

Notice of Meeting:

I hereby give notice that an extraordinary Meeting of the Council will be held on:

Date: Monday 29 April 2019
Time: 1.00pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Extraordinary Council OPEN AGENDA

Membership

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

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Governance Manager

17 April 2019

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Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council:
 - a) The power to make a rate.
 - b) The power to make a bylaw.
 - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
 - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
 - e) The power to appoint a Chief Executive.
 - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan, or developed for the purpose of the Council's governance statement, including the 30-Year Infrastructure Strategy.
 - g) The power to adopt a remuneration and employment policy.
 - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
 - i) The power to approve or amend the Council's Standing Orders.
 - j) The power to approve or amend the Code of Conduct for Elected Members.
 - k) The power to appoint and discharge members of committees.
 - l) The power to establish a joint committee with another local authority or other public body.
 - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
 - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
 - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Approval of any changes to city boundaries under the Resource Management Act.
 - d) Adoption of governance level strategies, plans and policies which advance Council's vision and strategic goals.
 - e) Approval of the Triennial Agreement.
 - f) Approval of the local governance statement required under the Local Government Act 2002.

- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval of all Council and Committee taskforces and their terms of reference.

Oversight of Policies:

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*

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1 Apologies

2 Confirmation of Agenda

The Council to confirm the agenda.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Public Forum

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for three minutes or longer at the discretion of the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6439.

Council Report

Committee: Council **Date:** 29 April 2019
Author: Laura Galt **Authoriser:** Jen Baird
Position: Planner **Position:** General Manager City Growth
Report Name: Special Housing Area Application – Quentin Drive, Enlarged Proposal

Report Status	<i>Open</i>
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Purpose

1. To seek the Council's approval to recommend the Expression of Interest at Quentin Drive (enlarged proposal) to the Associate Minister of Housing and Urban Development as a Special Housing Area.

Staff Recommendation

2. That the Council:
 - a) receives the report;
 - b) delegates authority to the Chief Executive to:
 - finalise and sign a Statement of Intent (SOI) around how, at a high level, key infrastructure is to be provided and funded in accordance with the Hamilton Special Housing Areas Policy 2017 and the Growth Funding Policy 2016;
 - negotiate with the applicant, prior to lodging any qualifying development consent, and sign a Private Development Agreement (PDA) to secure detailed provisions on necessary infrastructure development and funding in accordance with the signed SOI, the Hamilton Special Housing Areas Policy 2017 and the Growth Funding Policy 2016;
 - c) recommends to the Associate Minister of Housing and Urban Development, pursuant to section 17 of the Housing Accords and Special Housing Areas Act 2013, that a Special Housing Area be established over Quentin Drive, identified as Stage 1 and Stage 2 on the draft concept plan set out in **Attachment 1**, subject to a SOI agreement being concluded in accordance with the terms established in recommendation b) above;
 - d) confirms, for the purpose of section 16 of the Housing Accords and Special Housing Areas Act, that it is satisfied that there is:
 - evidence of demand to create qualifying developments in the SHA;
 - demand for residential housing in the SHA;
 - adequate infrastructure, either existing or likely to exist, to service the proposed Special Housing Area; and

- e) recommends to the Associate Minister of Housing and Urban Development, pursuant to section 17 of the Housing Accord and Special Housing Areas Act 2013, that the Special Housing Area has prescribed criteria as follows:
- the maximum calculated height of dwellings shall be 10m;
 - the SHA shall not contain fewer than 25 dwellings;
 - the SHA shall not contain less than 10% of affordable dwellings as defined in the Hamilton Special Housing Area Policy 2017.

Executive Summary

- The Council called for Expressions of Interest (EOI) for a second round of Special Housing Areas (SHAs) from mid-November 2018 to mid- February 2019.
- Quentin Residential Ltd (QRL) lodged an EOI for an enlarged site at Quentin Drive, near Hamilton Lake.
- The enlarged site comprises the original 2ha Quentin Drive EOI approved by the Council on 10 May 2018, which is still with the Government for a final decision, plus the site currently occupied by Jack House Transit Limited. The enlarged site is 4.17ha and proposes a yield of 111 homes in total, equating to accommodation for approximately 300 people. **Attachment 1** shows the original (Stage 1) and enlarged site (Stage 2).
- At its meeting of 14 March 2019, the Council approved the enlarged Quentin Drive EOI for:
 - *Further evaluation in accordance with the criteria set out in the Hamilton Special Housing Areas Policy and the Housing Accords and Special Housing Areas Act 2013 (HASHAA); and*
 - *Public feedback for four weeks, from 18 March to 12 April 2019.*

The further evaluation and public feedback have now been completed.
- The following table summarises how the Quentin Drive (Enlarged Proposal) meets the necessary criteria for establishing a SHA, as per Clause 15 of the Hamilton Special Housing Areas Policy 2017 (SHA Policy). The criteria are not weighted, and all the criteria do not need to be satisfied for the Council to recommend the SHA to the MHUD.

a) Demand for qualifying development		✓
b) Predominantly residential		✓
c) Locational considerations		✓
d) Infrastructure	Stormwater	✓
	Wastewater	✓
	Water	✓
	Transport	✓
	Reserves	✓
e) Scale		✓
f) Design quality		✓
g) Statement of intent (SOI)	Agreed and signed by applicant	✓
h) Affordability Criteria	Agreed to meet affordability criteria as per SHA Policy	✓

8. QRL has signed an updated SOI, in which they have agreed to fund all infrastructure services required for this development. These works will be at no cost to the Council or infrastructure providers.
9. A more formalised Private Development Agreement (PDA) will be entered into once more detail is known regarding infrastructure costs and detailed design.
10. Based on the assessment in this report (paragraphs 66-73) the proposal is consistent with the Council's strategic land use planning.
11. There are, however, some outstanding matters still to be resolved to meet the Council's expectations around infrastructure requirements. These matters are highlighted in the infrastructure section of this report (paragraphs 79- 96) and are reflected in the recommended minimum yield of 25 dwellings, which is significantly lower than the proposed 111 dwellings; until further detailed infrastructure assessments are carried out in the Qualifying Development (QD) stage, there is some uncertainty around the number of dwellings that could be reasonably accommodated on the site.
12. Public feedback was sought from 18 March to 12 April 2019 and 36 responses were received. A summary of the feedback is included in **Attachment 3** of this report.
13. On 8 April 2019, QRL provided an updated proposed concept plan for the enlarged site (see **Attachment 2**). This is still a draft concept but gives a good indication of the applicant's willingness to work on an improved layout and pedestrian connectivity for this area.
14. Public feedback has not been sought on the revised concept plan due to its late receipt. It is, however, still a concept plan and will be subject to further change should this site be approved as a SHA.
15. The [14 March 2019 report to Council](#) noted that the Government's decision to repeal part of the HASHAA means that no new SHAs can be established after 16 September 2019 and that the MHUD's last day for accepting new SHA applications is 30 April 2019 which is the day after the report is discussed. (tomorrow).
16. It also noted that the MHUD cannot guarantee that applications received by 30 April 2019 will be gazetted by 16 September 2019 due to the number of applications they expect to receive.
17. Despite this risk, staff consider that this proposal on the enlarged site, which enables stormwater management and has improved pedestrian access opportunities, should be recommended to the MHUD as a SHA.

Background

18. The purpose of the Hamilton Special Housing Area Policy (the [SHA Policy](#)), which the Council approved on [24 August 2017](#), is to give effect to the [Housing Accords and Special Housing Areas Act 2013](#) (HASHAA) and the [Hamilton Housing Accord](#).
19. The SHA Policy was updated by Council resolution in December 2018 to include the following affordability criteria:

*At least 10% of dwellings must be sold at or below 90% of the Hamilton average house value**

** where 'average house value' means the average Hamilton City residential house value for the most recently released June figure published by Quotable Value (www.qv.co.nz).*

Other affordability requirements are that the 10% of dwellings must be built on their own exclusive fee simple titled sections and be sold on the open market to a first home buyer. The affordability requirements will be included in the development agreement.

20. The Council invited Expressions of Interest (EOI) for potential SHAs in accordance with the SHA Policy from mid-November 2018 to 15 February 2019 (Round 2).
21. An EOI was received from Quentin Residential Limited (QRL) for a site off Quentin Drive, Hamilton Lake, which is an extension of the SHA proposal received the first round of EOI for SHA.
22. The total site comprises 4.17ha and is located within the Industrial Zone of the Operative District Plan (ODP). The northern and eastern boundaries of the site are located within the Industrial Amenity Protection Area. The north-west part of the site is located within the low and medium flood hazard area of the ODP. The site has road frontage to Quentin Drive, which is listed as a Local Transport Corridor under the ODP and has access off Kahikatea Drive (SH1) to the south.
23. The proposal for the Quentin Drive SHA includes sites for approximately 111 residential dwellings and incorporates a number of typologies and lot sizes ranging from approximately 200m² to 414m². Vehicle access is proposed off the currently unformed northern end of Quentin Drive. A pedestrian connection is proposed to Alison Street through an existing right of way. The application also proposes an internal roading network and open space in the form of an onsite stormwater solution (wetland/flood storage).
24. Since the EOI was lodged, a revised indicative concept plan was received from QRL on 8 April 2019 (see **Attachment 2**). The applicant is actively exploring options for a pedestrian access to Gilbass Avenue in preference to the shared access to Alison Street. The indicative concept plan also includes a central shared green space, which also incorporates stormwater management.
25. **Site information**
26. A full EOI for the proposed SHA at the Quentin Drive site was submitted to the Council on 15 February 2019 (see **Attachment 7**). A locality map and draft concept plan are provided in **Attachment 1**.
27. The site is located on the northern end of Quentin Drive. It has a vehicle entrance and a ROW access leg to Alison Street, which is located in the Residential Zone. This ROW is shared with 5 residential properties. Stage 1 of site is vacant and is covered by grass and weeds. The Stage 2 area is currently a storage yard for relocatable houses (Jack House Transit). Several trees are scattered around the perimeter of the site, none of which are protected under the Operative District Plan.
28. The site is not located within a strategic industrial node and – despite being zoned for industrial development – has been vacant of any industrial development for many years.
29. Most of the site is located within the Industrial Amenity Protection Area as it adjoins the Residential Zone to the north and east. The north-west part of the site is in the Low Flood Hazard Area with small pockets of Medium Flood Hazard Area.
30. The site is bounded by residential areas to the north and east, comprising duplex and detached residential dwellings on lots ranging in area from 411m² to 2045m². The site is bounded by industrial areas to the west and south. Directly to the west of the proposed site is an unformed portion of Quentin Drive. The industrial activity to the west, which is accessed from Quail Place, currently utilises parts of the unformed road reserve. Directly to the south of the site is a home improvement centre (Bunnings Warehouse) which has access to Quentin Drive, which connects with Kahikatea Drive (State Highway 1) at a signalised intersection. Further west, approximately 120m from the site, is the North Island Main Trunk Railway and the Hamilton Western Rail Trail.

31. The concept plan provided by QRL on 8 April 2019 (**Attachment 2**) shows a proposed pedestrian access to Gilbass Avenue, which they are actively working towards securing. While not shown on this plan the option for shared access to Alison Street is still available; however, a pedestrian / cycle only access to Gilbass Avenue is the preferred option. Also, where possible the proposed green spaces will incorporate stormwater management as part of the overall stormwater management for the site.
32. Previous owners, Gilbass Development Limited, submitted on the Proposed District Plan opposing the Industrial zoning of the subject site, and requesting the land be rezoned to Residential. The commissioners rejected the submission due to the need to fully understand the impact on citywide infrastructure that would occur from rezoning and developing the site, as well as a need for community consultation due to the lack of public awareness. However, in the commissioners' reasoning, the rezoning of the Industrial land to Residential was acknowledged in principle; it was recognized that the Residential Zone had the potential to be a viable residential development. A subsequent Environment Court appeal arose from the Proposed District Plan hearings request to change the zoning of the site to Residential in 2012-2014; however, this appeal was withdrawn.
33. The Council granted resource consent on 22 June 2017 to create a 5-lot industrial subdivision on Stage 1 (Lot 3 DPS 20152) of the subject site. This consent has not been given effect to and will lapse after 5 years if not given effect to or extended.
34. **SHA Application**
35. A full EOI for Quentin Drive is shown in **Attachment 7**.
36. The first EOI for Stage 1, currently awaiting the Associate Minister's decision, was lodged by Fosters who originally proposed a concept plan with 56 dwellings being accessed off Gilbass Avenue through 35 Gilbass Avenue. Following concerns raised by submitters, Council engineers and external consultants, Fosters amended the proposal to provide access off Quentin Drive (the preferred location from a traffic safety and efficiency perspective), to include on-site stormwater treatment, and an amended internal roading layout which subsequently reduced the proposed yield to 47 dwellings on an approximately 2ha site.
37. The SHA application received in this round includes the original application site (Stage 1) and extends it to include the site currently occupied by Jack House Transit Limited as Stage 2. This increases the site to 4.17ha and proposes a yield of 111 dwellings (49 stage 1, 62 stage 2) with a mix of detached and duplex typologies on lots ranging from 200m² to 414m².
38. This equates to accommodation for approximately 300 people (based on 2.7 persons per household). The development concept achieves a gross density of 27 dwellings per hectare and provides an average lot area of approximately 255m².
39. QRL has agreed to and signed an updated Statement of Intent (SOI) in which they have agreed to fund all infrastructure services required for this development. Therefore, these works will be at no cost to, and without unforeseen or adverse financial and environmental costs on, the Council or infrastructure providers.
40. Council staff are confident that a signed SOI, which includes the lower recommended minimum yield of 25 dwellings and being subject to consent as a Qualifying Development (QD), that the developer-led infrastructure services funding can be agreed under a formalised Private Development Agreement (PDA).

Consultation

41. **Feedback**
42. The Council sought feedback on the proposed Special Housing Area for four weeks in March/April 2019.
43. There were 36 responses including five in support, eight raising concerns and twenty-three opposing. The 36 responses include one late submission. A feedback summary and comments are available in **Attachment 3**.

Detailed Evaluation of Quentin Drive SHA

44. Under Clause 14 of the SHA Policy, all proposals for a SHA shall demonstrate to the Council's satisfaction that:
 - the development achieves the purpose of HASHAA in a manner consistent with the Accord
 - the development places no additional financial burden on the Council
 - all infrastructure is available or be made available at no cost to the Council.
45. Under Clause 15, in the assessment in whether Clause 14 is met, the Council is to evaluate the proposal against the following considerations:
 - a) Demand for the qualifying development
 - b) Predominantly Residential
 - c) Locational considerations
 - d) Infrastructure
 - e) Scale
 - f) Design Quality
 - g) Development Agreement.

These are assessed below.

46. **Demand for Qualifying Development (Clause 15a)**
47. This criterion relates to the extent to which development of the proposed housing types will achieve the purpose of the HASHAA and the Accord. This is to include an assessment of proposed housing typology, dwelling and section size, and density.
48. The intention of the Accord is to enhance housing affordability by facilitating an increase in land and housing supply in line with the National Policy Statement on Urban Development Capacity (NPS-UDC) and the HASHAA.
49. The proposal will increase the supply of residential housing by providing for approximately 111 dwellings. The proposal supports the Accord targets of smaller sections and smaller houses with a mix of housing typologies, including detached and duplex dwellings proposed, and a mix of house and section sizes ranging from 200m² to 414m².
50. An assessment against the NPS-UDC is provided in **Attachment 4**, where it is concluded that the Future Proof sub-region currently has sufficient capacity to meet the demand for housing and business growth over the short, medium and long term. The proposed SHA supports the target to maintain an appropriate supply of land for residential development in the short, medium and long term.

51. Section 14 of the HASHAA provides the meaning of “qualifying development”:

14 Meaning of qualifying development

- (1) In this Act, a **qualifying development** in a special housing area is a development—
 - (a) that will be predominantly residential; and
 - (b) in which the dwellings and other buildings will not be higher than—
 - (i) 6 storeys (or any lesser number prescribed); and
 - (ii) a maximum calculated height of 27 metres (or any lower maximum calculated height prescribed); and
 - (c) that will contain not fewer than the prescribed minimum number of dwellings to be built; and
 - (d) that will contain not less than the prescribed percentage (if any) of affordable dwellings.

52. For the reasons below, this site is deemed a “qualifying development” under Section 14 of the HASHAA.

Qualifying Development Criteria	Explanation
Predominantly residential	The proposal is entirely residential.
Not to be higher than 6 storeys	The proposal contains no buildings over 6 storeys. It is proposed that the buildings are a maximum of 2 storeys.
A maximum calculated height of 27m	The proposal contains no development over 27m. It is proposed that buildings will not exceed 10m in height.
Does not contain fewer than the prescribed number of dwellings	The SHA Policy sets a minimum delivery of 10 dwellings. The proposal seeks to deliver approximately 111 new dwellings. The level of infrastructure detail provided to date demonstrated that the likely yield will be over the minimum required 10 dwellings.
Does not contain fewer than the prescribed percentage (if any) of affordable dwellings	The SHA Policy sets out a minimum of 10% of dwelling must be sold at or below 90% of the Hamilton average house value, must be built on their own exclusive fee simple titled sections and be sold on the open market to a first home buyer. QRL has committed to this in the SOI which they have signed.

53. Section 15(1) of the HASHAA details criteria that the Council may prescribe to the Ministry when recommending a SHA site. These include:

- a) the maximum number of storeys, less than 6, that buildings may have
- b) the maximum calculated height, less than 27m, that buildings must not exceed
- c) the minimum number of dwellings to be built.

54. Should this application be recommended to the Associate Minister, the recommendation should include prescribed criteria including a maximum height of 10m, a minimum number of 25 units to be delivered and a minimum 10% of houses to be affordable as defined by the Policy. This is aligned with the expectations of QRL in their proposal, which anticipates providing approximately 111 dwellings. The lower requirement for 25 dwellings to be delivered recognises that further stormwater assessment and design detail will likely result in the requirement for an on-site stormwater device, combined with further roading network layout and detail has potential to reduce the total development yield.

55. The land identified in the proposed SHA is currently zoned Industrial, with the northern and eastern boundaries of the site within the Industrial Amenity Protection area. The maximum building height is 20m, except where within the amenity protection area the height limit is 10m. A maximum 10m height is recommended for all buildings that would ensure adequate height limitations are in place to cover the anticipated range of housing typologies contained in the EOI.

56. The proposed 10m maximum height limit within the Industrial Zone is considered appropriate for this SHA as it aligns with the height limits for residential activities set out under the Residential Zone rules in the ODP. Although these rules do not currently apply to this site, this will ensure that any future residential development is of an appropriate size and scale and will provide an appropriate transition between the existing Residential Zone to the north and east, and the Industrial Zone to the west and south of the site.
57. It is further considered that the maximum building height can be accommodated in this location without detriment to the surrounding character and amenity of the area.
58. However, detailed siting, bulk and location parameters would be considered as part of a qualifying development (QD) consent application to fully address the interface between the adjacent, established activities and the proposed development on the site.
59. The dwelling and section sizes, housing typology and density will achieve consistency with the purpose of HASHAA and the Accord to provide additional housing in order to meet the target identified in the Accord.
60. **Affordability (Clause 14d and 15g)**
61. The SHA Policy was amended in December 2018 and requires at least 10% of dwellings to be sold at or below 90% of the Hamilton average house value, built on their own fee simple titled sections and be sold on the open market to a first home buyer.
62. Through the SOI, the applicant has signed and agreed to meet these requirements for affordability.
63. **Predominantly residential (Clause 15b)**
64. This criterion requires that the primary purpose of the proposal be to create residential housing. The proposed SHA site is entirely residential, with the primary purpose of delivering housing supply. The remaining area will accommodate the requirements for roading and pedestrian networks and stormwater treatment.
65. **Locational considerations (Clause 15c)**
- This part of the SHA Policy relates to:
- The extent which the proposed SHA is consistent with the Council's strategic land use planning
 - If inconsistent with strategic land use planning, the extent to which it may materially compromise or alter the Council's ability to meet its statutory requirements.
 - Areas that cannot be considered for a SHA.
66. **Strategic Land Use Planning**
67. The validity of strategic land use planning considerations being factored in to deciding on the appropriateness of SHA locations has recently been confirmed in a decision by the High Court in the matter of Aryburn Farm Developments Limited (AFDL) v Queenstown Lakes District Council (QLDC).
68. Based on current practice from all other councils with housing accords, strategic land use planning considerations are appropriate matters to be evaluated as they have been held by the High Court to be appropriate considerations when determining whether to recommend a SHA to the Minister.
69. Based on the assessment in this report, it is considered that the Quentin Drive SHA is generally consistent with the Council's strategic land use planning including the Regional Policy Statement (RPS), Future Proof, Hamilton Urban Growth Strategy (HUGS), Access Hamilton and the Hamilton City Operative District Plan.

70. A full detailed assessment against these relevant documents is provided in **Attachment 4**. The assessment concludes that the application to develop this infill site for residential purposes can be supported. Although the site is not earmarked for this purpose, it is broadly in line with these strategic planning documents, where the aim is to manage growth by establishing a compact, sustainable, integrated and co-ordinated development so land and infrastructure can be provided and used efficiently.
71. **Effects of inconsistency with statutory documents**
72. The second part of the locational consideration is to determine the effects of the inconsistency with the statutory documents. Although the site is located within the Industrial Zone, the assessment against the strategic documents in **Attachment 4** concludes that:
- Regarding the NPS-UDC, while overall sufficient zoned industrial land exists there is currently limited 'greenfield' land commercially available for new industrial development in Hamilton. Given the land is within the Council's urban limits and has remained vacant and unutilised for a number of years, the residential use of this land is not inconsistent with the NPS-UDC.
 - In respect to the Operative District Plan, the proposal is consistent with the relevant strategic objectives as the residential use of the site will utilise existing infrastructure for servicing and access, being surrounded by urban uses including commercial, industrial, open space and residential activities. Due to the site's location and characteristics, residential development is considered an efficient and sustainable use of this land;
 - Although the proposed SHA does not safeguard the use of industrial land for industrial purposes, the extent of this inconsistency with the Council's strategic land use planning is considered minor. The loss of 4.17ha of industrial land is deemed to be tolerable in terms of the overall supply of Industrial land in Hamilton. The subject site is not an identified strategically important industrial site. It is noted that the rear portion of the site has failed to attract industrial tenants and has remained vacant for many years. While vacant, the site has not contributed to the economic, cultural, and social and wellbeing of the city;
 - The northern and eastern boundaries of the site are located within the Amenity Protection Area which has specific provisions in the ODP to minimise adverse effects of industrial activities and maintain amenity values in the adjacent Residential Zone. The occupation of the site by residential activities will ensure that amenity and reverse sensitivity issues will be appropriately mitigated through the Qualifying Development process to ensure that any future development will contribute positively to urban outcomes within this setting.
 - The larger site enables the ability to provide a better urban design outcome and better stormwater solutions.
73. Overall, for the reasons outlined above, the loss of the industrial land is considered to be insignificant and not inconsistent with the relevant strategic policies. As such, no further assessment is required.
74. **Areas that cannot be considered for a SHA**
75. The third part of the locational consideration states that SHAs cannot be considered in Special Character Zones, Open Space Zones, Archaeological sites, Electricity Transmission Corridors, Natural Hazard Areas (except where the effects are managed) and Significant Natural Areas.

76. The subject site is able to be considered for a SHA as it is located within the Industrial Zone and outside of the exclusion areas listed in the policy. While the site is identified as containing a Natural Hazard Area, being Low and Medium Flood Areas, it is submitted that the effects of this hazard can be appropriately managed. This is because the depth of the flood area is relatively shallow (being 150mm – 200mm) and it is anticipated ground levels can be raised and any displaced flood storage can be accommodated within the wider storm water solution for the site.
77. **Locational considerations – conclusion**
78. The proposed SHA site at Quentin Drive is consistent with the Council’s strategic land use planning including the RPS, Future Proof, HUGS, Access Hamilton and the Hamilton City Operative District Plan. The 111 residential lots will achieve a compact and efficient city and it will be consistent with the strategic planning framework of Hamilton and the region. The additional houses will assist positively in meeting Hamilton’s housing targets under the Accord.
79. **Infrastructure (Clause 15d)**
80. This clause relates to the extent the SHA will absorb capacity within the Council’s existing infrastructure, including but not limited to parks and reserves, transportation and three waters network infrastructure and how the applicant will pay for that use of capacity. This clause also relates to the extent to which the existing infrastructure is inadequate to service the development and the applicant’s ability and commitment to provide that necessary infrastructure and services at no cost to the Council either now or into the future.
81. Accompanying the application for this SHA were a number of technical assessments. This information has subsequently been peer reviewed by both Council staff and external consultants. It is expected that at QD stage, the Council will actively work with QRL to further refine and finalise the detail of the proposed infrastructure to an acceptable level.
82. A full detailed assessment against the three waters and transportation infrastructure is provided in **Attachment 5**.
83. *Potable Water Supply*
84. The detailed assessment concludes that QRL has provided sufficient information confirming that capacity exists within existing infrastructure to be able to service the proposal’s cumulative demand. A PDA will ensure that any required infrastructure will be funded by QRL.
85. *Wastewater*
86. The detailed assessment concludes that there are existing wastewater capacity issues that are predicted to increase from the proposed development. Network upgrades included in the LTP funding request are expected to alleviate some of the existing network capacity issues.
87. The Council’s City Development staff have confirmed through the infrastructure assessment on this site that no strategic network upgrades are required to specifically support this development; however, a solution to manage flows under wet weather conditions will need to be identified and provided at QD stage. A PDA will ensure that any required infrastructure will be funded by QRL. The high-level matters that should specifically be covered in a PDA are outlined in **Attachment 5**. It is anticipated that staff will consider final wastewater reticulations solutions as part of any QD consent.

88. *Stormwater*
89. The site is partly affected by flood hazard area, has peat soils and high groundwater table. The site is within the Waitawhiriwhiri Catchment, and discharges to Lake Rotoroa (a sensitive receiving environment). No water quality or attenuation assessment has been provided with the application. Based on the most recent information provided with the application, the Council's City Development Unit staff have identified a number of key issues that need to be addressed are outlined in the detailed infrastructure assessment in **Attachment 5**.
90. The Council's City Development staff have confirmed through the infrastructure assessment on this site that, subject to a reduction in yield to a minimum 25 dwellings being reflected in the recommendation, it is anticipated that a workable stormwater solution can be identified and provided at QD stage. A PDA will ensure that any required infrastructure will be funded by QRL. The high-level matters that should specifically be covered in a PDA are outlined in **Attachment 5**. It is anticipated that staff will consider final stormwater solutions as part of any QD consent.
91. *Transportation*
92. The proposed vehicle access to the SHA development is along Quentin Drive with a walking/cycleway connection proposed via shared access to Alison Street. Based on the most recent information provided with the application, the Council's City Development Unit staff and Gray Matter (on behalf of the Council) have identified a number of key issues in the detailed infrastructure assessment in **Attachment 5**.
93. It is anticipated that the overall concept will need to be revised to deliver a workable solution for internal roads, overall site access, and walking/cycleway connection (considering safety issues). The Council's City Development staff have confirmed through the infrastructure assessment on this site that, subject to a reduction in yield to a minimum 25 dwellings being reflected in the recommendation to capture the need to revisit the design.
94. It is anticipated that a workable transportation solution can be identified and provided at QD stage. A PDA will ensure that any required infrastructure will be funded by the applicant. It is anticipated that staff will consider final transportation solutions as part of any QD consent.
95. *Parks and Open Spaces*
96. The Council's Parks and Open Spaces staff have reviewed the application and consider that subject to stormwater management requirements that the proposed open space also incorporates informal recreation space. Also walking access to existing parks is sub-optimal as proposed and would support the provision of safe pedestrian access to Gilbass Avenue and Alison Street in the QD stage. A PDA will ensure that any open space included as part of the proposal will be developed and vested at no cost to the Council.
97. **Scale (Clause 15e)**
98. This criterion relates to the extent to which the proposed SHA will deliver beyond the prescribed minimum of 10 dwellings. The proposed SHA would contain no fewer than 25 dwellings.
99. **Design Quality (Clause 15f)**
100. This criterion relates to the extent to which the proposed SHA adheres to the key urban design qualities expressed in the Ministry for the Environment's New Zealand Urban Design Protocol (2005) and the effects of the non-adherence.
101. The applicant agrees in principle with the 7 design qualities of Context, Character, Choice, Connections, Creativity, Custodianship and Collaboration. This can be managed through the QD application.

