ROTOKAURI STRATEGIC INFRASTRUCTURE DESIGNATION

NOTICE OF REQUIREMENT | Final Report
19 SEPTEMBER 2024

Prepared by Beca Limited for Hamilton City Council

Beca

Hamilton City Council
Te kaunihera o Kirikiriroa

Revision History

Revision Nº	Prepared by	Description	Date
A	Melissa Slatter	Draft for client comment	8 August 2023
B	Melissa Slatter	Final for lodgement	1 September 2023
C	Melissa Slatter	Draft Section 92 revision for client review	10 April 2024
D	Melissa Slatter	Final S.92 Response	24 April 2024
E	Melissa Slatter	Final for notification	19 September 2024

Document Acceptance

Action	Name	Signed	Date
Prepared by	Melissa Slatter		19 September 2024
Reviewed by	Bryce Julyan		19 September 2024
Approved by	Craig Sharman		19 September 2024
on behalf of	Beca Limited		

Appendices

Notice of Requirement

Notice of territorial authority's requirement for designation

Section 168A of the Resource Management Act 1991

To Hamilton City Council as the Territorial Authority

Hamilton City Council (HCC) as a Requiring Authority hereby gives notice of a requirement (NoR) for a designation for a public work under section 168A of the Resource Management Act 1991 (RMA).

The sites to which the requirement applies is as follows:

The site is described in Section 4 of the accompanying report, with relevant Records of Title attached as **Appendix E**.

The nature of the proposed project or work is:

The designation is for '**Strategic Transport and Three Waters Infrastructure**' including the construction and operation of a multimodal transportation and infrastructure corridor. The Project is further described in Section 2 - Proposed Designation and Section 3 – Rotokauri Arterial Network Description of the accompanying report.

The nature of the proposed conditions that would apply are:

Proposed designation conditions have been included in Section 10 of the accompanying report. These designation conditions include the following requirements:

- A designation lapse period of 15 years
- Engagement to implement the recommendations of the Cultural Impact Assessment
- Compliance with Accidental Discovery Protocols during construction
- A Complaints Management process during construction
- The preparation and provision of the following Management Plans:
  - A Construction Environmental Management Plan
  - A Construction Traffic Management Plan
  - A Construction Noise and Vibration Management Plan
  - A Construction Erosion and Sediment Control Plan
  - A Construction Level Crossing Safety Management Plan
  - An Ecological Management Plan
  - A Landscape Management Plan

The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated, are:

The effects that the Project may have on the environment, and proposed mitigation measures are discussed in Section 8 – Assessment of Effects on the Environment of this report. In summary they include the following:

Positive Effects: The protection of an integrated strategic transportation and infrastructure corridor which responds to the planned urbanisation of the Rotokauri area. The NoR and designation if confirmed will:

- protect the land required to deliver key transportation and strategic infrastructure by HCC as the requiring authority.
- authorise the use of the land for the construction and operation of the infrastructure networks.
- facilitate planned urban growth within the Rotokauri growth cell by identifying the network in the District Plan.

Transportation Effects: The Project reflects the Rotokauri Structure Plan network and establishes strategic transport connections to the existing City network. The corridor provides opportunities for a high-quality urban design environment and enables a balanced 'place and function' transportation outcome that responds to adjacent land use. The corridor provides the ability to accommodate growth by prioritising sustainable active-transport modes such as walking, cycling, micro-mobility and public transport over private vehicles.

Cultural Effects: The Project reflects the aspirations of mana whenua to reconnect with their ancestral tribal lands. The Project provides opportunities to tell their cultural narratives and reflect their cultural expressions through high-quality urban designed places for people and natural environments. Implementing the recommendations from the Cultural Impact Assessment (CIA) is included in proposed condition 4.

Ecological Effects: The construction and operation of the Project impacts on existing natural habitats. Despite undergoing urbanisation, the Rotokauri area is home to birds, at-risk indigenous species of fish and lizards, and a potential commuting area for bats. The Project intersects with existing rural drains and remnant wetlands. Confirmation of the presence of indigenous fauna together with appropriate mitigation to protect these species will be re-assessed prior to construction through an Ecological Management Plan (EMP) included in proposed condition 12.

Archaeological Effects: There are no known archaeological sites or places of significance directly affected by the proposal and the risk of accidental discovery is considered very low. Accidental discovery protocols have been agreed with mana whenua and included as condition 5.

Construction Effects: The delivery of the transport and infrastructure corridor will have disruptive temporary effects on the environment, property owners, the public and road users. Temporary construction effects will be managed through a suite of management plans prepared with good practice methodologies, including communication and engagement with stakeholders and the public. Measures to mitigate constructions effects are included in proposed conditions 9.1-11.3.

Landscape Effects: The landscape is undergoing change from the current peri-urban environment to a future urbanised settlement established by the Rotokauri Structure Plan. The finished transport and infrastructure network will be consistent with the planned urban setting and has very low visual effect on the surrounding areas. A Landscape Management Plan (LMP) has been included in proposed condition 13.

Stormwater Effects: The Project provides a corridor that integrates transportation with stormwater management facilities to store, treat and convey the water coming off the road. The management of stormwater in Rotokauri is achieved through integration with the designated Rotokauri Greenway corridor, the Project and adjacent land development. The Project provides sufficient space to incorporate a series of open swales, pipes, storage basins, artificial wetlands and rain gardens to manage stormwater effects within the corridor. Measures are included in proposed conditions 7, 10 and 12.

Alternative sites, routes, and methods have been considered to the following extent:

Consideration of alternative sites, routes and methods is addressed in Section 5.5 and **Appendix C** of the accompanying report and summarised briefly below.

In determining the Project, HCC as the requiring authority re-tested the indicative Rotokauri Structure Plan transport alignment, engaged with mana whenua partners, stakeholders and landowners to consider various sites, routes and methods to achieve the necessary route protection required to deliver the Project. The requiring authority is confident that the Project is the best method to achieve the stated objectives and the vision for the Rotokauri Structure Plan.

The public work and designation are reasonably necessary for achieving the objectives of the requiring authority because:

The necessity of the public work and the proposed designation are evaluated in Section 5.6 of the accompanying report. The Project objectives are provided in Section 2.4 of this report which broadly include:

- An appropriate network form and function and integration of an efficient multimodal network.
- Infrastructure provision within the corridor that promote and enable future growth and integration with the Rotokauri Greenway.
- Integration with adjacent land use in a cohesive and legible way.
- Enhancement of the cultural values, character, and amenity of the Rotokauri area.

The Project objectives have informed the network design and spatial extent of the corridor. The Project secures a route that enables HCC to meet these objectives and deliver a critical multimodal transportation and infrastructure network that will accommodate the planned urbanisation of the Rotokauri Structure Plan area.

The following resource consents are required for the proposed activity and will be applied for:

A suite of regional resource consents will be required for the construction of the Project and will be applied for prior to construction commencing on the public work.

Resource consent to construct a transport corridor pursuant to Rule 25.14.6 of the HCDP over land not designated at the Maahanga Drive / Te Kowhai East Road intersection (Pootatau Te Wherowhero - Waikato Tainui title).

It is noted that HCC is a joint applicant for a suite of resource consents under the COVID-19 Recovery (Fast Track Consenting) Act 2020 in relation to the Rotokauri Greenway designation. Those consents include a Regional Authority consent affecting part of the Project the subject of this NoR.

A section 176 RMA approval of other requiring authorities will be necessary where the NoR overlaps an existing designation. A section 176A RMA Outline Plan of Works will be submitted prior to construction of the Project.

The following consultation has been undertaken with parties that are likely to be affected:

Engagement has been undertaken with HCC's mana whenua partners, directly affected landowners, key stakeholders and the wider Rotokauri community between 2019 – 2023. The outcome of that engagement is described in Section 6 – Other Designations Affected and Section 7 – Consultation, and **Appendix M** – Consultation Summary, of the accompanying report.

Hamilton City Council attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991:

This report titled '*Rotokauri Strategic Infrastructure Designation Notice of Requirement'* prepared by Beca Limited and dated April 2024 addresses the matters required by this prescribed form and the matters for consideration in terms of section 168A of the RMA. HCC as the requiring authority is seeking a **15-year lapse period** in relation to the Project as outlined in this NoR.

……
Signature of Chris Allen
Executive Director Development on behalf of
Hamilton City Council as the Requiring Authority
Date:

Address for service of applicant:
Beca Limited

P.O. Box 448,

Waikato Mail Centre, Hamilton 3240

Attention: Melissa Slatter

Telephone No.: 07 838 3828

Email: Melissa.slatter@beca.com

1 Introduction

1.1 Overview

This Notice of Requirement (NoR) has been prepared by Beca Limited (Beca) on behalf of Hamilton City Council (HCC). HCC is a requiring authority as defined in section 166 of the Resource Management Act 1991 (RMA). HCC requires land to be designated in Hamilton City for the construction and operation of the **Rotokauri Strategic Infrastructure** (the Project). This NoR is lodged in accordance with section 168A and section 177 of the RMA and Form 20 of the Resource Management (Forms, Fees, and Procedures) Regulation 2003.

This NoR proposes the designation of key transportation networks and strategic infrastructure corridors servicing the Rotokauri growth cell. The NoR and designation if confirmed will:

- protect the land required to deliver key transportation and strategic infrastructure by HCC as the requiring authority.
- authorise the use of the land for the construction and operation of the infrastructure networks.
- facilitate planned urban growth within the Rotokauri growth cell by identifying the network in the District Plan.

1.2 Structure of Report

This NoR is accompanied by an Assessment of Effects on the Environment (AEE) and supporting reports. The AEE contains the following information:

- Structure of the report, background, and context of the Rotokauri Area (Section 1)
- The purpose of the proposed designation and the project objectives (Section 2)
- The Rotokauri Arterial Network description (Section 3)
- Description of the site and surrounding environment (Section 4)
- Description of the legal framework for designations, an analysis of the alternatives considered and confirming the designation is reasonably necessary (Section 5 and **Appendix C**)
- A description of other designations affected (Section 6)
- A description of the consultation undertaken (Section 7 and **Appendix M**)
- An assessment of the actual and potential effects on the environment of the proposal (Section 8)
- An assessment of the proposal under the RMA and relevant planning instruments (Section 9)
- Proposed designation conditions (Section 10)
- An overall summary and conclusion (Section 11)

There are also several supporting technical assessments and related information attached to this NoR as appendices.

1.3 Rotokauri Structure Plan Background

Rotokauri is situated in the northwest of Hamilton as shown in **Figure 1** below. Rotokauri is identified as one of four areas of future growth for Hamilton City. Future growth has been earmarked for the Rotokauri area since 1989. Since 2005 the area has been identified as a 'structure plan area', with the Rotokauri Structure Plan (RSP) notation in the Hamilton City District Plan (HCDP). Hamilton's Urban Growth Strategy (2023) identifies the Rotokauri area as one of the future neighbourhood development areas for the City.

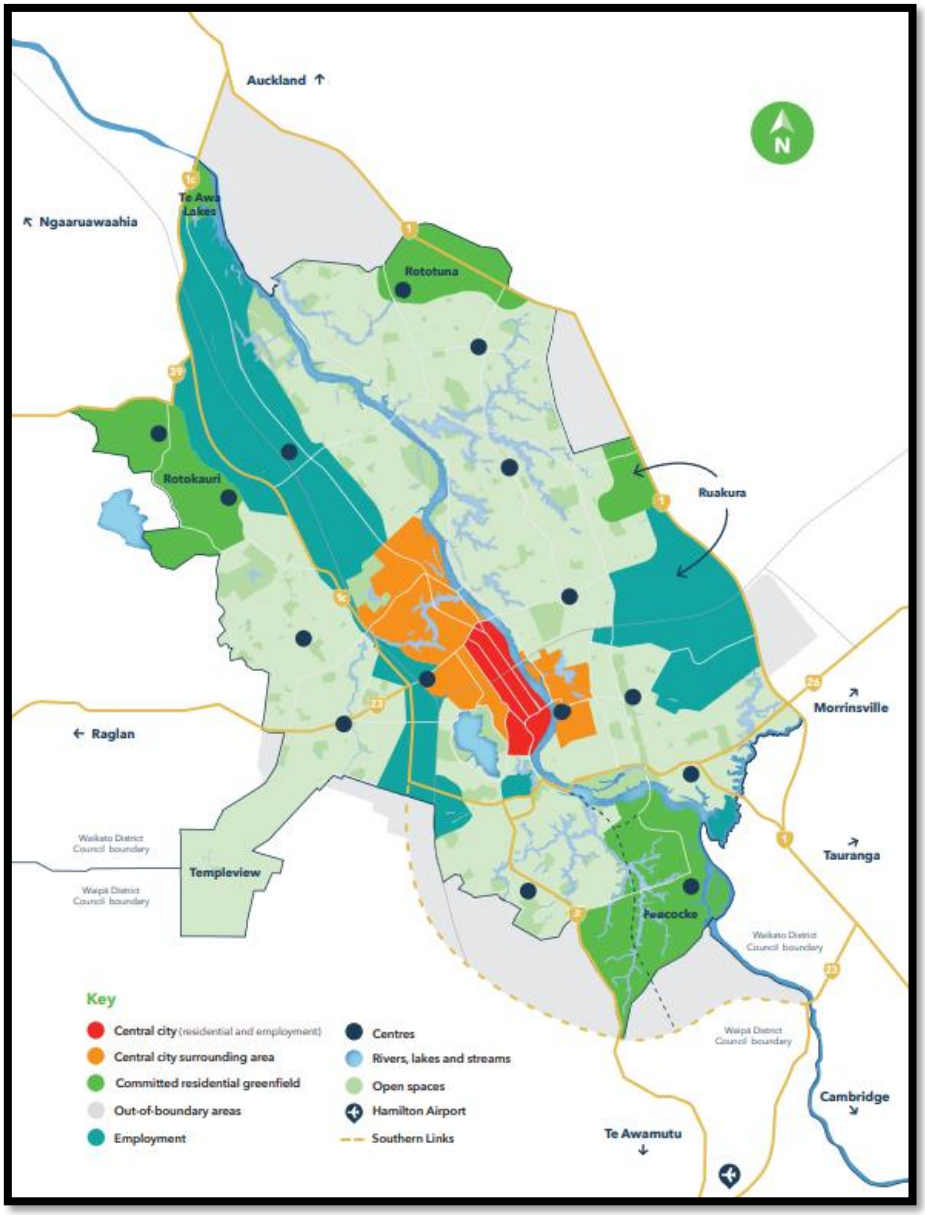


Figure 1: Rotokauri Development Location Plan (Source: Hamilton Urban Growth Strategy 2023)

1.3.1 Hamilton City Growth

Hamilton is identified as Aotearoa/New Zealand's fourth largest city with a population of around 180,000 people as at 2023[1]. Projections indicate that this growth is set to continue for the foreseeable future with the Hamilton Urban Growth Strategy estimating a population of 310,000 in 2070[2].

As population increases, so does the demand for housing and employment, bringing both opportunities and challenges. Significant increase in population growth will result in greater demand for housing and employment. The National Policy Statement for Urban Development (NPS-UD) sets requirements on land availability for housing, for Hamilton this means 31,900 homes by 2048. The NPS-UD Housing Development Capacity Assessment (2021) has revised this upwards to 41,300 homes by 2050. This uplift will provide

[1] Statistics NZ, 2023, Subnational Population estimates

[2] Hamilton Urban Growth Strategy 2023

ongoing pressure to developments within growth cells; however, a range of housing supply will be likely to meet the needs of a growing City and redevelopment of existing suburbs is anticipated.

Previous planning processes have earmarked greenfield areas around Hamilton City for future housing. However, capital investment is required to make sure there is enough supply of zoned and serviced land to meet forecast demand effectively. The Hamilton Urban Growth Strategy (2023) indicates there is sufficient supply of committed greenfield growth, however it requires transport networks and three waters servicing of scale to support growth cells.

The high initial cost of strategic infrastructure for wastewater, water, stormwater and transport is notable both for individual developers' and the Council's current capacity for funding under the Long-Term Plan (2021-2031). With a lack of certainty over timing and location of strategic infrastructure and readily available land to service this rapid growth, Council faces the pressure of ad-hoc and out of sequence development proposals to meet this demand[3].

1.3.2 Rotokauri Structure Plan

The proposed designation is situated in the northwest of Hamilton and is identified on the Rotokauri Structure Plan (RSP). The Rotokauri growth cell (the growth cell) is an existing greenfield area and has been signalled for urbanisation since 1989. Iterations of the RSP have been in place since 2005 providing a land use development blueprint that enables, and will in time, result in a predominantly residential urban environment. Its inclusion into the Operative District Plan dates from 2008 when it was incorporated into the then HCDP via Variation 18.

The growth cell currently sustains a mixture of remnant rural land uses (pastoral farming, cropping and rural lifestyle living) and transitional urbanisation land uses envisaged under the structure plan. The RSP provides for other urban activities including industrial, employment, educational, recreational, commercial (Suburban Centre) and associated network infrastructure as shown in **Figure 2** below.

The RSP requires the advanced or concurrent development of critical infrastructure to unlock the urbanisation planned in the catchment, including the designated Rotokauri Greenway corridor and the Project. The Rotokauri Greenway is a necessary precursor to the construction of a significant component of the Project. On 12 December 2023, the Environmental Protection Authority accepted an application for resource consents to construct the Rotokauri Greenway and supporting infrastructure under the COVID-19 Recovery (Fast-track Consenting) Act 2020. The application is currently before an expert consenting panel.

The urbanisation of the Rotokauri growth cell is provided for in Chapter 3 of the HCDP which sets out objectives and a broad framework to guide development within the area. The overall vision within the RSP is described as:

> "*The sustainable expansion of the City into Rotokauri, through a coherent, integrated and people-focused mixed-use development based on best practice urban design principles.*"

The RSP has established a land use development framework which is depicted in **Figure 2** below. Within this envisaged land-use Rotokauri will be a predominantly residential environment. The RSP also includes

[3] Rotokauri Arterial Network Detailed Business Case, 2021

industrial use, employment zoned areas, educational facilities, recreational areas, and a neighbourhood commercial suburban centre.

The RSP includes an indicative transportation network and anticipated hierarchy of the transportation routes. Additional connectivity is needed to achieve transport linkages into the surrounding networks as illustrated in **Figure 3** below. When the RSP was included in the HCDP, the area was zoned 'future urban' and there was no need for HCC to secure land for the transportation network via a designation process at that time.

Figures 4 and 5 below depict the Water and Wastewater network and the Strategic Infrastructure Transport Network and Reserves for the Rotokauri North Structure Plan.

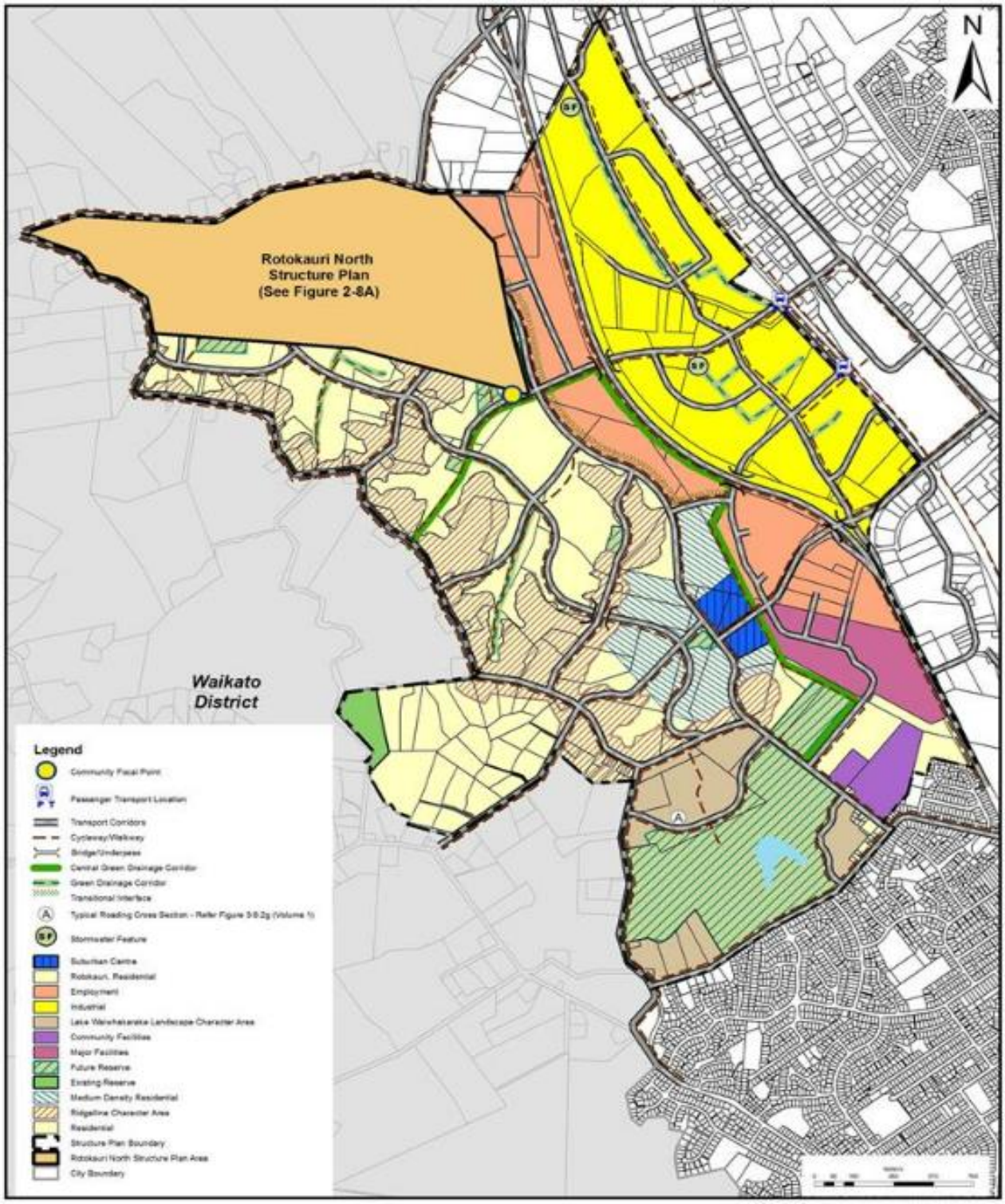


Figure 2: Rotokauri Structure Plan – Land Use (Source: HCDP)

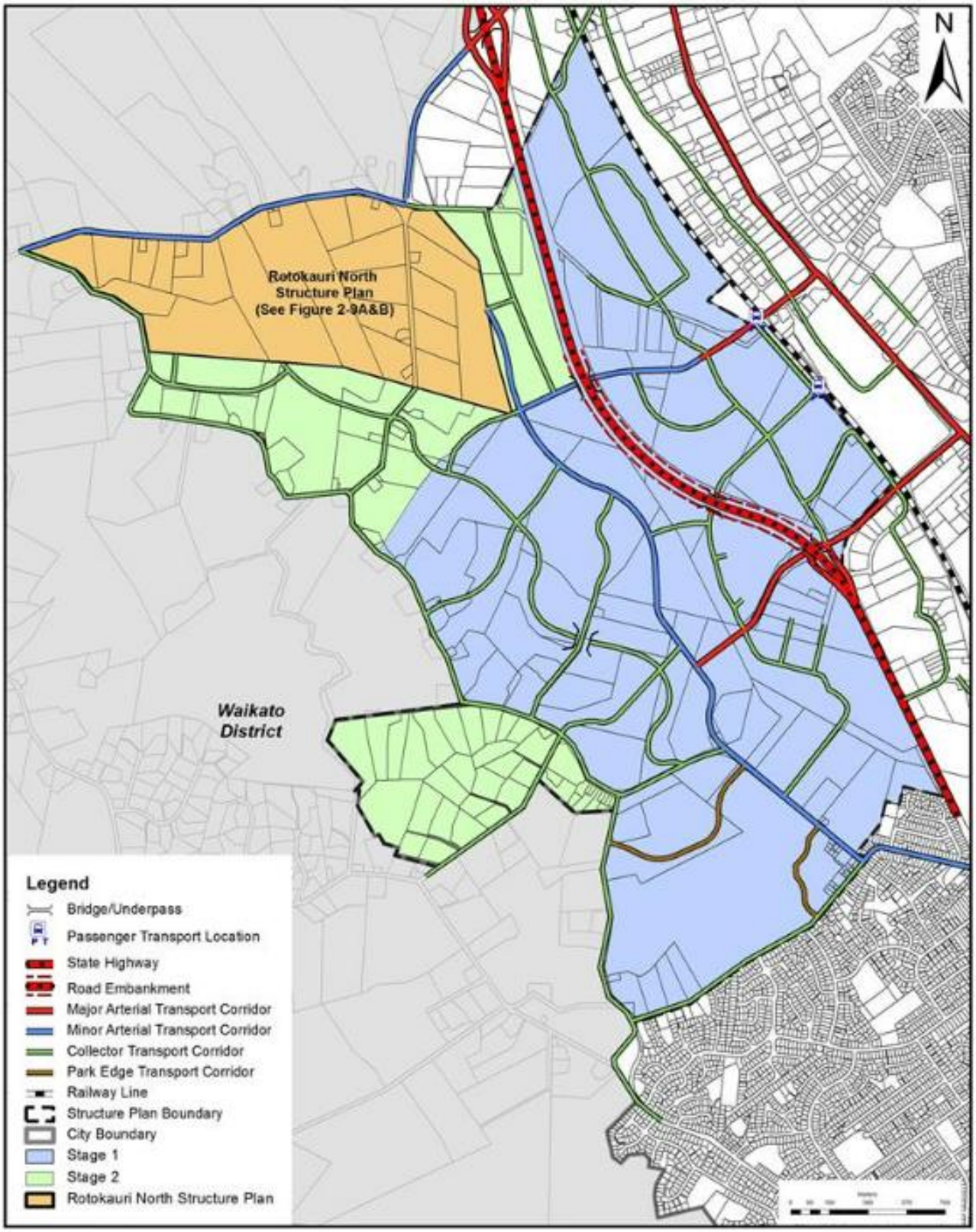


Figure 3: Rotokauri Structure Plan - Transportation Network (Source: HCDP)

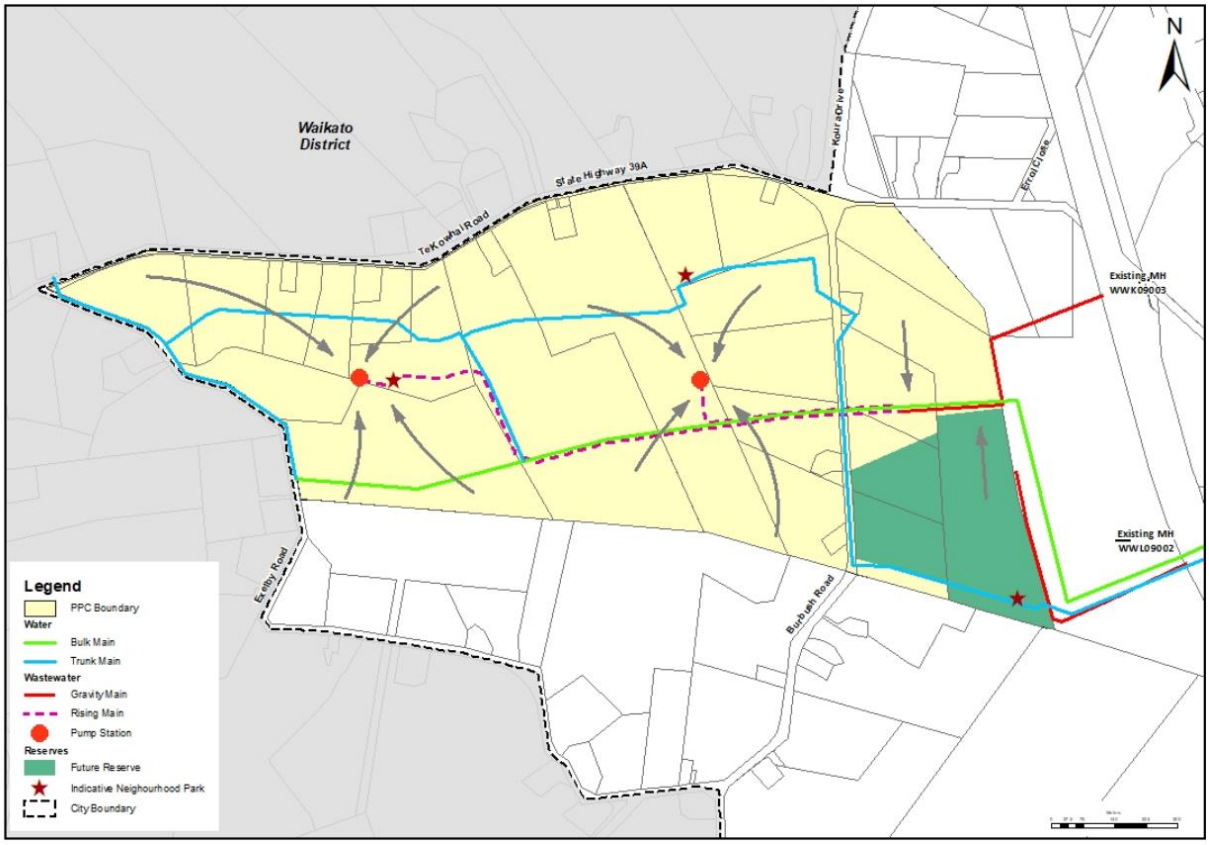


Figure 4: Rotokauri North Structure Plan - Water and Wastewater (Source: HCDP)

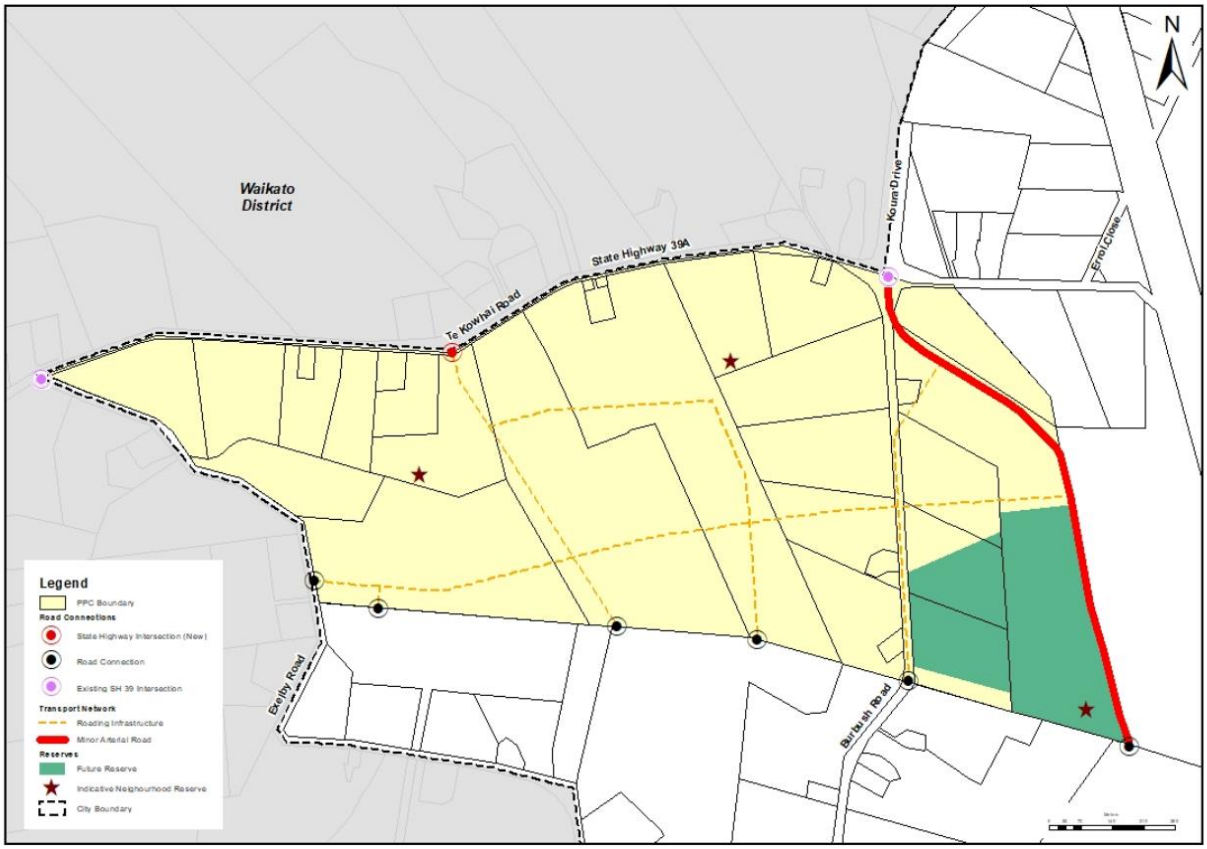


Figure 5: Rotokauri North Structure Plan - Strategic Infrastructure Transport Network and Reserves (Source: HCDP)

The RSP is a strategically important planning instrument undertaken via a comprehensive RMA process that has been a precursor to this NoR. Structure planning sets out the framework for development suitability having regard to; land use constraints and opportunities; transportation network connection requirements; indicative open space areas; and major infrastructure needed to enable the development of an identified growth area.

Rotokauri continues to be a desirable urban development location as it:

- is well located in the north-west of Hamilton within proximity to 'The Base' regional shopping centre.
- is well connected to major transport infrastructure, the WINTEC Rotokauri campus, Hamilton Zoo, and major employment areas located on the western side of the City.
- has high levels of existing amenity due to its natural landscape, which consists of defined ridgelines, remnant natural vegetation, and the Waiwhakareke Natural Heritage Park which complement a more intensive urban form.
- is a viable development opportunity as it continues new urban development to the north of the established suburbs of Grandview Heights, Nawton and Dinsdale.

The RSP aligns with the growth planned in the Hamilton Urban Growth Strategy, the Waikato Regional Policy Statement (WRPS) and Proposed Change 1 – NPS-UD 2020 and Future Proof Strategy update as discussed in Section 9 – Statutory Assessment.

1.4 Rotokauri Transport Network

1.4.1 Network Operating Framework

The RSP is part of HCC's Network Operating Framework (NOF) developed in 2019. The strategy outlines collaboration with Hamilton's key transport partners to achieve a shared vision. This vision is to deliver a well-connected and safe transport network that supports economic, social, environmental, and cultural wellbeing with the overall focus of meeting the city's long-term needs. This will incorporate:

- Integrated transport options
- Sustainable and multi-modal travel options
- Amenity facilities for users
- Transport hubs
- Liveable streets

Figure 6 below illustrates the transport context which informs design decisions and functionality of the network. It establishes the preferred priority for modes across Rotokauri. The RSP indicates a network hierarchy of major and minor arterial roads, collector, and local roads as well as cycleways that cross over and under key intersections. This creates opportunities for gateways into the Structure Plan area.

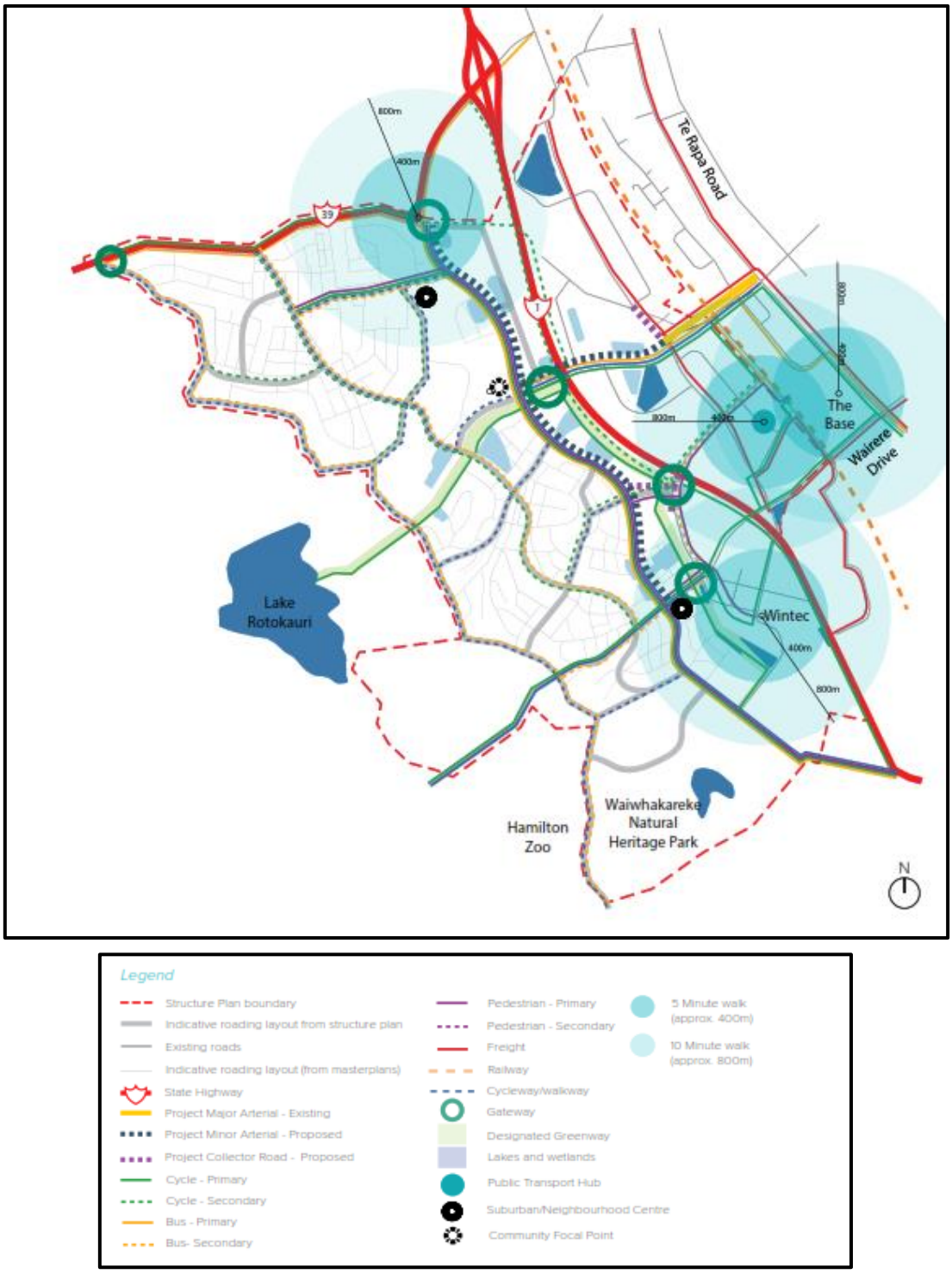


Figure 6: Transport and Connectivity Analysis Map (Source: Urban and Landscape Design Framework)

The NOF identifies the location and level of walking and cycling functionality, by considering amenity and corridor widths to balance vehicle access with active modes. This NOF approach is discussed further in Section 3 below and reflected in the Urban and Landscape Design Framework (ULDF) cross sections for each of the Project corridors included as **Appendix J**. The RSP also identifies these corridors and networks.

