

## 5 Special Character Zones

### 5.1 Purpose

- a. There are areas of Hamilton City that are recognised as having a distinctive and special character. Character is influenced by the natural and built environment, architectural styles, the layout of streets and residential lots (and their size), land use, the trees, fences, landscaped areas and open space and the heritage and cultural values. Both public and private spaces contribute to defining the character of an area. The unique character or values of these areas can be compromised by site redevelopment, infill development, demolition of character homes, additions and alterations of existing buildings and the design and location of structures such as fences, if these have little regard to the area's dominant character.
- b. The intention of the Special Character Zones is to protect, maintain and enhance the respective 'special' characteristics of those areas. Five special zones are provided in this District Plan:
  - i. Special Residential Zone.
  - ii. Special Heritage Zone.
  - iii. Special Natural Zone.
  - iv. Temple View Zone.
  - v. Peacocke Character Zone.
  - vi. Rototuna North East Character Zone.
- c. Design and layout of residential sites and buildings are critically important. All residential development must address potential adverse environmental effects and ensure a good quality urban environment is achieved through urban design.
- d. Good standards of amenity create a pleasant and attractive living environment, and in doing so contribute to wider neighbourhood amenity. Residential amenity means the many qualities and attributes that allow people to enjoy living where they do — such as visual attributes, sunlight, good access, low noise levels and safety.
- e. Special Character Zones other than the Temple View Zone are intended to be primarily for residential purposes and any other activities need to maintain residential character and amenity. In particular, the character and amenity of established residential areas need to be, where possible, enhanced by both public and private development.
- f. In addition to residential activities, some small-scale non-residential activities, such as home-based business and home stays, are appropriate in residential areas. A limited range of non-residential activities that support communities, such as schools and health centres, can potentially establish within the zones. A suburban centre is also provided for within the Peacocke Character Zone to serve the local community. However, non-residential activities are subject to several considerations, particularly

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

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

## 5.1.1 Special Residential Zone

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

### 5.1.1.1 Claudelands West

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

### 5.1.1.2 Hamilton East

- a. Hamilton East comprises that part of the Special Residential Zone:
  - i. South of Te Aroha Street

- ii. West of Dey Street
  - iii. North of Gobham Drive
  - iv. East of the Waikato River
- b. Hamilton East is the City's oldest suburb. The original framework of streets laid out on a grid pattern in the 1860s provided the basis for early subdivision into uniform 1-acre lots. The area continued to develop over successive generations and now contains a variety of building styles. The wider neighbourhood has retained the original, regular configuration of allotments.
  - c. Sites typically have generous front and side yard setbacks resulting in relatively low building coverage. The variety of building styles, predominantly single-storeyed, avoids a uniform or regimented appearance but the unifying feature is large setbacks from a heavily vegetated streetscape and from each other. There are similarities with siting, scale, height, building design and orientation, and vegetation. Garages and accessory buildings are generally located to the rear of a site, maintaining a strong relationship between the dwelling and the street.
  - d. There is significant planting within private properties and major reserves such as Steele Park and Galloway Park. One of the defining features of Hamilton East is the extensive mature trees and planted berms.
  - e. It is not intended that the elements that contribute to the character and amenity values of the neighbourhood be 'frozen in time' and that new development mimic existing building styles. What is intended is that development as a whole is sympathetic to, and respects, the neighbourhood's special qualities.
  - f. While some dwellings are identified and protected for their heritage values, those pre-dating 1940 contribute to the local character without necessarily being of heritage value individually.

#### 5.1.1.3 The Dwelling Control Area

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

results in a more intimate relationship between buildings and the street. Although some have been substantially modified over the years, they still retain a strong element of visual and architectural unity.

## 5.1.2 Special Heritage Zone

- a. The Special Heritage Zone has been identified for heritage values derived from a combination of a number of built elements (rather than individual items) and the spatial pattern between them.
- b. The Special Heritage Zone comprises:
  - i. Frankton Railway Village
  - ii. Hayes Paddock
  - iii. Hamilton East Villas

### 5.1.2.1 Frankton Railway Village

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

### 5.1.2.2 Hayes Paddock

- a. Hayes Paddock, as shown in Volume 2, Appendix 4, Figure 4-2, comprises that part of the Special Heritage Zone:
  - i. West of MacFarlane Street

- ii. East of the Waikato River
- b. Hayes Paddock is a surviving example of a former state housing area, designed and built by the first Labour Government from the late 1930s following the design principles of the 'garden suburb' movement. The layout of the neighbourhood and design of individual houses reflected the economic circumstances and social ideals of the time in terms of the provision of high-quality worker housing. The area has been identified as being worthy of protection for the following heritage characteristics:
  - i. It provides a relatively intact example of a planned state housing neighbourhood, providing high-quality worker housing constructed before 1945 and following contemporary design elements of the 'garden suburb' movement.
  - ii. Dwellings exhibit a wide variety of design detailing but retain a high degree of visual unity through common use of a limited palette of materials and colours.
  - iii. Dwellings are typically, but not exclusively, single-storey with solid hipped and tiled roofing.
  - iv. The relatively narrow curving street pattern with berms and street trees discourages through traffic and reinforces a distinct residential character.
  - v. Services, including electricity supply and telephone lines are underground.
  - vi. Walkways provide connectivity between streets and the recreational reserve areas.
  - vii. The location of the existing cafe and access to the riverside reserve at Jellicoe Drive and Plunkett Terrace reflects the historical focal point of the area, being the location of the original shop units.
  - viii. The area still displays the original characteristic setback and separation between dwellings.
  - ix. The design concept that the street scene, comprising the road, berms, gardens and dwellings, should be viewed as a whole is still clearly evident.
  - x. Section sizes are typically about 600m<sup>2</sup> creating a distinctly low-density residential character.

### 5.1.2.3 Hamilton East Villas

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

And are shown in Volume 2, Appendix 4, Figure 4-3.

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

### 5.1.3 Special Natural Zone

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

#### 5.1.3.1 Lake Waiwhakareke Landscape Character Area

- a. The Lake Waiwhakareke Landscape Character Area comprises that part of the Special Natural Zone:
  - i. South of Rotokauri Road
  - ii. North of Baverstock Road
  - iii. East of Brymer Road
- b. It derives its character from a combination of elements — its topography, the Lake Waiwhakareke Natural Heritage Park and the natural, cultural and recreational values of the area. The significance of these character elements warrants the imposition of specific controls on residential development in order to create, maintain and enhance

the character of this area. The zone aims to create a residential area that is distinctive and responds to Lake Waiwhakareke Landscape Character Area.

#### 5.1.3.2 Rotokauri Ridgeline Character Area

- a. The Ridgeline Character Area comprises that part of the Special Natural Zone:
  - i. North of Rotokauri Road
  - ii. East of Lee Road and Exelby Road
- b. It identifies a locally significant landscape feature in the western hills of Rotokauri. The area warrants special landscape management and planning provisions to retain the legibility of the ridgelines and achieve a form and density of development that enables a sense of the underlying landform to be retained. The Ridgeline Character Area comprises a primary ridgeline that runs from north to south and follows the alignment of Exelby Road; and ridgelines (or spurs) aligned in a generally east-west direction.
- c. The Ridgeline Character Area is made up of a number of key visual and physical characteristics, the pattern of which create a backdrop to the western edge of the City.

