a maximum of 500m ² GFA	40 Apartments and Duplex units – 50%	35	35	35

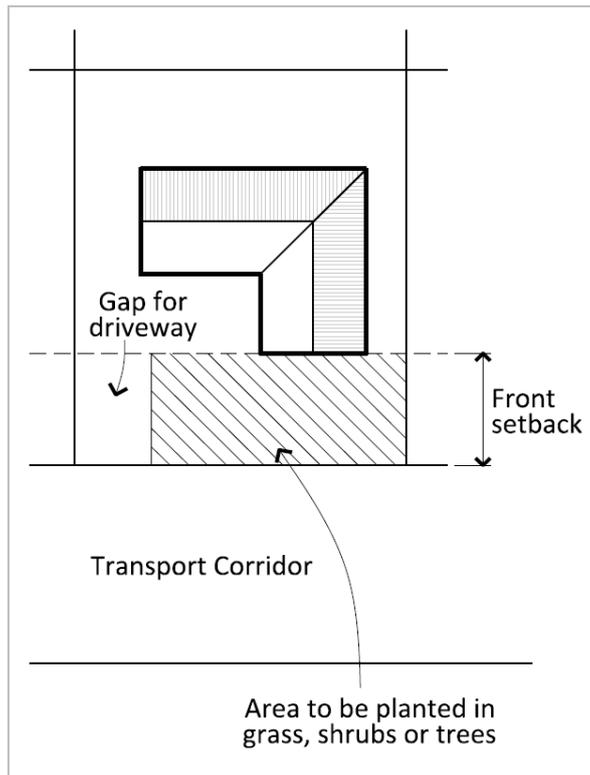
5.4.3

Permeable Surface and Planting

	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple view Zone		Peacocke Character Zone			
				Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area	CDP Area 1 and CDP Area 2 Character Area	CDP Area 3 Heritage Area	Terrace Area	Hill Area (Slope less than 5 Degrees)	Hill Area (Slope Greater than 5 Degrees)	Gully Area
a) Permeability across the entire site (including area required by Rule 5.4.3(b) below) (minimum % unless otherwise stated)	40	40	50	20	40	35	40	20	35	40	40
b) Front sites, corner sites, through sites only: Permeability of the front setback excluding vehicle and access provisions required by Rule 5.4.6 be planted in grass, shrubs or trees (see Figure 5.4.3a)	100	100	100	100	100	100	100	100	100	100	100

- c) The planted area required in Figure 5.4.3a shall:
- i. Be planted in the first planting season following completion of the building.
 - ii. Be of a permeable nature with planting consisting of a combination of groundcover, shrubs and trees.
 - iii. Provide vegetative coverage of the specified area within two years from the time of planting.
 - iv. Ensure visibility between the dwelling and any adjoining areas of public space.

Figure 5.4.3a: Planting requirement forward of the front building line



5.4.4 Building Height

Table 5.4.4a: Building height – Special Residential, Special Heritage and Special Natural Zones

	Special Residential Zone	Special Heritage Zone			Special Natural Zone	
		Frankton Railway Village	Hayes Paddock	Hamilton East Villa	Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area
For the Temple View Zone and Peacocke Character Zone see Table 5.4.4b and for Rototuna North East Character Zone see Table 5.4.4.c						
a) Front, corner and through site (maximum height unless otherwise stated)	7m	5m	6m	7m	10m	8m
b) Rear site (maximum height unless otherwise stated)	8m	5m	6m	7m	10m	8m

c) Storeys	-	Maximum One	-	-	Maximum Two Where a site boundary (excluding accessways) adjoins the Natural Heritage Park or is separated only by a road reserve	-
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Table 5.4.4b: Building height – Temple View and Peacocke Character Zones

Proposed Plan Change 3-
Temple View

	Temple View Zone		Peacocke Character Zone				
	CDP Area 1 and CDP Area 2	CDP Area 3	In the absence of an approved Master Plan	Terrace Area	Hill Area (Slope less than 5 degrees)	Hill Area (Slope greater than 5 degrees)	Gully Area
For Special Residential Zone, Special Heritage Zones and Special Natural Zones see Table 5.4.4a.							
a) Front, corner and through site (maximum height unless otherwise stated)	12m Buildings within the teacher housing area along the frontage with Tuhikaramea Road: Maximum height 6m All other Situations: 15m	No part of any new or extended building or structure within the Temple Heritage Area shall be higher than the floor level of the Temple All other situations: 15m	10m	12m	10m	10m	10m
b) Rear site (maximum height unless otherwise stated)	15m	As above	10m	12.5m	10m	10m	10m
e) Storeys	Single storey within the teacher housing area along the frontage with Tuhikaramea Road	-	-	-	-	-	-

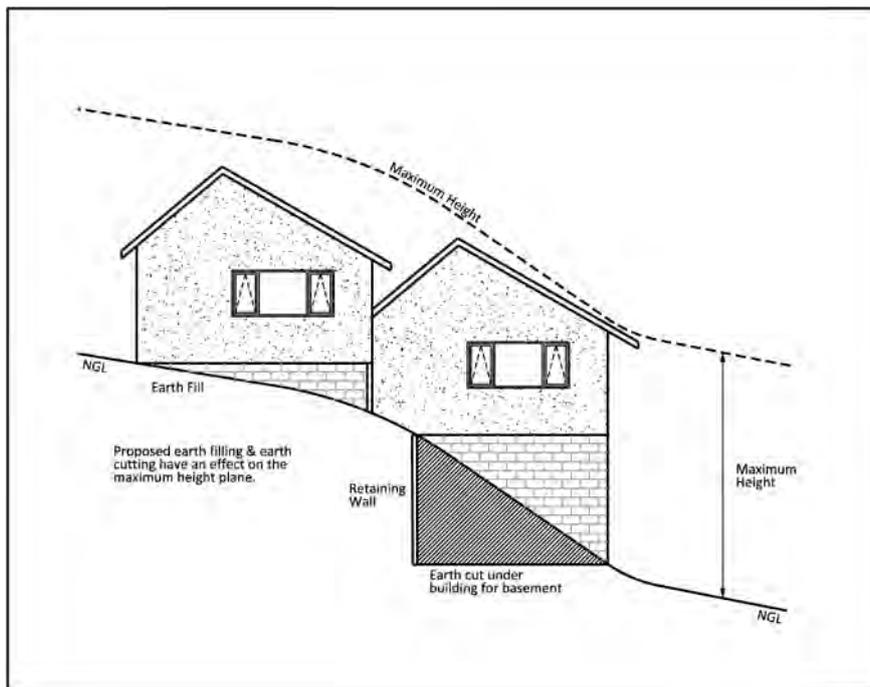
	Temple View Zone					Peacocks Character Zone					
	Precinct 1	Character Area		Precinct 3	Precinct 4	Heritage Area	In the absence of an approved Master Plan	Terrace Area	Hill Area (Slope less than 5 degrees)	Hill Area (Slope greater than 5 degrees)	Gully Area
		Precinct 2									
For Special Residential Zone, Special Heritage Zones and Special Natural Zones see Table 5.4.4a.											
a) Front, corner and through site (maximum height unless otherwise stated)	12m	12m except Buildings within the former teacher housing character corridor along the eastern frontage of Tuhikaramea Road and the western side of Tuhikaramea Road between Fosters Road and Wade Land Reserve: Maximum height 6m, and Buildings with road frontage to the western side of Tuhikaramea Road north of Fosters Road: maximum height 10m	12m	12m	No part of any new or extended building or structure shall be higher than the floor level of the Temple	10m	12m	10m	10m	10m	
b) Rear site (maximum height unless otherwise stated)	15m	12m	12m	12m	As above	10m	12.5m	10m	10m	10m	
c) Storeys	=	Single storey within the former teacher housing character corridor along the eastern frontage with Tuhikaramea Road and the western frontage between Fosters Road and Wade Lane Reserve.	=	=	=	=	=	=	=	=	

Table 5.4.4c: Building Height – Rototuna North East Character Zone

Height in relation to any building in the Rototuna North East Character Zone only means the vertical distance between the natural ground level immediately below that part of the highest part of the building immediately above the point. Being, the highest part of the building means the highest part of the main structure of the building, including parapets, but without taking into account projections measuring not exceeding 2m in height and 1m² in area or an aerial permitted within Chapter 25.7 Network Utilities and Electricity Transmission Corridors (see Figure 5.4.4a).

Rototuna North East Character Zone	
a) Front, corner, rear and through site using the Rolling Height Method (Figure 5.4.4a)	Sites less than 750m ² : Maximum 10m Site greater than 750m ² : Maximum 8m

Figure 5.4.4a: Rolling Height Method – Rototuna North East Character Zone



5.4.5 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 height control plane required between those buildings.

- ii. 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.
- iii. Where a boundary adjoins a transport corridor or access, the 45 degree angle applies to that boundary, measured 3m above the boundary.
- iv. Where the buildings are part of an approved Master Plan within the Peacocke Character Zone.

5.4.6 Building Setbacks

Table 5.4.6a: Building setbacks – Special Residential, Special Heritage, Rototuna North East Character Zone and Special Natural Zones

	Special Residential Zone	Special Heritage Zone	Special Natural Zone	
			Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area
For Temple View Zone and Peacocke Character Zone see Table 5.4.6b. For Rototuna North East Character Zone see Table 5.4.6c.				
a) From a boundary with - any collector or local transport corridor (minimum setback unless otherwise stated)	All buildings shall be set back from the boundary the greater of: <ul style="list-style-type: none"> i) 5m, or ii) The average of the front setback of buildings on adjoining sites (except rear sites), provided that: <ul style="list-style-type: none"> • Where an adjoining site is vacant the setback shall be taken as being 5m • For corner sites the setback of the adjoining site shall be taken as the average 	3m	5m	
b) From a boundary with – any arterial transport corridor (minimum setback unless otherwise stated)	As per (a)	5m	5m	
c) Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m.				
d) Front, corner and through site - side and rear boundaries (minimum setback)	One side boundary 3m Other side boundary and rear boundary 1.5m	1.5m	1.5m	3m

e) Rear site - all boundaries (minimum setback)	1.5m	1.5m	1.5m	3m
f) Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)			

Note

1. Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.

Table 5.4.6b: Building setbacks – Temple View and Peacocke Character Zones

Proposed Plan Change 3-
Temple View

	Temple View Zone		Peacocke Character Zone	
	CDP Area 1 and CDP Area 2	CDP Area 3	In the absence of an approved Master Plan	Terrace, Hill and Gully Character Areas
For the Special Residential Zone, Special Heritage Zone and Special Natural Zones see Table 5.4.6a.				
a) From a boundary with any collector or local transport corridor (minimum setback unless otherwise stated)	3m	5m	5m	3m
b) From a boundary with any arterial transport corridor (minimum setback unless otherwise stated)	Setbacks are to retain the distance set by the existing curtilage wall between the walkway and Tuhikaramea Road Setbacks within the teacher housing area are to retain original setback distances set by the First Teacher House along Tuhikaramea Road Minimum 5m in all other situations.	Temple View Heritage Area: No Building to be located closer to Tuhikaramea Road than the existing setback distance to the Temple Minimum 5m in all other situations	5m	5m
e) Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m				

	Temple View Zone		Peacocke Character Zone	
	CDP Area 1 and CDP Area 2	CDP Area 3	In the absence of an approved Master Plan	Terrace, Hill and Gully Character Areas
d) Front, corner and through site – side and rear boundaries (minimum setback)	1.5m	3m	-	1.5m
e) Rear site – all boundaries (minimum setback)	1.5m	3m	-	1.5m
f) Any other boundary (for buildings and outdoor hardstands used for housing and feeding of animals, including milking sheds and shearing sheds) (minimum setback)	-	-	50m	-
g) Residential unit setback from an existing intensive farm (minimum setback)	-	-	500m	-
h) Any other boundary not otherwise identified above (minimum setback)	-	-	5m	-

	Temple View Zone				Peacocke Character Zone	
	Precinct 1	Character Area		Heritage Area Precinct 5	In the absence of an approved Master Plan	Terrace, Hill and Gully Character Areas
		Precinct 2	Precinct 3			

Proposed Plan Change 3-
Temple View

For the Special Residential Zone, Special Heritage Zone and Special Natural Zones see Table 5.4.6a.

	<u>Temple View Zone</u>					<u>Peacocke Character Zone</u>	
	<u>Character Area</u>				<u>Heritage Area Precinct 5</u>	<u>In the absence of an approved Master Plan</u>	<u>Terrace, Hill and Gully Character Areas</u>
	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>			
a) <u>From a boundary with any collector or local transport corridor (minimum setback unless otherwise stated)</u>	<u>3m</u>	<u>3m</u>	<u>3m</u>	<u>5m</u>	<u>5m</u>	<u>5m</u>	<u>3m</u>
b) <u>From a boundary with any arterial transport corridor (minimum setback unless otherwise stated)</u>	<u>Setbacks are to retain the distance set by the existing curtilage wall between the walkway and Tuhikaramea Road</u>	<u>Minimum setback within the former teacher housing corridor along the frontage with the eastern side of Tuhikaramea Road = 13m Minimum 5m in all other situations</u>	<u>=</u>	<u>5m-</u>	<u>No Building to be located closer to Tuhikaramea Road than the existing setback distance to the Temple Minimum 5m in all other situations</u>	<u>5m</u>	<u>5m</u>
c) <u>Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m</u>							
d) <u>Front, corner and through site – side and rear boundaries (minimum setback)</u>	<u>1.5m</u>	<u>1.5m</u>	<u>1.5m</u>	<u>3m</u>	<u>3m</u>	<u>=</u>	<u>1.5m</u>

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	<u>Temple View Zone</u>					<u>Peacocke Character Zone</u>	
	<u>Character Area</u>				<u>Heritage Area Precinct 5</u>	<u>In the absence of an approved Master Plan</u>	<u>Terrace, Hill and Gully Character Areas</u>
	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>			
<u>e) Rear site – all boundaries (minimum setback)</u>	<u>1.5m</u>	<u>1.5m</u>	<u>1.5m</u>	<u>3m</u>	<u>3m</u>	<u>:</u>	<u>1.5m</u>
<u>f) Any other boundary (for buildings and outdoor hardstands used for housing and feeding of animals, including milking sheds and shearing sheds) (minimum setback)</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>50m</u>	<u>:</u>
<u>g) Residential unit setback from an existing intensive farm (minimum setback)</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>500m</u>	<u>:</u>
<u>h) Any other boundary not otherwise identified above (minimum setback)</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>5m</u>	<u>:</u>
<u>i) Waikato Riverbank and Gully Hazard Area</u>	<u>6m (applies to buildings and swimming pools)</u>						

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Note

1. Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the

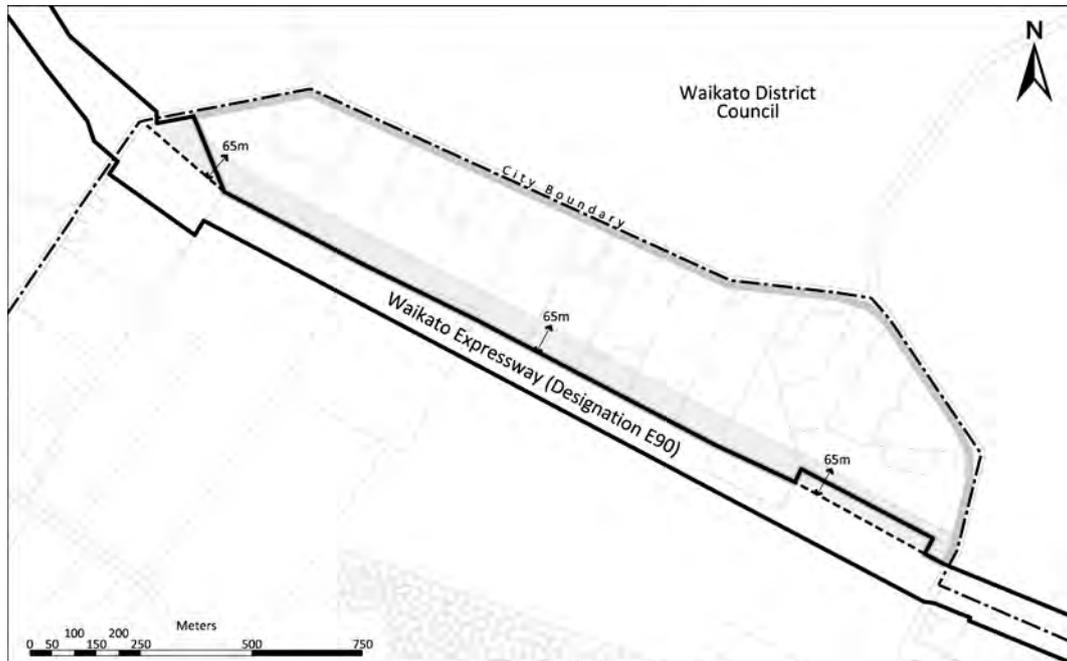
Table 5.4.6c: Building setbacks – Rototuna North East Character Zone

Rototuna North East Character Zone	
a) From a boundary with any collector or local transport corridor (minimum unless otherwise stated)	All buildings shall be setback from the boundary the greater of: <ul style="list-style-type: none"> i. 5m, or ii. The average of the front setback of buildings on adjoining sites (except rear sites), provided that: <ul style="list-style-type: none"> • Where an adjoining site is vacant the setback shall be taken as being 5m • For corner sites the setback of the adjoining site shall be taken as the average
b) From a boundary with any arterial transport corridor (minimum unless otherwise stated)	Refer to 5.4.6g)
c) Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m.	
d) Front, corner and through site – side and rear boundaries (minimum)	1.2m
e) Rear site – all boundaries (minimum)	1.5m
f) All habitable buildings shall be set back a minimum of 65m from the Waikato Expressway (Designation E90) as shown on Figure 5.4.6a except that if 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 s176A of the RMA; or construction is underway or completed the setback shall be a 55dBL _{Aeq(24hr)} contour line from the Waikato Expressway carriageway boundary determined at the time of subdivision.	
g) All non-habitable buildings within the 65m setback as shown Figure 5.4.6a shall be set back a minimum of 5m from the Waikato Expressway (Designation E90) except that if the location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or construction is underway or completed the set back shall be 10m from the actual carriageway edged of the Expressway.	
h) Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)

Note

1. Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.

Figure 5.4.6a: Waikato Expressway Setback for properties within the Rotoruna North East Character Zone adjoining the northern boundary of the Waikato Expressway (Designation E90)



5.4.7 Interface Between Public and Private

- a) These standards only apply to front, corner and through sites only.
- b) Location of accessory buildings within the front setback
 - i. All detached accessory buildings shall be located no further forward of the front building line of the dwelling than 0.5m, (see Figure 5.4.7g);
 - 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 5.4.7h);
 - 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 it shall be forward of the front line of the dwelling (but not encroaching into the front setback), by no more than 8m.
- c) At least one habitable room shall have a clear glazed window facing the transport corridor. For corner sites, this shall be required only on the transport corridor frontage from which vehicular access is provided.

Figure 5.4.7g: Setback for accessory buildings – an example of an accessory building that is an integral part of design

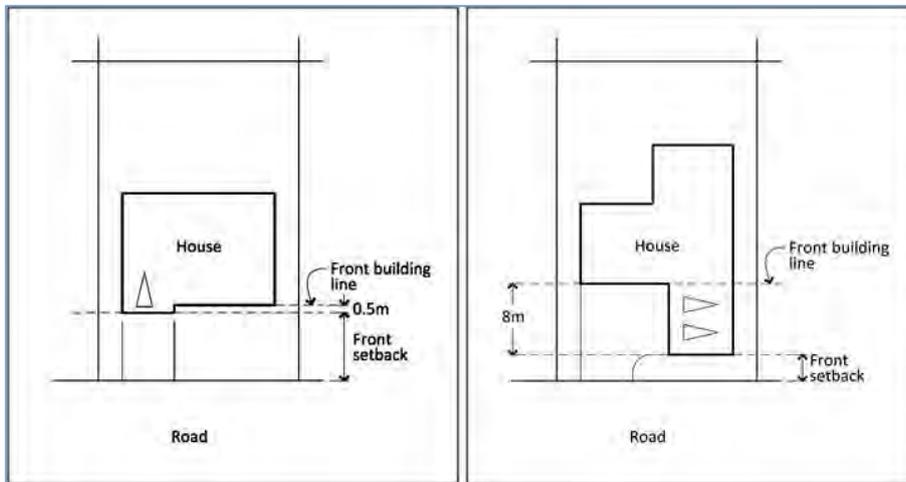
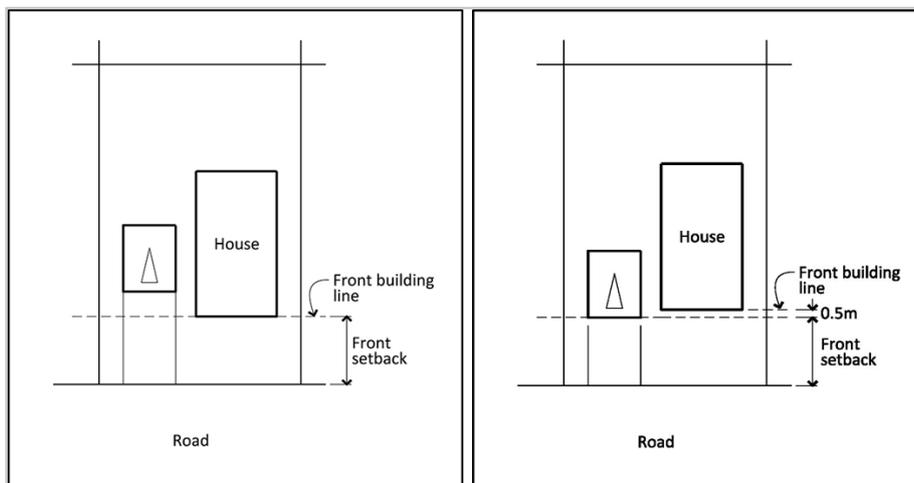


Figure 5.4.7h: Setback for accessory buildings – example of a detached accessory building