102. Good quality urban design outcomes are possible because future development will involve a comprehensive design through the QD application that will be informed by the design qualities from the Urban Design Protocol and the design guides from the ODP. The QD stage will provide opportunities for QRL, in conjunction with the Council, to further refine the design of the development and provide for connectivity to adjoining residential and open space which will enable opportunities for enhanced pedestrian and cycle access to the surrounding residential, commercial and open space areas.
103. **Development agreement (Clause 15g)**
104. QRL has agreed to an SOI around how key infrastructure is to be funded which satisfies the requirement of the Council's SHA Policy, the Growth Funding Policy and the HASHAA.
105. A SOI is a binding legal contract outlining roles and responsibilities for funding growth. It stipulates, at a high level, what QRL will be funding to enable their SHA development.
106. The SOI defines expectations and requirements for key infrastructure and will enable a detailed PDA to be developed, once design matters are certain, to address assessments and obligations required for water, wastewater, stormwater, the provision of parks and open space and transportation matters. The SOI stipulates that QRL must enter a PDA with the Council when more detail on infrastructure works, costs and delivery timeframes are available, which are consistent with the principles set out in the SOI. QRL cannot apply for a QD application until a PDA has been agreed.
107. If the EOI is accepted by the Council, staff seek delegation for the Chief Executive sign the SOI. Council staff will then need to enter negotiations with the applicant to secure, through a PDA, the necessary infrastructure to service the proposal at consent stage. Whilst not an exhaustive list, the PDA will include at a high level the matters detailed in **Attachment 6**.
108. **Overall evaluation against the SHA Policy criteria**
109. This EOI has been comprehensively evaluated against the criteria set out in the SHA Policy and other relevant planning documents. The evaluation demonstrates a high level of consistency and alignment between the EOI and the Council's policy position in respect of SHAs in Hamilton.
110. This report concludes that the Council should recommend the establishment of the SHA at Quentin Drive to the Associate Minister for approval.

Other Matters

111. **Waikato Tainui Environmental Plan**
112. The Waikato Tainui Environmental Plan is a long-term development approach to grow tribal estate and manage natural resources. The relevant objectives and policies relate to enhancing the environment (25.3.1 and 25.3.2), ensuring development is well planned and the environmental, cultural, spiritual and social outcomes are positive.
113. The SHA is not inconsistent with the objectives and policies of the Waikato Tainui Plan and ensuring that there is positive environment, cultural, spiritual and social outcomes can be managed through the qualifying development stage. The focus on affordability for new housing provided in a SHA is also consistent with the desired outcomes of the Environmental Plan.

Next Steps

114. In line with the SHA Policy, if the Council accepts the EOI, the Chief Executive will require specific delegation to sign the SOI before recommending it to the Associate Minister by

30 April 2019. Council staff will then need to enter negotiations with the applicant to secure, through a PDA, the necessary infrastructure to service the proposal at consent stage.

- 115. In recommending to the Associate Minister that a SHA be established, the Council may prescribe criteria that would apply to qualifying development within a SHA. Such criteria under HASHAA include building height, the minimum number of dwellings to be built and can also include under Section 15 (3) a percentage of dwellings that must be affordable dwellings.
- 116. If the Associate Minister approves the SHA proposal, an Order in Council is made for this site to be formally established.
- 117. Once the SHA is formally established, QRL can apply for a QD resource consent by 16 September 2019, which is processed by Council staff.
- 118. The consent will need to align with the terms (infrastructure, affordability and yield) agreed by both parties in the SOI submitted to the Associate Minister and a formalised PDA will need to accompany the consent.

Financial Considerations

- 119. **SHA evaluation costs**
- 120. In accordance with Section 22 of the approved SHA Policy, once a SHA proposal is lodged with the Council following the request for EOI, Council staff time and other consultant costs (legal and infrastructure consultants) required to evaluate SHA proposals are cost recoverable from the applicant.
- 121. The SHA Policy requires that all costs associated with SHA area are met by the applicant; however, in the interests of good infrastructure outcomes for the wider area surrounding the SHA land and to provide greater capacity than needed by the SHA land, it is possible that some upsizing of infrastructure will be necessary. In these situations, the Council may need to recognise the benefits of the upsizing in the finalised PDA.

Risks

- 122. Even if the Council meets the 30 April 2019 deadline, the MHUD cannot guarantee they will be able to process and approve the applications for a QD to be lodged before 16 September 2019, as they will need to prioritise others received from across the country.
- 123. The development yield shown at this early stage in EOIs may be inflated until more detailed infrastructure assessment and urban design matters on siting and layout are considered as part of a qualifying consents stage. This means that actual number of houses recommended to the Associate Minister may reduce when consents stage is realised.
- 124. There is a risk that resolution of the formal PDA prior to lodgement of consent is delayed or not resolved to the mutual agreement of both parties.

Significance & Engagement Policy

- 125. The EOIs were determined to have high significance in the report to Council on 14 March 2019. Community interest is considered high. Engagement for the Quentin Place EOI was undertaken over a period of 4 weeks. The feedback summary is in **Attachment 3**.

Legal and Policy Considerations

- 126. The legal and policy considerations arising from this report have been detailed in the discussion section (paragraphs 44-110).

Cultural Considerations

127. EOI has been assessed and is not inconsistent with the Waikato Tainui Environmental Plan. The relevant Iwi authorities were notified of the public consultation and did not provide any feedback.

Sustainability Considerations

128. The assessment provided in paragraphs 66-73 against the relevant statutory documents concludes that the EOI is not inconsistent with the relevant strategic documents and does not adversely impact on the quality of the environment and foreseeable needs of future generations living in Hamilton.

Attachments

Attachment 1 - Locality and Concept Plan

Attachment 2 - Proposed Concept Plan - 8 April 2019

Attachment 3 - Summary of Feedback

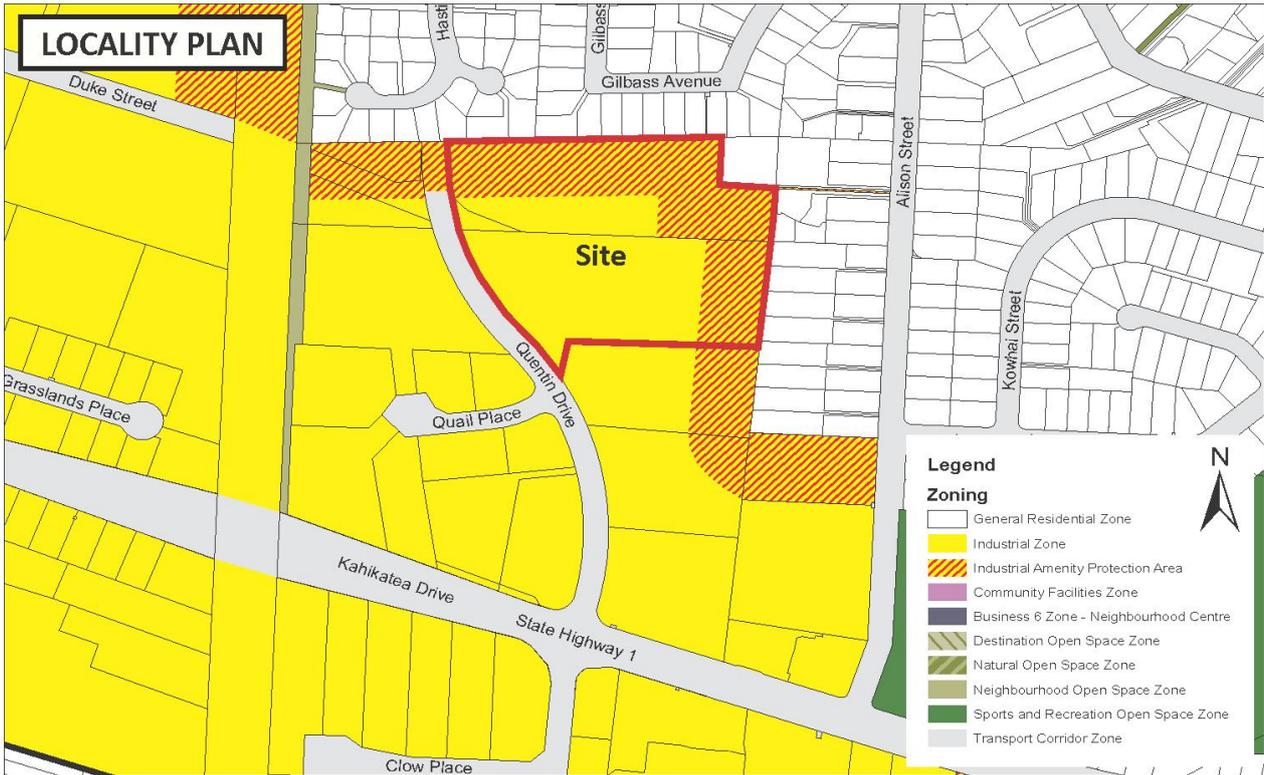
Attachment 4 - Assessment of Relevant Strategic Documents

Attachment 5 - Infrastructure Assessment and Summary

Attachment 6 - High Level PDA Matters

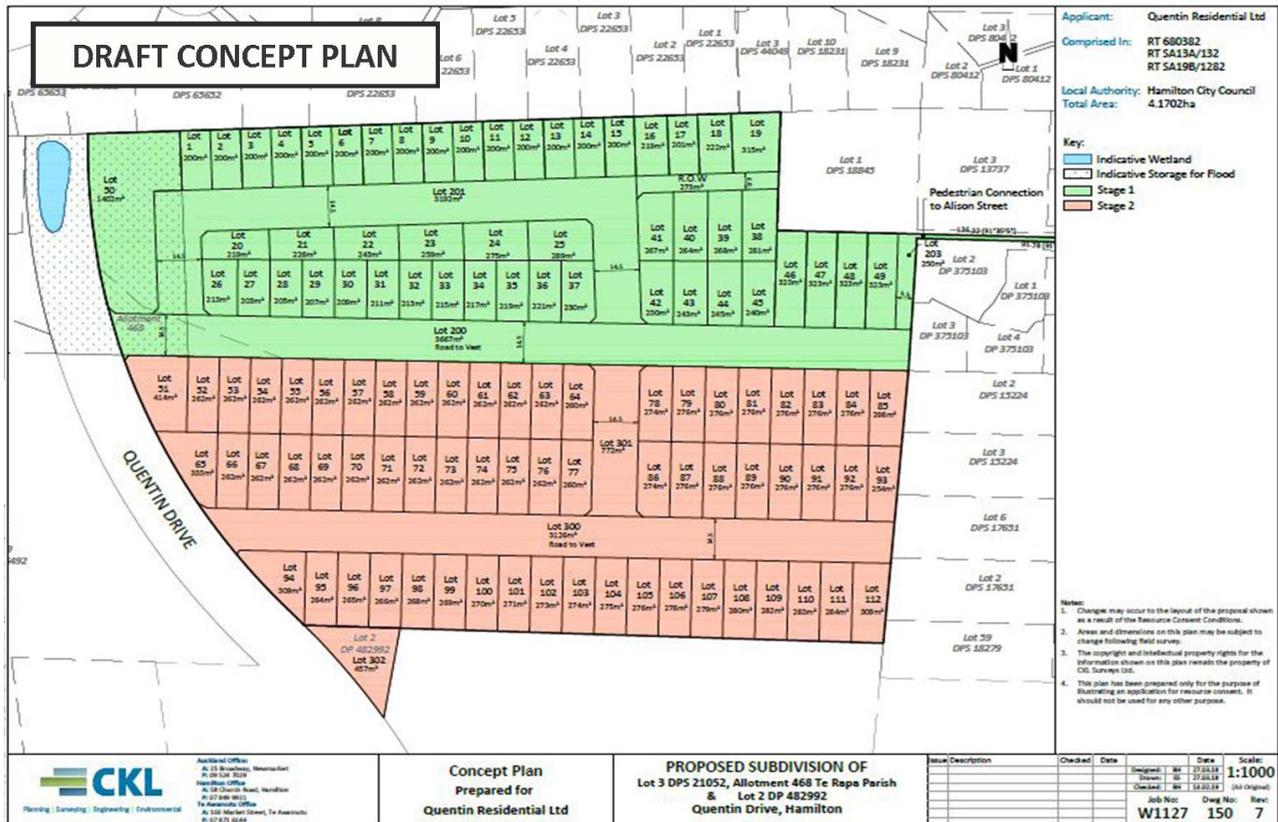
Attachment 7 - Expression of Interest

Attachment 8 - Feedback in full



Quentin Drive EOI

Applicant = Quentin Residential Limited
 Area = 4.2ha
 Total Residential Dwellings = 111
 Operative District Plan Zoning = Industrial





PLANNED PEDESTRIAN LINK TO HAMILTON LAKE, AND RAIL TRAIL WALKWAY VIA EXISTING PEDESTRIAN LINK AT NORTH END OF GILBASS AVENUE. SUBJECT TO PROPERTY ACQUISITION

GILBASS AVENUE

ALISON STREET

QUENTIN DRIVE

VEHICLE ACCESS TO SITE VIA QUENTIN DRIVE. INTERSECTION OF QUENTIN DRIVE AND KAHIKATEA DRIVE CONTROLLED BY TRAFFIC LIGHTS

SITE PLAN LEGEND 1:100

-  TERRACE DWELLING (2- 3 STOREYS)
-  DUPLEX DWELLING (2 STOREYS)
-  PREMIUM DUPLEX DWELLING (2 STOREYS)
-  SHARED PEDESTRIAN & VEHICLE SPACE FOR SECONDARY ROADWAYS. INDICATED BY GROUND TREATMENT
-  SHARED GREEN SPACE DESIGNED TO PROVIDE STORMWATER MANAGEMENT (CENTRAL GREEN SPACE TO INCLUDE FIXED OUTDOOR FURNITURE & CHILDRENS PLAY EQUIPMENT)

NOTE:
 ALL ROADWAYS TO BE VESTED WITH H.C.C. TO BE MINIMUM 16m IN WIDTH.
 SHARED PEDESTRIAN/VEHICLE SPACES HAVE BEEN DRAWN AT A WIDTH OF 10m
 THE SIZE AND LOCATION OF THE DWELLINGS ARE INDICATIVE ONLY AND ARE SHOWN TO INDICATE THE PROPOSED HOUSING TYPOLOGIES
 THE PROPOSED PEDESTRIAN LINK WITH GILBASS AVENUE IS SUBJECT TO PROPERTY ACQUISITION.

19-008 4 APRIL 2019
 PROPOSED CONCEPT PLAN
 QUENTIN DRIVE, HAMILTON



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Attachment 3 – Public Feedback, summary and comments

1. Feedback

Council sought public feedback on the proposed Special Housing Area for Quentin Drive (enlarged site) in March/April 2019. There were 36 responses to the request for feedback for Quentin Drive. This included 5 supportive responses, 8 raised concerns and 23 opposed responses. One late submission was received.

2. Summary of Feedback and assessment of key points

A summary of all feedback, including comments in response to each key point is outlined in the following table.

Key feedback theme	Staff Comments
<p>2 submitters in support</p> <p>There was a variety of reasons for supporting the SHA:</p> <ul style="list-style-type: none"> • Support concept of more housing in this area at this scale, supported by plenty of amenity and in keeping with surrounding residential; • There sufficient industrial land in the city; • Land is well located to existing amenities such as the lake, hospital and town; • Surrounding properties are residential; • Sufficient traffic infrastructure to manage vehicle movements from Quentin Drive. 	<p>Agree. Based on the assessment in my report, it is considered that the Quentin Drive SHA is consistent with HAASHA, as well as the Council's strategic land use planning. The proposed development including pedestrian, cycle and roading layout detail will be further refined and assessed at qualifying development resource consent stage.</p>
<p>5 submitters supported the SHA provided the following was included:</p> <ul style="list-style-type: none"> • Guaranteed public walking and cycling access was provided from Quentin Drive through 203 to Alison Street; • Lots 46 – 49 and 203 are held as public reserve until wider public access is built linking the development directly with Alison Street; • no (traffic) access to the SHA from Gilbass Avenue is provided; • Surrounding sections are monitored for any damage due to the subdivision development and building process; • Pedestrian only access to Alison Street; • Address the lack of greenspace; • Provision of communal area because of the high density housing proposed. 	<p>These issues would be considered and addressed at qualifying development stage.</p>
<p>3 submitters identified concerns about the ability to provide safe access to schooling for additional residential development in this area.</p> <p>One submitter also has concerns regarding the ability to provide safe transport routes for students accessing local schools.</p>	<p>Education provision in the area is not matters which can be assessed under the HASHAA or Hamilton City Council's Special Housing Area Policy.</p>

<p>15 submitters identified concerns that the SHA will detract from amenity values, result in a loss of privacy, safety and noise issues and attract undesirables, and increased crime, impact on the lake environment and the wildlife.</p>	<p>Detailed design in accordance with the Ministry for the Environments New Zealand Urban Design Protocol (2005) can be assessed at the time of a qualifying development resource consent application;</p> <p>Character and amenity effects, as well as noise, environmental effects and safety effects can be adequately managed at the Qualifying Development resource consent stage;</p> <p>The attraction of undesirables and impacts on property values are not matters which can be assessed under the HASHAA or Hamilton City Council’s Special Housing Area Policy.</p>
<p>3 Submitters raised concerns around the SHA resulting in disruptive building activity (noise, vibration and dust) and heavy vehicles during the development process; and development causing damage to surrounding properties.</p>	<p>These issues would be considered and addressed at qualifying development stage.</p>
<p>26 submitters identified traffic related concerns, including:</p> <ul style="list-style-type: none"> • Increase in traffic on the surrounding streets; • oppose access through to Alison Street; • oppose access to Gilbass Avenue; • insufficient traffic assessments and ITA required; • Existing congestion and parking issues at Gilbass Avenue and Lake Crescent that will be exacerbated; • Health and safety issues as emergency services, utilities and refuse collection services would have difficulty accessing with the road width of 14.5m; • Quentin Drive is a more suitable/safe for access to any proposed housing; • Impact on the ability to access the hospital; • Proposed 14.5m width of the roads; • No planned bus service; • Access to the rail trail; • How the development will achieved Access Hamilton Objectives • On street parking 	<p>It is expected that the requirement for an ITA would be included in the private developer agreement even though it would still be required at consents stage. An ITA will adequately address transportation safety and efficiency matters.</p> <p>Detailed matters of transportation layout and connectivity will be dealt with as part of the Qualifying Development process should this site be gazetted.</p> <p>The concept plan is indicative only and may change when detailed infrastructure constraints are known. Furthermore, the recommended minimum yield of 25 dwellings is significantly lower that the proposed 111 dwellings to provide for transportation solutions on a worst case scenario. The level of detail provided is sufficient for the purpose of providing a recommendation to the Minister under HASHAA.</p>
<p>10 submitters identified concerns that the site is unsuitable due to poor drainage and peat soil causing hazards.</p>	<p>Detailed matters of siting, design, subdivision layout, Geotechnical considerations, three waters solutions etc will be dealt with as part of the Qualifying Development process should this site be gazetted.</p>

<p>13 submitters are concerned that there are existing drainage, water and wastewater capacity constraints, that drainage issues will cause health and safety and flooding issues. One submitter also raised concern with the existing sewage pumping station in Gilbass Avenue to manage the increased demand given its existing issues.</p>	<p>The applicant has provided a level of detail in the EOI. The concept plan is indicative only and may change when detailed infrastructure constraints are known. Furthermore, the recommended minimum yield of 25 dwellings is significantly lower than the proposed 111 dwellings to provide for stormwater and transportation solutions on a worst case scenario. The level of detail provided is sufficient for the purpose of providing a recommendation to the Minister under HASHAA.</p> <p>The applicant will fund and provide the required infrastructure. This has been agreed upon broadly in the SOI and there will be subsequent specific PDA's required.</p>
<p>1 submitter viewed that SHAs would be better suited in a different area</p>	<p>There is no limit to the number of SHAs that could be considered and this one meets the locational considerations as per paragraphs 65-78 of the Council Report.</p>
<p>3 submitters requested that the site remain industrial.</p>	<p>The SHA is consistent with the HAASHA and the zoning does not preclude the application for a SHA for a site.</p>
<p>6 submitters identified a lack of open green space in the proposal.</p>	<p>These issues would be considered and addressed at qualifying development stage.</p>
<p>1 submitter requested that their rates were not increased.</p>	<p>This is not a matter which can be assessed under the HASHAA or Hamilton City Council's Special Housing Area Policy.</p>

Attachment 4 - Detailed Assessment of Relevant Strategic Documents

1. ***Waikato Regional Policy Statement***

The RPS provides an overview of resource management issues in the Waikato Region, and the ways in which integrated management of the regions natural and physical resources will be achieved. The relevant section in the RPS relates to the built environment. Objective 3.12 is in place to ensure development of the built environment occurs in an integrated, sustainable and planned manner which enables positive environmental, social and cultural outcomes. This includes protecting long term benefits of regionally significant infrastructure, minimising land use conflicts and minimising potential for reverse sensitivity.
2. A number of policies and methods are in place to ensure that this is achieved. The relevant policies are assessed below:
3. **Policy 6.1 Planned and co-ordinated subdivision use and development**
4. This policy requires that development, including transport occurs in an integrated manner which has regard to the principles in Section 6A; recognises and addresses potential cumulative effects of development; is based on sufficient information to allow assessment of long term effects of development; and has regard to the existing built environment.
5. The relevant implementation methods relate to allocation and staging Tables 6-1 and 6-2 in Section 6D (Policy 6.14) and concern:
 - 6.1.1 regard to the principles in section 6A when preparing District Plans and development planning mechanisms such as structure plans. Provisions of Section 6A relate to supporting existing urban areas in preference to creating new ones, promoting compact urban form and not resulting in incompatible land uses;
 - 6.1.2 Managing reverse sensitivity;
6. The proposal will enable the construction of approximately 111 residential dwellings on an infill site within the City's existing urban area, the original 2ha (stage 1) site has remained vacant and unutilised under the current Industrial Zoning. The stage 2 area is currently used by a company for house storage, but there is no industrial development on the site. The site is entirely surrounded by development, including an existing Residential Zone to the north and east and industrial to the south and west.
7. In promoting a compact urban form, the RPS requests design and location to minimise energy and carbon use, minimising the need for a private vehicle use, maximising opportunities for public transport, walking, cycling and multi-modal transport connections and maximising opportunities to live work and play within their local area.
8. The proposed SHA promotes increasing residential density and contributes to a range of housing types and densities in an appropriate location. The proposal will enable a highly liveable environment to be developed for residents seeking accessibility to the services in the surrounding area. The site adjoins existing residential development on two sides and is in close proximity to areas of active open space including Gower Park, the Hamilton Western Rail Trail and the Hamilton Lake Domain. The SHA will provide the opportunity for future pedestrian and cycling links through to Alison Street and Kahikatea Drive. This will enable enhanced pedestrian and cycle access to public transport facilities and wider amenities including the nearby open space, neighbourhood shops at Lorne Street, Frankton Village, the Waikato Hospital and the Hamilton Central Business District.
9. The proposal will result in a compatible land use in the middle of an existing urban area that is surrounded by development. There is potential that residential activities may affect the industrial activities on the abutting industrial land. Typically, where there is a shared zoned

boundary between Residential and Industrial land, an Amenity Protection Overlay is located over the Industrial land. Although an amenity protection overlay does not exist over the adjoining industrial areas, it is considered that amenity and reverse sensitivity issues will be appropriately mitigated through the Qualifying Development process to ensure that any future development will contribute positively to urban outcomes within this setting.

10. The site will be fully serviced and funded by the applicant, and as a result, the proposal will not compromise the regional and district policy or impact on committed public funding.
11. Policy 6.3 Co-ordinating growth and infrastructure
12. Policy 6.3 of the RPS references the need to coordinate development and growth, and the infrastructure to support it. As assessed above there is sufficient existing and planned infrastructure capacity in the network to service the proposed density of development. The site will be fully serviced and funded by the applicant, and as a result, the proposal will not compromise the regional and district policy or impact on committed public funding. As such, the proposed SHA is consistent with this policy.
13. Policy 6.14 Adopting Future Proof land use pattern
14. The RPS aims to achieve planned and co-ordinated subdivision land use and development and in particular adopts the Future Proof land use pattern (Future Proof Strategy 2009). The RPS identifies that new industrial development should predominantly be located in the strategic industrial nodes in [Table 6-2](#) (Section 6D) and new residential development be located in residential growth areas in Table 6-1.
15. The site is located within an existing Industrial Zone. The site is not located within the Future Proof Industrial land allocation area identified in Table 6-2.
16. The subject site has remained vacant for many years and has failed to attract industrial tenants.
17. Residential development on this site is considered to be consistent with the principles of the Future Proof land use pattern. In particular, the proposal is consistent with the guiding principles which include providing housing within defined locations with greater emphasis on good urban design outcomes; supporting efficient transport infrastructure; and promoting an energy efficient, low carbon emissions, sustainable environment.
18. The industrial land is considered to be suitable for residential development as the site is in close proximity to commercial, open space and residential land. This includes neighbourhood shops at Lorne Street, Frankton Village, the Waikato Hospital and the Hamilton Central Business District. The site is also adjacent to residential land to the north and east and is near a number of recreation amenities, including Gower Park, the Hamilton Western Rail Trail, and the Hamilton Lake Domain (Lake Rotoroa) which will enable a highly liveable environment to be developed for residents seeking accessibility to the services in the surrounding area.
19. The site is within walking distance to public transport facilities and the provision of pedestrian and cycling links connecting the site to open space, other residential areas and nearby commercial areas will encourage cycling and walking. The proposal will result in multi-modal transport opportunities.
20. For these reasons it is considered that the proposed residential development will promote a sustainable environment and is consistent with the future proof land use pattern under Policy 6.14.
21. ***Future Proof***
22. The Future Proof Strategy facilitates co-operation and co-ordination of growth management responsibilities in the sub region.

23. Future Proof includes a settlement pattern which provides the blueprint for growth and development and aims to achieve a more compact and concentrated urban form over time. The Future Proof settlement pattern does have some flexibility to enable it to respond to change where a new opportunity has the potential to contribute significant economic, social or cultural benefits to communities.
24. Future Proof aims to increase densities in new residential development and encourage more intensive redevelopment of existing urban areas to reduce dependence on cars by increasing development densities within identified urban areas, such as near suburban and neighbourhood centres and tertiary education facilities and parks and open spaces.
- The residential use of the land is located within the existing urban limits of Hamilton City. The site is located within walking distance of commercial activities and active open space which will enable a highly liveable environment, appropriate for the establishment of residential development. The SHA will be developed for residents seeking accessibility to the services in the surrounding area. The location will encourage more people to walk, cycle or use public transport in line with the aim of Future Proof in providing a compact sustainable city.
25. ***National Policy Statement on Urban Development Capacity (NPS-UDC)***
26. The National Policy Statement on Urban Development Capacity (NPS-UDC) came into effect on the 1 December 2016 and established the requirement for local authorities to ensure there is sufficient housing and business land to meet expected demands.
27. The NPS-UDC's Housing and Business Capacity Assessment is required to comprehensively understand Hamilton's residential and non-residential land supply and capacity. The requirement to evaluate and consider SHAs against the emerging NPS is set out in the SHA Policy and Housing Accord.
28. The draft results of the Housing and Business Capacity assessment, as required by the NPS-UDC, indicate that the Future Proof sub-region currently has sufficient capacity to meet the demand for housing and business growth over the short, medium and long term. Over the long term, demand for Industrial land in the Future Proof sub-region will come close to the total level of supply, equalling approximately 85% of supply. Both the uptake, and the loss of any capacity will need to be closely monitored to ensure that sufficient development capacity is maintained for industrial activities in the long term.
29. While overall sufficient zoned industrial land exists there is currently limited 'greenfield' land commercially available for new industrial development in Hamilton. Until a new industrial precinct is developed in Hamilton and new industrial section are brought to market, new industrial activity is likely to locate in the Waikato and Waipa Districts.
30. HCC is currently engaging with MBIE regarding the methodology employed to calculate feasible capacity for housing. Advice from the consultants employed to conduct this assessment is that Hamilton currently has sufficient feasible residential development capacity to meet demand.
31. The proposed SHA involves the use of Industrial Zoned land for Residential Activities. Taking the above information into account, the loss of 4.17ha of Industrial land is in my view tolerable in terms of the overall supply of Industrial land, and given it is within Hamilton City Council's Urban limits and has remained vacant or unutilised for a number of years. The proposed SHA is therefore not considered to be inconsistent with the above policy.
32. ***Hamilton Urban Growth Strategy (HUGS)***
33. The Hamilton Urban Growth Strategy (referenced in the Hamilton Housing Accord) sets out that Hamilton's growth will be accommodated by a 50/50 infill/greenfield split. Over the last five years (September yearend) since 2013 actual infill development has been 49%, 57%, 49%, 50%

and 60% of the total development. The actual infill/greenfield development split over the last five years validates the HUGS assumption of a 50/50 development split.