#### 5.1.4 Temple View Zone

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

##### 5.1.4.1 Temple View Heritage Area

- a. The Heritage Area is defined on Planning Map 60B. It consists of one precinct ('Heritage Area') only, identified in Volume 2, Appendix 4, Figure 4-5 as Precinct 5.
- b. The heritage values of this area are derived from the combination of the built and landscaped environment immediately surrounding the Temple of the Church of Jesus Christ of Latter-day Saints. The Temple itself was the first in the Southern Hemisphere and is the focal point of the Church of Jesus Christ of Latter-day Saints in New Zealand.
- c. The siting, design and landscape treatment of the Temple emphasise the vertical proportions of the building and create an impression of a monument. Other buildings within the Heritage Area include the Visitor Centre, which has a strong visual relationship with the north elevation of the Temple, and other elements such as dormitory accommodation on the eastern side, the central parking area and the Temple President's house, which is visually connected by the walled car parking area to the south of the Temple. Landscaping and tree planting emphasises the dramatic and dominant position of the Temple in the local landscape and also includes trees that mark periods of occupation before development of the site by the Church.

- d. The Heritage Area is contiguous with the Character Areas, in which buildings were built with the same locally manufactured concrete blocks by the same missionary programme and retains a strong visual relationship with this area, particularly through the continuous curtilage walling adjacent the road frontage. Some of the features within the Heritage Area are separately identified and protected through specific rules, recognising the group value of these features within their wider site context.
- e. The Heritage Area provisions anticipate a range of activities that are compatible with and will enhance the purpose and nature of the Heritage Area.

#### 5.1.4.2 Temple View Character Area

- a. The Temple View Character Area is defined in the Planning Maps (see Maps 51B and 60B), and is divided into four precincts (1-4) identified in Volume 2, Appendix 4, Figure 4-5.
- b. As a result of site planning, development and subsequent management by the Church of Jesus Christ of Latter-day Saints, the area contains elements of the built and landscaped environment which have combined to produce a distinctive character.
- c. The provisions in the Character Area have been designed to enable a range of different activities within each precinct. The intention of the specific mix is to enhance and complement the adjacent Heritage Area while retaining the distinctive features of the Temple View Character Area. The four precincts have either a residential and commercial, or a residential and community focus.
- d. The Character Area straddles Tuhikaramea Road and includes a number of Heritage Items and Significant Trees that are individually protected through District Plan provisions, but the Character Area values extend beyond these individual items. The character of the area originates from the widespread use of certain key elements such as colour, materials, landscape treatment, consistency of building form and design, and internal roading.
- e. Through features such as siting, design, and proportions there is considerable cohesiveness between different areas of activity. This cohesiveness is carried through into the treatment of buildings, boundary walls, landscaping and roadways within the adjoining Heritage Area.
- f. The built form within the former teacher housing corridor on either side of Tuhikaramea Road creates a distinctive gateway approach to the Temple. The corridor displays a unique spatial pattern which is articulated through uniformity in the height, bulk, architecture, materials and vernacular style of its buildings and other structures. The spacing between buildings, set back from the road and open campus-style setting, all contribute to the character of the area. New development, which is compatible in scale, materials, form and design, and provides a similar spatial treatment, will enhance and maintain this special character.
- g. The distinctive values of the heritage buildings listed in the District Plan should be reflected in new development.

#### 5.1.5 Peacocke Character Zone

- a. The Peacocke Character Zone identifies the unique natural area within the Peacocke



area that has strong landscape features. These include the Managakotukutuku Gully network, the Waikato River, and the strong natural topography found in the south of the area. The development of the Peacocke area needs to respond positively to these landscape features. The aim is to create an interesting and distinctive urban form based on these natural areas. The Peacocke Character Zone comprises:

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

### 5.1.6 Rototuna North East Character Zone

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

## 5.2 Objectives and Policies: Special Character Zones

### All Special Character Zones

Objective	Policies
5.2.4 The Special Character Zones retain and enhance their identified values.	5.2.1a Cumulative adverse effects on the character of the area are avoided wherever practicable.
	5.2.1b Development is consistent with the reasons for the site being included within a Special Character Zone.
	5.2.1c The size and scale of buildings and structures is compatible with the amenity of the locality.
	5.2.1d Buildings are designed so they do not physically dominate or adversely affect the residential character of the neighbourhood.
	5.2.1e Significant vegetation and trees should be preserved.
	5.2.1f New urban development in the Peacocke Structure Plan area should demonstrate consistency with the urban design guide for the development and create residential and commercial areas of high amenity which respond positively to the area's natural environment.
	5.2.1g

<p>Urban development in the Rototuna North-East Character Zone maintains the natural pattern of the area's landforms as a key feature of residential development along with ensuring that development retains upper hill slope as legible features of the area's skyline.</p>	
<p><b>Explanation</b></p> <p>All the areas which have been identified as Special Character Zones have particular features which make them unique within the City. It is important that these unique features are identified and any new development does not harm these characteristics.</p> <p>For the Peacocke Character Zone new development will result in a change in character from rural to urban. The resulting urban development will need to achieve the vision for the Peacocke area which is to create a high quality urban environment that is based on urban design best practice, social well-being and environmental responsibility.</p> <p>The landscape feature of the north eastern area of Rototuna is locally significant in the context of the remaining growth cell areas of the Rototuna Structure Plan, resulting in the need for special landscape management and planning provisions to retain the character while achieving a form and density of the development that enables a sense of the underlying landform to be retained.</p>	
<p><b>Objective</b></p> <p><b>5.2.2</b> Residential development produces good on-site amenity.</p>	<p><b>Policies</b></p> <p><b>5.2.2a</b> Residential design achieves quality on-site amenity by providing:</p> <ul style="list-style-type: none"> <li>i. Private, useable outdoor living areas.</li> <li>ii. Access to sunlight and daylight throughout the year.</li> <li>iii. Adequate storage space and service areas to accommodate typical residential living requirements.</li> <li>iv. Insulation to avoid or mitigate adverse noise effects.</li> <li>v. Any parking and manoeuvring areas on-site to meet the needs and convenience of residents.</li> <li>vi. Energy-efficient and sustainable design characteristics and technologies where compatible with the scale and form of residential development.</li> </ul> <p><b>5.2.2b</b> Residential sites adjacent to public space should achieve visual and physical connectivity to these areas.</p> <p><b>5.2.2c</b> Building design and location should protect the privacy of adjoining sites.</p> <p><b>5.2.2d</b> Buildings should be designed to conform to natural topography.</p>
<p><b>Explanation</b></p> <p>Good design of housing is critically important to on-site and off-site amenity. The policies identify the features important for each residential unit, regardless of what form the dwelling may take. Important design features include access to sunlight, outdoor living space, storage space, visual connectivity to public spaces such as the street, and privacy. Incorporation of these features will ensure functional and high-quality living environments for the occupants.</p>	