5.4.8 Fences and Walls

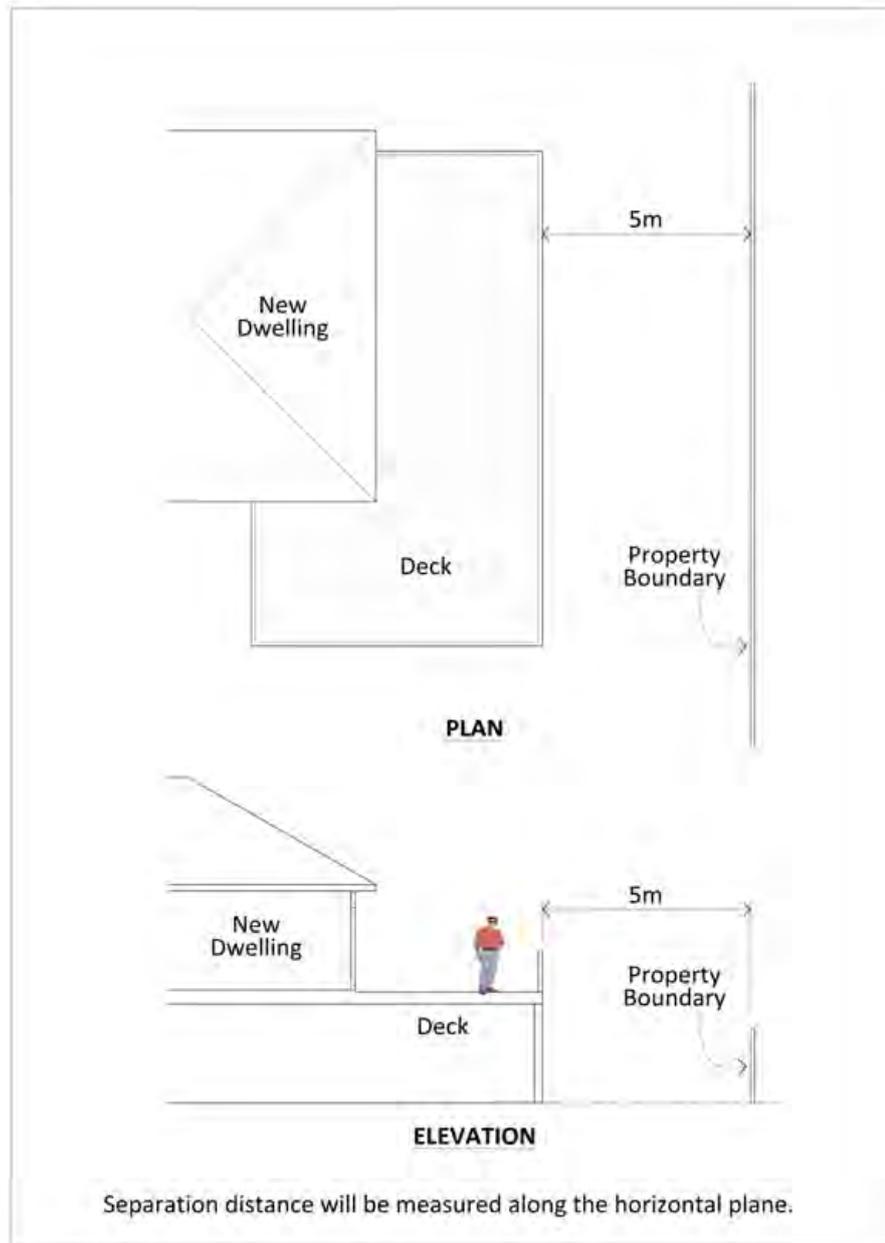
- a) Fences and walls shall have a maximum height of 1.8m, except as provided below.
- b) Fences and walls within the Special Residential Zone and Special Heritage Zone shall have a maximum height of 1.2m for front and side boundary fences or walls located forward of the front building line of the dwelling.

5.4.9 Residential Buildings – Separation and Privacy

- a) Residential buildings shall be set back at least 3m from the nearest part of any other residential building on the same site, 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 on the same site, separation distance is a minimum of 1.5m.
- b) A balcony at upper-floor level shall be set back at least 5m from boundaries (see Figure 5.4.9a). 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 5.4.9a: Upper-floor setbacks for separation and privacy



- c) Temple View Character Area. Within the teacher housing [area corridor](#) there shall be a minimum 7m separation distance between single dwellings.

Buildings and Activities within the Temple View Zone's Character and Area and Temple View Heritage Areas

Description	Requirements	
	Character Area	Heritage Area
a) Curtilage wall along Tuhikaramea Road	Shall be reinstated to reflect the height, colour, design quality and spatial relationship with the built form of the former teacher housing	Shall be reinstated to reflect the height, colour and design quality of the curtilage wall
b) Berm and privacy walling separating the covered walkways from Tuhikaramea Road	Shall maintain the general spatial relationship and ratio of elements between the road edge and the privacy walling. This is visually open berm containing manicured lawn, ornamental planting, and specimen trees, with a distinct delineation of built form. Buildings shall reflect the broader architectural characteristics such as colour, form, materials and finishes and deliver on the principles of good urban design	
c) Colour: Applies to new buildings or alterations of existing buildings	Shall be in general accordance with the colour scheme throughout the Character Area and adjoining Heritage Area	Shall be in general accordance with the colour scheme identified throughout the Character Area and adjoining Heritage Area
d) Repairs and maintenance to buildings or structures	Shall be in accordance with the broader architectural characteristics such as colour, form, materials and finishes	Shall be in accordance the broader architectural characteristics such as colour, form, materials and finishes
e) Maintenance, repair and replacement of former teacher accommodation along Tuhikaramea Road	Shall reflect the general spatial characteristics, scale and modulation of the existing teacher accommodation as viewed from Tuhikaramea Road, with particular regard to the offset from the front boundary, architectural response to Tuhikaramea Road and curtilage treatment Buildings shall include the broader architectural characteristics such as colour, form, materials and finishes and deliver on the principles of good urban design	

Description	Requirements	
	Character Area	Heritage Area
f) New building and development	Buildings shall generally reflect the broader architectural characteristics including but not limited to colour, style, materials and finishes to maintain a coherent character to the overall site and deliver on the principles of good urban design	Shall maintain the overall open spatial characteristics of the area, as viewed from Tuhikaramea Road with particular regard to the immediate surrounding landscape and the primacy of the Temple within the area Buildings shall include the broader architectural characteristics such as colour, form, materials and finishes to maintain a coherent character to the overall site and deliver on the principles of good urban design
g) Repairs, maintenance and replacement of private roads and car parking areas	Shall be maintained or developed to reflect the sealed surface and kerbed edge consistent with the roads and parking areas while allowing for alternative treatment consistent with the overall character of the area where warranted for good urban design or functional requirements	Shall be maintained or developed to reflect the sealed surface and kerbed edge consistent with the roads and parking areas while allowing for alternative treatment consistent with the overall character of the area where warranted for good urban design or functional requirements

5.4.11 Outdoor Living Area

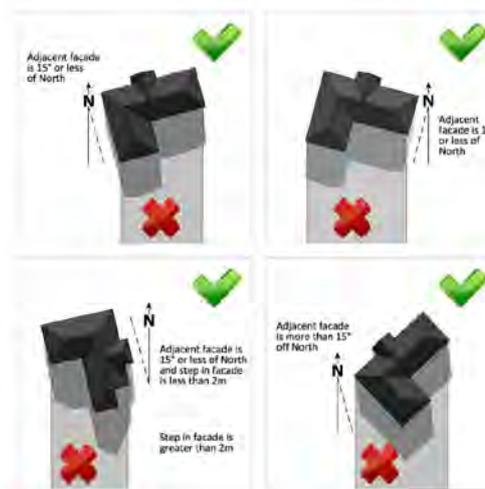
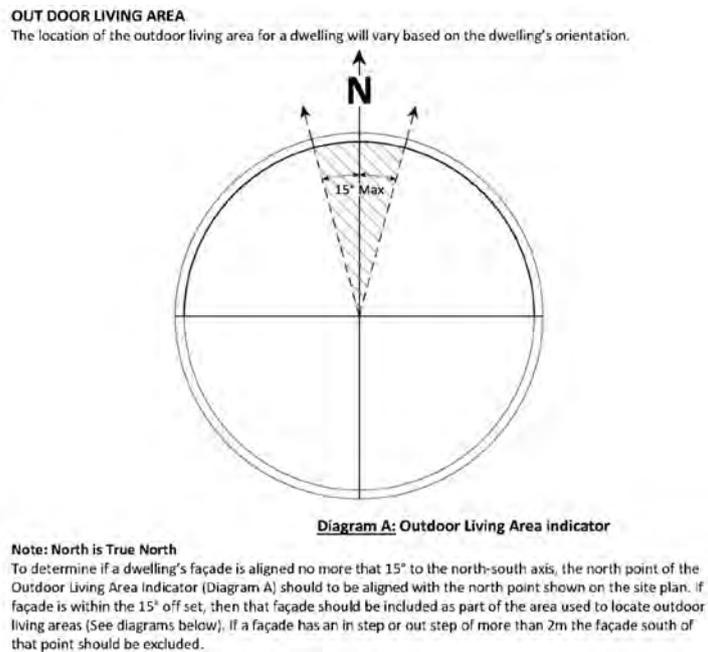
- a) These standards do not apply to managed care facilities or rest homes.
- b) Each residential unit shall be provided with an outdoor living area that is:
 - i. For the exclusive use of each residential unit.
 - ii. Readily accessible from a living area inside the residential unit.
 - iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
 - iv. Located on a side of the residential unit which faces north, east or west (refer Figure 5.4.11e below). For the purpose of this standard, a side that faces north, east or west means the area to the:
 - West of the westernmost and/or easternmost corners of the dwelling, and/or
 - West of the west facing façade aligned at no more than 15 degrees to the north-south axis; and/or
 - East of the east facing façade aligned at no more than 15 degrees to the north-south axis.

- c) Outdoor living areas for residential units shall have areas and dimensions as follows:

Residential units	Outdoor living area per residential unit	Shape
i. Including single dwellings and duplex dwellings	60m ²	<ul style="list-style-type: none"> Capable of containing a 6m diameter circle No dimension less than 2.5m
ii. Ancillary residential units	12m ²	<ul style="list-style-type: none"> No dimension less than 2.5m

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

Figure 5.4.11e: Outdoor living area – north, east or west



5.4.12 Service Areas

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

Description	Minimum requirements
b) Every site, including first residential unit, but excluding 5.4.12(d) to (f)	<ul style="list-style-type: none"> i. At least 20m² ii. Minimum dimension 3m
c) Service area for second and subsequent residential units, including duplex dwellings	<ul style="list-style-type: none"> i. Additional 20m² for second and each subsequent unit ii. Minimum dimension 3m
d) Service area per ancillary residential unit	<ul style="list-style-type: none"> i. Additional 10m² ii. Minimum dimension 2.5m
e) Apartments	<ul style="list-style-type: none"> i. 10m² ii. Minimum dimension 2.5m
f) Community centres, visitor accommodation, conference facilities	<ul style="list-style-type: none"> i. 10m² ii. Minimum dimension 2.5m
g) Dairies (may be indoor or outdoor)	<ul style="list-style-type: none"> i. Minimum 10m² ii. Minimum dimension 2.5m iii. Readily accessible to service vehicles iv. Indoor service area separately partitioned v. Outdoor service area shall have an all-weather, dust-free surface
h) All service areas	<ul style="list-style-type: none"> i. Readily accessible from each residential unit ii. Not visible from a public place

5.4.13 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

5.5 Rules – Specific Standards

5.5.1 Ancillary Residential Unit

- a) A maximum of one ancillary residential unit per site.
- b) A 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.

5.5.2 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 maximum gross floor area of all buildings shall be 250m².

5.5.3 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 events (maximum 1 per calendar year)	2200 to 0200 hours
d) No exterior indication of the activity, including the display or storage of materials, shall be visible from outside the site, except for permitted signs	

5.5.4 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

5.5.5 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 2.0m above the adjacent ground level. The sign must be attached to either a fence, wall or building.

5.5.6 Managed Care Facilities

- a) Within one calendar month of its occupancy, the Agency or 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) An outdoor living area shall be provided which is:
 - i. For the exclusive use of the residents.
 - ii. Readily accessible for all residents.
 - iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
 - iv. Comprises no more than 35% impermeable surface area.
 - v. Provided with a screen, wall or fence along that part of any site boundary adjoining the outdoor living area in order to screen the area from abutting properties.
- c) The outdoor living area shall be provided communally which shall comprise:
 - i. At least 15m² per resident.
 - ii. A minimum dimension of not less than 4m.
 - iii. An area capable of containing a 6m diameter circle.
 - iv. 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.
- d) 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.
- e) Staff providing supervision for managed care facilities accommodating 8 or more residents shall be present on site at all times that residents are in occupation.
- f) No part of any site to be used as a managed care facility shall be located within a 150m radius of an existing managed care facility for which a resource consent was required for its establishment or operation, unless the facilities are separated by the Waikato River, an arterial transport corridor, railway lines, or a gully system identified by the Waikato Riverbank and Gully Hazard Area within the Planning Maps.
- g) No part of any site or premises used as a managed care facility shall contain a secure unit.

5.5.7 Relocated Buildings

- a) Any relocated building intended for use as a dwelling (excluding previously used accessory buildings) must have been previously 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.

5.5.8 Show Homes

- a) These shall be:
 - i. Staffed by a maximum number of two staff at any time.
 - ii. Located on a front or corner site.
 - iii. Have a maximum activity duration of two years from the time of first occupation.

5.5.9 Rest Homes

- a) Maximum occupancy shall be 10 residents (including live-in staff), excluding rest homes within the Temple View Comprehensive Development Plan Area 2 in Volume 2, Appendix 4, Figure 4-5.
- b) The maximum density for rest homes shall be:
 - i. One person per 75m² of net site area in the Special Residential and Special Natural zone; or

- ii. One person per 50m² of net site area in the Special Heritage zone, Peacocke Character Zone and Temple View Zone.
- c) An outdoor living area shall be provided that:
 - i. Is for the exclusive use of the residents.
 - ii. Is readily accessible for 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. An area 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 the rest home, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.

5.5.10 Visitor Accommodation

- 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.

5.5.11 Retail activities within the Peacocke Character Zone and Temple View Zone

- a) Retail activities within the Peacocke Character Zone need to be in general accordance with the Peacocke Structure Plan.
- b) Retail activities within the Peacocke Character Zone that form part of an approved Master Plan or Temple View Zone that part of a land use consent for Precinct 2 within the Temple View Zone, Character Area are part of an approved Master Plan or Comprehensive Development Plan shall be required to comply with the associated rules in Chapter 6: Business Zones 1 to 6 as follows:
 - i. Business Zone 5 when located in the defined Suburban Centre
 - ii. Business Zone 6 when located in the defined Community Focal Point

once a Master Plan or a Comprehensive Development Plan land use consent has been implemented.

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5.5.12 Development Yield in the Rototuna North East Character Zone

- a) The maximum development yield, spread over the entire area shall be 1100 residential units.

5.6 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. Any building or structure (including alterations and additions) identified as a Restricted Discretionary Activity in the Special Character Zone; except where specifically listed below*.	<ul style="list-style-type: none"> E – Heritage Values and Special Character
ii. Any activity identified as a Restricted Discretionary Activity in the Special Character Zone; except where specifically listed below*.	<ul style="list-style-type: none"> E – Heritage Values and Special Character
iii. Alterations and additions forward of the front building line to a pre-1940 dwelling within the Hamilton East Dwelling Control area or to a pre-1939 dwelling within the Claudelands Dwelling Control area on a front, corner or through site	<ul style="list-style-type: none"> E – Heritage Values and Special Character
iv. Ancillary residential unit*	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
v. Single dwelling: Second and subsequent residential unit per site, *	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
vi. Duplex dwellings – excluding Hayes Paddock*	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
vii. Childcare facility for 6 or more	<ul style="list-style-type: none"> B – Design and Layout

children, except in Temple View Zone	<ul style="list-style-type: none"> E – Heritage Values and Special Character
viii. Community centre	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
ix. Dairy	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
x. Tertiary education and specialised training facility	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xi. Rest home*	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xii. Walkways and cycleways*	<ul style="list-style-type: none"> E – Heritage Values and Special Character G – Transportation
xiii. Single dwelling: First residential unit per site*	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xiv Childcare facility for up to 5 children within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xv Apartments within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xvi Erection of any boundary structure along Tuhikaramea Road, within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xvii Construction of a new building within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xviii School within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xix Marae within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xix Place of Worship within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character
xx Visitor accommodation within Precinct 4 of the Character Area within the Temple View Zone	<ul style="list-style-type: none"> B – Design and Layout E – Heritage Values and Special Character

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xxi Retail activity, other than as a homebased business in Precinct 1 of the Character Area within Temple View	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • H1 – Function, vitality and amenity of centres
xxii Healthcare services within the Temple View Zone	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character
xxiii Place of Assembly within the Temple View Zone	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character
xxiv Office, other than as a home-based business, in Precinct 1 of the Character Area within the Temple View Zone	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character • H1 – Function, vitality and amenity of centres
xxv Emergency housing for up to 10 residents within the Temple View Zone	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character
xxvi Managed care facilities within the Temple View Zone	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character

Note

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

5.7 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

Appendix 8.8B: Operative District Plan – Volume 1, Chapter 23: Subdivision

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> <ol 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><i>Explanation</i></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> <ol 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 over time 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 allotment outside of the National Grid Yard.
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Explanation	
<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>	
Objective	Policies
23.2.3 Medium-Density Residential Zone and Rototuna Town Centre Zone areas are developed comprehensively.	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 or Land Development Consents for Ruakura and Te Awa Lakes .
Explanation	
<i>Comprehensive Development Plans are a useful tool to ensure a comprehensive approach to the layout and design of medium-density development. The Board of Inquiry Decision for Ruakura included a Land Development Consent process to ensure a comprehensive approach to layout and design within the medium density development occurs.</i>	
Objective	Policies
23.2.4 To ensure the provision of infrastructure services as part of the subdivision process.	23.2.4a Subdivision: <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	
<i>Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Infrastructure Technical Specifications. The Ruakura Structure Plan area includes two areas of Large Lot</i>	

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Residential Zones which 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 7, Industrial, Knowledge, Ruakura Logistics, Ruakura Industrial Park, Future Urban, All Open Space, Major Facilities, Community Facilities and Transport Corridor Zones and All Hazard Areas

Activity	General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 – 7, 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 or additional lawfully established 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
All Activities and Structures				

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Any activity not listed above	NC	NC	NC	NC
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Table 23.3b: Medium Density Residential Zones and Rototuna Town Centre Zones, and Te Rapa North Industrial Zone

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Activity	Medium- Density Residential and Rototuna Town Centre Zones		Ruakura <u>and</u> <u>Te Awa Lakes</u> Medium Density Residential Zone	Te Rapa North Industrial Zone			
	Without an approved CDP	As part of or after a CDP has been approved	With an approved LDC or an LDC with subdivision activity	Deferred Industrial outside of Stage <u>1A</u> <u>B</u> <u>1B</u>	Within Stage <u>1A</u> <u>B-1B</u> without a CDP	Within Stage <u>1A</u> <u>B-1B</u> after a CDP	Te Rapa Dairy Manufacturing Site
<p>For General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 to 7, 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.</p>							
i. Boundary adjustments Inclusive where no LDC exists for Ruakura <u>and</u> <u>Te Awa Lakes</u> Medium Density Residential Zone	P	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 or additional lawfully established buildings	P	P	P	P	P	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura <u>and Te Awa Lakes</u> Medium Density Residential Zone	RD	RD	RD	RD	D	RD	RD
v. Fee simple subdivision*	NC	D	RD*	NC	D	RD*	RD*
vi. Cross-lease subdivision*	NC	NC	NC	NC	NC	NC	NC
vii. Company-lease subdivision	NC	RD	RD	NC	D	RD	RD
viii. Unit-title Subdivision*	NC	RD*	RD*	NC	D	RD*	RD*

ix. Leasehold Subdivision	NC	RD	RD	NC	D	RD	RD
x. Subdivision involving any allotment within the Electricity National Grid Corridor	NC	RD	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	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	D	NC	D	RD	RD
All Activities and Structures							
Any activity not listed above	NC						

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 – 7, 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 or additional lawfully established buildings	P	P	P	P	-	P	P	Proposed Plan Change 3-Temple View
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	-	-	-	
Subdivision within the Temple View Zone to establish a CDP area according to Volume 2, Appendix 4, Figure 4-5	D	D	-	-	-	-	-	Proposed Plan Change 3-Temple View

e) Boundary relocation	-	-	D	D	D	D	-
vi. Cross-lease subdivision	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
All Activities and Structures							
Any activity not listed above	NC						

Note

1. Consultation with Transpower New Zealand Limited (or its successor) is advised when considering subdivision within the Electricity National Grid Corridor. Transpower New Zealand will be an affected party for any development requiring resource consent for a subdivision under or adjacent to high voltage transmission lines.
2. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).

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 3.7.4.1 to 3.7.4.5 and Rule 3.7.5 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 3.7.4.1 to 3.7.4.5 and Rule 3.7.5 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 3.7.4.1.

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 or additional lawfully established 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, except in circumstances where a boundary adjustment creates an additional allotment or allotments which are required to be held together with another allotment or allotments by way of compulsory amalgamation condition.
- 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.

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.

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

- a) Subdivision shall only take place in conjunction with a Comprehensive Development Plan or Land Development Plan application or after a Comprehensive Development Plan or Land Development Plan application has been granted. References to Land Development Plan in this rule relate to the Te Awa Lakes Medium Density Residential Zone.
- 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 23.6.8 a) to c) do not apply to subdivision to accommodate a network utility service or transport corridor.