1.4.2 Rotokauri – Future Growth

The demand to develop the Rotokauri area and realise the above potential has steadily increased over the past few years with several developers securing interests and purchasing properties within the Rotokauri area. Development planning is well advanced with several master plans being discussed with Council as shown in

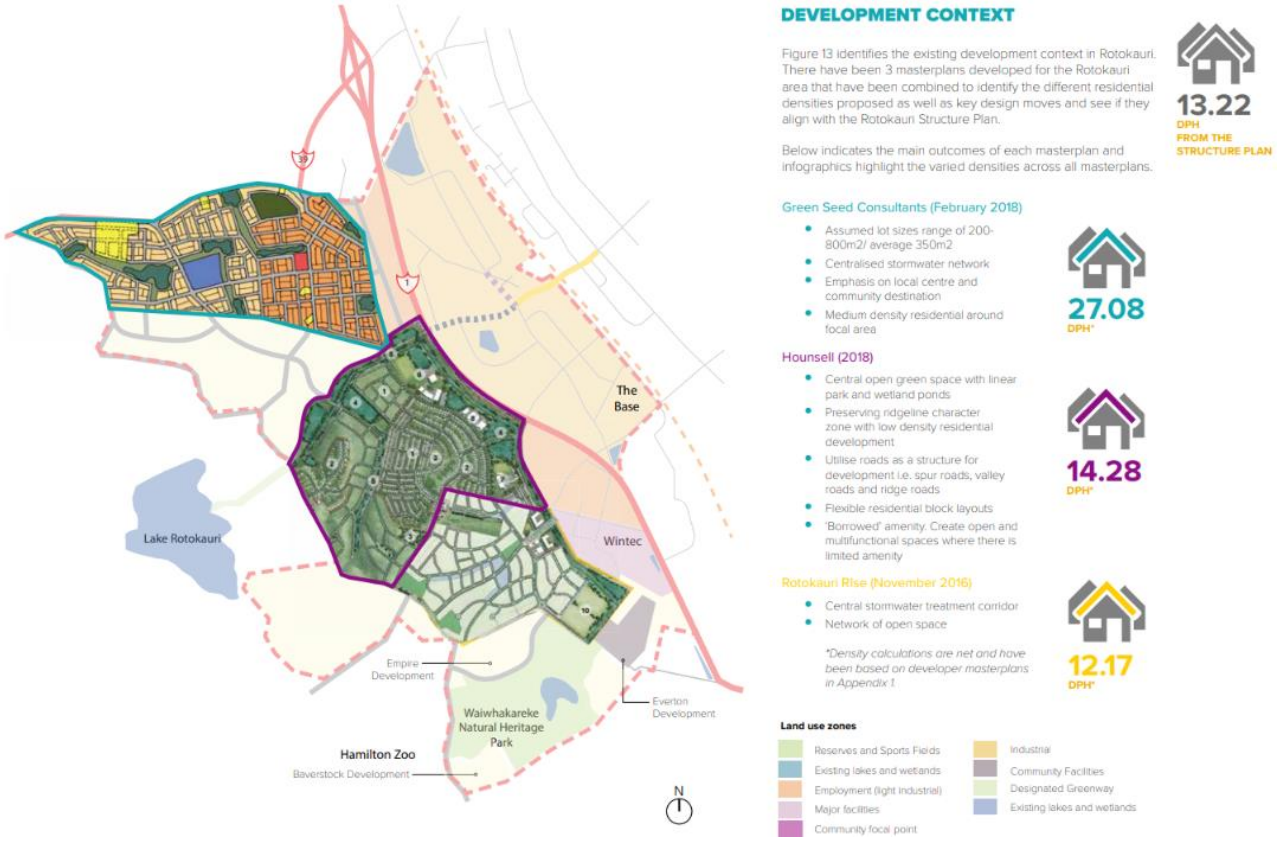


Figure 7 below. The final layout of these master plans will be determined through private landowner resource consents; however, they provide an indication of the potential future development context.

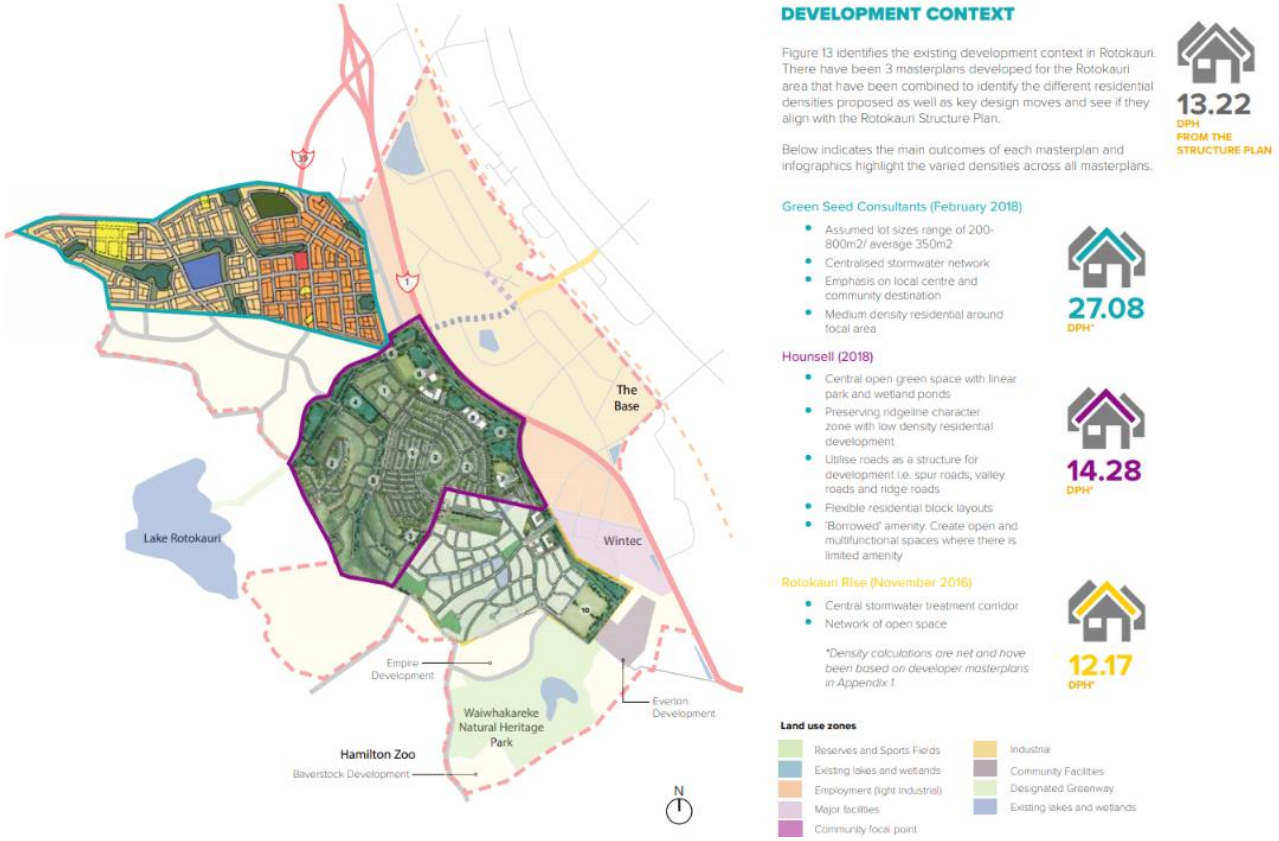


Figure 7: Rotokauri Development Context – Source: Beca Urban and Landscape Design Framework (June 2023)

In 2019 when the Project commenced, it was anticipated the RSP zoning provisions would provide development for up to 6,500 homes for 17,000 people. Since that time, several changes have signalled an increase in density within the Rotokauri growth cell. These include:

- A change in the HCDP to allow duplex dwellings without a net increase in the minimum allotment size.
- A revision of the regional growth strategy, Future Proof and the introduction of the Waikato Metro Spatial Plan 2020 which now identifies a residential target density of 20-40 dwellings per hectare for Rotokauri.
- A change to the northern area of the RSP in July 2022 following Private Plan Change 7 to introduce an additional medium density zoned area of 137 ha (previously zoned future urban).
- The NPS-UD which identified Hamilton City as a Tier 1 Local Authority and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (HSAA) which also introduced medium density residential standards following government directives.
- Notified Plan Change 12 to the HCDP to introduce a new planning framework where most residential areas enable three dwellings up to three stories within the general residential zones, up to five stories for medium density areas, and the removal of character areas including the Ridgeline Character and Lake Waiwhakareke landscape overlay. Importantly Plan Change 12 introduces new integrated transport objectives and policies to prioritise the allocation of transport corridor space to walking, cycling, micro-mobility and public transport over private vehicles.
- Notified Proposed Change 1 to the WRPS to adopt changes arising from the NPS-UD and Future Proof Strategy update.

The density of housing for Rotokauri is expected to increase in response to increased intensification from these directives and changes in policy frameworks. The full extent of the development changes within the Rotokauri area will not be known until HCC as the territorial authority has amended its policy framework as proposed via Plan Change 12, and the master plans from developers progress through the consenting stage.

2 Proposed Designation

2.1 Extent of Designation

The Project designation as depicted in **Figure 8** below covers a combined 5.8km length of corridors. This includes the design of a new 5.2km corridor relating to currently zoned future urban greenfield areas, and the widening of 600m of existing road to support future growth and development in Rotokauri.

This main north-south corridor commences in the north at the State Highway 39 (SH39) and Koura Drive roundabout and proceeds in a south-eastern direction to the proposed location of the future intersection with Te Wetini Drive.

There are also two east-west corridors (Te Kowhai East Road and Chalmers Road) that align with existing grade separated underpasses under State Highway 1C (SH1C). These link the Rotokauri growth cell to key transport destinations and the wider Hamilton City transportation network. Arthur Porter Drive is a strategic local (collector) road connection which will be extended to connect with the Earthmover Crescent roundabout.

It is typical for a requiring authority to designate all the land necessary to deliver the Project. However, in this case there is 536m^2 of land returned to Waikato-Tainui as part of the Treaty settlement process and held by Pootatau Te Wherowhero that is considered culturally inappropriate to designate and acquire. Separate approvals to authorise the works over this land will be required. The optioneering regarding access to this land is described further in **Appendix C** and separate land agreements are being sought.

The Project is comprised of the following:

1. Proposed major arterial – approx. 0.7km widening on Te Kowhai East Road (purple dash in **Figure 8**).
2. Proposed minor arterials – approx. 3.8km, north-south arterial and a portion of Te Kowhai East Road to connect to the existing corridor (red dash in **Figure 8**).
3. Proposed collector roads – approx. 0.8km Chalmers Road extension and Arthur Porter Drive north realignment (yellow dash in **Figure 8**).
4. Proposed local road – approx. 0.5km connection to Arthur Porter Drive realignment to provide continued access to industrial/commercial properties (blue dash in **Figure 8**)
5. Associated three waters infrastructure and network utilities.

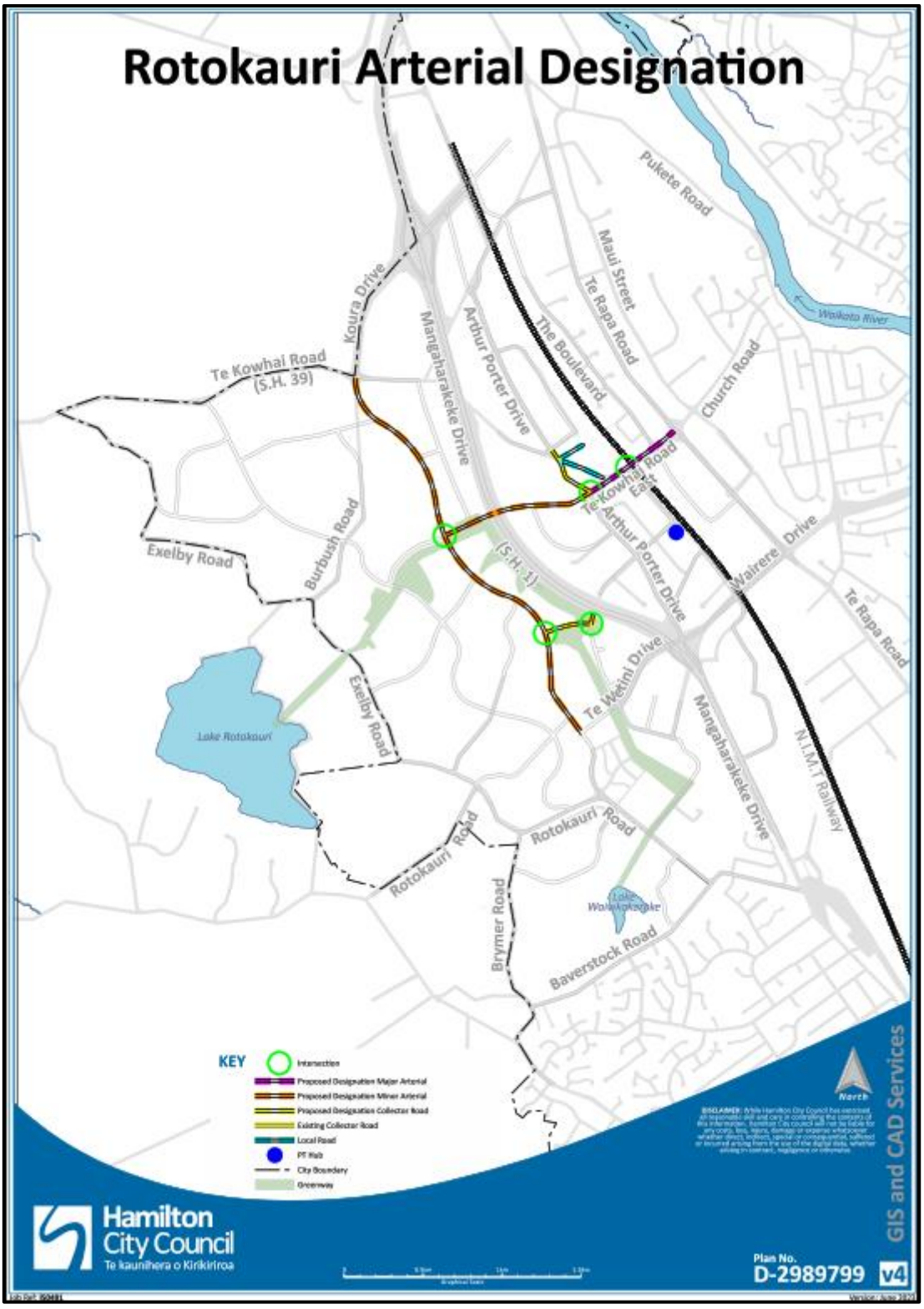
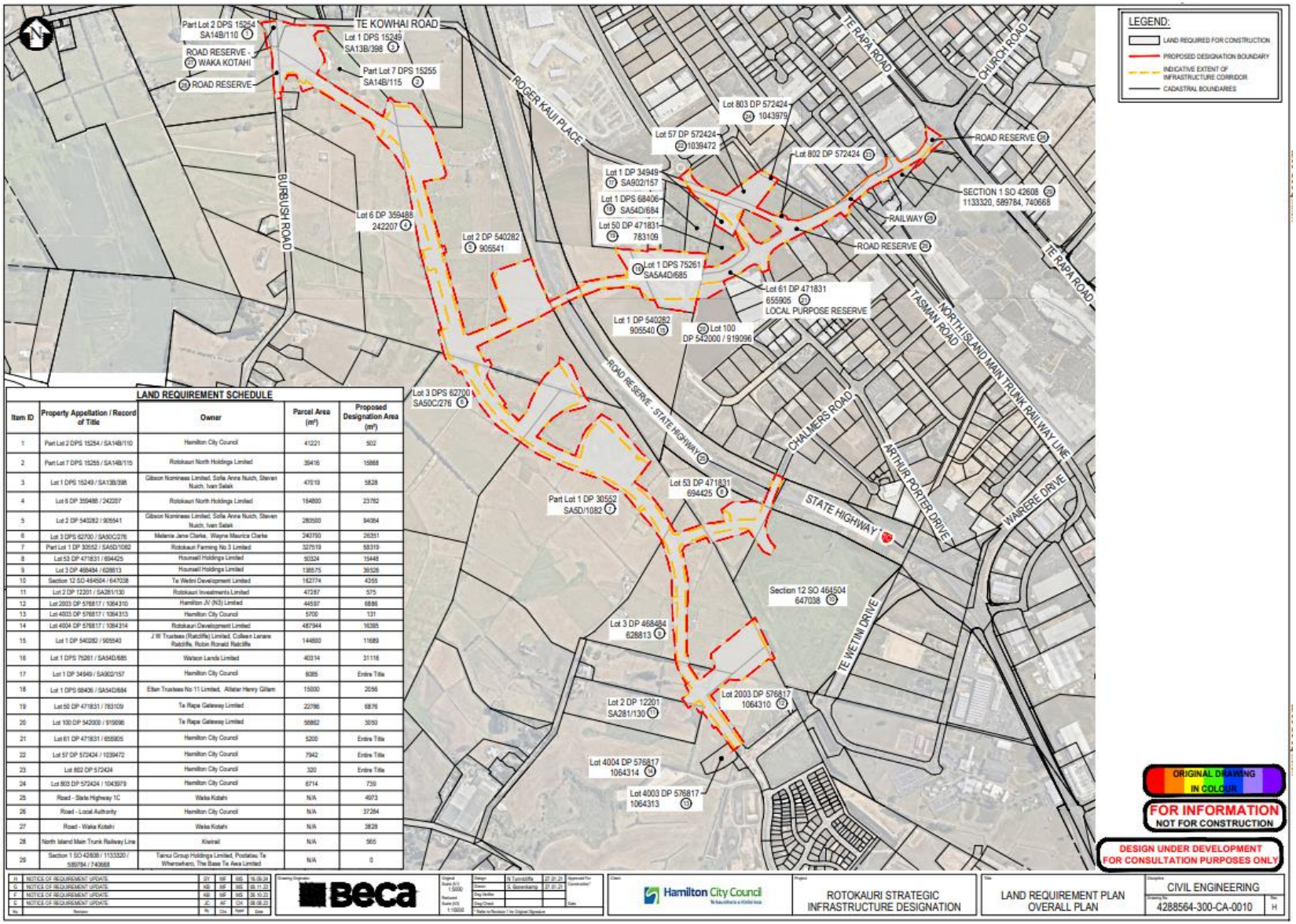


Figure 8: Proposed Project Location Plan (Source: HCC)

The extent of land subject to this NoR can be seen in **Figure 9** below and in further detail the Land Requirement Plans included within **Appendix A**.



LAND REQUIREMENT SCHEDULE

Item ID	Property Appellation / Record of Title	Owner	Parcel Area (m²)	Proposed Designation Area (m²)
1	Part Lot 2 DPS 15254 / SA14B/110	Hamilton City Council	41221	502
2	Part Lot 7 DPS 15255 / SA14B/115	Rotokauri North Holdings Limited	39416	15868
3	Lot 1 DPS 15249 / SA13B/398	Gibson Nominees Limited, Sofia Anne Nuich, Steven Nuich, Ivan Selak	47019	5828
4	Lot 6 DP 359488 / 242207	Rotokauri North Holdings Limited	164800	23782
5	Lot 2 DP 540282 / 905541	Gibson Nominees Limited, Sofia Anne Nuich, Steven Nuich, Ivan Selak	280580	84364
6	Lot 3 DPS 62700 / SA50C/276	Melanie Jane Clarke, Wayne Maurice Clarke	240700	26351
7	Part Lot 1 DP 30552 / SA5D/1082	Rotokauri Farming No 3 Limited	327519	58319
8	Lot 53 DP 471831 / 694425	Hounsell Holdings Limited	50324	15448
9	Lot 3 DP 468484 / 628813	Hounsell Holdings Limited	138575	39526
10	Section 12 SO 464504 / 647038	Te Wetini Development Limited	162774	4355
11	Lot 2 DP 12201 / SA281/130	Rotokauri Investments Limited	47287	575
12	Lot 2003 DP 576817 / 1064310	Hamilton JV (N3) Limited	44597	6886
13	Lot 4003 DP 576817 / 1064313	Hamilton City Council	5700	131
14	Lot 4004 DP 576817 / 1064314	Rotokauri Development Limited	487944	16385
15	Lot 1 DP 540282 / 905540	J W Trustees (Ratcliffe) Limited, Colleen Lenare Ratcliffe, Robin Ronald Ratcliffe	144800	11689
16	Lot 1 DPS 75261 / SA54D/685	Watson Lands Limited	40314	31116
17	Lot 1 DP 34949 / SA902/157	Hamilton City Council	6085	Entire Title
18	Lot 1 DPS 68406 / SA54D/684	Ellen Trustees No 11 Limited, Allister Henry Gillam	15000	2056
19	Lot 50 DP 471831 / 783109	Te Rapa Gateway Limited	22786	6876
20	Lot 100 DP 542000 / 919096	Te Rapa Gateway Limited	58862	3050
21	Lot 61 DP 471831 / 655905	Hamilton City Council	5200	Entire Title
22	Lot 57 DP 572424 / 1039472	Hamilton City Council	7942	Entire Title
23	Lot 802 DP 572424	Hamilton City Council	320	Entire Title
24	Lot 803 DP 572424 / 1043979	Hamilton City Council	6714	739
25	Road - State Highway 1C	Waka Kotahi	N/A	4973
26	Road - Local Authority	Hamilton City Council	N/A	37284
27	Road - Waka Kotahi	Waka Kotahi	N/A	3828
28	North Island Main Trunk Railway Line	Kiwirail	N/A	565
29	Section 1 SO 42608 / 1133320 / 589784 / 740668	Tainui Group Holdings Limited, Pootatau Te Wherowhero, The Base Te Awa Limited	N/A	0

Figure 9: Extent of Designation Land Requirement Plans - General Arrangement Overview (refer Appendix A (Revision H) for details).

The land subject to the NoR is held within several land parcels with various landowners. The legal descriptions and property details are provided in **Table 1**. The Proposed Designation Area includes sufficient land for temporary works during construction.

Table 1: Land parcels and ownership

Item ID	Property ID	Owner	Parcel Area (m²)	Proposed Designation Area (m²)
1	Part Lot 2 DPS 15254 / SA14B/110	Hamilton City Council	41221	502
2	Part Lot 7 DPS 15255 / SA14B/115	Rotokauri North Holdings Limited	39416	15868
3	Lot 1 DPS 15249 / SA13B/398	Gibson Nominees Limited, Sofia Anne Nuich, Steven Nuich, Ivan Selak	47019	5828
4	Lot 6 DP 359488 / 242207	Rotokauri North Holdings Limited	164800	23782
5	Lot 2 DP 540282 / 905541	Gibson Nominees Limited, Sofia Anne Nuich, Steven Nuich, Ivan Selak	280500	94064
6	Lot 3 DPS 62700 / SA50C/276	Melanie Jane Clarke, Wayne Maurice Clarke	240700	26351
7	Part Lot 1 DP 30552 / SA5D/1082	Rotokauri Farming No 3 Limited	327519	58319
8	Lot 53 DP 471831 / 694425	Hounsell Holdings Limited	50324	15448
9	Lot 3 DP 468484 / 628813	Hounsell Holdings Limited	138575	36526
10	Section 12 SO 464504 / 647038	Te Wetini Development Limited	162774	4355
11	Lot 2 DP 12201 / SA281/130	Rotokauri Investments Limited	47287	575
12	Lot 2003 DP 576817 / 1064310	Hamilton JV (N3) Limited	44597	6886
13	Lot 4003 DP 576817 / 1064313	Hamilton City Council	5700	131
14	Lot 4004 DP 576817 / 1064314	Rotokauri Development Limited	487944	16395
15	Lot 1 DP 540282 / 905540	J W Trustees (Ratcliffe) Limited, Colleen Lenare Ratcliffe, Robin Ronald Ratcliffe	144800	11689
16	Lot 1 DPS 75261 / SA54D/685	Watson Lands Limited	40314	31116
17	Lot 1 DP 34949 / SA902/157	Hamilton City Council	6085	6085 (Entire Title)
18	Lot 1 DPS 68406 / SA54D/684	Eltan Trustees No 11 Limited, Allister Henry Gillam	15000	2056
19	Lot 50 DP 471831 / 783109	Te Rapa Gateway Limited	22786	6876
20	Lot 100 DP 542000 / 919096	Te Rapa Gateway Limited	58862	3050
21	Lot 61 DP 471831 / 655905	Hamilton City Council	5200	5200 (Entire Title)
22	Lot 57 DP 572424 / 1039472	Hamilton City Council	7942	7942 (Entire Title)

23	Lot 802 DP 572424	Hamilton City Council	320	320 (Entire Title)
24	Lot 803 DP 572424 / 1043979	Hamilton City Council	6714	739
25	Road – State Highway 1C	Waka Kotahi	N/A	4973
26	Road – Local Authority	Hamilton City Council	N/A	37284
27	Road – Waka Kotahi	Waka Kotahi	N/A	3828
28	North Island Main Trunk Railway Line	Kiwirail	N/A	565
29	Section 1 SO 42608 /1133320 / 589784 / 740668	Tainui Group Holdings Limited, Pootatau Te Wherowhero, The Base Te Awa Limited	N/A	0

The Proposed Designation Area extents referred to in Table 1 are as shown on the Land Requirement Plans attached as **Appendix A**. Copies of the Records of Titles for the land subject to the NoR are attached as **Appendix E.**

2.2 Purpose of the Designation

The purpose of the Designation is to secure the land and planning authorisations necessary to deliver a critical multimodal transportation and infrastructure network that will enable the full urbanisation of the RSP area and achieve the objectives set out in section 2.4.

The Designation is for "**Strategic Transport and Three Waters Infrastructure"** and is intended to allow HCC, as the requiring authority, sufficient areas of land to protect key arterial network routes and infrastructure corridors. The Designation Purpose incorporates the following *outcome*:

> ***Transportation and Infrastructure Network Description***
>
> ***A key multimodal transportation and infrastructure network that supports an integrated and people-focused mixed-use development, providing for the associated spatial requirements of necessary infrastructure, network utilities, three waters and stormwater treatment, conveyance, and storage functions.***

2.3 Term of the Designation Sought

The requiring authority requires **a 15-year designation lapse period.** The lapse period is necessary to provide the Requiring Authority with the lead time to plan for the works as further set out in section 5.6 below.

A longer lead time is considered necessary to enable HCC to among other matters, secure landowner agreements, acquire the necessary land, and refine the detailed design. The Project relies on the construction of the Greenway, which will span several construction seasons, therefore this requires time for it to be sufficiently advanced. Currently there is no funding allocated for construction of the Project within HCC's Long-term Plan 2021-2031. Construction is a long-term project (10+ years) and is dependent on funding and development demand. The cost of providing strategic infrastructure ahead of the residential growth in the area is high.

The longer term of the designation provides more opportunity for the necessary funding to be secured and construction of the Project to align with development demand.

2.4 Project Objectives

The following objectives have been developed for the Project. These reflect the integrated nature of the infrastructure corridor and adjacent land use.

2.4.1 Network and Function

Objectives

To provide a well-integrated multi modal transportation network that promotes a wide range of safe, responsive, efficient, and sustainable transport modes including walking, cycling, and public transport. Opportunities for passenger transport and alternative transport modes which will reduce reliance on private motor vehicles through consideration and allowance for adaptive change in the future should be made where possible.

The network achieves through design improved accessibility and connectivity into Hamilton City that is consistent with the land use spatial framework, Rotokauri Structure Plan and achieves the strategic direction established by Access Hamilton.

2.4.2 Infrastructure

Objective

To support the sustainable future urban land use development and growth needs in the North of Hamilton City of Rotokauri in accordance with the Rotokauri Structure Plan. This shall be achieved by requiring sufficient land to protect the Rotokauri Network corridor including areas for stormwater management. The corridor shall allow for the inclusion of purposeful, robust, and efficient infrastructure to occur; whilst providing confidence to the surrounding land use development of the extent of the network. Identification of a network corridor manages the risk of spatial conflicts and realises opportunities for effective integration with the surrounding established networks and the Rotokauri Greenway.

The corridors will facilitate:

- *an integrated transport system including the coherent form of intersections,*
- *three waters infrastructure network,*
- *the provision of key stormwater and flood management infrastructure and secondary flow corridors in accordance with local catchments and associated Integrated Catchment Management Plans,*
- *Integrate with the Hamilton City Council Greenway designation for conveyance and management of stormwater and recreation connections*
- *provision for other network utilities,*
- *a clear and consistent approach to the delineation of the edge of the corridors considering constructability, access requirements and ongoing maintenance.*

2.4.3 Integration

Objective

To enhance the accessibility within the network for people by achieving cohesion between the proposed development and existing communities in a well-planned and legible way. By applying urban design principles, the network should:

- *integrate to the future urban land use context,*
- *provide connectivity between the Rotokauri Structure Plan area and the existing Hamilton City infrastructure network, Rotokauri hub and state highway network*
- *promote strong people-focused connections to the street environment.*

2.4.4 Cultural Values, Character and Amenity

Objective

To enhance the vitality of public spaces in a way that interacts positively with the multi modal transportation network and acknowledges the cultural identity of the area. A strong sense of community identity for Rotokauri is created through:

- *responding to the cultural identity and values of Rotokauri and the wider area,*
- *create a distinctive sense of place for Rotokauri,*
- *promote safe and enjoyable use of public space through the quality and design of the public open spaces,*
- *incorporate, protect, and enhance the habitat of the receiving environments.*

These objectives were developed and agreed with HCC staff in May 2021 as a consequence of refinement through the Detailed Business Case investigations. They have informed the ULDF included as **Appendix J**. Achieving the above objectives has also formed the basis of the Project design.

2.5 Rotokauri Strategic Transport and Three Waters Infrastructure Design and Function

2.5.1 Rotokauri Arterial Network function

The Project is required to service the urbanisation of the Rotokauri growth cell in accordance with the RSP. The proposed designation routes depict the preferred alignments for the strategic network corridors (previously established by the RSP) and other key connections required to improve transport connectivity.

As illustrated in **Figure 8** above the Project interacts with three other linear corridors within Rotokauri being the Te Rapa Section of the Waikato Expressway (the Expressway), the North Island Main Trunk Railway (NIMTR), and the Rotokauri Greenway corridor.

The Project has a high urban design focus contributing to HCC's strategic objectives for land use planning, provision of urban growth infrastructure and economic development. Broadly, these include multimodal transportation facilities, bus stops, parking, spatial provisions for utilities network including three waters infrastructure, connections to recreational spaces and small amenity areas where there is a transition in land-use or context.

2.5.2 Stormwater Management function

A core element of the proposed designation includes the associated stormwater facilities required to provide an appropriate level of treatment of road run-off such as rain gardens and treatment swales. The designation if confirmed will authorise and allow adequate space for, the construction and operation of stormwater facilities (as part of the infrastructure network).

Stormwater management areas are included within the proposed designation (i.e., artificial wetlands downstream of the road networks to collect road run-off). The designation connects to the receiving environment watercourses. All stormwater management areas within the Project designation have been designed to integrate with stormwater management for adjoining land.

A 'maximum probable development sub-catchment approach' has been adopted for initial concept design sizing of these devices for the designation. The designation is therefore sufficient to accommodate the stormwater needs of the Project with some flexibility for detailed design and integration with the catchment. This initial conceptual design will be subject to a further detailed design process prior to construction and further resource consents may be required at that stage depending on the final design.

This maximum probable development approach allows flexibility with staging of construction and allows portions of these areas to be formed early where necessary. The staging will depend on the rate of development in the receiving catchment and if private development agreements are negotiated between HCC and developers. As detailed designs are prepared and developer plans progress HCC will consider opportunities to improve integration and optimisation of stormwater facilities with surrounding land use.

2.5.3 Integration with the Rotokauri Greenway Designation

The RSP requires the advanced or concurrent development of critical infrastructure to unlock the urbanisation planned in the catchment, including the designated Rotokauri Greenway corridor and the Project. The Rotokauri Greenway is a necessary precursor to the construction of a significant component of the Project.

The stormwater areas included in the Project designation are intended to work in conjunction with the Rotokauri Greenway facilities. They will provide stormwater treatment and flood storage as well as opportunities for active mode connections between the Project and the Greenway, enhancing recreation functions for both projects. Further descriptions and details of the Rotokauri Greenway and the interfacing aspects relevant to this proposal are outlined in Section 5.2.5 of the Design Report in **Appendix D**.

3 Rotokauri Arterial Network Description

The designation if confirmed will provide for a future integrated transport network in Rotokauri. The Project will provide connections for road transport and off-road walking and cycling, respectively. These connections will also provide access to SH1C and the Rotokauri Transport Hub which is a park and ride, rail station and bus interchange adjacent to 'The Base' shopping/retail centre. The key features and functions included within the Project are described below.

The Design Plans are included in **Appendix B.** Further supporting rationale and approach to the design aspects is also included in the ULDF document in **Appendix J**.

- **Zone 1:** **Rotokauri Minor Arterial North (new road)** *High Movement function, moderate placemaking function*
- **Zone 2:** **Minor Arterial, Te Kowhai West Extension (new road)** *High movement function and high placemaking function*
- **Zone 3:** **Collector Road (new road)** *Moderate movement function, moderate placemaking function*
- **Zone 4:** **Chalmers Road Extension** *High movement function, moderate placemaking function*
- **Zone 5:** **Minor Arterial, Te Kowhai Road West Extension** *High movement function, low placemaking function*
- **Zone 6:** **Collector Road, Arthur Porter Drive (new alignment)** *High movement function, low placemaking function*
- **Zone 7:** **Major Arterial, Te Kowhai East Road Upgrade** *High movement function, low placemaking function*
- **Zone 8:** **Rotokauri Minor Arterial North, (new road) Adjacent to the Commercial Centre** *High movement function, high placemaking function*
- **Overall:** **Stormwater Conveyance, Attenuation and Treatment areas**

This approach of defining form and function differs from other existing developments in Hamilton and better prioritises people and place over vehicle movements. A high standard of infrastructure design supports Hamilton's adopted Vision Zero target by reducing vehicle speeds and providing protected walking and cycling connections separate from other road users. This is intended to increase the uptake of active transportation modes and reduce vehicle reliance, making Rotokauri an attractive place to live and work and support a healthier and greater socially connected community.

The higher 'place focus' influences the corridor's response to land use while maintaining movement/place function 'balance' and provides high active mode priority along and across corridor. These indicative cross sections form the basis for the delineation of the corridors which has been combined with the preliminary stormwater design aspects to determine the land requirement plans included as **Appendix A**.

Public transport provisions are supported through new infrastructure. Public transport in the network is accessible to all users within the internal network through high-quality bus stop infrastructure linked to footpath and cycle connections. The major arterial connection to the new Rotokauri Transport Hub enables convenient access to local and regional public transport services.

In summary, each section of the Project responds in a different way to the surrounding land uses and a targeted approach has been utilised to consider the form and function of each zone. The Corridor Zones depicted in **Figure 10** are summarised below, with larger scale plans provided in **Appendix B**.