## Special Residential Zone

<p><b>Objective</b></p> <p><b>5.2.3</b> Recognise, protect and, where possible, enhance the values of the identified Special Residential Zone.</p>	<p><b>Policies</b></p> <p><b>5.2.3a</b> Development is consistent with the generally low intensity and low density residential character of the area through:</p> <ul style="list-style-type: none"> <li>i. Providing front and side yard setbacks.</li> <li>ii. Providing a low level of site coverage.</li> <li>iii. Being consistent with the existing dwelling densities.</li> </ul> <p><b>5.2.3b</b></p>
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	<p>Development should retain a strong visual relationship to the streetscape through:</p> <ul style="list-style-type: none"> <li>i. Ensuring any front yard fencing enables visibility with the streetscape.</li> <li>ii. Orienting buildings to overlook the street.</li> <li>iii. Ensuring the design of buildings avoids creating blank facades facing public spaces.</li> </ul>
	<p><b>5.2.3e</b> Mature trees and other vegetation should be retained, particularly in the front yard.</p>
	<p><b>5.2.3d</b> The local context, scale and character are retained.</p>
	<p><b>5.2.3e</b> Existing valued character elements shall be protected and enhanced by:</p> <ul style="list-style-type: none"> <li>i. Retaining pre-1940 dwellings within the dwelling control area.</li> <li>ii. Retaining pre-1939 dwellings within the Claudelands West area.</li> <li>iii. Ensuring alterations or additions to the streetscape façade of pre-1940 dwellings in the dwelling control area do not adversely affect the special character of the area.</li> </ul>
	<p><b>5.2.3f</b> New buildings and structures are compatible with the form, height and bulk of houses constructed before 1939 in Claudelands West.</p>
	<p><b>5.2.3g</b> Non-residential activities should not establish in any Special Residential Zone unless potential adverse effects are less than minor.</p>
	<p><b>5.2.3h</b> Buildings are located only within the front yard setback where other sitings are proven to be impracticable. Buildings located within the front yard setback shall provide mitigation by provision of planting and screening and minimising the prominence of the building in relation to the main dwelling when viewed from the transport corridor.</p>
<b>Explanation</b>	
<i>These policies identify the important elements that lend the Special Residential Zone its uniqueness.</i>	

## Special Heritage Zone

Objective	Policies
<p><b>5.2.4</b> Recognise, protect and, where, possible enhance the heritage values of the identified Special Heritage Zone.</p>	<p><b>5.2.4a</b> Development should:</p> <ul style="list-style-type: none"> <li>i. Maintain the predominately low-intensity and density characteristics of the area.</li> <li>ii. Be compatible with the site layout, site size and dimensions, building form, height, design, materials, scale and other heritage values of the area.</li> <li>iii. Ensure that original buildings and structures are retained on the site.</li> <li>iv. Provide landscaping in keeping with local residential amenity.</li> <li>v. void any significant adverse effects on the heritage values of the Special Heritage Zone.</li> <li>vi. Encourage the protection and ongoing maintenance of the Special Heritage Zone.</li> </ul>

	<p>vii. Avoid any significant adverse effects on the streetscape appearance of the area.</p> <p>viii. Avoid removal of any significant vegetation in the Special Heritage Zone.</p> <p>ix. Reflect the characteristic separation of original dwellings including their open aspect to the streetscape.</p> <p>x. Ensure that any car parking, servicing, lighting and sign requirements do not adversely affect the heritage character of the area or the relationship of a building with the streetscape.</p> <p>xi. Ensure that the front and side elevations (including roofs) of new buildings and structures are consistent with the design, fenestration, materials and finishes of neighbouring original dwellings.</p>
	<p><b>5.2.4b</b> Within the Frankton Railway Village, buildings should be single storey with a low-pitched gable roof.</p>
	<p><b>5.2.4c</b> The demolition or removal of a building is allowed only where it has been demonstrated to be the only practicable option.</p>
	<p><b>5.2.4d</b> Non-residential activities should not establish in any Special Heritage Zone unless potential adverse effects are less than minor.</p>
<p><b>Explanation</b></p> <p>These policies identify the important elements that lend the Special Heritage Zone its uniqueness. A specific policy is identified for the Frankton Railway Village.</p>	

## Special Natural Zone

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

	v. Ensure that development avoids any adverse effects on the water quality or ecological values of Lake Waiwhakareke.
	<b>5.2.5b</b> Non-residential activities should not establish in any Special Natural Zone unless potential adverse effects are less than minor.
<b>Explanation</b>	
<p>The Lake Waiwhakareke Landscape Character Area and Rotokauri Ridgeline Area are unique in that they are greenfield areas with special natural landscape characteristics. It is important the new development in these areas recognises the natural values and enhances them. These areas are also in close proximity to Lake Waiwhakareke a Significant Natural Area and development in the surrounding area needs to ensure that adverse effects on water quality and ecological values of the Lake are avoided.</p>	

## Temple View Zone

Objective	Policies
<p><b>5.2.6</b> To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area.</p>	<p><b>5.2.6a</b> The continued use of the Heritage Area as a focus for the Church of Jesus Christ of Latter-day Saints is provided for.</p>
	<p><b>5.2.6b</b> Development within the Heritage Area is sensitive in terms of scale, form and design with the existing heritage characteristics of the area.</p>
	<p><b>5.2.6c</b> Fragmentation through subdivision is prevented.</p>
	<p><b>5.2.6d</b> Development should ensure that the siting and design of new buildings and structures are sensitive to the setting and significance of the Temple as a spiritual and physical landmark.</p>
	<p><b>5.2.6e</b> The maintenance and repair of buildings, curtilage wall, landscapes, roads, tracks and car parking areas should have regard to the distinctive character of the precinct and the pre-eminence of the Temple building.</p>
	<p><b>5.2.6f</b> Additions and alterations to buildings and curtilage wall should be consistent with the character of the precinct and the pre-eminence of the Temple building.</p>
	<p><b>5.2.6g</b> Demolition should not adversely impact on the landscape significance of the Temple.</p>
	<p><b>5.2.6h</b> Works that would adversely affect the strong relationship between the Temple, Visitor Centre and Temple President's house are avoided.</p>
	<p><b>5.2.6i</b> Re-contouring or modification of the landscape recognises the high visibility and prominence of the Temple and provides for the management of effects on archaeological deposits or features.</p>
	<p><b>5.2.6j</b> The landscape characteristics and qualities of the Heritage Area are retained, including open and structured spaces, in particular the formal front entry staircases, lawns, walls and planting boxes.</p>
<b>Explanation</b>	
<p>The policies aim to enable the ongoing use of the Temple View Heritage Area by the Church or other organisations for a wide range of activities, subject to controls that ensure that the overall coherence and integrity of the area, the pre-eminence of the Temple itself and the key characteristic elements of the area are properly recognised and provided for. As a building in active use for religious purposes, it is recognised that proposals may be made for the erection of religious symbolism and effigies in the future, in addition to works needed to ensure compliance with building design standards and the functionality and appearance of the Temple.</p>	
Objective	Policies
<p><b>5.2.7</b></p>	<p><b>5.2.7a</b></p>

<p>To ensure development within the Temple View Character Area maintains and enhances its special character.</p>	<p>Development maintains the character, appearance and relationship to Tuhikaramea Road and the Temple View Village.</p> <p><b>5.2.7b</b> The design of new buildings and structures in terms of their height, materials, scale and form is in keeping with the scale and character of the area.</p> <p><b>5.2.7c</b> New buildings and structures within the former teacher housing corridor are located to retain the existing set back from Tuhikaramea Road established by the First House.</p> <p><b>5.2.7d</b> New buildings and structures are located to retain generally consistent spatial character along the Tuhikaramea road corridor.</p> <p><b>5.2.7e</b> New structures, such as fences and walls, within the setback of the former teacher housing corridor fronting Tuhikaramea Road are consistent with the original colour and materials used throughout the Character Area.</p> <p><b>5.2.7f</b> The existing low brick walls in the front yard of houses fronting Tuhikaramea Road are retained or rebuilt as required.</p> <p><b>5.2.7g</b> Additions, alterations and renovations of buildings within the former teacher housing corridor are implemented in a sensitive and sympathetic manner that retains the form and style of existing buildings and the appearance of the streetscape.</p> <p><b>5.2.7h</b> Works that may affect the treatment of open spaces and boundaries are managed.</p> <p><b>5.2.7i</b> The heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage are used and developed in a manner that maintains their distinctive heritage values.</p>
<p><b>Explanation</b></p>	
<p>A significant characteristic of the corridor along Tuhikaramea Road is based on the subservient and simple architectural style of the early missionary houses, that were used as teacher housing. These buildings were set within an open, campus-style landscape. The corridor forms an important gateway to the New Zealand Temple of the Church of Jesus Christ of Latter-day Saints and the adjoining former Church College Campus. The style of the houses along Tuhikaramea Road and separation distances between them was similar, giving consistency in form. The uniformity in scale and space was reinforced by the extensive use of the standardised cream-coloured brickwork throughout Temple View and the low cement brick wall, which enclosed the front yards of the houses on both sides of Tuhikaramea Road. In providing for future use and development of the former Church College campus and the teacher housing corridor, it is important to recognise the significant contribution that these characteristics made to the diversity and appeal of the City's built environment. Although the school has closed, the Church College campus and former teacher houses provide an opportunity to open a new chapter in the development of the local community and its environment.</p>	