Note

1. Refer to Rule 23.6.1 for Medium-Density Residential Subdivision in the Ruakura Structure Plan area

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 ~~714~~ha 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 ~~2346~~ha 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~~ Stage 1A 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 a requiring 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 Rule 25.14.3)</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_{LAeq(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_{LAeq(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:
 - i. The unit title subdivision of existing lawfully established buildings; or
 - ii. The fee simple subdivision of existing lawfully established duplex dwellings

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 Minimum Net Site Area	Max Net Site Area	Min Shape Factor
a) General Residential Zone (unless otherwise stated)	400m ²	-	-	15m-diameter circle
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 area	2500m ²	-	-	15m-diameter circle
g) Large Lot Residential – Percival/Ryburn Rd, Ruakura Structure Plan area	2ha Except for Lot 8 DP 9210-5000m ²	-	-	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)	600m ²	800m ²	-	15m-diameter

Zone	Minimum Net Site Area	Average Minimum Net Site Area	Max Net Site Area	Min Shape Factor
Character Area)				circle
l) Peacocke Character Zone (Terrace Area)	200m ²	-	-	15m-diameter circle Medium 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 (Within the Character Areas CDP Area 3.)	500m 600m ²	-	-	15m-diameter circle
q) Temple View Zone (As part of a Duplex within Within CDP Area precinct 1, 2, 3 and CDP Area 24)	200m Duplex dwelling = 200m ² per unit (400m ² per duplex) 200m ²	-	-	-
r) Central City Zone, Knowledge Zone, Business 1 to 7 Zones	1,000m ²	-	-	20m-diameter circle
s) Industrial Zone, Rotokauri Employment Area and Riverlea Industrial Area	Front, corner or through site – 1,000m ²	-	-	Rule 23.7.1(z) applies
	Rear sites – 500m ²	-	-	Rule 23.7.1(z) applies
t) Te Rapa North Industrial Zone	500m ²	-	-	Rule 23.7.1(z) applies
u) Ruakura Logistics Zone	3000m ²	-	-	Rule 23.7.1(z)

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Zone	Minimum Net Site Area	Average Minimum Net Site Area	Max Net Site Area	Min Shape Factor
				applies
v) Ruakura Industrial Park Zone	3000m ² Except up to a maximum of 20% of sites for each subdivision stage shall have a minimum net site area of 1000m ² for front sites and 500m ² for rear sites.	-	-	Rule 23.7.1(z) applies
w) Ruakura Industrial Park Zone LDP Areas T & G	Front, corner or through site- 1000m ²	-	-	Rule 23.7.1(z) Applies
	Rear Sites – 500m ²	-	-	Rule 23.7.1(z) Applies
x) Future Urban Zone	10ha	-	-	-
y) <u>Te Awa Lakes Medium Density Residential Zone lots that adjoin any existing or proposed esplanade reserve adjacent to the Waikato River (River Interface Overlay)</u>	<u>1000m²</u>	-	-	<u>15m diameter circle</u>

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- y) 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.
- z) 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 20 meter diameter circle. The circle shall not infringe any required front setback or any setback adjoining a residential, special character or open space zone.

- aa) The location of the shape factor circle for each allotment in the Rototuna North East Character Zone, in addition to Rule 23.7.1 y) shall be positioned so not to require land modification in excess of 40m³.
- bb) 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 5.4.6a).

23.7.2 Subdivision Suitability

- a) All subdivisions creating additional allotments shall ensure that new allotments (excluding any utility, road or reserve allotment, or allotment subject to amalgamation) are of a size and shape to enable activities anticipated in the zone, and where subdivision is around existing structures that are to be retained comply with bulk and location provisions for the relevant zone.

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 within CDP Area 1 and CDP Area 2 the Character Areas 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 within CDP Area 1 and CDP Area 2 the Character Areas 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 4-6 allotments	4.5m
g) Maximum private way gradient	1:5m
h) Maximum private way length	50m
i) Maximum cul-de-sac length, including private way	150m
j) Maximum number of private ways accessing directly on to a cul-de-sac	1
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

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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
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Note

1. 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 7 Zones, 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
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

23.7.7 Ruakura Medium Density Residential Zone

a) Minimum lot width of front and rear boundary for front sites; except up to a maximum of 10% of sites for each subdivision stage shall be no less than 10m.	12m
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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).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
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 • N - Ruakura
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 inclusive where no LDC exists for Ruakura Medium Density Residential Zone	<ul style="list-style-type: none"> • C – Character and Amenity • I – Network Utilities and Transmission • N - Ruakura
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
x. Fee Simple Subdivision in the Peacocke Character Zone for lots greater than 10ha	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character
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	<ul style="list-style-type: none"> • D – Natural Character and Open Space
xii. Fee Simple subdivision and Boundary Adjustment (within Special Character Zones)	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character
xiii. Subdivision to accommodate a network utility service or transport corridor (within Special Character Zones)	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character • I – Network Utilities and Transmission

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

Appendix 8.8C: Operative District Plan – Volume 2, Appendix 1: District Plan Administration

Table 1.2.2.6d: Completion of Full ICMP Preparation

Preparation of a full ICMP shall be considered complete when the ICMP has received technical certification by:

- a) Council that the ICMP complies with the relevant information requirements; and
- b) Waikato Regional Council that the guidance within the ICMP for stormwater diversion and discharge activities is to an acceptable standard.

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 Heritage New Zealand Pouhere Taonga Act 2014.

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

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- a) All CDP applications shall show the total expected development for the identified Comprehensive Development Plan area (even if the development is to proceed in stages) through plans and explanatory text.
- b) Where a CDP area is to be developed in stages, the information required for each stage of the CDP process must be sufficient to enable assessment of the application in terms of the Concept Plan (Rototuna), [Development Plan Area \(Temple View\)](#), Structure Plan and the Urban Design Guide.
- c) Any staged application for the development of a CDP area shall include an overall development framework setting out the following for the entire CDP area:
 - i. Staging,
 - ii. Main block pattern,
 - iii. Roads and access ways,
 - iv. Stormwater solutions,
 - v. Reserves, and

vi. Bulk and scale of the buildings.

The application for the development of a specific stage within a CDP area shall provide detailed information, including the design of urban spaces, buildings and their service infrastructure as set out in the table below.

- d) For CDP applications in the Industrial Zone refer to Rule 9.3.3 and 9.3.4.
- e) CDP applications (except those in the industrial zone) shall include where relevant, but not be limited to the following:

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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	Temple View 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	✓			

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	Temple View Zone	All other CDPs (excluding Industrial Zone)
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.		✓	✗	✓
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	✓	✓		✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	Temple View Zone	All other CDPs (excluding Industrial Zone)
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		✓	✗	✓
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	✓	✓	✗	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	Temple View Zone	All other CDPs (excluding Industrial Zone)
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 residential development if applicable.	✓	✓	✗	✓
n) Transportation. Carry out an Integrated Transport Assessment (ITA) which addresses: <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 	✓	✓	✗	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	Temple View Zone	All other CDPs (excluding Industrial Zone)
<p>access points</p> <p>vii. Safe separation of access points from intersections and other access points</p> <p>viii. Impact of access on safe and efficient traffic flow on the transport network</p> <p>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) 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. Prepare an assessment of the impact on the infrastructure including network capacity and tolerance to support the development including future maintenance requirements.	✓	✓	✗	✓
q) Road Design. Provide details of: <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 		✓	✗	✓

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	Temple View Zone	All other CDPs (excluding Industrial Zone)
<p>cyclists</p> <p>vi. Location of passenger transport facilities, including corridors or priority treatments</p> <p>vii. Provision for road lighting</p> <p>viii. Proposed speed limit and design speed</p> <p>ix. The location and concept design of the roads (including typologies).</p>				
<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> <p>i. The type of landscaping to be established in yards, carparking areas, and other landscape areas</p> <p>ii. Identification of the plant and tree species to be used</p> <p>iii. Size of the vegetation</p> <p>iv. Number of plants to be used</p> <p>v. Artificial lighting or screening to be used</p> <p>vi. Consideration of passive surveillance and other CPTED principles</p> <p>vii. Maintenance provisions.</p>	✓	✓	✓	✓
<p>t) Public Square: Show the type of landscaping and materials to be used, taking into consideration CPTED and lighting for safety, amenity and ambience.</p>	✓			

Information Requirements	Rototuna Town Centre Zone	Lake Waiwhakareke Natural Character Zone	Temple View Zone	All other CDPs (excluding Industrial Zone)
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.		✓		
w) Demonstrate how the development of the CDP will integrate the identified heritage items found within the Temple View Zone ensuring the retention of the heritage values associated with these items.			✓	
x) Define the final location of CDP boundary between CDP Area 1 and CDP Area 2 taking the following into account: <ul style="list-style-type: none"> • Impact on the heritage items located within the two CDP areas. • The ability to retain the identified character of the Temple View Zone. • Influences of topography and built form. 			✓	

1.2.2.8a Temple View Precincts

- a) All applications for resource consent for activities within a Temple View Precinct shall show the total anticipated development for the Precinct area through plans and explanatory text, regardless of whether the application relates to all or part of the Precinct.

Where an application for resource consent for activities within a Temple View Precinct relates to part of the Precinct, the level of information regarding anticipated development for the balance of the precinct area may be indicative but shall provide sufficient detail to demonstrate that the proposed development integrates with the existing development within the Precinct (where relevant) and the anticipated development for the entire Precinct area.

- b) Where a Temple View Precinct is to be developed in stages through the progressive lodgement of multiple resource consent applications, the information required for each stage of the Precinct process must be sufficient to enable assessment of the application against the purpose of the specific Precinct (in the context of the Character Area and/or the Heritage Area), and the Urban Design Guide.

- c) Notwithstanding a) and b) above, all applications for resource consent for the development of a Temple View Precinct shall include an overall development framework which sets out the following for the entire Precinct:

- i. Staging,
- ii. Main block pattern,
- iii. Roads and access ways,
- iv. Stormwater solutions,
- v. Reserves, and
- vi. Bulk and scale of the buildings.

All applications for resource consent for activities within a Temple View Precinct shall provide, as a minimum, detailed information relating to the design of urban spaces, proposed buildings and service infrastructure for the proposed activities.

- d) In addition to the mandatory information requirements stated above any application for resource consent for activities within an identified Temple View Precinct shall include the information listed in the table below, where the information is identified for the specific Precinct.

Note

1. This information requirement applies to all resource consent applications for activities within a Precinct, whether the application relates to the entire Precinct or whether the application is for a particular stage of development within that Precinct.
2. Applicants may provide additional information where considered appropriate.
3. All applications for resource consent must also comply with the requirements of the Resource Management Act 1991, including Schedule 4.

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<u>Information Requirements</u>	<u>Temple View Zone</u>				
	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>	<u>Precinct 5</u>
<u>a) Demonstrate via an urban design assessment how the proposed development addresses the relevant assessment criteria and design guide.</u>	✓	✓	✓	✓	✓
<u>b) Demonstrate how the standards of the zone will be met and the extent to which the relevant assessment criteria is achieved.</u>	✓	✓	✓	✓	✓
<u>c) Demonstrate how the proposed activities will integrate with the anticipated development for entire Precinct and the surrounding Precincts</u>		✓	✓	✓	✓
<u>d) Demonstrate how infrastructure, including transportation links, will be provided which is safe, functional and sustainable; and which will integrate with development within the Precinct as well as surrounding Precincts..</u>	✓	✓	✓	✓	✓
<u>h) Identify the 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.</u>	✓	✓	✓	✓	✓
<u>i) Details of the proposed development, including:</u>					
<u>i. Activity types</u>	✓	✓	✓	✓	✓
<u>ii. Building footprints</u>	✓	✓	✓	✓	✓
<u>iii. Individual shop and business tenancy sizes</u>	✓				
<u>iv. The number of residential units</u>	✓	✓	✓	✓	✓
<u>v. External layout and floor areas of residential units</u>	✓	✓	✓	✓	✓

<u>Information Requirements</u>	<u>Temple View Zone</u>				
	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>	<u>Precinct 5</u>
<u>vi. Pedestrian walkways and cycleways</u>	✓	✓	✓	✓	✓
<u>vii. Carparking areas and vehicular circulation</u>	✓	✓	✓	✓	✓
<u>viii. Vehicular access points between the site and public roads</u>	✓	✓	✓	✓	✓
<u>ix. Landscaping areas</u>	✓	✓	✓	✓	✓
<u>x. Service areas with appropriate screening</u>	✓	✓	✓	✓	✓
<u>xi. Outdoor living courts</u>	✓	✓	✓	✓	✓
<u>xii. Position of any existing buildings on adjacent land</u>	✓	✓	✓	✓	✓
<u>xiii. How the proposal integrates with adjacent properties in terms of contributing to an overall urban design and streetscape character including building frontages, and relationship between precinct boundaries (e.g. glazing and orientation)</u>	✓	✓	✓	✓	✓
<u>j) Development staging: Explain if the development of the Precinct is to be staged, the manner and proposed timeframes for the staging and how any vacant land will be managed over time until all stages of the development are complete [where this is known and/or the Precinct land is owned by a single land owner or where a single enterprise has control over development across the entire Precinct].</u>	✓	✓	✓	✓	✓

Information Requirements	Temple View Zone				
	Precinct <u>1</u>	Precinct <u>2</u>	Precinct <u>3</u>	Precinct <u>4</u>	Precinct <u>5</u>
k) <u>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 Precinct properties in terms of overall urban design, streetscape character and amenity.</u>	✓	✓	✓	✓	✓
l) <u>Signs. Give details on number, dimensions, location, content, means of support and attachment. This includes signs of the names of the residential development if applicable.</u>	✓	✓	✓	✓	✓
m) <u>Transportation. : Require the preparation of an ITA as set out in Chapter 25, Rule 25.14.4.3</u>	✓	✓	✓	✓	✓
o) <u>Servicing. Explain the provision, staging, location and capacity of network utilities and their integration with existing and planned network utilities. Provide details (to an appropriate level, commensurate with the nature and scale of the development), of the quantity and quality of stormwater; and any proposed stormwater treatment, management and disposal facilities. Provide an assessment of the impact on the infrastructure including network capacity and tolerance to support the development including future maintenance requirements.</u>	✓	✓	✓	✓	✓
p) <u>Road Design. Provide details of:</u> i. <u>Form, function and design of internal roads including the integration with the existing transport network</u> ii. <u>Pavement and surfacing materials</u>	✓	✓	✓	✓	✓

Information Requirements	Temple View Zone				
	Precinct <u>1</u>	Precinct <u>2</u>	Precinct <u>3</u>	Precinct <u>4</u>	Precinct <u>5</u>
<ul style="list-style-type: none"> <u>iii. Location of parking areas</u> <u>iv. Planting and street furniture</u> <u>v. Provision for pedestrians and cyclists</u> <u>vi. Location of passenger transport facilities, including corridors or priority treatments</u> <u>vii. Provision for road lighting</u> <u>viii. Proposed speed limit and design speed</u> <u>ix. The location and concept design of the roads (including typologies).</u> 					
<u>g) 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.</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>r) Planting and Screening. Provide details of:</u> <ul style="list-style-type: none"> <u>i. The type of landscaping to be established in yards, carparking areas, and other landscape areas</u> <u>ii. Identification of the plant and tree species to be used</u> <u>iii. Size of the vegetation</u> <u>iv. Number of plants to be used</u> <u>v. Artificial lighting or screening to be used</u> <u>vi. Consideration of passive surveillance and other CPTED principles</u> <u>vii. Maintenance provisions.</u> 	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>t) Demonstrate how the development of the Precincts will integrate with the heritage items and</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>

<u>Information Requirements</u>	<u>Temple View Zone</u>				
	<u>Precinct 1</u>	<u>Precinct 2</u>	<u>Precinct 3</u>	<u>Precinct 4</u>	<u>Precinct 5</u>
<u>Archaeological site within the Temple View Zone that are listed in Appendix 8A and Appendix 8B to ensuring the retention of the heritage values associated with these items.</u>					

1.2.2.9

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 A3.

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. Guidance on the assessment of effects may be derived from: <ul style="list-style-type: none"> a) Any relevant criteria within section 1.3.3 of this appendix; and b) Any relevant design guidelines contained within this Plan. 	
A2	The extent to which any adverse effects would be offset by benefits to the community or the natural environment.	
	Discretionary & Non-Complying Activities - General Criteria	
A3	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.
	v.	Comprehensive Development Consents.
	vi.	Concept Plans or Concept Development Consents.
	vii.	Reserve Management Plans.
	viii.	Iwi or Hapu Management Plans.
	ix.	Waikato River Vision and Strategy.
	x.	Master Plans.
	xi.	Temple View Precincts
B	Design and Layout	
	General	
B1	Whether the proposed building design and / or site layout is consistent with the intent of any relevant design guide in Appendix 1 Section 1.4. Note If an activity is a Restricted Discretionary Activity in relation 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 relevant criteria in this section. Where an application is for a Concept Plan Consent in the Knowledge Zone, the Design and Layout assessment criteria will focus on building precincts / sub-areas, development and infrastructure layout rather than individual buildings.	
B2	Whether the external appearance, scale and design of buildings and structures:	
	a)	Are consistent with the purpose of the zone, and enhance the character and amenity of the surrounding area, streetscape qualities and adjoining land uses.
	b)	For corner sites, where appropriate, provide active frontages along both elevations.
	c)	Incorporate Crime Prevention Through Environmental Design principles.
B3	The extent to which the proposed design provides or continues to provide for informal surveillance of public spaces within and adjacent to the development 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.
B4	The extent to which building design will add visual interest and vitality to the streetscape and avoids large, featureless façades. For example, through articulation of a façade, attention to fenestration and rooflines, the design of verandas and balconies and the careful choice of materials and colour.	
B5	The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:	
	a)	To protect amenity values of the streetscape and adjoining sites, including through the use of appropriate screening and landscaping.
	b)	To not be visually dominant.
	c)	To be away from the front of the site and buildings.

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	d)	To integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, verandas, parking, loading areas, access to public transport and pedestrian linkages.
B6		The extent to which the activity, including landscaping, has been designed in a manner that supports and enhances pedestrian and cyclists movements, including access to the transport network and along frontages considered important for shopping or entertainment activities.
		Landscaping and Screening
B7		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.
	c)	Create an attractive environment that maintains safety and amenity for pedestrians.
		Waste Management
B8		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.
		Business Zones
B9		Whether the proposed building setback adversely affects the use and safety of public spaces, or the continuity of shopping frontages.
B10		Whether development of a site adjoining the riverbank encourages pedestrian access to and facilitates public use and enjoyment of, the promenade and environs of the Waikato River.
B11		In relation to the setbacks from internal boundaries at upper levels (i.e. fourth level and above), the extent to which the proposal minimises shadowing and loss of natural light on existing adjacent buildings by providing adequate separation between the proposed development and any existing residential development.
		Knowledge Zone
B12		The extent to which public spaces and streets have been designed to be accessible and open to the public at all times (except where closed for operational safety or security reasons).
		University of Waikato
B13		The extent to which 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.
B14		The extent to which high rise buildings are concentrated on the Hillcrest Road ridge.

B15	The extent to which the open space character of the northwest sector of the site is maintained.	
Sites Adjoining the Waikato Riverbank		
B16	The extent to which development of a site adjoining the riverbank:	
	a)	Provides a scale and design of any building or structure that maintains or enhances street and reserve areas, the character and amenity, and the heritage or open space values of the adjoining riverbank area.
	b)	Makes provision for building design and configuration, site layout and/or landscaping which enhances the visual and physical relationship with the Waikato River.
	c)	Mitigates the impact of large developments and vehicular oriented activities on the amenity values of the riverbank environment.
Development within a Structure Plan Area		
B17	The extent to which the proposal is consistent with any relevant objectives of any 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.	
B18	The extent to which the proposed transport network promotes 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.
B19	The extent to which the proposal takes into account new information or policies (including but not limited to ICMPs) that will result in outcomes that are more beneficial than those shown on the Structure Plan.	
Dairies in General Residential and Special Character Zones		
B20	The extent to which 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 residential and community uses, including through building and site design and hours of operation.
	b)	Is compatible with the location in terms of maintaining and enhancing the character and amenity of the surrounding streetscape and urban form.
	c)	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, material deposited on roads, dust, odour and lighting.
Reverse Sensitivity		

C2	The extent to which the development (including residential development) has been designed and located so that the potential for reverse sensitivity effects (including noise) are avoided, remedied or mitigated.
	Residential Zone
C3	The extent to which 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
C4	The extent to which the level of non-retail activity within a shopping frontage would adversely affect the attraction of shoppers and visitors.
	Future Urban Zone
C5	The extent to which the location and siting of effluent storage and disposal can avoid effects to dwellings or adjoining sites.
C6	The extent to which the rural activity remains the predominant activity on the site.
C7	The extent to which any intensive farming activity avoids adverse effects of noise, odour, vermin and other potential health hazards or mitigates these through management practices, site layout (placement and orientation), design of buildings, screening and landscaping.
C8	The measures to be adopted to avoid, remedy or mitigate potential effects on residential activities on the site and adjoining properties.
	Non-Industrial Activities in the Industrial Zone
C9	The extent to which the non-industrial activity, within an Industrial Zone, serves the needs of an industrial area and adjoining areas, 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.
	Residential activities in Figure 9.3a
C10	For managed care facilities, retirement villages, and rest homes, the extent to which:
	a) The siting, scale, design and layout of buildings ensures compatibility between buildings and their integration with other sensitive development on the site, adjacent sites and surrounding public spaces such as Ashurst Park.
	b) The design, size and location of the private and/or communal open space, parking, loading spaces and driveways on the site achieves a high standard of on-site amenity, noise and visual privacy for residents, and ensures that effects from dust, fumes and light glare are minimised.
	c) Outdoor living areas or balconies are contiguous with the internal living areas.
	d) The location of buildings, window and door placement, parking areas and outside amenity areas avoid reverse sensitivity effects on any adjoining industrial activities.
	e) Existing linkages between land uses are reinforced by the layout of buildings and their positive interface with the proposed linkage road between Maui Street and Karewa Place.
	Subdivision
C11	The extent to which the proposal is consistent with any relevant design guidance in

	Appendix 1 Section 1.4.	
C12	The extent to which any boundary adjustment would have potential adverse effects on the site or the surrounding area.	
C13	Whether the subdivision creates lots that are appropriate for their intended use.	
C14	The extent to which subdivision or subsequent building design, including the location of transport corridors and reserves, provides for existing electricity lines and their corridors.	
C15	The extent to which the proposal is consistent with objectives of 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.	
C16	The extent to which the proposal (including the proposed transport network) promotes 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.
	Ancillary retailing and offices in the Industrial Zone	
C17	In assessing the suitability for ancillary retail or office activity to expand over the thresholds denoted in the Plan, regard shall be given to the following:	
	a)	Whether the ancillary use is integral to the continuing operation of the principal activity on the site.
	b)	Whether the ancillary use remains incidental and subordinate to the principal activity on the site.
	c)	Whether the principal activity continues to be of an industrial character and nature.
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	The extent to which activities 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 the loss of habitat that provides a key life-cycle function 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	The extent to which vegetation removal adversely affects the natural character or landscape value of any lake or wetland and the ability to offset such effects through restoration or enhancement.	
D6	The extent to which 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 mitigated 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	The extent to which 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	The extent to which the tree is causing serious damage to structures or the tree constitutes a hazard to human health, property and infrastructure.	
D12	Whether the tree's chance of survival, in the case of transplanting, is better than in its existing location.	
D13	Whether alternative developments avoiding the need to remove the tree(s) have been adequately considered.	
	Surface of Water	
D14	The extent to which water flows are impeded and the potential for debris to be snagged.	
D15	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.
D16	The extent to which 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.)	
D17	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		
D18	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.
		Note For any stream, the purpose of the reserve can be met by a lesser width but should not be considered less than 4m.
And, whether the varied width of the esplanade reserve or strip is such that:		
	c)	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.
	d)	The natural habitats of flora and fauna in, on or surrounding the river, lake or stream are not adversely affected.
	e)	Any Significant Historic Heritage sites identified in Schedule 8A or 8B of Appendix 8 are protected from encroaching development.
	f)	Any adverse impacts on water quality are adequately and efficiently mitigated.
D19	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.
D20	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)	Considers the irreversibility of an effect (e.g. the loss of unique features)
h)	Considers the opportunities for remediation and the costs and technical feasibility of remediation.
i)	Considers 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	The extent to which 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	The extent to which 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 maintain and enhance 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	The extent to which the addition of an awning would likely detract from the original character of an identified heritage building in Schedule 8A and 8B of Appendix 8.
	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	The extent to which 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 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 Temple View Character Area.
E11	Whether removal of any building or structure within the Character Area Precinct 1, 2 and 4 will affect the gateway appearance of the Temple View 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 Temple View Character Area.
E15	The extent to which new development or earthworks would adversely affect the landscape setting and views of the Temple View 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 Temple View Character Area and, where relevant, integrates with development within the subject Precinct, and any adjacent Precinct and, where relevant, integrates with any Comprehensive Development Consent.
	Peacocke Special Character Zone
E18	The extent to which provision for effluent and stormwater disposal mitigates 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.
E19	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.
E20	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.
E21	The extent to which the development provides for the avoidance of natural hazards.
E22	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.