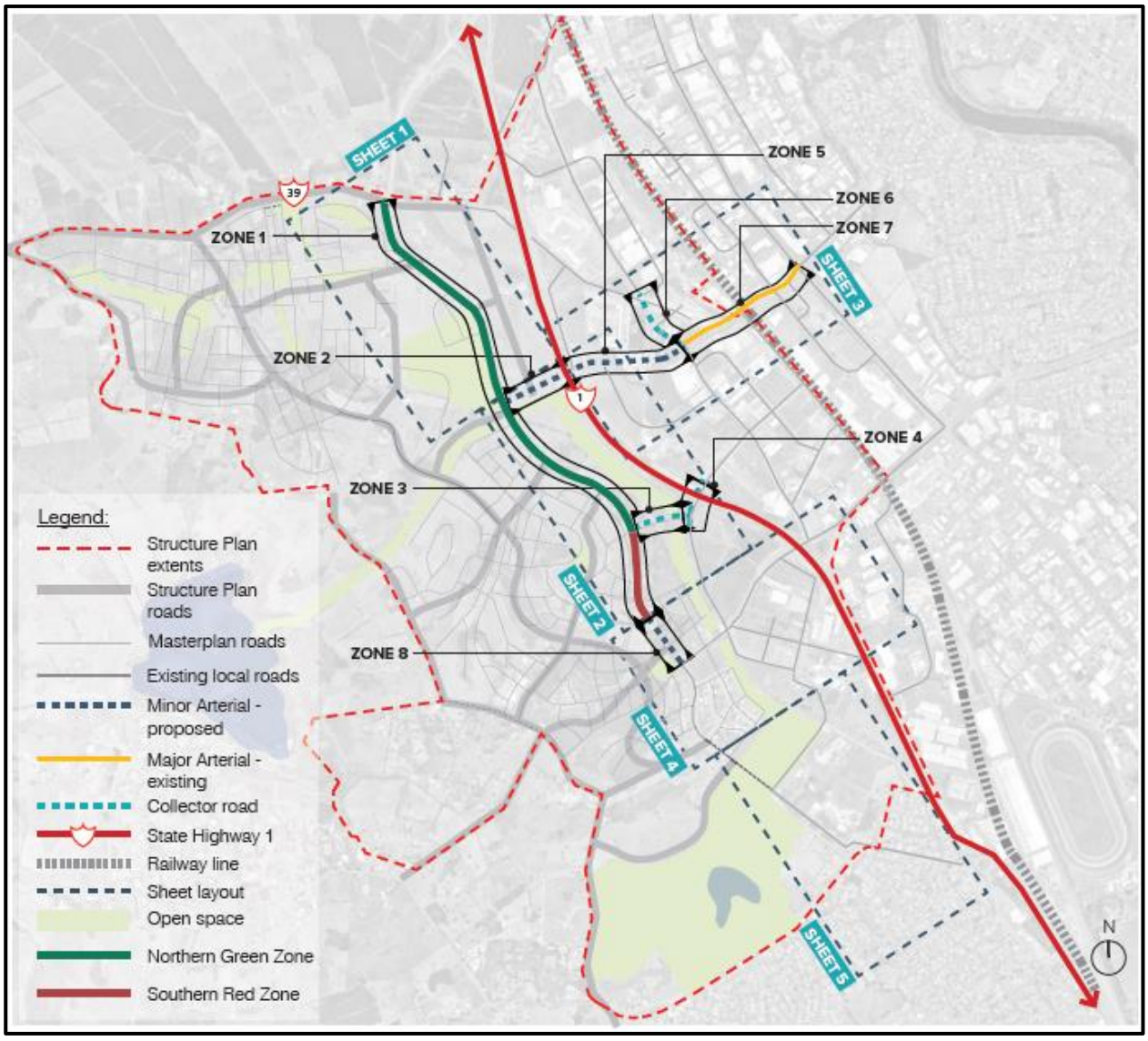


Figure 10: Corridor zones for treatments responding to land use (Source: Urban and Landscape Design Framework 2023)

Zone 1 Rotokauri Minor Arterial North (new road North South Minor Arterial)

High Movement function, moderate placemaking function

This section has a high movement function and a moderate place function. It features two vehicle lanes and raised median to respond to employment zone interface that requires controlled access. This approach provides a safe space for separated cycle and pedestrian facilities. Private vehicle access and local road connections will be restricted to protect the prioritisation of pedestrians, cycling and public transport. South of Te Kowhai East Road, the median is removed in response to the residential interface. This reflects a higher place focus and a narrower corridor with more amenity opportunities to the edges of the corridor for active modes.

Northern Green Zone	Southern Red Zone
 Figure 11: Cross Section 1 Northern Key Features	 Figure 12: Cross Section 2 Southern Key Features
• Two vehicle lanes with wide raised median in response to employment interface and lower place focus - increased amenity in median and berms. • Wide separated off-road walking and cycling paths. • In-lane bus stops. • Controlled access to the network and activating street frontages where possible. • Provision in the designation width for broader catchment stormwater provisions for conveyance, treatment and flood retention including several wetland basins • Signalised intersection with Te Kowhai East Road - Priority combined crossing with no slip lanes.	• Two vehicle lanes. • No median south of Te Kowhai East Road in response to residential interface and higher place focus. • Wide separated off-road walking and cycling paths. • In-lane bus stops. • Controlled access to the network and activating street frontages where possible. • Provision in the designation width for broader catchment stormwater provisions for conveyance, treatment and flood retention including several wetland basins.

Zone 2 Minor Arterial, Te Kowhai West Extension (new road)

High movement function and high placemaking function

This section has a high movement function and high place function with two vehicle lanes and controlled/limited access to the network. The corridor provides mid-block crossing points for pedestrians and separated walking and cycling facilities. In response to the interface with the Greenway to the south and artificial wetland to the north, there is no median, and instead provides for amenity planting on the edges where they interface with these open spaces. Amenity provision includes a shared path along the south side of the road that allows connection to the Greenway. Rest areas and increasing the quality of existing cycle facilities provide opportunity for artwork and cultural symbolism to enhance user experience whilst acknowledging mana whenua and local culture.

	• Two vehicle lanes. • Designated width for Public Transport Priority through intersections. • No median in response to greenway/wetland/park interface.

Figure 13: Cross Section 3 Key Features	• Wide separated off-road walking and cycling paths - shared path on south side connects network along the greenway. • Signalised midblock crossing for greenway shared path. • In-lane bus stops. • Controlled/limited access to the network. • Provision in the designation width for broader catchment stormwater provisions for conveyance, treatment and flood retention including several wetland basins.

Zone 3 Collector Road (new road)

Moderate movement function, moderate placemaking function

This section provides a corridor with high movement function and high placemaking function with two vehicle lanes, controlled access for vehicles, and no parking provision or median that responds to the edge interface with a wetland or residential interface. This section has a narrower corridor and separated cycle and pedestrian facilities on both sides of the corridor which presents further opportunities for connection for users to adjacent spaces such as the Greenway and existing shared path alongside the State Highway.

 Figure 14: Cross Section 4 Key Features	• Extension of Chalmers Road with cycle path provision. • Two vehicle lanes. • No median in response to greenway/wetland/park/residential interface. • Wide separated cycle path and footpaths both sides. • High amenity front and back berms. • Controlled access.

Zone 4 Chalmers Road Extension (new road)

High movement function, moderate placemaking function

This section provides two vehicle lanes, controlled access and no median. This results in a narrower corridor and provides opportunity for cohesion between the adjacent Greenway and Employment zone. The corridor provides wide separation of the road with cycle paths and wide footpaths on both sides of the corridor with flexible back berms to provide a high amenity in the Employment zone and potential for a street frontage to activate the corridor.

 Figure 15: Cross Section 5 Key Features	• Two vehicle lanes. • No median in response to greenway/wetland/park interface. • Wide footpaths both sides. • High amenity front and back berms. • Controlled access.

Zone 5 Minor Arterial, Te Kowhai Road West Extension (new road)

High movement function, low placemaking function

This section has industrial land use on both sides. and This represents a high movement function but low placemaking function due to this interface and lack of amenity opportunity. To provide safe movement for active modes, a bi-directional cycle path is included on the south side of the road to connect key destinations. Controlled access limits crossings and conflicts along this industrial portion of the corridor.

Figure 16: Cross Section 6 Key Features

- Two vehicle lanes with wide raised median in response to employment interface and lower place focus – increased amenity/planting in median and berms.
- Designated width for Public Transport Priority through intersections.
- Wide separated off-road bi-directional cycle path on south side to connect key destinations and limit crossings to industrial land use on North side.
- In-lane bus stops.
- Controlled access to the network.
- Provision in the designation width for broader catchment stormwater provisions for conveyance, treatment and flood retention including several wetland basins.
- Signalised intersection with Arthur Porter Drive.

Zone 6 Collector Road, Arthur Porter Drive (new roads)

High movement function, low placemaking function

This section provides a two-lane vehicle corridor and flush median for turning movements which responds to the industrial land use on both sides of the corridor. There is no provision of cycle lanes however there are wide footpaths on both sides of the corridor and flexible front and back berms that make provision for low planting or services.

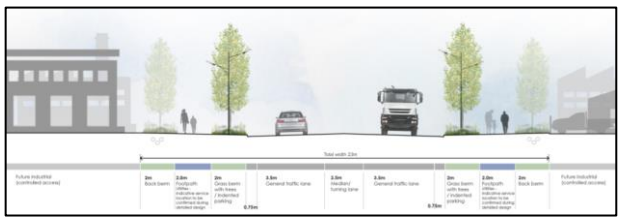


Figure 17: Cross Section 7 Key Features

- Two vehicle lanes with shoulder.
- Flush median (for turning movements).
- Wide footpaths both sides.
- High amenity front and back berms.
- Provides a formed intersection with connection to new local roads that are designed to facilitate access to the surrounding industrial and commercial developments and reconnect the frontage of the former Arthur Porter Drive alignment.

Zone 7 Major Arterial, Te Kowhai East Road Upgrade (existing road upgrade)

High movement function, low placemaking function

This section has four lanes with wide bus or High Occupancy Vehicle lanes on the outside and is has a high movement function and low placemaking function. It includes a wide raised central median that responds to the adjacent employment and industrial interface. The flexible berms provide opportunity for facilities and street furniture while providing separation from the bi-directional cycle path and pedestrian footpath. This bi-directional cycleway concentrates active mode movement on the south side of the corridor where the main destinations are i.e. The Base and PT Hub and reduces potential conflicts for active modes crossing the wide vehicle corridor.

Provision has been made for integration with the stormwater network. This provides opportunities for recreation, further amenity improvements and enhanced biodiversity in the stormwater storage facilities.

Figure 18: Cross Section 8 Key Features

- Four vehicle lanes with wide bus or HOV lanes on the outside.
- Wide raised median in response to employment/industrial interface and lower place focus.
- High amenity/planting in median and berms.
- Wide separated off-road bi-directional cycle path on south side to connect key destinations and limit crossings to industrial land use on North side.
- In-lane bus stops.
- Controlled access to the network.
- Provision in the designation width for broader catchment stormwater provisions for conveyance, Treatment and flood retention including several wetland basins.
- Signalised intersection with Tasman Road and Maahanga drive/ The Boulevard (no upgrade to Te Rapa roundabout).

Zone 8 Rotokauri Minor Arterial North, Commercial Centre (new road)

High movement function, high placemaking function

This section of the minor arterial embodies a high placemaking function with generous provision for high quality amenity space to incorporate outdoor dining, cultural narratives through surface treatments and artwork, a wide pedestrian movement zone, and street furniture. The high amenity value of this space promotes activation of the street. This edge activation helps create cohesion between the adjacent employment land use and Greenway, providing connection to the wider network.

The corridor narrows in this section with no median. Separate walking and cycling facilities also narrow to 2.2m - 1.8m on both sides of the road. This will elevate the level of east-west connectivity across the minor arterial corridor and encourage slower movement through the commercial centre and promote a more compact urban centre.

Figure 19: Cross Section 9 Key Features

- High place function and public amenity (high quality bus stops, shelters, street planting, regular rest stops, furniture) and placemaking (views, cultural/heritage recognition) and minimise corridor widths wherever possible to promote compact land use.
- Urban form and connectivity.
- Active street frontages with wide pedestrian zone adjacent commercial land use.
- Two vehicle lanes.
- In-lane bus stops.
- No median south of Te Kowhai east Rd in response to commercial centre interface and higher place focus. Any turning movements made in-lane to

	reduce carriageway width and focus on place function. • Wide separated off-road walking and cycling paths. • Signalised intersection with Te Wetini Drive. Priority combined crossing with no slip lanes.

3.1.1 Overall - Stormwater Management

HCC as the requiring authority expects to continue to work with developers to refine the design of integrated artificial wetlands. HCC is proposing to designate only the artificial wetlands that receive runoff from the proposed roads and designate the full-sized wetland that would serve the wider sub-catchment once developed i.e., more than that needed for road runoff alone.

Figure 20 below indicates the overall stormwater design which is reflected in further detail in **Appendix B** and **Appendix D.** The wetland areas, treatment and conveyance aspects are to be included within the designation. These are also further outlined in Section 8 – Assessment of Effects on the Environment.

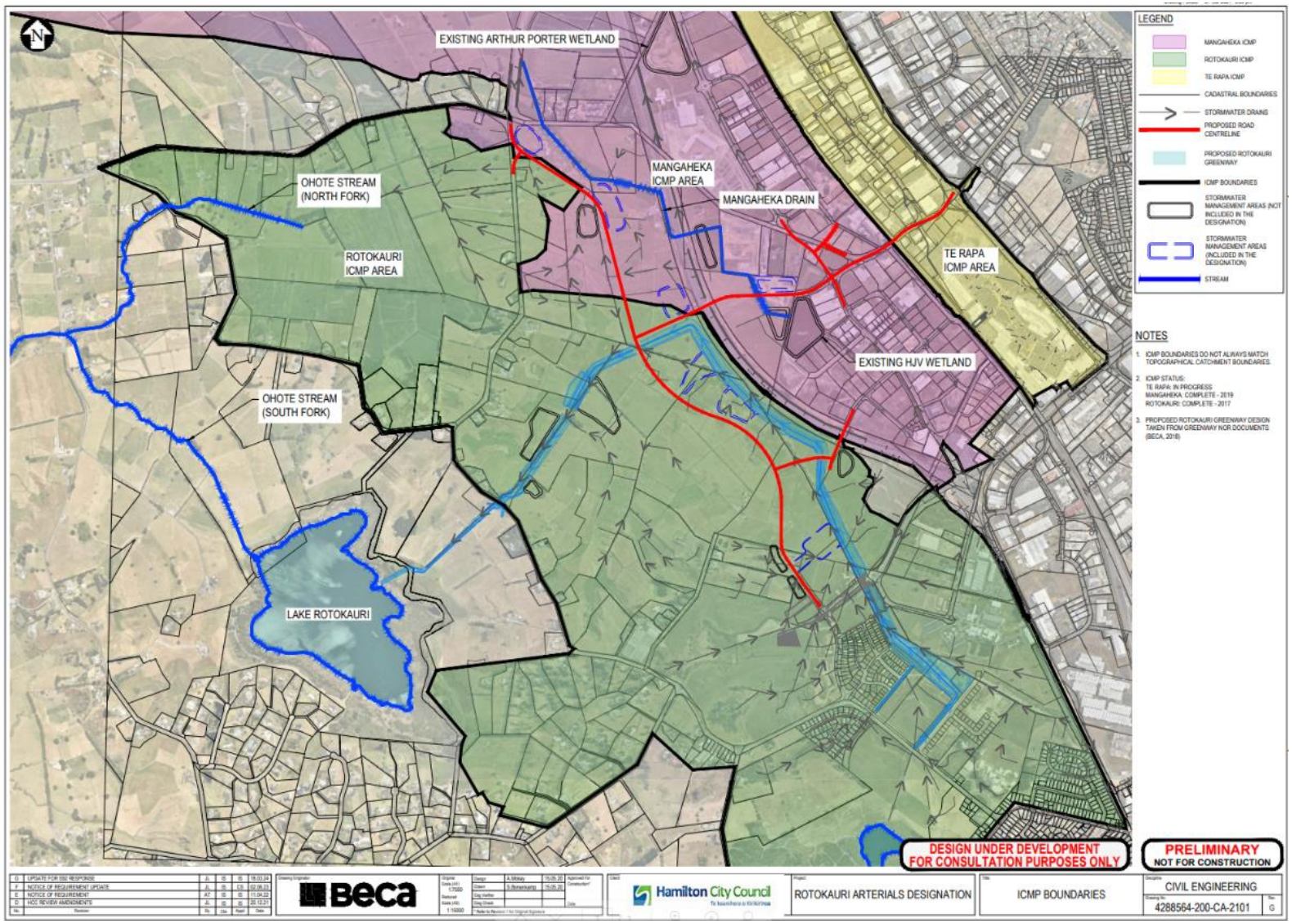


Figure 20: Overall Stormwater Management Plan and ICMP Boundaries

4 Site and Locality Description

4.1 Overview

Situated to the northwest of Hamilton, Rotokauri is a prime location to support quality urban development with access to multi-modal transport infrastructure and key employment, education and recreational opportunities. As previously outlined the RSP forms part of the Operative District Plan. To facilitate the development of this area, there is a need to secure sufficient land for transport and stormwater infrastructure networks that will support growth within Rotokauri and integrate with the surrounding infrastructure.

This section describes the existing environment at the time of lodgement of the NoR, noting that the Project responds to the planned urbanisation of Rotokauri, which is developing quickly.

4.2 Landscape

The majority of the Rotokauri area is characterised by flat low-lying topography and smaller gully systems, and currently remains as rural and pastoral farming land. In the western areas near Exelby Road the landscape is scattered with low peripheral ridgelines. Much of the existing rural road network follows these ridgelines.

Rotokauri is a predominantly greenfield catchment that has traditionally supported a mixture of rural land use and lifestyle blocks, and more recently residential subdivision in the south. Farming activities have historically modified the landscape introducing a drainage scheme and network of artificial drainage channels to drain the lower lying areas. The two main watercourses are a highly modified drain known as the Rotokauri drain (designated as the Greenway corridor), which passes beneath Exelby Road through a culvert before discharging into Lake Rotokauri, and the Mangaheka Stream in the North.

The Waiwhakareke Natural Heritage Park lies at the head of the catchment. The Park has been extensively planted with native plants as part of the HCC regeneration of Lake Waiwhakareke.

The alignment of the SH1C Waikato Expressway runs north to south. The SH1C corridor was intentionally constructed on a raised 6m high embankment to make suitable provision for local transportation corridors to connect beneath the corridor via a series of underpasses. This minimises any potential modal shift barriers and enables the east-west movement of pedestrians, cyclists and passenger transport at ground level.

To the east of the SH1C corridor industrial and commercial development has established over the last six years.

To the south the WINTEC campus is an established urban feature.

Further detail about the landscape values of the locality can be found in the Landscape and Visual Assessment attached as **Appendix H**.

4.3 Geology and Hydrogeology

The GNS geological map for the Waikato region shows the area to be underlain with soils of the Piako subgroup (Hinuera formation) and Walton subgroup. The Hinuera formation comprises cross-bedded pumice sand, silt, and gravel with interbedded peat. The Walton subgroup comprises pumiceous silt, sand, and gravel with interbedded peat and rhytolic pumice, including non-welded ignimbrite, tephra, and alluvial deposits.

High groundwater levels are consistent along the length of the central corridor with the winter groundwater typically less than one metre below ground level. The majority of the Rotokauri area (pre-development) is low lying and areas around existing watercourse/drains are identified as flood hazard areas with surface ponding.

The construction of the Greenway corridor is an important precursor to development and establishment of the Project to manage the flood hazard risk.

A large portion of the Rotokauri drain in which the Greenway corridor path follows, is not identified on Waikato Regional Council (WRC) maps and defaults to a surface water body classification.

Lake Rotokauri is a peat lake downstream of the Structure Plan area and within Waikato District Council jurisdiction. Lake Rotokauri is one of the largest shallow peat lakes in the Waikato region, with a surface area of 77ha, including marginal wetland areas, and a maximum depth of 4m. The lake lies within the Waipaa River catchment and is connected to the Waipaa River via the Ohote Stream.

Further geotechnical detail of the area can be found in the Design Report attached as **Appendix D.**

4.4 Ecological

An Ecological Impact Assessment (EcIA) of the Rotokauri area has been undertaken and is included in **Appendix G** with the key findings of the report summarised below. Historically, the area would have consisted of bog, scrub, fern, and swamp wetland/forest (McEwen, 1987). Presently, outside of the urban centre, the district is almost entirely farmed after being cleared from the late 1800's.

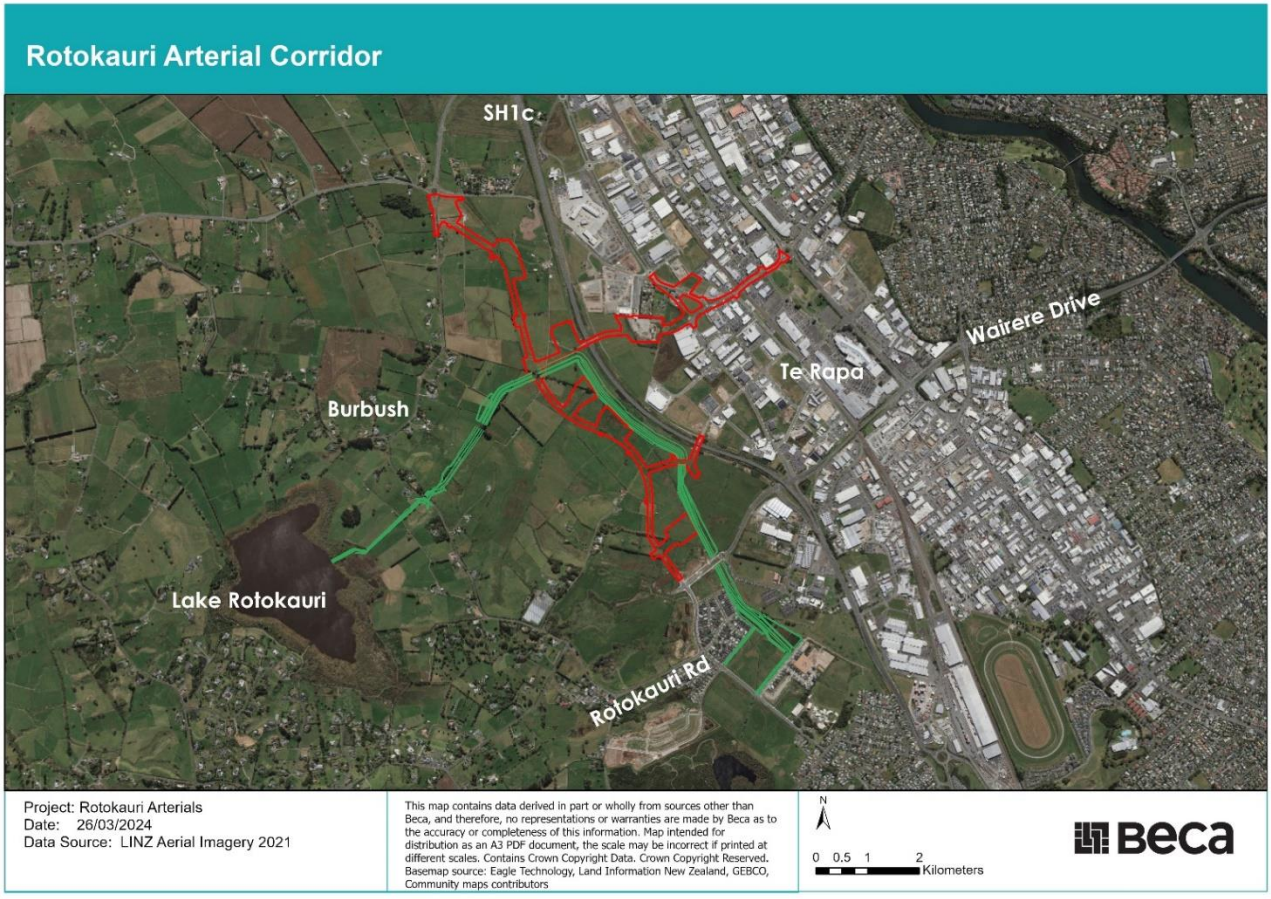


Figure 21: Key ecological features of Rotokauri (Source: Beca Ecology report)

The main ecological features in and around the Project area are Lake Rotokauri, Lake Waiwhakareke and the Rotokauri Drain (the main corridor link between the Lake Rotokauri and Lake Waiwhakareke) as indicated in **Figure 21**. It is however noted that at the time of construction of the Project, the Greenway will have been constructed in place of the Rotokauri Drain. The Greenway and remaining artificial watercourses will be the main ecological features in and around the project area at the time of construction. The Project will intersect

with the Greenway and artificial drains. The Greenway, remaining drains and Lake Rotokauri will be the receiving environment for any sediment discharges during construction.

4.4.1 Vegetation

Currently the vegetation within the proposed designation is mainly grazed pasture with low-lying areas of rushes, blackberry, and exotic tree species used for hedging (such as barberry) or shelterbelts including pine, macrocarpa, poplar and eucalyptus.

Bank vegetation along the Rotokauri Drain will be replaced by native plantings of the Greenway. Native plantings occur immediately adjacent to the proposed designation where the Project crosses SH1 and ultimately intersects with Arthur Porter Drive and again where the Project will cross the Greenway to join with Chalmers Road.

A small remnant pocket of Kahikatea is present in the northern end of the Rotokauri area adjacent to Burbush Road and is a recognised Significant Natural Area (SNA). This remnant stand is outside the Project area.

4.4.2 Stormwater Catchments

The current topography through which the Project crosses is generally low lying with low elevation ridgelines off to the west of the Project alignment and the SH1C embankment west of the main north-south minor arterial.

The Project mainly sits within two stormwater catchments: Rotokauri and Mangaheka with a short section of road in a third catchment, Te Rapa, where the Project extends over existing roads. These catchments are further broken down into sub-catchments by the Integrated Catchment Management Plans which are described in Section 8 of this report.

A network of farm drains provides the rest of the current drainage network servicing the current rural farmland.

4.4.3 Rural Drainage Network

The current Rotokauri, Mangaheka and Te Rapa Streams are all modified watercourses that look and function as farm drains. The streams/farm drains in the area are largely unvegetated and rarely fenced to exclude stock. Their ecological value is derived from the presence of the at-risk black mudfish which have been identified in small drains in the adjoining rural drains. Water levels in the catchment rise and fall over longer timeframes than in most urban catchments due to perched water levels and low permeability soils across the area which may contribute to the creation of ephemeral habitat suitable for the black mudfish. The drainage network is deemed to be of **moderate** ecological value.

4.4.4 Lake Waiwhakareke

Lake Waiwhakareke is a small however ecologically significant peat lake near the head of the Rotokauri catchment. The lake has four small inflowing watercourses and one outflow, the Rotokauri drain. The lake is naturally dystrophic, meaning that the water is stained by the surrounding peat soils and pH is naturally low. The lake is considered to have **high** ecological value. Lake Waiwhakareke is above the extent of the Project.

4.4.5 Lake Rotokauri

Lake Rotokauri is a large, shallow peat lake with a surface area of 77ha and maximum depth of 4m. It is characterised by poor water quality and nutrient enriched (hypertrophic) conditions due to legacy effects of past land use change. The outfall of the Lake is currently controlled by an artificial weir that sets the level of the Lake. Despite poor water quality, the Lake has **high** ecological value. Lake Rotokauri is not within the Project however will be the ultimate receiving environment for any discharges during construction via the Greenway.

4.4.6 Wetlands

Within 100m of the proposed designation, eight wetlands were identified with a combined area of 3.85ha (see 2021 Wetland Classification Report by Beca for more details). These wetlands were all in extremely degraded condition due to drainage and ongoing grazing, but nevertheless, retained enough characteristics to be classified as Natural Wetlands according to New Zealand wetland delineation protocols, and current guidance on NPS-FM wetland definition interpretation from MfE (Clarkson, 2018; Ministry for the Environment, 2020, 2021b, 2021a).

Historically, the low-lying sections of the proposed designation would have consisted of a mosaic of bog, fen and swamp wetlands (McEwen, 1987). It is expected that these eight wetlands are remnants of this larger complex that have retained wetland hydrology due to underlying hydric soils and geomorphic position despite significant modification. Although wetlands are in a degraded state due to alterations to hydrology and ongoing stock access, they may provide some limited ecosystem service values, reducing nutrient loads in surface water runoff and attenuating peak flows. Pied stilt (*Himantopus leucocephalus;* Not Threatened) were also observed foraging in these areas.

The current overall ecological value of wetland areas is assessed as **Moderate** based on a high rating for rarity/distinctiveness, low rating for ecological context, and very low ratings for representativeness and diversity and pattern.

4.4.7 Birds

Native avifauna within the proposed designation includes predominantly pasture and open country species. Species observed within the proposed designation during the site visit include swallow, kotare, pied stilt, fantail, and spur-winged plover.

Additional species, including At Risk wetland birds have also been recorded in the wider area, and are associated with Lake Rotokauri, Lake Waiwhakareke and stormwater treatment wetland (HJV wetland). This also includes the transient use of the existing drainage network for foraging habitat for other species like black shag and little black shag (black shag were noted alongside drain habitat during the site visit). The proposed designation area has **high** avifauna values due to the confirmed and possible presence of At-Risk species.

4.4.8 Bats

The 'Nationally Critical' long-tailed bat are known to occur in the Hamilton City gully system and surrounding landscape. The Rotokauri area has limited suitable habitat for bats due to the sparse vegetation. At the time of survey there was low level detection of bats within the proposed designation, notwithstanding the presence of some suitable habitat within and nearby the proposed designation (riparian corridors and mature exotic conifers and poplars). The proposed designation area is assessed as having **Very High** bat species value due to the presence of long-tailed bats and high-risk roost trees within the surrounding area. This is detailed further in Appendix G.

4.4.9 Lizards

The modified rural landscape contains little high quality lizard habitat. Lizard species present are limited to the indigenous copper skink (*Oligosoma aeneum)* where suitable habitat is present, and the exotic plague skink (*Lampropholis delicata*) (Ecology NZ, 2021). Copper skinks are currently listed as an 'At Risk – Declining' species and can be found within farmland across the Waikato where they persist in rank grass, shelter belts, hedges, residential gardens and remnant bush. The proposed designation area is considered to have **High** ecological value for lizards, and native lizards are absolutely protected under the Wildlife Act 1953.

4.4.10 Native fish

Fish surveys conducted by Champion, Parkyn, & Chisnall (2001), Ecology New Zealand (2021), NZFFD records (Crow, 2017), and ecologial assessments conducted by Tonkin & Taylor (2018), confirmed the presence of several fish species known to occur in the adjoining Rotokauri catchment including black mudfish. This is presented in Table 9 and Figure 11 of the EcIA.

At-Risk black mudfish have been identified in small drains within the adjoining Rotokauri catchment. While no mudfish have been recorded within the Project area, due to the relatively high interconnectedness of the drain network, it is possible that mudfish could be present throughout the drainage network and within the Project area during winter months, and the drains may also have value as migration pathways for other species when water levels are high. This is because the Project intersects with rural drains, excluding Rotokauri drain, at 18 points along the length of the corridor.

Based on the presence of At-Risk species in the adjoining Rotokauri catchment, the proposed designation area is assessed as having **High** freshwater fish values.

4.5 Cultural

There is a long history of cultural significance and pre-European connection around Lake Rotokauri and Lake Waiwhakareke in particular, and the area between Lake Rotokauri and Exelby Road. Ngaati Wairere are one of five hapuu with an interest in the rohe. Te Haa O Te Whenua O Kirikiriroa (THaWK) represent the other four hapuu with an interest in the rohe. These hapuu being Ngaati Maahanga, Ngaati Tamainupoo, Ngaati Hauaa and Ngaati Koroki Kahukura.

A Cultural Impact Assessment (CIA - April 2021) for the Rotokauri Greenway and the Project has been developed by THaWK. The CIA in **Appendix I** outlines whakapapa and whenua links for each of the hapuu and includes a detailed account of pre-European Maaori history and the importance of the Rotokauri area to Maaori. The impact of the project on these cultural values is described and assessed further in Section 8 – Assessment of Effects on the Environment.

4.6 Archaeological

Sian Keith Archaeology Limited (SKA) was engaged by the project team and has undertaken an Archaeological Assessment of the area, reviewing historic documents, and undertaking a field visit to the project site.

There are no known archaeological sites, features or deposits which will be encountered during the proposed works for the Project. There is a minimal risk of encountering pre 1900 AD material which could be classed as an archaeological site based on the criteria in the Heritage NZ Pouhere Taonga Act 2014. Within the wider Rotokauri area there are two paa sites identified relatively close to the corridor west of Exelby Road near Lake Rotokauri (S14/5 and Te Uhi Paa). The area east of Exelby Road has low potential for archaeological sites, and therefore no known archaeological value.

Further detail about the archaeological significance of the area can be found in the Archaeological Assessment attached as **Appendix F**.

4.7 Existing network constraints

At the commencement of investigations for the Project several existing network constraints were identified that have a direct implication on the Project. These aspects are identified below as they establish fixed connections for the future transport network.

4.7.1 Existing State Highway 1C Corridor

The existing SH1C corridor was established in 2006 by Waka Kotahi the New Zealand Transport Agency (Waka Kotahi) as part of the Te Rapa Bypass as a section of the Waikato Expressway. The corridor bisects the Rotokauri growth area and is situated on an approximately 6m high raised embankment.

SH1C was constructed with several bridged underpasses (portals) to provide cross connections for local roads. These locations are reflected in the RSP. This was agreed between Waka Kotahi and HCC to provide east-west connectivity beneath SH1C to the future RSP local road network. Two of the three underpasses are within the designation. These set the connection points at Te Kowhai East Road (minor arterial section) and Chalmers Road (collector road).

HCC entered a Memorandum of Understanding (MOU) with Waka Kotahi regarding responsibility for key networks. The location and dimensions of these underpasses is existing and fixed, and any new corridors established need to align with these underpasses and any relevant design criteria.

The SH1C corridor also provides a separated cycleway connection on the western side of the alignment adjacent to the carriageway for the full length of the RSP. This crosses the two local road alignments. As the roads are not formed crossing provisions or facilities (to provide for active modes) are proposed in the design of the local road network.

4.7.2 Te Kowhai East Road, crossing of the North Island Main Trunk Railway Line

Currently Te Kowhai East Road crosses the NIMTR (KiwiRail network) on an existing at-grade two-lane level crossing immediately east of the existing intersection with Tasman Road.

As an outcome of the RSP, HCC negotiated a Deed of Grant with KiwiRail[4] for the continued use and upgrading of Te Kowhai East Road at the existing location of the level crossing. The Deed provides for an at-grade four-lane level crossing and associated increased traffic plus pedestrian and cycling facilities at Te Kowhai East Road.

The design provided for in the Deed was the starting point for the Project. KiwiRail have indicated through these discussions that their primary concern is safety. The consideration of alternative options (such as a grade separated crossing) and the outcome of recent discussions with KiwiRail has resulted in agreement that the level crossing will continue to remain open for this Project subject to the required safety mitigations being implemented. This is attached in **Appendix O** KiwiRail Engagement and Deed of Grant.

More generally, the Te Kowhai East Road corridor is connected to highly urbanised land uses, mostly industrial. In some cases, existing direct access to the corridor will present construction and ongoing operational challenges and will be addressed through detailed design.

In addition, there is the issue of the 536m^2 of land held by Pootatau Te Wherowhero for Waikato Tainui that is culturally inappropriate to designate and acquire, but upon which part of the works will be located. Separate approvals to authorise the works over this land will be required. The optioneering regarding access to this land is described further in **Appendix C** and separate land agreements are being sought. This is discussed further in section 5.5.5.

4.7.3 Connection to Burbush Road and State Highway 39

At the northern extent of the Project, Burbush Road connects into the existing intersection with State Highway 39 (SH39). The intersection is a large diameter four-leg roundabout which connects SH39 via Te Kowhai Road

[4] KiwiRail Reference G89164, dated 23 September 2010.

to Koura Drive. The Project re-establishes the previously severed connection between the western areas accessed via SH39 and Te Rapa through the Te Kowhai East Road Underpass.

4.7.4 Transportation linkages with development to the south

At the commencement of the Project, several consented residential developments were under way at the southern end of Rotokauri Road, and in the vicinity of the Te Wetini Drive extension. These developments are outside the designation but are largely aligned with the RSP network and represent southern tie-in extents of the Project.

5 Notice of Requirement under Section 168A RMA - Procedure for Designation

This NoR is issued under section 168A of the RMA. The NoR identifies the land required to be designated by the Requiring Authority for a public work such as infrastructure. This may include an associated restriction. Section 168A of the RMA sets out the procedure for a territorial authority who wish to designate for the prescribed purposes in their own district. Section 168A of the RMA provides as follows:

168A - Notice of requirement by territorial authority

(1) This section applies if a territorial authority decides to issue a notice of requirement for a designation—

(a) for a public work within its district and for which it has financial responsibility; or

(ab) for work within its district that relates to the construction of eligible infrastructure for which the territorial authority is a responsible infrastructure authority; or

(b) in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work.