## Peacocke Character Zone

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

	<p><b>5.2.8d</b> Ensure that development of non-residential activities are located in areas identified in the Peacocke Structure Plan or any approved master plan that provides for such activities.</p>
<b>Explanation</b>	
<p><i>The character to be established is a high quality urban environment that is based on the urban design principles outlined in the Peacocke Structure Plan and which recognises a number of specific natural character elements. A master plan approach has been developed to achieve this by ensuring that infrastructure provisions and staging are integrated with development while enabling flexibility and innovation in design.</i></p> <p><i>Urban development within the Peacocke Character Zone is limited until the necessary bulk trunk infrastructure and transport networks have been established to join Peacocke to the City's existing infrastructure network. It is limited by the capacity of existing infrastructure.</i></p>	

## Rototuna North East Character Zone

Objective	Policies
<p><b>5.2.9</b> To recognise the local significance of the Rototuna ridgeline as a landscape feature and ensure that the form and pattern of residential development in the northeastern area (Rototuna North East Character Zone) of the Rototuna Structure Plan helps retain this underlying landform and is not incompatible with the future operation of the Waikato Expressway or the City's infrastructure.</p>	<p><b>5.2.9a</b> Maintain the public amenity value of existing ridgeline roads and the identified viewing points shown on the structure plan within the open space area as viewing opportunities of the City and surrounding rural landscape.</p>
	<p><b>5.2.9b</b> Ensure development does not constrain the development, construction or operation of the future Waikato Expressway (Designation E90).</p>
	<p><b>5.2.9c</b> Ensure development does not constrain the operation of the City's infrastructure.</p>
	<p><b>5.2.9d</b> Provide a maximum development yield and minimum average lot size to ensure the character of the natural topography of the area is maintained and the sustainable use of the City's land resource is promoted while mitigating against the effects from the development of this area of land on the City's infrastructure.</p>
	<p><b>5.2.9e</b> Promote a connection across the Waikato Expressway designation (Designation E90), such as an underpass, to facilitate walking and cycle network connectivity between the Rototuna North East Character Zone and the remaining Rototuna Structure Plan area.</p>
<b>Explanation</b>	
<p><i>As a landscape feature, the north eastern area of Rototuna is locally significant in the context of the Rototuna growth cell. The mixed nature of the landscape, bounded by Horsham Downs Road (as the boundary edge between Hamilton City and Waikato District Councils) to the north and the Waikato Expressway designation to the south helps to physically and visually define the area's character. In particular, the Horsham Downs Road ridgeline is a strong feature that differentiates the urban edge of the Rototuna Growth Cell from the adjoining rural landscape of Waikato District. This area warrants special landscape management and planning provisions to retain the character of the elevated landscape to achieve a form and density of development that enables a sense of the underlying landform to be retained. The Rototuna North East Character Zone comprises a primary ridgeline that runs from west to east direction. The area also contains a number of inner areas that have lower lying topography.</i></p> <p><i>The zone is made up of a number of key visual and physical characteristics. These are as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>Distinctive pattern of ridges that constitute a coherent and discrete topographic feature of the north eastern part of the Rototuna Growth Cell;</i></li> <li>• <i>The differentiation between the elevated hill area from the surrounding lower flat land;</i></li> <li>• <i>The role of the primary ridgeline in defining the boundary between the growth cell and the adjoining rural parts of the Waikato District to the north;</i></li> <li>• <i>The role of the ridgelines and hills in defining a series of basins and associated flats on the lower lying ground and flat plateaus on the elevated areas;</i></li> <li>• <i>The visual and physical connection with the rest of the Rototuna Growth Cell, specifically the Rototuna Town Centre Zone and with the City beyond the Waikato Expressway Designation, notwithstanding that the designation to an extent visually separates the Rototuna North East Character Zone from the rest of the Rototuna Growth Cell.</i></li> </ul> <p><i>The opportunity exists to promote development that responds positively to the underlying landscape facilitating greater legibility and the creation of a distinctive urban character.</i></p>	

## 5.3 Rules – Activity Status Table

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

Activity	Special Residential Zone	Special Heritage Zone	Special Natural Zone	Rototuna North East Character Zone
<b>Residential Activities and Structures</b>				
a. Accessory buildings	P	P	P	P
b. Alterations and additions (excluding as provided for by c., d. and e. and heritage buildings in Volume 2, Appendix 8, (Link: 10178, Schedule 8A: Built Heritage))	P	P	P	P
c. Alterations and additions forward of the front building line to a pre-1940 dwelling on a front, corner or through site within the Hamilton East Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-1)	RD	I	I	I
d. Alterations and additions forward of the front building line to a pre-1939 dwelling on a front, corner or through site within the Claudelands West Area Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-7)	RD			I
e. Alterations and additions forward of the rear building line on a front, corner or through site to: <ul style="list-style-type: none"> <li>i. Frankton – original railway houses (refer to Volume 2, Appendix 4, Figure 4-4)</li> <li>ii. Hayes Paddock – original state houses (refer to Volume 2, Appendix 4, Figure 4-2)</li> <li>iii. Hamilton East Villa Precinct – villas (refer to Volume 2, Appendix 4, Figure 4-3)</li> </ul>	I	D	I	I
f. Apartments	NG	NG	D	D
g. Ancillary residential unit	P	RD <sup>2</sup>	RD <sup>2</sup>	P
h. Ancillary residential structures	P	P	P	P
i. Single dwelling: First residential unit per site	P	D	P	P
j. Single dwelling: Second and subsequent residential unit per site	RD <sup>2</sup>	D	RD <sup>2</sup>	RD <sup>2</sup>
k. Duplex dwellings – excluding Hayes Paddock	NG	NG	RD <sup>2</sup>	RD <sup>2</sup>
l. Duplex dwellings – Hayes Paddock only (refer to Volume 2, Appendix 4, Figure 4-2)	I	(D)	I	I
m. Managed care facilities <ul style="list-style-type: none"> <li>i. For up to 9 residents</li> <li>ii. For up to 10 residents (excluding emergency housing)</li> <li>iii. For 11 or more residents (including emergency housing)</li> </ul>	P D D	P D D	P D D	P D D
n. Emergency housing for up to 10 residents	P	P	P	P
o. Papakainga	NG	NG	D	RD
p. Residential activities	P	P	P	P
q. Residential centre	D	NG	D	D
r. Rest home	D	NG	D	RD <sup>2</sup>
<b>Commercial Activities and Structures</b>				
s. Childcare facility <ul style="list-style-type: none"> <li>i. For up to five children</li> <li>ii. For six or more children</li> </ul>	P RD	P D	P RD	P RD