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E23	Any positive impacts to the neighbourhood or the wider community, including the extent to which the activity might enhance the amenity of the area.
E24	Any cumulative effects from the activity, whether on its own or in combination with other activities in the area.
E25	The extent to which the proposed development is compatible with the intent of the consented Master Plan.
	Rototuna North East Character Zone
E26	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.
E27	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.
E28	The relationship between the scale of any buildings on the site and existing residential development, having regard to the intended character of the area.
E29	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.
E30	The extent of any positive impacts to the neighbourhood or the wider community, including the extent to which the activity might enhance the amenity of the area.
E31	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:
	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.
E32	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.
E33	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
E34	The extent to which 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	The extent to which 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 mitigate the likelihood of debris becoming trapped.
	c)	Has sufficient height clearance to mitigate the risk of being affected by inundation.
	d)	Has the structural integrity to withstand inundation.
F2	The extent to which an appropriate building platform can be provided free from any identified hazard area.	
F3	The extent to which the applicant has demonstrated, through the use of an 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 to be carried out maintains the stability of the river bank or gully and does not increase the risk of ground instability on the subject site or adjacent sites.
F4	The extent to which 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	
F5	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.	Provide safe and accessible building sites and infrastructure.
	iv.	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.
	v.	Avoid exacerbating the effects of natural hazards and ecological effects arising from additional sediment release.
	Hazardous Facilities	
F6	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.
F7		The extent to which 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.
F8		The extent to which 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.
F9		Where appropriate, the extent to which alternative locations have been considered adequately.
F10		The extent to which 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.
		Nuisance and Health
F11		The extent to which industrial activities giving rise to nuisance can be adequately managed or sited so as to reduce the impact on neighbouring sites.
F12		The extent to which 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.
F13		The extent to which the activity may have adverse effects on the environment including water discharges, air pollution, noise and other emissions.
F14		The extent to which any 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)	Provides 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).
<p>Integrated Transport Assessment</p> <p>Note</p> <p>In addition to the specific ITA criteria outlined in G3 to G6 below, the balance of criteria contained within Section G may be used to assess a simple or broad ITA where considered relevant.</p>		
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	The extent to which 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.	
G6	Whether access restrictions, auxiliary lanes or other measures are necessary to provide for the safe and efficient operation of key transport corridors such as:	
	a)	Major arterial transport corridors
	b)	Transport corridors that are part of the Strategic Network
	c)	Transport corridors carrying more than 20,000 vehicles per day or with four or more vehicle lanes.
Access		
G7	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
G8	Except in the Central City Zone where there are no minimum parking standards, the extent to which the proposal provides for anticipated parking demand to meet current and future needs.
G9	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 anticipated 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)	Options for providing additional parking if required in the future.
f)	The extent to which the provision of end-of-journey facilities, such as bicycle parking, showers, changing rooms and lockers are provided.
g)	The extent to which provision for active modes of transport or travel planning has been made.
h)	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.

G10	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.
	New Transport Corridor Design
G11	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.
G12	The extent to which the 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.
G13	The extent to which 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.
G14	The adequacy of provision for the movement of pedestrians, cyclists, physically impaired and transport disadvantaged and any implications for their safety.
G15	The adequacy of provision within the transport corridor for parking spaces relative to existing and potential developments on adjoining land.
G16	The extent 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).
G17	The extent to which the design of the road allows for easy installation and maintenance of non-transport infrastructure and amenity tree planting.
G18	The extent to which the design of the transport corridor recognises the character and amenity values of the adjacent land use.
	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.
H	Functionality, Vitality and Amenity of Centres
H1	The extent to which 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:
	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.
	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.	
H2	Whether and to what extent the proposed Supermarket activity in the Industrial, Business 1 or 4 zones:	
	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)	Is located within a catchment where suitable land is not available within the business centres.
	e)	Reinforces the primacy of the Central City and does not undermine the role and function of other centres within the business hierarchy where they are within the same catchment as the proposed supermarket.
	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.	
I	Network Utilities and Transmission	
	Network Utilities	
I1	The extent to which alternative technologies and techniques have been considered.	
I2	The extent to which co-location of overhead electricity and telecommunication lines is technically, economically and practically reasonable.	
I3	The extent to which the proposal is in accordance with relevant industry standards and meets specified clearance requirements for operational and safety reasons.	
I4	The extent to which the proposal will adversely affect the amenity values of the site and locality.	
I5	The extent to which there are difficult ground conditions, topography or obstructions which make undergrounding impractical.	
I6	The extent to which it is necessary for the proposed site to provide and maintain essential network utility services.	
	Electricity Transmission	
I7	The extent to which the location, height, scale, orientation and use of buildings and	

	structures is appropriate to manage the following effects.
a)	The risk to the structural integrity of the transmission line.
b)	The effects 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.
e)	Minimising adverse effects including reverse sensitivity, visual and nuisance effects and from transmission lines.
	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 contain 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	The extent to which 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.

	Note Information requirements relating to WIA or ICMP applications are outlined in Volume 2, Appendix 1.2.
J3	The extent to which the proposal is consistent with the provisions of any Integrated Catchment Management Plan (ICMP) relevant to the site and a consideration of consent conditions imposed in order to achieve that consistency.
J4	Where there is no ICMP, 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	Where there is no ICMP, 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	Where there is no ICMP, 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	Where there is no ICMP, 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.
K	Major Facility Concept Development Consent Consistency
	General
K1	The extent to which the proposal is consistent with the approved Concept Development Consent for the Major Facility.
	Concept Development Consent
K2	The extent to which the preparation of a Concept Development Consent or an update to an existing Concept Development Consent has given regard to the following.
	a) The extent to which the major facility integrates with surrounding land uses and transport network.
	b) The extent to which the development has been designed to minimise, as far as practicable, any adverse effects on adjoining activities, particularly residential activities.
	c) The extent 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.

	d)	The extent to which the proximity of facilities intended to accommodate events are sited close to residential areas.
	e)	The extent to which the provision for vehicular and pedestrian access and circulation facilitates ready dispersal of vehicles and patrons from large events.
	f)	The extent to which provision for vehicular and pedestrian access and circulation prioritises pedestrian safety.
	g)	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.
	h)	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.
	i)	The extent to which the adverse effects of earthworks are managed.
K3	The extent to which the following have been applied as part of a new Concept Development Consent, an update to an existing Concept Development Consent or in the absence of a Concept Development Consent within the Interface Areas of all Major Facility Sites.	
	a)	Built Form and Layout
	i.	<p>The extent to which the external appearance, scale and design of buildings</p> <ul style="list-style-type: none"> • Contributes to compatibility between buildings and its integration with other development on the site, adjacent sites and surrounding public spaces • Contributes to active frontage along public streets and open space, particularly for corner sites • Minimises, as practicable, effects on adjacent public spaces (including footpaths) in terms of shading and daylight.
	ii.	<p>The extent to which building design and development</p> <ul style="list-style-type: none"> • Makes a positive contribution to the local character of the site and surrounding areas • Ensures large façades are well designed to provide visual interest and reduce the apparent bulk of buildings within the Interface Area.
	iii.	The extent to which Crime Prevention Through Environmental Design principles have been incorporated.
	b)	Landscaping
	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.
	ii.	Incorporates landscaping to maintain and enhance the character and amenity of the site and surrounding areas.
Claudlands Events Centre		
K4	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
K5	The extent to which development of the site retains views between the racecourse and Minogue Park.
	Waikato Hospital Complex
K6	The extent to which activities of an industrial nature and the heliport are grouped in the south-western sector of the site.
K7	The extent to which high rise buildings are concentrated towards the centre of the hospital complex.
	Waikato Stadium and Seddon Park
K8	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 functional integration within the site.
K9	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'.
K10	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.
K11	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.
K12	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 the Stadium building.
K13	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
K14	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.
K15	The extent to which farming activities are adequately buffered from neighbouring Residential or Special Character Zones.
L	Central City – Design and Layout
L1	The extent to which the streetscape appearance, scale and design of the building (including material and colour):
	a) Will add visual interest and vitality to the streetscape and avoids large, featureless façades. For example, through articulation of a façade, attention to

		fenestration and rooflines, the design of verandas and balconies and the careful choice of materials and colour.
	b)	Will, where practicable, enable informal surveillance of public spaces including streets, parks, plazas and through-site links.
	c)	Are compatible with heritage or open space values of the Riverfront Overlay area and adjoining riverbank area, where sites are within those areas.
	d)	Activates the site frontage on sites adjoining a defined Primary or Secondary Active Frontage (Volume 2, Appendix 5, Figure 5-7).
	e)	Enhances the experience of the Waikato riverside and Garden Place, where sites are adjacent.
	f)	Enhance those parts of a site adjoining a defined view and vista on Figure 5-6 (Volume 2, Appendix 5).
	g)	Enhance the visual amenity of sites identified as Key Development Sites on Figure 5-7, or Pedestrian Connections and Gateway locations identified on Figure 5-4 (Volume 2, Appendix 5).
	h)	Will, where practicable, provide for public entrances to be on frontages with the highest pedestrian traffic.
L2		The extent to which any proposed building setback will adversely affect the definition, use or safety of public spaces, or the continuity of defined primary or secondary active frontages (Volume 2, Appendix 5, Figure 5-7).
L3		The extent to which the addition of an awning would detract from the original character of an identified heritage building in Schedule 8A and 8B of Appendix 8.
L4		The extent to which the proposed building design and/or site layout is consistent with the intent of any relevant design guide in Appendix 1, Section 1.4. Note If an activity is a Restricted Discretionary Activity in relation 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 relevant criteria in this section.
L5		The extent to which the external appearance, scale and design of buildings and structures:
	a)	Enhance the character and amenity of the surrounding area and streetscape qualities.
	b)	Incorporate Crime Prevention Through Environmental Design principles.
L6		The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:
	a)	To protect amenity values of the streetscape and adjoining sites, including through the use of appropriate screening and landscaping.
	b)	To not be visually dominant.
	c)	Where appropriate, to integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, verandas, parking, loading areas, access to public transport and pedestrian linkages.
L7		Where opportunity is available, and it is practicable, the extent to which any proposal provides or enhances pedestrian and cycle connectivity between streets and other

	public areas.
L8	Where required, the extent to which planting and landscaping is used to:
	a) 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.
	b) Create an attractive environment that maintains safety and amenity for pedestrians.
L9	The extent to which developments provide for goods handling, storage, waste and recycling areas that are located and designed to minimise adverse effects.
L10	The extent to which development encourages pedestrian access to, and facilitates public use and enjoyment of, the promenade and environs of the Waikato River.
L11	On those identified streets (Volume 2, Appendix 5, Figure 5-3) the extent to which a proposed street wall or alternative design elements of any proposed building frontage will:
	a) Provide consistency in built form and scale with adjoining built form.
	b) Maintain a human scale when perceived from the street level.
	c) Maintain sunlight penetration at street level, particularly footpaths.
L12	In relation to the setbacks from internal boundaries at upper levels (i.e. fourth level and above), the extent to which the proposal minimises shadowing and loss of natural light on existing adjacent residential buildings.
L13	The extent to which development of a site adjoining the riverbank:
	a) Provides a scale and design of any building or structure that maintains or enhances street and reserve areas, the character and amenity, and the heritage or open space values of the adjoining riverbank area.
	b) Makes provision for building design and configuration, site layout and/or landscaping which enhances the visual and physical relationship with the Waikato River.
	c) Mitigates the impact of large developments and vehicular oriented activities on the amenity values of the riverbank environment.
M	Drive-through Services (Business Zones and Central City Zone - City Living Precinct only), Building Improvement Centre (Business 3 and 5 Zones) and Supermarkets (Central City, Business and Industrial Zones)
	Design and Layout
M1	The extent to which 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) Maintain streetscape amenity and continuity of built form.
	c) Within the Central City Zone, whether any proposed building setback will adversely affect the definition, use or safety of public spaces, or the continuity of defined primary or secondary active frontages (Volume 2, Appendix 5, Figure 5-7).

M2	The extent to which parking, manoeuvring areas, driveways and outdoor service areas have been designed and located:	
	a)	To appropriately manage any adverse effects resulting from the location and interrelationship between these areas on streetscape amenity.
	b)	To ensure traffic generation avoids, remedies or mitigates adverse effects on amenity values.
	c)	So as not to compromise the safe use of the footpath adjacent to the site.
	d)	To integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, parking, loading areas, access to public transport and pedestrian linkages.
Landscaping and Screening		
M3	The extent to which planting and landscaping is used to:	
	a)	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.
	b)	Create an attractive environment that maintains safety and amenity for pedestrians.
Waste Management		
M4	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.
Character and Amenity		
M5	The extent to which the activity makes adequate provision to protect the visual and acoustic privacy of abutting sites including through building and site design.	
M6	Considering whether the relationship of buildings and their associated parking, storage and service areas to the street helps to maintain the amenity values of public spaces and streets.	
M7	The extent to which any parking or service area is provided, landscaped, screened and maintained in a form which mitigates any adverse effects to adjacent activities and does not detract from the streetscape.	
Drive-through Services		
M8	For the purpose of assessing the above criteria, regard shall be had to the following operational and functional requirements:	
	a)	The drive-through lane is an integral feature of the site layout.
	b)	Customer car parking access is preferably distinct from drive-through lanes.
	c)	Adequate and accessible servicing areas that are preferably separated from customer vehicle traffic, drive-through lanes and pedestrian movements.
Building Improvement Centres		

M9	For the purpose of assessing the above criteria, regard shall be had to the following operational and functional requirements:	
	a)	Where large-format building formats are required, there is provision for some solid façades to facilitate internal racking of bulky products.
	b)	The provision of appropriate customer car parking, which is clearly visible from the local road network.
	c)	Adequate and accessible servicing areas that are preferably separated from customer vehicle traffic, timber trade sales access and pedestrian movements.
	Supermarkets	
M10	For the purpose of assessing the above criteria, regard shall be had to the following operational and functional requirements:	
	a)	Store visibility that is easily identifiable when viewed from the street and surrounding area.
	b)	The provision of appropriate customer car parking, which is clearly visible and accessible to motorists approaching the store from the local roading network and to customers on-site.
	c)	Where large-format building formats are required, there is provision for some solid façades to facilitate internal shelving and fresh produce display.
	d)	Adequate and accessible servicing areas that are preferably separated from customer vehicle traffic and pedestrian movements.
N	Ruakura	
N1	Land Development Plans	
	In determining the application for resource consent for a restricted discretionary activity, Council shall reserve its discretion to the following matters, where relevant.	
	a)	Integration with and effects on transport and Three Waters infrastructure.
	b)	Consistency with any relevant Integrated Catchment Management Plan or regional discharge consent.
	c)	Effects on significant habitats of indigenous fauna and habitat values of natural water courses.
	d)	Open Space and road reserve design, layout and use.
	e)	Consistency with the Ruakura Strategic Infrastructures network for the structure plan as shown on Figures 2-15A and B Ruakura Strategic Infrastructure (Appendix 2).
	f)	Where staged development of any Land Development Area is sought then the following information for the balance area shall be provided: <ul style="list-style-type: none"> i. The indicative location and width of proposed roads and carriageways and their integration with the existing and future transport network; ii. The indicative location of proposed Ruakura Strategic Infrastructure to ensure connectivity across the entire structure plan and adjacent Land Development Plan Areas.
	g)	Construction effects.
	h)	Effects of new stormwater ponds and wetlands (excluding swales) on private property.

	In determining the application, the Council shall consider the following assessment criteria:
i)	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: <ul style="list-style-type: none"> i. Flooding and adverse effects on ground water levels; and ii. Creating habitat for mosquitoes and other undesirable insects.
j)	Whether the proposal is consistent with, or otherwise complies with, the recommendations, measures and targets of any relevant Integrated Catchment Management Plan.
k)	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. The extent to which the Land Development Plan provides for the sequential extension of the Spine Road.
l)	Whether the Land Development Plan is consistent with the Figure 2-18 Cyclist and Pedestrian Network Plan (Appendix 2).
m)	The ITA matters for assessment set out in Appendix 1.3.3 G.
n)	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.
o)	The potential for cumulative construction noise effects to adversely affect individual residential properties, and the mitigation methods proposed to minimise such effects.
p)	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.
q)	Whether appropriate consideration has been given to electrical hazards and earthworks and ground level changes associated with the installation of underground Infrastructure within 12 metres of a National Grid support structure.
r)	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: <ul style="list-style-type: none"> i. Replacing significant habitat; or ii. Creating new habitat; or iii. Enhancing areas of alternative habitat supporting similar ecological values and/or significance; and iv. Legal and physical protection.
s)	Whether land development will adversely affect the flooding, water quality and

	habitat values of adjoining natural water courses.
t)	<p>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:</p> <ul style="list-style-type: none"> i. connectivity of open space and streets; ii. passive and active recreation opportunities; iii. Crime Prevention Through Environmental Design principles; iv. pedestrian and cycle paths forming a network with adjacent parts of the Open Space network; v. general amenity planting and amenity for adjoining properties, including use of specimen trees in roads; vi. street furniture; vii. provision for habitats; viii. lighting design that does not deter bat movement; and ix. stormwater management.
u)	Whether the Land Development Plan will appropriately provide for indigenous fish and lizards.
v)	Whether the Land Development Plan includes a greenway that provides for improved habitat and ecological benefits.
w)	Whether the Landscape Concept and Ecological Enhancement Plan provides for a greenway to enhance long term ecological function.
x)	Where the boundaries of a Land Development Plan Area in application for Land Development Consent differ from those shown on Figure 2-16, the extent of the Land Development Plan Area shall be developed in an integrated manner. This shall include the provision for and connectivity to infrastructure, and ensure that key infrastructure such as the Spine Road is developed in a manner that provides at least the same levels of efficiency, effectiveness and safety anticipated through a land development consent in accordance with Figure 2-16. Where an application includes part of a Land Development Plan Area in Figure 2-16 it shall be demonstrated that granting consent to that part will not prevent the integrated development of the balance of that Area.
Additional Matters for Open Space	
y)	<p>Whether the layout and design of Open Space:</p> <ul style="list-style-type: none"> i. Creates an informal parkland character; ii. Integrates with the landscape design of roads within the Land Development Plan area; iii. Applies Crime Prevention Through Environmental Design principles; iv. Utilises planting to soften the views of industrial development; v. Contains pedestrian and cycle paths forming a network with adjacent parts of the Open Space Network; vi. Provides for the amenity of adjoining and adjacent activities; vii. Integrates linear wetlands and stormwater treatment devices.
z)	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.

	aa)	The extent to which the different functions of Open Space are clearly identified and provided for in the Land Development Plan application.
Additional Matters for the Medium Density Residential Zone		
	bb)	The extent to which the street network promotes a high degree of connectivity and permeability through the following: <ul style="list-style-type: none"> i. A grid-like street layout. ii. Block sizes that promote permeability for pedestrians/cyclists as well as for vehicles. iii. Connections to the City-wide arterial networks. iv. Paths to the Open Space Network.
	cc)	Street amenity shall be provided by the location of specimen trees and landscaped areas interspersed by kerb-side parking.
	dd)	When assessing the suitability for residential buildings to be within the side yards, regard shall be given to the following: <ul style="list-style-type: none"> i. The extent to which reasonable sunlight and daylight access to adjacent dwellings and outdoor living areas will be affected. ii. The extent to which pedestrian access to the rear of the site will be hindered. iii. The extent to which on-site amenity is maintained.
Additional Matters for Precinct C within the Knowledge Zone		
	ee)	The extent to which the street network is: <ul style="list-style-type: none"> i. Orientated toward the Ruakura Retail Centre. ii. Permeable for pedestrians/cyclists as well as for vehicles. iii. Legible with a simple and readily understood street pattern. iv. Provides a connected path network to the Ruakura Open Space Zone.
	ff)	The extent to which blocks and lots are configured to facilitate walking and accommodate operational areas in rear yards.
Additional Matters for the Logistics Zone (Inland Port)		
	gg)	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.
	hh)	The effects of the planting of the Landscape Buffer Areas on the operation, maintenance, upgrading and development of the National Grid transmission network and the requirements of the Growth Limit Zones Schedule of the Electricity (Hazards from Trees) Regulations 2003.
	ii)	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.
Construction		
	jj)	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.