(1A) The territorial authority must decide whether to notify the notice of requirement under—

(a) subsection (1AA); or

(b) sections 149ZCB (1) to (4), 149ZCC (1) to (4), 149ZCE, and 149ZCF, which apply with all necessary modifications and as if—

(i) a reference to an application or notice were a reference to the notice of requirement; and

(ii) a reference to an applicant, the Minister, or the EPA were a reference to the territorial authority; and

(iii)a reference to an activity were a reference to the designation.

(1AA) Despite section 149ZCB (1), a territorial authority must publicly notify the notice if—

(a) it has not already decided whether to give public or limited notification of the notice; and

(b) either—

(i) further information is requested from the territorial authority under section 92(1), however the territorial authority—

(A) does not provide the information before the deadline concerned; or

(B) refuses to provide the information; or

(ii) the territorial authority is notified under section 92(2)(b) in relation to the commissioning of a report, however the territorial authority—

(A) does not respond before the deadline concerned; or

(B) refuses to agree to the commissioning of the report.

(1AB) Subsection (1AA) applies despite any rule or national environmental standard that precludes public or limited notification of the notice of requirement.

(1B) Section 168 applies to the notice of requirement with all necessary modifications.

(2) Sections 96, 97, and 99 to 103 apply to the notice of requirement with all necessary modifications and as if—

(a) a reference to a resource consent were a reference to the requirement; and

(b) a reference to an applicant or a consent authority were a reference to the territorial authority; and

(c) a reference to an application for a resource consent were a reference to the notice of requirement; and

(d) a reference to an activity were a reference to the designation.

(2AA) However, section 101(2) does not apply to the notice of requirement, and the date for the commencement of the hearing is as follows:

(a) if the notice of requirement was not notified, the date must be within 25 working days after the date the notice of requirement was given by the territorial authority:

(b) if the notice of requirement was notified and the territorial authority gives a direction under section 41B, the date must be within 40 working days after the closing date for submissions on the notice of requirement:

(c) if the notice of requirement was notified and the territorial authority does not give a direction under section 41B, the date must be within 25 working days after the closing date for submissions on the notice of requirement.

(2A) When considering a requirement and any submissions received, a territorial authority must not have regard to trade competition or the effects of trade competition.

(3) When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—

(a) any relevant provisions of—

(i) a national policy statement:

(ii) a New Zealand coastal policy statement:

(iii) a regional policy statement or proposed regional policy statement:

(iv) a plan or proposed plan; and

(b) whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—

(i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or

(ii) it is likely that the work will have a significant adverse effect on the environment; and

(c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and

(d) any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement.

(3A) The effects to be considered under subsection (3) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the requirement, as long as those effects result from measures proposed or agreed to by the requiring authority.

(4) The territorial authority may decide to—

(a) confirm the requirement:

(b) modify the requirement:

(c) impose conditions:

(d) withdraw the requirement.

(5) Sections 173, 174, and 175 apply, with all necessary modifications, in respect of a decision made under subsection (4).

5.1 Requiring Authority

Under section 168A(1), for the purposes of the Project the NoR is served by HCC as the requiring authority. HCC has financial responsibility for the work. It is also the territorial authority as the public work relates to land wholly within the Hamilton City boundary. As such HCC seeks to designate land under section 168A for the purpose as outlined in Section 2.2 of this report.

5.2 Notification

HCC has actively engaged with directly affected parties and the community of Rotokauri through public information sessions. This is outlined in Section 7 below and further described in the Consultation Summary attached as **Appendix M**. Given the scale of the network proposed HCC as the requiring authority requests that the NoR be publicly notified under section 168A(1AA).

5.3 Effects of the Project and the Proposed Designation

A full AEE is provided in Section 8 which evaluates the actual and potential environmental effects that the designation and Project will have on the environment.

5.4 Statutory Considerations

There are several matters that a territorial authority must have particular regard to when considering a NoR pursuant to sections 168A of the RMA. Section 168A (3) of the RMA requires that a territorial authority must, subject to Part 2 of the RMA, consider the effects on the environment of allowing the requirement, having particular regard to any relevant provisions of:

- Te Ture Whaimana o Te Awa o Waikato
- National Policy Statements (NPS)
- Waikato Regional Policy Statement (WRPS)
- Waikato Regional Plan (WRP)
- Hamilton District Plan (HCDP)

These documents are discussed in more detail in Section 9.

Section 168A (3)(d) of the RMA also requires the territorial authority to consider ‘any other matters’ relevant to the consideration of the NoR. The relevant ‘other matters’ for this NoR are:

- Hamilton Urban Growth Strategy 2023
- Hamilton-Waikato Metro Spatial Plan 2020
- HCC Rotokauri Greenway Corridor Designation 2021
- Waka Kotahi New Zealand Transport Agency Designation E99
- Access Hamilton Strategy 2022

- Future Proof Sub-regional Growth Strategy 2022
- Relevant Integrated Catchment Management Plans various
- Waikato Tainui Iwi Management Plan 2013
- Ngaati Hauaa Environment Management Plan 2018
- Ngaati Tamainupoo Mātauranga and Taonga Management Plan 2021
- Government Policy Statement – Land Transport 2021[5]

These documents are discussed in more detail in **Section 9.9**.

5.5 Consideration of alternative sites, routes or methods

Section 168A(3)(b) RMA requires that a territorial authority or delegated decision makers consider the effects on the environment of allowing the requirement, having particular regard to:

"whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if –

i) The requiring authority does not have an interest in the land sufficient for undertaking the work; or

ii) It likely that the work will have a significant adverse effect on the environment;"

The requiring authority's assessment of alternatives sites, routes or methods demonstrates that it has not acted arbitrarily or given cursory consideration to possible alternatives, rather it has carried out extensive and robust investigations of alternatives to satisfy itself as to the sites put forward. This is particularly important where the requiring authority is not the landowner, as in the present case. In this instance, aside from several small portions of existing road reserve vested in HCC and areas where the proposed designation will overlap with other networks, most of the land subject to this NoR is in private ownership. Therefore, robust consideration of alternatives is necessary as part of the designation.

The following section of this report outlines the summary of the process relating to the consideration of alternative sites, routes or methods. The Consideration of Alternatives in **Appendix C** provides additional account of the process to develop options, evaluate them and determine a preferred option for the Project.

5.5.1 Overview

The consideration of alternative 'sites, routes or methods of undertaking the work' commenced in late 2019 and continued until June 2023. As illustrated in **Figure 22**, this process consisted of:

- retesting the appropriateness of the existing RSP layout and developing the ULDF.
- the preparation of a Detailed Business Case for the Project assessing a long list of 14 options, culminating in a preferred option.
- developing a concept design for engaging with landowners and key stakeholders, exploring alternative options and refining the design for specific landowners.

[5] Submissions on the draft 2024 Transport GPS closed 2 April 2024. Assessment of the project against the current draft GPS has not been undertaken at this time.

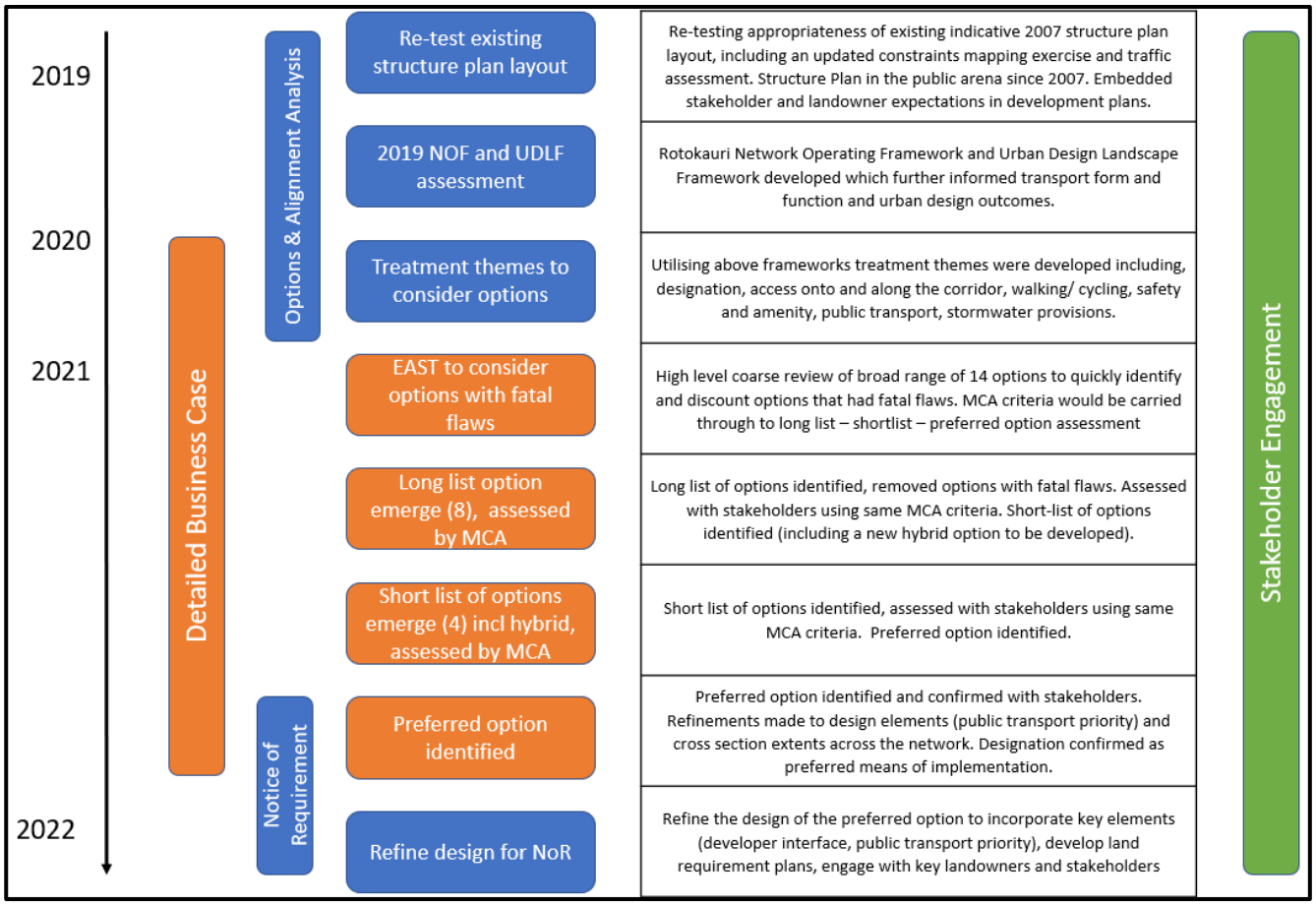


Figure 22: Timeline of the assessment of alternatives.

5.5.2 Re-testing the RSP Arterial Network

The 2006 RSP arterial network layout was subject to public engagement and consideration of alternatives, particularly as it was being developed in conjunction with the Te Rapa Bypass / Waikato Expressway alignment at the time. The RSP indicated connectivity and the broad form and function of the local road network, without being overly prescriptive.

Macro level optioneering between 2019 and 2022 focussed on the following aspects:

- **Form and function** of the proposed transport network (including updated transport modelling across multiple options to test underlying assumptions for traffic volumes, origin/destinations, heavy vehicle movements, public transport provisions and multi-modal transport scenarios) based on the updated Access Hamilton Strategy and Government transport policy outcomes. The development of the NOF and the ULDF provided specific Project guidance on multi-modal transport integration and place-making/movement considerations in Rotokauri.
- **Grade separation** was achieved for SH1C as part of the RSP when the route was moved from Te Rapa Road to the 6m high Te Rapa Bypass Waikato Expressway. Local roads were confirmed at-grade to promote walking/cycling and public transport connectivity underneath the Bypass. As part of the Detailed Business Case for the Project undertaken by HCC in 2021 an Early Assessment Sifting Tool (EAST) assessed the possibility of additional grade separation between transport modes, pedestrians/cyclists and the railway network. These were quickly discounted due to land requirements, high water table, technical difficulties and economic viability. Modelling for future traffic volumes indicated the volumes are appropriate for at-grade intersections.

- **Fixed network** connection points including constraints that have developed since the RSP was formulated, (such as SH1C underpasses as Chalmers Road, Te Wetini Drive, westward extension of Te Kowhai East Road, Taiatea Drive) and the existing NIMTR level crossing were considered.
- **Land use integration** reflects the vision for the RSP to have high quality urban design outcomes and provide greater options for active modes. The cross section and urban form varies between sections of the network relative to adjacent land use, and developer/landowner aspirations.
- **Accommodation of various stormwater solutions** along the route including the integration of stormwater treatment facilities, artificial wetlands and flood hazard mitigation. Options exist for refinement with adjacent land development aspirations and the Rotokauri Greenway corridor.

5.5.3 Detailed Business Case

In 2020 the assessment of a broad list of 14 options was formalised through the Treasury Better Business Case approach. A Detailed Business Case for the Project was developed. This process assessed the 14 options and identified a long list of eight options. With key stakeholders, a multi-criteria analysis was undertaken to refine the long list to four shortlisted options. Further assessment with key stakeholders resulted in a preferred option being selected in 2021. A summary of this process is provided in the Consideration of Alternatives attached as **Appendix C**.

5.5.4 Concept Design and specific property refinement

Following the identification of a preferred option in the Detailed Business Case at the end of 2021, the preferred concept design was developed further. During 2022 – 2023 Council continued to engage with specific landowners and stakeholders to explore alternative access arrangements, reduce impacts on land requirement, and address any residual site-specific safety concerns. Design alternatives were explored with the following landowners:

- KiwiRail – in relation to the Te Kowhai East Road level railway crossing.
- Pootatau Te Wherowhero title[6] and Tainui Group Holdings Limited (lease holder) – in relation to widening and frontage to Te Kowhai East Road.
- A collection of three properties – in relation to Arthur Porter Drive north alignment
- Sapphire Properties Limited – in relation to access from Te Kowhai East Road.

Feedback from the above engagement has been considered. The Project reflects the outcome that best achieves the purpose of the designation. The assessment of alternatives is provided in the Consideration of Alternatives attached as **Appendix C**, and KiwiRail Engagement and Deed of Grant attached as **Appendix O**.

5.5.5 Consideration of alternative route protection and approval methods

HCC as the requiring authority has considered several methods for identifying and protecting the Project corridors and achieving the Project objectives. These are summarised in **Table 2** below:

[6] HCC has engaged with Waikato-Tainui as the Iwi Entity in relation to the Pootatau Te Wherowhero title affected by the Project.

Table 2: Alternative Route Protection Measures

Method 1: Landowner Negotiations – No Designation	
Opportunities	• Negotiations with private developers can achieve some limited route protection where a developer is agreeable to the design and implementation of a project in conjunction with their development. • Where the development aspirations are consistent with the Structure Plan, Private Development Agreements (which are the preferred form of landowner/ developer agreement between HCC and the developer) can be negotiated for transportation infrastructure, stormwater management that relate to the servicing needs of the development and confirming commercial terms of delivery. • An easement or lease may be an appropriate method to secure access to the land. Additional RMA authorisations will be required for the works and the activity.
Challenges	• Issues may arise that preclude agreement being reached between the parties. • This method does not authorise the works. Conditions of the Project designation if confirmed won't apply to works on this land. Statutory approvals will still need to be sought. • The level of infrastructure required to service the development versus strategic servicing of the wider growth cell and connections can be of a different scale with a varying component of broader public good elements. • Route protection is often fragmented as each development relates to a specific land holding. It is difficult for Council to coordinate across multiple parties who are primarily focussed on delivering their developments.
Method 2: Reliance on the Structure Plan	
Opportunities	• The RSP was completed by HCC in 2008 and now sits within the Operative District Plan. Figures 2-9: Rotokauri Structure Plan – Staging and Transport Network depicts the planned transport corridors. Resource consents could be sought in reliance on these plan provisions (see Method 5 below).
Challenges	• The Structure Plan is not an appropriate method for route protection as it does not provide certainty in terms of protection of land for the purposes of the Project. Section 3.6.2.7 of the RSP specifies that it is anticipated HCC will use the designation process to determine the precise alignment and design of the new arterial corridors. While land use might be enabled, route protection remains at risk. • The Structure Plan also indicates a route rather than the area required for an integrated network. With increasing development pressure, the lack of detail may result in insufficient corridors to accommodate future needs. • Private plan changes and consented land use changes may be initiated by developers in Rotokauri and reflect transport outcomes which do not align with the RSP. Early engagement to work collaboratively with Council may provide a level of protection of the corridors there is a lack of certainty and the Structure Plan alone cannot be relied upon.
Method 3: Plan Change - Corridor plan overlay	
Challenges	• This method involves the inclusion of a new Corridor Overlay in the District Plan by way of a Plan Change to provide for the new transport corridors. Although overlays may provide some certainty to the community, in planning terms, of the use of land within a corridor they do not however achieve full route protection of the necessary land for the works. • Unlike a designation, there is no protection afforded which prevents anything that may hinder the purpose of a designation. • The works may still be subject to a resource consent unless it is a permitted activity.
Method 4: Alteration to Designation	
Challenges	• Not applicable as no designation currently exists. The site is largely greenfields and HCC as the requiring authority does not hold any existing designations with a similar purpose in the vicinity.
Method 5: Utilising Resource Consents	

Opportunities	• A resource consent grants approval to use resources such as the land, water, air and coastal environment and as such is considered an available alternative to designation. • Resource consents are appropriate where there is an established interest or ownership of the land.
Challenges	• A resource consent, if granted, is not shown in a district plan and is not visible to plan users that works are planned. Resource consents would need to be sought across many land titles. A Resource consent authorises works but does not provide a method to protect the land not already under the ownership of a requiring authority. Land use consents typically have a 5-year lapse period and given the likely timeframes for implementation this would not be sufficient and longer periods would need to be sought. • A resource consent does not protect the land within the corridor from future District Plan changes which may result in additional resource consents being required in relation to changes to existing activities (e.g. upgrade and future use of infrastructure).
Method 6: New Designation	
Opportunities	• A NoR to designate land for a public work under the RMA provides a strong level of route protection from incompatible development particularly where development pressure is anticipated along the corridor. A NoR has interim route protection effect as soon as the notice is lodged with Council which protects the land from incompatible development from that date. • Once confirmed a designation provides authorisation to undertake, operate and maintain the works. • Section 176 of the RMA prevents anyone doing anything in relation to the land subject to a designation that would prevent or hinder a public work or project without the prior written consent of the requiring authority. • A designation, if confirmed, is also included in the relevant District Plan. This provides certainty and visibility to the public about the intended land use, enabling informed development decisions. • The designation of the project route is necessary to achieve interim and long-term protection of the land. It safeguards the future transportation and service corridor and provides the authorisation to undertake the work for the purposes identified. • It is included in the district plan and overrides the provisions of the Plan that would otherwise apply. For linear infrastructure this provides the ability to plan for an activity that would otherwise (at least potentially) traverse multiple Zones within the plan and trigger multiple rules or provisions. • Integrating the proposed designation with the existing land uses, particularly where those land uses are well established and intersect with the proposed designation route, for example, the North Island Main Trunk Railway Line, commercial activities along Te Kowhai Road, and sensitive Waikato Tainui land holdings.
Challenges	• Managing construction effects in well-established urban areas. • Accommodating and addressing private landowner interests. • Public Works Act 1981 land acquisition and compensation processes

The Project is a strategic multi-modal transportation network proposed to be implemented in the future. The NoR extends 5.8km across 28 records of title, impacting on 17 landowners. A NoR if confirmed provides a designation in the district plan that identifies the proposed network, protects the land required for the Project, authorises the construction and operation of the works in a way that can be implemented over time to support growth within Rotokauri. This option allows for sufficient route protection whilst providing the ability for more detailed design to be developed and implemented.

Relying solely on alternative planning mechanisms such as resource consents or district plan changes are neither timely nor considered effective enough to provide for the protection of the network for critical infrastructure, in a way that allows for development to progress logically and with certainty.

In consideration of the above opportunities and constraints, a **new designation** is the preferred mechanism under the RMA for the authorisation of the majority of the Project as it provides route protection in a changing urban environment and provides certainty to the community and to affected landowners. The designation if confirmed is included in the district plan and underlying zone provisions are subservient to it thus precluding the need for multiple land use consents. It also supports powers under the Public Works Act 1981 to acquire land when required and creates a bespoke framework for long term operations without being affected by underlying zones.

The Base property fronting Te Kowhai East Road, leased by Tainui Group Holdings, is a unique Waikato Tainui tribal settlement property in the name of Pootatau Te Wherowhero. It is culturally insensitive for Council to designate and acquire land from this title. As a result, HCC expects to negotiate an alternative form of access to the land (i.e. an easement) that results in no net loss of land area to the Tribe. Additional authorisations will be required for works on the 536m^2 of land required for the Project which will sit outside of the proposed designation.

5.5.6 Summary of Consideration of Alternatives

As evidenced by the Consideration of Alternatives attached as **Appendix C**, Design Report attached as **Appendix D**, the Consultation Summary Report **Appendix M** and the ULDF attached as **Appendix J**, a robust and evidence-based evaluation of the options to deliver on the identified purpose, and the effects of the Project and proposed designation has taken place. Consequently, HCC as the territorial authority can be satisfied that adequate consideration has been given to alternative sites, routes, or methods of undertaking the work pursuant to section 168A(3)(b) of the RMA.

5.6 Necessity of the Work and Designation

Section 168A(3)(c) of the RMA requires that consideration must be given to "*whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought*". The Project and proposed designation will allow HCC as the requiring authority, to deliver critical transportation and other infrastructure networks to support the urbanisation of Rotokauri. It will enable the sequenced delivery of the network in a way that responds to the RSP, meets the vision for Rotokauri, and aligns with HCC's policy framework while achieving the specific Project objectives.

Specifically, the designation is necessary for the following reasons:

- to protect the land and corridors associated with a key part of the RSP transportation and infrastructure network.
- to authorise the works and enable the provision of infrastructure networks that will function in a safe way with a high standard of amenity and place thus supporting the well-being of future communities.
- supports HCC to secure interests in the land and negotiate with directly affected parties to acquire any land or property rights required for the Project.
- to allow HCC to develop a cohesive design for the Project that relates to infrastructure in Rotokauri and avoids, remedies or mitigates any adverse effects of the environment and supports positive urban outcomes that reflect the culture and identity associated with the area.
- to provide greater certainty for the stakeholders and development community regarding the future key transport and infrastructure networks for the Rotokauri growth cell.

5.6.1 Alignment with Project Objectives

The Project objectives outlined in Section 2.4 of this report are key drivers for the Project. The proposed designation will secure a route that will enable HCC to meet these objectives and deliver the vision for key

transportation and infrastructure networks within the Rotokauri area in a way that recognises and supports the growth anticipated by the RSP. Alignment with the Project objectives is achieved by the provision of:

- an appropriate, integrated, safe and efficient multimodal transport network,
- infrastructure within the corridor that promotes and enables future growth and integration with existing networks including Rotokauri Greenway,
- integration with adjacent land use in a cohesive and legible way, and
- outcomes that enhance the cultural values, character, and amenity of the Rotokauri area.

5.6.2 Delivery of an integrated network

The designation provides for a multi-modal transport network and infrastructure corridor. It incorporates the ability to deliver high quality urban design outcomes and provides for the establishment and operation of other key infrastructure. This includes artificial wetland and stormwater management and treatment areas alongside the existing Rotokauri Greenway corridor designation. The proposed designation if confirmed will provide for the management of urban stormwater and flood storage that cannot be readily accommodated within a standard lineal corridor approach.

These stormwater areas service a broader catchment management function than solely the Project footprint. Early designation of these areas will facilitate a consistent design and achieve integration and utilisation of adjacent stormwater management and public spaces including connectivity for walking and cycling as the RSP progresses.

5.6.3 Route security and development certainty

Most of the Project relates to greenfield areas currently held in large, undeveloped rural landholdings. Development of this land is anticipated in the next 5-15 years. The designation will protect the land and provide for the future transport and infrastructure network, that might otherwise be at risk of 'build-out' along the preferred routes. It will provide direction and certainty for future development. Failure to integrate strategic transport planning and infrastructure networks with the existing pace, scale and form of urban development will limit the opportunity for the transport and infrastructure system to positively contribute to quality, connected urban and natural environments in the RSP. Without integrated planning this could potentially result in infrastructure design compromises and sub-optimal outcomes being realised.

In summary, the proposed designation is reasonably necessary (under s168A(3) RMA) to protect the land required to enable the implementation of the Project.

5.7 Land Required for Construction

All land required for the construction and operation of the Project is included in the proposed designation with the exception of 536m^2 of land held by Pootatau Te Wherowhero for Waikato-Tainui. Separate approvals to authorise the works over this land will be required. The optioneering regarding access to this land is described further in **Appendix C** and separate land agreements are being sought.

The land requirement plans attached as **Appendix A** show an *'Indicative extent of infrastructure corridor'* boundary within the designation. This is intended to indicate a likely finished Project extent. While all land within the footprint of the proposed designation is required for construction, when the works are in place and construction has been completed, the designation will be 'rolled back' to the boundary of the finished works. At this stage the extent of the roll back cannot be accurately determined and while some restriction may need to remain (e.g. easements) the designation may no longer be required and may be removed from parts of the land affected. As the Rotokauri growth cell is undergoing rapid development, this delineation signals to developers that they may consider this indicative boundary in their development planning subject to engagement with and approval from the requiring authority.

6 Other Designations affected

The Project interacts with two other designated corridors owned by the Crown being the Waikato Expressway corridor designated as **E99** held by Waka Kotahi, and the North Island Main Trunk Railway (NIMTR) Line designation **F1** held by KiwiRail as included within the HCDP. The Project also interacts with the Rotokauri Greenway corridor designated as **A114** held by HCC for stormwater purposes.

6.1 E99 Waikato Expressway - Waka Kotahi

The E99 designation is administered by Waka Kotahi as the requiring authority. An Agreement in Principle exists between Waka Kotahi and HCC to allow:

- access under the existing SH1C corridor for construction works for the local roads as they relate to the existing portals within the E99 designation,
- a review of the detailed design to address any effects on SH infrastructure,
- a preference for the Project to be reflected as a secondary designation under the E99 designation when required.

Waka Kotahi (as requiring authority) has corresponding procedures under s176 and s177 of the RMA.

6.2 F1 North Island Main Trunk Railway - KiwiRail

The F1 designation is administered by KiwiRail and is the NIMTR line at the existing level crossing on Te Kowhai East Road. This level crossing currently has two traffic lanes, operates with barrier arms, lights and signals and has limited pedestrian protections.

The Project crosses the level crossing on Te Kowhai East Road.

HCC as requiring authority has engaged with KiwiRail to assess various options to identify and mitigate potential adverse effects arising from the Project.

6.3 A114 Rotokauri Greenway Corridor – Hamilton City Council

The A114 designation is the Rotokauri Greenway for stormwater purposes and is administered by HCC. The land was designated in May 2020 for a period of 10 years. The Project interacts with the Rotokauri Greenway at several locations (road crossings, stormwater management).

7 Consultation

Engagement with landowners and stakeholders has occurred over four rounds between 2019 – 2023. An overview of the consultation and engagement undertaken is included below. Additional records of the discussions and a summary of the engagement undertaken for the Project is included in the Communications and Engagement Report in **Appendix M.**

The Project commenced in July 2019, with initial landowner permissions sought to enter private property for project fieldwork. A Communication and Engagement Plan for the Project was prepared by HCC and finalised in November 2019 and is attached as part of **Appendix M**. The purpose of this plan was to identify the various stakeholders involved, prepare an engagement strategy, and to identify responsibilities for key actions. The subsequent mana whenua, landowner and stakeholder engagement process followed the Communication and Engagement Plan and is summarised below.

7.1 Mana Whenua

Mana whenua engagement was conducted through a series of workshops during 2020 with THaWK. THaWK represent five of the six iwi and hapuu within Hamilton City (including Waikato Tainui). The key outcome of the THaWK engagement was the preparation of a Cultural Impact Assessment (CIA) in 2021. This document expresses the cultural values held within the Rotokauri locality, analyses the project in respect of potential adverse cultural effects, and identifies mitigation measures and recommendations to be progressed jointly by HCC and THaWK. This document was completed and formally endorsed by THaWK members in February 2021.

Ngaati Wairere are one of the five hapuu within Hamilton City and are engaged separately from the THaWK collective. Engagement with Ngaati Wairere occurred through 2022 and early 2023. No changes to the CIA have been sought by Ngaati Wairere.

7.2 Directly Affected Landowner Engagement

The Rotokauri Structure Plan – Staging and Transport Network Figures 2-9 formed the basis of identifying properties that were potentially affected by the Project. A series of face-to-face landowner meetings was undertaken with members of the project team. (Nb. face to face meetings were conducted wherever possible, however COVID-19 lockdown restrictions applied at times during this engagement process and on-line meetings were scheduled where necessary). The landowner engagement rounds were as follows:

- Landowner engagement round 1 – December 2019 to March 2020 to introduce the project, to discuss possible property implications and to provide a project team liaison person for each of the landowners for ongoing discussions.
- Landowner engagement round 2 – March 2021, update on project as design work was progressing, and draft environmental assessments were now available.
- Landowner engagement round 3 – May to July 2021, update on design progression, design detail beginning to emerge, and this was shared with directly affected landowners, anticipated land take and property impacts discussed.
- Landowner engagement round 4 – February to April 2022, shared draft land requirement plans displaying land take necessary based on draft design, and detailed discussions around property impacts. (Many of these meetings were virtual using Teams/Zoom given COVID-19 restrictions applicable at this time).
- Update to landowners prior to Lodgement December 2022 and June 2023 via email/phone calls and meetings where requested.

28 land holdings are directly affected by the designation with 17 property owners involved in the above engagement process, some with multiple properties impacted by the project.

7.3 Community Engagement

In April 2020 a letter was sent to residents in the wider Rotokauri and Nawton localities. The letter introduced the project and included a diagram of the corridors being assessed, together with Council contact details.

In November 2021 and March 2022 letters were sent to landowners of 12 properties on Te Kowhai East Road. While these parties were not impacted by any proposed land requirement, Council recognised they may have an interest in the proposed four-laning upgrade of Te Kowhai East Road. Landowners of these properties were invited to discuss the potential changes to property access arrangements (such as a restriction to left in/left out access only), and public transport and active mode (walking and cycling) provision along this key major arterial corridor. In response a series of virtual meetings were held online via Teams/Zoom with two of these landowners.

Community open days were the primary means of conveying information to the community about the project, as well as urban growth planning in the Rotokauri growth cell more generally. Two community open days were held on 22 April 2021, and 3 August 2021 at the Western Community Centre.

A register of the 55 attendees provided the Project team with community contact details which were added to the project database for conveyance of information. The community open days were timed to coincide with the end of round 2 and 3 landowner engagements. Photos of the open days are provided in **Appendix M.**

In April 2022 a third community open day was replaced with a 'Community Update' due to COVID 19 red level restrictions on indoor venues at the time. This comprised of an email and mail out update directing interested parties to the full sets of land requirement plans, transport corridor design drawings, urban design drawings and stormwater design drawings via Council's website.

7.4 Institutional Stakeholders

The following institutional stakeholders were identified in the Communications and Engagement Management Plan which is attached as **Appendix M**:

- Waka Kotahi – in respect of the interface with the state highway network and a transport funder, potential effects included the impact of network changes on the SH operation, proximity of artificial wetlands adjacent to the SH embankment, interface with new local roads and the existing SH cycleways. These are discussed in Section 8.
- Department of Conservation – in respect of potential impacts on fresh water and terrestrial ecology within Rotokauri. No unmitigated adverse effects were identified, and Wildlife Permits can be obtained in future if necessary.
- WRC (both the Transport Team and the Integrated Catchment Management and Ecology Team) – in respect of public transport provision and stormwater management. No adverse effects were identified regarding stormwater management or provision of passenger transport.
- KiwiRail – in respect of the North Island Main Trunk Railway line and the level crossing at Te Kowhai East Road. HCC addressed potential adverse effects in relation to road user safety of the level crossing.
- Green Seed / MADE – as the landowner of Rotokauri North (under liquidation) developer of Private Plan Change 7: Rotokauri North which is now operative (rezoning 140 hectares of land with urban zonings to enable development), and as the landowner of several properties in the north of the project area, some minor stormwater management inconsistencies to be resolved at detailed design.
- Waikato District Council – in respect of the transport and stormwater interface at the northern end of the project, no adverse effects were identified.

- Heritage New Zealand – in respect of any potential heritage effects within the Rotokauri area, no adverse effects were identified.

Face to face and virtual meetings, email and telephone correspondence were conducted with these parties in 2020, 2021 and 2022 as the project progressed. A full copy of the engagement and consultation record is included as **Appendix M**.

8 Assessment of Effects on the Environment

This assessment of effects on the environment (AEE) considers the scale and significance of the actual and potential effects of the Project and proposed works, together with any proposed mitigation. The assessment is structured under several headings, followed by a concluding summary of effects.

8.1 Project Timing and Sequencing

Urbanisation is under way in the growth cell with various consents lodged and/or obtained by adjacent landowners and developers. Particularly relevant to the Project are the subdivision consents granted to RDL (197 lots) and Te Wetini Developments (5 lots) which now form part of the existing environment. It is acknowledged that a degree of integration between HCC as the requiring authority and the development community is necessary during this transitional development phase. The Project incorporates some flexibility for works to be undertaken within the proposed designation envelope and scope, however any other changes may be subject to future alterations of consents not covered by this assessment.

While exact timing and sequencing of development within the RSP will be influenced by development demands, the following assumptions have been made in relation to the state of the environment:

- **The Greenway corridor**

Construction of the Project will not commence ahead of the construction of the Greenway corridor, as it is the first critical piece of infrastructure required to support urbanisation of the area, given the significant stormwater issues associated with Rotokauri. The construction of the Greenway will span several construction seasons involving significant bulk earthworks and associated effects which will be managed by a suite of designation conditions, resource consents, and associated management plans. The existence of the Rotokauri Greenway and associated artificial wetlands has been assumed in all technical assessments.

- **Urban development**

Development planning is well advanced with three master plans prepared for large greenfield areas of Rotokauri[7]. This includes the Rotokauri North Structure Plan area at the northern extent of the designation for which the zoning is now operative and could commence at any time (subject to regional consents and the provision of other infrastructure). Other developers are progressing the design and construction of the Greenway corridor and roading networks (some of which includes delivering part of the NoR works), which will provide the necessary infrastructure for stormwater management, treatment and discharge, along with critical roading connectivity, to enable the urbanisation of a large portion of Rotokauri. It is therefore feasible to assume that urban development across the RSP will have advanced at the time the construction of the balance of the Project commences.

8.1.1 Meaning of environment

These assumptions regarding the future state of the environment are important, because they help frame the effects assessment. Section 171 of the RMA requires consideration of the effects on the environment of allowing the requirement. The necessary starting point for consideration of the effects is to understand the relevant "environment" on which the project's effects will occur.

[7] Refer Beca Urban and Landscape Design Framework (June 2023), Page 22, Figure 13 for Rotokauri Development Context map.

The Court of Appeal decision in *Queenstown Lakes District Council v Hawthorn Estate Ltd*[8] (*Hawthorn*) is the leading authority on what must be considered the environment. That is, that the "environment" embraces the future state of the environment as it:

a) might be modified by the utilisation of rights to carry out permitted activity under a district plan; and

b) as it might be modified by the implementation of resources consents where it appears likely that those consents will be implemented.

A designation has been held to fall within the first limb, being akin to a provision in the district plan for a permitted activity. On that basis the Rotokauri Greenway designation, its associated resource consents (which includes the removal of six wetlands are still subject to a decision), and the unimplemented subdivision consents held by landowners and developers (which meet the 'likelihood' threshold) form part of the existing environment on which the Project's effects will occur.

The assessment of environmental effects set out below has therefore been prepared on the basis that at the time the Project construction commences the Greenway corridor is under way or completed and a degree of urbanisation is occurring.

8.2 Positive Effects

The purpose of the Project is to provide a key multi-modal transportation and infrastructure network that supports an integrated and people-focussed mixed-use development within the RSP area. The Project provides a central corridor for transport and infrastructure lifeline utilities through the Rotokauri Area.

The Project responds to the RSP. In doing so it contributes to the vision for Rotokauri, achieves specific project objectives, aligns with HCC strategies and policies, protects the land required to deliver key transportation and strategic infrastructure by HCC as the requiring authority, authorises the use of the land for the construction and operation of the infrastructure networks, and facilitates planned urban growth within the Rotokauri growth cell by identifying the network in the District Plan.

The Project will result in high quality urban design outcomes that respond to adjacent land uses. The design of the transport network has been purposefully broader than consideration of only the transportation elements and has a strong urban design focus. Consideration of key aspects relating to the form and function of the network are detailed in the ULDF attached as **Appendix J**.

The ULDF considers the "people, place and movement functions" of the network which has informed the urban design principles and recommendations within the landscape zone plans and cross sections. These include:

- The relationship of the network to key destinations within the RSP and the environments created by the future development, as seen in **Figure 23** below.
- How the Project could influence and enhance a 'sense of place' distinct to Rotokauri.
- How people interact with the spaces to achieve a well-connected enjoyable design outcome that is safe and provides high quality access to multi modal facilities.