t. Dairy	D	NG	RD	D
u. Tertiary education and specialised training facility	D	NG	RD	NG
v. Health care service	D	NG	D	NG
w. Home-based business	P	P	P	P
x. Homestay accommodation	P	P	P	P
y. Office, other than as a home-based business	NG	NG	D	NG
z. Places of assembly	D	NG	D	NG
aa. Show homes	P	D	P	P
bb. Visitor accommodation	D	NG	D	D
<b>Community Activities and Structures</b>				
cc. Community centre	D	NG	RD	D
dd. Marae	NG	NG	D	D
ee. Places of worship	D	NG	D	D
ff. School	D	NG	D	NG
<b>All Activities and Structures</b>				
gg. Demolition or removal of existing buildings (excluding as provided for by gg. to hh. and heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P	P
hh. Demolition or removal of existing dwellings on a front, corner or through site: <ul style="list-style-type: none"> <li>i. Frankton – original railway houses (refer to Volume 2, Appendix 4, Figure 4-4)</li> <li>ii. Hayes Paddock – original state houses and commercial building on Lot 129 DPS 930 (refer to Volume 2, Appendix 4, Figure 4-2)</li> <li>iii. Hamilton East Villa Precinct – villas (refer to Volume 2, Appendix 4, Figure 4-3)</li> </ul>	I	NG	I	I
ii. Demolition or removal of a pre-1940 dwelling on a front, corner or through site within the Hamilton East Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-1)	D	I	I	I
jj. Demolition or removal of a pre-1939 dwelling on a front, corner or through site within the Claudelands West Dwelling Control Area (refer to Volume 2, Appendix 4, Figure 4-7)	NG	I	I	I
kk. Relocated buildings	P	D	P	P
ll. Informal recreation	I	I	I	P
mm. Organised recreation	I	I	I	P

**Note**

## 1. Consultation with Heritage New Zealand

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

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

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

## 2. Hamilton East Villas

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

3. *For any activity not identified above, see Section 1.1.8.1.*

## 5.3.2 Activity Status – Peacocke Character Zone

### 5.3.2.1 Master Plan – Process within the Peacocke Character Zone

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

### 5.3.2.2 Master Plan – Status of Activities

- a. The activity status of activities in the Peacocke Character Zone is contained within the Activity Status Table (refer to Rule 5.3.2.3):
  - i. Column A identifies the activity status of activities in the absence of a Master Plan.
  - ii. Column B identifies the activity status for activities that are part of a Master Plan application process and approval.
  - iii. Column C identifies the activity status for activities that are inconsistent with the approved Master Plan.
- b. The activity status for the preparation of or amendment to a Master Plan application within the Peacocke Character Zone will be deemed non-complying if an activity that forms part of the application:
  - i. Is identified as a non-complying activity in the related Column B of the Activity Status Table (refer to Rule 5.3.2.3).
- c. Once a consent for a Master Plan has been granted and implemented, any activity within that neighbourhood is permitted, provided it:
  - i. Is in general accordance with an approved Master Plan for the neighbourhood; or
  - ii. Any activity that is listed in Column C as a permitted activity is permitted, subject to compliance with relevant standards in Rule 5.4.

- d. Unless otherwise stated, a Master Plan for each area identified in the Peacock Character Zone requires resource consent as a discretionary activity.
- e. All activities identified in Column A of Rule 5.3.2.3 are non-complying activities in the absence of an approved Master Plan unless the activity is identified as a permitted activity.
- f. Activities identified as part of an approved Master Plan within the Peacocke Character Zone shall not be required to prepare an Integrated Transport Assessment as stated under Rule 25.14.4.3.
- g. Activities identified as part of an approved Master Plan within the Peacocke Character Zone shall not be required to prepare an Integrated Catchment Management Plan as stated under Rule 25.13.4.1.
- h. Activities identified in Chapter 25 City Wide that have been addressed as part of an approved Master Plan are not required to obtain a separate resource consent.
- i. Retail activities identified as part of an approved master plan within the Peacocke Character Zone are required to comply with the standards set out in Chapter 6: Business 5 and 6 Zones.

### 5.3.2.3 Activity Status Table – Peacocke Character Zone

Activity	Peacocke Character Zone		
	A	B	C
	In the absence of a Master Plan	Forming part of the Master Plan process and approval	Inconsistent with an approved Master Plan
<b>Residential Activities and Structures</b>			
a. Accessory buildings	P	P	RD
b. Apartments	NC	D	D
c. Ancillary residential unit	P	D	D
d. Ancillary residential structures	P	P	P
e. Single dwelling: first residential unit per site	P	P	D
f. Single dwelling: second and subsequent residential units per site	NC	D	D
g. Duplex dwellings	NC	D	D
h. Managed care facilities			
i. For up to nine residents	NC	P	P
ii. For up to 10 residents (excluding emergency housing)	NC	D	D
iii. For 11 or more (including emergency housing)	NC	D	D
i. Emergency housing for up to 10 residents	NC	P	P
j. Papakainga	NC	D	D
k. Residential activities	P	P	P
l. Residential centre	NC	D	D
m. Rest home	NC	D	D
<b>Commercial Activities and Structures</b>			
n. Childcare facility			

i. For up to 5 children ii. For 6 or more children	NC NC	P D	P D
o. Dairy	NC	D	D
p. Tertiary education and specialised training facility	NC	D	NC
q. Health care service	NC	D	D
r. Home-based business	P	P	P
s. Homestay accommodation	P	P	P
t. Office, other than as a home-based business	NC	D	D
u. Places of assembly	NC	D	NC
v. Retail activity, other than as a home-based business	NC	D	D
w. Show homes	NC	D	D
x. Visitor accommodation	NC	D	D
<b>Community Activities and Structures</b>			
y. Community centre	NC	D	D
z. Activities ancillary to any permitted activity, including health care services, library, offices, retail, workshops, depots, storage	NC	D	NC
aa. General Recreation	NC	D	NC
bb. Informal recreation and ancillary buildings	P	P	P
cc. Marae	NC	D	NC
dd. Places of worship	NC	D	D
ee. School	NC	D	NC
<b>All Activities and Structures</b>			
ff. Alterations and additions to any building except: i. Heritage buildings and structures in Volume 2, Appendix 8, Schedule 8A: Built Heritage	P	P	P
gg. Demolition or removal of existing buildings (excluding as provided for by hh, and heritage buildings scheduled in Schedule 8A, Appendix 8: Historic Heritage)	P	P	P
hh. Demolition or removal of an accessory building	P	P	P
ii. Interior alterations	P	P	P
jj. Maintenance and repair to existing buildings and structures	P	P	P
kk. Production stalls	P	NC	NC
ll. Relocated buildings	P	P	P
mm. Rural Production	P	NC	NC
nn. Rural industry	D	NC	NC
oo. Intensive farming	NC	NC	NC
pp. Walkways and cycleways	RD*	D	D

**Note**

1. For any activity not identified above, see Section 1.1.8.1.

### 5.3.3 Activity Status Table – Temple View Zone

#### 5.3.3.1 Development within the Temple View Zone

- a. The types of activities in the five precincts within the Temple View Zone (see Volume 2, Appendix 4, Figure 4-5) establish the anticipated mix of activities and how the five precincts interact and are connected.
- b. Any development shall maintain and enhance the heritage values of the area whilst being consistent with and maintaining the overall character of the zone.
- c. Any development of Precinct 3 in the Temple View Zone shall be designed to mitigate adverse effects on the flood and groundwater levels on the surrounding agricultural land within the Waipa District adjoining the northern and eastern boundaries of Precinct 3.