34. The proposed SHA in this location represents a residential infill opportunity which will contribute to achieving the purpose of the NPS for UDC and the targets set within the Housing Accord. While the proposed SHA will reduce employment capacity in an area identified in the HUGS as being existing employment land, the loss of 4.17ha of Industrial land can be accepted when considering the nature of the site and the overall supply of industrial land in Hamilton. The proposed residential development is not located within a strategic industrial node and despite being zoned for Industrial development and the availability of infrastructure, the site has been vacant of any Industrial development for many years as opposed to operating industrial activities. The majority of the site is also located within the Amenity Protection Area which has specific provisions in the ODP to minimise adverse effects of industrial activities and maintain amenity values in the adjacent Residential Zone.
35. ***Hamilton City Operative District Plan***
36. The Hamilton City Operative District Plan enables the Council to carry out its functions under the Resource Management Act which is to promote the sustainable management of natural and physical resources.
37. It is important to assess the relevant objectives and policies of the District Plan to get an understanding of the locational issues of residential development in this area.
38. The general direction of the ODP is set out within Chapter 2, Strategic Framework, which aims to achieve a compact city and sustainable urban form, in alignment with the WRPS and Future Proof.
39. Objective 2.2.1 requires an increasingly sustainable urban form. The relevant policies relate to locating development to minimise energy use and carbon dioxide production, by minimising the need for a private motor vehicle, encouraging walking, cycling and the use of passenger transport, maximising opportunities for people to live, work and play within their local area.
40. Objective 2.2.2 requires urban development to take place within areas identified for this purpose in a manner which uses land and infrastructure most efficiently. The relevant policies require that development occur in locations consistent with the growth management policies of the RPS and that appropriate infrastructure is available.
41. Objective 2.2.3 promotes a safe, compact, sustainable good quality urban environment that responds positively to their local context
42. Objective 2.2.6 requires sufficient feasible development capacity for housing minimum targets and Objective 2.2.7 seeks a range of housing types and densities to meet the diverse range of people and communities.
43. The District Plan is consistent with the City's strategic documents including HUGS, the RPS, Access Hamilton and Future Proof, which seek a compact city where development is concentrated so land and infrastructure can be used efficiently. Objective 2.2.1 and associated policies is consistent with Policy 6.1 of the RPS.
44. The proposal is consistent with Objective 2.2.1 and associated policies because the residential development will be located within the urban limits and bound on two sides by existing residential sites, as such residential development is seen as an efficient and sustainable use of this land. The proposal is also assists in achieving the minimum targets in Objective 2.2.6, furthermore the proposal is consistent with Objective 2.2.7 through the provision of a range of housing types and densities.

45. The residential use of the site will utilise existing infrastructure for servicing and access, being surrounded by urban uses including commercial, industrial, open space and residential activities. The SHA is in a well-connected location which will enable enhanced pedestrian and cycle access as well as multi-modal transport opportunities as the site is within close proximity to public transport facilities and the Western Rail Trail. The location of the site lends itself to ample opportunities for people to 'play' in their local area and existing roading and reserve infrastructure would be used efficiently.
46. The proposal is consistent with the growth management policies of the RPS and the development contributes to a sustainable compact city. The proposal is therefore consistent with the strategic framework of the Operative District Plan.
47. The site is located within the Industrial Zone. This zone provides for industrial development to support regionally important infrastructure and industries. The relevant objectives and policies from the Industrial Zone are as follows:
48. Objective 9.2.1 requires that industrial land uses are able to establish and operate in an efficient and effective manner.
49. Objective 9.2.2 seeks to ensure that Non-industrial activities which establish and operate within the zone do not undermine the primacy, function, vitality and amenity of the Central City, the sub-regional centres and the function of the lower order centres in the business hierarchy.
50. Objective 9.2.3 seeks that the amenity levels of Industrial areas are to be enhanced. The relevant policies relate to ensuring that amenity levels within the Industrial Zone are enhanced.
51. The proposed non-industrial use of the site will not undermine the viability, vitality and vibrancy of the Central City. The subject site is just 2.1km from the Central City which is the region's primary business centre and will therefore support this centre.
52. The proposed SHA does not safeguard the use of industrial land for industrial purposes. However, the extent of this inconsistency with Council's strategic land use planning is considered minor as the loss of 4.17 ha of industrial land is insignificant in terms of the overall supply of Industrial land in Hamilton and the subject site is not an identified strategically important industrial site. It has failed to attract industrial tenants and has remained vacant for many years. While vacant, the site has not contributed to the economic, cultural, and social and wellbeing of the City.
53. The majority of the site is located within the Amenity Protection Area which has specific provisions in the ODP to minimise adverse effects of industrial activities and maintain amenity values in the adjacent Residential Zone. The site is also located within the urban limits and bound on two sides by existing residential sites. The occupation of the site by residential activities will ensure that amenity and reverse sensitivity issues will be appropriately mitigated through the Qualifying Development process to ensure that any future development will contribute positively to urban outcomes within this setting.
54. The provision of an SHA in this locality will encourage a wider range of housing types and densities to meet the needs of a diverse range of people and communities. The proposed SHA is not inconsistent with the objectives and policies of the Operative District Plan.

Conclusion

55. In summary, the application to develop this infill site for residential purposes can be supported as although the site is not earmarked for this purpose, is in line with the RPS, Future Proof, NPS-UDC, HUGS, Access Hamilton, and the Hamilton City Operative District Plan where the aim is to manage growth by establishing a compact city, where development is concentrated so land and infrastructure can be provided and used efficiently.

Attachment 5 - Detailed Assessment of Infrastructure (Three Waters, Transportation, Parks and Open Spaces)

1. Accompanying the application for this SHA were a number of technical assessments. This information has subsequently been peer reviewed by both Council staff and external consultants. It is expected that at Qualifying Development stage, Council will actively work with the applicant to further refine and finalise the detail of the proposed infrastructure to an acceptable level.
2. **Potable Water Supply**
3. Council's City Waters staff are satisfied that the applicant has provided sufficient information confirming that capacity exists within existing infrastructure and that it is able to service the proposal's cumulative demand. A Private Developer Agreement will ensure that any required infrastructure will be funded by the applicant. The Private Development Agreement will include provision for water supply to be provided to the development through extending 150mm diameter water mains along both sides of Quentin Dr as part of extension.
4. **Wastewater**
5. The applicant has based their assessment on the Wastewater Modelling Assessment that was commissioned by HCC (on behalf of the applicant) and carried out by AECOM (dated 19 February 2018). This confirmed that under dry weather flow conditions there is sufficient network capacity to accommodate proposed development. The findings indicated that under Peak wet weather flow conditions (PWWF), the model predicts significant increased wastewater overflows from the proposed development.
6. The modelling assessment does not take into account any network upgrades included in the current LTP. for the LTP includes projects that will reduce capacity constraints in the west and include Western interceptor duplication and Dinsdale PS, and diversion of the southern catchment to the east. These upgrades are expected to alleviate some of the existing network capacity issues.
7. Council's City Development staff have confirmed through the infrastructure assessment on this site that no strategic network upgrades are required to specifically support this development, however a solution to manage flows under wet weather conditions, such as the holding tank system proposed by the applicant, is likely to be needed. The final solution/design will need to be identified and provided at Qualifying Development stage and a Private Developer Agreement will ensure that any required infrastructure will be funded by the applicant. High level matters that will be specifically covered in a PDA include:
 - Applicant to fully fund all local wastewater infrastructure required to service the development in accordance with the ITS.
 - Applicant to fund a suitable solution to address the peak wet weather wastewater issues. The form of the solution will be confirmed as part of the QD process.

Staff will consider final wastewater reticulation solutions as part of any QD consent.
8. **Stormwater**
9. The site is partly affected by flood hazard area, has peat soils and high groundwater table. The site is within the Waitawhiriwhiri Catchment, and discharges to Lake Rotoroa (sensitive receiving environment). No water quality or attenuation assessment has been provided with the application.
10. An initial Flood Management Report (appendix 6 of the application) has identified the following stormwater/flood management requirements.

- North-western reserve to provide flood mitigation / storage for the whole development which also incorporates a wetland for treatment of runoff from road reserves.
 - Second wetland in the stage 2 area of the site for the treatment of runoff from road reserves.
 - All lots will have an at source management for the removal of contaminants from runoff.
11. Based on the most recent information provided with the application, the following key issues still need to be addressed:
- What volume of flood water is proposed to be managed?
 - How will flood waters (with climate change) be managed on their site (where is it proposed to be stored)?
 - How will proposed flood management interact with surrounding site?
 - Where is the outlet from the site?
 - How will overland flow be managed (particularly that which currently runs along the northern property boundary)?
 - What level of water quality treatment they propose to mitigate or enhance effects on downstream receiving environment?
 - What effect will the above have on development yield?
12. Council's City Development Unit staff have identified the following key issues:
- There is no stormwater outlet identified for the site;
 - Development based on the current concept appears to impact on existing overland flow path along the northern boundary;
 - The applicant has not sufficiently demonstrated that the development will not create adverse effects on neighbouring and downstream properties;
 - Development needs to comply with the minimum requirements in the ITS to provide detention to limit post development flow to 80% of pre-development 100yr ARI (with climate change).
 - The Applicant must commission a detailed assessment of flood risk to the local catchment area as a matter of priority.
 - Proposed stormwater solution currently relies on the ability to use and flood HCC road reserve. The Applicant intends to seek the Council's approval to commence a road stopping process for the northern end of Quentin Drive with the intention of having it repurposed for stormwater management. The applicant acknowledges, subject to the Council's approval to commence the process, that the legal road stopping processes outlined in the Public Works Act and the Local Government Act are formal processes and accepts that there is no guarantee of obtaining a decision to stop the road.
13. For these reasons it has been strongly advised by Council's City Development Unit staff that a significant reduction in yield to 25 dwellings should be reflected in the recommendation to capture the need to find a workable stormwater solution.
14. Council's City Development staff have confirmed through the infrastructure assessment on this site that no strategic network upgrades are required to specifically support this development, and subject to a reduction in yield to a minimum 25 dwellings being reflected in the recommendation, it is anticipated that a workable stormwater solution can be identified and provided at Qualifying Development stage. A Private Developer Agreement will ensure that any required infrastructure will be funded by the applicant. High level matters that should specifically be covered in a PDA include:

- Applicant to fully fund investigation, design and construction of all local storm-water infrastructure including quality and quantity management required to service the development in accordance with the ITS;
- Applicant to arrange for access and fund investigation, design and construction stormwater outlet and overland flow from site. Outlet could be to the pipeline under the Railway to Duke St either via direct connection to the pipeline; via the Quentin Dr SW network to the open channel and/or via discharge to the open channel at the SE corner of the property;
- Applicant to fund investigation, design and construction stormwater system required for Quentin Dr extension;
- Applicant to fund investigation, design and construction all stormwater treatment/attenuation required to avoid adverse effects on surrounding and downstream environment, including downstream and adjacent properties;
- Applicant to fund preparation and satisfy the requirements of ICMP.
- The Applicant will be responsible for and fund all consultation, technical investigations, hearings, appeals and any other work required to support the road stopping processes and will indemnify HCC in respect of any claims, costs and liability in respect of the same. Should a decision to stop the road be obtained, the Applicant accepts that the Council may be obligated to offer previous owners of the land and/or adjoining property owners the opportunity to purchase the land.

15. **Transportation**

16. The proposed vehicle access to the SHA development is along Quentin Dr with a walking/cycleway connection proposed via shared access to Alison Street. Council's City Development Unit and Gray Matter (on behalf of Council) have concluded that with the information provided to date, the following key issues still need to be addressed:
- Potential upgrades to Quentin Dr/SH1 intersection have not been assessed;
 - Increased movements at the intersection will impact on traffic signal cycle times with potential for slightly longer delays;
 - The proposed development layout (including the proposed road widths) and associated local roading network does not meet HCC Operative District Plan and HCC ITS requirements
 - The proposal to flood only access to the site as part of SW management solution is not desirable.
 - Evidence of consultation with NZTA.
 - CPTED assessment for the pedestrian access to Alison Street.
 - Revised layout to address the transport network issues as the development is effectively a long cul-de-sac which results in poor connectivity.
 - An ITA is required, but not limited to, to assess the potential safety and efficiency effects on Quentin Drive/Kahikatea Drive (SH1) intersections. Address the suitability of the Alison Street pedestrian access and the safety concerns as it is also a shared driveway.
17. It is anticipated that the overall concept will need to be revised to deliver a workable solution for internal roads, overall site access, and walking/cycleway connection (considering safety issues). For these reasons it has been strongly advised by Council's City Development Unit staff that a significant reduction in yield to 25 dwellings should be reflected in the recommendation to capture the need to revisit the design.
18. Council's City Development staff have confirmed through the infrastructure assessment on this site that no strategic network upgrades are required to specifically support this development,

and subject to a reduction in yield to a minimum 25 dwellings being reflected in the recommendation, it is anticipated that a suitable roading layout and any required road network upgrades can be identified and provided at Qualifying Development stage. A Private Developer Agreement will ensure that any required infrastructure will be funded by the applicant. High level matters that should specifically be covered in a PDA include:

- applicant to fully fund investigation, design and construction of Quentin Drive road extension including footpath network on Quentin;
- Applicant to fully fund investigation, design and construction of any improvements to SH1/Quentin Dr intersection that may be identified through the ITA for the development. Required improvements subject to agreement with HCC and NZTA. NZTA will need to be a party to PDA involving improvements at SH1/Quentin Dr intersection;
- Applicant to fully fund investigation, design and construction internal roading layout. All designs to meet requirements of ITS.

19. **Parks and Open Spaces**

20. Councils Parks and Open Spaces staff have reviewed the application and have noted that the following needs to be considered:

- That, subject to stormwater management requirements, the proposed open space also incorporates informal recreation space.
- Walking access to existing nearby parks is sub-optimal and would support the requirement for a safe pedestrian access to Gilbass Avenue and to Alison Street to improve access to open space.

21. A Private Developer Agreement will ensure that any open space included as part of the proposal will be developed and vested at no cost to Council.

Attachment 6 – High-level PDA matters

While not an exhaustive list, the PDA will include at a high level the matters detailed below.

- QRL to fully fund extension of 150mm diameter water mains along both sides of Quentin Dr and local reticulation required to service development.
- QRL to fully fund all local wastewater infrastructure required to service the development in accordance with the Infrastructure Technical Specifications (ITS).
- QRL to fund a suitable solution to address the peak wet weather wastewater issues. The form of the solution will be confirmed as part of the QD process.
- QRL to fully fund investigation, design and construction of all local stormwater infrastructure including quality and quantity management required to service the development in accordance with the ITS.
- QRL to arrange for access and fund investigation, design and construction stormwater outlet and overland flow from site. Outlet could be to the pipeline under the Railway to Duke St either via direct connection to the pipeline; via the Quentin Dr stormwater network to the open channel and/or via discharge to the open channel at the SE corner of the property.
- QRL to fund investigation, design and construction stormwater system required for Quentin Dr extension.
- QRL to fund investigation, design and construction all stormwater treatment/attenuation required to avoid adverse effects on surrounding and downstream environment, including downstream and adjacent properties.
- QRL to fund preparation and satisfy the requirements of an ICMP.
- QRL to fully fund investigation, design and construction of Quentin Dr road extension including footpath network on Quentin.
- QRL to fully fund investigation, design and construction of any improvements to SH1/Quentin Dr intersection that may be identified through the ITA for the development.
- Any required improvements are subject to agreement with the Council and NZTA. NZTA will need to be a party to the PDA involving improvements at SH1/Quentin Dr intersection.
- QRL to fully fund investigation, design and construction of the internal roading layout. All designs to meet requirements of ITS.
- Any reserves included as part of the proposal will be developed and vested at no cost to the Council.



Planning | Surveying | Engineering | Environmental

EXPRESSION OF INTEREST

Special Housing Area

QUENTIN RESIDENTIAL LTD

21 Quentin Drive
Hamilton

APPLICATION PRÉCIS

APPLICANT	Quentin Residential Ltd
SITE LOCATION	21 Quentin Drive, Hamilton
LEGAL DESCRIPTION	Lot 2 DP 482992 (RT 680382), Allotment 468 Te Rapa Parish (SA13A/132) and Lot 3 DPS 20152 (RT SA19B/1282)
TERRITORIAL AUTHORITY	Hamilton City Council
ZONING	Industrial
POLICY AREAS / OVERLAYS	Industrial Amenity Protection Area Natural Hazard Area (Low and Medium Flood Risk)
PROPOSAL	Expression of Interest to establish a Special Housing Area

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APPENDIX 2

SITE LOCATION PLAN

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ZONE AND FEATURES MAPS

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THREE WATERS PLAN

APPENDIX 5

DEVELOPMENT CONCEPT PLANS

APPENDIX 6

FLOOD MANAGEMENT REPORT

APPENDIX 7

ON-LOT STORMWATER MANAGEMENT DESIGN STATEMENT

1. INTRODUCTION

- 1.1 This Expression of Interest (EOI) by Quentin Residential Ltd proposes a site for consideration by the Hamilton City Council for a Special Housing Area (SHA) under the Housing Accords and Special Housing Areas Act 2013 (HASHAA).
- 1.2 A previous EOI application has been prepared and is currently awaiting Ministry approval for the gazetting. The land for Stage 1 consists of Lot 3 DPS 20152 and is a total of 1.9644 in area. Stage 1 provided for 49 allotments with associated roading, access and storm water wetlands area.
- 1.3 This application seeks to combine Stage 2 with Stage 1 and is an integrated residential development of an overall 4.1702 ha site located in the Hamilton Lake census area unit. The proposal is for a medium density residential development that will assist with meeting the increasing demand for housing in Hamilton City.
- 1.4 A preliminary development concept has been prepared which demonstrates the site can accommodate approximately 111 new dwellings over two stages (49 lots in Stage 1 and 62 lots in Stage 2). A range of typologies are proposed including duplex and detached dwellings. The potential for terraced or apartment dwellings would also be enabled. The concept will be further refined when it progresses to the Qualifying Development Application stage.
- 1.5 The application site (4.1702 ha) is zoned Industrial under the Operative Hamilton District Plan (ODP).
- 1.6 The site can utilise existing capacity within Hamilton City Council's existing infrastructure, including parks and open space, transportation and three waters networks to service the proposed SHA. The extension of these services into the site will be funded by the applicant.

2. APPLICANT

- 2.1 Quentin Residential Ltd is a partnership between Foster Construction Group, Anthem Homes, Holah Homes and Golden Homes.
- 2.2 Between these three companies, there is a significant amount of experience and knowledge of residential property development both within Hamilton and the greater Waikato area.

3. THE SITE

3.1 Legal Description and Registered Interests

- 3.1.1 The site proposed for this SHA is legally described as Lot 2 DP 482992 (680382), Lot 3 DPS 20152 (SA19B/1282) and Allotment 468 Parish of Te Rapa (SA13A/132). A copy of the Records of Title (RT) are attached as **Appendix 1**.
- 3.1.2 RT 680382 is subject to a right of way easement marked A on DP 489317. RT SA19B/1282 is subject to a right of way easement over parts marked B and D on Plan S18845.
- 3.1.3 There are no further interests registered on any of the RTs that will impact upon a proposed SHA.

3.2 Location and Existing Environment

- 3.2.1 A site location plan showing the extent of the subject site is attached as **Appendix 2**.
- 3.2.2 The site has direct frontage to an unformed portion of Quentin Drive. The site is currently used by Jack House Transit for the storage of houses awaiting relocation.

- 3.2.3 Directly to the east of the subject site there are residential areas comprising of detached residential dwellings on lots ranging in area from 411m² to 2045m². The majority of dwellings in the vicinity of the site were constructed in the mid-1970s to early 1980s.
- 3.2.4 Directly to the south is a home improvement centre (Bunnings Warehouse). This site obtain access from Quentin Drive, which connects with Kahikatea Drive (State Highway 1).
- 3.2.5 Directly to the west of the subject site is an unformed portion of Quentin Drive. Parts of the road reserve are currently occupied by industrial activities accessed from Quail Place. Further west, some 120m from the site, is the North Island Main Trunk Railway.
- 3.2.6 The subject site is located in close proximity to a number of recreation amenities, including Gower Park, the Hamilton Western Rail Trail, and the Hamilton Lake Domain (Lake Rotoroa).
- 3.2.7 The closest neighbourhood shops are at Kahikatea Drive (500m) and Selwyn Street (1.4 km) while Frankton Village is the nearest suburban centre (2.5km). The subject site is close to the Waikato Hospital (1.2km) and the Hamilton Central Business District (2.1km), both are significant employment nodes. The Frankton industrial area sits to the south and west of the subject site and is also a recognised as a significant employment area for the City. Notable nearby industries include Gallagher Group and Dairy Goat Co-operative.

3.3 Existing District Plan Zoning

- 3.3.1 Zoning and features maps from the ODP are attached as **Appendix 3**.
- 3.3.2 The application site (4.1702 ha) is zoned Industrial (with part of the site covered with an Industrial Amenity Protection Area) under the ODP.
- 3.3.3 The north western portion of the site contains Low and Medium Flood Hazard Areas.

3.3.4 The adjoining land to the north and east is zoned General Residential, while land to the south is zoned Industrial. The western boundary adjoins a Transport Corridor zone.

3.4 Existing Access and Accessibility

3.4.1 As outlined in section 3.2 above, the site has frontage to Quentin Drive. This transport corridor is classified as a Local Road under the ODP and has a posted speed limit of 50 kmh.

3.4.2 Quentin Drive connects with Kahikatea Drive via a signalised intersection. Kahikatea Drive is a Major Arterial Road (State Highway 1) under the control of New Zealand Transport Agency (NZTA). Kahikatea Drive has a posted speed limit of 60 kmh.

3.4.3 Hamilton City Council records for 2016 show that Lake Crescent has an ADT of 4,500 vehicles per day (vpd) to the north, and Kahikatea Drive has an ADT of 27,400 vpd. Gilbass Avenue and Quentin Drive do not have available counts.

3.4.4 The site is located close to bus routes, including the Orbiter service (travels along Kahikatea Drive) and the Fitzroy service (travels along Alison Street). Cycle paths in the vicinity of the site consist of on-road and off-road routes, and notably the Hamilton Western Rail Trail route which travels the rail corridor from Kahikatea Drive, around the west of Lake Rotoroa, to Ward Park and the CBD.

3.5 Existing Three Waters

3.5.1 Council service plans showing three waters infrastructure in the vicinity of the subject site are attached as **Appendix 4**.

Stormwater

3.5.2 According to HCC GIS, there is an existing open drain along the eastern and the southern boundary. The drain along the eastern boundary is located within the site however the drain along the southern boundary only has a very small portion within the site. This drain flows across Quentin Drive, generally between the formed and unformed section of this road.

Wastewater

3.5.3 An existing 225mm diameter wastewater line flows to the South along Quentin Drive.

The gravity networks within Hamilton City are based on flow rates resulting from the catchments being serviced, and the following best practice design parameters:

- Domestic Average Daily Flow (ADF) is 200 litres per person per day;
- Infiltration allowance is 2250 litres per hectare per day;
- Surface water ingress is 16500 litres per hectare per day;
- Peaking Factors of 4.8 (based on Population Equivalent of 100) – see Table 5-2 of RITS;
- Population Equivalent of 45 persons/ha (45 x 2.1388 = 96) – see Table 5-3 of RITS
- Contemporary materials and construction methods are used, which lower the risk of groundwater and stormwater ingress;

3.5.4 It is assumed that the existing infrastructure has been adequately sized to cater for the intended land use (i.e. industrial). Given this, it is anticipated that the existing infrastructure can cater for the following flow rates at a minimum:

- $PDF = (2250 \times 2.1388 + 4.8 \times 200 \times (45 \times 2.1388))/86400 = 1.125L/sec$
- $PWWF = (2250 \times 2.1388 + 16500 \times 2.1388 + 4.8 \times 200 \times (45 \times 2.1388))/86400 = 1.534L/sec$

Water Supply

- 3.5.5 Two existing 150mm diameter water mains are located along the both eastern and western side of Quentin Drive near the southwestern extent of the site.
- 3.5.6 It is assumed that the existing infrastructure has been adequately sized to cater for the intended land use (i.e. residential).

4. PROPOSAL

4.1 Development Concept

- 4.1.1 A development concept has been prepared for the entire subject site which demonstrates how a residential development could be established. This concept is broken down into two stages. Development concept plans are attached as **Appendix 5**.
- 4.1.2 The concept provides 14.5m wide road connections from Quentin Drive into the site east-west. An efficient lot layout is able to be achieved through the provision of a 14.5m wide north-south road which provides connectivity between the two stages.
- 4.1.3 Although details of the site layout and dwellings will be confirmed through the Qualifying Development Application process, it is anticipated that an SHA on this total site could provide for approximately 111 new dwellings over the two stages. This equates to accommodation for approximately 300 people (based on 2.7 persons per household).
- 4.1.4 The development concept achieves a gross density of 27 dwellings per hectare, and provides an average lot area of approximately 255m².
- 4.1.5 A range of housing typologies are likely including duplex and detached dwellings. Lot areas are expected to range from 200m² to 414m². Building height will be a mixture of one and two storeys.

- 4.1.6 The expected yield for Stage 1 is approximately 15 and it is anticipated that a similar approach can be adopted for this application with a possible yield of 40 overall. It is expected that there will be flexibility in design through site size and layout, and this is to be confirmed at the QD stage.

4.2 Proposed Access and Accessibility

- 4.2.1 As outlined in section 4.1 above, access is proposed from Quentin Drive.
- 4.2.2 Within the development site, access will be provided by low-volume roads which are approximately 14.5m in width.
- 4.2.3 Based on data sourced from the New Zealand Trips and Parking database, the typical trip generation rate for a residential dwelling is about 10 trips per day per dwelling. Based on these rates, 111 dwellings can be expected to create approximately 1110 trips per day.

4.3 Proposed Three Waters Strategy

- 4.3.1 The subject site is contained within the proposed Waitawhiriwhiri Integrated Catchment Management Plan (ICMP). This plan has not yet been started by HCC and therefore has not been included in the assessment of this development. The objectives of the ICMP are to ensure that water, stormwater and wastewater are planned, developed and managed in a way that supports growth, while making sure impacts of the infrastructure networks, gullies, streams and rivers are understood and managed. The scope and extent of an ICMP would need to be discussed with Council as part of the Qualifying Development application.

Stormwater

- 4.3.2 The subject site is located with the Waitawhiriwhiri stormwater catchment, and will be subject to the following documents/standards:
- Hamilton City Council's Comprehensive Discharge Consent (CDC);
 - Hamilton Stormwater Bylaw 2015;

- Hamilton City Council's Infrastructure Technical Specification (ITS);
- Regional Infrastructure Technical Specification (RITS) – subject to timing of SHA.

4.3.3 In order to satisfy the HASHAA tests and the Hamilton Special Housing Areas Policy, it will need to be illustrated that there is sufficient certainty that infrastructure can be planned and provided for.

4.3.4 It is our opinion sufficient information exists within existing stormwater models, as-built information and the above documentation to identify the preliminary engineering requirements for the subject site.

4.3.5 Any system to be developed on the site will need to consider the protection of people, land, infrastructure, and the receiving environment. The stormwater system will consist of:

1. A primary system designed to accommodate a specified design rainfall event appropriate for the zone, provide removal of pollutants and ensure the effects from the primary system are managed; and
2. A secondary system to ensure that the effects of stormwater runoff from events that exceed the capacity of the primary system are managed, including occasions when there are blockages in the primary system.

4.3.6 Given the parameters of the subject site, objectives and policies of the above documents, and the existing infrastructure available, the following is a brief outline of a possible stormwater solution:

- Discharge Option:
 - Some minor road flows into the 450mm dia main within Gilbass Avenue;
 - Main flows to existing open drain along the southern boundary of Lot 2 DP 482992 (CT: 680382).
- Attenuation:

- Subsurface storage beneath the internal road network (subject to Council acceptance);
- Development of a wetland, to be located in the low lying portion of the site;
- Development of a wetland to be located within the unformed section of Quentin Drive (subject to Council acceptance and Road closure process);
- On-lot rain tanks.
- Treatment:
 - Wetland;
 - Rain Gardens;
 - Enviropods within Catchpit;
 - On-lot treatment (rain tanks, rain gardens etc).
- Flood Mitigation (address displacement of existing flood storage):
 - Storage within the proposed road network;
 - Storage within wetland.

4.3.7 As a means of assessing the impact of the changing land use on the underlying stormwater infrastructure, we can look to compare pervious / impervious surfaces within the two scenarios. As outlined above we would generally expect a 10% / 90% ratio respectively in an industrial situation, whereas that ratio in a residential situation would be 30% / 70% respectively.

4.3.8 However, while the above comparison would suggest a better outcome from the residential situation, this would only apply in a secondary system situation. In a primary system situation the ultimate requirement to attenuate flows back to greenfields run-off rates would result in the two scenarios having the same impact on the receiving environment.

4.3.9 Stormwater attenuation and treatment solutions for the subject site can be implemented with subsequent development to minimise effects on the receiving environment. Therefore, while a sub-catchment ICMP or detailed Water Impact Assessment (WIA) will be required at time of Qualifying Development Application, there is sufficient information available to identify that the sub-catchment can be serviced with stormwater infrastructure to allow is urban development, and therefore identification as a SHA.

Wastewater

4.3.10 Wastewater is required to be treated and disposed of in a way that minimises effects on public health, the environment, and cultural valued.

4.3.11 Flows anticipated from the proposed development have been summarised below:

Stage 1

- PDF = $(2250 \times 2.0917 + 4.8 \times 200 \times (2.7 \times 56)) / 86400 = 1.732\text{L/sec}$
- PWWF = $(2250 \times 2.0917 + 16500 \times 2.0917 + 4.8 \times 200 \times (2.7 \times 56)) / 86400 = 2.132\text{L/sec}$

Based on:

- Peaking Factors of 4.8 (based on PE of 150 – see table 5.1 of ITS);
- Population Equivalent (PE) of 2.7 persons/dwelling ($2.7 \times 56 = 151$).