[8] [2006] NZRMA 424.

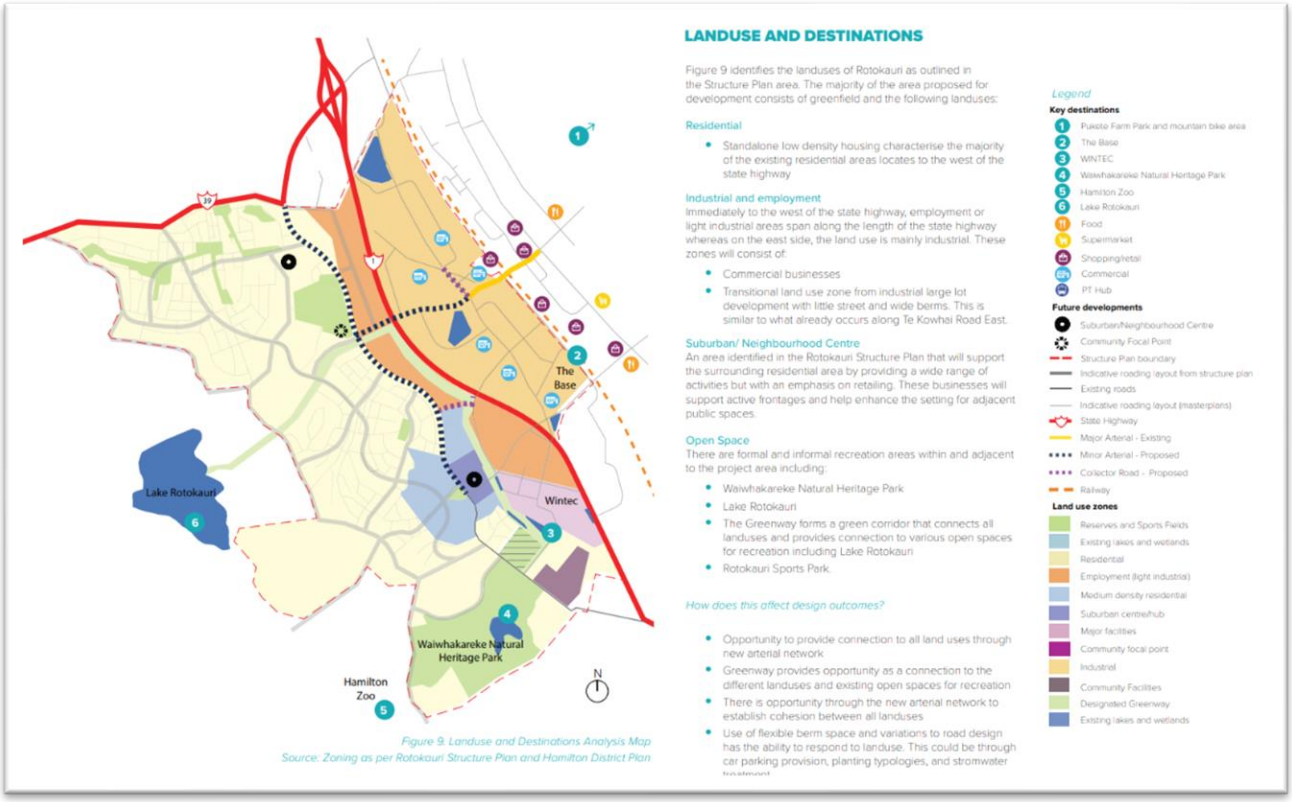


Figure 23: Land use and Destination Analysis Plan (Source: Beca ULDF June 2023)

There are a wide variety of land uses alongside or near the Project, and land use interface opportunities along the corridor are particularly important. These land uses include a sports park, the WINTEC campus, residential developments, the central commercial town centre area, the Waikato Expressway, industrial and employment developments, road corridors, future neighbourhood parks and recreational corridors connecting to natural ecological areas.

The Project also presents various opportunities to give expression to the values of mana whenua, and to enable a 'living' record of pre-European history of use and significance of places. This is assessed below under cultural effects.

Together with the Greenway corridor, the Project provides a significant opportunity to re-create ecological pockets between Lake Rotokauri and Lake Waiwhakareke. The existing highly modified environment will be significantly enhanced by the design of the Project through extensive amenity planting and the creation of new wetland habitat along the route contributing to improved water quality in the catchment. This is discussed further below in the discussion of ecological effects.

The extent of positive environmental effects overall is substantial and will result in a positive outcome for the Rotokauri community.

8.3 Operational Transportation Effects

An ITA has been prepared to assess the transport effects of the proposal and is included in **Appendix N**. The ITA identifies and assesses the transport effects of the Project and considers transportation in the context of the future environment, where the anticipated growth of the Rotokauri cell has occurred. Importantly the Project is protecting a corridor to enable the construction and operation of a multi-modal transport network and infrastructure corridor in the future. An appropriately designed corridor enables the ability to provide for a range

of transport choices prior to or as demand requires, not simply a road for cars. The ITA also includes traffic modelling of key intersections within the Project using the Waikato Regional Transportation Model (WRTM) data for 2051 and SIDRA intersection modelling.

The ITA analyses how the network has been designed, considers how it will respond to the planned land-use in the RSP, and how it influences the outcome with a deliberate emphasis on achieving a multi-modal transport network. The ITA also assesses the Project's proposed network of minor arterials, major arterials, and collector roads.

The Project comprises the following transport features which are numbered on **Figure 24** below:

Major Roads

- Proposed major arterials
- Proposed minor arterials
- Proposed collector road

New Intersections (refer Figure 24 for number labels)

1. North South Minor Arterial /Te Kowhai East Road
5. North South Minor Arterial / Proposed Collector Rd
6. Proposed Collector Road/ Chalmers Road Extension
7. North South Minor Arterial / realignment of Burbush Road
9. Arthur Porter Drive connection to Local Road

Existing Intersections with modifications (refer Figure 24 for number labels)

2. Te Kowhai Road East Road / Arthur Porter Drive
3. Te Kowhai Road East Road / Tasman Road (North Island Main Trunk Railway Line)
4. Te Kowhai Road East Road / Maahanga Drive
7. SH39 Te Kowhai Road / North South Minor Arterial
8. Te Wetini Drive connection
10. Te Kowhai Road East Road / Te Rapa Road

Pedestrian, Cycleway and Micro-mobility facilities

The Project includes an extensive network of separated pedestrian, cycleway and micro-mobility pathways across all of the transport corridors, these vary in width from 1.8m – 2.8m.

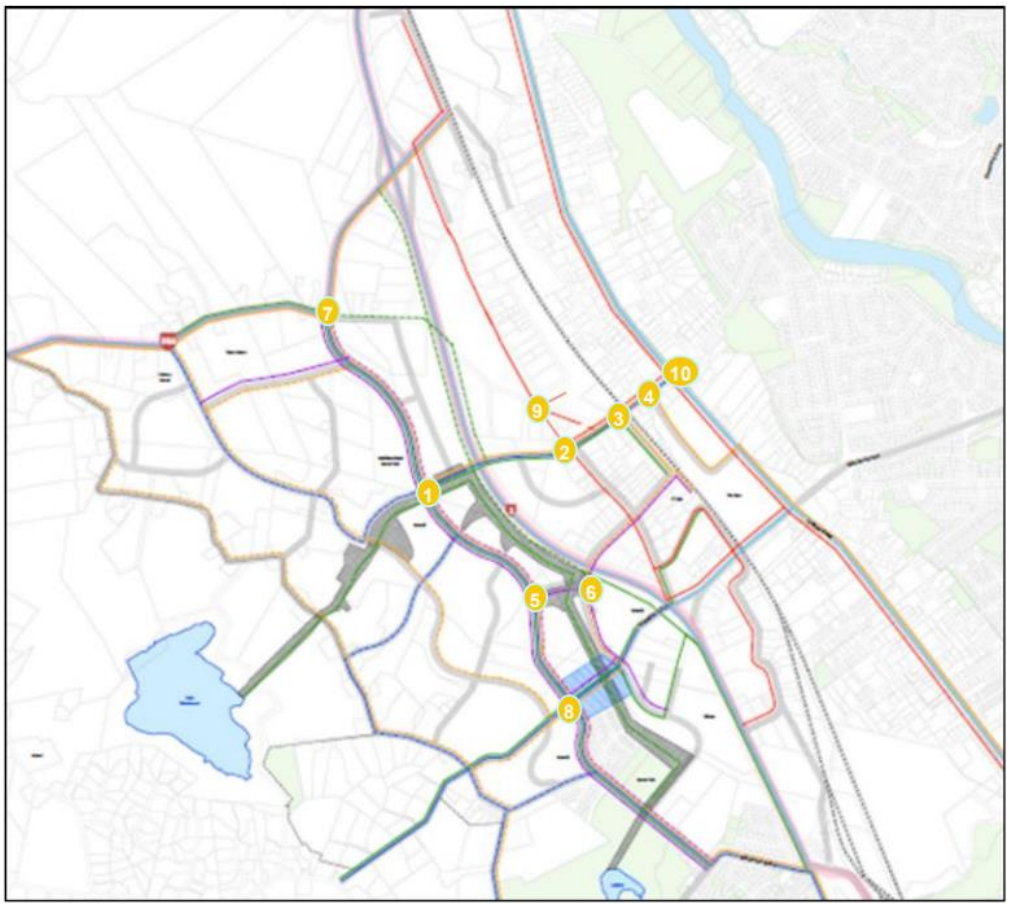


Figure 24: Designation Intersection Locations

8.3.1 Actual and Potential Effects

The ITA identifies the following positive actual and potential transportation effects of the Project:

- **Reduction of private vehicle use and greenhouse gas emissions** – the Project provides opportunities for local trips to be made by active modes (walking and cycling), public transport, or short car trips on the local road network (achieved through provision of local employment and shopping opportunities).
- **High urban amenity** – minor arterial and collector road cross sections provide a higher place making function over a movement function, responding to adjacent land use opportunities to engage with extensive natural open space features. This also makes the streets pleasant places to walk and cycle, encouraging uptake of these mode over private cars.
- **Capturing cultural expression** – the active mode pathways provide opportunities for cultural expression, telling the extensive cultural narratives of use and occupation of ancestral lands, and connecting people to these special places.
- **Increased health and wellbeing** – extensive separated walking, cycling and micro-mobility pathways connecting users to various natural, cultural and commercial destinations across the RSP area. This supports active travel, which has health benefits, and reduces transport emissions which can have detrimental health effects.
- **Upgraded intersections and increased personal safety** – a new transport corridor and upgraded major arterial network with the signalised upgrade of three existing intersections which is easier to use. The corridor provides priority for multi-modal transport network that reflects the HCDP transport mode hierarchy and increases safety for all road users.

- **Upgraded railway level crossing** – to accommodate 4 lanes of traffic, together with a bi-directional 2.8m wide separated pedestrian and cycle-path to facilitate safer movement across the level crossing. It is noted that the Project widens the carriageway footprint over the level crossing and in combination with other elements will improve the nature of the intersection between rail and road. The consideration of alternative options (such as a grade separated crossing) and the outcome of discussions with KiwiRail has resulted in agreement that the level crossing will continue to remain open for this Project subject to the required safety mitigations being implemented. This is attached in **Appendix O** KiwiRail Engagement and Deed of Grant.

8.3.2 Key findings

The key findings of the ITA include:

1. The corridor form, intersection arrangement, provisions for public transport and the extensive walking and cycling network of the Project will provide a high level of service in relation to the anticipated surrounding land use. The RSP vision for a coherent, integrated and people-focussed mixed use development which provides opportunities for many local trips to be made by active modes, or short car trips carried out on the local road network.
2. The traffic modelling indicates the proposed corridor intersections operate satisfactorily out to the modelled year of 2051. SIDRA intersection results have informed the civil design layouts of the modelled intersections. This includes a modelling sensitivity test to account for the anticipated higher densities directed by changes in planning policy frameworks. An additional 20-30% increase in the overall traffic volume was applied to the SIDRA models used for each intersection as a sensitivity test to reflect potential increases in density. As the WRTM model does not currently account for the density proposed by Plan Change 12, it is recommended traffic modelling be re-checked at detail design stage to account for Plan Change 12. The ITA concludes there is sufficient capacity within the planned Arterial Network to accommodate transport demand. This is achieved through the provision of an integrated multi modal corridor that provides for but limits general traffic whilst accommodating choice through provision for passenger transport and active modes Operationally as demand increases there is the ability to adapt by operating the corridor to prioritise public transport (i.e. more frequent bus services, bus priority, transit or bus lanes etc). This is consistent with the policy direction of Plan Change 12, which places an increased emphasis on passenger transport and active mode shift in response to growth and congestion arising from residential intensification.
3. The transport network outlined meets overarching national and local transport policy guidelines and achieve the outcomes set out by transportation specific documents, such as Ministry of Transport Outcomes Framework, Government Policy Statement on Land Transport (GPS), NPS-UD and HCDP. This is achieved by the designation providing space for multi-modal transport options including public transport, cycling, and walking.
4. The Project has placed an emphasis on opportunities for integrated land use, improved efficiency, safety, and accessibility for all transport modes. As described above the majority of the transport effects are positive. The proposed cross-section of the corridor can accommodate the expected future traffic volumes, allow for buses to travel along them efficiently and provides for active modes separately from motor vehicle users.
5. The Structure Plan area is a part of a NOF for Hamilton City which sets out a vision for level of service within the area for public transport, walking, cycling and freight. The NOF framework helps drive the location and level of walking and cycling functionality, where amenity is focused, as well as consideration to corridor widths to service vehicle types and balance walking and cycling aspirations. These aspects

have been included in the design of the Project and the functionality of these aspects debated through optioneering and development of the preferred cross section.

6. The proposed transport network is generally in line with the District Plan transportation provisions and the Regional Infrastructure Technical Specifications 2018.

7. This Project includes new roads, public transport networks and facilities, walking and cycling routes, and integration with rail through the Rotokauri Transport Hub. It will help achieve the vision of the RSP and Access Hamilton Strategy. The project has a vision of achieving an integrated, multi-modal transport network to support the surrounding predominantly residential developments of Rotokauri and improve transport accessibility in the area.

8.3.3 Transportation Effects Summary

The existing Rotokauri transport network cannot support the transport needs for the level of growth anticipated by the RSP. The consideration of transportation elements in the designation have placed an appropriate emphasis on efficiency, safety, and accessibility on the road network by all transport modes, while avoiding, remedying or mitigation any adverse transport effects through high quality urban design and applying transport planning principles.

The ITA concludes that the design accommodates a range of travel modes. With these networks in place the transport system is expected to sufficiently accommodate the proposed land use for the Rotokauri area. The ITA confirms that the cross-sections prepared can accommodate the expected future traffic volumes, allow for buses, and provide for active modes. In the event Plan Change 12 travel demand volumes are higher than what has been modelled in the ITA, changes can be made to facilitate higher public transport uptake e.g. more frequent buses, or support mode shift to walking and cycling (behaviour change campaigns etc).

Future planning and design stages e.g., resource consents, will refine the design and staging of transport infrastructure to support the development of land within the designation area. With the exception of the upgrade of the NIMTR level crossing, the remaining transportation effects of the Project are considered to be **positive** and appropriate to the context of the Rotokauri Area as established by the RSP.

8.4 Construction and Maintenance Effects

The construction of the Project will require significant volumes of earthworks including both cut to waste and imported fill to allow for undercutting of unsuitable soils, construction of stormwater basins, and to raise the roading network above flood prone low-lying areas and intersect elevated landforms. Preloading (temporary overfilling) and/or staged construction of fill embankments areas are anticipated to reduce post-construction settlement affecting permanent infrastructure.

Table 3 provides a high-level estimate of the cut/fill quantities for each of the six sections. The earthworks volumes identified include all anticipated pavement volumes to form the road for each section.

Table 3: Indicative cut and fill volumes for each section

Section	Cut (m^3)	Fill (m^3)	Pavement (m^3)
Te Kowhai East Road	21,900	19,700	15,100
Minor Arterial North 3100	20,300	99,900	30,300
Proposed Collector Road 3121.1	2,400	9,400	1,700
Chalmers Road Extension	3,400	400	1,700

Arthur Porter Drive (North)	2,300	2,600	2,300
Arthur Porter Drive (South)	400	600	800
Total	**50,700**	**132,600**	**51,900**

The volumes identified do not include any earthworks outside of the designation corridor[9],. No allowance has been made for storage of cut material within the designation corridors however there is an opportunity to use cut material from the construction of the Greenway corridor where it benefits both projects[10].

As described in the Design Report in **Appendix D**, works will likely be undertaken in at least three stages. Given the scale of the physical works and extensive landscaping, each stage of the project delivery is likely to extend over several construction earthworks seasons. The works will be subject to separate resource consents from WRC which will be obtained during the pre-implementation phase prior to construction.

Temporary effects associated with the construction of the Project includes the potential generation of erosion and sediment runoff effects, nuisance effects (dust, vibration, and noise), construction traffic, and ecological effects during construction. The sections below separately address and assess these effects.

8.4.1 Erosion and Sediment Control Runoff

Earthworks and exposed surfaces created during construction can result in increased sedimentation and sediment laden runoff into nearby watercourses. This has the potential to create adverse effects on the environment if not managed properly. Potentially at-risk watercourses include Lake Rotokauri, the main drainage network between Lake Rotokauri and Lake Waiwhakareke, and the extensive rural drainage networks that are established throughout the area.

The construction activities that potentially impact on these waterways include:

- stockpile establishment and management.
- access track and haul road establishment.
- soil disposal site establishment and management.
- construction compounds and staged areas.
- temporary erosion and sediment controls including washdowns associated with the bulk transportation of materials where these may cross the road corridors.
- temporary or permanent stream diversions.
- culvert construction.
- bridges.
- concrete work.
- stormwater wetland establishment.
- Overall earthworks and vegetation removal.

All these temporary effects can be well managed by an experienced contractor under an appropriate Construction Erosion and Sediment Control Plan (CESCP). The CESCP would be necessary to minimise sediment losses during the construction periods. The CESCP will outline methods and procedures for workers to follow on site which will emphasise the importance the following best practice approaches during the construction and led by the contractor:

[9] Elements such as wetland areas outside the designation will be constructed by developers.

[10] Locally sourced material reduces cartage costs and the need for extensive traffic management as this may be transported on internal haul roads.

- Minimise disturbance: The necessary area for construction will be considered thoroughly during the design process to minimise ground disturbance, without compromising the integrity of embankments or cut areas. This gives confidence that disturbance can be minimised within the designation corridor.
- Protect steep slopes: As works progress, stabilisation of slopes will be undertaken to protect cut faces.
- Protect watercourses: Environmental controls will be put in place to reduce potential runoff from reaching nearby watercourses or the diversion channels required for construction.
- Consider enabling works and whether these will be staged to match various work fronts or staging of the physical works.
- Stabilise exposed areas rapidly: Any areas exposed will be stabilised as works progresses.
- Install perimeter controls: Any perimeter controls used will be constructed and maintained in accordance with WRC standards ('Environment Waikato Technical Report No 2009/02).
- Install detention devices: If required, detention devices will be constructed and maintained in accordance with WRC standards ('Environment Waikato Technical Report No 2009/02).
- Experience and training: The CESCP will outline the single point of contact for field enquiries and their relevant qualifications. This contact will be responsible for those on site and measures and procedures (such as inductions) will ensure only experienced and qualified people are working on site.
- Assess and adjust: The CESCP will outline measures, methods, and procedures for inspections. These will highlight any maintenance issues that may arise, and these will be addressed at the time accordingly.
- Make sure the plan is agile: Any modifications to the CESCP will only be implemented after certification from HCC as the Territorial Authority as per the proposed designation condition and WRC as the regulator / compliance monitoring agency as part of the necessary regional consents.

Overall, it is considered that with a certified CESCP in place prior to construction, erosion and sediment runoff effects can be adequately avoided or mitigated. It is determined that the effects are **less than minor**.

8.4.2 Nuisance Effects

The proposal involves working near dust, noise and/or vibration sensitive receivers. These are primarily existing dwellings on farm properties, and existing residential or commercial premises adjacent to the designation. Notwithstanding the potential for cumulative effects arising from other earthworks activities occurring throughout the Rotokauri growth cell, as the area progressively urbanises, the potential nuisance effects arising from Project construction are addressed below:

Dust

Dust can create a nuisance effect for residents or commercial/industrial occupiers near the Project construction area. The Construction Environmental Management Plan (CEMP) required to be prepared by way of proposed designation condition 7 will detail key methods for managing and mitigating the effects of dust. Some of these may include but not limited to:

- using compactors and rollers to seal surfaces,
- using water carts or sprinklers to apply water to areas generating dust,
- reducing the speed of earthmoving plant in localised areas if appropriate, and
- use of commercial dust suppressant if required.

In addition to the above, earthworks will be staged to keep dust under control, and areas will be re-vegetated or sealed as soon as reasonably practicable. A complaints register and management process has been included as condition 3.1.

Construction Noise and Vibration

Construction of the Project will result in temporary increases in noise and vibration levels. An assessment of noise and vibration effects was carried out for the proposed designation and is included in **Appendix K**. Section 6 of that report addresses the noise and vibration impacts from construction activities.

Construction works at distances of more than 50 metres of any building can comply with the construction noise limits without mitigation. For those dwellings that are closer, some construction activities may just exceed the noise limits from time to time therefore mitigation and management measures have been recommended to reduce the construction noise impact. These measures are set out in section 6.4 of **Appendix K.**

A construction noise and vibration management plan (CNVMP) prepared by a suitably qualified practitioner is recommended to be implemented on-site for the duration of the construction works as outlined in condition 9.1. The CNVMP will contain information regarding on-site management, mitigation options, communication procedures, and complaints procedures. The CNVMP will be an evolving document and will be kept up to date regarding actual timing/equipment use and methodologies, should these change throughout the construction process.

Based on the above, it is considered that with an approved CNVMP and CEMP in place prior to construction, dust, noise, and vibration effects can be adequately avoided or mitigated. It is determined these effects are **less than minor**.

8.4.3 Construction Traffic

The construction of the Project will impact the surrounding transport network. Construction traffic has the potential to generate several nuisance effects (albeit of a temporary nature). These include:

- Potential for debris falling onto the carriageway.
- Heavy vehicles may damage existing roads.
- Delays relating to traffic management such as reduced speed and congestion.
- Disruption to property access (residential, commercial, rubbish collection), disturbance and/or inconvenience to residents and road users.
- Disruption to public transport routes.
- Potential safety issues for pedestrians and cyclists.
- Hindrance or difficulty for emergency vehicle access.
- Disruption to the functioning of the rail network.

These effects while temporary are often disruptive and can generate a number of inquiries from the public. The effective management of these effects can include measures such as the preparation of a Construction Stakeholder and Engagement Plan (as part of the Construction Traffic Management Plan) which identifies key contacts and the maintenance of a complaints register. It is likely to include provision for emergency vehicle access as required. Many of these effects are also able to be mitigated by appropriate Construction Management Plans which can be refined once the design had been progressed and construction methodology refined. This will include site specific details such as the source of cut/fill material and haulage routes and how these interact with the local road network and offline aspects of the construction. Where possible local sourcing of materials from projects such as the Greenway or surrounding subdivisions would be preferable. The management of construction traffic effects will be through the preparation of a Construction Traffic management Plan (CTMP). Temporary traffic management (TTM) will be in place and managed through the implementation of Site-Specific Traffic Management Plans (SSTMPs) and Network TMP for heavy truck movements. A Level Crossing Safety Management Plan (LCSMP), developed in consultation with KiwiRail will be in place to address safety and functionality of the rail network. These plans are intended to address the following aspects of traffic management, but are not limited to:

- maintenance of road and property access during construction.

- movement of construction traffic on local roads.
- hours of operation of trucks and service vehicles.
- the location, use and reinstatement of local roads to be used.
- measures to ensure that any construction vehicles leaving the land on which works are being conducted do not deposit soil or other debris on local roads, and the remedial measures to be taken should this occur.
- the provision of access for emergency vehicles.
- operational and safety issues relating to the level crossing.

The CTMP process will be undertaken with the appropriate road controlling authority and can be managed outside the statutory planning process closer to the time of works. A CTMP is proposed in condition 8.1.

Overall, the potential construction traffic and access effects can be appropriately mitigated through future CTMPs. It is determined these effects are **less than minor**.

8.4.4 Ecology Effects during Construction

The works have the potential to create a range of ecological effects during construction (such as direct physical disturbance) and an ongoing basis resulting from habitat modification. Actual and potential ecological effects arising from construction works (and potential ongoing ecological effects) are assessed in Section 8.5 below.

8.5 Ecological Effects

The construction of the Project has the potential to cause adverse ecological effects, both during the construction phase, and on an ongoing basis due to habitat modification and operational disturbances. The actual and potential ecological effects have been assessed in Section 4 and further summarised in Section 5, Table 10 of the EcIA attached as **Appendix G.**

The National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) came into force on 4 August 2023. There are no SNAs within the Project, moreover the EcIA concludes the corridor has **'very low'** vegetation values, based on the absence of indigenous species within the corridor. New vegetation that will be planted as part of the Greenway corridor will fall within the proposed designation area and is expected to have **'high'** vegetation values as it matures. The higher-level objectives and policies within the NPS-IB remain relevant for the Project.

High value bat habitat is present in the wider area (in the form of exotic trees and shelter belts), however only a single bat pass was recorded in the corridor during the assessment. The corridor is more likely to be used as a commuting route for bats as opposed to roosting. The EcIA concludes the effects on bats is **low**. With mitigations in place, including the development of a Bat Management Plan as part of the wider Ecological Management Plan (EMP), effects are expected to be **less than minor**.

The proposed designation is assumed to have **High** avifauna values due to the confirmed and possible presence of At-Risk wetland species in the wider area and the transient use of the existing drainage network between Lake Rotokauri, Lake Waiwhakareke and the stormwater treatment wetland (HJV wetland). While no sightings of the Australasian Bittern have been confirmed, it is reasonable to assume it might also be present on occasion. The EcIA concludes the loss of supplementary foraging habitat provided by the surrounding landscape, and the risk of injury and mortality during construction is **low**. With mitigations in place including the EMP, effects on avifauna are expected to be **less than minor.**

Likewise, Copper skink (At-Risk) are present in the alignment at a low abundance and density. Vegetation clearance and earthworks have the potential to cause injury and/or mortality of copper skink. The overall level of effect (unmitigated) on lizards and potential risk of injury or mortality is **very high**. With mitigations in place, including pre-construction surveys, the development of a Lizard Management Plan and having the appropriate permits in place, effects are expected to be **less than minor**.

The EcIA identifies several mitigations required to manage potential adverse effects of the Project on bats and lizards. These can be addressed in the proposed EMP discussed below. In consultation with the Department of Conservation this approach has been supported, refer to the Consultation Summary in **Appendix M**.

The most significant actual or potential adverse effects of the Project are impacts on **at-risk native fish species and** impacts on **natural wetlands**.

8.5.1 At-risk native fish species

Table 10 of the EcIA sets out the overall level of effect (unmitigated) of the proposed works on freshwater fish in relation to:

- Potential injury and/or mortality of freshwater fauna during construction = **Very high** (unmitigated).
- Potential loss of habitat connectivity = **Low** (unmitigated).
- Operational disturbance = **Low** (unmitigated).

Several measures are recommended to address these adverse effects prior to the commencement of, and throughout construction works. These include:

- minimise the extent of modification or loss of aquatic habitat.
- creation of a mudfish management plan in conjunction with the Rotokauri Greenway.
- develop a timetable works where mudfish are present during summer months when mudfish are likely to be aestivating (summer sleep).
- undertake mudfish and native fish rescue and relocation prior to works and undertake post-relocation monitoring and adaptive management to ensure successful relocation.
- enhance or restore native fish habitat in the surrounding area.
- consider timing of in-stream works and where possible avoid these during the migration period for giant kokopu, iinanga, longfin eels and common bully.

An EMP is proposed to identify, develop and guide specific measures to avoid, remedy, minimise and mitigate adverse ecological effects as set out in draft condition 12.1. It is recommended that prior to the proposed works, additional ecological surveys are undertaken to confirm the presence/absence of at-risk native fish. Specific species management plans can then be identified and prepared in accordance with the EMP if required. The above proposed measures are recommended to inform the development of the EMP which will be prepared by a suitably qualified and experienced person prior to construction commencing.

Habitat enhancement and restoration of water bodies are key components of the Project, and it is highly desirable that local eco-sourcing of plant species occurs where possible. The presence of at-risk Black mudfish in the catchment is significant. The development of a mudfish management plan is a condition of the Greenway designation. Based on technical assessment a draft condition is proposed to prepare an addendum to the Greenway Mudfish Management Plan to manage the effects on mudfish as a result of this Project.

Section 5.5 of the EcIA in **Appendix G** concludes that with the above avoidance and mitigation measures in place, the residual level of effects can be managed to **Low** levels. Therefore, the effects on at-risk native fish species is considered to be **less than minor**.

8.5.2 Loss and modification of natural inland wetlands

A wetland classification study was undertaken by Beca to determine whether any natural wetlands under the NPS-FM[11] were present within 100m of the Project. The Wetland Classification Report is attached to this report as **Appendix G**.

Eight wetlands were identified within grazed pasture (refer Figure 9 of the EcIA). These wetlands were all identified as being in extremely degraded condition due to drainage and ongoing stock access yet retained enough characteristics to be classified as Natural Wetlands according to New Zealand wetland delineation protocols (Clarkson, 2018; Ministry for the Environment, 2020, 2021) and the NPS-FM.

The proposed designation intersects with six (of the eight) wetlands and is located within 100m of a further two wetlands. The existing Greenway designation and surrounding developments impact directly on these six wetlands. The effects of the wetland loss from the Greenway project is being addressed through a suite of regional resource consents and therefore effects on those six wetlands are disregarded for this Project.

For the remaining two wetlands in the northern extent of the proposed designation, a **high** magnitude of wetland loss and modification is anticipated, and wetland offset and/or compensation will be required.

In this context, the alteration or loss of wetland extent and value attributable to the Project will need to be determined through the subsequent necessary regional consenting process which will occur prior to construction. A number of measures are recommended to be included as conditions of consent to address these adverse effects prior to the commencement of and throughout construction works. These include:

- minimise the extent of modification or loss of aquatic habitat.
- enhancement or restoration of aquatic habitat in the surrounding area.
- biodiversity offset/compensation for permanent loss and enhancement of remaining habitat where possible.
- the implementation of erosion and sediment control measures in accordance with WRC good practice guidelines (Environment Waikato, 2009) to limit sediment runoff.

The EcIA in **Appendix G** concludes that with the above avoidance and mitigation measures in place, the residual level of effects can be managed to **Low** levels.

8.6 Landscape and Visual Effects

The Project is required to serve the urbanisation of the Rotokauri growth cell in accordance with the RSP. Potential visual and landscape effects have been identified and evaluated in detail within the Landscape and Visual Assessment (prepared by Beca) attached in **Appendix H.** A summary is provided below.

8.6.1 Landscape effects

Currently the Rotokauri landscape can be described as having a 'typical rural' character. The assessment of Landscape and Visual effects set out in Appendix H has been prepared on the basis that the Greenway corridor is under way or completed and a degree of urbanisation is occurring at the time the Project construction commences.

8.6.2 Effects on the Existing Rural Landscape

Urban development across the RSP area that is anticipated to occur in conjunction with the Project will also require substantial earthworks, infrastructure, roads, temporary works and eventually housing construction. It is likely that there will still be large tracts of land being used for agricultural purposes, and therefore pockets of

[11] This assessment included the January 2023 NPS-FM amendment.

rural character will remain intact until such time that development across the entire Rotokauri Structure Plan area has been realised. Considering the future modified environment baseline, and extensive, ongoing construction works, the effects on any existing rural character will be temporary and **less than minor**.

8.6.3 Effects on Future Urban Character

Landscape and visual effects associated with the operation of the Project will not eventuate in the environment as it exists today but in a future environment where the structure plan area has or will be urbanised. The Project will ultimately appear as an integrated component of the urban environment in accordance with the RSP.

In the context of the future urban environment the effects of the Project on landscape character are assessed as low for the following reasons:

- the Project is located within a low-lying area minimising potential effects on the character of the Rotokauri Hills.
- the proposed earthworks will be viewed in the context of the Greenway, and surrounding land development, therefore, the Project will not appear as an isolated piece of infrastructure. Typical roading infrastructure such as drainage outlets, barriers and streetlights of the Expressway and the adjacent industrial area form part of the Project context.
- New wetlands distributed across the entire length of the Project will contribute towards a substantial increase of native revegetation, having a positive effect by providing visual relief and breaks in the built form and roading across the low-lying areas of the future urban landscape of Rotokauri.

Ultimately, the effects on landscape character of the future urban environment will be **nil**. A road of this scale is considered to be a typical component of the urban environment, and it is consistent with the intent of the RSP. Overall, the effect on future urban character is positive as the Project is within a planned urban growth cell and the transport network will support the development.

8.6.4 Visual effects

Site visits were undertaken on 17 March 2020 and 8 June 2020 to determine likely views of the site, as well as current and anticipated future viewing audiences. The site visits included walking the designation site and the adjacent Waikato Expressway Cycleway and driving the surrounding roads of the wider visual catchment.

Furthermore, the current local population resident within the viewing catchment is small, particularly in comparison to the future suburban growth planned for in the RSP. On that basis several viewpoint locations were identified that are representative of future viewing audiences. A summary of effects on visual amenity from these identified viewpoints as well as anticipated mitigations, as identified in the LVA, are set out below.

1. **From SH1C and the Waikato Expressway Cycleway:**
   Nil - low (during construction) due to the zoning of the Employment Area to the east of the designation, which will contextualise the designation road network within a commercial / industrial setting and obstruct views towards the designation. The SH1C viewing audience will most likely experience short durational views through gaps in roadside vegetation, from vehicles travelling at speed.
2. **From Te Kowhai Road:**
   Nil – Moderate (during construction) in the context of the future urban environment due to the zoning of the Employment Area to the east of the designation, which will contextualise the designation road network within a commercial/industrial setting and obstruct views towards the designation.
3. **From existing roads through the Rotokauri Hills area:**
   Nil – low (during construction which includes the viewpoints identified on Burbush Road, Exelby Road and Lee Road. This is due to the combination of the significant distance to the designation, screening provided by landform and vegetation, and the location of the designation in context of the Residential zone which will contextualise the designation road network within an urban setting and obstruct views

towards the designation. The existing Te Rapa industrial area will provide a commercial / industrial backdrop to eastern views reinforcing the urban / industrial context of the designation.

4. **From the Rotokauri Rise subdivision:**
   Nil - Very Low (during construction) due to the location of the designation in context of the Medium Density Residential zone and the Suburban Centre identified in the RSP. It is expected that the establishment of amenity planting and street trees along the Project will have a positive impact on the visual amenity of the future urban environment.

The Project will provide an integral component in the transport network which will serve the urbanisation of the Rotokauri growth cell in accordance with the RSP. The Project is therefore appropriate for its location, and commensurate with the planned future use of the area. Effects during construction on visual amenity, and effects on the future urban environment have therefore been assessed as **less than minor** and can be managed by a Landscape Management Plan (LMP), as is recommended via condition 13.

8.7 Cultural Values

The Project is recognised as having potential adverse impacts on values important to mana whenua. At the same time, it will provide opportunities to recognise and reflect cultural values through design and mitigation.

The Project has the potential to affect mana whenua values as follows:

- the roads transverse areas historically occupied by mana whenua.
- the waterbodies within the area are important taonga which have mana. The mauri of these water bodies is significant.
- native vegetation and fauna are important taonga and have mauri.

Discussions with mana whenua during the development of the Project are summarised in Section 7. A Cultural Impact Assessment (CIA) was prepared by THaWK in February 2021. An earlier CIA was prepared for the Rotokauri Greenway corridor project in 2019. The Project is in the same catchment as the Greenway. Rather than repeating the same information in the new CIA, THaWK requested reference is made to both the 2019 and 2021 CIA's. Both CIA's are attached as **Appendix I.**

In response to ongoing engagement with mana whenua, the following measures to manage the effects of construction and operation works on mana whenua values have been identified:

- holistic approach to mitigation design including acknowledgement of mana whenua aspirations through design.
- participation of hapuu members in educational and environmental activities (such as environmental monitoring and fish relocation).
- the preparation and implementation of an accidental discovery protocol.

Provided that HCC as the requiring authority, implement the terms of the ICMP that requires water quality protection and enhancement in accordance with the requirements of Te Ture Whaimana O Te Awa, mana whenua support this NoR for the Project.

In consultation with THaWK and Ngaati Wairere they have indicated their support of the Project (refer to Appendix I – CIA). Engagement will continue with THaWK and Ngaati Wairere to manage and mitigate any potential adverse cultural effects (outlined in draft Condition 4.1).

Separate and distinct from these issues are the discussions relating to the culturally appropriate way to address works within the 536m^2 of land held by Pootatau Te Wherowhero for Waikato Tainui. Those discussions have commenced between HCC and via Tainui Group Holdings Limited and are ongoing.