### 5.3.3.2 Activity Status Table – Temple View Zone

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

u. Office, other than as a home-based business	RD	D	D	NG	NG
v. Places of assembly	RD	RD	D	D	D
w. Retail activity, other than as a home-based business	RD	NG	NG	NG	NG
x. Show homes	D	D	D	NG	NG
y. Visitor accommodation (except in the Heritage Area)	D	D	D	RD	I
z. Visitor accommodation within the Heritage Area	I	I	I	I	NG
<b>Community Activities and Structures</b>					
aa. Community centre	RD	D	D	D	NG
ab. Activities ancillary to any permitted activity, including health care services, library, offices, retail, workshops, depots, storage	RD	RD	RD	RD	NG
ac. Marae	RD	RD	RD	RD	NG
ad. Places of worship	RD	RD	RD	NG	D
ae. School	RD	RD	RD	NG	NG
<b>All Activities and Structures</b>					
af. Alterations and additions to any building except: i. Visitor Centre ii. Buildings within the former teacher housing character corridor fronting Tuhikaramea Road iii. Formal Temple entrance area elements including steps, planting boxes, retaining walls between the Visitor Centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6) iv. Heritage buildings and structures in Volume 2, Appendix 8, Schedule 8A: Built Heritage	P	P	P	P	P
ag. Alterations and additions to the Visitor Centre	I	I	I	I	D
ah. Alterations and additions to the exterior of buildings within the former teacher housing character corridor	I	RD	I	I	I
ai. Alterations and additions to the formal Temple entrance area elements including steps, planting boxes, retaining walls between the Visitor Centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6)	I	I	I	I	D
aj. Construction of additional private transport corridors or carpark areas	RD	RD	RD	RD	RD
ak. Construction of new buildings	RD	RD	RD	RD	RD
al. Contouring and modification of the landform	RD	RD	RD	RD	RD
am. Demolition or removal of existing buildings (excluding as provided for by ao., ap.) and heritage buildings scheduled in Schedule 8A, Appendix 8: Historic Heritage)	RD	RD	RD	RD	RD
an. Demolition or removal of any building except: i. Accessory buildings ii. Visitor Centre iii. Temple president's house	RD	RD	RD	RD	RD
ao. Demolition or removal of an accessory building	P	P	P	P	P
ap. Demolition or removal of the Visitor Centre or Temple president's house	I	I	I	I	D
aq. Erecting, constructing, planting or extending a sign visible from a public place	RD	RD	RD	RD	NG
ar. Erection of any boundary structure along Tuhikaramea	RD	RD	I	RD	RD

as.	External illumination of buildings and grounds	P	P	P	P	P
at.	Individual vehicular crossings to the housing from Tuhikaramea Road	NG	NG	I	NG	I
au.	Interior alterations	P	P	P	P	P
av.	Maintenance and repair to existing buildings and structures	P	P	P	P	P
aw.	Maintenance and repair to any private road or carpark area	P	P	P	P	P
ax.	Minor work on any: <ul style="list-style-type: none"> <li>i. Building</li> <li>ii. Curtilage wall</li> <li>iii. Temple entrance elements</li> </ul>	P	P	P	P	P
ay.	Relocated buildings	RD	RD	RD	RD	NG
az.	Tree planting and removal except for: <ul style="list-style-type: none"> <li>i. Tree planting in Temple view shafts area</li> <li>ii. Tree removal in the Temple entrance area (Refer to Volume 2, Appendix 4, Figure 4-6)</li> <li>iii. Removal of a significant tree in Volume 2, Appendix 9, Schedule 9D: Significant Trees</li> </ul>	P	P	P	P	P
ba.	Tree planting in Temple View shafts area (Refer to Volume 2, Appendix 4, Figure 4-6)	I	I	I	I	RD
bb.	Tree removal in the Temple entrance area (except for a significant tree in Volume 2, Appendix 9, Schedule 9D: Significant Trees)	I	I	I	I	RD

**Note**

- For any activity not identified above, see Section 1.1.8.1.

## 5.4 Rules – General Standards

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

### 5.4.1 Density

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

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

Activity	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple View Zone	
				Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area	Character Area	Heritage Area
<b>For Peacocke Character Area see Table 5.4.1b.</b>							
a. Single dwellings - front, corner and through site (including relocated	600m <sup>2</sup>	600m <sup>2</sup>	500m <sup>2</sup>	350m <sup>2</sup>	600m <sup>2</sup>	600m <sup>2</sup>	I

dwelling(s) (per unit)							
b. Single dwellings – rear site (including relocated dwellings) (Except within the Claudelands West Area) (per unit) Detached dwellings – rear site (including relocated dwellings) within the Claudelands West Area (per unit)	400m <sup>2</sup> 600m <sup>2</sup>	600m <sup>2</sup>	500m <sup>2</sup>	350m <sup>2</sup>	600m <sup>2</sup>	600m <sup>2</sup>	↓
c. Duplex dwellings (per residential unit)	↓	↓	↓	200m <sup>2</sup> (400m <sup>2</sup> per Duplex)	↓	200m <sup>2</sup> (400m <sup>2</sup> per Duplex)	↓
d. Single dwellings with an ancillary residential unit (*total area for both dwelling and ancillary residential unit)	*700m <sup>2</sup>	*700m <sup>2</sup>	*700m <sup>2</sup>	*435m <sup>2</sup>	*800m <sup>2</sup>	*700m <sup>2</sup>	↓
e. Managed care facilities (minimum per resident)	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>	↓
f. Rest homes (minimum per resident)	75m <sup>2</sup>	75m <sup>2</sup>	75m <sup>2</sup>	75m <sup>2</sup>	75m <sup>2</sup>	75m <sup>2</sup>	↓

**Table 5.4.1b: Density – Peacocke Character Area**

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

5.4.2 Site Coverage

These columns have been removed by Plan Change 12	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple View Zone	Peacocke Character Area				
				Lake Waiwhakareke Landscape Character Area	Ridgeline Character Area		In the absence of an approved Master Plan	Terrace Area	Hill Area (Slope less than 5	Hill Area (Slope greater than	Gully Area