4.2.12 Based on the expected flows from the proposed residential development, and the baseline flows from an industrial development (as allowed under the properties current zoning), the residential development will result in an increased PDF and PWWF of 0.544L/sec, hence there will be some additional effect on the existing wastewater system.

4.3.13 However the population equivalent table 5-1 of the ITS allows the use of a PE of 45 persons/ha, which is the equivalent to the industrial PE. This results in the same PDF and PWWF. In this situation there would be no additional impact on the underlying wastewater infrastructure.

4.3.14 It is anticipated that a new gravity pipe system be run through the proposed roading network within the development and discharge into the 250mm diameter system located within Quentin Drive. Each lot would be provided with a separate service connection at the boundary to allow future dwellings to be connected.

4.3.15 Integration of wastewater is not as easily achieved as stormwater or water. Low water use fixtures installed in new homes will reduce wastewater discharges.

Stage 2

- $PDF = (2250 \times 2.1388 + 4.4 \times 200 \times (2.7 \times 62))/86400 = 1.761 \text{ L/sec}$
- $PWWF = (2250 \times 2.1388 + 16500 \times 2.1388 + 4.4 \times 200 \times (2.7 \times 62))/86400 = 2.169 \text{ L/sec}$

Based on:

- Peaking Factors of 4.4 (based on Population Equivalent of 175) – see Table 5.1 of RITS;
- Population Equivalent of 2.7 persons/dwelling ($2.7 \times 62 = 167$);

4.3.16 Based on the expected flows from the proposed residential development, and the baseline flows from an industrial development (as allowed under the properties current zoning), the residential development will result in an increased PDF and PWWF of 0.635L/sec, hence there will be some additional effect on the existing wastewater system.

4.3.17 However the population equivalent table 5-1 of the RITS allows the use of a PE of 45 persons/ha, which is the equivalent to the industrial PE. This results in the same PDF and PWWF. In this situation there would be no additional impact on the underlying wastewater infrastructure.

4.3.18 It is anticipated that a new gravity pipe system be run through the proposed roading network within the development and discharge into the 225mm diameter system located within Quentin Drive. Each lot would be provided with a separate service connection at the boundary to allow future dwellings to be connected.

4.3.19 According to AECOM's "PSP15290 Misc. Wastewater Modelling Services Foster Development Ltd – SHA Application Works Gilbass Avenue Wastewater Capacity Assessment", during dry weather the trunk main located along Quentin Drive is between 18% and 35% full, with an estimated average spare capacity of 14 L/s for the 225 mm diameter network and during wet weather the 225 mm diameter trunk main is predicted to exceed 100% pipe full, with an estimate of no spare capacity available to accommodate any increase in discharge from the development. Therefore, we propose having an onsite wastewater holding tank to operate during high flows to retain the wastewater and then released at non-peak times to mitigate additional burden to the existing wastewater system.

Water Supply

4.3.20 Water supply into any development is required to provide the quality and quantity of water to all customers as required by legislation and to Hamilton Council's minimum level of service. Council's minimum level of service across the city is as follows:

- The minimum pressure and flow at point of supply to residential lots shall be 200 kPa (20m) and 25 L/min;
- The minimum connectivity of the water network is to be established as part of the engineering design for the QD process.

4.3.21 The water demand allowance in the SHA design shall include provision for:

- A domestic demand of 260 litre/person/day with a peak flow rate of five times this amount for On Demand Supply.;
- Population targets;
- The area to be serviced;
- Individual properties proposed;
- Proposed land use (zoning)
- Fire supply service level shall be FW2 for residential areas and FW3 for all other areas;

4.3.22 To protect level of service of new subdivisions, no more than 150 residential lots shall be serviced, at any point from a single ended 150mm water main. Given the above, we can anticipate a supply demand in the order of 39.26m³/day for Stage 1 and 43.42m³/day for Stage 2.

4.3.23 It is anticipated that a 150mm water mains will be constructed along the full length of the new roading network to provide provision for firefighting throughout the development. In addition, a 63mm diameter rider main would be constructed along the other side of the roading network to provide a fully closed system. Both these mains would be connected to the existing mains. Each lot would subsequently be provided with a standard residential water connection to provide domestic water supply to future dwellings.

4.4 Timing

4.4.1 Provided the subject site is approved as an SHA, Quentin Residential Ltd intends to proceed with a Qualifying Development Application as soon as possible. It is anticipated the Qualifying Development Application will be made before September 2019.

5. ASSESSMENT OF HAMILTON SHA POLICY

5.0.1 Paragraph 14 of the Hamilton Special Housing Areas Policy states that all proposals for an SHA shall demonstrate to Council's satisfaction that the following criteria will be met:

- a) *Development within the proposed SHA will achieve the purpose of the HASHAA in a manner consistent with the Accord;*
- b) *Development within the proposed SHA will place no additional financial burden on Council compared with no development occurring, either now or in the future.*

- c) *All infrastructure necessary to service the proposed SHA including but not limited to transport, waste water, potable water and storm water is available will be made available by the developer at no cost to Council in advance of all identified infrastructure demand arising.*

5.0.2 Paragraph 15 of the of the Hamilton Special Housing Areas Policy states that Council will evaluate a proposed SHA against considerations listed in paragraphs 5.1 – 5.7 below.

5.1 Demand for the qualifying development

“The extent to which development of the proposed housing types will achieve the purpose of the HASHAA and the Accord which will include an assessment of proposed housing typology, dwelling and section sizes, and density.”

5.1.1 The purpose of the HASHAA is set out in Section 4 as follows:

“The purpose of this Act is to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or district, listed in Schedule 1, identified as having housing supply and affordability issues”

5.1.2 The purpose of the Hamilton Housing Accord is set out in paragraphs 2 and 3 as follows:

“The intention of the Accord is to increase housing supply in line with the National Policy Statement on urban Development Capacity (NPC-UDC) and the Housing Accords and Special Housing Areas Act 2013 (the Act). The Accord aims to maintain a well-functioning, private sector led housing market in Hamilton and ensure a spread of prices across the housing market by ensuring adequate supply and market competition

The development progressed through this accord will generally be consistent with the Hamilton Urban Growth Strategy (HUGS), the strategic directions contained within the Partly Operative District Plan, the Waikato Regional Policy Statement (RPS) and the FutureProof sub regional settlement pattern”

5.1.3 As stated above, the HASHAA and HHA both have the purpose of enhancing housing affordability by facilitating an increase in land and housing supply. In this regard, the proposed SHA will contribute approximately 111 dwellings towards the targets set by Council and the Government in the HHA. It is noted that a minimum of 15 of these have already been considered and are not in addition to the 111 dwellings.

5.1.4 While increasing housing supply is one method of addressing affordability, it also recognised that affordability is influenced by allotment area and dwelling size. A mixture of housing typologies is proposed including duplex units detached dwellings. Lot areas will range from around 200m² to 414m². Overall a density of 27 dwellings per hectare is anticipated.

5.2 Predominantly residential

“The extent to which the proposed development is predominately residential with the primary purpose of creating residential housing supply.”

5.2.1 The development will be entirely residential.

5.3 Locational considerations

“The extent to which the proposed SHA is consistent with Council’s strategic land use planning. If inconsistent, the extent to which it may materially compromise or alter Council’s strategic land use planning and the effects of that inconsistency including effects on planned and existing infrastructure. The extent to which the proposed SHA affects Council’s ability to meet its statutory requirements under the National Policy Statement on Urban Development Capacity. Proposals for SHAs will be considered in all areas except:

- *all Special Character Zones...*
- *all Open Space Zones*
- *significant archaeological, historic and cultural sites*
- *electricity transmission corridors*

- *Natural Hazard Areas (except where effects can be appropriately managed)*
- *Significant Natural Areas.”*

5.3.1 The subject site is able to be considered for an SHA as it is located outside of the exclusion areas listed in the policy. While the site is identified as containing a Natural Hazard Area, being Low and Medium Flood Area, it is submitted that the effects of this hazard can be appropriately managed. This is because the depth of the flood area is relatively shallow (being 150mm – 200mm) and it is anticipated ground levels can be raised and any displaced flood storage can be accommodated within the wider storm water solution for the site.

5.3.2 In terms of consistency with Council’s strategic land use planning, it is appropriate to consider Chapter 2 (Strategic Framework) of the ODP. In this regard the following comments are made in relation to the Objectives and Policies of Chapter 2:

- The proposed SHA aligns with the goal of promoting a compact and sustainable city. This is because the proposal involves the development of a vacant site within the City’s existing urban area, and that is entirely surrounded by development.
- The proposed SHA also promotes a compact and sustainable city by increasing residential density in appropriate location, i.e. the site is in close proximity to the Waikato Hospital, parks and open spaces (Gower Park and Hamilton Lake Domain). Furthermore, the site adjoins existing residential development on two sides.
- The proposed SHA can contribute to the supply of a range of housing types and densities to meet the demand from a diverse range of people and communities.
- The proposed SHA will make efficient use of land and infrastructure. The subject site has remained vacant for many years and has failed to attract industrial tenants. This is largely because the site is constrained due to poor visibility, the cost to construct access (given Quentin Drive is

unformed) and reverse sensitivity in respect to adjoining residential land uses. Removal of the amenity protection overlay allows for more efficient utilisation of land and integration of adjacent land uses. While the site remains vacant, it represents inefficient use of land and infrastructure.

- Good quality urban design outcomes are possible because the SHA will involve a comprehensive design that combines subdivision and land use elements. The design qualities from the Urban Design Protocol and the design guides from the ODP will inform the Qualifying Development Application.
- The proposed SHA will not compromise Hamilton's hierarchy of business centres. The subject site is just 2.1km from the Central City which is the region's primary business centre and will therefore support this centre.
- The proposed SHA does not safeguard the use of industrial land for industrial purposes. However, the extent of this inconsistency with Council's strategic land use planning is considered minor because:
 - The loss of 4.1702 ha of industrial land is insignificant in terms of the overall supply of Industrial land in Hamilton. There are large areas of greenfield industrial land at Ruakura, Rotokauri and Te Rapa North that are more suitable for industrial development.
 - The subject site has failed to attract industrial tenants and has been used for the storage of transportable houses for many years. While vacant of a permanent building, the site has not contributed to the economic, cultural, and social and wellbeing of the City.
- The proposed SHA site can be integrated with existing infrastructure, including transport, three waters, and open space.

- The Hamilton SHA Policy provides for consultation and collaboration with tangata whenua where appropriate.

5.3.3 In terms of the extent to which the proposed SHA affects Council's ability to meet its statutory requirements under the National Policy Statement on Urban Development Capacity, the following comments are made:

- The proposed SHA supports the Council's obligation under the NPS to ensure their planning decisions enable the supply of housing need to meet demand. While the proposed SHA will reduce business capacity, the loss of 4.1702 ha of industrial land is insignificant in terms of the overall supply of industrial land in Hamilton. Furthermore, it should be acknowledged that despite being zoned for industrial development and the availability of infrastructure, the site has been used for the storage of houses for relocation by Jack House Transit only.

5.4 Infrastructure

"The extent to which the proposed SHA will absorb capacity within Council's existing infrastructure, including but not limited to parks and reserves, transport and three waters network infrastructure and how the developer will pay for that use of capacity. The extent to which the existing infrastructure is adequate to service the development and the developer's ability and commitment to provide that necessary infrastructure at no cost to Council either now or in to the future."

5.4.1 An assessment of the proposed infrastructure is outlined in section 4 above. This confirms the proposed SHA can be serviced by the developer at no cost to, and without unforeseen or adverse financial or environmental costs on, the Council or infrastructure providers.

5.5 Scale

"The extent to which the proposed SHA will deliver beyond a prescribed minimum of 10 dwellings."

- 5.5.1 The development concept demonstrates that approximately 111 dwellings can be established on the proposed SHA site. However, it is anticipated that the minimum number to be gazetted is much less than this.
- 5.5.2 Although not specified in the SHA policy, the proposed dwellings will be a maximum of 2 storeys (<10m), which is less than the maximum height limit specified in s14 of HASHAA.

5.6 Design Quality

“The extent to which the proposed SHA adheres to the key urban design qualities expressed in the Ministry for the Environment’s New Zealand Urban Design Protocol (2005) and the effects of any non-adherence.”

- 5.6.1 The Urban Design Protocol identifies seven essential design qualities that create quality urban design. They are: Context, Character, Choice, Connections, Creativity, Custodianship and Collaboration.
- 5.6.2 The applicant agrees in principle with these design qualities and believes that they are important considerations when proposing a medium density development. The concept plan which has been provided with this EOI gives early indications of the design and quality of the proposed development. The site layout, landscaping, design of the dwellings, building materials, insulation standards will all point to the expectations of the Urban Design Protocol being met by this proposal.
- 5.6.3 Furthermore, it is anticipated that design guides from the ODP will also inform the Qualifying Development Application.

5.7 Development agreement

“The extent to which a satisfactory development agreement can be entered into between Council and the developer which secures HASHAAs intended outcomes in a manner that is consistent with Council’s Growth Funding Policy including but not

limited to recovery of development contributions for utilized infrastructure capacity and services without placing a financial burden on Council.”

- 5.7.1 The applicant proposes to fund the required infrastructure (roading, water, wastewater and stormwater networks and upgrades) and will work with Council on an appropriate development agreement to establish certainty in respect of these obligations.

6. DEVELOPMENT CONTRIBUTIONS

- 6.0.1 The applicant anticipates payment of Development Contributions. Council however can influence the affordability of new houses within SHAs through the Development Contribution Policy. In this respect, the applicant requests that a special assessment be undertaken for the proposed development.

7. CONCLUSION

- 7.1 Quentin Residential Ltd is requesting that the 4.1702 ha vacant site referenced in this EOI be considered for the establishment of an SHA.
- 7.2 This EOI has demonstrated that the establishment of an SHA on this site will assist with achieving the purpose of both the HASHAA and HHA by enhancing housing affordability through an increase in land and housing supply. Furthermore, by advancing a comprehensive design that combines subdivision and land use elements, it is possible to achieve higher densities which will further influence affordability.
- 7.3 This EOI has also demonstrated that the existing infrastructure is adequate to service the development and that Quentin Residential Ltd has the ability and commitment to provide that necessary infrastructure at no cost to Council.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Historical Search Copy**



Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

Identifier	SA19B/1282	Part-Cancelled
Land Registration District	South Auckland	
Date Issued	25 August 1975	

Prior References
SA17D/1338

Estate	Fee Simple
Area	1.9704 hectares more or less
Legal Description	Lot 3 Deposited Plan South Auckland 20152

Original Registered Owners
Jack House Transit Limited

Interests

Appurtenant hereto are rights of way specified in Easement Certificate H018082.1
Subject to a right of way over parts marked B and D on Plan S18845 specified in Easement Certificate H018082.1
The easements specified in Easement Certificate H018082.1 are subject to Section 351E (1) (a) Municipal Corporations Act 1954
H080069 Gazette Notice taking part for street and vesting the street in the Hamilton City Council - 10.5.1976 at 10.13 am
10356443.1 Transfer to Foster Develop Limited - 24.3.2016 at 4:21 pm
10356443.2 Mortgage to Jack House Transit Limited - 24.3.2016 at 4:21 pm
10396473.1 Mortgage to ANZ Bank New Zealand Limited - 21.4.2016 at 8:04 am
10396473.2 Mortgage Priority Instrument making Mortgage 10396473.1 first priority and Mortgage 10356443.2 second priority - 21.4.2016 at 8:04 am
11044902.1 Discharge of Mortgage 10356443.2 - 6.3.2018 at 3:54 pm
11044902.2 Discharge of Mortgage 10396473.1 - 6.3.2018 at 3:54 pm
11044902.3 Transfer to Quentin Residential Limited - 6.3.2018 at 3:54 pm

Transaction Id 56341680
Client Reference W1127

Historical Search Copy Dated 12/02/19 4:19 pm, Page 1 of 1

Attachment 7

Item 5

References
Prior C/T 17D/1338

Land and Roads 59

Transfer No.
N.C. Order No.H. 049576.2

PART - CANCELLED
PART TAKEN BY GAZETTE
NOTICE

REGISTER

CERTIFICATE OF TITLE LAND TRANSFER ACT

This Certificate dated the 25th day of August one thousand nine hundred and seventy-five under the seal of the District Land Registrar of the Land Registration District of SOUTH AUCKLAND

WITNESSETH that QUENTIN DUDLEY FRASER of Hamilton **OBSCLETE**

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereto, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 1.9704 HECTARES more or less being Lot 3 on Deposited Plan S.20152 and being part Allotment 353 and 365 Parish of Te Rapa



W. H. Cameron
ASSISTANT LAND REGISTRAR

H.018082.1 Easement Certificate certifying the following Rights of Way to be the easements intended to be created by the operation of Section 90A Land Transfer Act 1952

<u>Servient Tenement</u>	<u>Marked</u>	<u>Dominant Tenement</u>
Pt. Lot 1 (C.T. 17D/1337)	A on Plan S.18845	within land
Pt. within land	B and D on Plan S.18845	Lot 1 Plan S.18845 (C.T. 17D/1337)
Pt. Lot 1 Plan S.18845 (C.T. 17D/1337)	C on Plan S.18845	within land
Pt. Lot 1 Plan S.13737 (C.T. 17D/1338)	E on Plan S.18845	within land

W. H. Cameron
A.L.R.

The easements referred to in Easement Certificate H.018082.1 above when created will be subject to Section 351E (1) (a) Municipal Corporation Act 1954

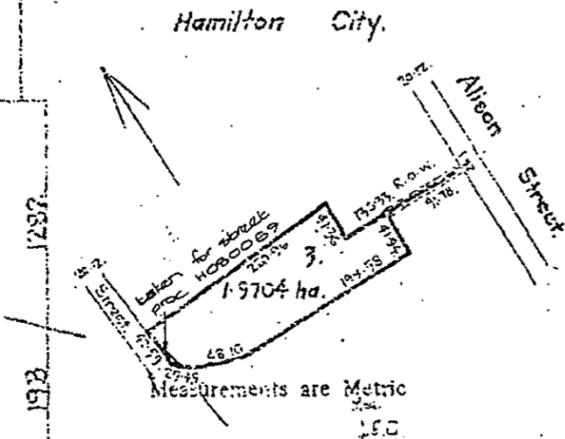
W. H. Cameron
A.L.R.

S.604676 Certificate of Postponement of Rates pursuant to Section 96 of the Rating Act 1967 entered 25.5.1973 at 2.2710 p.c.
B234931

W. H. Cameron
A.L.R.

S.618604 Certificate of Postponement of Rates pursuant to Section 96 of the Rating Act 1967 entered 14.8.1973 at 3.1000 p.c.
B234931

W. H. Cameron
A.L.R.



H.020281 Certificate of Postponement of Rates pursuant to Section 96 of the Rating Act 1967 entered 2.10.1974 at 9.43 o/c
 6234931
 DISCHARGED
 ALL Hallamera
 A.L.R.

H.080279 Certificate of Postponement of Rates pursuant to Section 96 of the Rating Act 1967 entered 11.59.1976 at 11.59 o/c
 6234931
 DISCHARGED
 ALL
 A.L.R.

H.080069 Gazette Notice taking part for street and vesting the street in the Mayor Councillors and Citizens of the City of Hamilton entered 10.5.1976 at 10.13 o/c
 A.S. Hulbert
 A.L.R.

~~6525569 Compensation Certificate by the Inland Revenue Department entered 4.10.1979 at 12.26 o/c~~

ENTERED IN ERROR for A.L.R.
 H.255468 Charge produced 4.10.1979 at 2.26 o/c
 DISCHARGED
 ALL
 FOR DLR
 Hye
 for A.L.R.

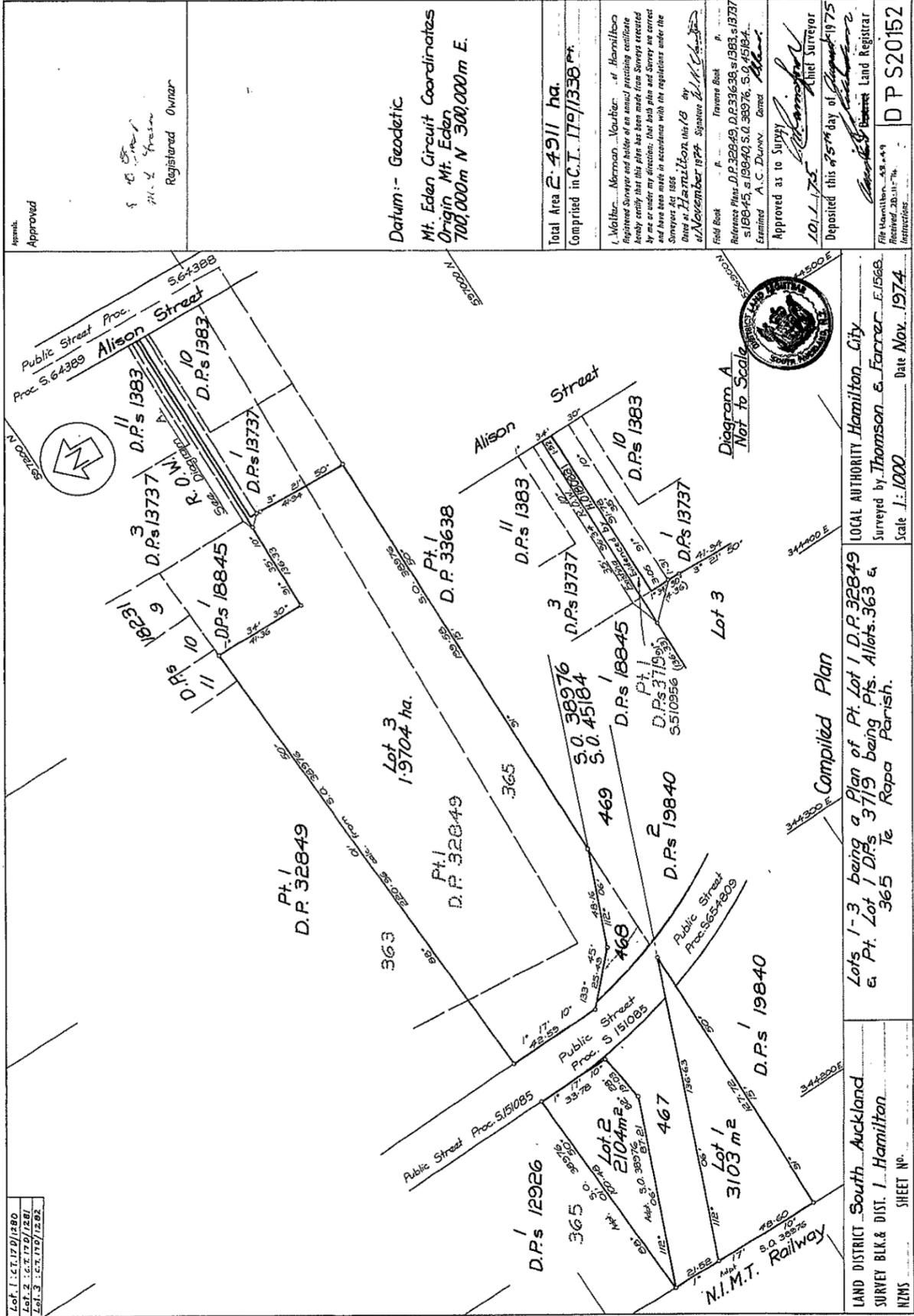
H.350464.1 Transmission to May Lavinia Fraser of Hamilton widow as executrix entered 1.7.1981 at 2.26 o/c
 OBSC
 Urwest
 for A.L.R.

H.431380.2 Certificate of Postponement of Rates pursuant to Section 96 of the Rating Act 1967 entered 22.9.1982 at 2.55 o/c
 6234931
 DISCHARGED
 ALL
 A.L.R.

H.578774 Certificate of Postponement of Rates pursuant to Section 96 of the Rating Act 1967 entered 5.3.1985 at 11.08 o/c
 6234931
 DISCHARGED
 ALL
 A.L.R.

B477610.2 Transfer to Jack House Transit Limited - 24.4.1998 at 9.37
 for DLR





Lot 1: C.T. 17/12/80
 Lot 2: C.T. 17/12/80
 Lot 3: C.T. 17/12/80

Approved

Registered Owner
 M. V. Mason

Datum:- Geodetic
 Mt. Eden Circuit Coordinates
 Origin Mt. Eden
 700,000m N 300,000m E.

Total Area 2.4911 ha.
 Comprised in C.T. 17/1338

I, Walter Norman, Valuer, of Hamilton Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from surveys created by me or under my direction; that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act 1958
 Dated at Hamilton, this 18th day of November 1974. Signature *Walter Norman*

Field Book No. Favona Book
 Reference Plans: D.P. 32849, D.P. 33638 s 1383, s 13737 s 18845, s 19840, S.O. 38976, S.O. 45184.
 Examined A.C. Durney, Chief Registrar
 Approved as to Survey
 10/1/75 *Walter Norman* Chief Surveyor
 Deposited this 25th day of August 1975



LOCAL AUTHORITY Hamilton City
 Surveyed by Thomson & Farrer E. 1968.
 Scale 1:1000 Date Nov. 1974

Compiled Plan
 Lots 1-3 being a Plan of Pt. Lot 1 D.P. 32849 & Pt. Lot 1 D.P.s 3719 being Pts. Allots. 363 & 469
 D.P.s 19840

LAND DISTRICT South Auckland
 SURVEY BLK. & DIST. 1 Hamilton
 NZMS SHEET NO. DP S20152

1:5190M 1913
 S. 20152

1. Rights and powers:

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Item 5

Attachment 7

Dated this 17th day of September 1974.

Signed by the above-named in the presence of

Witness: Ar Burt

Occupation: Son

Address: Hamilton

No.

15

Correct for the purposes of the Land Transfer Act.

EASEMENT CERTIFICATE

[Signature]

Solicitor for the Registered Proprietor.

RIGHTS AND POWERS OF GRANTEES IMPLIED IN CERTAIN EASEMENTS BY SECTION 90D OF THE LAND TRANSFER ACT 1952

situated in

"1. RIGHT OF WAY

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass, with or without horses and domestic animals of any kind and with or without carriages, vehicles, motor vehicles, machinery, and implements of any kind, over and along the land over which the right of way is granted or created.

"2. RIGHT TO CONVEY WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to take, convey, and lead water in a free and unimpeded flow (except when the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having the same or similar rights, from the source of supply or point of entry, as the case may be, and following the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"3. RIGHT TO DRAIN WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain and discharge water (whether rain, tempest, spring, soakage, or seepage water) in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule (or, where open drains are provided for, similar rights in regard to those drains, with the necessary modifications as are provided for in respect of pipe lines in the additional rights so set out).

"4. RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain, discharge, or convey sewage and other waste material and fluid in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"5. ADDITIONAL RIGHTS ATTACHING TO EASEMENTS OF RIGHT TO CONVEY WATER AND OF RIGHT TO DRAIN WATER AND OF RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) for the purposes of the easement concerned—

- (a) To use any line of pipes already laid on the stipulated course or any pipe or pipes in replacement or in substitution for all or any of those pipes;
- (b) Where no such line of pipes exists, to lay, place, and maintain, or to have laid, placed, and maintained, a line of pipes of a sufficient internal diameter and of suitable material for the purpose under or over the surface (as the parties decide) of the land over which the easement is granted or created and along the line defined for the purpose where such a line has been so defined;
- (c) In order to construct or maintain the efficiency of any such pipe line, the full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his tenants, servants, agents, and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created (or, where only the position of the pipe line is defined in the easement, upon such part of the land of the grantor and by such route as is reasonable in the circumstances) and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing the pipe line or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired."

Particulars entered in the Register-book,

Vol. , folio

the

at o'clock.