8.8 Archaeological Effects

An Archaeological Assessment has been prepared by Sian Keith Associates for the area associated with the Project and is attached as **Appendix F.**

The assessment involved a review of historic documents including aerial photographs, historic maps, archaeological data, and previous consultant's reports for the wider area. A review of the relevant council plans has been undertaken, and a field visit to the project site was made.

Based on the available published information, and the results of fieldwork, the assessment concluded that there are no known archaeological sites, features or deposits which will be encountered during the proposed works. The risks for encountering pre-1900 AD evidence which could be classed as an archaeological site based on the criteria in the Heritage NZ Pouhere Taonga Act 2014 are very low. A review of Plan Change 9 and sites of significance has also been undertaken and no further aspects have been identified that would influence the Project.

As such, there is no known reason to revise the alignment of the designation based on archaeological values. Notwithstanding this, accidental discovery protocols are proposed as condition 5 and will manage potential adverse archaeological effects within the Project designation. It is determined that the potential adverse effects on archaeology values is **less than minor**.

8.9 Traffic Noise Effects

An assessment of traffic noise was carried out by Marshall Day Acoustics for the Project and is included in **Appendix K**. A computer noise model was prepared and calibrated using the measured results from the long-term noise loggers that were deployed in the area.

The calculated Existing Noise Levels (2020) and Assessment of Effect Future Scenario at the four sensitive receivers potentially affected by the Project are set out in the table in Appendix D of the noise assessment. When considering the noise effects in the context of all road traffic sources (i.e., Rotokauri Arterial Network and all local roads at the design year), the contribution from the Project overall is classified as 'negligible'.

Based on the overall moderate traffic noise levels received from all roads, the location of four sensitive receivers and the low noise contribution of the Project, the acoustic effect from the Project is determined to be **less than minor**.

8.10 Land Contamination Effects

A Preliminary Site Investigation (PSI) was undertaken to identify current or historical activities on land in and adjacent to the proposed Project to determine the likelihood of potential contaminants in soils along the route. The report attached as **Appendix L.**

Historical aerial photography, consent information, and Waikato Regional Council Land Use Information Register (WRC LUIR) data and HCC land contamination data was reviewed for the alignment and a radius of 100m of the surrounding area. A walkover of the alignment was undertaken in December 2019 for accessible properties, or sections that could be observed from the roadside.

The PSI has identified 14 sites within the Project area that are, have previously been, or may have been subject to land uses listed on the Ministry for the Environment Hazardous Activities and Industries List (HAIL). These sites are subject to the requirements of the National Environmental Standard for Assessing and Managing Contaminants in soil to protect human health (NES-CS) which identifies the typical contaminants likely to be present.

Additional contamination investigations in the form of a Detailed Site Investigation (DSI) are recommended prior to any soil disturbance to determine the actual levels of contamination within the designation area. Appropriate consents will then be sought if necessary. It is also likely that a Contaminated Soils Management Plan (CSMP) will need to be prepared for the works. These aspects are covered by the NES-CS and a separate consenting process, and therefore not conditioned as part of the Project.

Overall, based on the PSI and subject to the DSI taking place, the effects related to contaminated land can be managed and are assessed as **minor**.

8.11 Property Effects

There are 28 properties / 17 landowners directly affected by the NoR and this include three Crown agencies (Waka Kotahi, HCC and KiwiRail). Property effects include the loss of land area, changes to private access requirements to reflect the future urbanisation arising from the RSP. HCC has developed a Rotokauri Property Acquisition and Management Engagement Practice note which is attached in **Appendix M**. Any engagement with landowners regarding property acquisition and / or management will be undertaken in accordance with this practice note.

The proposed designation includes land to be utilised during construction, which is greater than the final footprint of land needed once the project is completed. At the point the Project is able to become operational the designation will be 'rolled back' to match the final footprint of the works. This results in a temporary disruption to the use of those properties during the construction.

For the eastern side of the Waikato Expressway there are industrial properties which are directly affected by the proposed designation.

The proposed designation generally follows the indicative RSP transport network. The lodgement of the NoR provides certainty to affected landowners regarding the extent of land required for the public work and identifies the network in the District Plan.

The design minimises property effects as much as possible. To achieve this, the concept network design seeks to combine multiple functions such as active mode and recreation facilities, locating stormwater facilities and ecological enhancement adjacent to future urban development where compatible, and respond to feedback received from landowners to refine the design where achievable.

Directly affected landowners have a pathway through the Public Works Act to pursue acquisition and associated compensation once the NoR is lodged.

HCC as requiring authority is committed to continuing to work with the landowners and adjacent developers through the detailed design stage to manage potential property effects and look for opportunities to optimise the design.

8.12 Stormwater/Hydrology Effects

The consideration of stormwater, hydrology and design features of the Project is provided within the Design Report attached as **Appendix D**. Key findings of the stormwater assessment include:

1. The Project crosses through three **Integrated Catchment Management Plans** (ICMP), being Rotokauri ICMP, Mangaheka ICMP and the Draft Te Rapa North ICMP. The stormwater design has refined various sub-catchment boundary inconsistencies; however, the boundaries will only be finalised when the adjacent subdivisions are designed and the associated finished surface gradings are determined. Refer **Figure 20** for the ICMP boundary map.

2. The stormwater design philosophy is **consistent** with the design parameters and means of compliance required in the three ICMPs.

3. As well as the ICMPs the other notable stormwater management feature in the catchment is the designated **Rotokauri Greenway corridor**. The Project intersects with the Rotokauri Greenway corridor in a number of locations as described in Section 5.2.5 of the Design Report. There are several artificial wetlands create by the Rotokauri Greenway that will receive runoff from the Project, which are included in the proposed designation. A fundamental assumption for the Project is that at the time the Project construction commences the Greenway corridor is under way or completed and a degree of urbanisation is occurring.

4. The sub-catchment management plan prepared to support the **Rotokauri North Development Area** (previously known as Plan Change 7) is generally consistent with the Project's stormwater management, with the exception of three features (routing of Rotokauri Greenway corridor overland flow, the location of Wetland D6A, and the proposed routing of a small part of the catchment west of Burbush Rd). Refinement of these elements is recommended with the developer as design progresses for the Project and the development.

6. **Flood extents and levels** have been modelled. The proposed designation is sufficient to provide for appropriate stormwater management for the Project and known consented developments which integrate with the Project at the time of the proposed designation. As adjacent land development and the Rotokauri Greenway corridor designs progress, more recent modelling data is becoming available and presents the opportunity to optimise this data into any future design iterations. The Regional Infrastructure Technical Specifications (RITS) do not require roads to be clear of a 100yr ARI flood levels and the road design has been intentionally set with low points above the Rotokauri Greenway corridor culverts (to create known, controlled overflow points), further modelling is needed as part of detailed design (and/or in combination with adjacent developments) to confirm final performance and levels.

5. **Ponding** is expected to occur under the **SH1C over-bridges** in events larger than a 100yr ARI. Ponding and the ability to design it out in this location is limited given the fixed SH1C bridge levels, the minimum clearance envelope beneath the bridge and the flood levels in the Greenway. There is potential for ponding to still occur at the Te Kowhai and Chalmers underpasses. In the event this results in road closures, there are alternative transport corridors that remain open in the event of an emergency response.

6. Where existing models have been used, the **rainfall and climate change** increases are already in those models. Otherwise, the rainfall used for pipe, channel and culvert sizing has been taken from NIWA's HIRDs V4 and increased for climate change in accordance with the most recent WRC advice (summarised in RITS Update: Climate Change V3, Beca, 2019) and by applying the Ministry for the Environment's advised increases (MfE, 2018). HCC may decide to adopt future climate change modelling scenarios at detailed design.

7. The **extent of land required for the stormwater features** has been conservatively assessed on the basis of current, standard industry designs and methodologies to provide a reasonable and robust assumption to manage the stormwater effects of the proposed designation. It is not a detailed design and as such there remain issues to be resolved in future design stages. Similarly, there are potential innovations that could be applied to minimise and optimise the design footprint. Further opportunities may arise through detailed design and further engagement with adjoining developers is likely as the design of their plans progress.

8. The **road is drained by a piped network** (with secondary overland flow paths for pipe capacity constraints) which collects stormwater runoff from the carriageway, footpaths and berms and conveyed

to stormwater management areas (either a wetland, swale, or end of pipe raingarden). Where pipes are not feasible due to lack of available fall and/or cover, open channels have been used and come from the principle of providing naturalised drainage corridors where practical to do so.

9. Roads draining to the Greenway will pass through a **treatment train** with primary treatment in raingardens and secondary treatment in artificial wetlands. The final primary device type can change with detailed design provided treatment performance is achieved. For those areas not draining to the Greenway, standard road catchpits capture runoff which is then conveyed to artificial wetlands for treatment and attenuation. Raingardens are used for primary nutrient treatment within the road corridor.

10. **Artificial wetlands** are provided within the road designation for water quality, extended detention, and attenuation/flood storage purposes. The performance requirements for each wetland depends on which catchment it is in, and meet the criteria set out by the relevant ICMP. The basis for the wetland design footprint is outlined in section 5.6 of the Design Report in **Appendix D.**

11. **Culverts** are provided where the road needs to cross a watercourse. Generally, these are flat graded and embedded for fish passage requirements. Where double cell box culverts are needed for capacity reasons one of the cells will be set down lower than the other to act as the preferential low flow channel.

12. Based on the underlying geology set out in the ICMPs, **soakage** disposal is not practicable for disposal of road runoff. The road will result in increased runoff volumes discharged to WRC drainage schemes. **Volume control** will be managed in accordance with the ICMP which results in the storage and release of road-runoff to pre-development levels.

13. **Groundwater** through the Rotokauri area is shallow and drainage is relatively poor due to waterlogged soils including lenses of peat in the lower areas of the catchment. The proposed arterial network will be elevated above natural ground level as it is predominately in fill (i.e. between 0.4m - 2.0m above natural ground level).

8.12.1 Summary of Stormwater and Hydrological effects

The stormwater management philosophy has been primarily influenced by the three ICMPs, the Rotokauri North sub-catchment ICMP, the current design of the Rotokauri Greenway corridor and the RITs. It is apparent that modelling and standards continue to evolve and improve, as has been demonstrated since the development of the concept design for the Rotokauri Greenway corridor in 2019.

Having regard to the many elements considered in the design of stormwater management for the Project, a number of items will require refinement through the detailed design process, particularly the impact of the Greenway overland flow path and ponding under the SH1C underpasses on Chalmers Road and Te Kowhai East Road. There are no other significant or unmitigated issues that would result in significant adverse effects. On that basis it is determined that the overall the effects are **minor.**

8.13 Summary of Effects on the Environment

The above AEE has evaluated potential positive environmental effects, as well as potential adverse environmental effects in respect of transport effects, temporary construction effects, ecological effects (both temporary and permanent), visual and landscape effects, cultural effects, archaeological effects, traffic noise effects, contaminated land effects, property effects and stormwater/hydrological effects.

The proposed designation of the Project will positively contribute to growth and development by defining the form and function of the transportation network and protecting the land required to deliver the network in a manner that enables the proposed land use and future development of the Rotokauri Area.

There is one residual issue that has potentially more than minor effects, being:

1. the effects of the Project on the two remaining existing natural wetlands within 100m of the alignment north of the Greenway, assuming the wetlands remain in their current state prior to the Project being implemented.

With the exception of the above, the AEE concludes with the proposed mitigation measures included as draft conditions, the residual actual and potential effects of the Project are **no more than minor**.

9 Statutory Assessment

9.1 Resource Management Act 1991

The RMA requirements, including Part 2 Purpose and Principles of the Act are addressed in the following sections.

9.1.1 Section 168A Notice of Requirement by territorial authority

The NoR is issued by HCC pursuant to section 168A of the RMA. Section 168A of the RMA sets out the matters that a territorial authority must have regard to when considering a NoR for a designation within its own jurisdiction. The Project has been assessed in terms of section 168A in Section 5 of this report. Section 8 of this report has considered the actual and potential environmental effects of the proposal.

9.1.2 Section 177 Land subject to existing designation or heritage order

1. *Subject to sections 9(2) and 11 to 15, where a designation is included in a district plan, and the land that is the subject of the designation is already the subject of an earlier designation or heritage order,—*
   a) *the requiring authority responsible for the later designation may do anything that is in accordance with that designation only if that authority has first obtained the written consent of the authority responsible for the earlier designation or order; and*
   b) *the authority responsible for the earlier designation or order may, notwithstanding section 176(1)(b) and without obtaining the prior written consent of the later requiring authority, do anything that is in accordance with the earlier designation or order.*
2. *The authority responsible for the earlier designation or order may withhold its consent under subsection (1) only if that authority is satisfied—*
   c) *that, in the case of an earlier designation, the thing to be done would prevent or hinder the public work or project or work to which the designation relates; or*
   d) *that in the case of an earlier heritage order, the thing to be done would wholly or partly nullify the effect of the order.*

Section 177 of the RMA applies to this NoR. As discussed in Section 6 of this report, the Project interacts with three existing designations:

1. E99 - SH1C Waikato Expressway (Waka Kotahi)
2. F1 - The North Island Main Trunk Railway Line (KiwiRail)
3. A114 - The Rotokauri Greenway (HCC)

Any works within these designations will be subject to section 177 of the RMA.

Works within the SH1C Waka Kotahi designation and the KiwiRail designation at Te Kowhai East Road are discussed in Section 6 of this report.

HCC is the requiring authority for both the Rotokauri Greenway designation and the Project. There are synergies between the purpose and function of the Rotokauri Greenway and the Project and works for the Project within the Rotokauri Greenway corridor will not prevent or hinder the Rotokauri Greenway designation.

9.1.3 Part 2 Matters

The Project is subject to consideration under Part 2 – the Purpose and Principles of the RMA. Assessment of the Project against Part 2 is provided below.

Section 5 – Purpose of the RMA

The Project concerns a regionally significant physical resource. Urbanisation of the Rotokauri growth cell has been confirmed in the RSP, which relies on the provision of integrated and sustainably managed transportation and strategic infrastructure networks. When completed the Project will enable people and communities to provide for the social, economic and cultural well-being and for their health and safety. These have been described in section 8 of this AEE and include integrated and sustainable multi-modal transport choices, enhanced recreation and habitat restoration through treatment of stormwater, riparian planting, the creation of artificial wetlands, and increased opportunity for re-introducing the cultural expression of mana whenua.

Measures have been included in the Project design to safeguard the life supporting capacity of water and ecosystems, mitigating any adverse effects on the environment. The construction of the Project will be undertaken in a manner that does not result in significant adverse effects on existing natural and physical resources of the area. The management of temporary effects during construction, as identified in Section 8 will maintain water quality, manage erosion and sediment runoff to reduce and avoid adverse temporary effects on the extensive network of surrounding waterways.

The NoR includes a suite of conditions appropriate to the scale and significance of the potential effects that may arise during the construction and operation of the Project, to avoid, remedy or mitigate those adverse effects.

The construction of the Project will meet the purpose (Section 5) of the RMA to promote the sustainable management of natural and physical resources.

Section 6 – Matters of National Significance

Section 6 RMA matters of national significance must be recognised and provided for:

a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

The construction of the Project and associated works in watercourses have been designed to a size necessary for their purpose. The design seeks to minimise erosion and modification of the waterways and limit structures within waterways/wetlands to those that have a functional and operational network requirement to be connected to the existing transport and stormwater networks as established by the NPS-FM. The Landscape and Visual Assessment confirms the natural character of natural wetlands (as far as practicable), streams and drains will be maintained, and any diversions will replicate the natural character to the extent practicable.

c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

The NPS-IB is in effect and has been considered in relation to the identification, protection and maintenance of indigenous biodiversity. There are no SNAs affected by the Project. Regard to significant habitats of indigenous fauna has been had during the concept design. The EcIA concludes that significant habitats have been adequately assessed, recognised, and can be appropriately managed with conditions. The avoidance of significant ecological areas, the minimisation of effects in areas that cannot be avoided, together with the extent of mitigation proposed enables the protection of the significant habitats of indigenous fauna.

d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

The Project will enhance public access to lakes and rivers through the Rotokauri growth cell. This includes new access and connectivity to the Rotokauri Greenway shared paths and cycleways along an ecological corridor from Lake Waiwhakareke Natural Heritage Park in the south, to Lake Rotokauri in the north.

e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga:

Engagement with mana whenua identified opportunities for enhanced expression of their cultural connection and traditions with their ancestral lands, water, waahi tapu and other taonga. Conditions are proposed to provide for an ongoing commitment to maintaining the special relationship that Maaori have to this place.

Based on the assessments provided in this report and appendices, the Project recognises and provides for the relevant matters in section 6.

Section 7 – Other Matters

The following matters in section 7 of the RMA have been given particular regard:

a) Kaitiakitanga:

Kaitiakitanga has been recognised and actively incorporated into the Project concept design and proposed mitigations. These have been expressed in the CIA prepared by mana whenua and reflected in the conditions proposed for the designation.

b) the efficient use and development of natural and physical resources:

Particular regard has been given to the efficient use and development of natural and physical resources. The Project will provide improved safety for all users including walking and cycling, improving accessibility and resilience, reducing congestion, improving travel time reliability, and improving freight efficiency. The Project enables the efficient use of natural and physical resources.

c) the maintenance and enhancement of amenity values:

The maintenance and enhancement of amenity values has been considered in the various technical assessments assessed in Section 8. It is acknowledged that large scale earthworks and road construction will contribute to a change in amenity values as the area urbanises. However, the Project contributes to and enables the progressive change to the high quality urban environment envisaged by the RSP. Where required, mitigation has been proposed to manage amenity values.

d) intrinsic values of ecosystems; and

f) maintenance and enhancement of the quality of the environment:

Regard has been had to intrinsic values of ecosystems and the maintenance and enhancement of the quality of the environment during the various optioneering. This process of considering alternatives and refining options sought to avoid effects on the natural and built environments to the greatest extent possible. The Project is designed to minimise effects on waterways, wetlands, and their supporting ecosystems through maintaining and enhancing existing hydrological connections. These include incorporating fish passage through culverts and bridge crossings, enhancing natural environments and creating new habitats.

g) Any finite characteristics of natural and physical resources:

Regard has been had to the finite character of natural and physical resources. The Project sits within a greenfield area of Hamilton City that has been confirmed for urbanisation through the RSP since 2008. The effects on finite characteristics such as productive soil are not applicable to this Project. There are no other finite natural or physical resources affected by the Project.

i) the effects of climate change

The effects of climate change have been considered in the development of the specific stormwater management features and road layout and design. Where existing models have been used, the rainfall and climate change increases are already reflected in those models.

Particular regard has been had to the matters in Section 7 of the RMA that are relevant to the Project and the Project is consistent with these matters.

Section 8 – Treaty of Waitangi

HCC recognises its role as a Treaty Partner with local iwi and hapuu. The principles of the Treaty of Waitangi have been taken into account in preparing this NoR. Early and genuine engagement with mana whenua commenced at the beginning of the Project as is reflected in section 8 and 9 of this report. Recognition has been given to both the relationship of mana whenua to their lands, culture, and traditions in the Rotokauri area and the commitment to continuing the existing partnership between mana whenua and HCC. THaWK has competed a CIA and provided advice during the preparation of technical assessments. This partnership and relationship will continue through subsequent phases of design and construction and is reflected in the proposed designation conditions and the manner in which the requiring authority recognises the sensitive land issues at the Maahanga Drive / Te Kowhai East Road intersection.

Part 2 Summary

Part 2 of the RMA requires an overall consideration of all aspects of the proposal measured against the statutory purpose in section 5 of the RMA. Based on the assessment above, overall, the Project will achieve the purpose of the RMA if confirmed subject to the proposed draft conditions. The Rotokauri area has been identified for future growth and it is appropriate to plan for the sustainable management of the area in a way that enables the future community and its people to provide for their social, economic, and cultural wellbeing (including health and safety). The Project does this whilst avoiding, remedying, or mitigating any adverse effects of activities on the environment.

9.2 Te Ture Whaimana o Te Awa o Waikato

The Rotokauri, Mangaheka and Te Rapa catchments are part of the Waikato River Catchment Management Area as the Waipaa River joins with the Waikato River at Ngaaruawaahia. The ICMPs include consideration of Te Ture Whaimana o Te Awa o Waikato (Te Ture Whaimana), as the primary direction-setting document for the Waikato River and activities within its catchment. HCC has had particular regard to Te Ture Whaimana in preparing the NoR.

Te Ture Whaimana is part of the WRPS which district and regional plans must give effect to under section 75 of the RMA. It prevails over any inconsistent provision in a National Policy Statement or National Environmental Standard. Te Ture Whaimana responds to four fundamental issues:

1. The degradation of the Waikato River and the ability of Waikato River iwi to exercise kaitiakitanga or conduct their tikanga and kawa,
2. The relationships and aspirations of communities with the Waikato River,
3. The cumulative effects of physical intervention, land use and subsurface hydrological changes on the natural processes of the Waikato River, and
4. The time and commitment required to restore and protect the health and wellbeing of the Waikato River.

The objectives of Te Ture Whaimana o Te Awa o Waikato are as follows:

- The restoration and protection of the health and wellbeing of the Waikato River.
- The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- The restoration and protection of the relationship of Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- The restoration and protection of the relationship of the Waikato region's communities with the Waikato River including their economic, social, cultural, and spiritual relationships.

- The integrated, holistic, and coordinated approach to management of the natural, physical, cultural, and historic resources of the Waikato River.
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.
- The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.
- The protection and enhancement of significant sites, fisheries, flora, and fauna.
- The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental, and economic wellbeing requires the restoration and protection of the health and wellbeing of the Waikato River.
- The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.
- The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.
- The application to the above of both maatauranga maaori and latest available scientific methods.

The roading and associated stormwater design philosophy achieves the objectives of the ICMPs which are consistent with Te Ture Whaimana. The Project presents an opportunity for significant ecological and water quality enhancement of the various intersecting rural drains within the catchment and downstream environment. These improvements will continue as the Rotokauri growth cell urbanises as planned in the RSP. Detailed design and subsequent regional consents will need to consider how the Project can continue to 'give effect to' Te Ture Whaimana and achieve the goals of improving water quality and providing enhancement and betterment to the Waikato River.

9.3 Relevant National Policy Statements

There are three NPS that are potentially relevant to the Project and the territorial authority must have particular regard to the relevant provisions of each NPS. They are the NPS-FM, the NPS-IB and the NPS-UD.

9.3.1 National Policy Statement for Indigenous Biodiversity 2023

The NPS-IB came into effect on 4 August 2023. The objective of the NPS-IB is to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date. The NPS-IB sets out four ways to achieve the objective, including by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity, while providing for the social, economic, and cultural wellbeing of people and communities now and in the future. The NPS includes policies maintain and manage indigenous biodiversity, including through the identification of SNA. No SNA are affected by the Project. Accordingly, the SNA-related provisions of the NPS-IB are not relevant. Clause 3.16 of the NPS-IB requires any significant adverse effects of a new subdivision, use or development outside SNA and not on specified Māori land to be managed by the effects management hierarchy. All other adverse effects of any activities that may adversely affect indigenous biodiversity must be managed to give effect to the objective and policies of the NPS-IB.

9.3.2 National Policy Statement for Freshwater Management 2020

The NPS-FM came into effect on 3 September 2020 and provides direction on how freshwater should be managed under the RMA. On 30 June 2021, in accordance with s55(2A) and Clause 20A (Schedule 1) of the RMA, the WRP was amended to insert clauses 3.22(1) natural inland wetlands, 3.24(1) rivers and 3.26(1) fish passage of the NPS-FM resulting in new objective 3.A.1 and new policies 3.A.2 and 3.A.3, and to address accompanying consequential minor edits.

It is understood that WRC are working towards revising the WRPS and WRP to implement the remaining directions which will be notified for public submissions in 2024 and operative by 2026.

The NPS-FM supports improved freshwater management in New Zealand by directing regional councils to establish objectives and sets limits for freshwater in their regional plans. The fundamental concept, objectives, and policies of the NPS-FM are discussed below.

Te Mana o te Wai

Te Mana o te Wai is the fundamental concept underpinning the NPS-FM. It recognises that protecting the health of freshwater protects the health and well-being of the wider environment and protects the mauri of the wai. Te Mana o te Wai involves restoring and preserving the balance between the water, the wider environment, and the community.

The development of the Project is focused on the steps necessary to restore and protect the health and wellbeing of the Rotokauri area, including the Waikato River. This includes measures to restore and enhance the existing environment through the establishment of wetland treatment devices and planting along waterways and drains which will be considered during detailed design. Mana whenua have been involved in the Project optioneering, design and development of a CIA. In considering the effects of the Project on mana whenua and on the surrounding waterways, it is determined the Project is consistent with and gives practical effect to the concept of Te Mana o te Wai.

Policies

The relevant NPS-FM policies specific to the land affected by the Project are listed below.

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

Policy 2: Tāngata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.

Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

Policy 9: The habitats of indigenous freshwater species are protected.

Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.

There are 15 policies included in the NPS-FM, commencing with Policy 1 that states freshwater is to be managed in a way that gives effect to Te Mana of Te Wai. As determined above, the Project is consistent with and gives practical effect to the concept of Te Mana o te Wai.

In relation to Policy 2, HCC has engaged with mana whenua throughout the Project and have proposed designation conditions that reflect tāngata whenua values and recognise Te Mana o te Wai in the management of freshwater.

The Project has been designed to manage freshwater and stormwater in an integrated way to avoid, remedy or mitigate adverse or cumulative effects on freshwater receiving environments. This will be achieved through giving effect to the ICMPs and implementing the various management plans during construction to manage the effects on freshwater receiving environments and habitats of freshwater species so that they are protected. These measures give effect to Policy 3 and Policy 9.

Policy 6 requires no further loss of extent of natural inland wetlands, that their values are protected, and their restoration is promoted. The NPS-FM includes clause 3.22 in relation to natural inland wetlands the following requirement:

(1) Every regional council must include the following policy (or words to the same effect) in its regional plan(s):

"The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:

(a) the loss of extent or values arises from any of the following:

…

(vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020

…; or

(b) the regional council is satisfied that:

(i) the activity is necessary for the construction or upgrade of specified infrastructure; and

(ii) the specified infrastructure will provide significant national or regional benefits; and

(iii) there is a functional need for the specified infrastructure in that location; and

(iv) the effects of the activity are managed through applying the effects management hierarchy."

"Effects management hierarchy" is defined as follows by the NPS-FM:

Effects management hierarchy, in relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:

(a) adverse effects are avoided where practicable; and

(b) where adverse effects cannot be avoided, they are minimised where practicable; and

(c) where adverse effects cannot be minimised, they are remedied where practicable; and

(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; and

(e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; and

(f) if aquatic compensation is not appropriate, the activity itself is avoided

As required by the NPS-FM Policy 6 has been included in the WRPS. The Project is included as regionally significant infrastructure under the WRPS definition and is shown as a "potential future road corridor" on the Map 6.1 "significant transport corridors" of the WRPS and will provide significant regional benefits. There is a functional and operational need for the Project to locate in this particular environment. Transport and infrastructure networks must be continuous and relatively linear in order to perform their function and safely and efficiently connect to an existing transport and stormwater network. As a result, the proposed designation necessarily intersects with existing watercourses.

Further assessment of the NPS-FM and NES-F will be undertaken as part of obtaining resource consent for construction activities in proximity to the identified natural wetlands. It is anticipated there will be effects on some areas of natural wetland as defined in the NES-F. In the event the wetlands remain in their current state, a management plan for wetlands will be developed at the time of regional consenting to manage the actual and potential effects, under an effects management hierarchy described in the EcIA in **Appendix G.**

Accordingly, the proposal is consistent with the NPS-FM.

9.3.3 National Policy Statement on Urban Development 2020

The NPS-UD came into effect on 20 August 2020 replacing the National Policy Statement on Urban Development Capacity 2016. It is also currently being updated to align with the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

The NPS-UD recognises the national significance of having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. The NPS-UD is designed to improve the responsiveness and competitiveness of land and development markets. It requires local authorities to facilitate more development capacity, so more homes can be built in response to demand. The NPS-UD provides direction to make sure capacity is provided in accessible places, helping New Zealanders build homes in the places they want – close to jobs, community services, public transport, and other amenities our communities enjoy.

The following objectives apply to all local authorities that have all or part of an urban environment within their district or region, and planning decisions by any local authority that affect an urban environment:

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Objective 2: *Planning decisions improve housing affordability by supporting competitive land and development markets.*

Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be in, areas of an urban environment in which one or more of the following apply:*

a) the area is in or near a centre zone or other area with many employment opportunities.

b) the area is well-serviced by existing or planned public transport.

c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

Objective 5: *Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

Objective 6: *Local authority decisions on urban development that affect urban environments are:*

a) integrated with infrastructure planning and funding decisions; and

b) strategic over the medium term and long term; and

c) responsive, particularly in relation to proposals that would supply significant development capacity.

Objective 7: *Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.*

Objective 8: *New Zealand's urban environments:*

a) *support reductions in greenhouse gas emissions; and*

b) *are resilient to the current and future effects of climate change.*

The following policies are relevant to the provision of infrastructure such as the Project that will support a growing and developing urban environment:

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

a) *have or enable a variety of homes that:*
   a. *meet the needs, in terms of type, price, and location, of different households; and*
   b. *enable Māori to express their cultural traditions and norms; and*

b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*

c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*

d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*

e) *support reductions in greenhouse gas emissions; and*

f) *are resilient to the likely current and future effects of climate change.*

Policy 2: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.*

Policy 3*: In relation to tier 1 urban environments, regional policy statements and district plans enable:*

a) *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*

b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*

c) *building heights of least 6 storeys within at least a walkable catchment of the following:*
   (i) existing and planned rapid transit stops
   (ii) the edge of city centre zones
   (iii) the edge of metropolitan centre zones; and

d) *in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:*
   (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
   (ii) relative demand for housing and business use in that location.

Policy 8: *Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*

- *unanticipated by RMA planning documents; or*
- *out-of-sequence with planned land release.*

Policy 9: *Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:*

a) *involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and*
b) *when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and*
c) *provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and*
d) *operate in a way that is consistent with iwi participation legislation.*

The Project is consistent with the objectives and policies of the NPS-UD as it supports the growth of Hamilton City in an approved structure plan area. Transport modelling has included a sensitivity test adding 30% traffic volumes as an allowance for potential uplift in housing densities within the area serviced by the Project. The ITA has confirmed sufficient capacity within the network to accommodate the anticipated additional growth, however, recommends this be re-tested when the WRTM is updated with the increased population densities. The corridor has been sized sufficiently for the growth anticipated in the area. If travel demand is higher than what has been modelled, operational changes will be made to meet the demand for public transport sooner (e.g. more frequent bus services). Transport mode shift and the provision of additional transport options such as walking/cycling and public transport have been considered and provided for extensively in the Project.

Rotokauri is one of Hamilton City's main growth cells for the City. The City and Future Proof Sub-region faces significant population growth over the next 20 years. The delivery of the Project through a designation will enable sustainable growth and result in a well-functioning urban environment with accessibility to suitable transport corridors and public transport. The Project will promote the social and economic wellbeing of future communities in Rotokauri.

9.4 Relevant National Environmental Standards

9.4.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The NES-CS establishes a nationally consistent set of planning controls and soil contaminant values.

Previous and existing land uses in the designation area have been identified as HAIL activities. An assessment of the Project in relation to the NES-CS is provided in the PSI attached as **Appendix L.** Given the site-specific nature of potential contaminated sites identified, it is likely resource consents will be required under the NES-CS for soil disturbance and change in land use along the proposed alignment.

In addition, the WRP has a definition of "contaminated land" which means any soil that is more contaminated than the NES-CS allows; or has a hazardous substance in it or on it that has, or is reasonably likely to have, significant adverse effects on the environment requires resource consent.

The PSI concludes that for a project of this scale there are two potential pathways forward for next steps regarding contaminated land specific resource consenting:

Option 1 – Potential consents required for each stage of the works.

The proposed works will be undertaken in stages over an extended time. This option recommends a Detailed Site Investigation (DSI) be undertaken for each section where works are proposed within identified HAIL areas. Based on the findings of the DSI, coupled with knowledge of detailed design and earthwork volumes, an assessment of applicable resource consents for the works can be made on a case-by-case basis.

Option 2 – Pursue a 'site-wide' contaminated land consent for the entire alignment.

Due to the scale of the works and number of HAIL activities identified in the PSI, a 'site-wide' resource consenting approach could be discussed with HCC and WRC. This approach would streamline contaminated land requirements for the proposed works. In this scenario, DSIs would still be required where works are proposed within the identified HAIL areas, however all works will be covered under one 'global consent' (i.e., an individual resource consent will not be required for each stage of works).

In summary, whichever consenting pathway is selected for the Project, soil sampling in the form of a DSI is required where works are proposed within identified HAIL areas. A Contaminated Soils Management Plan will be needed for the works. This work will be undertaken during detailed design, and all resource consents will be obtained prior to commencement of any construction works which may disturb potentially contaminated soils.

9.4.2 National Environmental Standards for Freshwater 2020 (NES-F)

The NES-F set requirements for conducting certain activities that pose risks to freshwater and freshwater ecosystems. Anyone conducting these activities will need to comply with the standards. The relevant standards for the Project are contained in Part 3 and relate to:

- protection of existing inland wetlands.
- connectivity of fish habitat (fish passage).

It is likely that resource consent will be required from WRC to conduct these regulated activities.

Waterways

The RSP envisages urbanisation of this area. Where the Project intercepts a watercourse (road crossing), culverts are proposed, that these will be flat graded and embedded for fish passage requirements. There is sufficient area in the Project to enable the placement of these structures. Resource consents will be required under the NES-F, and an assessment will be undertaken prior to construction. Effects on the passage of fish following the placement, and use of such structures in, on, over, or under the bed of any river or connected area will be managed by proposed draft conditions in the EMP. All regional consents will be sought during detailed design.

Wetlands

As described in Section 9.3.1 above, the Project meets the definition of Specified Infrastructure for the purposes of the NES-F. Due to the proximity of the Project to the identified wetlands, resource consent pursuant to Regulation 45 of the NES-F will be required[12].

9.5 Alignment to Relevant Transport Policy Direction

The Project aligns with the guidelines and achieves the outcomes set out in the documents below. The Project has a specific focus on promoting the use of multi-modal transport including public transport, cycling, and walking through high quality urban design.

9.5.1 Ministry of Transport Outcomes Framework

The fives outcomes of the outcome's framework are inclusive access, healthy and safe people, economic prosperity, environmental sustainability and resilience and security.

[12] Resource consent is required for the construction of specified infrastructure where vegetation clearance and earthworks and land disturbance is within 100m of a natural wetland as well as taking, use, damming, diversion, or discharge of water within 100m of a natural wetland.

Inclusive Access

Inclusive access enables all to participate in society through access to social and economic opportunities such as work, education, and healthcare.

To be inclusive, the transport system must be accessible to all people in New Zealand including those with disabilities, low-income earners, and people of different ages, genders, and ethnicities.

Healthy and safe people

The system:

- protects people from transport-related injuries and harmful pollution.
- makes physically active travel an attractive option.

Economic prosperity

The transport system supports activity via local, regional, and international connections, with efficient movement of people and products.

Environmental sustainability

The transport system:

- transitions to net zero carbon emissions.
- maintains or improves biodiversity, water quality and air quality.

Resilience and security

The transport system:

- minimises and manages the risks from natural and human-made hazards.
- anticipates and adapts to emerging threats.
- recovers effectively from disruptive events.

The Project supports the five outcomes of the framework by providing a network that is suitable and safe for all users, supports economic prosperity through providing access to jobs, maintains or improves environmental sustainability and is resilient.

9.5.2 Government Policy Statement on Land Transport (GPS)

The four GPS strategic priorities guide land transport investment from 2021/22 -2030/31:

1. **Safety** - The primary focus of this priority is to develop a transport system that advances New Zealand's vision that no-one is killed or seriously injured while travelling. New Zealand roads will be made substantially safer.
2. **Better Travel Options** - The primary focus of this priority is to improve people's transport choices in getting to places where they live, work and play, and to make sure our cities and towns have transport networks that are fit for purpose and fit for the future.
3. **Improving Freight Connections -** Well-designed transport corridors with efficient, reliable, and resilient connections will support productive economic activity.
4. **Climate Change** - Investment decisions will support the rapid transition to a low carbon transport system and contribute to a resilient transport sector that reduces harmful emissions, giving effect to the emissions reductions targets.

Comments

The GPS establishes the importance of integrated land use and transport planning to achieve outcomes particularly related to mode shift and emission reductions. The Project delivers an integrated planning approach by providing for a high-quality urban design with an emphasis on accessible active transport networks and a highly accessible public transport. Through planning and investment in improved active transport and public transport infrastructure, and designing for safety it is expected this Project will:

- reduce the number of death and serious injuries (dsis) along the corridor.
- increase work and school journeys to 30% in 25 years.
- allow for 50% of 2km or less trips to be undertaken by active transport.
- improve the percentage of reliable and safe public transport by 20% each year.
- produce net neutral greenhouse gas from transport activities by 2050[13].