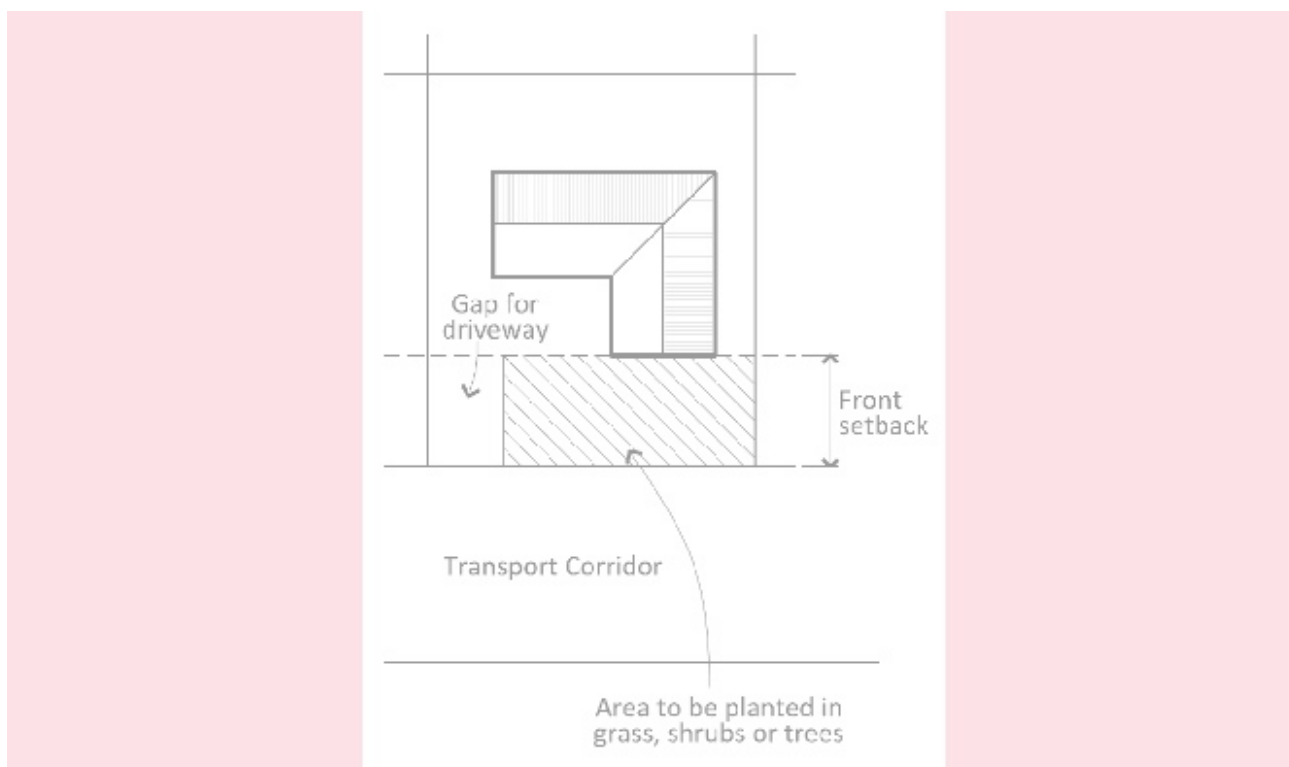
									degr ees)	5 degr ees)	
a. Front Sites (maximum % unless otherwise stated)	35	35	Net site area less than 750m <sup>2</sup> – 40% Net site area greater than 750m <sup>2</sup> – 20%	40	25	40	Net site area is greater than 5000m <sup>2</sup> – 8% up to a maximum of 1200m <sup>2</sup> GFA Net site area is 5000m <sup>2</sup> or less – 25% up to a maximum of 500m <sup>2</sup> GFA	40 Apartments and Duplex units – 50%	40	35	35
b. Rear Sites (maximum % unless otherwise stated)	40	35	Net site area less than 750m <sup>2</sup> – 40% Net site area greater than 750m <sup>2</sup> – 20%	40	25	40	Net site area is greater than 5000m <sup>2</sup> – 8% up to a maximum of 1200m <sup>2</sup> GFA Net Site area is 5000m <sup>2</sup> or less – 25% up to a maximum of 500m <sup>2</sup> GFA	40 Apartments and Duplex units – 50%	35	35	35

### 5.4.3 Permeable Surface and Planting

These columns have been removed by Plan Change 12	Special Residential Zone	Special Heritage Zone	Rototuna North East Character Zone	Special Natural Zone		Temple-view Zone		Peacocke Character Zone			
				Lake Waiwhakareke Landscape Character Area	Ridge Line Character Area	Gharacter Area	Heritage Area	Terrace Area	Hill Area (Slope less than 5 Degrees)	Hill Area (Slope Greater than 5 Degrees)	Gully Area
a. Permeability across the entire site (including area required by Rule 5.4.3.b below) (minimum % unless otherwise stated)	40	40	50	20	40	35	40	20	35	40	40
b. Front sites, corner sites, through sites only: Permeability of the front setback excluding vehicle and access provisions required by Rule 5.4.6 be planted in grass, shrubs or trees (see Figure 5.4.3a)	100	100	100	100	100	100	100	100	100	100	100

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

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



### 5.4.4 Building Height

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

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

c. Storeys	1	Maximum One	1	1	Maximum Two Where a site boundary (excluding accessways) adjoins the Natural Heritage Park or is separated only by a road reserve
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**Table 5.4.4b: Building height – Temple View and Peacocke Character Zones**

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

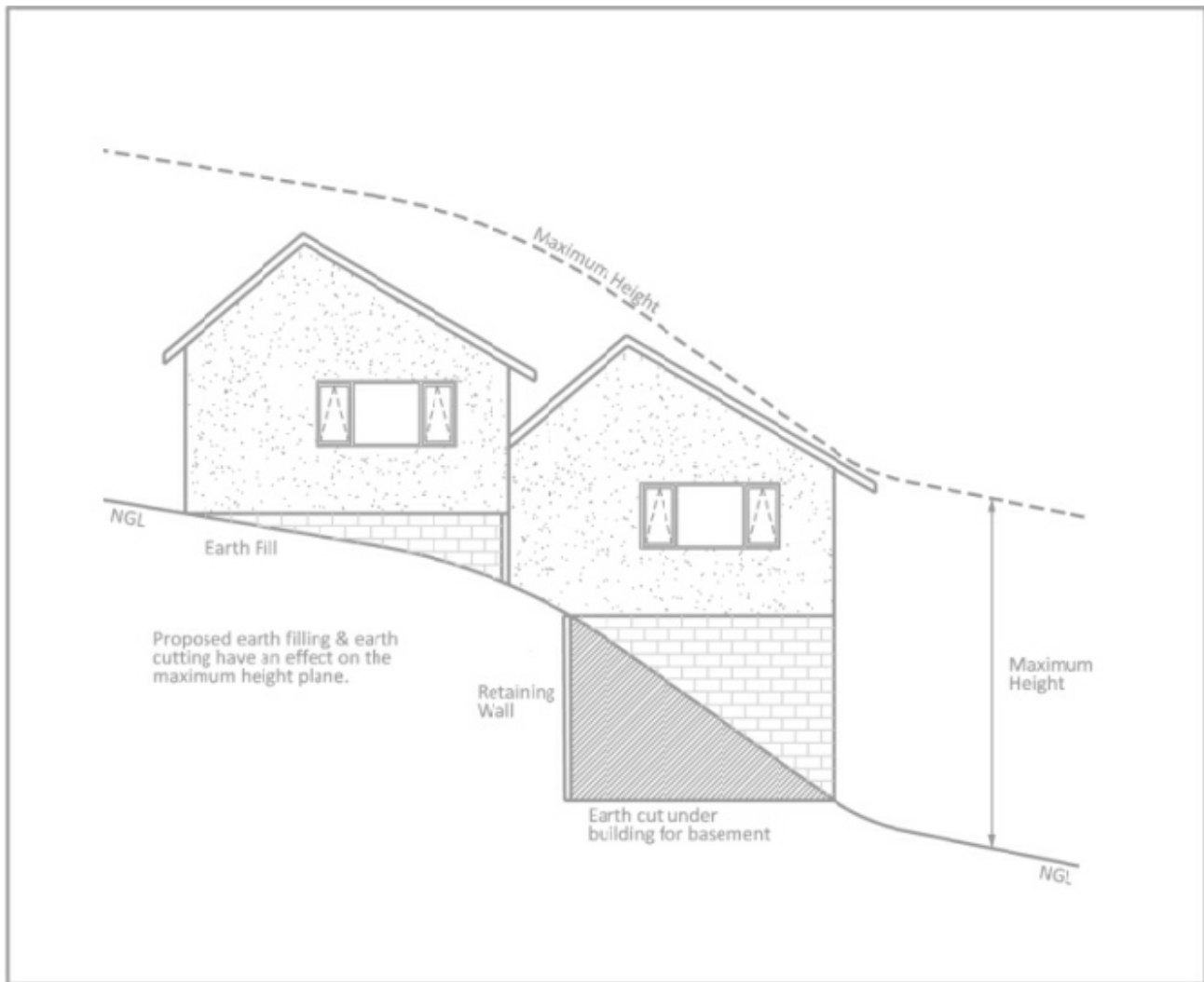
	housing character corridor along the eastern frontage with Tuhikarama Road and the western frontage between Fosters Road and Wade Lane Reserve.								
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**Table 5.4.4c: Building Height – Rototuna North East Character Zone**

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

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

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



#### 5.4.5 Height in Relation to Boundary

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

**Except that:**

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

- iv. Where the buildings are part of an approved Master Plan within the Peacocke Character Zone.