District Land Registrar,
Assistant

of the District of

*Cancelled with
H049576.2. Cancellation of the
within Easement Certificate
pursuant to Section 90c (1)
Land Transfer Act 1952 insofar
as it relates between Lots 1 and
2 on Plan 520152 entered
25.8.1975 at 2.55 p.m.*

[Signature]



NOV 14 9 10 AM '74

District Land Registry
Hamilton No. 1

14/1/56, 852

018082-1

1 852

11 018082.1

S.000/12/71-701 W. P.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Historical Search Copy**



Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

Identifier **680382**
Land Registration District **South Auckland**
Date Issued 12 March 2015

Prior References

SA13A/133 SA14A/851 SA43B/262

Estate Fee Simple
Area 2.1388 hectares more or less
Legal Description Lot 2 Deposited Plan 482992

Original Registered Owners

Jack House Transit Limited

Interests

Excepting pursuant to Section 19 Public Works Act 1928 any mines of coal or other minerals not taken by Proclamation S151085 (affects part formerly Allotment 469 Parish of Te Rapa)
9966205.2 Encumbrance to Hamilton City Council - 12.3.2015 at 9:52 am
9966205.3 Encumbrance to Hamilton City Council - 12.3.2015 at 9:52 am
Subject to a right of way over part marked A on DP 489317 created by Easement Instrument 10586992.1 - 1.11.2016 at 9:39 am
11094569.1 Discharge of Encumbrance 9966205.2 - 23.4.2018 at 8:39 am
11094569.2 Discharge of Encumbrance 9966205.3 - 23.4.2018 at 8:39 am
11071517.1 Transfer to Desmond Victor Jack - 7.6.2018 at 11:50 am

Transaction Id 56220887
Client Reference W1127

Historical Search Copy Dated 30/01/19 9:44 am, Page 1 of 1



Title Plan - DP 482992

Survey Number DP 482992
Surveyor Reference 671 JACK
Surveyor Edward Doig Letford
Survey Firm Align Surveyors
Surveyor Declaration I Edward Doig Letford, being a licensed cadastral surveyor, certify that:
 (a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and
 (b) the survey was undertaken by me or under my personal direction.
 Declared on 24 Mar 2015 12:22 PM

Survey Details

Dataset Description Lots 1 and 2 Being a Subdivision of Part Lot 2 DPS 19840, Part Lot 1 DP 33638, Allotment 469
 Parish of Te Rapa
Status Deposited
Land District South Auckland
Submitted Date 24/03/2015
Survey Class Class A
Survey Approval Date 27/03/2015
Deposit Date 12/03/2015

Territorial Authorities

Hamilton City

Comprised In

CT SA43B/262
 CT SA14A/851
 CT SA13A/133

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 1 Deposited Plan 482992	Fee Simple Title	1.1074 Ha	680381
Lot 2 Deposited Plan 482992	Fee Simple Title	2.1388 Ha	680382
Total Area		3.2462 Ha	



Instrument No. 10586992.1
 Status Registered
 Date & Time Lodged 01 Nov 2016 09:39
 Lodged By Johns, Amy Janelle
 Instrument Type Grant of Easement Without Transfer



Affected Computer Registers	Land District
80381	South Auckland
80382	South Auckland

Annexure Schedule: Contains 4 Pages.

Grantor Certifications

- certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- certify that the Encumbrancee under Encumbrance 9966205.2 has consented to this transaction and I hold that consent
- certify that the Encumbrancee under Encumbrance 9966205.3 has consented to this transaction and I hold that consent

Signature

Signed by Annette Maureen Edwards as Grantor Representative on 07/10/2016 11:28 AM

Grantee Certifications

- certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

Signature

Signed by Gregory Brett Towers as Grantee Representative on 31/10/2016 05:00 PM

*** End of Report ***

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

Jack House Transit Limited

Grantee

Bunnings Limited

Grant of Easement or *Profit à prendre* or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right of way	A on DP 489317	Lot 2 DP 482992 (680382)	Lot 1 DP 482992 (680381)

24950902_2.doc

Form B - continued

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby [~~varied~~]-[~~negatived~~] [~~added to~~] [~~substituted~~] by:

[~~Memorandum number _____, registered under section 155A of the Land Transfer Act 1952~~]

[~~the provisions set out in the Annexure Schedule~~]

Covenant provisions

Delete phrases in [] and insert Memorandum number as required; continue in additional Annexure Schedule, if required

~~The provisions applying to the specified covenants are those set out in:~~

[~~Memorandum number _____, registered under section 155A of the Land Transfer Act 1952~~]

[~~the Annexure Schedule~~]

Insert instrument type

Easement Instrument to grant easement or profit a prendre, or create land covenant

Continue in additional Annexure Schedule, if required

DEFINITIONS

- 1. In this easement instrument, unless the context indicates otherwise:
 - 1.1 **servient land** is the land owned by the Grantor described on page 1 as the servient tenement;
 - 1.2 **dominant land** is the land owned by the Grantee described on page 1 as the dominant tenement;
 - 1.3 **stipulated course** is that part of the servient land marked A on deposited plan 489317;
 - 1.4 **right of way** is the easement right described in section 2; and
 - 1.5 **formed drive** means the formed drive to be created over the servient land by and for the benefit of the Grantee and the Grantor.

RIGHT OF WAY

- 2. The Grantor grants to the Grantee the right for the Grantee, the Grantee's tenants, agents, workmen, licensees and invitees (in common with the Grantor, the Grantor's tenants and any other persons lawfully entitled to do so) at all times to pass and repass on foot or with vehicles and with or without every kind of domestic animal, machine, equipment and implement over and along the stipulated course for all purposes connected with the use and enjoyment of the dominant land but not for any other purpose.

GENERAL COVENANTS

- 3. The Grantor acknowledges that the formed drive shall be created in the position, and to the specifications, required by the Grantee then Grantee shall not be obliged to form any drive which is larger or to higher specifications than is required by it.
- 4. The grant of the right of way will be forever appurtenant to each and every part of the dominant land.
- 5. No power is implied for the Grantor to terminate the right of way for breach of any provision in this easement instrument by the Grantee or for any other cause, it being the parties' intention that the right of way will continue forever unless surrendered.
- 6. The Grantor will not do anything which interferes with or restricts the rights of the Grantee or other authorised persons in relation to the right of way.
- 7. The Grantee will not do anything which interferes with or restricts the rights of the Grantor or other authorised persons in relation to the right of way.
- 8. The modifications in the easement instrument are in addition to those rights set out in Schedule 4 of the Land Transfer Regulations 2002 and the Fifth Schedule to the Property Law Act 2007. In the event of any inconsistency the rights set out in this easement instrument will prevail.

24950902_2.doc

Form L

Annexure Schedule

Page 2 of Pages

insert instrument type

Easement instrument to grant easement or profit a prendre, or create land covenant

Continue in additional Annexure Schedule, if required

DEFAULT

- 9. If either party fails (**defaulting party**) to perform, or join with the other party (**other party**) in performing, any obligation under this easement instrument, the following provisions will apply:
 - 9.1 the other party may serve a written notice on the defaulting party (**default notice**) specifying the default and requiring the defaulting party to perform or to join in performing the obligation and stating that, after the expiry of one month from service of the default notice, the other party may perform the obligation;
 - 9.2 if after the expiry of one month from service of the default notice, the defaulting party has not performed or joined in performing the obligation, the other party may:
 - 9.2.1 perform the obligation; and
 - 9.2.2 for that purpose enter on to the dominant land or the servient land;
 - 9.3 the defaulting party must pay to the other party the costs of:
 - 9.3.1 the default notice; and
 - 9.3.2 the other party in performing the obligation of the defaulting party;
 within one month of receiving written notice of the other party's costs; and
 - 9.4 the other party may recover any money payable under clause 9.3 from the defaulting party as a liquidated debt.

DISPUTES

- 10. If any dispute arises between the Grantor and Grantee concerning the rights created by this easement instrument, the parties must enter into negotiations in good faith to resolve their dispute. If the dispute is not resolved within one month of the date on which the parties begin their negotiations, the parties must submit to the arbitration of an independent arbitrator appointed jointly by the parties. If the parties cannot agree on an independent arbitrator within 14 days, the parties will submit to the arbitration of an independent arbitrator appointed by the President or any vice president for the time being of the New Zealand Law Society (or his or her nominee). That arbitration will be determined under the Arbitration Act 1996 and its amendments or any enactment passed in substitution. The parties' execution of this easement instrument will be deemed a submission to arbitration.

24950902_2.doc



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Historical Search Copy**



Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

Identifier SA13A/132
Land Registration District South Auckland
Date Issued 08 February 1971

Prior References
 SS S508216

Estate Fee Simple
Area 610 square metres more or less
Legal Description Allotment 468 Parish of Te Rapa

Original Registered Owners
 Jack House Transit Limited

Interests

Excepting pursuant to Section 19 Public Works Act 1928 any mines of coal or other minerals not taken by Proclamation S151085

- 10356443.1 Transfer to Foster Develop Limited - 24.3.2016 at 4:21 pm
- 10356443.2 Mortgage to Jack House Transit Limited - 24.3.2016 at 4:21 pm
- 10396473.1 Mortgage to ANZ Bank New Zealand Limited - 21.4.2016 at 8:04 am
- 10396473.2 Mortgage Priority Instrument making Mortgage 10396473.1 first priority and Mortgage 10356443.2 second priority - 21.4.2016 at 8:04 am
- 11044902.1 Discharge of Mortgage 10356443.2 - 6.3.2018 at 3:54 pm
- 11044902.2 Discharge of Mortgage 10396473.1 - 6.3.2018 at 3:54 pm
- 11044902.3 Transfer to Quentin Residential Limited - 6.3.2018 at 3:54 pm

Attachment 7

Item 5

3A/132

References
Prior C/T



Transfer No.
N/C. Order No.
Street Stopping S.508216

REGISTER

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 8th day of February one thousand nine hundred and seventy one under the seal of the District Land Registrar of the Land Registration District of South Auckland.

WITNESSETH that THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HAMILTON a body corporate

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 24.1 PERCHES more or less being Allotment 468 Parish of Te Rapa excepting pursuant to Section 19 Public Works Act 1928 any mines of coal or other minerals not taken by Proclamation S.151085



A. B. Haughlin
ASSISTANT LAND REGISTRAR

H.084238 Transfer to Quentin Dudley Fraser of Hamilton farmer produced 10.6.1976 at 9.07 o'clock

O. Hoa
for A.L.R.

H.350464.1 Transmission to May Lavinia Fraser of Hamilton widow as executrix entered 1.7.1981 at 2.26 o'clock

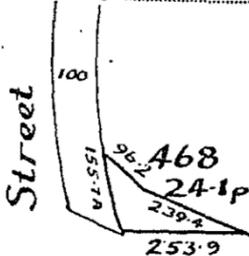
UPROUAT
for A.L.R.

B477610.2 Transfer to Jack House Transit Limited - 24.4.1998 at 9.37

HL
for DLR

Hamilton City

METRIC AREA IS 610 m²



No 13A/132

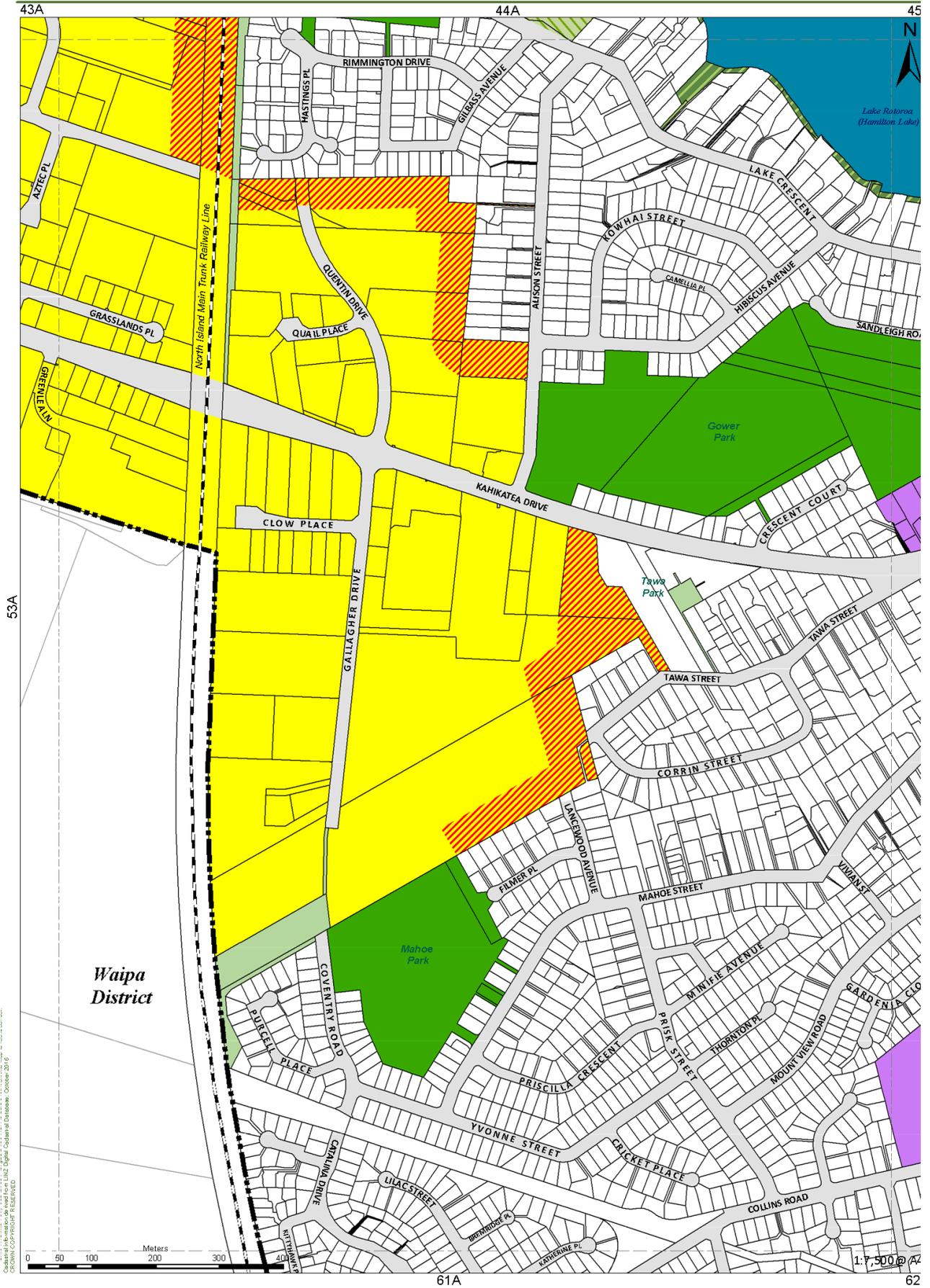
Scale: 1 inch = 3 Chains

50,45184

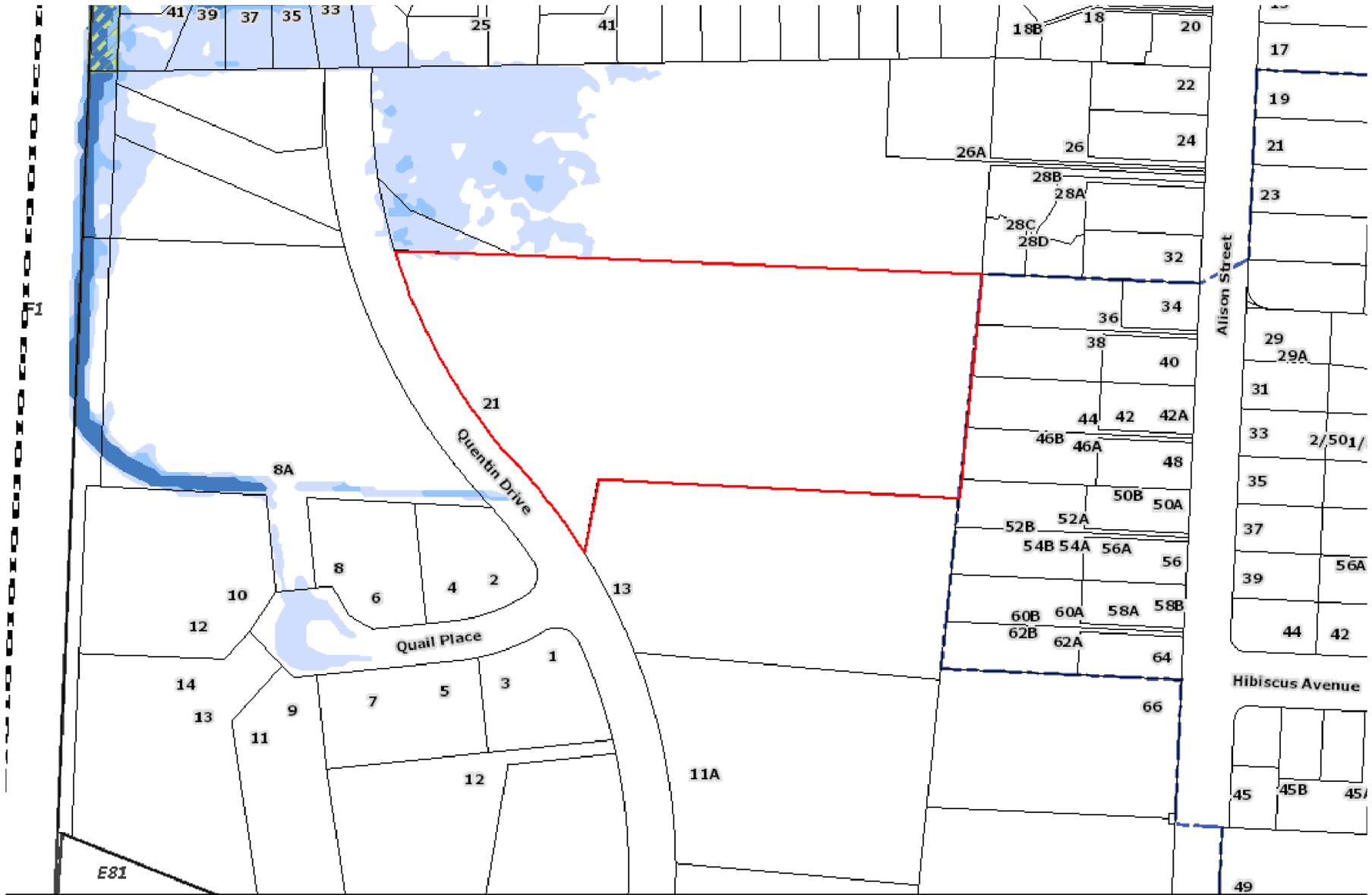


Attachment 7

Item 5



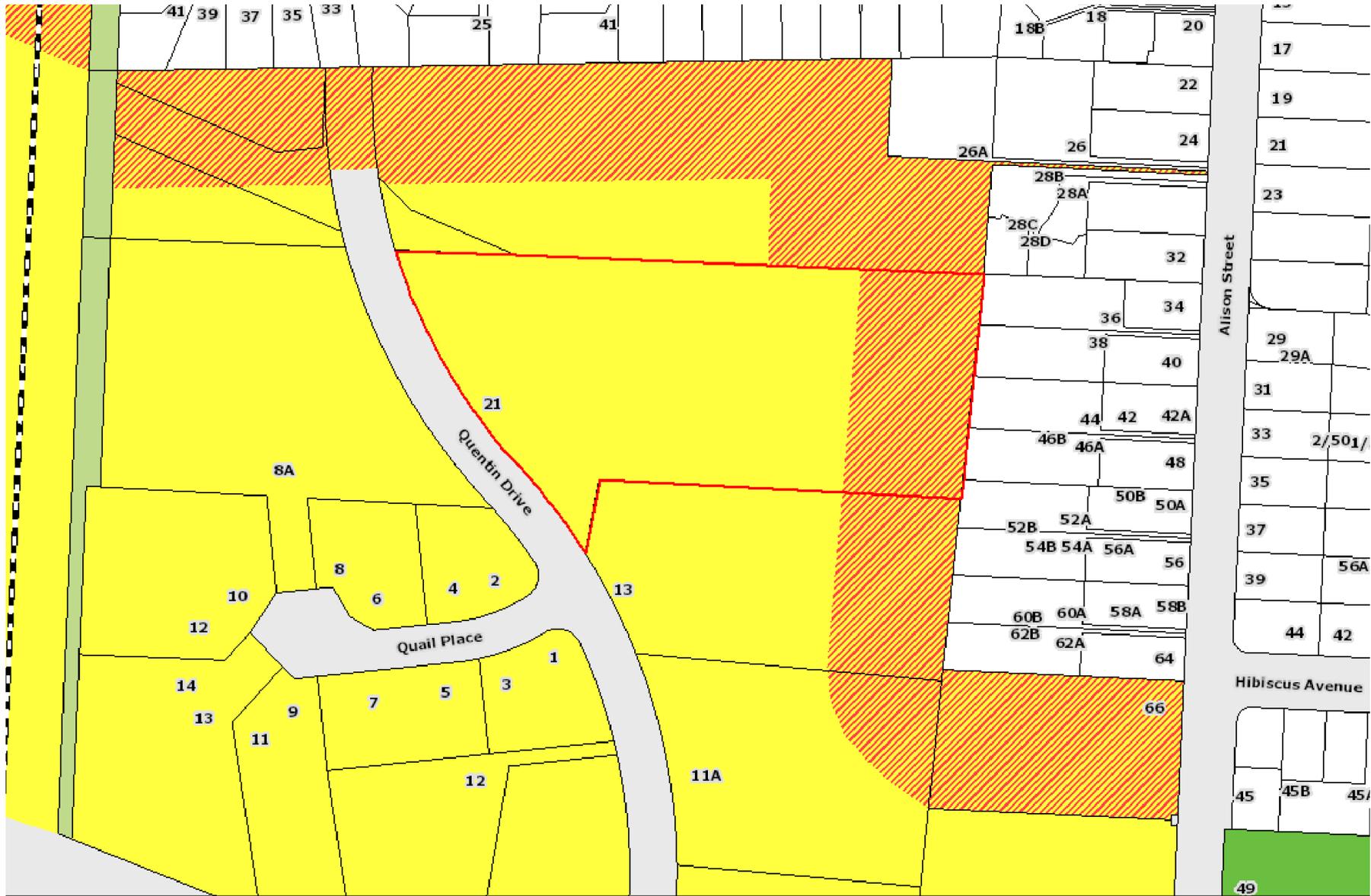
Geospatial information derived from LINZ Digital Cadastral Database, October 2016. Crown Copyright reserved. All rights reserved.

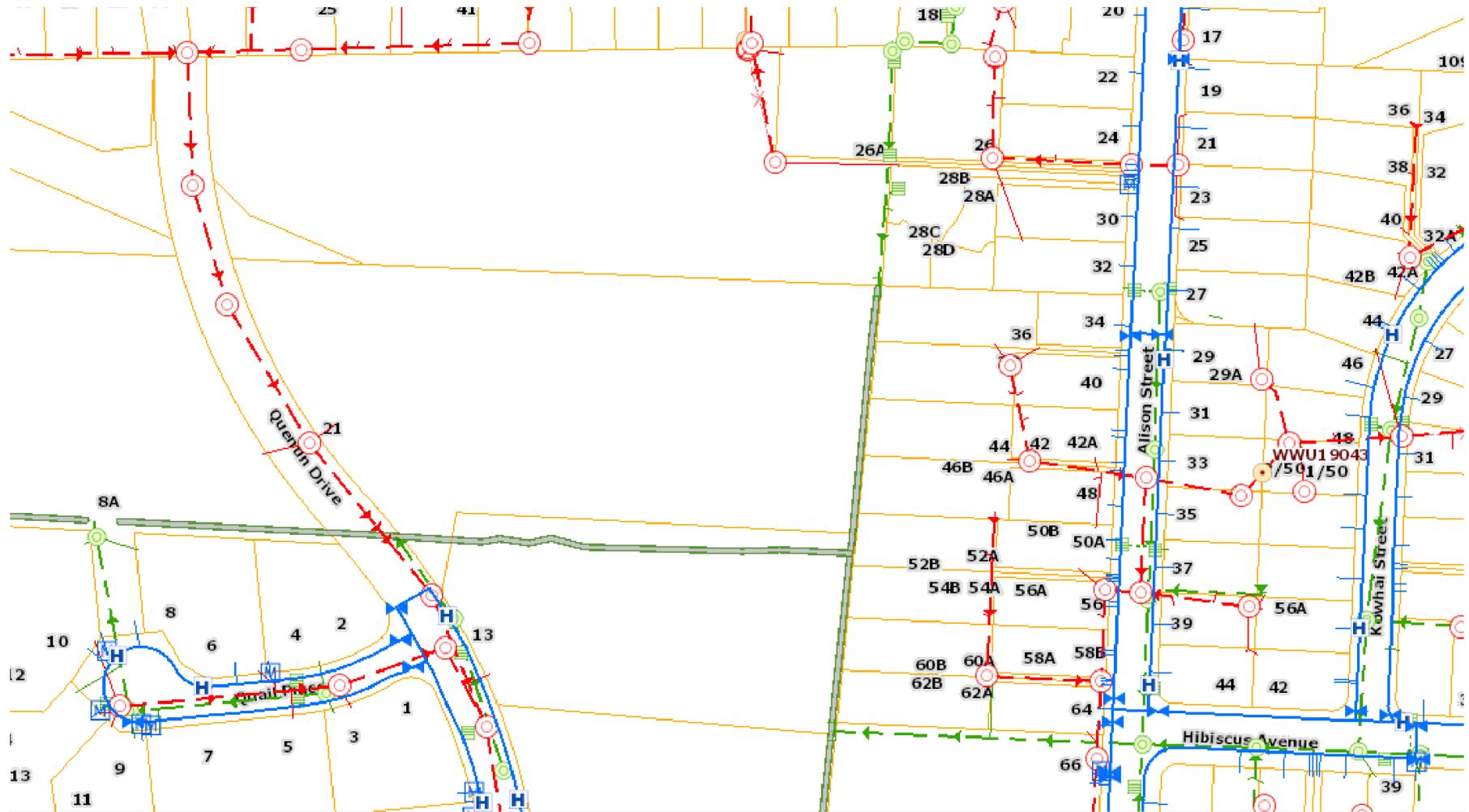


Item 5

Attachment 7







Water Services		Wastewater Services		Stormwater Services		Solid Waste Services	
◀ Closed Water Valve	— Water Main	⊗ WW Abandoned Manhole	⊗ SW Manhole	⋯ SW Catchpit Lead	● Solid Waste Vent	◻ Solid Waste Landfill	
✕ Water Main Abandoned	— Water Preliminary Plans	● WW Node	⊗ SW Abandoned Manhole	▽ SW Soakage Trench	⊙ Solid Waste Bore	◻ Solid Waste Pond	
▶ Open Water Valve	— Water Service Line	⊗ WW Aerial Main	⊗ SW Inlet	▬ SW Channel	⊠ Solid Waste Pump Station		
⊠ Water Hydrant	— Water Meter	⊗ WW Rising Main	⊗ SW Node	▬ SW Service Line	⊠ Solid Waste Chamber		
⊠ Water Service Line Valve	— Water Main Cross-Junction	⊗ WW Main	⊗ SW Outlet	▬ SW Main	⊠ Solid Waste Barrier		
⊠ Water Service	⊠ WWPump Station	⊗ WW Abandoned Man	▬ SW Culvert	⊗ SW Abandoned Main	⊠ Solid Waste Main		
	⊠ WWM anhole	⊗ WW Preliminary Plans		▬ SW Main Flow Direction	⊠ Solid Waste Building/Structure		
				▬ Planted SW Device			

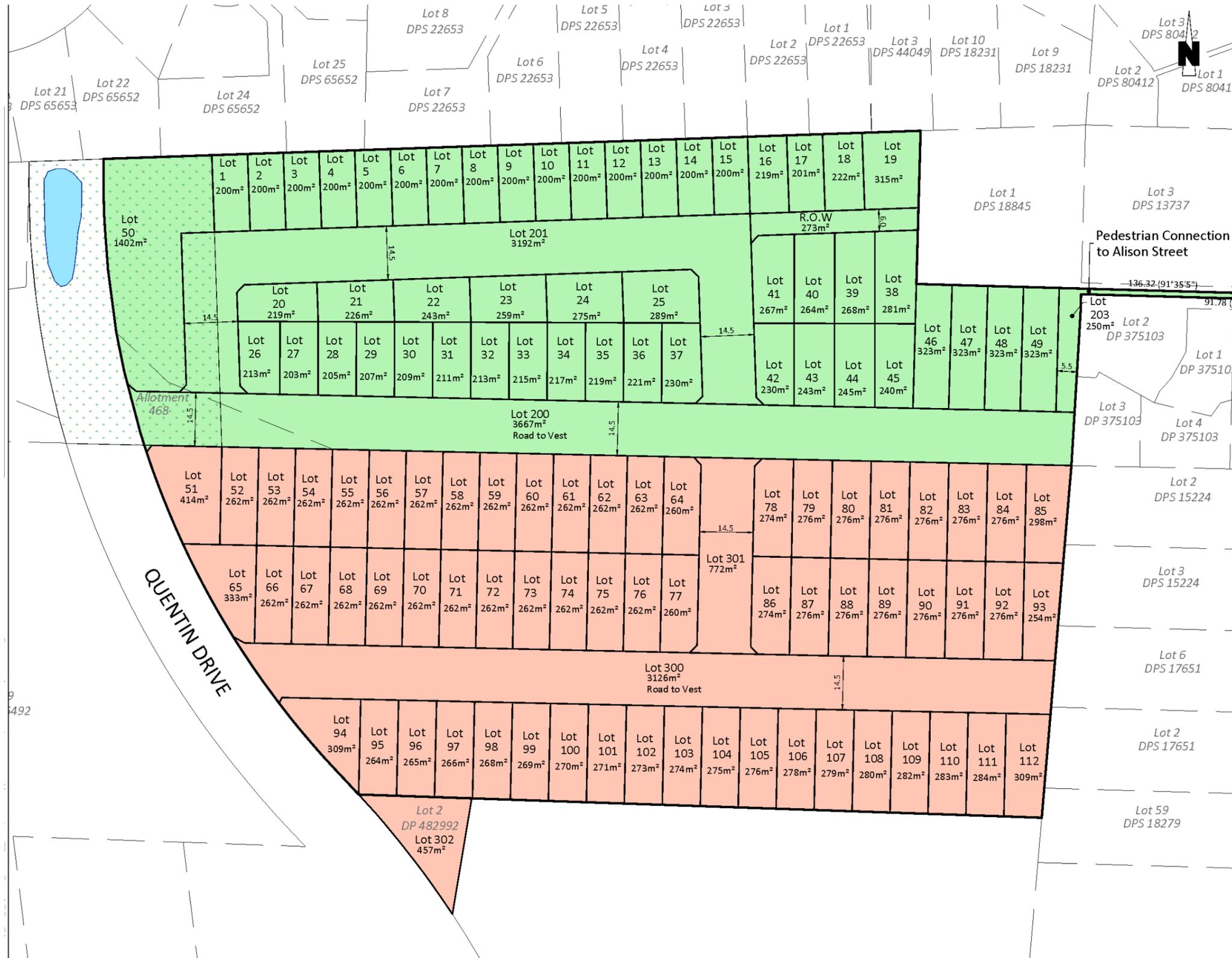
Hamilton City Council
Te Kaunhara o Tairāwhiti
www.hamilton.govt.nz/citywatersview

HCC 3 Waters GIS Viewer

WARNING: Levels, locations and dimensions of works shown on this plan may not be accurate due to circumstances not notified to Council. A physical check should be made on all levels, locations and dimensions before starting design or works. We cannot guarantee that the data shown on this map is 100% correct.
Contact City Waters Unit, phone (07) 838 66 99. COPYRIGHT HAMILTON CITY COUNCIL.