The Project supports the four strategic priorities of the GPS by providing a safe network for all users, adequate travel choices by providing suitable networks and facilities for all modes, improving strategic freight routes in the area in line with the RSP and supporting emissions reductions by reducing VKT compared to an outcome without employment land in this area. These outcomes align with both the Ministry of Transport's Transport Outcome Framework and support the GPS strategic priorities of safety, better travel options and climate change.

9.6 Waikato Regional Policy Statement

Section 114(1)(b)(v) of the RMA requires the consent authority to "have regard to" any relevant provisions of "a regional policy statement". The WRPS was made operative on 20 May 2016 and is the relevant regional policy statement. An assessment of the relevant provisions of the WRPS is in **Table 4** below.

Table 4: Relevant WRPS Objectives and Policies

Objectives	Policies
3.9 Relationship of tāngata whenua with the environment	**4.3 Tāngata Whenua**
Comment Section 8 and **Appendix I and Appendix M** describe the extensive relationship tāngata whenua have with the environment and the effect the Project has on this relationship. The Project includes opportunities to give effect to this Objective and recognise that relationship between tāngata whenua and the environment. These have been reflected as conditions of the proposed designation in Section 10.	
3.12 Built environment	**Policy 6.1 Planned and co-ordinated subdivision, use and development** **Policy 6.3 Co-ordinating growth and infrastructure** **6A Development principles**
Comment The primary purpose of the Project is to secure the designation of a transport and infrastructure network that will give effect to the planned urbanisation of the RSP area. The Project publicly signals the location, extent and purpose of future infrastructure in a manner that enables the planned and co-ordinated subdivision, use and development of this future built environment.	
3.14 Mauri and values of freshwater bodies	**8.3 All freshwater bodies**
Comment	

[13] Rotokauri Arterial Network Detailed Business Case (2021)

Objectives	Policies
A variety of construction mitigation measures are proposed to maintain water quality during the development of the network. The completed Project incorporates many water quality enhancing features through a treatment train approach to restore mauri and manage contaminants from road run-off before entering the fresh water receiving environments in the catchment.	
3.16 Riparian areas and wetlands	**Policy 8.2 Outstanding freshwater bodies and significant values of wetlands**
Comment There are remnant natural wetlands in the catchment. Further detailed assessment will be conducted prior to obtaining resource consent under the NES-F for the construction activities in proximity to natural wetlands, which will include measures to manage the actual and potential effects on the natural wetlands. As part of the stormwater design, additional artificial wetland areas will be constructed to maintain and enhance water quality, provide habitat for indigenous biodiversity, and acknowledge cultural values.	
3.18 Historic and cultural heritage	**Policy 10.2 Relationship of Māori to taonga** **Policy 10.3 Effects of development on historic and cultural heritage**
Comment The Archaeological Assessment (attached as **Appendix F**) has not identified any known archaeological sites, features or deposits within the Project extent. The CIA (attached as **Appendix I**) details extensive pre-European use and occupation of land and resources through this area. The CIA includes opportunities to develop that cultural narrative and reconnect Māori with their ancestral taonga. These opportunities are reflected in draft conditions to the proposed designation.	
3.19 Ecological integrity and indigenous biodiversity	**Policy 11.1 Maintain or enhance indigenous biodiversity** **Policy 11.2 Protect significant indigenous vegetation and significant habitats of indigenous fauna**
Comment Though the waterways within the designation are highly modified, they provide important habitat for indigenous fauna. The Project design promotes positive indigenous biodiversity through extensive plantings of indigenous wetland and forest species, and the restoration and protection of habitat.	
3.21 Amenity	**Policy 12.3 Maintain and enhance areas of amenity value**
Comment The area is undergoing urbanisation, while maintaining and enhancing areas which contribute to its distinctive amenity. These include peripheral ridgeline and gully areas, Lake Waiwhakareke and Lake Rotokauri. The Project connects these natural features with extensive planting, walking and cycling connections and opportunities to tell the rich cultural history of the area. As described in the ULDF in **Appendix J**, these all contribute to a positive future built form with high amenity.	
3.22 Natural Character	**Policy 12.2 Preserve natural character**
Comment Despite the urbanisation of Rotokauri growth cell, the Project incorporates a number of features to preserve the natural character that defines the area. These include planted open water channels to improve water quality, provide flood storage, utilising these areas to provide active walking and cycling to provide more opportunities for people to be in the natural environment and enjoy the existing natural features of the area, whether they be the ridgeline views, Lakes or open recreational areas amongst a sympathetic urban form.	
3.23 Public Access	**Policy 12.4 Maintain and enhance public access**
Comment The Project provides enhanced opportunities for multi-modal public access within the corridor by connecting people to natural and built public amenity areas within the growth cell.	

Objectives	Policies
3.25 Values of soil	**Policy 14.4 Contaminated land**
Comment Potential land contamination has been identified from previous rural land uses in the corridor. Additional contamination investigations will be necessary prior to soil disturbance to determine the actual levels of contamination within the Project extent. Resource consents will be sought where necessary with the appropriate management plans in place to minimise any risks to human, plant and animal health, and water, air and soil quality.	
3.27 Minimum housing targets for the Future Proof area	**6.15 Density targets for future proof area**
Comment Hamilton City has a minimum NPS-UD housing density target of 36,900 by 2046. The Project contributes to achieving this target by developing a multi-modal transport network that enables HCC to realise increased housing density in the RSP in accordance with the Future Proof strategy.	

For the reasons outlined the Project is consistent with the relevant objectives and policies of the WRPS. There are no objectives or policies identified which the Project is contrary to.

9.7 Waikato Regional Plan

Several regional resource consents will be required under the WRP to construct the Project These regional resource consents include (but are not limited to):

- Earthworks in high-risk erosion areas (Discretionary Activity Rule 5.1.4.15),
- Riverbed disturbance (Discretionary Activity Rule 4.3.4.4),
- Stream diversions (both temporary and permanent) (Discretionary Activity Rule 3.6.4.13),
- Temporary dewatering of the groundwater table (Discretionary Activity Rule 3.6.4.13),
- Culvert structures (Discretionary Activity Rule 4.2.4.4).

Regional resource consent applications will be prepared and submitted to WRC prior to works commencing on the Project. These applications will include an assessment of effects on the environment and a full assessment of the WRP objectives, policies and rules.

9.8 Hamilton District Plan

The HCDP became operative on 18 October 2017. The zoning applying to the land affected by the Project are set out in the RSP maps shown in **Figure 3.**

The RSP provides for staged urbanisation of an existing greenfield area. As a result, the Project passes through multiple zones. The RSP makes provision for approximately 485 hectares of 'General Residential' zoning along with provision for 'Character Areas' based upon Lake Waiwhakareke, the area's natural ridgelines and medium density development adjoining the proposed suburban centre. Immediately to the west of the Mangaharakeke Drive/Te Rapa Bypass is an 'Employment' area of approximately 100 hectares that is planned to transition from the 'Industrial' activity to the north. A suburban centre of approximately six hectares to the west of Gilchrist Street forms the main commercial focal point for Rotokauri, whilst the WINTEC campus features a 'Major Facilities' zone.

In addition to the above land use zonings, the RSP identifies approximately 140 hectares of 'Reserves' throughout the area. This includes the Waiwhakareke Natural Heritage Park, three sports parks, neighbourhood reserves and a neighbourhood green at the heart of the southern suburban centre.

The relevant sections of the HCDP are identified in **Table 5** below:

Table 5: Hamilton City District Plan Objectives and Policies

Objectives	Policies
Section 2 Strategic Framework	
2.2.1 *Hamilton is characterised by an increasingly sustainable urban form.*	***2.2.1a*** *Development makes use of the identified opportunities for urban intensification.* ***2.2.1b*** *Development is designed and located to minimise energy use and carbon dioxide production, by:* *i. Minimising the need for private motor vehicle use.* *ii. Encouraging walking, cycling and the use of passenger transport.* *iii. Maximising opportunities for people to live, work and play within their local area.*
Comment The Project enables the development of a sustainable urban form by enabling housing intensification while minimising energy use and carbon dioxide production. The Project responds to the RSP and provides opportunities for multi-modal transport networks and infrastructure corridors that encourage walking, cycling and the use of passenger transport, while minimising the need for private vehicle use to enable people to live, work and play in their local neighbourhood.	
2.2.2 *Urban development takes place within areas identified for this purpose in a manner which uses land and infrastructure most efficiently*	***2.2.2a*** *Development shall occur in locations that are consistent with the growth management policies of the Waikato Regional Policy Statement.* ***2.2.2b*** *Any development that is within an identified growth area is to be undertaken in general accordance with an approved Structure Plan.* ***2.2.2c*** *The release of land for urban development will not be allowed unless appropriate infrastructure is available, and the servicing of this land does not compromise the efficiency and sustainability of planned infrastructure.*
Comment The Project is being undertaken in accordance with the RSP. If confirmed, the designation will enable the development of strategic infrastructure to appropriately service land planned for urbanisation in accordance with the RSP and the growth management policies of the WRPS.	
2.2.3 *Promote safe, compact, sustainable, good quality urban environments that respond positively to their local context.*	***2.2.3a*** *Development responds to best practice urban design and sustainable development principles, appropriate to its context.* ***2.2.3c*** *Development enhances civic, natural heritage, cultural, ecology and surrounding public space networks.*
Comment The Project has been informed by a comprehensive ULDF (see **Appendix J**) which has guided the assessment of options to deliver a proposed transport and infrastructure network which responds to best practice urban design and sustainable development principles. Enhancing civic, natural heritage, cultural, ecology and surrounding public space networks has been integral to the ULDF. As a result, the Project is highly consistent with this objective and its policies.	

Objectives	Policies
2.2.6 *Sufficient feasible, reasonably expected to be realised development capacity for housing is provided to meet the bottom lines in the table below:*	Housing bottom lines (number of dwellings) Area | Short to Medium 1-10 years (2020-2030) | Long term 11-30 years (2031-2050) | Total Hamilton City | 14,300 | 28,800 | 43,100

Comment

The Project will provide certainty of the extent, form and function of the proposed transport and infrastructure corridor required to support the level of housing intensity expressed in the above objective.

2.2.9 *Resource management priorities are developed in partnership with tāngata whenua.*	***2.2.9a*** *The relationship tāngata whenua have with the City is recognised and promoted.* ***2.2.9b*** *Development considers effects on the unique tāngata whenua relationships, values, aspirations, roles, and responsibilities with respect to an area.* ***2.2.9c*** *As part of the development process, decisions on land use, subdivision and development include ongoing consultation and collaboration with tāngata whenua where appropriate.*

Comment

HCC has engaged with tāngata whenua throughout the Project to reflect their values, principles, aspirations, roles and responsibilities in the Project. HCC as requiring authority intends to continue this engagement with tāngata whenua through the design, construction and operation of the Project.

2.2.12 *Protect and enhance natural character, natural features and landscapes, ecosystems, and indigenous biodiversity.*	***2.2.12a*** *Land use and development protects natural character, natural features and landscapes and ecosystems and promotes positive outcomes for indigenous biodiversity in the Waikato region.* ***2.2.12b*** *Land use and development maintains the extent and, where possible, enhances ecological corridors.*

Comment

The Project provides opportunities for enhanced connectivity to the many natural features, landscapes and ecosystems in the Rotokauri growth cell. The ULDF seeks to integrate existing systems and with a high quality urban design that responds to the existing natural features and promotes indigenous biodiversity in the delivery of several artificial wetland areas and restoration of waterways to enhance ecological corridors.

2.2.13 *Efficient use and development of natural and physical resources, especially land, buildings, and infrastructure.*	***2.2.13c*** *Development is designed to consider and adapt to the expected effects of climate change.* ***2.2.13d*** *Development enables and encourages the efficient use of resources and recognises the benefits resulting from integrated land use planning.*

Comment

Objectives	Policies
The Project includes several stormwater management and infrastructure features that respond to expected effects of climate change. These include suitably sized stormwater attenuation devices, elevated road design to be clear of the 100yr ARI flood. As the area is undergoing rapid urbanisation, there is potential for integration with adjacent land use and optimisation of these features during detailed design.	
2.2.14 *Land use and development is integrated with the provision of infrastructure (including transport, Three Waters services and open space).*	***2.2.14a*** *Development shall not compromise the safe, efficient, and effective operation and use of existing or planned infrastructure.* ***2.2.14b*** *Development allows for future infrastructure needs, including maintenance, upgrading and co-location where appropriate.* ***2.2.14c*** *New development connects well with existing development and infrastructure.* ***2.2.14d*** *Development does not result in incompatible adjacent land uses with respect to existing or planned infrastructure.* ***2.2.14e*** *Rail, cycle, pedestrian, passenger transport and motorised vehicle networks are well connected and integrated across and beyond the City.* ***2.2.14f*** *Development should promote strong connections to, and use of, passenger transport and active modes of transport.*
Comment The Project provides certainty of the proposed infrastructure corridor required to enable the planned development of the RSP. The ULDF provides the opportunity for high quality connectivity to adjacent land use and existing and future transport corridors in the RSP.	
Section 3 Structure Plans	
3.3.1 *Optimised, long-term, positive environmental, economic, social, and cultural effects of greenfield development.*	***3.3.1a*** *Development should be in general accordance with the relevant Structure Plan.* ***3.3.1c*** *The design of development should provide population densities that support safe efficient passenger transport and opportunities for walking and cycling.*
Comment The Project aligns with the RSP as it provides certainty to District Plan users of the transport and infrastructure corridor extent, form and function required to enable the planned urbanisation of the Rotokauri growth cell.	
3.3.2 *New urban development is appropriately serviced and properly integrated to minimise City network impacts.*	***3.3.2a*** *The use of land for urban development will not be allowed unless appropriate infrastructure is provided for, and the servicing of this land will maintain the efficiency and sustainability of regionally significant existing and planned infrastructure.* ***3.3.2c*** *Development is co-ordinated with the provision of infrastructure.*

Objectives	Policies
	3.3.2d *Staging and sequencing is in general accordance with any staging indicated on the relevant Structure Plan.*
Comment The Project enables the development of strategic infrastructure to continue the urbanisation of the RSP. Opportunities exist during detailed design for optimisation with adjacent development and infrastructure including the Rotokauri Greenway, which is a necessary pre-cursor to the construction of the Project.	
3.3.4 *An integrated and efficient pattern of land use and transportation to sustainably manage the impact of development on existing and planned transport infrastructure.*	***3.3.4a*** *Integrated Transport Modelling is undertaken for all Structure Plan areas.* ***3.3.4b*** *Movement routes are integrated with surrounding neighbourhoods and existing and planned transport networks.* ***3.3.4c*** *Enable connectivity with other undeveloped adjoining sites.* ***3.3.4d*** *The transport network supports efficient passenger transport and opportunities for walking and cycling.* ***3.3.4e*** *Environmental impacts of building new transport corridor infrastructure are minimised.* ***3.3.4f*** *Opportunities for improved safety, accessibility, connectivity, and efficiency within the transportation network are provided.*
Comment Transport modelling had been undertaken as detailed in the ITA attached as **Appendix N**. The Project has been designed to give effect to the policies above and reflect a network which is integrated with existing and planned neighbourhoods. The Project supports a multi-modal transport network which will minimise the effects and impact of building a new transport network, while providing an improved safe, accessible, connected and efficient transport corridor for the RSP. Several management plans will be in place to manage and minimise the environmental impacts during the construction of the Project.	
3.3.6 *Development responds to land suitability including topography, landscape, natural features, soil type, natural hazards, heritage features, adjoining land uses.*	***3.3.6a*** *The loss of significant vegetation is minimised.* ***3.3.6b*** *Large-scale earthworks and modifications to landforms are avoided where possible to ensure development retains features of the landscape identified on structure plans.* ***3.3.6c*** *Road layouts adjacent to identified natural features recognise and retain their natural form where practicable.* ***3.3.6d*** *The scale and quantum of development and land use type recognises land characteristics and suitability and adjoining land uses.*
Comment	

Objectives	Policies
The ULDF provides a design philosophy for the Project to respond to the natural, ecological, cultural and heritage features in the area. The Project reflects a series of design iterations to preserve and enhance existing natural features where practicable. The ULDF proposes a deliberate urban form which responds to adjacent land uses and land characteristics	
3.6.1.1 *Preservation of key natural features and topography that are characteristic of Rotokauri.*	***3.6.1.1a*** *Development shall maintain the natural ridgelines.* ***3.6.1.1b*** *The central green corridor shall function as the principal stormwater drainage channel and a recreational and transportation corridor connecting the wider network of open spaces and natural features.*
Comment The Project provides many opportunities to respond to the Rotokauri Greenway and preserves existing naturals characteristics of Rotokauri. The ULDF describes how these linkages and connections can be developed, enhanced and maintained to reflect the distinctive features of the Rotokauri growth cell.	
3.6.1.2 *New urban development in Rotokauri is appropriately serviced.*	***3.6.1.2a*** *Land for development shall not be released until it can be adequately serviced.*
Comment The Project enables the development of strategic infrastructure to respond to the planned urbanisation of the RSP.	
Section 18 Transport Corridor Zone	
18.2.1 *A network of transport corridors that is accessible, affordable, integrated, safe, sustainable, and responsive to the national, regional, and local needs for all modes of transport and is integrated with land use.*	***18.2.1a*** *A hierarchical network of transport corridors shall be established that provides for different functions and modes of transport while recognising the nature of the surrounding land use.* ***18.2.1b*** *The planning, investment, design, construction, operation, maintenance and upgrading of transport infrastructure shall be provided for in a way that enables the effective and efficient management of transport corridors to fulfil their functions.*
18.2.2 *Adverse effects from the transport network are minimised and amenity values maintained.*	***18.2.2a*** *Social and environmental impacts, as well as economic benefits, shall be considered when undertaking works that change the function of that transport corridor.* ***18.2.2b*** *The amenity values of adjacent land uses shall be protected from the adverse effects of works within the transport corridor.*
18.2.3 *Opportunities exist for network utility operators to use transport corridors to provide infrastructure.*	***18.2.3a*** *When managing transport corridors opportunities should be considered for accommodating network utilities within those transport corridors.* ***18.2.3b*** *Network utilities shall only be allowed within the transport corridor if they do not compromise the function, safety, and efficiency of the transport network.*
18.2.4	***18.2.4a***

Objectives	Policies
Non-network utility activities and structures within transport corridors contribute to the amenity, vibrancy, and attractiveness of the City.	*Other activities and structures, including street trees, shall be provided for when they do not compromise the function, safety and efficiency of the transport corridor, and the provision and operation of network utility infrastructure.*

Comment

The Project enables planned urbanisation in accordance with the RSP with a deliberate focus on high quality urban design within the corridor and in response to adjacent land use. Measures to manage effects during construction are proposed in draft conditions to the proposed designation. Careful consideration has been given to the social, economic and safety impact of the network changes on existing adjacent land uses, especially on Te Kowhai East Road and the NIMTR. This has resulted in a Project that is consistent with the Objectives and policies.

Section 25.1 Development Suitability	
25.1.2.1 *To ensure the provision of safe, efficient and integrated infrastructure as part of land development.*	***25.1.2.1b*** *New development shall be adequately serviced by suitable telecommunication, electricity, Three Waters, and transport infrastructure.*

Comment

The Greenway corridor is a necessary pre-cursor to the Project due to its critical stormwater management function. Remaining network utility infrastructure is planned to be integrated into the Project delivery.

25.1.2.2 *Any development of land is conducted in a manner which reflects the physical constraints on its use and development and minimises any adverse effects on the environment.*	***25.1.2.2a*** *Development of land shall:* *i. Not result in increased risk of erosion, subsidence, slippage, or inundation,* *ii. Wherever possible, avoid or mitigate any adverse effects on water quality and quantity, and* *iii. Avoid or mitigate adverse effects on significant infrastructure.*

Comment

Project construction effects will be managed by a series of management plans to mitigate any potential adverse effects on water quality, erosion, inundation and existing significant infrastructure.

25.1.2.3 *Land affected by soil contaminants is identified and made safe for its intended use before any change of use, development, or subdivision.*	***25.1.2.3a*** *Any use, development and subdivision shall minimise the adverse effects that may arise from land affected by soil contaminants.* ***25.1.2.3b*** *Land affected by soil contaminants shall be remediated to a level, or managed in a way, that is suitable for its intended use.*

Comment

Potential land contamination has been identified from previous rural land uses in the corridor. Additional contamination investigations will be necessary prior to soil disturbance to determine the actual levels of contamination within the Project extent. Consents will be sought where necessary with the appropriate management plans in place to minimise any risks to human, plant and animal health, and water, air and soil quality.

Section 25.2 Earthworks and Vegetation Removal	
25.2.2.1 *Minimise the adverse effects of earthworks and vegetation removal on people, property, and the environment.*	***25.2.2.1a*** *Earthworks and vegetation removal shall occur in a way that:* *i. Minimizes adverse effects on existing landforms, natural features, and significant vegetation.*

Objectives	Policies
	ii. *Maintains natural processes and features including natural drainage patterns and streams.* iii. *Does not create new or exacerbate existing natural hazards.* iv. *Minimizes adverse effects on land and water, especially effects such as erosion and sedimentation.* v. *Creates practicable building sites, efficient use of land and infrastructure, ensures effective stormwater flow paths, and a safe living and working environment.* vi. *Minimizes dust, noise, and runoff.* vii. *Adopts a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River and those effects that threaten serious or irreversible damage to the Waikato River.* viii. *Maintains or enhances riparian vegetation on the margins of natural watercourses and wetlands.*

Comment

The effects of earthworks will be minimised through the development and implementation of a CEMP and associated CESCP to limit adverse effects of erosion and sedimentation during construction.

Section 25.8 Noise and Vibration	
25.8.2.1 *Activities have minimal adverse noise and vibration effects on other activities and sites, consistent with the amenity values of the receiving environment.*	***25.8.2.1a*** *The amenity values of the surrounding neighbourhood and adjoining activities, especially noise-sensitive activities, shall be protected from the effects of unreasonable noise.* ***25.8.2.1c*** *Noise effects arising from new and altered roads should be managed using best practicable options to ensure noise levels received by existing premises and facilities that are sensitive to noise are reasonable.* ***25.8.2.1e*** *Noise from non-residential activities in residential areas shall not unduly adversely affect residential amenity values.*

Comment

There are four existing noise sensitive receivers near the Project. An acoustic and vibration assessment has been prepared to assess the potential noise and vibration effects of the Project and is included in **Appendix K**. The noise and vibration effects are assessed as negligible.

Section 25.13 Three Waters	
25.13.2.1 *Water resources are protected from the adverse effects of subdivision and development.*	***25.13.2.1a*** *Subdivision and development is located and designed to minimise adverse effects on ground and surface water resources, particularly the life-supporting capacity of water bodies and their riparian margins.* ***25.13.2.1b*** *Subdivision and development on the margins of natural watercourses and wetlands should be located and designed to maintain, and where possible enhance:*

Objectives	Policies
	i. Riparian margins *ii. Water quality* *iii. Water resources.* *iv. Aquatic habitats.*
Comment The potential adverse effects on waterways will be managed appropriately with a construction management plan. The Project includes opportunities for enhanced water quality and aquatic habitats.	
25.13.2.3 *Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:* • *Integrated* • *Effective* • *Efficient* • *Functional* • *Safe* • *Sustainable*	***25.13.2.3c*** *Three Waters infrastructure is to be designed and constructed in accordance with any existing Structure Plan and relevant Integrated Catchment Management Plan.*
Comment The Project reflects the Three Waters outcomes sought in the RSP and approved ICMPs.	
Section 25.14 Transportation	
25.14.2.1 *An integrated multi-modal transport network that meets national, regional, and local transport needs and is:* • *Responsive* • *Efficient* • *Affordable* • *Safe* • *Accessible* • *Sustainable* • *Integrated with land use*	***25.14.2.1a*** *The transportation network and related infrastructure is planned, designed, constructed and managed in a manner that:* *i. Contributes to a transportation network that:* *ii. Is accessible to all users, including transport disadvantaged and mobility impaired.* *iii. Maximises opportunities for walking, cycling and passenger transport.* *iv. Creates good connections between residential areas, passenger transport series, schools, employment nodes, recreation areas, shops, and other destinations.* *v. Provides a choice of routes and transport modes for travelling.* ***25.14.2.1b*** *The transportation network and related infrastructure is planned, designed, constructed, and managed in a manner that:* *i. Enables flexible management of transport corridors to allow them to perform their function within the City's transport corridor hierarchy.* *ii. Promotes energy conservation and efficiency.* *iii. Promotes a safe and efficient transport network.* *iv. Allows for network utility infrastructure, and streetscape amenity.* *v. Provides access to and has regard for the safety and needs of the mobility impaired, transport disadvantaged, cyclists, pedestrians, passenger transport users, and others using the transport corridor to move from place to place.*

Objectives	Policies
	vi. *Contributes to the social, economic, cultural, and environmental needs of current and future users of the transport network.* *vii.* *Takes account of the whole of life operational and maintenance costs of the transport network.*

Comment

The Project provides the opportunity for a high quality urban design, transport and infrastructure network. The ULDF sets out how the Project deliberately achieves this objective and policies to achieve a well-integrated land use and transport network for the RSP.

Section 25.15 Urban Design	
25.15.2.5 *Urban environments that integrate land use with transport planning to provide permeable, highly connected, and sustainable transport networks.*	***25.15.2.5b*** *Development promotes connectivity and accessibility with pedestrian routes, cycle ways, public reserves and green corridors.*

Comment

The ULDF sets out how the Project provides opportunities for the integrated land use and transport network can positively contribute to this objective and policy.

Overall, the Project is in accordance with the relevant objectives and policies of the HCDP.

9.8.1 Hamilton City Council Plan Change 12

Council publicly notified 'Plan Change 12 – Enabling Housing Supply' on Friday 19 August 2022 and submissions closed on Friday 30 September 2022. The plan change is HCC's response to the NPS-UD and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

Initial HCC hearings on preliminary legal and strategic matters have been held during February 2023. At the time of lodgement of the NoR, hearings for the plan change have been put on hold to align with proposed Plan Change 14 (Flood Hazard) which is due to be notified in early 2024. Therefore, the provisions of Plan Change 12 are still subject to change.

For Rotokauri, Plan Change 12 amends the Medium Density Residential areas by providing for increased density up to three stories and three dwellings and a further increase in bulk and location provisions enabling taller developments near neighbourhood centres.

While these are consistent with the previous RSP Medium Density Zone Rules it provides the ability to consider higher densities in conjunction with development master plans/development agreements to achieve a desirable built form and range of residential typologies to meet demand. Development Master Plans will include consideration of the infrastructure located within transport corridors to enable larger scale bulk three waters infrastructure.

The plan change also removes character overlay areas such as the ridgeline character areas within Rotokauri. The implications of these proposed changes may result in higher residential densities. A higher density of residential dwellings may result in earlier modal shift and public transport provisions to avoid reliance of private motor vehicles.

Section 25.14.2 introduces new Transportation objectives and policies to which the Project is strongly aligned. These include to;

- accommodate growth by minimising the building of new, or widening of existing corridors to accommodate growth unless they are being widened to accommodate stormwater treatment, street trees or dedicated facilities for public transport, walking, cycling or micro-mobility,
- provide high quality multi-modal connections,
- prioritise the needs of transport modes which are higher in the transport mode hierarchy, and enabling and prioritising walking, cycling micro-mobility and public transport over private vehicles.

The ITA attached in **Appendix N** includes an uplift/sensitivity test to assess the potential impact of the Medium Density Residential Standards. It is assumed to increase traffic volumes by 20-30% overall. Notwithstanding this uncertainty, the allocation of space for various transport users within the corridors has a degree of flexibility to reflect different outcomes while maintaining a high degree of urban design and an acceptable level of service within the transport network. The network is proposed to be multi-modal. The NoR provides an adequate corridor to operate passenger transport, active modes as well as general traffic. Operationally as demand increases there is the ability to adapt by operating the corridor to prioritise public transport (i.e. more frequent bus services, bus priority, transit or bus lanes etc).

9.8.2 District Plan Transportation Review

The key design elements relevant to this Project are identified in the following table along with an assessment of compliance against District Plan requirements.

Table 6: District Plan: Volume 2: Appendix 15 Transportation: Table 15-6a)ii

Classification	District Plan legal width	Proposed legal width
Major Arterial		
Industrial land use	Specific design	Te Kowhai Road East – 27.0m
Minor Arterial		
Residential land use	Specific design	Proposed Minor Arterial North – 30.0m
Industrial land use	Specific design	Te Kowhai Road West – 29.0m Proposed Minor Arterial North – 30m
Business centres land use	Specific design	Proposed Minor Arterial North – 25.0m
Collector		
Residential land use	23m	Chalmers Road – 23.6m Arthur Porter Drive – 23.0m
Industrial land use	23m	Chalmers Road – 23.6m
Local		
Industrial land use	20m	New Local Road – 20.0m
Carriageway width	Specific design requires case by case consideration of the design elements in the local context. This will be undertaken with input from Council's City Infrastructure engineers during detailed design.	
Movement lane width	The proposed movement lane width ranges from 3.3-4.25m depending on the road function and classification. It is noted the Te Kowhai Road East movement lane does not widen when it passes through the Industrial Land use (to achieve Industrial Road movement lane widths), a consistent lane width is preferred.	
Berm requirements	The proposed cross-section provides approximately 5m to 8m of berm width to accommodate back berm / utilities, footpaths, separated shared paths, tree vegetation, and indented parking.	

	Specific design requires case by case consideration of the design elements in the local context. This will be undertaken with input from Council's City Infrastructure engineers during detailed design.
On street parking	Te Kowhai Road East provides a 3m wide space for recessed on street parking which meets the on-street parking requirements for industrial roads within the District Plan. Parking provision is only provided on the minor arterial section of Te Kowhai Road East, not the major arterial section.
Footpath requirements	Footpath provisions are catered for across the entire arterials development and range from 1.8m to 2m in width.
Cyclepath requirements	Cycle volumes are envisioned to be high due to the significant provision of active mode facilities including separate footpaths, cycleways, and greenway cycleways. Specifications of these features are as follows: • Footpaths – 1.8m to 2m • Cycleways (per directional lane) – generally 2.2m This achieves the requirement. Provision for cyclists on and off the carriageway shall be subject to scheme plan approvals and designed in consultation with the Transportation Manager and, where appropriate, the Manager Parks & Gardens Unit.

Overall

The Project is consistent with the transportation performance standards of the HCDP.

9.9 Other Matters

Section 168A(3)(d) of the RMA requires the consideration of any other matter the territorial authority considers reasonably necessary to make a decision on the requirement. The following documents are considered relevant to the Project and have been assessed below.

9.9.1 Access Hamilton 2022

The updated 2022 Access Hamilton strategy outlines how Hamilton's key transport partners will collaborate to achieve the following shared vision:

'Our transport network enables everyone to connect to people and places in safe, accessible, and smart ways.'

The strategy includes anticipated outcome areas/ key influences to be achieved by adopting Access Hamilton as provided in **Figure 25** below:

Figure 25: Access Hamilton 2022 Outcome Areas

The Project vision, objectives and urban design principles are described in Part 3 of the ULDF attached as **Appendix J.** These principles reflect the project specific focus of a well-integrated and future proofed network that allows for multimodal travel. The Project also integrates with surrounding infrastructure such as the Greenway Corridor, Rotokauri North Sports Park, and the existing consented development within the RSP area. The Project is consistent with the Access Hamilton outcomes.

9.9.2 Future Proof

The Future Proof Strategy is a 30-year growth management and implementation plan for the Hamilton, Waipaa and Waikato sub-region. In October 2021, Future Proof released an updated strategy which retains the core elements of the 2009 and 2017 Strategy, however, also incorporates the Hamilton to Auckland (H2A) Corridor Plan and the Hamilton-Waikato Metropolitan Spatial Plan. This reflects the importance of the H2A corridor stretching through the north-Waikato and into Auckland and the connections east towards Morrinsville and the Bay of Plenty.

The updated strategy reflects key national documents and initiatives such as the NPS-UD and the Government's Urban Growth Agenda.

The Project enables the updated Future Proof growth allocations for the RSP to be realised in a well serviced efficient and safe way with a range of transportation modal choices.

9.9.3 Hamilton-Waikato Metro Spatial Plan

The Hamilton-Waikato Metropolitan Plan (Metro Spatial Plan) is being delivered through the Future Proof partnership as part of the broader Hamilton to Auckland Corridor Plan.

The Metro Spatial Plan presents an opportunity to influence the type and location of land use and infrastructure which will shape the future Hamilton-Waikato area.

The Metro Spatial Plan will be brought to life through a comprehensive implementation approach which consists of an urban growth programme of priority actions designed to achieve transformational change. A further detailed programme of action will be agreed, updated, and monitored through the Future Proof partnership.

The Metro Spatial Plan considers the urban growth anticipated within the RSP and how this integrates into the future context for Hamilton City.

The provision of strategic infrastructure within the RSP will support economic growth at both a local and regional level. At a local level, the provision of infrastructure will provide access to local amenities and businesses in the proposed new town centre and within the wider development. This will positively impact the viability of local businesses and attract new businesses to the development.

At a regional level, strategic infrastructure will support regional economic growth by integrating people movement and residential and business activity with the wider transport network in Hamilton and the sub-region.

9.9.4 Hamilton Urban Growth Strategy 2023

The Hamilton Urban Growth Strategy (HUGS) is Hamilton's spatial vision for the City. HUGS set out the long-term strategy that helps inform other Council plans, such as the Long Term-Plan and 30-year Infrastructure Strategy, and helps guide Council's timing, and the order, of infrastructure investment. The RSP is a high-priority future growth cell for the City.

The Project will allow residential and employment growth within the RSP to be developed in an integrated way that creates an identity for Rotokauri and a strong sense of place. Residential development in this area is

currently fast and ad hoc, delivering an outcome that lacks consistency and coordination across the cell. The Project if confirmed will enable the development of locally strategic transportation networks with a strong multi modal focus supporting liveable communities directed by HUGS.

9.9.5 Tai Tumu Tai Pari Tai Ao - Waikato-Tainui Environmental Plan

Tai Tumu Tai Pari Tai Ao is the Environmental Management Plan (Environmental Plan) for Waikato-Tainui. In considering a NoR under section 168A of the RMA, the consent authority must have regard to the Environmental Plan The relevant objectives and policies are assessed in **Table 7** below.

Table 7: Tai Tumu Tai Pari Tai Ao - Waikato-Tainui Environmental Plan

Objectives	Policies
Section 16 Valuable Historical Items, Highly Prized Sites and Sites of Significance	
Objective 16.3.4 – Discovery of Taonga (including archaeological sites) *"Procedures are in place to manage the discovery of taonga and archaeological sites"*	***Policy 16.3.4.2 – Taonga Discovery*** *"To ensure that a clear protocol is followed in the event of discovering taonga"* ***Policy 16.3.4.2 – Archaeological Sites*** *"To ensure that the appropriate protocol for the accidental discovery of archaeological sites is followed."*
Objective 16.3.5 – Areas and Sites of Significance *"The adverse effects of resource use and activity operation are managed so as to appropriately protect areas and sites of significance."*	***Policy 16.3.5.1 –Areas and Sites of Significance*** *"To ensure that the adverse effects of resource use and activity operation are managed so as to appropriately protect areas and sites of significance"*
Comment The identification of valuable historical items, highly prized sites and sites of significance has been expressed in the CIA as included in **Appendix I.** Discovery protocols to protect these finds and any significant sites have been agreed with mana whenua as kaitiaki. These are reflected as draft condition to the proposed designation.	
Section 19 – Freshwater	
Objective 19.4.1 – The relationship between Waikato-Tainui and water *"Waikato-Tainui engage and participate in the highest level of decision-making on matters that affect waters in the Waikato-Tainui rohe."*	***Policy 19.4.1.1 – Decision making*** *"To ensure that Waikato-Tainui engage and participate in the highest level of decision-making on matters that affect waters in the Waikato-Tainui rohe"*
Objective 19.4.3 – Water quality (integrated catchment management) *An integrated and holistic approach to management of water is achieved.*	***Policy 19.4.3.1 – Integrated Catchment Management*** *"To ensure that there is an integrated and holistic approach to catchment management that is effective and informative, and the scope of planning is broad."*
Comment Waikato-Tainui have engaged with HCC during the development of the ICMPs which take an integrated and holistic approach to the management of water quality in the Rotokauri growth cell. The Project reflects the outcomes sought in the ICMPs and recognises the relationship between Waikato-Tainui and water through the proposed LMP to enhance existing water bodies and provide additional habitat for indigenous taonga species.	
Section 20 – Wetlands	
Objective 20.3.2 – Access	***Policy 20.3.2.1 – Access***

"The relationship of Waikato-Tainui with its wetlands is enhanced through the restoration of wetlands and enhanced/ permitted access for cultural purposes."	*"To ensure that the relationship of Waikato-Tainui with its wetlands is enhanced through the restoration of wetlands and enhanced/permitted access for cultural purposes."*

Comment

The Project provides enhanced connectivity and public access to existing natural wetlands and natural features (including Lake Waiwhakareke and Lake Rotokauri). Additional artificial wetland areas are created as a result of the Project which will provide public access to additional habitat for indigenous taonga species.