		<p>The Construction Management Plan shall include at a minimum:</p> <ol style="list-style-type: none"> i. Details of the works, their timing and duration. ii. Methods to control dust, debris on roads and silt laden runoff during construction. iii. Anticipated truck movements and routes to and from the site during construction. 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. v. Contact details for the contractor, including a process for complaints and remedying concerns. <p>The Construction Management Plan shall also ensure that:</p> <ol style="list-style-type: none"> 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. 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.
N2	Construction Noise and Operation Noise of the Inl and Port (Sub Area A)	
	a)	<p>The extent to which:</p> <ol style="list-style-type: none"> i. 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. ii. Measures to avoid where possible, and otherwise minimise sudden and/or loud noises at night have been incorporated. iii. Lower noise producing equipment and methods have been investigated and incorporated. iv. The location and orientation of refrigerated containers have been selected to minimise noise effects on residential properties. v. 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.
	b)	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.
	c)	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.
N3	Ruakura Retail Centre	
	a)	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 and provision for parking.
	b)	A Ruakura Retail Centre Mainstreet shall be provided and should be orientated

		towards and integrate with the location of the proposed transport interchange.
	c)	Buildings should directly align and address the street network and provide a constant and intact edge to streets and public places.
	d)	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.
	e)	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.
	f)	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.
	g)	Site Layout should provide options for pedestrian, cycling and vehicular circulation and permeability within and to adjoining areas.
	h)	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.
	i)	Where public open space is provided, it should be centrally located adjacent to main pedestrian flows and shall be highly visible.
	j)	Public outdoor spaces should be sheltered and sunny with provision for summer shade and shall be anchored by active building edges.
	k)	Carparks should be landscaped to define the street boundary and adjacent spaces.
	l)	Carparking should avoid interrupting active frontages and pedestrian circulation along the Ruakura Retail Centre Mainstreet.
	m)	Loading and service areas should not interrupt active edges and should be separated from public circulation where possible.
N4	Concept Plan for Precincts A, B and D in the Knowledge Zone	
	a)	General
		The extent to which the proposal is consistent with the approved Concept Plan for the Precinct within the Knowledge Zone.
	b)	Concept Plan Development
	i.	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 precinct integrates with surrounding land uses and the transport network.
		b) Whether the development has been designed to minimise any adverse effects on adjoining activities, particularly residential activities.
		c) 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.
		d) The extent to which the proximity of facilities intended to accommodate events are sited close to residential areas.
		e) The extent to which the provision for vehicular and pedestrian access and circulation facilitates ready dispersal of vehicles and patrons from large events.
		f) The extent to which provision for vehicular and pedestrian access and circulation prioritises pedestrian safety.
		g) 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.
	ii.	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.
	a) Built Form and Layout	
	i.	The extent to which the external appearance, scale and design of buildings: <ul style="list-style-type: none"> • Contributes to compatibility between buildings and its integration with other development on the site, adjacent sites and surrounding public spaces; • Contributes to active frontage along public streets and open space, particularly for corner sites; • Minimises, as practicable, effects on adjacent public spaces (including footpaths) in terms of shading and daylight.
	ii.	The extent to which building design and development: <ul style="list-style-type: none"> • Makes a positive contribution to the local character of the site and surrounding areas; • Ensure large facades are well designed to provide visual interest and reduce the apparent bulk of buildings within the Interface Area; • The extent to which crime prevention through environmental design principles have been incorporated.
	b) Landscaping	
	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.
	ii.	Incorporates landscaping to maintain and enhance the character and amenity of the site and surrounding areas.
N5	Ruakura Open Space Zone	
	a)	For new stormwater ponds and wetlands, the extent to which adverse effects of the works on adjacent private property are avoided in relation to:
	i.	Flooding and adverse effects on groundwater levels; and
	ii.	Creating habitat for mosquitoes and other undesirable insects
N6	Development within a Greenfield Area	
	a)	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, Ruakura Structure Plan – Land use (Appendix 2).
	National Grid Corridors	
N7	For crossing points for Mobile Plant that are a Restricted Discretionary Activity in Table 25.7.4, the matters to which the Council shall restrict its discretion are limited to the actual and potential effects of crossing points on the scale and efficient operation and maintenance of the National Grid.	
N8	In determining any application for resource consent for crossing points, the Council shall have regard to the following matters:	
	a)	Suitable mechanisms are in place to ensure that mobile plant and machinery

	<p>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.</p>
	b) Crossings are approximately perpendicular to the National Grid Yard.
	c) 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.
	d) 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.
	e) Appropriate management and operational methods to ensure safe procedures are specified in the resource consent conditions and followed when crossing beneath the lines.
N9	<p>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, the matters to which the Council shall restrict its discretion are limited to the actual and potential effects of these structures, buildings and activities on the safe and efficient operation and maintenance of the National Grid.</p> <p>In determining any applications for resource consent for these structures, buildings and activities, the Council shall have regard to the following matters.</p>
	a) Any operational procedures and physical measures to ensure compliance with NZECP:34, including layout and allowable height limits for container stacking.
	b) 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.
	c) 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.
N10	<p>For earthworks that are a Restricted Discretionary Activity the matters to which the Council shall restrict its discretion are limited to:</p>
	a) The effects of the earthworks on the operation, maintenance, upgrading, and development of the National Grid transmission network.
N11	<p>For Subdivision that is a Restricted Discretionary Activity the matters to which the Council shall restrict its discretion are limited to:</p>
	a) 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.
	b) 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.

c)	The provision for on-going inspection, operation, maintenance and development of the National Grid, including continued reasonable access.
d)	The extent to which the design and development will minimise the risk of injury and/or property damage from such lines.
e)	Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 34).
f)	Outcomes of any consultation with Transpower New Zealand Limited.

1.4.9 Temple View Zone Urban Design Guide

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Temple View

1.4.9.1 Purpose of the Guide

The purpose of this guide is to give direction for further development in the Temple View area and assist in understanding the rationale behind the development of the [Comprehensive Development Plans \(CDPs\) five precincts](#) and how they relate to the valued qualities and character of the Temple View Zone. It highlights urban issues that are specific to the Temple View Zone while assuming that general best practice urban design will be applied for any development. This will assist in ensuring that any development is consistent with the Zone and enhances the wider Temple View community. The District Plan's rules regarding development and subdivision provide controls that will enable a sensitive response to this character.

Where these rules provide for an element of discretion through the ability of Council to impose conditions, this guide provides further description and amplification of the area's particular character. This will assist with consistent interpretation and provide more certainty for future development. This guide responds to the broader scale urban design components of the Temple View Zone. (It is noted that, in some instances, aspects of the existing character are contrary to current urban design best practice.

The Guide recognises Council's commitment to the adoption of best practice urban design techniques as expressed in its urban design guide, Vista.

1.4.9.2 Background

[The Temple View area came into Hamilton City's jurisdiction in 2004 following a Local Government Boundary Adjustment process. This area consisted of the narrow land connection between the Temple View settlement and Hamilton City's boundary at Dinsdale to the east, through to Collins Road to the South where Collins and Tuhikaramea Roads intersect. The majority of the former college campus was brought into Hamilton City, with the exception of approximately 14 hectares containing the sports fields, tennis courts and maintenance areas that remained in Waipa District. This was due to mesh block boundaries at that time.](#)

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Temple View

[In 2014 following another Local Government Commission process, initiated by the land owners, the Trust Board for the Church of Jesus Christ of Latter-day Saints and supported by both Hamilton City Council and Waipa District Council this remaining land area was amalgamated with Hamilton City.](#)

The Temple View Zone identifies an area of Temple View which, through a combination of layout, building scale and materiality, colour, landscape treatment and maintenance has a distinctive character. Much of this character is derived from the cultural influence of the Hamilton New Zealand Temple of the Church of Jesus Christ of Latter-day Saints and the Associated Church College of New Zealand (CCNZ) Campus. The present day character reflects the combination of planned and opportune incremental development that occurred over the initial construction period throughout the 1950s and 1960s, and has continued to evolve to the present day.

This process involved the construction of a range of buildings, some specifically for or in support of the former CCNZ, while others formed part of the construction industry which developed on site during this period. These often simple structures, provided both masonry product and processed timber to the former CCNZ site and wider afield to support the building of chapels in other parts of New Zealand. Over time buildings were

removed, re-purposed or modified, and others added as required. This has resulted in a variety of styles and forms of building, reflecting the pragmatic and utilitarian requirements of their time. The continued management of the area by the Church has ensured the maintenance of the development. The application of a limited colour palette and tended landscape has provided a sense of consistency to what would otherwise appear markedly disparate elements.

Many of the structures, while appearing ostensibly sound, are now over 50 years old and no longer meet contemporary standards for building code compliance or structural integrity. With the closing of the CCNZ in 2009 and a gradual decline in population numbers in the wider Temple View area, it is anticipated that buildings will be removed to allow for re purposing of the site to encourage a more sustainable and vibrant community. The application of this design guide, in combination with the restricted discretionary consent status for building demolition, will ensure that future development has reference to the existing Temple View character.

Figure 1.4.9a: Temple View Zone



KEY
TEMPLE VIEW ZONE



figure 1.4.9b: The former CCNZ campus above Tuhikaramea Road and residential development the original teacher housing that lies immediately on either side of Tuhikaramea Road



Figure 1.4.9c: The former CCNZ campus below Tuhikaramea Road and residential development the original teacher housing that lies immediately on either side of Tuhikaramea Road

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The Temple View Zone encompasses a broad area that includes the Hamilton New Zealand Temple of the Church of Jesus Christ of Latter-day Saints and its immediate environs, the former CCNZ Campus, and the Teacher Housing that lies on either side of Tuhikaramea Road. This Zone includes 7 buildings, 3 stands of three and 1 individual specimen tree that are protected through this Plan. (See Appendix 8 and 9.)

Figure 1.4.9d: The Temple, former CCNZ Campus to the right of Tuhikaramea Road and the original Teacher Housing that lies on either side of Tuhikaramea Road, and with residential development to the west



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Figure 1.4.9e: The Hamilton New Zealand Temple of the Church of Jesus Christ of Latter-day Saints

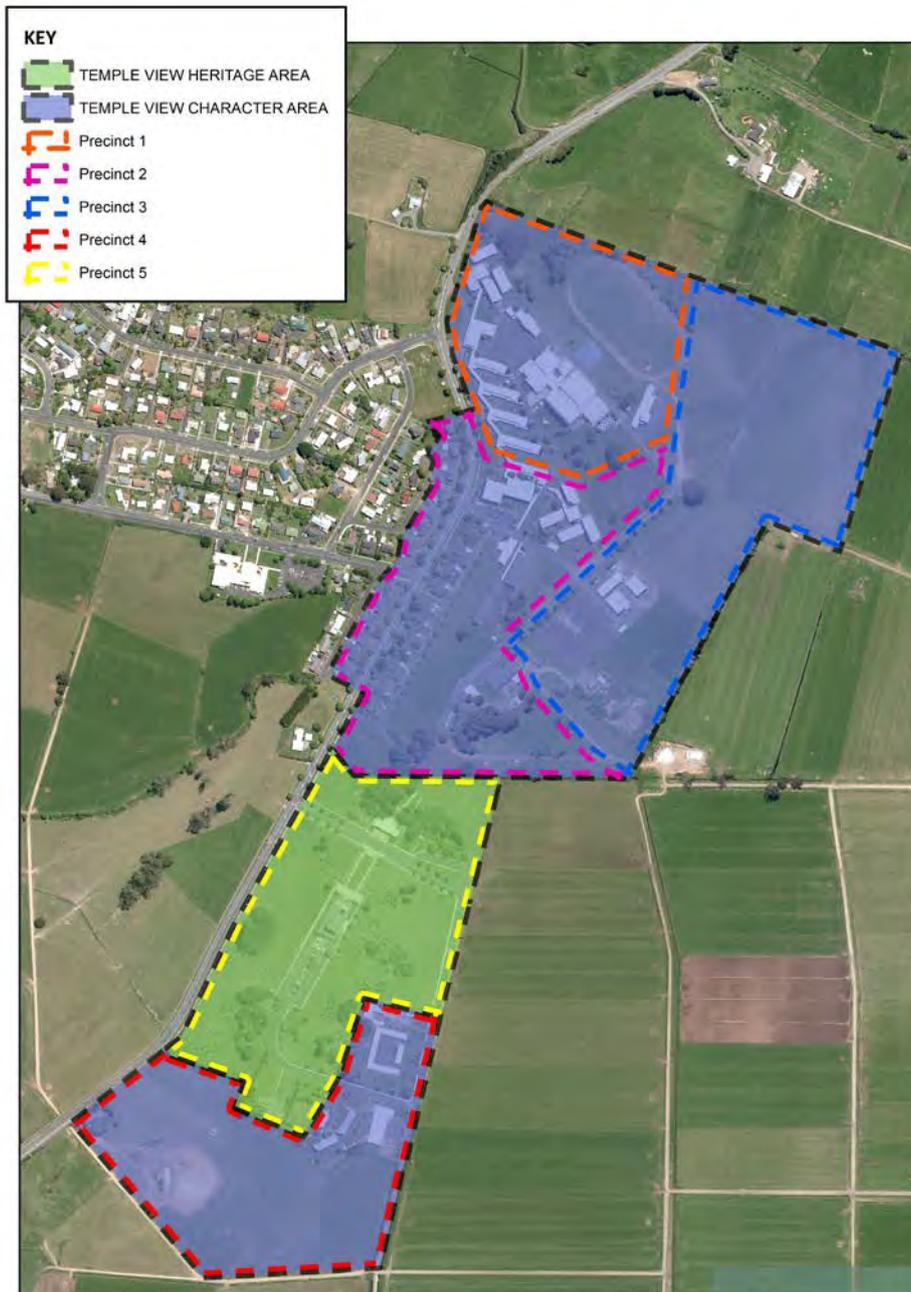


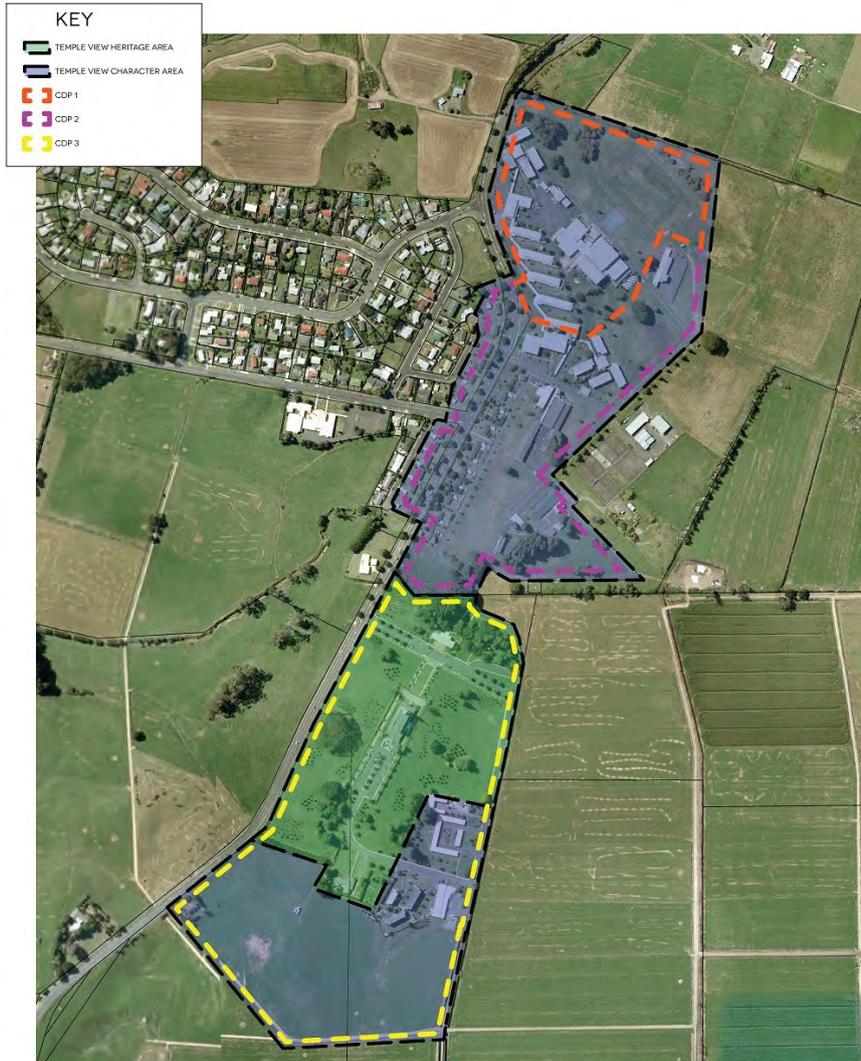
The Temple View Zone has been divided into two distinct areas: the Temple View Heritage Area, including the Temple and its immediate surrounds ([identified as Precinct 5](#)); and the Temple View Character Area, including the former CCNZ buildings, open space areas, ~~and~~ the residential development aligning Tuhikaramea Road ~~and the area south of the Temple (Precincts 1, 2, 3 & 4)~~.

As the Temple View Character Area is more diverse in character and has a greater scope for development opportunities, it has been divided into ~~two~~ four areas for ~~Comprehensive Development Plans (CDPs) indicatively based on contour; CDP: Precinct 1~~ being the elevated land and sports field to the north, ~~and CDP Precinct 2~~ being the flatter land to the south, ~~Precinct 3~~ being the former sports fields, tennis courts ~~and maintenance sheds~~ and Precinct 4 to the south of the Temple containing existing living and visitor accommodation. ~~Both CDPs will need to be prepared in accordance with the provisions of this Plan and considered for approval.~~

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Figure 1.4.9f: Temple View ~~CDP Areas~~ Precincts





1.4.9.3 How to Use the Guide

Development of the precincts within the Temple View Zone ~~cannot occur until a Comprehensive Development Plan (CDP) (Land Use Consent) is approved. CDPs will~~ give form to the intended development and identity at a broad scale the nature of the intended activities, their distribution and how they relate with the surrounding existing and proposed activities. ~~CDPs for the Temple View character area have been prepared and need to be considered for approval by the Council as part of the process of approving specific land use activities.~~

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Development in the Temple View Character Area should reflect the activity mix for the four Precincts ~~therefore must be in accordance with CDP 1 and CDP 2.~~ Similarly development within the Temple View Heritage Area is to be reflective of the activity mix within Precinct 5 ~~would require the development of a separate CDP 3.~~

The design guidance below is split between the general design guidance that applies in the development of each CDP Precinct as well as locational specific design guidance.

1.4.9.4 Design Guidance

1.4.9.4.1 General Design Guidance

An application ~~for a Comprehensive Development Plan~~ within a Precinct will need to address how the following outcomes will be achieved:

- a. The overall design of the ~~Comprehensive Development Plan~~ proposed achieved the intended achieves aesthetic and architectural coherence and is of a design, scale, form and character appropriate to its Precinct location.
- b. The arrangement of buildings, car parking, service areas and open spaces including provision for vehicular, cycle and pedestrian circulation will:
 - i. Be safe and convenient and achieve high standards of amenity
 - ii. Be functionally linked with and physically connected by walkways/cycleways to areas of open space within the ~~CDP~~ Precinct
 - iii. Will enable safe pedestrian and cycle linkages to be created to the existing Temple View community
 - iv. Be aesthetically coherent and reinforce good urban design, particularly the orientation of buildings to outdoor public spaces, roads and utilising a variety of architectural elements consistent with the Temple View character
 - v. Give consideration to the identified heritage values of items listed within the District Plan.
- c. The design and layout of roads will:
 - i. Ensure appropriate connections to existing and future roads
 - ii. Respond to the sites existing landform, vegetation, views, water courses (for the purposes of stormwater runoff) and areas of public open space
 - iii. Accommodate safe traffic speeds and sightlines for all road users (pedestrians, cyclists and motorists)
 - iv. Provide sufficient width to safely accommodate all road users, parking, footpaths, cycle ways, amenity landscaping and compliance with Council's Infrastructure Technical Specifications
 - v. Promote a consistent design theme to achieve high amenity values
 - vi. Have regard to the future design relationship between the road, adjoining land and adjacent precincts.
- d. The location and size of future development sites have been identified in a manner that:
 - i. Responds to the context within which the development site is to be located, including roads, open space, pedestrian linkages, views and natural features
 - ii. Where they are for residential housing, they are appropriate to the type and form of housing (medium density or high density) they will contain
 - iii. Has regard to the relationship with existing grain and scale of developed areas
 - iv. Gives consideration to the size, shape and aspect of the land, and its suitability for future development
 - v. Integrates the development of sites within the relevant ~~Comprehensive Development Plan~~ Precinct as a whole.

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1.4.9.4.2 Local Character Specific Design Guidance

In order to evaluate the appropriateness of [a Comprehensive Development Plan any development within a Precinct](#) an understanding of the character of the area is required. Much of the character of the Temple View Zone is derived from the cultural influence of the Hamilton New Zealand Temple of the Church of Jesus Christ of Latter-day Saints and the associated former Church College of New Zealand (CCNZ) campus and its evolution over the decades since the 1950s. This approach has resulted in a variable building vernacular due to the differing development phases that have occurred. Although the present appearance of the Temple View Zone has a superficial consistency of appearance which allows the diverse components to be perceived as a whole, the area can be usefully divided into four sections which contribute significantly to the perceived character of the area (refer to Figure 1.4.9g):

1. The [Tuhikaramea Road Corridor](#)
2. [The Former](#)'Teacher Housing' adjacent to [the Tuhikaramea Road Corridor](#)
3. The former Church College Campus
4. The Temple of The Church of Jesus Christ of Latter-day Saints.

Proposed Plan Change 3-
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Each of these sections contains elements which mark it as distinct from the others and warrant specific consideration. The following sections outline the specific elements or combination of elements that contribute to this character and offer suggestions as to how future development can respond and maintain that character.