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Printed by PUBLIC from HCC City Waters Viewer (AGOL)



Applicant: Quentin Residential Ltd
Comprised In: RT 680382
 RT SA13A/132
 RT SA19B/1282
Local Authority: Hamilton City Council
Total Area: 4.1702ha

Key:
 Indicative Wetland
 Indicative Storage for Flood
 Stage 1
 Stage 2

- Notes:**
- Changes may occur to the layout of the proposal show as a result of the Resource Consent Conditions.
 - Areas and dimensions on this plan may be subject to change following field survey.
 - The copyright and intellectual property rights for the information shown on this plan remain the property of CKL Surveys Ltd.
 - This plan has been prepared only for the purpose of illustrating an application for resource consent. It should not be used for any other purpose.

CKL
 Planning | Surveying | Engineering | Environmental

Auckland Office:
 A: 25 Broadway, Newmarket
 P: 09 524 7029

Hamilton Office:
 A: 58 Church Road, Hamilton
 P: 07 849 9921

Te Awamutu Office:
 A: 103 Market Street, Te Awamutu

Concept Plan
 Prepared for
Quentin Residential Ltd

PROPOSED SUBDIVISION OF
 Lot 3 DPS 21052, Allotment 468 Te Rapa Parish
 & Lot 2 DP 482992
Quentin Drive, Hamilton

Issue	Description	Checked	Date	Date	Scale:
	Designed: BH			27.03.18	1:100 (A3 Original)
	Drawn: ES			27.03.18	
	Checked: BH			13.02.19	
	Job No: W1127		Dwg No: 150	Rev: 7	



Applicant: Quentin Residential Ltd
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Item 5

Attachment 7

CKL
 Planning | Surveying | Engineering | Environmental
Auckland Office:
 A: 25 Broadway, Newmarket
 P: 09 524 7029
Hamilton Office:
 A: 58 Church Road, Hamilton
 P: 07 849 9921
Te Awamutu Office:
 A: 103 Market Street, Te Awamutu

Concept Plan
Prepared for
Quentin Residential Ltd

PROPOSED SUBDIVISION OF
Lot 3 DPS 21052, Allotment 468 Te Rapa Parish
& Lot 2 DP 482992
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Issue	Description	Checked	Date	Date	Scale:
	Designed: BH			27.03.18	1:100 (A3 Original)
	Drawn: ES			27.03.18	
	Checked: BH			13.02.19	
	Job No: W1127		Dwg No: 151	Rev: 7	

Date: 8 February 2019

QUENTIN RESIDENTIAL LTD GILBASS AVENUE SHA – Flood management

Introduction

This report covers the preliminary investigations into flood management required to service the proposed development of the Quentin Residential Ltd SHA (Special Housing Area) off Quentin Drive and Gilbass Avenue, Hamilton Lake.

The subject site is approximately 4ha in size and has a flood plain extending across the north western portion of the site. An initial investigation has been undertaken to establish the option to mitigate flood effects for urban development purposes.

Existing flood extents

The north western portion of the subject site has been identified as being subject to flooding (refer to Figure 1 below)



Figure 1: Site and flood extents

CKL Ref W1127

Date: 8 February 2019

The extent of flooding encroaches approximately 80m into the site from the western boundary and approximately 80m from the northern boundary with the ground contour of RL38 representing the 100yr Maximum Probable Development (MPD) top water level. The depth of flooding is likely to be in the order of 150-200mm.

The flood extents are likely to be governed by the following elements:

- Ground contours being very shallow
- Discharge through the properties to the north-east
- Ultimate outlet for Overland Flow Path (OLFP) is through the piped network under the Railway line, to the west of the property

The OLFP for the surrounding catchment will utilise the outlet of the drainage network that is located west of the site and to the east of the Railway line. This drainage network discharges via a large diameter pipeline under the railway line. Therefore, the OLFP and flood level is likely to be governed by the hydraulic function of this piped outlet

For the purposes of this study the flood management adopts the philosophy of providing similar volume of storage on site, which can then be modelled for further accuracy in the next stages of the project.

Flood mitigation options

In order to maximise the urban development area the north western portion of the site will need to be set aside for flood mitigation. This flood mitigation needs to be surface storage to ensure there is connectivity to the downstream flood storage area without detrimental effects.

The preliminary storage options considered involve providing for the storage volume lost as a result of reducing the available storage area within a flood mitigation area extending 50m from western boundary. Within this area the flood storage volume is achieved either by:

- a) Increasing the average depth across total flood mitigation area
 - average 240mm versus average 150mm within the existing flood extents
- b) Road reserves with shallow depth and reserve with greater storage depth
 - Road storage inundation maximum 150mm
 - Remainder reserve area storage depth 400mm

Flood mitigation & Stormwater management options

To make best use of the available land, the potential to provide a dual purpose stormwater treatment and flood storage reserve area was investigated. The area required to provide stormwater treatment for Stage 1 (Lots 1-49) of the development (via a wetland in the north western corner) was determined and then tested against the flood storage requirements to establish the best practical flood mitigation and stormwater management solution.

From the analysis it was determined that the treatment wetland area required to treat the total urban development (including the lots) for Stage 1 would require a larger footprint than the reserve area set aside for flood management. Therefore, a focus on just treating the road reserves in this area and leaving the lots to have at source treatment was investigated. This resulted in a more compact wetland within the reserve area with a complementary flood storage volume sitting above the wetland function. A separate wetland for treatment of runoff from road reserve areas within Stage 2 of the development (Lots 51-112) is proposed in the central area of the southern portion of the site.

Flood mitigation & Stormwater management BPO

To maximise the urban development potential it is proposed to set aside the western portion of the site as a reserve to provide a flood mitigation/storage area for the full (Stage 1 and Stage 2) development and a treatment wetland for the removal of contaminants for the Stage 1 (northern area) road reserves only. A second treatment-only wetland is proposed for the removal of contaminants for the Stage 2 (southern area) road reserves. All lots (in both Stage 1 and Stage 2) will apply at-source management for removal of contaminants from runoff prior to discharge.

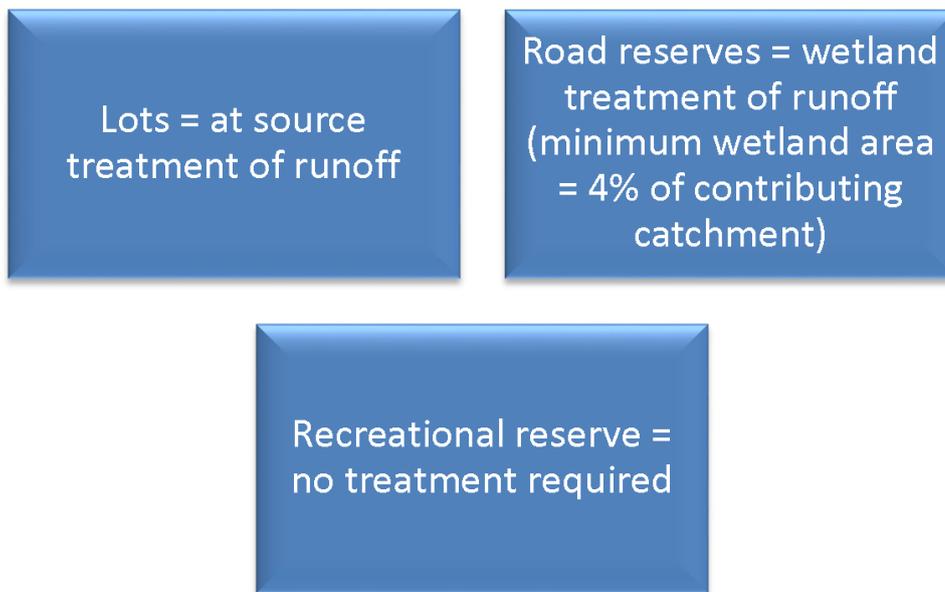


Figure 2: Stormwater management BPO

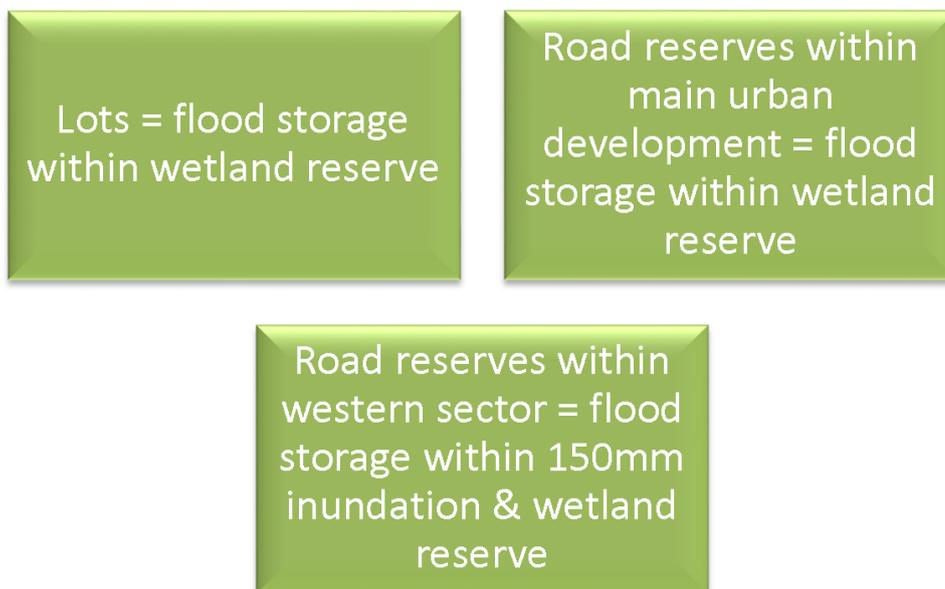
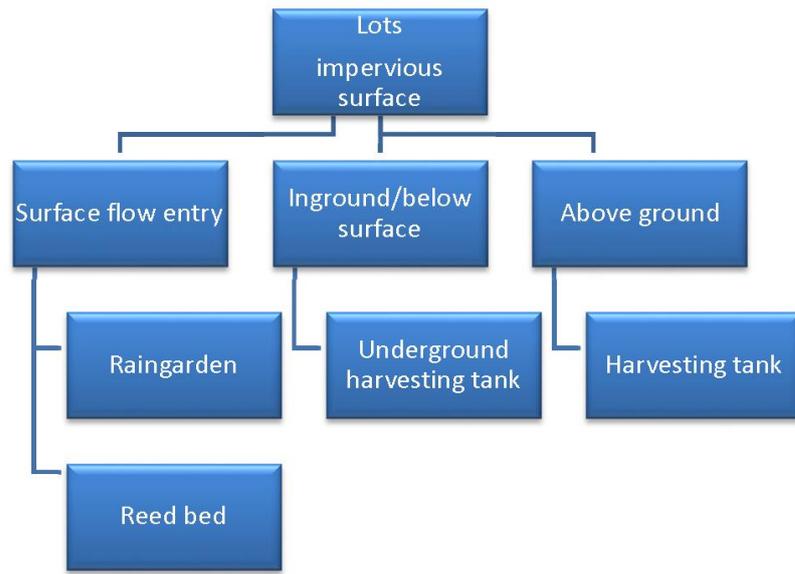


Figure 3: Flood mitigation BPO for existing floodplain



Note:

- 1. Assuming 40% sub grade void ratio
- 2. Coefficient of permeability at 0.45m/day for soil media

Figure 1: Individual Lots- At source Water Sensitive Design (WSD) option tool box

An illustrative approach to the application of WSD measures is shown in Figure 2.



Figure 2: Typical on-site stormwater management – WSD measures

An application of WSD toolbox of options is represented in the following table:

Table 1: Toolbox of WSD measures for individual lots

Impervious surface area (m ²)	Water efficiency rain tank (L)	Permeable pavement ¹ (m ²)	Bio-filtration – planter strip or raingarden(m ²)
100	5000	100	3.8
200	5000	200	7.6
300	5000	300	11.4

Notes:

1. Permeable pavement is based on providing water efficiency at source thus impervious area associated with the driveway is self sufficient

2.2 On lot attenuation of peak flows

Each lot is also responsible for the attenuation of peak flows from the lot which need to be mitigated to match pre-development flow rates for the 2 and 10-year ARI events. This can be achieved through the use of above or below ground rain tanks with multi stage outlets or devices that reduce the runoff flow. If detention tanks are installed the water efficiency volume can be reduced to 2500L, with a combined re-use and detention tank provided.

These tanks will need to be sized on a site by site basis at the detailed design phase. At the detailed design stage the alternative of providing this 2 and 10-year detention within the wetland footprint to allow for more livable space within the proposed residential properties.

Application for the Establishment of Special Housing Area

Under the Housing Accords and Special Housing Areas ACT 2013

1.0 Location Details

The location of the proposed activity is as follows:

Physical Address:	21 Quentin Drive Hamilton.
Legal Description/s:	Lot 2 DP 482992, Lot 3 DP 20152 + Allt 468 Te Rapa Parish.
Owner's Name:	Quentin Residential Ltd
Owner's Address:	
Occupier's Name:	
Occupier's Address:	

2.0 Applicant Details (In principle all invoices will be sent to the applicant unless otherwise stated – see below)

Name: <small>(please write all names in full)</small>	Quentin Residential Ltd		
Company/Trustee Name:			
Physical Address:		Postal code:	
Postal Address <small>(if different):</small>	CL CKL	Postal code:	
Phone (day):		(mobile):	
Email:			

3.0 Agent/Consultant Details (In principle all correspondence will be sent to the agent unless otherwise stated – see below)

Company/Name:	CKL		
Contact Person:	Jade Shepherd / Bevan Houlbrooke		
Postal Address of Agent:	PO Box 171 Hamilton	Postal code:	3240
Phone (business):	849 9921	(mobile):	
Email:	jade.shepherd@ckl.co.nz	Fax:	

Planning Guidance

Hamilton City Council
Phone: 07 838 6699

Questions?

For general Special Housing Area enquiries, contact Paul Bowman weekdays
8am – 4.45pm Email: sha@hcc.govt.nz

4.0 Address for Correspondence and Invoices (In principle all communication will be via electronic form i.e. email)

All correspondence (excluding invoices) sent to (if different from Agent):

Company/Name:

Postal Address:

Email:

Invoices sent to (if different from the Applicant):

Company/Name:

Postal Address:

Email:

5.0 Description of Proposed Activity (If insufficient space please provide on additional pages) Please see checklist.

Refer to attached application

6.0 Pre-Application Information

Have you received pre-application information or had a pre-application meeting regarding this proposal with Council?

Yes No Copy of meeting minutes attached Date of Meeting:

If YES, provide the reference number and/or name of staff member(s):

No reference provided - Paul Bowman, Laura Galt, Graham Femy, Jackie Collier

7.0 Site Visit Requirements

As landowner and with the consent of any occupiers or lessees, I agree to Council staff or authorised consultants visiting the site, which is the subject of this application, for the purpose of assessing this application.

OR

If applicant is not the landowner:

Landowner's full name:

Landowner's signature: Date Signed:

Person authorised to sign on behalf of Landowner:

Authorising person's signature: Date Signed:

Is there a locked gate or security system restricting access by Council staff? Yes No

Do you have a dog on the property? Yes No

Is there any hazard that may place a visitor at risk? Yes No

Provide details of any entry restrictions that Council staff should be aware of; e.g. health and safety, organic farm etc.

8.0 Information to be Submitted with the Application

Please provide an electronic copy (in PDF file format) of the full application (Application Form, and Plan Diagrams), either on CD Rom, Flash Drive or by email (provided attachment size does not exceed 25MB) to sha@hcc.govt.nz

If inadequate information is supplied with your application, this will cause delays in processing.

All information contained in the Information Checklist for Applications for the Establishment of Special Housing Areas as attached.

Planning Guidance

Hamilton City Council
Phone: 07 838 6699

Questions?

For general Special Housing Area enquiries, contact Paul Bowman weekdays
8am – 4.45pm Email: sha@hcc.govt.nz

9.0 Declaration Concerning Payment of Fees

I/we understand that the Council will charge me/us for all costs actually and reasonably incurred in processing this application. I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Council's legal rights, if any steps, including the use of debt collectors, are necessary to recover unpaid processing costs, I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company, in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Full name: Leonard Gardner - fosters .

Address: 9-ckl Postcode:

Signature: Leonard Gardner Date Signed: 15/2/19

10.0 Signature of Applicant for Resource Consent

Full name: Jade Shepherd

Signature: J. Shepherd Date Signed: 15/2/19

PRIVACY INFORMATION: The information you have provided on this form is required so that your application can be processed under the RMA, so that statistics can be collected by the Council. The information will be stored on a public register, and held by the Council. The details may also be made available to the public on the Council's website. These details are collected to inform the general public and community groups about all consents which have been issued through the Council. If you would like to request access to, or correction of your details, please contact the Council.

Send

Drop this application to the duty planner at the Ground Floor of the Hamilton City Council Municipal building, Garden Place, between 8am and 4.45pm Monday - Friday or post to:

Team Leader
 Economic Growth and Urban Policy
 Hamilton City Council
 Private Bag 3010
 Hamilton 3240

Planning Guidance
 Hamilton City Council
 Phone: 07 838 6699

Questions?
 For general Special Housing Area enquiries, contact Paul Bowman weekdays
 8am - 4.45pm Email: sha@hcc.govt.nz

Information Checklist for Applications for Establishment of Special Housing Areas

The following information is required in order for the Council to fully assess your resource consent application.

- All information required Outlined in Sections 14 and 15 of the Special Housing Areas Policy
- A Written Description of the Proposal
Please provide a clear and detailed description of the proposed activity and how it is intended to operate.
- Street Address, Legal Description and Area(s) for the Subject Site
- Certificate/s of Title for the Subject Site
(Certificates of Title may be obtained from Land Information New Zealand; please ensure that the Certificate of Title consists of **both** the cover page and attached pages showing the survey plan). The search date for the Title must not be more than three months from the date of lodgment of the application.
- Site Plan (scale 1:100, and 1 reduced A4 copy) showing:
- Locality Plan (scale 1:500) or Aerial Photograph (scale 1:500)
(Showing the physical location of the subject site in relation to adjoining streets and sites)
- Natural hazard commentary (please refer to Flood Hazard Maps and River Stability Lines at www.hamilton.govt.nz)
- The Full Name and Address of Each Owner or Occupier of the Site
- A Description of any Other Activities that are part of the Proposal to which the Application Relates

PLEASE NOTE: PDF Files

PDF files of the application plans are a useful addition to any application. PDF files may be emailed to sha@hcc.govt.nz or, where file sizes are large, saved to a CD-ROM or USB Flash Drive.

Planning Guidance

Hamilton City Council
Phone: 07 838 6699

Questions?

For general Special Housing Area enquiries, contact Paul Bowman weekdays
8am – 4.45pm Email: sha@hcc.govt.nz

PG F1 / Nov2018

5

Number	Name	My / our feedback on Quentin Dr (enlarged proposal) SHA proposal is:
1	C Lister	<p>The increase of 111 dwellings 111 will reflect badly on the character of our neighbourhood and especially will ruin the lake environment, which the public seek for its tranquil peaceful setting, as do the wild life. The council should not take this away from the public or from nature, especially at a time when the environment needs to be protected.</p> <p>1) All traffic from the Quentin Drive development should transit via Kahikatea Dr. That intersection with traffic lights is ideal for coping with the increased vehicle movements. If there are two vehicles per dwelling this means 222 vehicles with at least 2 movements a day. If they transit through Alison St this could mean up to 55 cars or more exiting via Innes Common onto Lake Domain Dr, which is already congested at peak travel times. This will negatively affect the bird life at the lake and ruin the peaceful tranquil setting that the lake is so special for. Also it could mean 55 cars exiting onto Pembroke St, which is also congested at peak times. This is of great concern as it could impede access for the emergency vehicles at Waikato Hospital. Also at times the domain is closed for events meaning even more traffic transiting through Pembroke St. All this will also increase car pollution and noise pollution.</p> <p>2) To keep in character with the neighbourhood the new dwellings should be separate homes on separate sections so not to negatively impact on the character or value of our homes and suburb. This will mean fewer homes and less traffic movements, which is better for preserving the environment at Hamilton Lake for everyone's enjoyment.</p>
2	Chris	<p>i live at ■ alison street.</p> <p>unfortunately i dont not agree with this. the fact it appears u wish to pencil in our driveway as a entrance is a joke. there are families with many children and u are certain to enlarge the risk of accidents including death.</p>
3	Catherine Ling	<p>We oppose the Quentin Dr SHA proposal as it's peat land and not suitable for residential development. If 111 dwellings are to be built, density is high & it's going to affect the existing houses which has seen cracks on the walls & uneven ground. We don't think it's the right place to build.</p>

4	Peter H Bos	<p>Support on conditions</p> <ol style="list-style-type: none"> 1. There is a guaranteed public walking/biking access route from Quentin Dr through what is shown as Lot 203 to Alison St. 2. Lots 46, 47, 48, 49 and lot 203 are held as public reserve until new wider public access route is built from within the development linking directly to Alison St. <p>Reason: Alison St/Hibiscus Ave provides direct access to the largest employer in Hamilton through Gower Park.</p> <p>Support the housing density and location</p>
5	Leonard Gardner	<p>Supportive of the development as allows for innovative housing community to be formed on this scale of site. Supported by plenty of amenity, and in keeping with surrounding residential.</p>
6	Barbara & Stephen Hoy	<p>We think the area should remain light industrial as it really is not suitable for any form of housing. It is a peat area requiring extensive remediation work and piling for each dwelling and is in close proximity to a noisy arterial route, the main trunk rail line and a freezing works , dairy factory and noisy metal recycling yards all of which contribute to some form of noise pollution both day and night. A definite health and safety issue. On our previous submission on the original proposal, we were of the opinion that too many dwellings were being built. Although this has been incorporated in the new plan the proposal to build up to 111 dwellings is contrary to creating a pleasant aesthetic and healthy environment. Having the dwellings so closely arranged has the potential for prospective tenants being affected by their neighbours behaviour e.g. loud stereos social gatherings, family disputes etc in other words noise pollution. With so many duplex buildings being considered the idea of having some form of green space within the area has been overlooked. If 111 dwellings were allowed that will put tremendous pressure on all infrastructure including roading. We find it beyond belief that after our submissions on the first proposal were accepted that the company concerned can change the name and come from another angle and triple the number of houses in spite of the concerns of the wider community.</p>
7	Adrian Featherstone	<p>I would like assurance that;</p> <ol style="list-style-type: none"> a) there definitely will not be any access to the subdivision of Gilbass Avenue and that all of the submissions made in regards to the previous application are applied. b) the surrounding sections are monitored for any damage due to any of the development subdivision and building processes

8	Adam White	<p>* worried about increase in traffic/car numbers around lake crescent/Pembroke street/ Kahikatea drive area , already busy ++ at times. very difficult to turn out of Alison Street into Kahikatea drive, and Lake CRS into Pembroke St already at moment.</p> <p>Opposed ++ to vehicular entry to new development from Gilbass Ave and Alison Street. Would need traffic lights if into Alison Street.</p> <p>* very concerned re high density of housing in this area, and lack of gardens, green areas. Big risk of flooding as low lying area, and flooding into Hastings Place area. The drainage next to the walkway/cycle way is poor in winter, fills up with water and mosquitoes etc healthy and safety concerns.</p> <p>* access from new development to cycleway would be helpful in allowing new homeowners access to lake and city centre.</p> <p>* Danger of lots of these new houses becoming rentals and subsequent impact on area and state of housing , I have noticed often rentals in this area are not cared for , danger of making a ghetto!</p> <p>* I am worried about social impact of high density housing in this small area, increase burglaries, safety on cycleway and around the lake.</p> <p>* Because of the need for considerably more infrastructure in the way of drainage, I believe the City Council must arrange to have put in place a binding document putting the responsibility for on-going maintenance placed firmly on the Developer – and on any Entity to which its business may be associated with in the future. I note that – already – the “Developer” has changed its name and Directors.!</p> <p>* peat area and would need good foundations , all houses in this area already suffer land movement , cracks in driveways , and lack of green space/gardens in this proposal would heighten this impact.</p>
9	Hazel Wood	<p>The proposed area for this SHA off Quentin Drive is prone to flooding due to the soil type PEAT, there have been problems in the past because of this and now you propose to build 111 dwellings !!! This will result in not 111 extra cars in the area but you need to double that so the volume of traffic that will be generated around a very important area to the whole population of Hamilton - Waikato Hospital. The public of Hamilton should not have to contend with any more delays trying to get the health care they need. Parking for any hospital users is at a premium now let alone with all the extra volume this SHA would create.</p> <p>I also question the "affordable housing" as the supporting structures that are required on PEAT are quite substantial, I know from personal experience.</p> <p>I request further information on this proposed development as to me it seems very high density with not enough provision for recreation around the homes</p>

10	Annette Lowe	I strongly object to the proposal to build 111 dwellings on the Quentin Drive site and to enlarge the development area to 4.2 hectares: Social impact of high density housing with few local amenities. more crime from high density development. Road width for resident parking may restrict service access for utilities, fire and ambulance. Traffic impact on SH1 via Quentin Dr will be considerable. Allison Street access way may become vehicular for the whole area. Environmental considerations - building on peat with known instability of the sewerage infrastructure and storm water (during heavy rain) I live in Hastings Place & we went through the process of stopping the access through Gilbass Ave due to the concerns of traffic & the width of Gilbass Ave to cope with the traffic volumes. 111 dwellings is a huge number & is there now a point to stop this huge infill housing that has appeared all over Hamilton in recent years!! The area is clearly industrial and significant testing will need to be done on how the impact of 111 dwellings (probably with 2 cars per household, 222 cars) will have on the Quentin Drive lights & traffic congestion! These SHA's are just getting out of complete control, we were happy with 47 dwellings being built but this will move things to a whole new level. Is there a point when enough is enough !!
11	Douglas Fu & Yanguo Yu	We do not accept this case for housing development. Around this area it is hard to find a good school for children. We have no choice and must send our children to nice school far away. If this area can be used to school or the other useful place that will be welcome.
12	Li-Hsiang Wu	Comparing the two proposals. I am happy with the enlarged second proposal where the road access from Gilbass Avenue is taken off. Gilbass Avenue is a small/confined area with good privacy, removing the road access would secure the safety and prevent the crowdedness of the Avenue. Ideally, the main access of entrance to be on Quentin Avenue.
13	Shu-Ting Yang	Comparing the two proposals, I am happy with the enlarged /second proposal where the road access from Gilbass Avenue is taken off. Gilbass avenue is a small/confined area with good privacy, removing the road access would secure the safety and prevent the crowdedness of the Avenue. Ideally, the main access of entrance to be on Quentin Drive.
14	Freoa Thompson	I am very happy about the proposed special housing area, it gives so many more people a chance to own or rent a home but please don't put up my rates.
15	Pamela and Derek Rodgers	We are amazed that HCC wish to increase traffic flow into the nth bypass which at 222 vehicles the moment is nose to tail at certain times of the day, as is Pembroke Street by another. The original amount of 47 dwellings but note Foster Construction have pulled as you are aware it is peat there and all properties would need to be pilled?? There must be other areas that are more suitable. Also I am sure you are aware that [REDACTED] [REDACTED] Alison Street have also been sold to developers adding another possible 10 to 20 dwellings going up.