Section 21 – Land	
Objective 21.3.1 – Effectively manage soil erosion *"Activities that accelerate soil erosion are managed effectively, including through the reforestation and retirement of marginal lands from existing intensive and environmentally unsustainable land uses."*	***Policy 21.3.1.2 – Land Development*** *All major excavation works that have the potential to impact on waterways shall have sufficient erosion and sediment control measures in place to ensure that adverse effects on water bodies are managed.*
Objective 21.3.4 – Achieve Integrated Catchment Management, including floodplain and drainage management *"Integrated catchment management occurs across the entire rohe of Waikato-Tainui, including in catchments that impact on, or flow into the Waikato-Tainui rohe. Integrated catchment management includes the effective and sustainable management of floodplains and drainage areas to promote natural habitat enhancement."*	***Policy 21.3.4.1 – Integrated Catchment Management Plans and Land Use*** *"To promote the development and use of integrated catchment management plans that adequately considers land use, floodplain and drainage management and that promotes habitat restoration."*

Comment

Construction of the Project will involve significant earthwork volumes. Soil erosion and sedimentation effects have been assessed. Draft conditions are proposed to manage erosion and sediment and measures will be developed closer to works commencing.

Section 25 – Land use Planning	
Objective 25.3.1 – Approach to land use and development *"Development principles are applied to land use and development (urban and rural) and, in particular, development in new growth cells, that enhance the environment."*	***Policy 25.3.1.1 – Approach to land use and development*** *"To encourage development principles to be applied to land use and developments (urban and rural) and, in particular, development in new growth cells, that enhance the environment."*
Objective 25.3.2 – Urban and rural development *"Urban and rural development is well planned, and the environmental, cultural, spiritual, and social outcomes are positive."*	***Policy 25.3.2.1 – Urban Development*** *"To ensure that urban development is well planned, and the environmental, cultural, spiritual, and social outcomes are positive."*
Objective 25.3.3 – Positive environmental and cultural effects *"Land use and development has positive environmental and cultural effects."*	***Policy 25.3.3.1 – Positive environmental and cultural effects*** *"To ensure that land use and development, particularly new land use and development, has positive environmental and cultural effects."*

Comment

The Project confirms the extent, form and function of the strategic transport and infrastructure corridors required to enable continued planned urbanisation of the RSP. The ULDF in **Appendix J** reflects a design philosophy that responds to a high-quality urban form that provides for positive environmental, cultural, spiritual and social outcomes. Mana

whenua have positively contributed to the development of the ULDF and the subsequent optioneering which has resulted in these features being incorporated in the Project.

Section 26 Infrastructure	
Objective 26.3.1 – Waikato-Tainui engagement *"Infrastructure development, upgrade, and maintenance within the Waikato-Tainui rohe occurs in partnership with Waikato-Tainui."*	***Policy 26.3.1.1 – Waikato-Tainui engagement*** *"To ensure that infrastructure development, upgrade and maintenance within the Waikato-Tainui rohe occurs in partnership with Waikato-Tainui"*
Objective 26.3.2 – Infrastructure development, upgrade, and maintenance *"Infrastructure development, upgrade, and maintenance manages economic, social, cultural, spiritual, and environmental effects."*	***Policy 26.3.2.1 – Infrastructure development, upgrade, and maintenance*** *"To ensure that infrastructure development, upgrade, and maintenance manages economic, social, cultural, spiritual, and environmental effects."*
Comment The development of the Project has included close alignment with Waikato-Tainui as members of THaWK and these outcomes have been reflected in the final design of the Project.	

Overall, the proposal is in accordance with the relevant objectives and policies of the Environmental Plan.

9.9.6 Te Rautaka Taamata Ao Turoa o Hauaa – Ngaati Hauaa Environmental Management Plan 2018

Te Rautaka Taamata Ao Turoa o Hauaa is the Environmental Management Plan for Ngaati Hauaa. In considering a NoR under section 168A of the RMA, the consent authority must have regard to the Environmental Management Plan . The relevant objectives and policies are assessed in **Table 8** below.

Table 8: Te Rautaka Taamata Ao Turoa o Hauaa – Ngaati Hauaa Environmental Management Plan 2018

Objectives	Policies
Section 9 Sustainable Land Development	
Objective 1. *A more integrated, holistic, and collective approach to sustainable land use, development, and management within our rohe. This is to provide for population growth without compromising the productive capacity of our soils or life supporting capacity of our environment.*	***Policy 9A*** *Work collaboratively to ensure a holistic and integrated approach is taken to the sustainable use, development, and management of land within our rohe*
Objective 3. *Recognition of Ngāti Hauā values, interests and Mātauranga in relation to the sustainable management and development of land, particularly underutilized Māori Land, within our rohe. This means that:* • *Our aspirations for developing our lands are not unfairly disadvantaged by water allocation, water quality and any potential restriction on land use.* • *Our intergenerational knowledge and experience are valued.* • *Our role as a Treaty partner and post settlement governance entity is recognised.*	***Policy 9B*** *Manage the potential effects of rural and urban land use and development within our rohe.*

Objectives	Policies
• *We are actively involved in land catchment management, planning and decision making.*	

Comment

Engagement with Ngaati Hauaa has been facilitated through engagement with THaWK. Their aspirations have been reflected in the CIA attached in **Appendix I**. Draft conditions of the designation are proposed to give effect to mana whenua values and aspirations for the RSP area where they can be accommodated within the Project.

Section 11 Water	
Objective 1. *The mauri of freshwater within our rohe is restored and protected. This means that:* • *Water is plentiful and clean enough for drinking, swimming, and sustaining plentiful mahinga kai.* • *Water allocation occurs in a manner that sustainable and consistent with the natural limits of our rivers, streams, and aquifers.* • *Water is allocated fairly and used efficiently and responsibly.* • *Waterways are accessible for customary use e.g., gather mahinga kai.*	***Policy 11A*** *Work collaboratively to ensure a holistic and integrated approach is taken to restoring the mauri of freshwater within our rohe*
Objective 2. *Recognition of Ngaati Hauaa values, interests and Mātauranga in relation to freshwater planning and management within our rohe. This means that:* • *Aspirations for marae, papakāinga and Māori land development is not unfairly disadvantaged by freshwater allocation and quality.* • *Our intergenerational knowledge and experience is valued.* • *Our role as a Treaty partner and post settlement governance entity is recognized.*	***Policy 11C*** *Avoid further degradation of water quality within our rohe.*
Objective 3. *Protection and revitalization of our traditional knowledge and practices, regarding our rivers, streams, and aquifers (puna).*	***Policy 11D*** *Build traditional and contemporary knowledge about our wai.*

Comment

The Project provides for extensive opportunities to improve existing water quality and the habitats of indigenous species. Opportunities for the ongoing transfer of mātauranga and to grow intergenerational knowledge has been captured in the CIA included in **Appendix I**.

Section 12 Wetlands	
Objective 1. *Protect, restore, and enhance the mauri of all wetlands and associated ecosystems within our rohe. This means that:* • *Wetland ecosystems are diverse, providing healthy habitats for flora and fauna.*	***Policy 12A*** *Ensure no further degradation or loss of remaining wetlands within our rohe.* ***Policy 12B***

Objectives	Policies
• *The area of wetlands within our rohe increases over time.* • *Our traditional knowledge and practices associated with wetlands are restored and revitalized.*	*Work collaboratively to increase the extent of wetlands within our rohe by at least 10 hectares by 2028.*

Comment

The EcIA identifies several existing wetland habitats that need further assessment prior to any resource consents being obtained for construction works to manage any risk of damage or destruction. The loss of these natural wetlands results from the Greenway corridor. If resource consents for the Greenway are successful, the loss of the wetlands will be an effect of that Project. The outcome of those consents is not yet known. The Project includes the development of artificial wetlands to provide additional habitat for indigenous taonga species and improve water quality in the existing RSP area.

Section 15. Cultural Heritage	
Objective 1 *Our sites and areas of cultural significance to be identified, mapped, protected and where possible, restored.*	***Policy 15A*** *Manage the potential effects of land disturbance activities (e.g., earthworks) on our cultural heritage.* ***Policy 15B*** *Work collaboratively and strategically to protect, manage and/or restore wāhi tapu within our rohe* ***Policy 15C*** *Enable the revitalization of our traditional knowledge and practices associated with our cultural heritage.*
Objective 2. *Our knowledge and history associated with our cultural heritage (including sites, areas, landscapes, and practices) is collated, protected, and passed onto the next generation.*	

Comment

The CIA included in **Appendix I** includes accidental discovery protocols to manage the effects of the Project on any accidental finds. HCC as requiring authority is committed to continuing to work with tāngata whenua during detailed design and implementation phases as proposed in draft Condition 4.1. These phases provide ongoing opportunities for cultural narratives and design expression in the Project.

9.9.7 Te Mata Herenga Ngaati Tamainupoo Maatauranga and Taonga Management Plan 2021

The purpose of the Te Mata Herenga - Ngaati Tamainupoo Mātauranga and Taonga Management Plan is to serve as the first-generation plan for Ngāti Tamainupoo to direct external agencies and organisations, and developers and their agents, on the management and use of Ngāti Tamainupoo mātauranga and taonga. This is further assessed in **Table 9** below.

Table 9: Te Mata Herenga Ngāti Tamainupoo Mātauranga and Taonga Management Plan 2021

Sections
Aspects of relevance to the Project include: *Te Pou Tuatahi – Rangatiratanga of Ngāti Tamainupoo is Recognised* 1. *Te Tiriti o Waitangi is the foundation for an effective equal partnership between Ngāti Tamainupoo and the Crown and its agencies (Central and Local Government).* 2. *Ngāti Tamainupoo will be recognised by central and local government as rangatira and kaitiaki of our mātauranga and taonga.* 3. *Ngāti Tamainupoo have an expectation that the principles of Te Tiriti o Waitangi will be upheld by central and local government.*

Comment

Engagement with Ngāti Tamainupoo has been facilitated through THaWK who have a partnership with HCC as the requiring authority.

Te Tuurangao Ngāti Tamainupoo | Positional Statements Our Natural Environment.

Our Relationship with Te Taiao Te Pou Tuatahi – Rangatiratanga of Ngāti Tamainupoo is Recognised

38. *Ngāti Tamainupoo maintains control of our mātauranga. Our mātauranga connects us to our taonga. Our taonga are important contributions to our mātauranga in how we practice our culture and traditions.*
39. *Ngāti Tamainupoo have mana whenua and kaitiaki rights and interests in the use of our mātauranga and the effects and impacts on our taonga. Ngāti Tamainupoo should be recognised beyond that of a stakeholder. Te Pou Tuarua – Active Protection of Ngāti Tamainupoo Maatauranga and Taonga*
40. *Our role as kaitiaki to safeguard our unique relationship with, and mauri of, our taonga to ensure our culture and traditions are practiced for future generations.*
41. *As kaitiaki, Ngāti Tamainupoo have unquestionable rights to protect the relationship it has with our taonga, taonga species, and a right to a reasonable level of control over our mātauranga.*

Comment

The CIA included in **Appendix I** provides expression of kaitiakitanga and secures opportunities for Ngaati Tamainupoo to exercise Rangatiratanga and control over their mātauranga on the Project through the THaWK collective of hapū.

Te Tuuranga o Ngaati Tamainupoo / Positional Statements – Ngaati Tamainupoo Association Overlay

42. *The Ngāti Tamainupoo Association Overlay is a visual tool to clearly advise Central and Local Government agencies; Developers, Resource Users and Crown Owned Entities; and Tertiary Education and Crown Research Institutes of specific sites and taonga within the takiwaa /pouwhenua of particular value and importance to Ngāti Tamainupoo. Te Pou Tuarua – Active Protection of Ngāti Tamainupoo Mātauranga and Taonga*
43. *The Ngāti Tamainupoo Association Overlay visually identify areas and features that are of value and significance to Ngāti Tamainupoo within our takiwaa / pouwhenua, which Ngāti Tamainupoo will seek measures/efforts to protect, preserve, enhance, and maintain the health and wellbeing of these taonga. Te Pou Tuawhaa – Resource Management Decisions that Manage the Effects and Impacts on Our Taonga are Informed with Our Mātauranga*
44. *The Ngaati Tamainupoo Association Overlay is a visual tool for professional and practitioners to ensure Ngāti Tamainupoo values and interests are considered in the preparation and consideration/assessment of resource consent/permit/authorisation applications.*

Comment

The importance of the Wai (waters) within Rotokauri is included within the overlay and recognised as taonga. The Project provides many opportunities for enhancement and restoration of ecological areas and habitat for indigenous taonga species. Opportunities for mana whenua to participate in these processes are captured in the CIA and proposed in draft condition 4.1.

Te Tuuranga o Ngaati Tamainupoo / Positional Statements – Emerging Resource/Environmental Management Issues

68. *Through active engagement (includes collaboration) and partnership with Ngāti Tamainupoo will improve the chances of achieving successful outcomes and addressing challenges. Te Pou Tuawhaa – Resource Management decisions that Manage the Effects and Impacts on Our Taonga are Informed with Our Mātauranga*
69. *Inquiry should be broadened by including Ngaati Tamainupoo in processes and decisions that affect/impact Ngāti Tamainupoo, and communities within our takiwaa / pouwhenua.*
70. *The values and kaitiaki interests of Ngāti Tamainupoo are not ignored, nor the engagement with Ngaati Tamainupoo are avoided, at the expense of expediency in policy development and streamline/fast-track processing of permits/authorisations/consents, when responding to a crises or emergency.*
71. *Ngāti Tamainupoo have developed detailed mātauranga / knowledge of the vulnerabilities and resilience of our taonga in our natural environment (including our local landscapes) within our takiwaa / pouwhenua through local experiences and observations. Te Tuuranga o Ngaati Tamainupoo / Positional Statements – Whenua: Land Te Pou Tuatahi – Rangatiratanga of Ngāti Tamainupoo is Recognised*
72. *Our source of identity is embodied in the landscapes and waterscapes within our takiwaa / pouwhenua.*

73. *The cultural landscape and identified sites of importance within our takiwaa / pouwhenua embodies the history, heritage, and the culture of Ngāti Tamainupoo. Our landscapes and sites of importance are taonga, and our history, heritage and culture are informed by our mātauranga. Ngāti Tamainupoo are kaitiaki of our landscapes, and rangatira of our mātauranga.*
74. *Whenua/land, especially whenua Māori, is a taonga that can enable Ngāti Tamainupoo to sustain, manaaki and cater for the wellbeing of our whānau, marae, and our communities. Te Pou Tuarua – Active Protection of Ngāti Tamainupoo Mātauranga and Taonga*
75. *Prominent landscapes and sites of importance within the takiwaa / pouwhenua, whether in whole or in part, will be protected by Ngāti Tamainupoo from inappropriate land use and development to protect our history, our heritage, and our culture.*
76. *Ngāti Tamainupoo are the kaitiaki and will seek measures/efforts to protect, and avoid significant adverse effects and impacts on, existing indigenous/native biodiversity and taonga species within the takiwaa / pouwhenua. Te Pou Tuatoru – Working in Partnership (or Reasonable Co-Operation) to Achieve Positive Outcomes for Ngāti Tamainupoo*
77. *Due to the loss of native biodiversity, Ngāti Tamainupoo is open to work with stakeholders on species restoration initiatives in the takiwā / pouwhenua to reverse the decline and extinction of taonga, especially those taonga that are of cultural and spiritual significance to Ngāti Tamainupoo.*
78. *Ngāti Tamainupoo are open to working in partnership and collaboration to protect and restore our history, our heritage, and our culture associated with landscapes and sites of importance to Ngāti Tamainupoo.*
79. *The loss of ancestral lands is a key issue for Ngāti Tamainupoo. Opportunities to receive (or purchase) whenua in the takiwaa / pouwhenua of Ngaati Tamainupoo will be sought. Te Pou Tuawhaa – Resource Management Decisions that Manage the Effects and Impacts on Our Taonga are Informed with Our Mātauranga*
80. *The relationship of Ngāti Tamainupoo with indigenous/native biodiversity and taonga species are recognised and provide for in resource management assessment and decisions. 81. The cultural values effects assessment must be sought from Ngāti Tamainupoo or activities that will impact our history, our heritage, and our culture.*

Comment

HCC as the requiring authority is committed to continuing to work with Ngāti Tamainupoo to achieve these outcomes to the extent reasonably practicable within the Project. HCC will continue to explore opportunities to deliver a Project in partnership with mana whenua that recognises the special connection mana whenua have with these ancestral lands and is proposed in draft condition 4.1.

10 Proposed Designation Conditions

HCC as the requiring authority proposes the following designation conditions, which have been referenced in various sections of this report. Currently there is no funding allocated for the construction of the Project. HCC is seeking a designation period of **15 years** to provide more opportunity for the necessary funding to be secured and construction of the Project to align with development demand in the Rotokauri growth cell**.**

It is requested that the territorial authority circulate any draft conditions to Beca as HCC's agent for review, prior to recommending the designation.

General	
1.1	Except as modified by the conditions below and subject to detailed design, the Project must be undertaken in general accordance with the Rotokauri Strategic Transport and Three Waters Infrastructure Designation Notice of Requirement dated 24 April 2024 (**NoR**), including the Assessment of Effects on the Environment and the NoR appendices.
1.2	The Project must be undertaken in accordance with any: a. Approved Outline Plan(s); and b. Management Plan(s) required by these conditions.
1.3	Where there is inconsistency between the NoR and these conditions, these conditions prevail.
1.4	Any reference in these conditions to a New Zealand Standard or an International Standard includes any later Standard that amends or replaces it.
Lapse	
2.1	The Designation will lapse if not given effect to within 15 years from the date on which it is included in the District Plan under section 175 of the Resource Management Act 1991 (**RMA**).
Complaints Management	
3.1	At all times during enabling or construction works, the Requiring Authority must maintain a register of any complaints received in relation to adverse effects of the enabling or construction works for the Project. The register must include: a. The name and contact details of the complainant (if supplied) b. The nature and details of the complaint c. Location, date and time of the complaint and the alleged event giving rise to the complaint d. The weather conditions at the time of the event (as far as practicable), including wind direction e. Other activities in the area, unrelated to the Project, that may have contributed to the complaint f. The outcome of the Requiring Authority's investigation into the complaint; and g. A description of any measures taken to respond to the complaint
3.2	The Requiring Authority must respond to the complainant as soon as reasonably practicable, as appropriate to the urgency of the circumstances, and within 10 working days at the latest.
Cultural Impact Assessment	

4.1	Prior to the commencement of construction, the Requiring Authority, the hapuu of Te Haa, and Te Haa O Te Whenua O Kirikiriroa, will engage in discussions to progress the implementation of the recommendations in the Cultural Impact Assessment report, and to identify opportunities for hapuu members to undertake educational and environmental activities, such as environmental monitoring and movement of fish as part of ecological management during and after construction. The outcomes of this engagement will be reported to the Territorial Authority, prior to, or in conjunction with, the Outline Plan lodged pursuant to section 176A of the RMA.
Discovery of Archaeological or Culturally Significant Finds	
5.1	Any earthworks in the areas of historical, cultural, and spiritual significance identified in the Archaeological Assessment (Sian Keith Archaeology Ltd dated June 2023 attached to the NoR as Appendix F, must be monitored by a suitably qualified archaeologist. **Advice Note**: Any archaeological monitoring will be undertaken in accordance with any authority/s obtained from Heritage New Zealand Pouhere Taonga (**HNZPT**) for the Project.
5.2	The Requiring Authority must give at least 20 working days written notice of the date that the construction contractor intends to commence earthworks or construction activity to: a. Te Haa O Te Whenua O Kirikiriroa and Ngaati Wairere to enable them to: i. Clarify with the contractor the location of sites referred to in the above condition and the procedures that will be observed. ii. Provide the names and contact details of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the Project; and iii. Arrange for the inspection (should they so desire) of the earthworks in the vicinity of identified areas referred to in condition 5.1. b. The Project archaeologist, to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of construction.
5.3	Condition 5.2 only applies if an HNZPT archaeological authority is not in place. If any archaeological sites, remains, artefacts, taonga (Maaori artefacts) or kooiwi are unearthed, dislodged, uncovered, or otherwise found or discovered during the earthworks (the discovery), the Requiring Authority must: a. Notify Te Haa O Te Whenua O Kirikiriroa, Ngaati Wairere, the Project archaeologist and the Territorial Authority within one day of the discovery. b. Cease works in any part of the Project site affected by the discovery. c. Ensure that the Project archaeologist attends the site to confirm whether the material is archaeological in nature and to confirm if kooiwi is discovered. d. Notify the NZ Police, Coroner and HNZPT, as appropriate. e. Undertake specific preservation measures to address any discovery that includes water-logged or wet archaeological materials; and f. Not recommence works in the parts of the Project site affected by the discovery until all necessary statutory authorisations or consents have been obtained.
5.4	The conditions of any HNZPT authority that applies to a site within the Designation area prevail over any inconsistent Designation conditions.
Management Plans – General	

6.1	The following Management Plans must be prepared by a suitably qualified and experienced person and be submitted to the Territorial Authority for certification that they are consistent with the conditions of the Designation: a. Construction Environmental Management Plan. b. Construction Traffic Management Plan with a Stakeholder and Engagement Plan. c. Construction Noise and Vibration Management Plan. d. Construction Erosion and Sediment Control Plan. e. Construction Level Crossing Safety Management Plan. f. Ecological Management Plan; and g. Landscape Management Plan.
6.2	Within 20 working days of receipt of any Management Plan for certification as required under Condition 6.1, the Territorial Authority must notify the Requiring Authority as to whether the Management Plan is certified or whether inconsistencies with the relevant designation condition(s) have been identified and what matters are required to be addressed. If nothing is received the Management Plan will be deemed to be certified.
6.3	Construction works must not commence until the Requiring Authority has received the Territorial Authority's written or deemed certification for the relevant Management Plans.
6.4	Any changes proposed to a certified Management Plan must be confirmed in writing by the Requiring Authority and certified in writing by the Territorial Authority's Chief Executive Officer or nominee within 10 working days of receipt of written confirmation, prior to implementation of those changes. Any changes to Management Plans must remain consistent with the overall objective of the relevant Management Plan.
Construction Environmental Management Plan	
7.1	At least 20 working days prior to the commencement of any earthworks or construction activity within the Designation boundaries (excluding site investigations and enabling works), the Requiring Authority must submit a Construction Environmental Management Plan (CEMP) to the Territorial Authority Chief Executive or nominee for certification.
7.2	The objective of the CEMP is to set out measures that must be implemented to comply with the Designation conditions to avoid, remedy or mitigate potential adverse effects associated with enabling, and the construction of, the Project.
7.3	The CEMP must include, as a minimum: a. The roles and responsibilities of staff and contractors. b. A description of the Project, including: i. The enabling and construction works programmes and staging approach. ii. The enabling and construction works methodologies. iii. A detailed site layout. iv. The design and management specifications for all earthworks on-site, including disposal sites and their location. v. The design of temporary lighting for enabling and construction works and construction support areas. c. The approach to the management of enabling and construction works waste.

	d. A description of training requirements for all site personnel (including employees, sub-contractors, and visitors). e. Environmental incident and emergency management procedures. f. Compliance monitoring, environmental reporting, and environmental auditing. g. The details for emergency contact personnel. h. Site security arrangements; and i. A requirement for a copy of the CEMP to be held at all site offices.
Construction Traffic Management Plan	
8.1	At least 20 working days prior to the commencement of construction works activities, the Requiring Authority must submit a Construction Traffic Management Plan (**CTMP**) to the Territorial Authority Chief Executive or nominee for certification.
8.2	The objective of the CTMP is to minimise adverse effects on property access, traffic safety and efficiency as a result of enabling or construction works activities, and effectively communicate those effects to stakeholders and the public. The CTMP forms part of the CEMP required by Condition 7.
8.3	The CTMP must include, as a minimum: a. Identification of traffic management activities and sequencing proposed for the Project, including staff travel, site access routes, hours of operation for service and Heavy Vehicles. b. A Stakeholder and Engagement Plan which describes how stakeholders and the public will be communicated with and can register complaints during construction in relation to the following matters: c. Methods for managing traffic effects, including through temporary traffic management activities, including: i. To communicate traffic management measures to affected road users. ii. To provide for safe and efficient access of construction vehicles to and from construction sites, including consideration of capacity for queuing vehicles, restrictions on turning movements and sight distances. iii. To maintain vehicle access to property and/or private roads where practicable, or to provide alternative access arrangements when it will not be. iv. To maintain local access during Project works, where practicable. v. For temporary road closures, with road closures to be conducted at times of lowest traffic, at night if practicable. vi. To identify how impacts on the road network from construction related light vehicle movements will be managed during peak traffic periods. vii. To identify how impacts from construction related light vehicle movements will be managed during peak traffic periods. viii. To identify how impacts from construction related Heavy Vehicle movements on traffic flow and level of service of the road network will be managed. ix. To ensure that any construction vehicles leaving the land on which works are being conducted do not deposit soil or other debris on local roads, and the remedial measures to be taken should this occur. d. An explanation of how pedestrian and cycle access will be maintained. e. An explanation of how emergency vehicle access is always provided; and f. Methods to minimise disruption or delays to bus services.
Construction Noise and Vibration Management Plan	

9.1	At least 20 working days prior to the commencement of any earthworks or construction activity within the Designation boundaries (excluding site investigations and enabling works), the Requiring Authority must submit a Construction Noise and Vibration Management Plan (**CNVMP**) to the Territorial Authority Chief Executive or nominee for certification.
9.2	A CNVMP shall be implemented during the Stage of Work to which it relates.
9.3	The objective of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the management of construction noise and vibration effects to achieve the construction noise and vibration standards set out in Conditions 9.4 and 9.5 to the extent practicable. To achieve this purpose, the CNVMP shall be prepared in accordance with Annex E2 of the New Zealand Standard NZS6803:1999 'Acoustics – Construction Noise' (NZS6803:1999, and shall as a minimum, address the following: i. description of the works and anticipated equipment/processes; ii. hours of operation, including times and days when construction activities would occur; iii. the construction noise and vibration standards for the Project; iv. identification of receivers where noise and vibration standards apply; v. management and mitigation options, and identification of the Best Practicable Option; vi. methods and frequency for monitoring and reporting on construction noise and vibration; vii. procedures for communication and engagement with nearby residents and stakeholders, including notification of proposed construction activities, the period of construction activities, and management of noise and vibration complaints; viii. contact details of the Project Liaison Person; ix. procedures for the regular training of the operators of construction equipment to minimise noise and vibration as well as expected construction site behaviours for all workers; x. identification of areas where compliance with the noise [Condition 9.4] and/or vibration standards [Condition 9.5] Category A or Category B will not be practicable and the specific management controls to be implemented and consultation requirements with owners and occupiers of affected sites; xi. procedures and requirements for the preparation of a Schedule to the CNVMP (Schedule) for those areas where compliance with the noise [Condition 9.4] and/or vibration standards [Condition 9.5] will not be practicable and where sufficient information is not available at the time of the CNVMP to determine the area specific management controls [Condition 9.3(x)]; xii. procedures and trigger levels for undertaking building condition surveys before and after works to determine whether any cosmetic or structural damage has occurred as a result of construction vibration; xiii. requirements for review and update of the CNVMP.
9.4	Noise Criteria Construction noise from the Project shall be measured and assessed in accordance with the NZS 6803:1999 and shall, as far as practicable, comply with the following criteria:

Day of week	Time	dB $L_{Aeq(15min)}$	dB L_{Amax}
Buildings containing activities sensitive to noise			
Weekdays	0630 – 0730	55	70
	0730 – 1800	70	85
	1800 – 2000	65	80
	2000 – 0630	45	75
Saturdays	0630 – 0730	45	75
	0730 – 1800	70	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Sundays and Public Holidays	0630 – 0730	45	75
	0730 – 1800	55	85
	1800 – 2000	45	75
	2000 – 0630	45	75
Other occupied buildings			
All days	0730 - 1800	70	n/a
	1800 - 0730	75	n/a

9.5 Vibration Criteria

Construction vibration shall be measured and assessed in accordance with German Standard DIN 4150-3:2016 “Vibrations in buildings – Part 3: Effects of vibration on structures” and comply with the limits in Tables 1 and 4 unless otherwise provided for in the CNVMP.

9.6 Schedule to the CNVMP

a. Unless otherwise provided for in a CNVMP, a Schedule to the CNVMP (Schedule) shall be prepared, in consultation with the owners and occupiers of sites subject to the Schedule to the CNVMP, when:
   i. construction noise is either predicted or measured to exceed the noise standards in Condition 9.4;
   ii. construction vibration is either predicted or measured to exceed the standard in Condition 9.5.

b. The purpose of the Schedule is to set out the Best Practicable Option for the management of noise and/or vibration effects of the construction activity beyond those measures set out in the CNVMP. The Schedule shall include details such as:
   i. construction activity location, start and finish times;
   ii. the nearest neighbours to the construction activity;
   iii. the predicted noise and/or vibration level for all receivers where the levels are predicted or measured to exceed the applicable standards in Conditions 9.4 and 9.5;
   iv. the proposed mitigation;
   v. the proposed communication with neighbours; and
   vi. location, times and types of monitoring.

	c. The Schedule shall be submitted to the Territorial Authority Chief Executive or nominee for information at least 5 working days, except in unforeseen circumstances, in advance of Construction Works that are covered by the scope of the Schedule and shall form part of the CNVMP.
Construction Erosion and Sediment Control Plan	
10.1	At least 20 working days prior to the commencement of any earthworks or construction activity within the Designation boundaries (excluding site investigations and enabling works), the Requiring Authority must submit a 'Construction Erosion and Sediment Control Plan' (**CESCP**) to the Territorial Authority Chief Executive or nominee for certification.
10.2	The objective of the CESCP is to minimise sediment discharge from the site to waterways to the greatest extent practicable and must also include methods to control dust and the impacts of dust on air quality.
10.3	The CESCP must: a. Be based upon and incorporate the relevant principles and practices contained within the Waikato Regional Council document titled "Erosion and Sediment Control – Guidelines for Soil Disturbing Activities" (Technical Report No. 2009/02 – dated January 2009) and subsequent amendments or replacements of that document. b. As a minimum, include, in general terms: i. A description of the principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for ground disturbance and sediment discharge from the site, including flocculation if required. ii. The design criteria and dimensions of key erosion and sediment control structures. iii. A site plan of a suitable scale to identify, in general terms. A. The locations of waterways. B. The likely extent of soil disturbance and vegetation removal. C. Any "no go" and/or buffer areas to be maintained undisturbed adjacent to watercourses. D. Areas of cut and fill. E. Locations of topsoil stockpiles. F. Key erosion and sediment control structures. G. The boundaries and area of catchments contributing to all stormwater impoundment structures. H. The locations of all specific points of discharge to the environment. I. Any other relevant site information. iv. Timetable and nature of progressive site rehabilitation and re-vegetation proposed. v. Maintenance, monitoring and reporting procedures. vi. Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures. vii. Procedures and timing for review and/or amendment to the erosion and sediment control measures listed in the CESCP; and viii. Identification, qualifications, and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.

Construction Level Crossing Safety Management Plan	
11.1	At least 20 working days prior to the commencement of any construction activity within the Designation boundaries (including site investigations and enabling works), the Requiring Authority must submit a Construction Level Crossing Safety Management Plan (**LCSMP**) to the Territorial Authority Chief Executive or nominee for certification.
11.2	The objective of the LCSMP is to ensure that no construction activities relating to the Project compromise the current level of safety at the Te Kowhai Road level crossing of the North Island Main Trunk Line.
11.3	The LCSMP must be: a. Informed by consultation undertaken between the Requiring Authority and KiwiRail; and b. Consistent with the relevant Deed of Grant and any relevant Level Crossing Safety Impact Assessment (LCSIA) prepared by the Requiring Authority.
Ecological Management Plan	
12.1	At least 40 working days prior to the commencement of any earthworks or construction activity within the Designation boundaries (excluding site investigations and enabling works) the Requiring Authority must submit an Ecological Management Plan (**EMP**) to the Territorial Authority Chief Executive or nominee for certification.
12.2	The objective of the EMP is to address the potential adverse effects of the Project on ecological and biodiversity values and deliver the mitigations identified in Table 9 of Appendix G to the NoR.
12.3	The EMP must: a. Present a detailed methodology for the management of ecology within the Project, in general accordance with Ecological assessment which is Appendix G to the NoR dated July 2023. b. Take into account the outcomes of any consultation with mana whenua. c. Include, as a minimum: i. A summary of the terrestrial ecology and biodiversity values and effects of the Project. ii. Measures to avoid, remedy, mitigate, offset, or compensate for adverse ecology effects. iii. Measures to be adopted to limit encroachment of Project works into ecological sites. iv. The location and measures for restoration planting and habitat rehabilitation. v. The location and measures for fauna and avifauna relocation; and vi. An explanation of any regional consents required.
12.4	The management of mudfish shall be undertaken in accordance with Condition 39 of the Greenway Designation. An addendum to the Greenway Mudfish Management Plan shall be prepared to address effects on mudfish arising from the Project.
Landscape Management Plan	
13.1	At least 20 working days prior to the commencement of any earthworks or construction activity within the Designation boundaries (excluding site investigations and enabling works) the Requiring Authority must submit a Landscape Management Plan (**LMP**) to the Territorial Authority Chief Executive or nominee for certification.
13.2	The objective of the LMP is to address the potential adverse effects of the Project on landscape, visual amenity, and natural character values by describing the integration of the Project's

	permanent works into the surrounding landscape and establishing the requirements for landscape mitigation works and to ensure that planting is completed as soon as is reasonably practicable following the completion of each stage of, or discrete location of, construction works.
13.3	The LMP must be consistent with the Urban and Landscape Design Framework 2022 which is **Appendix J** to the NoR.

11 Conclusion

This NoR has been prepared by Beca on behalf of HCC as a requiring authority pursuant to section 167 of the RMA. The NoR has been lodged in accordance with section 168A of the RMA and all information required by Form 20, the relevant planning documents and legislation has been provided.

This NoR has been prepared on behalf of HCC to designate approximately 5.8 km of corridors associated with the Project located within the Rotokauri area, Hamilton City This NoR is seeking the designation of a key transportation network and strategic infrastructure corridors servicing the Rotokauri Growth Cell.

In line with project objectives listed in Section 2.4 of this report, the designation will enable:

- Land associated with key corridors to be identified in the District Plan.
- Future construction, operation and maintenance of the infrastructure networks.
- Facilitate planned future urban growth within the Rotokauri area.

Relying solely on alternative planning mechanisms such as resource consents or district plan changes is neither timely nor considered effective enough to provide this type of critical infrastructure given the current development pressures for the Rotokauri growth cell. An inability to secure strategic infrastructure corridors ahead of urban growth in Rotokauri will impact the ability to create a coherent, integrated and people focused sustainable mixed-use development. Without a designation in place, Rotokauri is at risk of ad-hoc development and build-out of the desirable corridors.

A new designation for the network is therefore the preferred route protection mechanism for the majority of the Project (with the exception of the 536m^2 of land affected on the Pootatau Te Wherowhero title). The designation if confirmed will be included in the district plan. This provides certainty to both HCC as requiring authority through registering an interest in the land directly affected by the network and to landowners and stakeholders for the future. Future proofing is required to safeguard the route of the network and to confirm development within Rotokauri is supported by the appropriate transport and stormwater infrastructure required to sustainably accommodate growth. The designation confirms the spatial requirements for the transportation and infrastructure network includes conditions to manage any actual or potential adverse effects and provides a design framework to achieve the intended outcome. It is acknowledged that any Project works over the Pootatau Te Wherowhero Title will be subject to separate authorisations.

This NoR includes an assessment of the potential effects on the environment of the Project. With the exception of potential adverse effects on two of the natural wetlands in the event they remain prior to the Project commencing, the assessment of effects in Section 8 has demonstrated that the Project can proceed having **no more than minor** effects on the surrounding environment.

HCC has been in consultation with the public and key stakeholders regarding the Project for over three years. Consultation is on-going at the time of lodgement of this NoR.

This assessment has demonstrated that the alteration upholds the sustainable management purpose of the Resource Management Act 1991, adequately provides for Part 2 matters, and is consistent with the relevant policy statements and plans.

Based on this analysis, it is sought that the NoR be confirmed, subject to conditions, where appropriate.

A

Appendix A – Land Requirement Plans

B

Appendix B – Design Plans

C

Appendix C – Consideration of Alternatives Report

D

Appendix D – Design Report

E

Appendix E – Records of Title

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Appendix F – Archaeological Assessment

G

Appendix G – Ecological Assessment

H

Appendix H – Landscape and Visual Assessment

I

Appendix I – Cultural Impact Assessment

J

Appendix J – Urban and Landscape Design Framework

K

Appendix K – Acoustic Assessment

L

Appendix L – Preliminary Site Investigation (Contamination)

M

Appendix M – Consultation Summary

N

Appendix N – Integrated Transport Assessment

O

Appendix O – KiwiRail Engagement and Deed of Grant