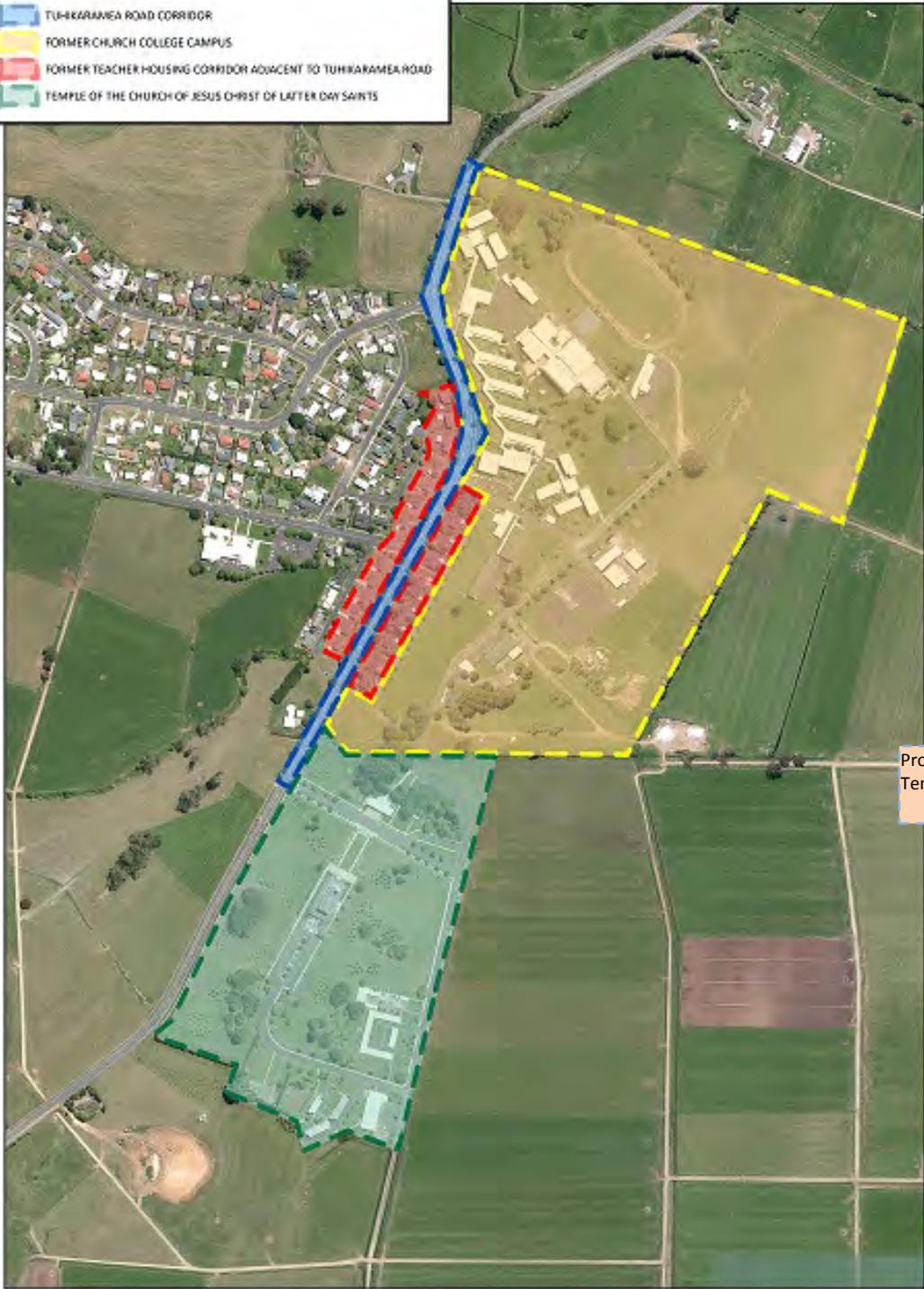
Figure 1.4.9g: Temple View Local Character Areas



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Temple View

KEY

- TUHKARAMEA ROAD CORRIDOR
- FORMER CHURCH COLLEGE CAMPUS
- FORMER TEACHER HOUSING CORRIDOR ADJACENT TO TUHKARAMEA ROAD
- TEMPLE OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS



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1. The [Tuhikaramea Road Corridor](#)

The character of the [Tuhikaramea Road Corridor](#) is informed by a degree of consistency and repetition of the elements within a linear corridor when compared to a typical residential street. Although the elements are somewhat variable, typically the road corridor is defined by a delineating element such as a low masonry curtilage wall of uniform cream colour, metal balustrade atop a retaining wall or round timber bollards. These delineating elements typically contain some permutation of the simple combination of footpath, lawn, street trees and the road carriage way of Tuhikaramea Road.

At the northern entrance to Temple View, the sweeping driveway into the former CCNZ creates an atypical entrance node with a broad swath of grass separating the development from the road corridor. This then returns to the more typical configuration of street trees, grass and footpath. The absence of a delineating element, combined with the curvature of the roadway, presents a less defined edge to the corridor. As a result a more expansive experience is obtained with the character being augmented by more lawn, palm trees and the stepped curtain wall which forms part of the covered walkway beyond.

Where present, the stature of the street trees and extent of their canopy is such that when viewed from along the road alignment they form an unbroken visual element, which restricts views out and reinforces the corridor experience. Elements to either side are partially visible beneath or above the canopy, but are only readily seen when viewed perpendicular to the alignment of the street trees.

Design Guidance:

- Where a low curtilage wall is proposed, it shall be similar to the existing masonry materiality of Temple View and the standard tree and pathway berm configuration should be utilised along Tuhikaramea Road, especially within the former Teacher Housing Character Area.
- Where no curtilage wall is proposed, the standard berm configuration of trees, pathway and grass berm should be maintained where practical.
- Where no curtilage walls are utilised, any delineating elements, such as courtyard and walkway walls should allow visibility into and from the street. Where the delineating element is a building that building should address the street.
- Alternate design configurations may be considered where they maintain or enhance the spatial and visual integrity of the road corridor and provide best practice urban design solutions.
- The current road alignment is to be maintained where possible so as to maintain the integrity of the visual corridor. Where, according to roading design best practice, improvements (such as roundabouts or traffic islands for traffic calming) are required, vertical deviations are preferred over horizontal deviations and any deviations should be contained as much as practicable within the existing road corridor.
- Encourage the introduction of arrival features and/or gateway markers at key locations within Tuhikaramea Road [Corridor](#).

Figure 1.4.9h: The [Tuhikaramea Road Corridor](#) (2014)



Figure 1.4.9i: The [Tuhikaramea Road Corridor](#) (2014)

Proposed Plan Change 3-
Temple View



2. Former Teacher Housing Corridor on Tuhikaramea Road

The character of the Former Teacher Housing is closely associated with the Tuhikaramea Road Corridor and is informed by a level of spatial consistency and repetition of residential scale architecture, materiality and colour. In addition to a consistent architectural vernacular, albeit with a degree of variation in architectural form, the Former Teacher Housing is positioned in a regular manner relative to their setback from the Tuhikaramea Road corridor and their spacing in-between.

The buildings themselves are relatively modest in size being mainly one storey, some with basements, but varying in configuration with both single dwelling and duplex configurations present. The buildings are oriented toward the Tuhikaramea Road Corridor with modest gates and simple direct pathways leading from the street to the houses.

In some instances the existing grade results in awkward transitions from Tuhikaramea Road, with examples of steps up and down from the street boundary into several of the front yards.

The Former Teacher Housing Character Area Corridor also contains a number of features which are contrary to good urban design. On the western side of the road, toward the north, a significant difference in elevation results in houses sitting well below the road level of Tuhikaramea Road. These houses face the retaining wall which supports the road, with pedestrian access afforded by a series of steps down the face of the retaining wall.

While pedestrian access is afforded from Tuhikaramea Road, no parking is available on Tuhikaramea Road for the residents of these dwellings. Garages and vehicular access are obtained only from the 'rear' of these properties. Demarcation between individual properties is very limited and for the most part achieved through soft landscaping of a residential character.

The Former Teacher Housing Character Area Corridor contains one building listed as a Heritage Item under this Plan, being the First House /George Biesinger House (H133). This building has not been ranked by Heritage New Zealand Pouhere Taonga.

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Temple View

Design Guidance

- Development within this area should respond with appropriate scale and setback, in a similar manner to the existing residential setback alignment. The development should address Tuhikaramea Road, where practical and contiguous grades allow, and present an attractive frontage for passers-by. It should also offer an appropriate response to any adjoining open space.
- Consideration should be given to strategies to reduce or ameliorate the discontinuous grades.
- Where discontinuous grades prevent a direct visual connection with the street, alternative configurations which provide attractive street frontage treatments consistent with good urban design may be considered.
- Consideration should be given to alternative dwelling orientations which respond to the wider area and may result in a better urban design outcome for the overall development.
- Vehicle parking should be provided on Tuhikaramea Road.
- Pedestrian access should be provided from Tuhikaramea Road, with garages and vehicular access provided at the 'rear' of the development.

- In addition to the above, development along the western side of Tuhikaramea Road should respond to the residential scale and grain of development to which it is immediately adjacent.
- Materials and colour should be compatible with the Temple View Character area.
- Development should respond to existing heritage buildings and consider scale, materials and contextual cues.

Figure 1.4.9j: [Original](#) Teacher housing on Tuhikaramea Road [\(2014\)](#)



Figure 1.4.9k: [Original](#) Teacher Housing on Tuhikaramea Road [\(2014\)](#)

Proposed Plan Change 3-
Temple View



3. The Former Church College of New Zealand Campus

The character of the former Church College of New Zealand (CCNZ) Campus is informed by the distribution of built form over elevated topography within the wider park-like campus. The buildings are generally of similar institutional scale, one to two storey rectilinear form of a variety of construction materials. The majority reflect the combination of planned and opportune incremental development that occurred during the initial construction period (which spanned the 1950s till the late 1970s). This process involved the construction of a range of buildings, some specifically for or in support of the former CCNZ, while others formed part of a construction industry which developed on site during the initial construction period. Over time some of these buildings were removed, others re-purposed or modified, and still others added as required, with this evolution continuing to present day. The application of a limited colour palette and tended landscape, provides a sense of consistency to disparate structures which might otherwise appear markedly different.

The distribution of the buildings follows either Tuhikaramea Road or the elevated terrace overlooking the campus sport fields, with the orientation of the buildings predominately to the north. With the exception of the Matthew Cowley Administration building and the Wendell B Mendenhall Library, the campus buildings do not address Tuhikaramea Road, contrary to current urban design best practice. As a result, when viewed from Tuhikaramea Road the buildings in combination with the curtain wall covered walkway convey the character of an institutional but introverted development.

When approaching Temple View from the north, the former CCNZ campus appears as a cluster of large buildings dominating the ridgeline with groups of specimen trees in the fore ground. The largest of these (the David O McKay building) appears as a three storey complex with only limited windows and expansive blank walls. This building is flanked by an ordered array of similar coloured single and double-storied buildings. Although the buildings address the open space, with the playing field in the foreground providing a balance to the bulk of the buildings, the elevated position, limited windows and the expanse of surrounding open space convey a sense of introversion.

The consistent quality of maintenance of the surrounding landscape, with tidy groomed planting and specimen trees and stands of trees contained within a wider matrix of manicured lawn, provide a degree of consistency to the development. In combination, the application of a limited colour palette and tended landscape, provide a sense of coherence to disparate structures which might otherwise appear markedly different. Overall the former CCNZ campus conveys a coherent albeit introverted character in spite of the differences in architectural form. On closer inspection, the condition of many of the buildings conveys their age and the construction requirements of their time.

The former CCNZ Character Area contains 5 buildings listed as a Heritage Item under this Plan being the David O McKay Building (H106), the GRB Building (H107), The Wendell B Mendenhall Library (H109), Kai Hall (H134), and the Block Plant (H135) House. These buildings have not been ranked by Heritage New Zealand Pouhere Taonga but are valued because of their association with the former CCNZ and the missionaries involved in their construction. (See Appendix 8.)

This area also contains two full stands and one part stand of significant trees, which extends into the Temple of Jesus Christ of the Latter-day Saints Character Area (being T620, T63 and part of T64). These stands are predominantly Kahikatea with some Titoki. These trees are scheduled under this Plan (see Appendix 9).

Design Guidance:

- Development within this area should contain either larger scale elements or clusters of buildings particularly along the northern ridgeline and Tuhikaramea Road frontages.
- Developments within this area should address the street by providing an active edge and “eyes on the street” with an attractive frontage for passers-by. This should be particularly emphasised for development on Tuhikaramea Road frontages.
- Garages and parking should be located such that they do not dominant the street frontage.
- Development should offer an appropriate response to any adjoining open space.
- Development should respond to existing heritage buildings and consider scale, materials and contextual cues.

Figure1.4.9l: The former Church College of New Zealand campus [\(2014\)](#)



Proposed Plan Change 3-
Temple View

Figure 1.4.9m: The former Church College of New Zealand campus [\(2014\)](#)



4. The Temple of the Church of Jesus Christ of Latter-day Saints

The heritage values of this area are derived from the combination of the built and landscaped environment immediately surrounding the Hamilton New Zealand Temple of the Church of Jesus Christ of Latter-day Saints, and the significant role the church has played in the physical, spiritual and social development of the local community and further afield. The Temple itself was the first in the southern hemisphere and is the focal point of the Church of Jesus Christ of Latter-day Saints in New Zealand.

The siting, design and landscape treatment of the Temple emphasise the vertical proportions of the building and create an impression of a monument. Other buildings within the area include the Visitors Centre, which has a strong visual relationship with the north elevation of the Temple and the central parking area, the Temple President's house which is visually connected by the walled car parking area to the south of the Temple, and the dormitory accommodation on the eastern side. Much of the character of this area is due to the relative absence of other building particularly when viewed from Tuhikaramea Road. Consequently, landscaping and the tree planting emphasise the dramatic and dominant position of the Temple in the local landscape. This tree planting includes trees that mark periods of occupation and development of the site by the Church.

The Temple of the Church of Jesus Christ of Latter-day Saints (H108) is listed as a Heritage Item under this Plan. This building has not been ranked by Heritage New Zealand Pouhere Taonga but is valued because of its historic, cultural and architectural qualities.

This area contains part of a stand of significant trees, predominantly Kahikatea with some Titoki, which extend from the former CCNZ Character Area (being part of T64). In addition it contains one Bunya-bunya tree (T65). These trees are scheduled under this Plan as significant.

Design Guidance:

- Development shall maintain the primacy of the Temple as the key focus of the area.
- Existing view shafts to the Temple shall be maintained with respect to siting of buildings and landscape elements. Consideration may be given to developments and landscape elements within these view shafts which improve the overall amenity of the area with respect to the Temple setting.
- Any development should consider and relate to the grain and distribution of development within the immediate area.
- Development should respond to existing heritage buildings and consider the scale, materials and contextual cues presented by these buildings.

Figure 1.4.9n: The Temple of the Church of Jesus Christ of Latter-day Saints



Appendix 8.8D: Operative District Plan – Volume 2, Appendix 4: Special Character Zones

Figure 4-2: Hayes Paddock



Plan shows the area forward of the rear building line for Hayes Paddock – original state houses

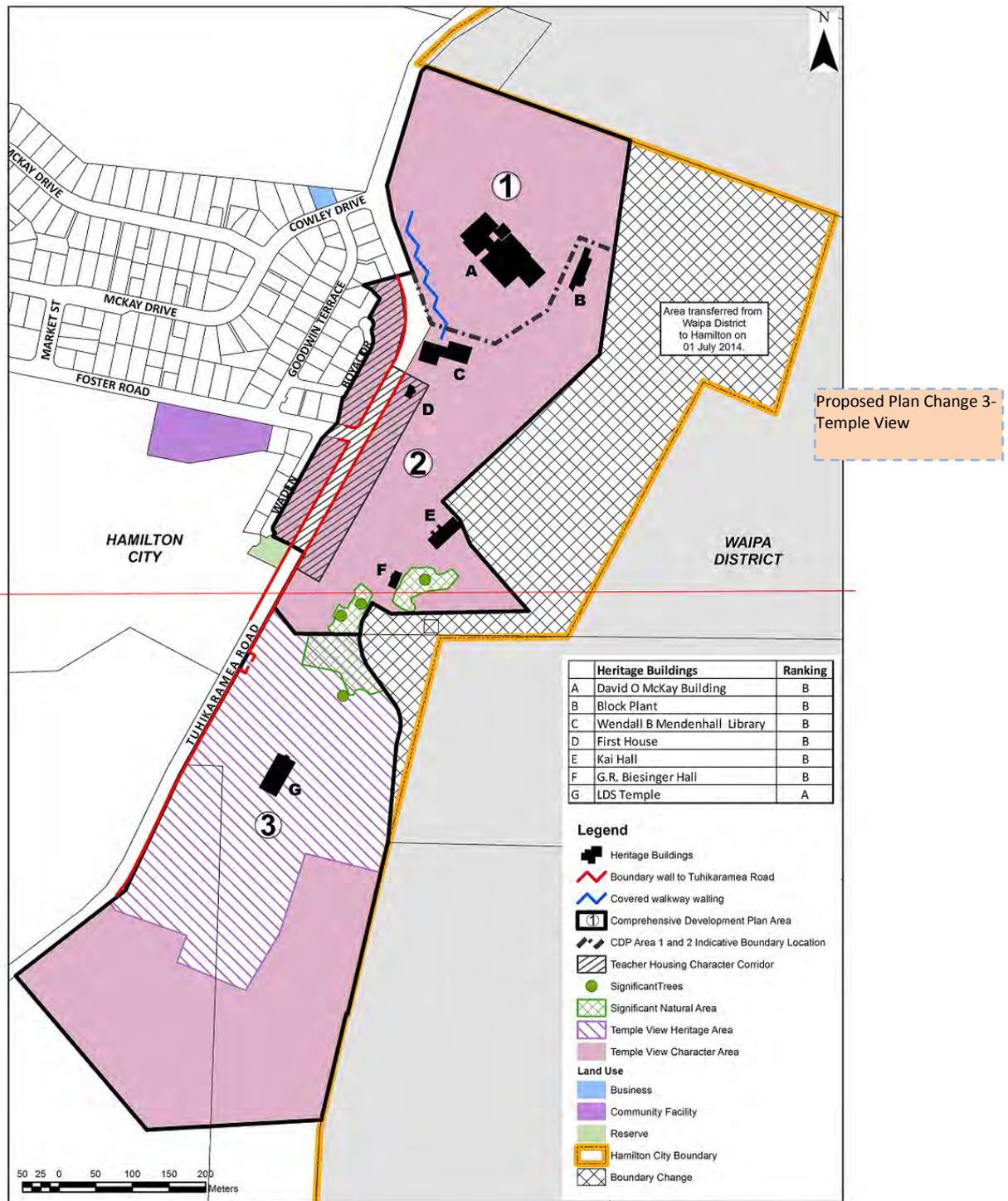
Figure 4-3: Hamilton East Villa Precinct