16	DR & ML Baigent	So long as there is no proposed traffic access to the SHA site from Gilbass Ave, I have no objection. If I owned property in Alison Street I would be concerned about increasing traffic density.
17	A& C Donaldson	<p>SHA Quentin Drive We strongly oppose the Change of land use from industrial to residential to allow for an increase in housing to 111 dwellings for this SHA. Reasons for objection are listed below: There is no guarantee provided in the application that there would be no access via Gilbass Avenue or Hastings Place.</p> <p>Crime. It has been noted that where SHA'S have been developed in other city's that crime in the surrounding areas has also increased. We have already had an increase in crime in our area since the rail trail has been opened and access has been made via Hastings place.</p> <p>A vehicle break in happened next to us before Christmas, the person responsible was caught on CCTV riding a bike down our shared driveway at 3am in the morning, It took the police 3 days to contact our neighbour, by which time any possibility of evidence was no longer of use.</p> <p>Our areas residents are predominately in the older age group and cant be sure of police support should any crime be committed in our area.</p> <p>Lower value housing areas usually have a slightly bigger number of people that are involved in crime than other areas, so it is very possible that a such a large increase in new dwellings over the original proposal could also increase the crime in the area to a greater extent.</p> <p>Drainage. Water run off It is noted that some work has been done re drainage and waste water reticulation assessment but it is not possible even with computer simulation to be able to predict exactly what will happen in the case of a considerable amount of rain. Late last year some houses in Hastings Place lost power due to the high water level in the street, which shorted out the power supply. Water run-off from the area of the proposed SHA is already causing problems for some residents, there fore covering a large area as proposed with concrete and houses with very little green space will only increase the water run off.</p> <p>As the area is currently served by an open drain, we are concerned that any new drainage will be piped into the Lake and therefore add to the environmental impact in the Lake and surrounding areas.</p>

		<p>Also of concern is the possibility of overloading the existing sewage pump system should there be a power outage, 111 dwellings is a lot more waste water for the system to handle.</p> <p>Devaluation. A large SHA will have an effect on property values, especially the possibility of increased crime. The fact that some proposed dwellings would be 2 story and there for reduce privacy of the houses very close to the area is also an area of concern.</p> <p>At this time, there is insufficient, detail relating to new security measures, drainage, water ponding and environmental impact for us to support the new proposal. We therefore must strongly oppose the extended development.</p>
18	Jack Ninnes	<p><u>Special Housing Area proposal – Quentin Dr (enlarged)</u></p> <p>I oppose this development and application. My feedback on the proposal is as follows:</p> <ol style="list-style-type: none"> 1. The illustration photo Figure 1 on page 2 of the Design Statement is not representative of the houses that will be built. The vast majority of sections are likely to be only 9 to 10 metres wide. Allowing for a walk way around the houses this means the houses are likely to be only 7 to 8 m wide. A typical double garage is 6m wide so this means what will be seen from the road is rows of garages and a front door.  <ol style="list-style-type: none"> 2. Flooding is an acknowledged risk, treated separately in the section entitled <i>QUENTIN RESIDENTIAL LTD GILBASS AVENUE SHA – Flood management</i> and described as a low to medium risk (clause 3.3.3). There is an open drain along the eastern and southern boundaries. The drain flows across Quentin Drive to the rail line. The flood plain is shown in the plan CKLW1127 plan as the north western area of the development. We believe there is also a flood plain that extends down the eastern side of the rail line through to Innes Common so all these houses will be

exposed to additional flood risk along with the adjacent houses in Hastings Place and Gilbass Ave. Lifting the sections above road level further pushes the problem to the surrounding area. In addition, the options for on-site stormwater management depicted as part of the picture above are arguably not for a typical dwelling

3. The road width is shown as 14.5m wide (CKL plan No 150). The small section widths and assuming one drive per unit, at best there will only be one car park in front of each unit. Any second car parking will be on the road, leaving little room for visitor parking. This issue, with potential impact on service vehicle access, is not addressed in the proposal.
4. Wastewater management is a concern. The development proposes to connect into the sewage system that connects Hastings Place (HCC plan). It is planned to also link into Gilbass Avenue (4.3.6). We understand there are already issues with the Gilbass pumping station and this development will only exacerbate current problems. It's also proposed to hold Wastewater storage (4.3.19) but the possible interaction between this and the flood risk is not addressed. Clause 4.1.6 refers to yield. We understand that with a possible yield of 40 this means that up to 168 dwellings could be built (40x4.2 hectares) not just the 110 in the application. We believe that what the developer is requesting is flexibility to maximize the number of houses on the site which they concede may include terraced housing. If this is the case, figures for vehicle movements will change from 1110 to around 1680 a day. The expected population could rise from 300 to 450 people
5. Connections to Hamilton; There is no planned bus service to this development mentioned. It would be available via the access to Alison Street. A connection to the Western Rail Trail for pedestrian and cycle access to the rest of the city, via one of the lots adjacent to Hastings Place 35-37 is an obvious option.
6. Kahikatea Drive/SH1 is grid lock morning and night and with the addition of another 1110 vehicle movements will only exacerbate the already present traffic issues. This will be mitigated by the eventual Cambridge Bypass, but this is some way off.
7. The HCC is implementing two wheelie bins and two smaller bins (one for food waste) next year per household. Pick up will be fortnightly as well. That equates to is 220 wheelie bins and 220 smaller bins for the 110 units, a storage and collection challenge given the small section sizes and potentially congested roadways. Large numbers of bins infrequently collected pose a risk vermin explosion and other problems. The second issue is that there are no plans to locate these bins anywhere so will also be an eyesore for the development.
8. The Association has received anecdotal reports that one of the proposal's partners has been approaching Gilbass Avenue residents looking to acquire properties bordering the original development. This issue was addressed in the original proposal and we are seeking an assurance that the developers are not looking to establish pedestrian or vehicular access to Gilbass Ave.

		<p>9. Social Impacts; Hamilton City Council should have experience of the social and other problems from its various subdivisions. This development presents as crowded with people and cars. There is no provision for green space or community facilities and there are none in the surrounding area.</p> <p>10. This development presents as maximising the return on partners' investment. There is little evident concern for the sorts of lives its residents will lead in it. Surely Hamilton can do better than this.</p> <p>11. The comment in 5.3.2 is that this commercial area has seen little interest. This is solely due to the area being overpriced for commercial development. The land owner / developer needs to reset their expectations. In contrast we do see good growth and development across Kahikatea Drive in Gallagher Drive so there is no reason why this area could not be developed. This area should be set aside solely for commercial development.</p> <p>If there is a hearing or an opportunity to speak to this application then I would like to be heard.</p> <p>The application therefore should be declined.</p> <p>Jack Nannes</p>
19	Martyn Hoy	<p>Pedestrian access ONLY to Alison St. Off road parking for 2 cars on each property road wide enough to take carparking vehicles if cars parked on road.</p> <p>Where is the greenspace?</p> <p>This is very high density housing so needs to have a communal area.</p>
20	John Goldsmith	<p>I am providing feedback on the Quentin Dr (enlarged proposal) SHA proposal (the 'Proposal'), as a Paediatrician (Specialist in Child Health) of 35 years experience in NZ, a Grandfather, and a resident of Gilbass Avenue.</p> <p>I have reviewed the proposal and wish to base my comments in part on the issues of Quality Urban Design as outlined in the NZ Urban Design Protocol (2005) (which the HCC is surprisingly not a signatory to) as referred to in the Hamilton Special Housing Area Policy, Section 15 f.</p> <p>I wish also address serious concerns about the potential hazard of flooding, the lack of any green spaces within the proposed design, the difficulty of access via the proposed 'pedestrian way' from the development to Alison Street, and the potential impacts on the health of any residents (especially children and persons with disabilities) from the risk of flooding, overcrowding, noise pollution from the adjacent vehicle dismantlers and Bunnings Warehouse, and difficulties with access to local Primary Schools.</p>

I base these concerns on my considerable Professional knowledge of the effects on the developing child of lack of easy, safe, supervised access to play, exploration of their local environment, and opportunities for social interaction and education.

Firstly, the proposed resolution in the plan of the flooding risks from stormwater suggest that much of the site is unsuitable for housing - partly because of its low elevation, but mainly because the remediation proposed includes the use of the (open) stormwater drain that runs along the southern border of the development. My understanding is that this drain discharges in a westerly direction into the (also open) drain that then turns north along the RailTrail bike path towards Killarney Road. These drains are non-functional, they are stagnant open 'ponds' after periods of exceptional rainfall (as occurred in the past 2 years) and present a safety issue for children and others using the bike path, as well as a source of potentially disease-carrying insects (a significant risk due to the effects of global warming).

Secondly, there are no designated safe play areas for children, no open spaces for communal activities that would benefit the proposed 300 residents, nowhere for any gardens, vegetable allotments, fruit trees or other ecologically beneficial areas. These are all necessary for the optimal development of a quality environment, to promote physical activity, reduce the risk of obesity or mental health problems, and encourage good citizenship.

Thirdly, the 'pedestrian access' to Alison Street is steep, is also the ROW for several established homes, so will be difficult for young mothers, small children, those with disabilities, and some elderly residents to negotiate. There will also be the risk of injury from the cars, vans, and other vehicles which will be using the same access in order to service those established homes. Fourthly, the proposal mentions lots ranging in size from 200m² to 350m², but on close examination of the plans there are only 10 lots >300m², the rest roughly equally divided into those of 200-250m², or 250-300m². These lots are closely packed, which will impact significantly on those factors already mentioned which are necessary for optimal child health and development.

Finally, there are noisy industrial activities adjacent to the west and south of the development - to the west, a vehicle dismantler (which may be busy at weekends, and which can create pollution problems from waste products, oil, heavy metals, especially given the flooding risk on the western part of the development) - and to the south is a 7-day Bunnings Hardware and Garden warehouse that has big trucks accessing the area immediately next to the boundary of the development. Even though I live near Innes Common, so not immediately next to Bunnings, the noise from these trucks is present from at least 0700 hours most days. There appears not to be any means of noise mitigation from either of these industrial/commercial activities included in the Proposal.

		<p>The references I have used include:1. the Urban Design Protocol (2005)http://www.mfe.govt.nz/node/80632. the Live+Work+Play document from the MOE (June 2002)https://www.mfe.govt.nz/sites/.../rma/live-work-play-jun02/section-1-2-jun02.pdf3. the Hamilton Special Housing Areas Policy4. the HAMILTON STORMWATER BYLAW 20155. my extensive experience and knowledge of the requirements for raising healthy, happy, physically-active and educated young people, who are our future, as well as the needs of those with disabilities, chronic health problems, and mental health difficulties.Yours faithfully,Dr John Goldsmith FRACP, FRCP(C), DCH (UK), MB ChB (Auckland), BSc, BA.Recently retired Consultant Paediatrician, [REDACTED]</p>
21	Jacob and Sannie Termaat	<p>We ,my husband and I are certainly not in favor of this new enlarged Quentin drive enlarged proposal ,47 houses would have been fine and acceptable but not 111 ,If there are going to be 111 houses /appartements or dwellings that could well mean between 150 and maybe up to 200 cars.</p> <p>Increase of crime could unfortunately be a factor as well.</p> <p>Do we have any guarantee that eventually you do not want a road excess in to Gilbass Avenue which could create big and dangerous traffic concerns.</p> <p>We are opposing the present Quentin drive enlarged proposal.</p> <p>Yours sincerely,Jacob and Sannie Termaat [REDACTED]</p>
22	Jillian Eastgate Ray Blackley	<p>My partner and I are totally opposed to this new proposal.Our reasons for this is there has been little or nothing regarding the proposal made public apart from how many dwellings are proposed to be built.We have however found out that Golden Homes have approached the owners of Number [REDACTED] Gilbass Ave wanting buy the properties.Golden Homes have even taken the owners to show newly built units that can be brought as part of the deal.This was after council some time back in the past Housing Application had refused access off Gilbass Ave.We had been told by Council Transport NZ were against this access also.As we both are retired and enjoy our residence and the peace quietness and security it has to offer we are deeply concerned as to how 111 housing units are going to effect our neighborhood.</p>
23	Rob Ebert (Greater Gilbass Area Residents' Association (Inc))	<p>11th April, 2019</p> <p style="text-align: center;"><u>Special Housing Area proposal – Quentin Dr (enlarged)</u></p> <p>The following comments are offered on the above proposal of behalf of Greater Gilbass Area Residents' Association Incorporated</p>

1. The illustration photo Figure 1 on page 2 of the Design Statement is not representative of the houses that will be built. The vast majority of sections are likely to be only 9 to 10 metres wide. Allowing for a walk way around the houses this means the houses are likely to be only 7 to 8 m wide. A typical double garage is 6m wide so this means what will be seen from the road is rows of garages and a front door



2. Flooding is an acknowledged risk, treated separately in the section entitled *QUENTIN RESIDENTIAL LTD GILBASS AVENUE SHA – Flood management* and described as a low to medium risk (clause 3.3.3). There is an open drain along the eastern and southern boundaries. The drain flows across Quentin Drive to the rail line. The flood plain is shown in the plan CKLW1127 plan as the north western area of the development. We believe there is also a flood plain that extends down the eastern side of the rail line through to Innes Common so all these houses will be exposed to additional flood risk along with the adjacent houses in Hastings Place and Gilbass Ave. Lifting the sections above road level further pushes the problem to the surrounding area. In addition, the options for on-site stormwater management depicted as part of the picture above are arguably not for a typical dwelling
3. The road width is shown as 14.5m wide (CKL plan No 150). The small section widths and assuming one drive per unit, at best there will only be one car park in front of each unit. Any second car parking will be on the road, leaving little room for visitor parking. This issue, with potential impact on service vehicle access, is not addressed in the proposal.
4. Wastewater management is a concern. The development proposes to connect into the sewage system that connects Hastings Place (HCC plan). It is planned to also link into Gilbass Avenue. We understand there are already issues with the Gilbass pumping station and this development will only exacerbate current problems. It's also proposed to implement local wastewater storage (4.3.19) to buffer peak demand, but the possible interaction between this and the flood risk is not addressed.

5. Clause 4.1.6 refers to yield. We understand that with a possible yield of 40 this means that up to 168 dwellings could be built (40x4.2 hectares) not just the 110 in the application. We believe that what the developer is requesting is flexibility to maximize the number of houses on the site which they concede may include terraced housing. If this is the case, figures for vehicle movements will change from 1110 to around 1680 a day. The expected population in the development could rise from 300 to 450 people.
6. Connections to Hamilton; There is no planned bus service to this development mentioned. It would be available via the access to Alison Street. A connection to the Western Rail Trail for pedestrian and cycle access to the rest of the city, via one of the lots adjacent to Hastings Place 35-37 is an obvious option.
7. Kahikatea Drive/SH1 is grid lock morning and night and with the addition of another 1110 vehicle movements will only exacerbate the already present traffic issues. This will be mitigated by the roading bypass in his area, but this is some way off.
8. The HCC is implementing two wheelie bins and two smaller bins (one for food waste) next year per household with a fortnightly pick up. That equates to is 220 wheelie bins and 220 smaller bins for the 110 units, a storage and collection challenge given the small section sizes and potentially congested roadways. Large numbers of bins, infrequently collected, pose a risk vermin explosion and other problems.
9. The Association has received anecdotal reports that one of the proposal's partners has been approaching Gilbass Avenue residents looking to acquire properties bordering the original development. This issue was addressed in the original proposal and we are seeking an assurance that the developers are not looking to establish pedestrian or vehicular access to Gilbass Ave.
10. Social Impacts; Hamilton City Council should have experience of the social and other problems from its various subdivisions. This development presents as crowded with people and cars. There is no provision for green space or community facilities and there are none in the surrounding area.
11. This development presents as maximising the return on partners' investment. There is little evident concern for the sorts of lives its residents will lead in it. Surely Hamilton can do better than this.

Rob Ebert

Secretary

Greater Gilbass Area Residents' Association (Inc)

24	Mrs Debbie Heron	<p>This is an industrial area & should remain so. The soil in this area is peat & will require deep and extensive foundations to prevent subsidence of dwellings which is costly and unlikely to occur with special housing units.</p> <p>These future residents will therefore have ongoing structural problems and costs which they will not be able to afford. Very deep foindational structures, if done, will be time consuming, with excessive noise to the area for many months, and cause structural problems to surrounding housing especially around Hastings Street, who I believe have structural issues due to the poor soil.</p> <p>If 111 special housing units are built in this proposed area, then we are assuming around 222 added vehicles to these already over congested roads.</p> <p>This area has increased traffic flow due to major congestion along the south west of the city and along Kahikatea Drive , therefore forcing motorists to take short cuts via the lake and along Alison Street, plus from Kahikatea Drive into Alison Street towards Lake Crescent. It is now become hazardous leaving or entering property along here due to the speed and increased traffic flow! Traffic averages over 50kms an hr and comes from both sides.</p> <p>I walk to work and cross Kahikatea Drive and often wait for 5mns to cross to the centre island neverm8nd right across the road, as there is seldom a break in the traffic even with the traffic lights at Gallagher Drive.</p> <p>It is now too dangerous to turn right into Kahikatea Drive from Alison Street, which we used to be able to do around 4 years ago. A traffic light is neede here as well as a safe pedestrian crossing.</p> <p>For these above reasons I am totally opposed to this area being used as a residential area and for so many special housing units to be built.</p>
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25	Julie Vickers	<p>Thank you for the opportunity to comment.</p> <p>I appreciate that the council will be looking to make use of vacant land, but as with the original proposal, there are some concerns.</p> <p>The proposal includes that preliminary plans indicate that the sites can accommodate 111 houses. It also states that the potential for terraced or apartment buildings would also be enabled and also refers to a different yield. 111 houses is already a large number of people and cars to add to the area, and I would be even more concerned if the number goes beyond that.</p> <p>What design of houses are being proposed? Will there be enough greenery/verges etc to allow this to be a pleasant area to live in despite the number of houses in close proximity? Can consideration be given to reducing the number of houses being proposed?</p> <p>There are potential traffic issues. In relation to these affecting Alison Street, Lake Crescent and Gilbass Avenue, is there assurance that the developers will not be given permission to develop vehicular access via Gilbass Avenue or Alison Street? I understand that developers own houses alongside the current proposed pedestrian accessway onto Alison Street and may have been approaching residents in Gilbass Avenue. I hope that the council keeps to the previous decision to not allow any access via Gilbass Avenue.</p> <p>Some houses in the area already have issues due to type of land and water. Do the plans submitted by the developers adequately address the potential issues associated with developing that number of houses in that location? Are the proposals to manage the risk of flooding by raising the ground level appropriate and adequate? It is great to see that water sensitive designs are noted in the application - as these are illustrative and the houses will not be like those in the picture, how much of the water sensitive designs will be incorporated? Is there an opportunity to think more environmentally friendly?</p>
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26	Albert & Claire Randall	<p>We fully endorse the submission from Derek and Eileen Greenfield, as well as that submitted by the secretary of the GGAA. We are the first family to reside in the original subdivision (not counting the farm owners), and have watched the problems in the area develop over time. This Proposal does not - in any adequate way - address the inherent threats of the escalation of these issues. We would like to have the opportunity to speak. Albert and Claire Randall, [REDACTED]</p>
27	Alec Duncan (on behalf of Ministry of Education)	<div data-bbox="745 576 1075 699" data-label="Image"> </div> <div data-bbox="1480 533 1850 794" data-label="Image"> </div> <p data-bbox="745 839 898 863">12 April 2019</p> <p data-bbox="745 895 925 975">Hamilton City Council Garden Place Hamilton</p> <p data-bbox="645 1054 1290 1078">Hamilton City Council Special Housing Area – Quentin</p> <p data-bbox="645 1123 871 1147">Drive Background:</p> <p data-bbox="745 1190 1727 1270">The Ministry of Education (the Ministry) is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry has responsibility for</p>

all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing. The Ministry is therefore a considerable stakeholder in terms of activities that may impact on educational facilities and assets in the Hamilton City area.

The Ministry's feedback on the Special Housing Area for Quentin Drive:

Hamilton City Council (the Council) has received an application for a Special Housing Area (SHA) accessed off Quentin Drive. The SHA are a key mechanism for the Council to deliver on its commitment under the Housing Accord. The application indicates that the site is zoned Industrial under the Operative District Plan (ODP) and the application demonstrates that the site can accommodate approximately 111 new dwellings over two stages.

The Ministry are concerned about the implications for schooling provision, which are likely to arise from this development. Given the current industrial nature of the site and its zoning, the Ministry had not anticipated residential development in this location. Local schools are limited in their capacity, particularly in this time of serious fiscal demand and residential growth in the wider suburbs.

In addition to the concern raised above, the location of the proposed SHA will create safety and/or traffic concerns for students who may be travelling to and from the new SHA to any of the existing schools in the area, given that the site is located within a busy industrial area. For example, any students trying to access the nearest primary school that has capacity, would require them to travel along State Highway 1 (SH1) (approximately a 30-minute walk one way). Students will also need to cross SH1 at a busy intersection which is not an acceptable environment for school students.

The need for safe transport routes and access to and from schools including infrastructure to support this SHA is a concern for the Ministry and is part of the selection criteria which is set out in the Council's agreed Framework for Evaluating SHAs. The Ministry considers that this proposal would not align with the Council's transport network framework, that is, providing a transport network that is accessible and safe— in this case, with student safety

a core concern.

Relief sought:

The Ministry requests that the Council consider the appropriateness of this development in an Industrial area and whether the applicant has considered safe transport routes and access to and from schools, given the area is zoned industrial and the site is accessed off SH1.

If the development is given approval – the Ministry requests that the Council and the developer consult with the Ministry and keeps them up to date with the staging and timing of this development to help understand the potential impact on the school network. The Ministry would also like to work with the local schools, Council and the developer to look at potential travel plans to the nearest schools or at the least, facilitate a conversation around students getting to and from the SHA.

The Ministry also requests that the Council continue to engage with the Ministry on matters that facilitate residential growth of this scale. The Ministry appreciates the on-going dialogue that has been established with Council on this subject to date.

Should you have any more queries please do not hesitate to contact the undersigned on behalf of the Ministry.



Alec Duncan
Planner (Beca
Ltd)

28	Raewyn Barnes	<p>I have serious concerns over this amendment to the development at Quentin Drive. The land size in this area has only just doubled - but the developer has more than doubled the amount of houses that they plan to put in this area and in addition to this clause 4.1.6 allows for a yield of 40 which would allow for up to 168 dwellings in this area - not just the 110 in the application. The illustration photo figure 1 on page 2 of the design statement is also not likely to be representative of the houses that will be built in this area - it appears that the majority of the sections are only going to be 9 - 10 metres wide. When you allow for a walkway around the house it would mean that the actual houses are only going to be 7 - 8 meters wide. A typical double garage is 6 meters wide so this would mean that all you would see from the street is a row of garages with a front door.</p> <p>The road width is also a concern on CKL plan number 150 it is shown as 14.5m wide. The way the houses are designed it would mean that there would be many cars parking on the road and this could have impacts on service vehicles such as rubbish trucks, fire trucks and ambulances accessing the area. This issue has not been addressed in the proposal.</p> <p>Hamilton City Council have also indicated that we would be moving to wheelie bins next year with fortnightly pickups - that proposal would mean that in this small area there would be at least 220 wheelie bins and an additional 220 smaller bins (assuming there are only 110 houses) - this could pose a risk of vermin and other problems.</p> <p>Flooding in this area is also an acknowledged risk - described in clause 3.3.3 as being low to medium, with the additional houses, this will more than likely pose an additional flood risk to the adjacent houses in Hastings Place and Gilbass Ave.</p> <p>While this proposal doesn't specify that there will be access to Gilbass Ave, I have heard that several people on Gilbass Ave who have properties bordering the development site have been approach by the developer in regards to selling their house. This option was taken off the cards in the previous proposal, however I would like reassurance that this would also not be an option with any additional development in this area. Any thoroughfare into Gilbass Ave, or Hastings place would pose a significant increase in crime in our street.</p> <p>I think there should be some serious concerns regarding the social impacts that this proposal has not addressed. This type of development presents as being a very crowded area with people and cars. This is being build as "affordable housing" but the reality is that most people couldn't afford the \$500,000 that these will sell for and the majority of these properties will be snapped up by property managers who will rent these out to anyone who will live in a crowded subdivision.</p> <p>Regards Raewyn Barnes</p>
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29	Arama Puriri	<p>My concerns on behalf of the Gilbass incorporated society 77 rate payers who live in Gilbass Avenue, Hastings Place and Rimington Ave are:</p> <p>Safety: The increase in traffic</p> <p>Zone : We do not want the zone to change from commercial to residential</p> <p>Roads: Historically Gilbass Avenues road has failed with large craters forming. I have the records and photos to validate this report. HCC must fully investigate the possible damage and the impact upon the current infrastructure. A class 2 vehicle restriction was imposed on the road, the council signage is still displayed on Gilbass Avenue. An increase of road usage will deteriorate the road, bringing large construction vehicles will accelerate the damage.</p> <p>Land: The proposed building site is a noxious combination of peat and wet land. Some homes along Gilbass Avenue historically and currently had/have issues of the land movements, which causes movement to the homes, driveways, and decking. This is evident and recorded on some LIM reports. Bunnings on the corner of Kahikatea Drive and Quentin Avenue is already experiencing land movement causing issues at the rear of their building.</p> <p>Whoever builds on this site would need to undertake sufficient treatment to ready the land for development. The developers must also consider the impact upon existing homes, if any damage the council could be held liable, there is precedence.</p> <p>Water: The estimated depth of flooding of 150mm – 200mm is grossly miscalculated, more so to the west of the development, HCC will need to validate the information, especially during wet seasons. Hastings Place and some parts of Gilbass already experience issues of flooding, more water diverted</p> <p>Emergency services: A real concern, the current intensified design gives no room for any additional parking. Emergency services will have insufficient access to the properties.</p>
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30	Aaron Jack	<p>My wife and I support the Quentin Dr (enlarged proposal) SHA proposal. We recognise that Hamilton is short of residential property which is resulting in high property prices, high rental prices and fewer choices for Hamiltonians. Therefore by enabling more land to be opened up for residential stock it will be better for our city.</p> <p>In this case the current land is zoned industrial and we have sufficient industrial land both in this part of the city, north and proposed easterly development to cater for existing and future industrial development and activities, therefore will not suffer if this property is changed to residential.</p> <p>The property is well located for residential activities being close to the lake, hospital and town.</p> <p>The surrounding properties are mainly residential apart from Bunnings which is not an offensive property to live next to.</p> <p>There is sufficient existing infrastructure to take care of vehicle movements with Quentin Dr now having the controlled intersection at K Dr.</p> <p>We have personally lived in the local neighbourhood for several years and have really enjoyed the location and proximity to all the local facilities.</p> <p>From a personal point of view, I am also supportive of this proposal as I have four residential rental properties which border the proposed development and I would much prefer to have new residential dwellings built next door than industrial activities as per the current zoning. I suspect that many of the local residents would feel the same. It would also feel more of a community being surrounded by more residential activities than industrial.</p> <p>For the above reasons my wife and I fully support this SHA proposal.</p>
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31	Dale Lister	<p>As a conscientious ratepayer, I object to projects that will disrupt and degrade existing local communities. Originally I objected to the previous proposal for 47 dwellings. This new proposal more than doubles that figure to 111 dwellings. Obviously our serious concerns & objections were ignored about the Health & Safety issues and social environmental impact this will have on our local community.</p> <p>Some of the original issues raised which still stand are:-</p> <ol style="list-style-type: none"> 1.) Large number of extra vehicles >200 - will compound existing traffic congestion on surrounding roads. (Could be >500 extra vehicle movements / day in a small area) 2.) Dense housing of this magnitude will have a negative social impact on surrounding neighborhood. Increased levels of noise, crime, devaluation of surrounding properties. 3.) Difficult Emergency Vehicle access, because of parking restrictions etc. 4.) Overload existing roading and environmental infrastructure. <p>This proposal should be reviewed AFTER adequate infrastructure has been completed to cope with any proposed additions (eg. new Kahikatea Dr Bypass completed).</p>
32	Eileen Hammond	<p>My main concern with the proposed specialist housing area - Quentin Drive (Enlarged Proposal) is still access through Gilbass Avenue.</p> <p>I know it has been agreed there will be no access through 35 Gilbass Ave but I want to emphasise that with the new proposal for 111 dwellings being considered this will not be altered and there will be no other vehicle access through Gilbass Ave as the road could not carry the extra traffic and it would be both chaotic and dangerous.</p>
33	Derek and Eileen Greenfield	<p>Proposed SHA: Feedback on Quentin Drive (Enlarged proposal) 10th April, 2019</p> <p>Sirs, we have read through the proposal in detail and wish to comment on various sections below.</p> <p>(1.4) The massive increase from 49 to 111 dwellings would create a sub-standard ghetto-type area and provide a perfect storm for conditions that contribute to overcrowding and crime. No mention is made of curbing investors who might purchase & rent out to tenants who generally have little inclination to maintain ownership standards of living.</p> <p>(4.1.3) The proposal assumes a maximum of 300 residents in 111 new dwellings. In reality, that figure would easily double from 2.7 per dwelling putting all services at grave risk of under- providing.</p> <p>(4.1.5) Lot sizes will range from 200 sq.m to 414 sq.m. The small size of sections will contribute greatly to problems of access, parking, privacy, airflow & sunshine for each dwelling.</p> <p>(5.5.2) No details have been provided on the minimum distance between closely built dwellings. Page 54 (fig2) The photo of the typical onsite stormwater management dwelling has a footprint much greater than the allocated lot size above, and is therefore grossly misleading and deliberately false.</p>

		<p>Regarding the Flood Hazard Area designated low to medium, and provision of water services. (3.5.2) It is not acceptable to consider the open drain as suitable for stormwater runoff from the high number of proposed hard surface areas such as roofs and driveways.</p> <p>(3.5.4) It is only assumed that an existing wastewater line of 225mm diameter will cope with up to an additional 111 dwellings.</p> <p>(3.5.6) It is only assumed that the existing water main of 2x150mm pipes will adequately provide a reliable water supply to 111 dwellings as well as coping with emergency requirements.</p> <p>(4.3.6) The proposed main flow of stormwater is to the open drain and minor flows into Gilbass Ave. system. Details on how on-lot rain collection tanks will cope on very small sections is missing. The suggestion that a created wetland in the NW part would cope is denying the fact that the water table is already high in that area due to peatland substructure and the close proximity to Hamilton's Lake Rotoroa. This would change the flood hazard level to extremely high.</p> <p>(4.3.14) The existing waste water pipe is shown in error as 250mm. The size as previously stated is 225mm.</p> <p>(4.3.19) No solution is suggested for on-site waste water holding tanks that would overflow in extreme rain conditions.</p> <p>(5.3.1) In the event of a flood hazard, rising the ground level of this development area would only push the flood problem onto surrounding lower levels. eg. the open drain, Gilbass Ave, Hastings Place, Rimmington Drive etc. The underground water table there is already critically high during the wet winter months.</p> <p>In Summary: We have strong concerns about the increased number of dwellings creating overcrowding and lower living standards. We have strong concerns about the existing 3-water plan and its capacity to deliver. We have strong concerns about the flood hazard to the surrounding district being compromised by the addition of so many dwellings in such a small area.</p> <p>Regards Derek & Eileen Greenfield</p>
34	Waikato District Health Board	<p style="text-align: center;">Submission</p> <p style="text-align: center;">Special Housing Area proposal - Quentin Drive</p> <p>To: Economic Growth and Urban Policy Team Hamilton City Council Private Bag 3010,</p>

Hamilton, 3240 sha@hcc.govt.nz

Details of Submitter: Waikato District Health Board

Address for Service: Public Health Unit
Waikato District Health Board Private Bag 3200
HAMILTON 3240

Contact Person: Dr Richard Wall
[REDACTED]

Date: 10 April 2019

Hearing: We do not wish to be heard in support of our submission

1 Introduction

1.1 Waikato District Health Board (Waikato DHB) presents this submission through its public health unit. The Public Health Unit is the principal source of advice within Waikato DHB regarding matters concerning Public Health. Waikato DHB has a duty of care and responsibility under the New Zealand Public Health and Disability Act 2000 to improve, promote and protect the health of people and communities. Additionally there is a responsibility to promote the reduction of adverse social and environmental effects on the health of people and communities. With nearly 7000 staff, Waikato DHB delivers health services to a population of more than 400,000 people across the Waikato region.