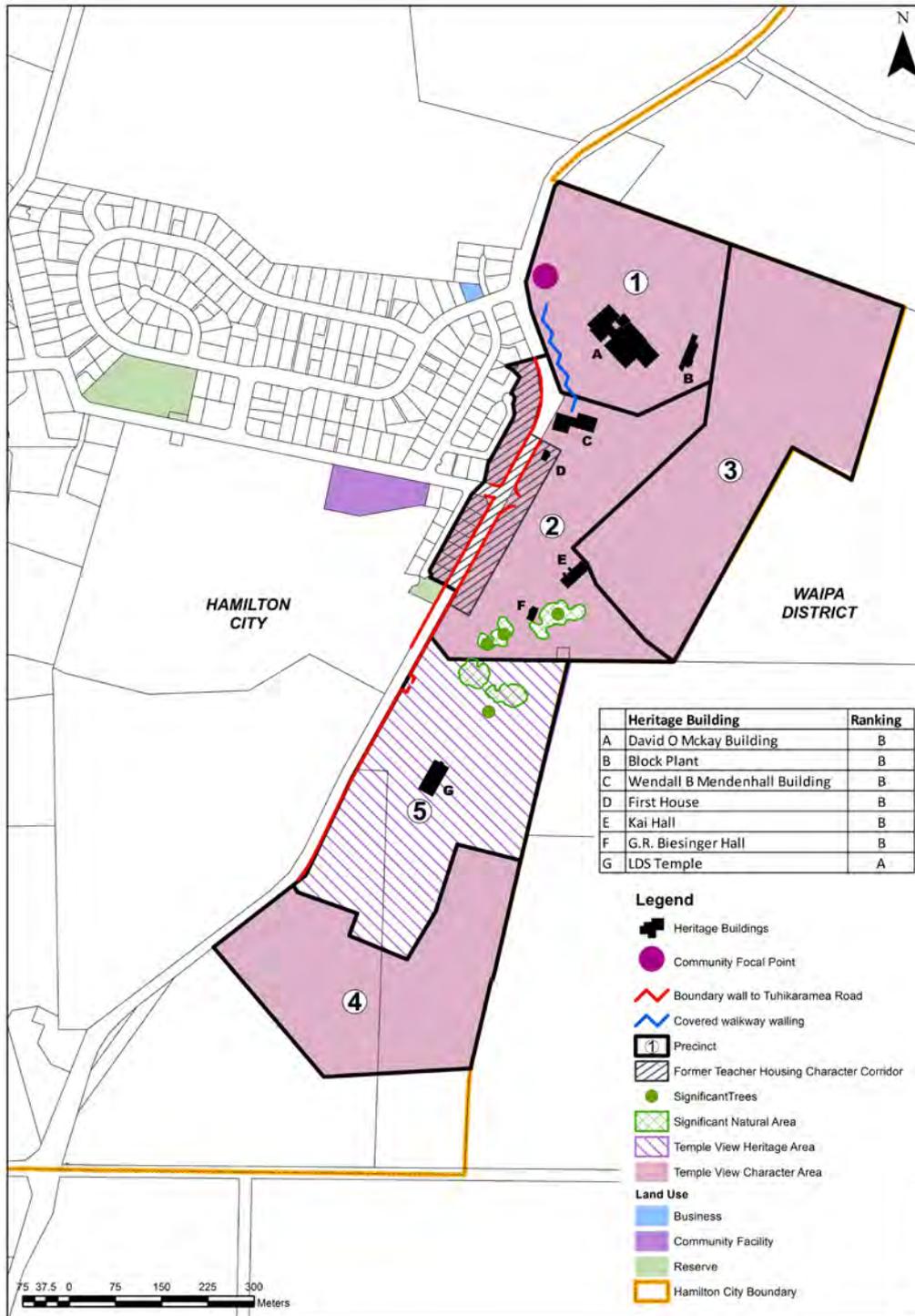


Figure 4-4: Frankton Railway Village



Figure 4-5: Temple View Comprehensive Development Precinct Plan Areas

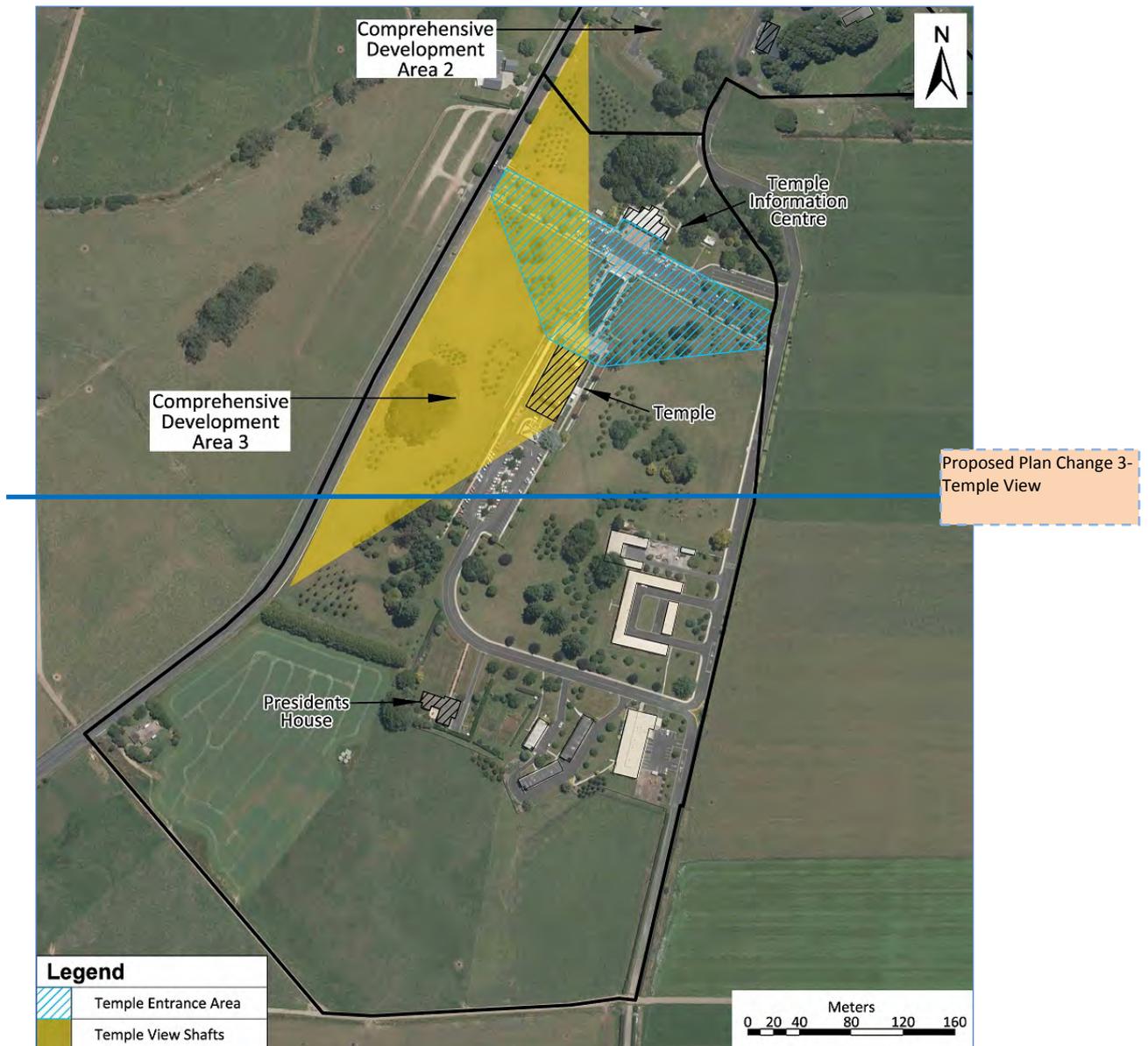




Proposed Plan Change 3-
Temple View

Note: This plan is diagrammatic only. The final position of the boundary between CDP area 1 and CDP area 2 will need to be defined as part of any consent process required under Volume 1, section 5.3.4.1 and Volume 2, section 1.2.2.8.

Figure 4-6: Temple View Shafts and Temple Entrance



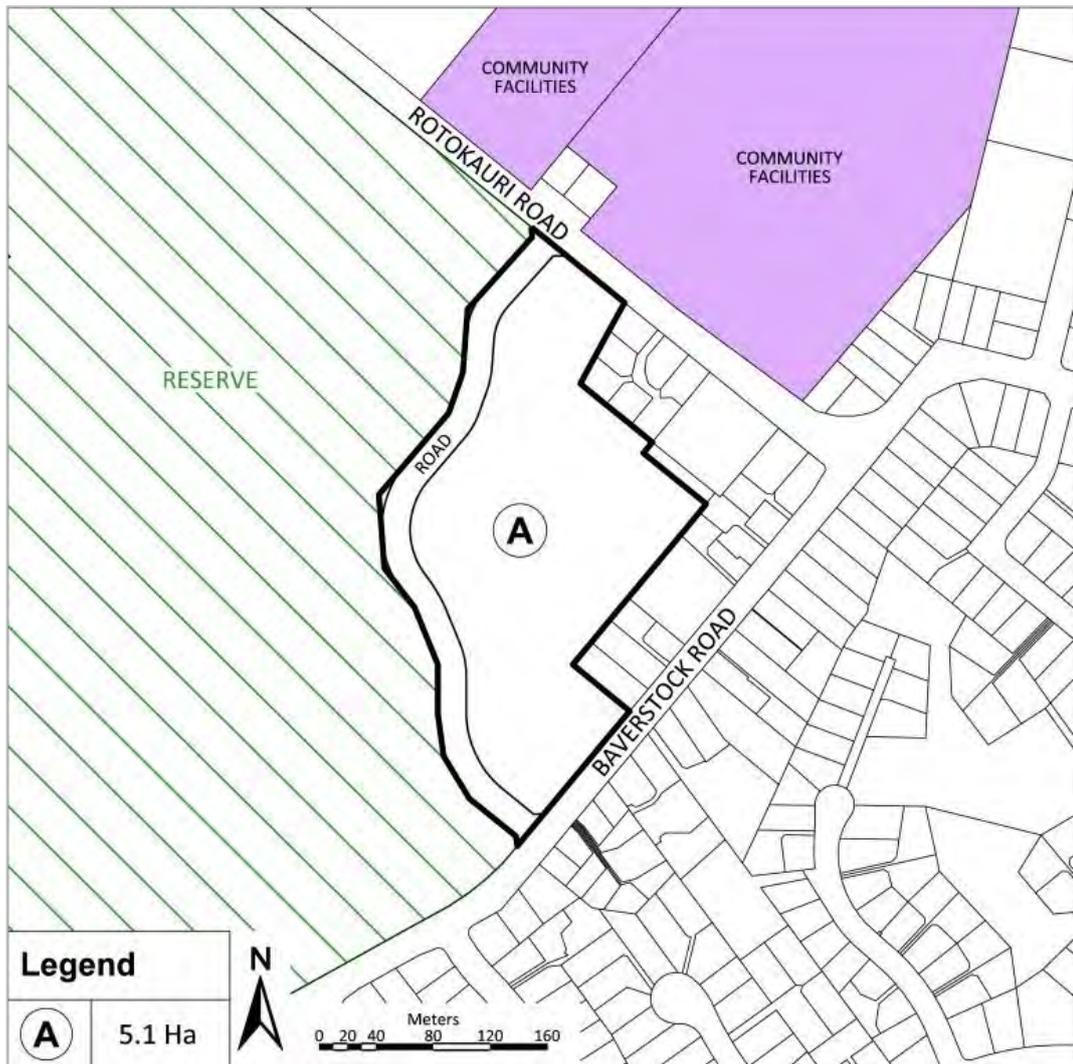


Proposed Plan Change 3-
Temple View

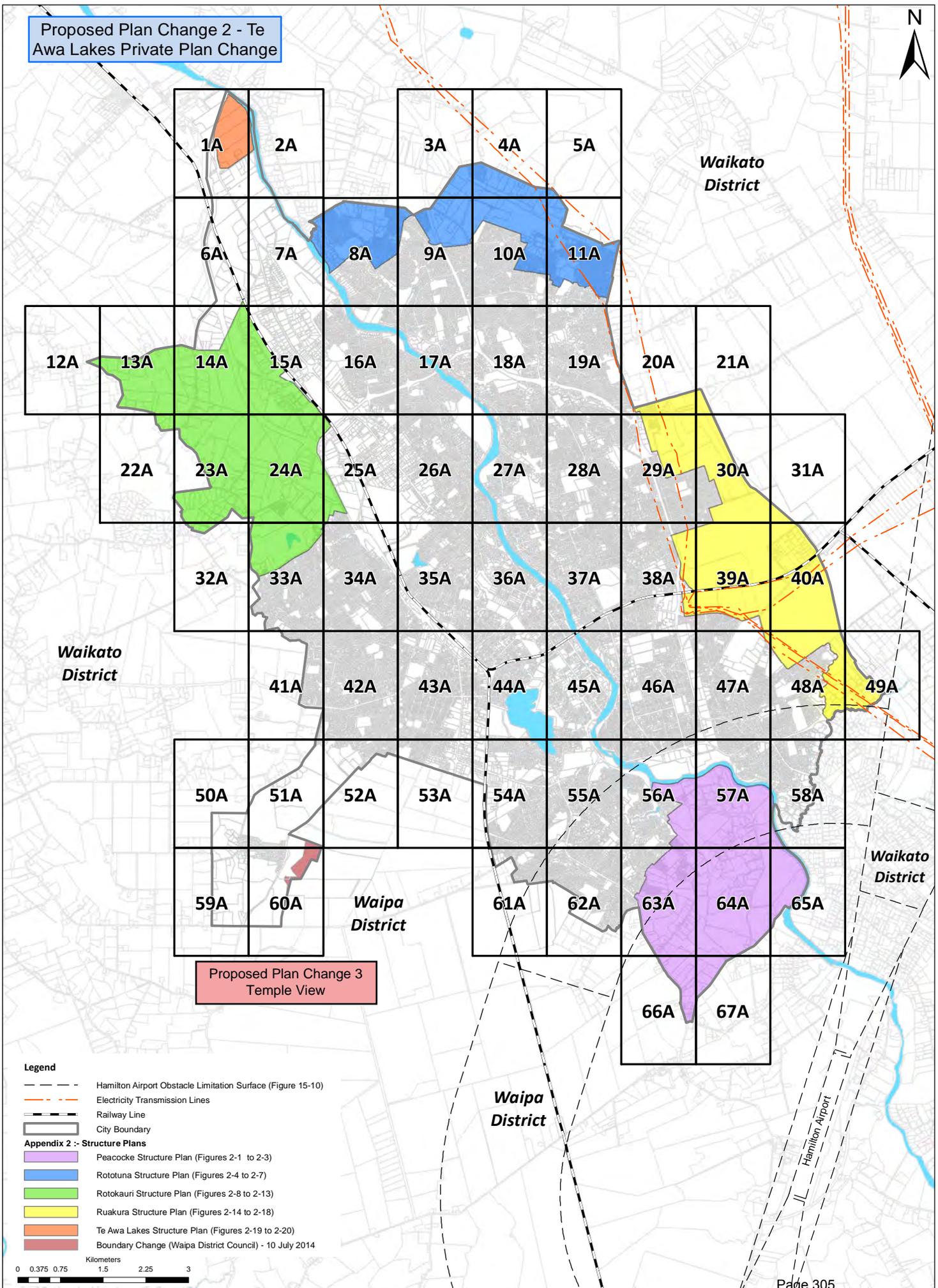
Figure 4-7: Claudelands West, Dwelling Control Area and Pre-1939 Dwellings



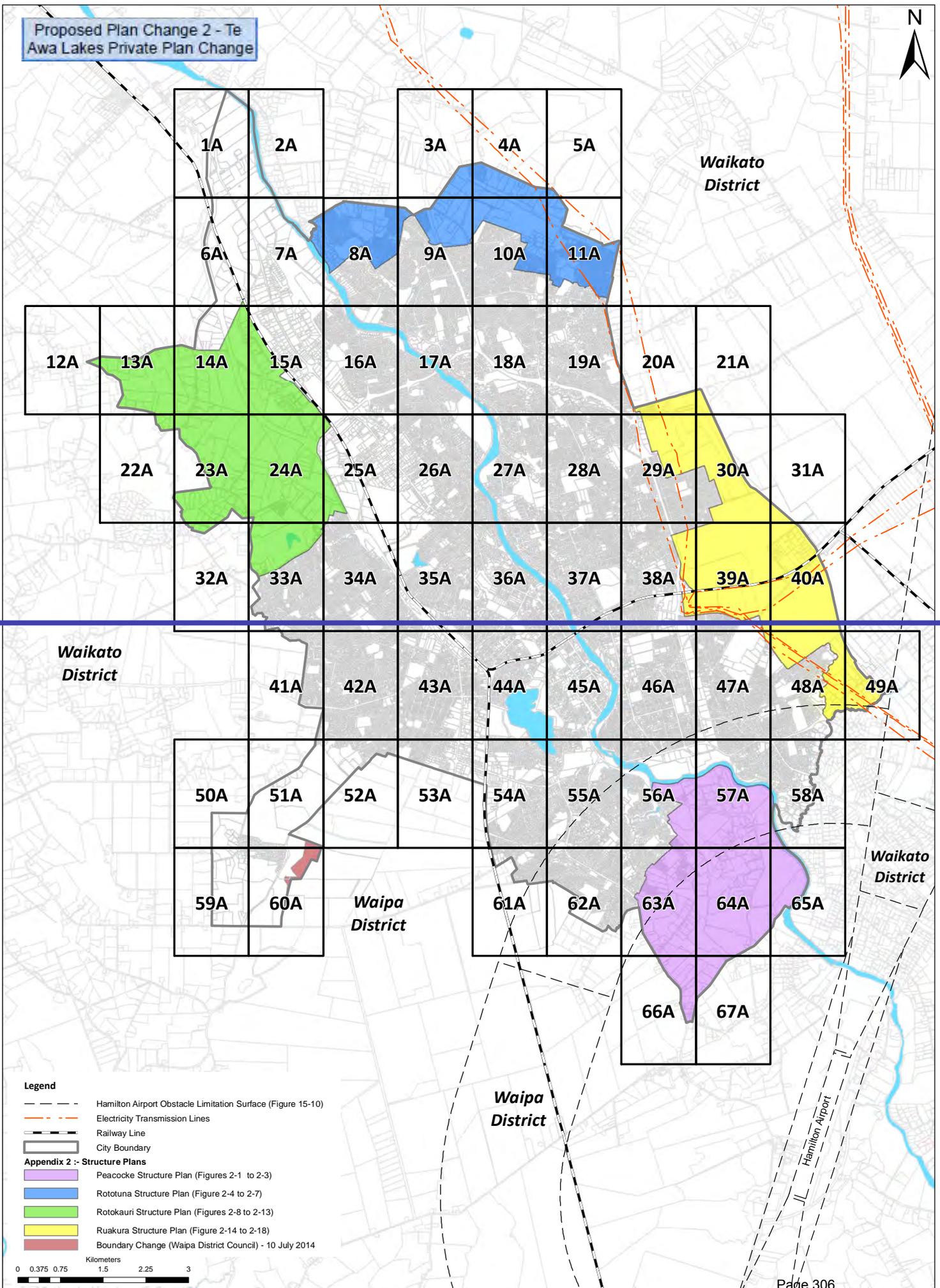
Figure 4-8: Lake Waiwhakareke Landscape Character Area CDP Area for 'Lot 2 DP425316'



Appendix 8.8E: Operative District Plan – Volume 2, Appendix 17: Planning Maps



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41B

42B



Waikato District

WALLACE ROAD

TUHIKARAMEA ROAD

Waipa District

This area continues to be administered under the provisions of the Waipa District Plan as of 10 July 2014

50B

52B

WILSON PL
MCKAY DRIVE
MAYNARD
COWLEY DRIVE

Meters
0 50 100 200 300 400



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41B

42B

Legend

Plan Change 3 - Temple View

Waikato District

WALLACE ROAD

TOHIRARAWEA ROAD

Waipa District

59B
60B
MCKAY DRIVE
MAYNARD
COWLEY DRIVE

1:7,500 @ A4
Page 308

50B

52B

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41A

42A

Legend

Plan Change 3 - Temple View

Waikato District

WALLACE ROAD

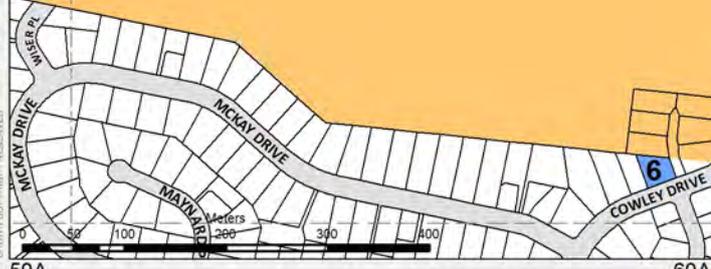
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52A

Waipa District

TUIKARAMEA ROAD

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59A

60A

Page 309

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41A

42A

Waikato District

WALLACE ROAD

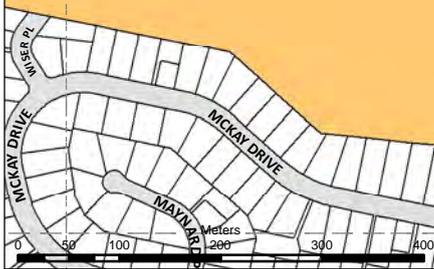
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Waipa District

TUHIKARAMEA ROAD

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6

COWLEY DRIVE

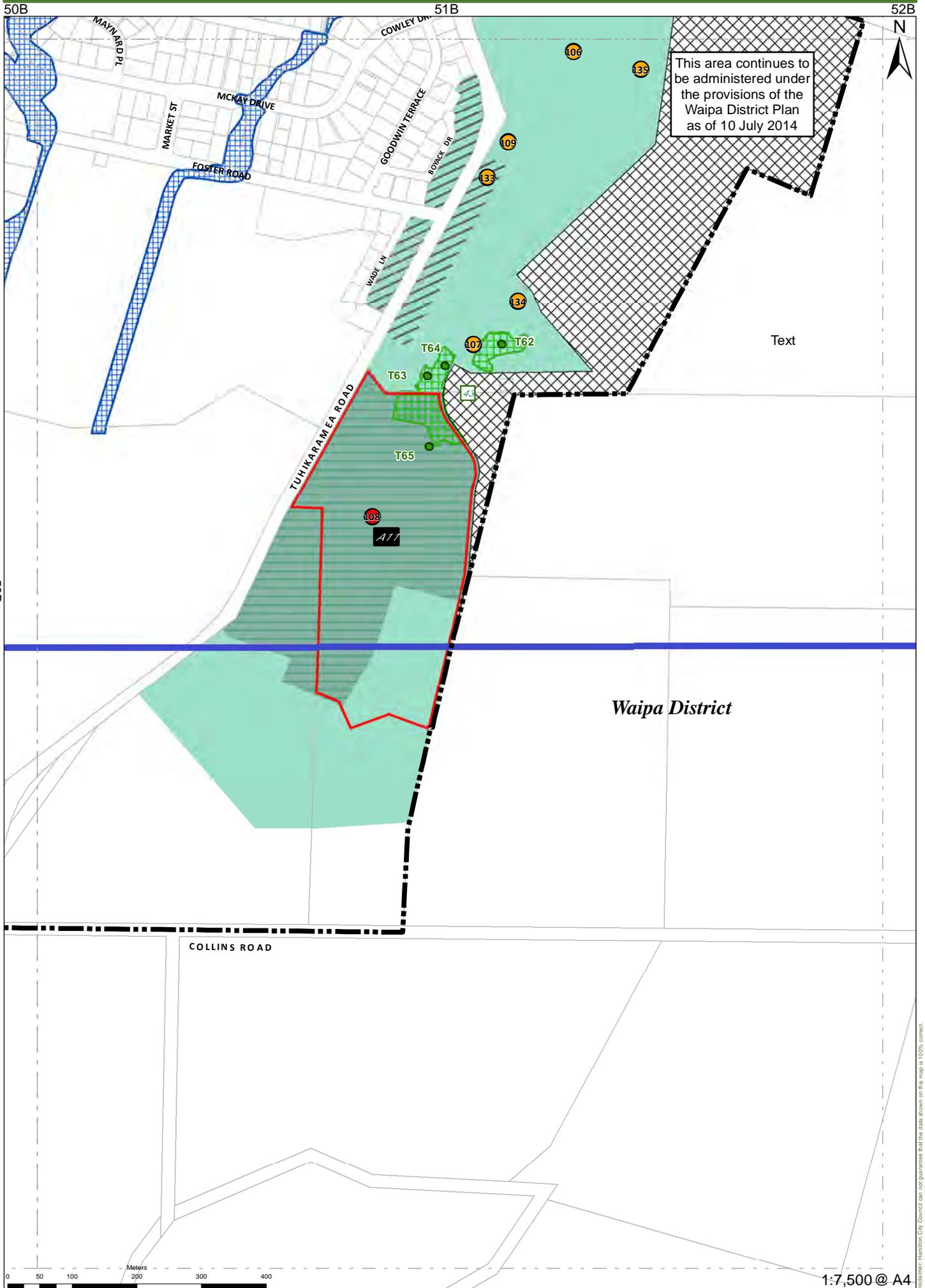
This area continues to be administered under the provisions of the Waipa District Plan as of 10 July 2014

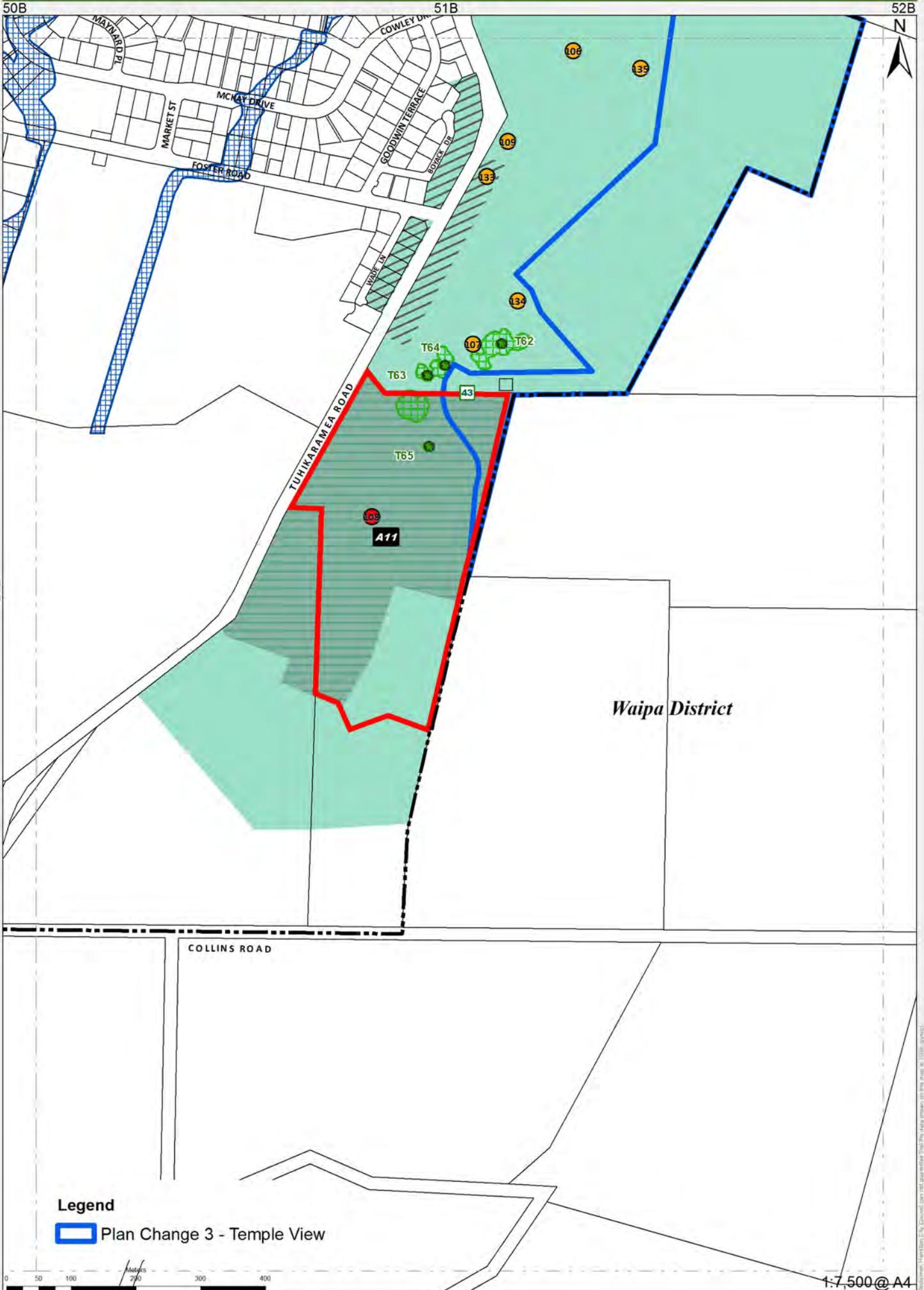
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Page 310

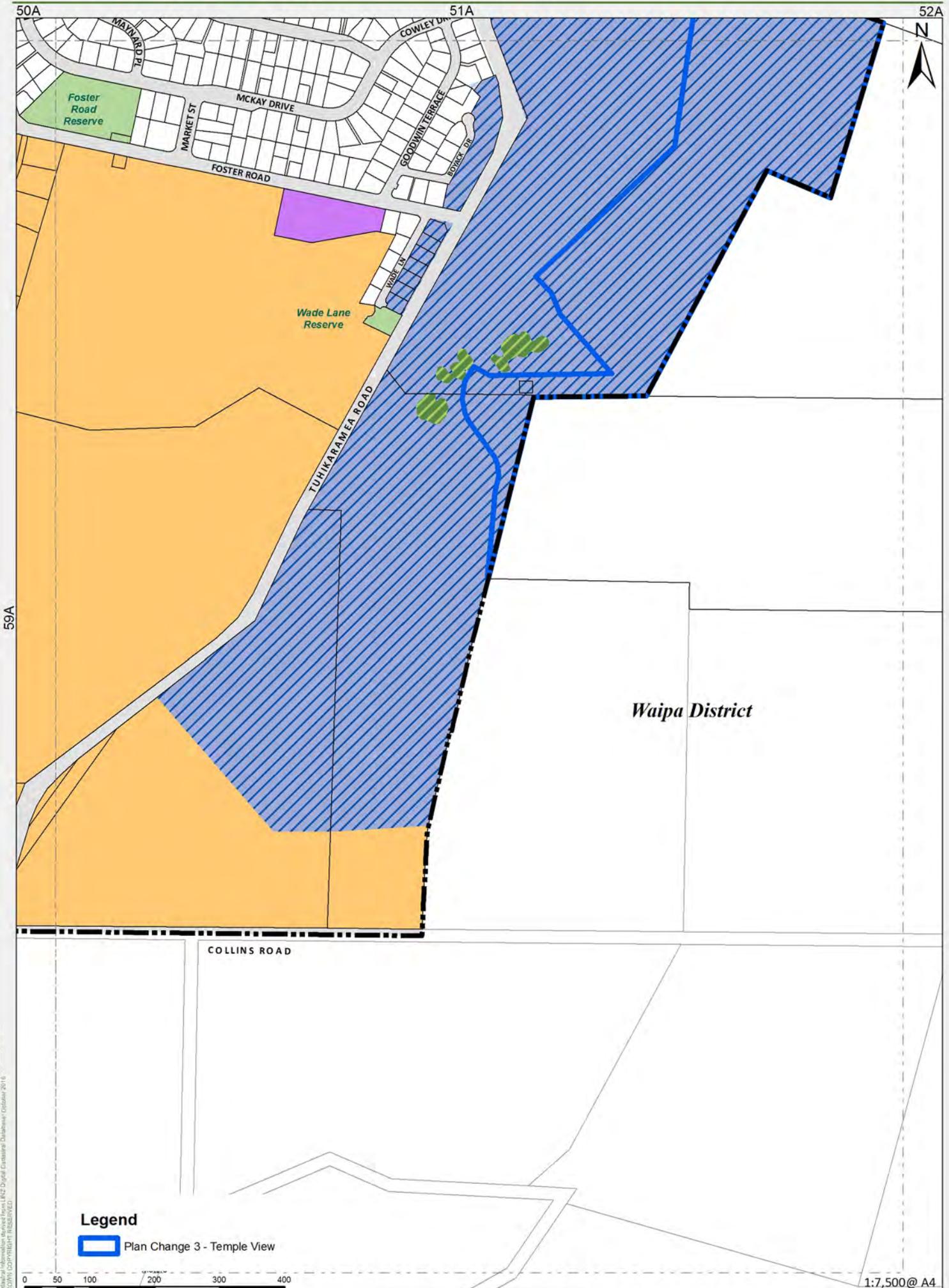




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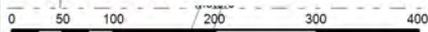
Plan Change 3 - Temple View





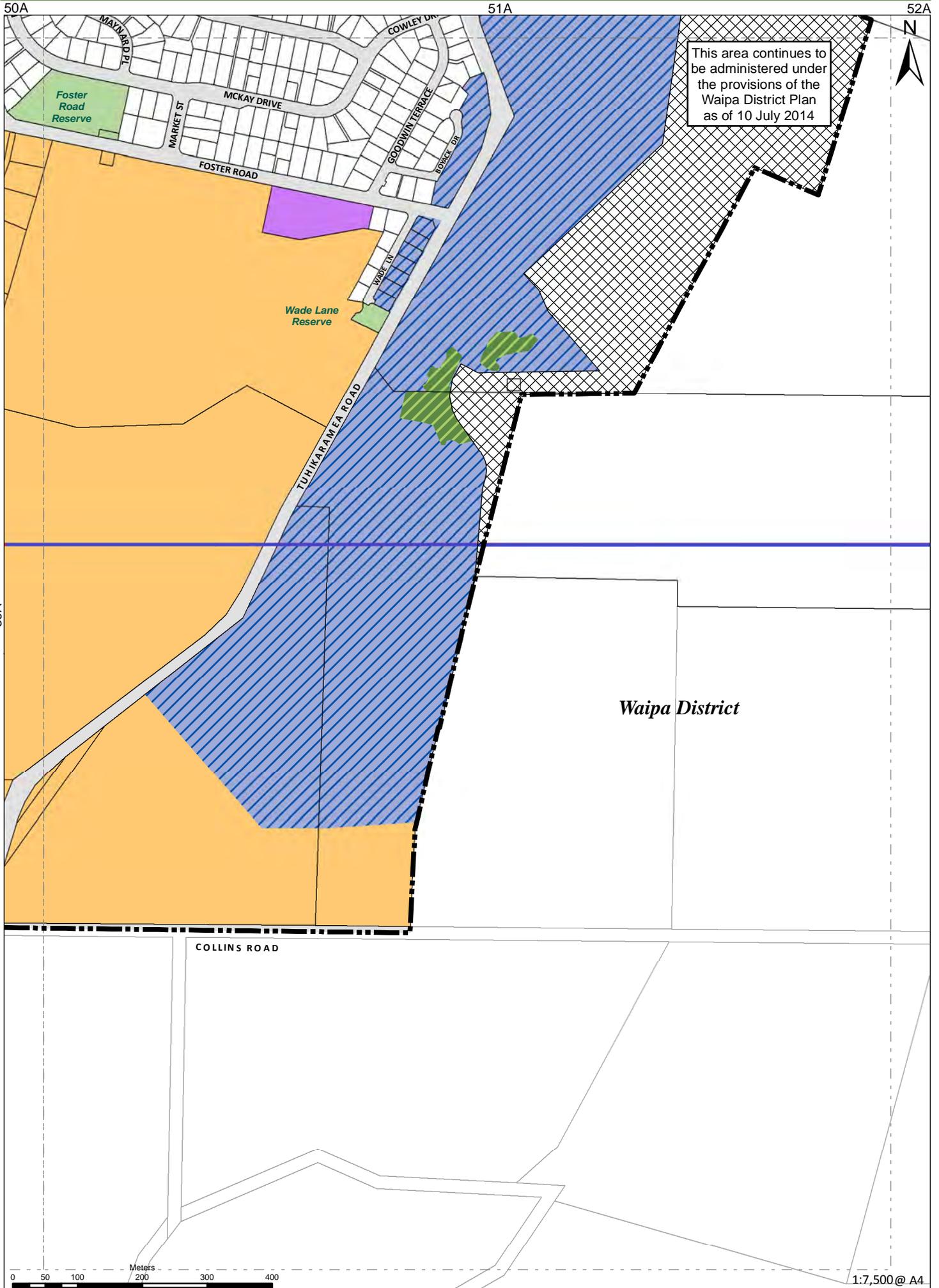
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 Plan Change 3 - Temple View

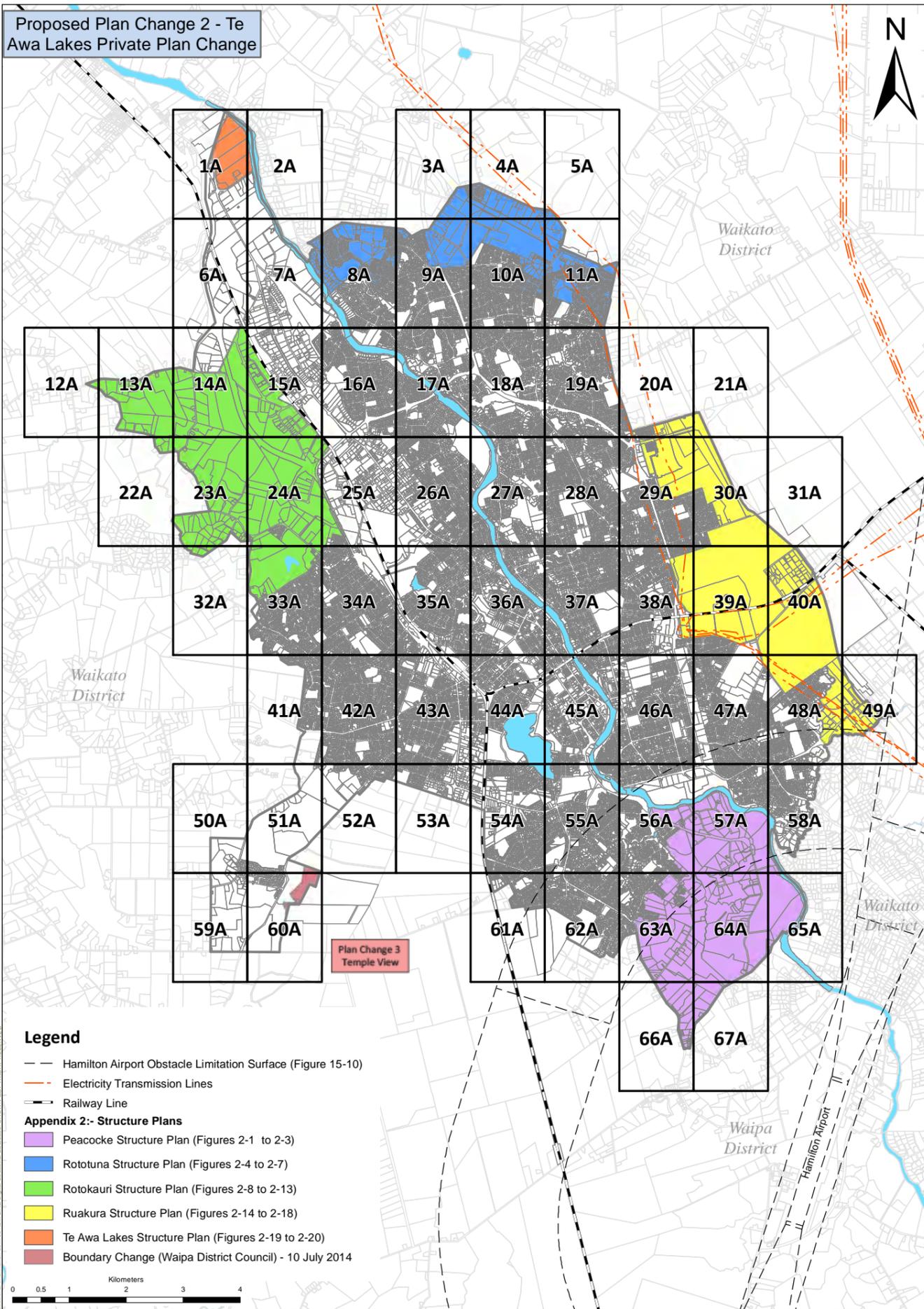


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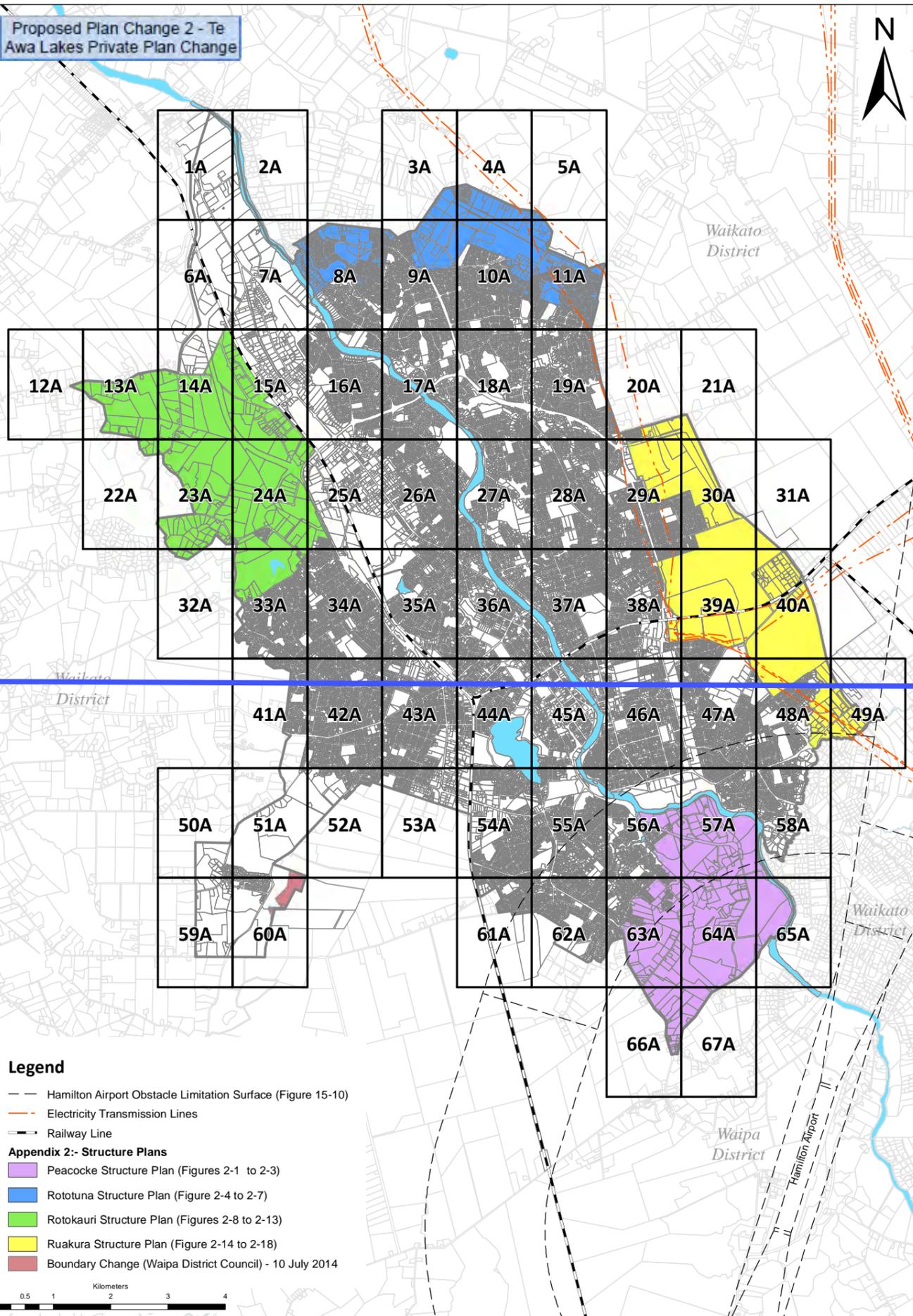
LEGEND - FEATURES

- Significant Archaeological, Historic and Cultural Sites**
- Built Heritage - A Ranking (Schedule 8A)
 - Built Heritage - B Ranking (Schedule 8A)
 - Group 1 (Schedule 8B)
 - Group 2 (Schedule 8C)
- Natural Environment**
- Significant Natural Areas (Schedule 9C)
 - T3 Significant Trees (Schedule 9D)
 - Waikato River and Gully Hazard Area
 - Waikato River Bank Stability Area
 - Peat Lakes and Wetlands
 - Peat Lake Catchment
- Designations**
- D14 Designation (Schedule 26.3 - Volume 1)
- Electricity Transmission Corridors**
- National Grid Yard - Greenfields
 - National Grid Corridor - Greenfields
 - National Grid Yard - Urban Areas
 - National Grid Corridor - Urban Areas
 - Transmission Line Structure - Pole
 - Transmission Line Structure - Tower
 - Electricity Transmission Lines
- Natural Hazard Area**
- Low Flood Hazard Area
 - Medium Flood Hazard Area
 - High Flood Hazard Area
 - Flood Hazard Subcatchment Boundary
 - Culvert Block Flood Hazard Area (Culvert Block Flood Level)
 - Temple View Flood Hazard Area
- Airport Protection Overlay**
- Horizontal Obstacle Limitation Surface - 102m Moturiki Datum
 - Outer Edge Conical Obstacle Limitation Surface - 207m Moturiki Datum
- Other Features**
- Vector Gas Pipeline Corridor
 - Railway Line
- Areas**
- Special Heritage Areas**
- Frankton Railway Village
 - Hamilton East Villas
 - Hayes Paddock
- Special Residential Areas**
- Claudlands West Dwelling Control Area
 - Hamilton East
 - Hamilton East Dwelling Control Area
- Special Natural Areas**
- Rotokauri - Lake Waiwhakareke Landscape Character Area
 - Rotokauri Ridgeline Area
- Peacocke Character Areas**
- Gully Area
 - Hill Area
 - Terrace Area
- Temple View Areas**
- Character Area
 - Heritage Area
 - Teacher Housing Area
- Industrial Areas**
- Deferred Industrial Zone
 - Crawford Street Freight Village
 - Te Rapa Dairy Manufacturing Site
 - Rotokauri Employment Area
 - Thoroughbred Business Park
- Residential Areas**
- Visitor Facilities Area
 - Frankton Living Overlay
 - Hamilton East Residential Intensification Area
 - River Interface
 - Visitor Accommodation Overlay

LEGEND - ZONING

- Residential Zones**
- General Residential Zone
 - Medium Density Residential Zone
 - Residential Intensification Zone
 - Large Lot Residential Zone
- Special Character Zones**
- Special Residential Zone
 - Special Heritage Zone
 - Special Natural Zone
 - Peacocke Character Zone
 - Rototuna North East Character Zone
 - Temple View Zone
- Industrial Zone**
- Industrial Zone
 - Te Rapa North Industrial Zone
 - Industrial Amenity Protection Area
 - Ruakura Industrial Park Zone
 - Ruakura Logistics Zone
- Business Zones**
- 1 Business 1 Zone - Commercial Fringe
 - 2 Business 2 Zone - Events Facilities Fringe
 - 3 Business 3 Zone - Sub-Regional Centre
 - 4 Business 4 Zone - Large Format Retail
 - 5 Business 5 Zone - Suburban Centre
 - 6 Business 6 Zone - Neighbourhood Centre
 - 7 Business 7 Zone - Frankton Commercial Fringe
- Recreational Zones**
- Sports and Recreation Open Space Zone
 - Neighbourhood Open Space Zone
 - Natural Open Space Zone
 - Destination Open Space Zone
 - Ruakura Open Space Zone
 - Natural Open Space - Waikato River and Lakes
- Other Zones**
- Central City Zone
 - Community Facilities Zone
 - Future Urban Zone
 - Knowledge Zone
 - Major Facilities Zone
 - Rototuna Town Centre Zone
 - Transport Corridor Zone
 - Ruakura Interface Design Control Area
 - Residential Enclave Buffer Area
 - City Boundary

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- Legend**
- Hamilton Airport Obstacle Limitation Surface (Figure 15-10)
 - Electricity Transmission Lines
 - Railway Line
- Appendix 2:- Structure Plans**
- Peacocke Structure Plan (Figures 2-1 to 2-3)
 - Rototuna Structure Plan (Figure 2-4 to 2-7)
 - Rotokauri Structure Plan (Figures 2-8 to 2-13)
 - Ruakura Structure Plan (Figure 2-14 to 2-18)
 - Boundary Change (Waipa District Council) - 10 July 2014

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