2 General comment

2.1 The Public Health Unit at Waikato District Health Board would like to acknowledge and thank Hamilton City Council for the opportunity to give feedback on the proposed larger Quentin Drive special housing area.

2.2 We applaud Hamilton City Council's proactive approach in working to provide affordable housing within its city boundary. However, the Public Health Unit wishes to raise and bring attention to, the potential issue of noise effects from surrounding industrial zoned areas on the proposed residential development.

- 2.3 The issue of noise is becoming more relevant with increased population growth coupled with the urbanisation of once rural environments, which has seen the advent of increased contention between competing activities.
- 2.4 The subjective nature of noise makes it extremely problematic, as one person can be significantly affected by a level of noise, while another is unconcerned. The exposure to overly excessive or unwanted sound (noise) can significantly impact on an individual's health and wellbeing. The impacts are not just directly on an individuals' hearing, but can also lead to additional health effects due to sleep disturbances or stress. Health effects, such as increased blood pressure, migraines, coronary disease and ulcers, can be associated from exposure to excessive noise[1].
- 2.5 The Public Health Unit is concerned that proposing a residential development next to industrial zoned areas without controls has the potential to cause adverse health impacts on those potentially residing in the development in the future.
- 2.6 We request that, if residential development of this area proceeds, explicit controls should be required to protect residents from permitted levels of industrial noise. Potential controls could include:
- Enhanced sound insulation and mechanical ventilation that will allow windows to be closed, if necessary, to achieve the required indoor sound level, while allowing ventilation with fresh air
 - Residential houses along the boundary of the road reserve and closest to the industrial zoned land be designed to not have bedrooms or outdoor living areas directly facing the industrial zone
 - Appropriate bunding with vegetation, and high, visually non-permeable fencing are used along the boundary of the residential development and industrial zone.

The Public Health Unit again thanks Hamilton City Council for this opportunity.

Dr Richard Wall



Medical Officer of Health Public Health
Waikato District Health Board

35

NZTA

Special Housing Areas
Hamilton City Council

by email: [REDACTED]

Dear Laura

SHA Consultation – Quentin Drive

Thank you for your email of 19 March to Megan Kettle inviting the NZ Transport Agency to comment on a revised SHA proposal for Quentin Drive. As you are aware, the Transport Agency previously provided feedback on an earlier proposal at the same site. The current proposal incorporates and expands on the earlier proposal.

The Transport Agency has reviewed the documentation available on HCC's website and, while it remains supportive in principle of an SHA development in this area, it cannot be satisfied on the basis of the information provided that all necessary infrastructure is in place. In particular, the Transport Agency considers the following needs to be demonstrated:

- The transport network in general, and the Quentin Drive/SH1 intersection in particular, can safely accommodate the additional traffic to be generated;
- How walking, cycling and public transport connectivity is or will be achieved; and
- How the development will help achieve the objectives of Access Hamilton

The Transport Agency recommends that an integrated transport assessment is undertaken or provided by the developer to confirm that the proposed expanded SHA is appropriate.

Yours sincerely

Item 5

Attachment 8

		 Jenni Fitzgerald Manager, Consents & Approvals (Acting)
36 (LATE FEEDBACK)	Craig McGrarr - BENTLEY & CO. LTD (on behalf of HC Rental Trust)	15 April 2019 Hamilton City Council Private Bag 3010 Hamilton 3240 New Zealand Attention: Economic Growth & Urban Policy Team Dear Sir / Mam RE: Special Housing Area - Larger Quentin Dr SHA Open for Feedback Bentley & Co. Limited are Resource Management Consultants acting on behalf of HC Rental Trust, who are the owners of the properties located at [REDACTED] Alison Street. This letter serves as a submission on the second SHA application recently lodged with Hamilton City Council, which proposes an additional 63 residential allotments (in addition to the 49 proposed by the first SHA application) on the land accessed off Quentin Drive and zoned for industrial development under the Operative Hamilton District Plan. For completeness, it is noted that the first SHA application (October 2018) (now referred to as Stage 1) relates to the land described as Lot 3 DPS 201S2, and the second SHA application (March 2019) (described as Stage 2) relates to the land described as Lot 2 DO 482992. The second application seeks to integrate the two SHA proposals into one development. While we are supportive of urban intensification in the manner proposed by the first SHA application, we have concerns

in regards to the "Pedestrian Connection to Alison Street" (identified on the plan appended as **Attachment 1**) that was proposed as part of the firstSHA application, and now proposed as an element of the larger integrated SHA application.

The "Pedestrian Connection to Alison Street" was proposed in connection with the 'Right of Way' that is awarded to Lot 3 DPS 201S2 (the land subject to the first SHA application). The land subject to the second SHA application (Stage 2) is a separate site and is not awarded with 'Right of Way' access to Alison Street.

With regards to what is proposed, the pedestrian access to Alison Street is a 'private' thoroughfare, such that it will serve as the only connection to the SHA site. No other pedestrian connections are proposed to be established to Alison Street, nor are any other thoroughfares proposed to be established to provide access to the site from the north or south.

As the only pedestrian access available north and east of the SHA site, the increased intensity proposed will result in a significantly higher number of people using the proposed pedestrian accessway (despite owners of 'Stage 2' SHA land not being awarded with ROW access rights), and result in unacceptable adverse effects on the residential amenity and privacy of [REDACTED] Alison Street, located along the northern side of the proposed accessway.

The 'Right of Way' awarded to the land subject to the first SHA application (described as Lot 3 DPS 201S2) dates back to 1971 when the site was utilised as farmland, such that the intensity originally envisaged for this accessway would not have been reflective or intended for use by a large-scale residential development, such as that currently proposed.

Further to the above, the SHA land is intended by the Operative District Plan to be utilised for industrial activities, which further supports the argument that the level of intensity envisaged for the 'Right of Way' is much less than what the SHA development would generate.

The 'Right of Way' awarded to Lot 3 DPS 201S2 was not intended to be utilised in the high intensity manner proposed by the SHA development, and therefore it is inappropriate to expect this single pedestrian access to Alison Street to cater for this large scale development. We therefore request that Council investigates alternative options.

Please do not hesitate to contact me on [REDACTED] should you require further information. I wish to speak in support of my feedback at the Council meeting on 29th April 2019.

Yours faithfully,

Item 5

Attachment 8

		<p><i>BENTLEY & CO. LTD</i></p>  <p>Craig McGarr Director - Resource Management Planner On behalf of HC Rental Trust</p>
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Council Report

Item 6

Committee: Council **Date:** 29 April 2019
Author: Lee-Ann Jordan **Authoriser:** David Bryant
Position: Governance Manager **Position:** General Manager Corporate
Report Name: Representation Arrangements 2019

Report Status	<i>Open</i>
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Purpose

1. To inform the Council of the Local Government Commission determination on Hamilton City Council's representation review proposal.

Staff Recommendation

2. That the Council:
 - a) receives the report; and
 - b) notes that the Local Government Commission's determination confirms the representation arrangements for Hamilton from 2019 as set out in the Council's final proposal, i.e. status quo.

Discussion

3. On 1 November 2018, the Council resolved its final proposal for Hamilton's representation arrangements from 2019 as follows:

That the Council:

- a) *receives the report;*
- b) *resolves, in accordance with the provisions of the Local Electoral Act 2001 and following consideration of public submissions of the Council's initial proposal for the 2018 representation review, to adopt the initial proposal as its final proposal. That is:*
 - i. *Hamilton City Council comprises 12 councillors elected under the ward system, plus the mayor elected 'at large'*
 - ii. *Hamilton City Council is divided into two wards, consisting of the following communities of interest:*
 - I. **East Ward** (represented by six councillors), comprising the area to the east of the Waikato River as shown shaded blue in Attachment 1 (i.e. the current East Ward);
 - II. **West Ward** (represented by six councillors), comprising the area to the west of the Waikato River as shown shaded green in Attachment 1 (i.e. the current West Ward);
 - iii. *no community boards are established.*

Item 6

- c) *approves that its final proposal is publicly notified before 5 November 2018;*
 - d) *delegates to the Chief Executive, Governance Manager and Electoral Officer the authority to review and approve the wording of the reasons for the Council's decision and its rejection of submissions received on the Council's initial proposal, for the purposes of the public notice required under section 19N of the Local Electoral Act 2001; and*
 - e) *notes that the final proposal is subject to a one-month appeal period and should any appeal be received; the matter is sent to the Local Government Commission for determination.*
4. During the one-month appeal/objection period following public notice of the Council's final proposal, (3 November 2018 – 7 December 2018), one appeal was received.
 5. This appeal was referred to the Local Government Commission (LGC) for determination.
 6. The LGC was required to complete its review and determine the final representation arrangements for the Council by 10 April 2019.
 7. The LGC determination was received by the Council on 8 April 2019 (attachment 1 of this report).
 8. The determination confirmed the representation arrangements resolved by the Council on 1 November 2018, that is, the status quo.
 9. There are no known risks associated with the matters in this report.
 10. Staff consider the matter in this report has a low significance and that the recommendation complies with the Council's legal requirements.

Attachments

Attachment 1 - Local Government Commission Determination



Determination

of representation arrangements to apply for
the election of Hamilton City Council
to be held on 12 October 2019

Background

1. All territorial authorities are required under sections 19H and 19J of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years. These reviews are to determine the number of councillors to be elected, the basis of election for councillors and, if this includes wards, the boundaries and names of those wards. Reviews also include whether there are to be community boards and, if so, membership arrangements for those boards. Representation arrangements are to be determined so as to provide fair and effective representation for individuals and communities.
2. Hamilton City Council (the council) last reviewed its representation arrangements prior to the 2013 local authority elections. Therefore, it was required to undertake a review prior to the next elections in October 2019.
3. At the time of the last review, no appeals/objections were received against the council's final proposal. As a result, the proposal determined by the council set the representation arrangements that applied for the 2013 and subsequent 2016 local authority elections. Those arrangements were for a council comprising the mayor and 12 councillors elected from two wards as set out in the following table.

Ward	Population*	Number of councillors per ward	Population per councillor	Deviation from city average population per councillor	% deviation from city average population per councillor
East	74,600	6	12,433	+291	+2.40
West	71,100	6	11,850	-292	-2.40
Total	145,700	12	12,142		

*Based on Statistics NZ 2011 population estimates

4. The arrangements also include no community boards in Hamilton City.
5. For its current review, the council went through a number of preliminary consultation stages in relation to possible representation arrangements. These stages were:
 - research and benchmarking
 - preliminary consultation by way of an online survey (420 respondents)
 - further consultation by way of two focus groups and a phone survey (500 respondents)

- communication with elected members through briefings and informal meetings.
6. Council officers summarised the findings of the various pre-consultation initiatives including:
- people hold a range of views about what arrangements will deliver the best results for the city
 - an at large system was the individual option most people preferred (160 from online survey, 300 from phone survey)
 - however, when including responses from the 2018 Community Profile Survey about whether current arrangements adequately represented them, more people overall indicated preference for the status quo (585), 88 from online survey, 165 from telephone survey.
7. The report also noted a significant proportion of the public chose not to engage in the pre-consultation evidenced by only 420 responses from 14,000 views of the online survey. It noted “there is a need to provide better public education around civic matters in light of the observed confusion about how representation arrangements work”.

8. Based on the research and feedback received, a paper identifying the following six reasonably practicable options was prepared for an elected members’ briefing:
- status quo (two wards East and West)
 - at large
 - two wards North and South
 - three wards
 - four wards
 - mixed system.
9. At a meeting on 16 August 2018, the council adopted its initial representation proposal. This proposal was for retention of status quo arrangements being a council comprising the mayor and 12 councillors elected from two wards, and for there to be no community boards in the city.
10. The proposed ward arrangements are set out in the following table.

Ward	Population*	Number of councillors per ward	Population per councillor	Deviation from city average population per councillor	% deviation from city average population per councillor
East	87,100	6	14,517	+734	+5.33
West	78,300	6	13,050	-733	-5.32
Total	165,400	12	13,783		

*Based on Statistics NZ 2017 population estimates

11. The council notified its initial proposal on 24 August 2018 and invited submissions by 24 September 2018. The council received 37 submissions of which 8 supported the proposal and 29 opposed the proposal.
12. Of the 29 opposing the proposal:
 - 11 supported an at large system
 - 11 supported an increase in the number of wards
 - 5 supported a reduction in the number of councillors
 - 2 supported an increase in the number of councillors
 - 3 supported the establishment of community boards.
13. At a meeting on 9 October 2018, the council, after considering the submissions, resolved to adopt its initial proposal as its final representation proposal.
14. In notifying its final proposal, the council commented as follows on the reasoning for its decision:
 - there were a diverse range of views expressed in the submissions and they were of a contradictory nature
 - the Waikato River is a distinct geographical feature which is a well-known reference point for communities of interest
 - the current wards continue to reflect Hamilton's communities of interest to at least the same extent as other representation structures advocated through the submissions
 - the current ward structure does not create any more barriers to participation either for voters or those standing as a candidate, than other representation structures advocated through submissions
 - the current ward structure provides a balance between the views of submitters proposing a better choice of candidates and those seeking more knowledge and connections to local areas.
15. The final proposal was publicly notified on 3 November 2018 and appeals invited by 7 December 2018.
16. One appeal against the council's final proposal was received from Deborah Fisher. The appeal is against the retention of the current two-ward representation structure given what is seen in the submissions as a desire for change.

Matters for determination by the Commission

17. Section 19R of the Act makes it clear that the Commission, in addition to consideration of the appeals and objections against a council's final representation proposal, is required to determine, in the case of a territorial authority, all the matters set out in sections 19H and 19J which relate to the representation arrangements for territorial authorities. This interpretation was reinforced by a 2004 High Court decision which found that the Commission's role is not merely supervisory of a local authority's representation arrangements decision. The Commission is required to form its own view on all the matters which are in scope of the review.

18. Given this requirement, any concerns expressed by appellants/objectors relating to the council's review process are not matters that the Commission needs to address. We may, however, comment on a council's process if we believe it would be of assistance to the council in a future review.
19. The matters in scope of the review are:
 - whether the council is to be elected from wards, the district as a whole, or a mix of the two
 - the number of councillors
 - if there are to be wards, the area, boundaries and names of wards and the number of councillors to be elected from each ward
 - whether there are to be community boards
 - if there are to be community boards, the area, boundaries and names of their communities, and the membership arrangements for each board.
20. For the purpose of making a determination, the Commission may make such enquiries as it considers appropriate and may hold meetings with the interested parties. There is no obligation on the Commission to hold a hearing and the decision on whether to hold a hearing is based on the information provided by the parties and as a result of any further enquiries the Commission may make.
21. In the case of Hamilton City Council's proposal, we considered there was sufficient information in the documentation provided by the council on the process it had followed in making its decision and also in the appeal for us to proceed to a determination. Accordingly, we decided no hearing was required.

Key considerations

22. Based on legislative requirements, the Commission's *Guidelines for local authorities undertaking representation reviews* identify the following three key factors when considering representation proposals:
 - communities of interest
 - effective representation of communities of interest
 - fair representation for electors.

Communities of interest

23. The Guidelines identify three dimensions for recognising communities of interest:
 - *perceptual*: a sense of identity and belonging to a defined area or locality as a result of factors such as distinctive geographical features, local history, demographics, economic and social activities
 - *functional*: ability of the area to meet the needs of communities for services such as local schools, shopping areas, community and recreational facilities, employment, transport and communication links

- *political*: ability to represent the interests of local communities which includes non-council structures such as for local iwi and hapū, residents and ratepayer associations and the range of special interest groups.
24. We note that in many cases councils, communities and individuals tend to focus on the perceptual dimension of communities of interest. That is, they focus on what intuitively they ‘feel’ are existing communities of interest. While this is a legitimate view, more evidence may be required to back this up. It needs to be appreciated that the other dimensions, particularly the functional one, are important and that they can also reinforce the ‘sense’ of identity with an area. In other words, all three dimensions are important but should not be seen as independent of each other.
25. In addition to evidence demonstrating existing communities of interest, evidence also needs to be provided of *differences* between neighbouring communities i.e. that they may have “few commonalities”. This could include the demographic characteristics of an area (e.g. age, ethnicity, deprivation profiles) and how these differ between areas, and evidence of how different communities rely on different services and facilities.
26. In the case of Hamilton City, the city was constituted in 1989 largely based on the then existing city with some boundary changes in anticipation of future growth. While Hamilton was seen as the main centre for a wider Waikato area, the Commission was concerned at the impact a larger territorial authority would have upon the other districts in the region. Accordingly, the city was confined to a largely urban area.

Effective representation of communities of interest

27. Section 19T of the Act requires the Commission to ensure that:
- a) the election of members of the council, in one of the ways specified in section 19H (i.e. at large, wards, or a mix of both) will provide effective representation of communities of interest within the city
 - b) ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes
 - c) so far as is practicable, ward boundaries coincide with community boundaries (where they exist).
28. ‘Effective representation’ is not defined in the Act, but the Commission sees this as requiring consideration of factors including the appropriate total number of elected members and the appropriate basis of election of members for the district concerned (at large, wards, or a mix of both).
29. Section 19A of the Act provides that a territorial authority shall consist of between 5 and 29 members, excluding the mayor. The Hamilton City Council initially comprised a mayor and 17 councillors on its constitution in 1989. This number was reduced to 13 in 1992 and then to the current 12 in 2007. As noted, the council’s pre-consultation activities showed a range of views on the appropriate number of councillors including some support for the existing number. There was also a range of views on this matter in the submissions on the council’s initial proposal.
30. The Commission’s Guidelines note the following factors need to be considered when determining effective representation:

- a) avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area
- b) not splitting recognised communities of interest between electoral subdivisions
- c) not grouping together two or more communities of interest that share few commonalities of interest
- d) accessibility, size and configuration of an area including access to elected members and vice versa.

31. Hamilton City initially had five wards in 1989 and this was reduced to three in 1998. The current two wards, divided by the Waikato River, were established for the 2007 elections. From the council's consultation activities, there now appears to be a range of views in the community on the appropriate number of wards including no wards i.e. an at large system. Given this range of views, the council is proposing the retention of current arrangements.
32. It is noted that the appellant states that in her submission on the council's initial proposal she "supported a change to 3 wards ... however ... I would ideally like more than 3 wards and feel that a mixed system (wards & at large) should also be considered".
33. It is clear from the council officer reports that the council does have good information in relation to the communities that make up Hamilton City. This includes the characteristics of 'community profile areas' with 12 of these (six within each ward) identified following the last census. However, it is not clear the extent to which the council considered this information in relation to the present two-ward structure. In other words, do the two wards continue to reflect groupings of communities of interest with distinct commonalities, and more so than other possible groupings? The appellant believes they do not.
34. We note the appellant herself does not identify one preferred ward structure and also raises the option of a mixed ward-at large system of representation. Given this, and the range of views expressed in the consultation, we are not in a position, nor do we think it would be appropriate at this stage in the review, to determine a different ward structure. Accordingly, we have determined to endorse the council's proposal for retention of the current two-ward structure electing 12 councillors.
35. We recommend, for its next representation review, the council undertakes further work on appropriate groupings of the city's communities of interest with a view to ensuring the most effective representation for these communities into the future. This consideration should include both recent and forecast population growth in Hamilton City, along with the likely impact of boundary alterations between the city and neighbouring Waikato and Waipa districts already completed and possible in the foreseeable future.

Fair representation for electors

36. For the purposes of fair representation for the electors of a district, section 19V(2) of the Act requires that the population of each ward divided by the number of members to be elected by that ward must produce a figure no more than 10 per cent greater or

smaller than the population of the district divided by the total number of members (the '+/-10% rule').

37. The council's proposal for a council comprising the mayor and 12 councillors elected from two wards, complies with the rule.

Communities and community boards

38. Section 19J of the Act requires every territorial authority, as part of its review of representation arrangements, to determine whether there should be community boards in the district and, if so, the nature of those communities and the structure of the community boards. The territorial authority must make this determination in light of the principle in section 4 of the Act relating to fair and effective representation for individuals and communities.
39. The particular matters the territorial authority, and where appropriate the Commission, must determine include the number of boards to be constituted, their names and boundaries, the number of elected and appointed members, and whether the boards are to be subdivided for electoral purposes. Section 19W also requires regard to be given to such of the criteria as apply to reorganisation proposals under the Local Government Act 2002 as is considered appropriate. The Commission sees two of these criteria as particularly relevant for the consideration of proposals relating to community boards as part of a representation review:
- Will a community board have an area that is appropriate for the efficient and effective performance of its role?
 - Will the community contain a sufficiently distinct community or communities of interest?
40. There have been no community boards in Hamilton City since its constitution in 1989. The council is not proposing the establishment of any community boards and the appeal does not raise this issue. Accordingly, we endorse the council's proposal in relation to this matter.

Commission's determination

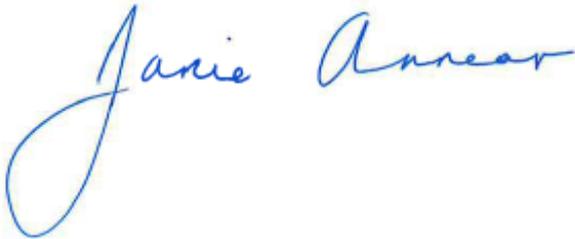
41. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of Hamilton City Council to be held on 12 October 2019, the following representation arrangements will apply:
1. Hamilton City, as delineated on Plan LG-016-2013-W-1 deposited with the Local Government Commission, will be divided into two wards.
 2. Those two wards will be:
 - a) East Ward, comprising the area delineated on Plan LG-016-2013-W-3 deposited with the Local Government Commission
 - b) West Ward, comprising the area delineated on Plan LG-016-2013-W-2 deposited with the Local Government Commission
 3. The Council will comprise the mayor and 12 councillors elected as follows:
 - a) six councillors elected by the electors of East Ward
 - b) six councillors elected by the electors of West Ward

- 42. As required by section 19T(b) of the Local Electoral Act 2001, the boundaries of the above wards coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary purposes.

LOCAL GOVERNMENT COMMISSION



Commissioner Pita Paraone (Chairperson)



Commissioner Janie Annear



Commissioner Brendan Duffy

8 April 2019

Council Report

Item 7

Committee: Council **Date:** 29 April 2019
Author: Lee-Ann Jordan **Authoriser:** David Bryant
Position: Governance Manager **Position:** General Manager Corporate
Report Name: Thames-Coromandel District Council Proposed LGNZ Remit: Remote Camp Site Definition

Report Status	<i>Open</i>
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Purpose

1. To inform the Council of a proposed remit for the Local Government New Zealand (LGNZ) Annual General Meeting 2019 requesting an amendment to the Camping Group Regulations.
2. To seek a decision as to whether or not the Council wishes to support the proposed remit.

Staff Recommendation

3. That the Council:
 - a) receives the report; and
 - b) **endorses / does not endorse** the proposed remit from Thames-Coromandel District Council regarding an amendment to the Camping Group Regulations (attachment 1 of this report).

Discussion

4. Member authorities of LGNZ (member councils) have been invited to submit remits for consideration at the LGNZ Annual General Meeting on Sunday 7 July 2019.
5. If supported at the AGM by the majority of member councils present, remits will be actioned by LGNZ.
6. Remits must be of a major policy nature and relevant to local government as a whole rather than a single sector or council.
7. Remits proposed to the AGM must have support from at least one zone or sector group meeting or from five councils. Evidence of this support is part of the submission.
8. Thames-Coromandel District Council (TCDC) is proposing a remit to amend the Camping-Ground Regulations to allow councils to approve remote camp facilities on private property, subject to any such conditions as deemed required by a council.
9. TCDC has asked Hamilton City Council (and other councils) to support their remit so that they can submit it to LGNZ for consideration by member councils at this year's Annual General Meeting in July.
10. Council staff have not developed this report so are unable to comment authoritatively on considerations such as financial implications and risk.

11. However, staff consider the decision in this report has low significance and that the recommendation complies with the Council's legal requirements.

Item 7

Attachments

Attachment 1 - TCDC Proposed 2019 Remit on Remote Camp Definition

Annual General Meeting 2019

Remit application

Council Proposing Remit:	Thames Coromandel District Council
Contact Name:	Mayor Sandra Goudie
Phone:	0274312442
Email:	Sandra.goudie@tcdc.govt.nz
Fax:	
Remit passed by: (Zone/Sector meeting and/or list five councils as per policy)	
Remit:	That LGNZ request the Government to amend the Camping - Ground Regulations to allow councils to approve remote camp facilities on private property, subject to any such conditions as deemed required by a council, including the condition that any approved campground is x distance away from an existing campground, unless the existing campground operator agrees to waive this condition in writing.

Background information and research:

Nature of the issue

Currently the 'remote camp site' definition means a camping ground – 'in a national park, State Forest, State Forest park or public reserve or on Crown Land.' As the provision is only for public land there is no opportunity to provide such an experience on private property.

Background

Ratepayers, through their council, are having to provide areas for camping for increasing numbers of what are being called "Freedom Campers", with associated increasing costs to ratepayers and community both in regard to environmental and financial considerations.

Unfortunately for councils there is nothing for free, and to provide any public facilities there is a range of costs to provide and maintain the facilities including power, water, waste collection, maintenance, cleaning, and compliance monitoring and enforcement etc. Those costs are increasing.

Enforcement for compliance is increasingly problematic and costly and in addition social media is sending the wrong messages for our communities who must contend with freedom campers in their area. The result is that prime beach front sites are being degraded through overuse, and abuse of sites available.

While reserve areas can be either managed or leased for a remote camp facility, councils are constrained by the lack of public land where a remote site can be established, particularly in more remote locations. Remote camps have far fewer regulatory requirements than usual campgrounds.

Relationship to LGNZ work programme

There is work underway in regard to Freedom Camping in NZ which is looking at a range of issues in relation to Freedom Camping.

The Responsible Camping Working Group comprises central and local government representatives, as well as other interested parties, and is currently looking at a number of matters, including the Camping Ground Regulations. A review of the Regulations was one of the recommendations of the Working Group and work is underway specifically on this.

Relevant legislation, policy or practice

The remit seeks an amendment of the Camping - Ground Regulations to broaden the definition of remote camp site to allow councils to authorise remote camp sites on private land, taking into account distance from existing campground facilities. A new definition would enable sites to be established where, for a modest fee, an operator would be able to provide basic facilities and recover some of the cost of provision and maintenance.

In addition the 2016 annual general meeting agreed to ask the Government to:

Change to s14(3) of the Camping Ground Regulations 1985 (made under s120B of the Health Act 1956) to allow broader exemptions to the need for provision of camping facilities for those that wish to freedom camp in all areas and not just at "remote" camps;

This is yet to be actioned but is being considered by the joint officials body.