### 5.4.6 Building Setbacks

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

	Special Residential Zone	Special Heritage Zone	Special Natural Zone	
			Lake Waiwhakareke Landscape Character Area	Ridgeine Character Area
For Temple View Zone and Peacocke Character Zone see Table 5.4.6b. For Rototuna North East Character Zone see Table 5.4.6c.				
a. From a boundary with any collector or local transport corridor (minimum setback unless otherwise stated)	All buildings shall be set back from the boundary the greater of: i. 5m, or ii. The average of the front setback of buildings on adjoining sites (except rear sites), provided that: • Where an adjoining site is vacant the setback shall be taken as being 5m • For corner sites the setback of the adjoining site shall be taken as the average		3m	5m
b. From a boundary with any arterial transport corridor (minimum setback unless otherwise stated)	As per a.		5m	5m
c. Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m.				
d. Front, corner and through site side and rear boundaries (minimum setback)	One side boundary 3m Other side boundary and rear boundary 1.5m	1.5m	1.5m	3m
e. Rear site - all boundaries (minimum setback)	1.5m	1.5m	1.5m	3m
f. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)			

**Note**

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

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

	Temple View Zone <small>These columns have been removed by Plan Change 12</small>					Peacocke Character Zone	
	Character Area				Heritage Area	In the absence of an approved Master Plan	Terrace, Hill and Gully Character Areas
	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5		
For the Special Residential Zone, Special Heritage Zone and Special Natural Zones see Table 5.4.6a.							
a. From a boundary with any collector or local transport corridor	3m	3m	3m	5m	5m	5m	3m

(minimum setback unless otherwise stated)							
b. From a boundary with any arterial transport corridor (minimum setback unless otherwise stated)	5m	Minimum setback within the former teacher housing corridor along the frontage with the eastern side of Tuhikaramea Road = 13m Minimum 5m in all other situations	5m	5m	No Building to be located closer to Tuhikaramea Road than the existing setback distance to the Temple Minimum 5m in all other situations	5m	5m
c. Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m							
d. Front, corner and through site – side and rear boundaries (minimum setback)	1.5m	1.5m	1.5m	3m	3m	-	1.5m
e. Rear site – all boundaries (minimum setback)	1.5m	1.5m	1.5m	3m	3m	-	1.5m
f. Any other boundary (for buildings and outdoor hardstands used for housing and feeding of animals, including milking sheds and shearing sheds) (minimum setback)	↓	↓	↓	↓	↓	50m	-
g. Residential unit setback from an existing intensive farm (minimum setback)	↓	↓	↓	↓	↓	500m	-
h. Any other boundary not otherwise identified above (minimum setback)	↓	↓	↓	↓	↓	5m	-
i. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)						

**Note**

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

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

Rototuna North East Character Zone
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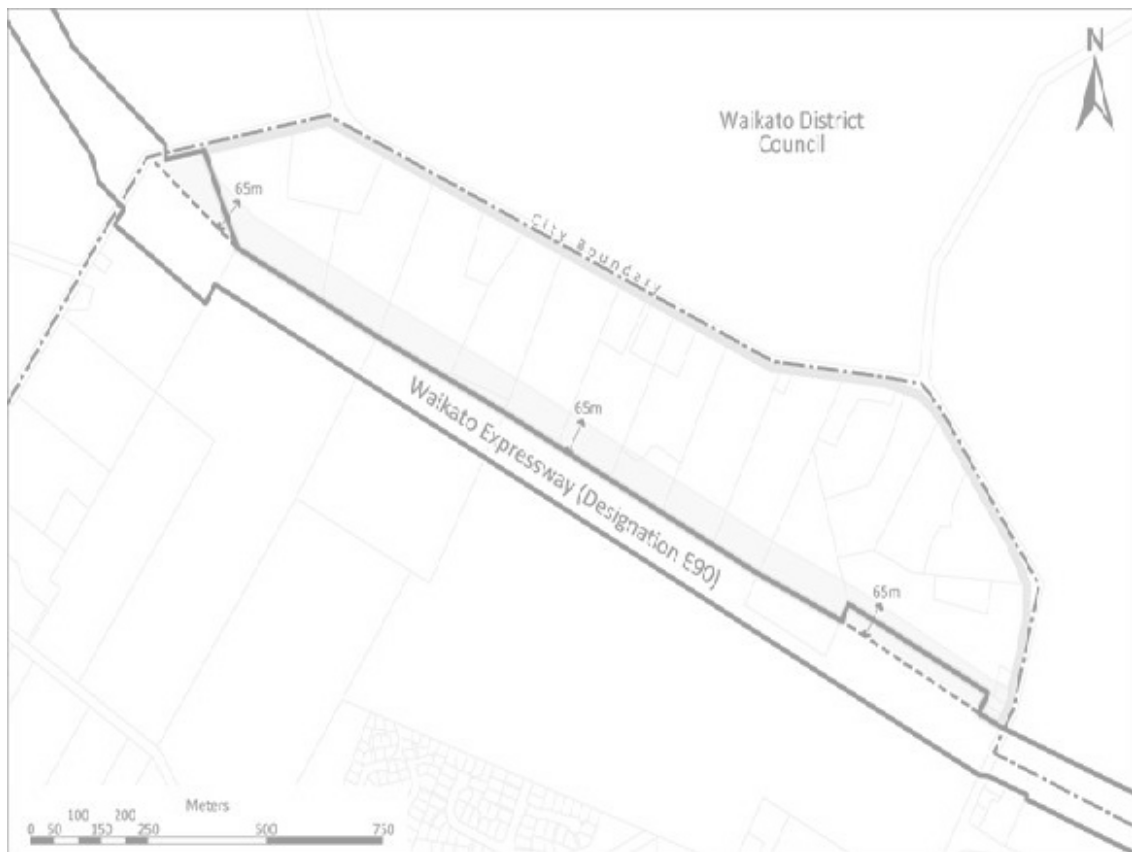
a. From a boundary with any collector or local transport corridor (minimum unless otherwise stated)	All buildings shall be setback from the boundary the greater of: i. 5m; or ii. The average of the front setback of buildings on adjoining sites (except rear sites); provided that: • Where an adjoining site is vacant the setback shall be taken as being 5m • For corner sites the setback of the adjoining site shall be taken as the average
b. From a boundary with any arterial transport corridor (minimum unless otherwise stated)	Refer to 5.4.6c f and g.
c. Where a garage or carport faces a transport corridor it shall be set back a minimum of 8m.	
d. Front, corner and through site – side and rear boundaries (minimum)	1.2m
e. Rear site – all boundaries (minimum)	1.5m
f. All habitable buildings shall be set back a minimum of 65m from the Waikato Expressway (Designation E90) as shown on Figure 5.4.6a except that if the location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or confirmed through an Outline Plan of Works approval under s176A of the RMA; or construction is underway or completed the setback shall be a 55dBL <sub>Aeq(24hr)</sub> contour line from the Waikato Expressway carriageway boundary determined at the time of subdivision.	
g. All non-habitable buildings within the 65m setback as shown Figure 5.4.6a shall be set back a minimum of 5m from the Waikato Expressway (Designation E90) except that if the location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or construction is underway or completed the set back shall be 10m from the actual carriageway edged of the Expressway.	
h. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)

**Note**

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

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

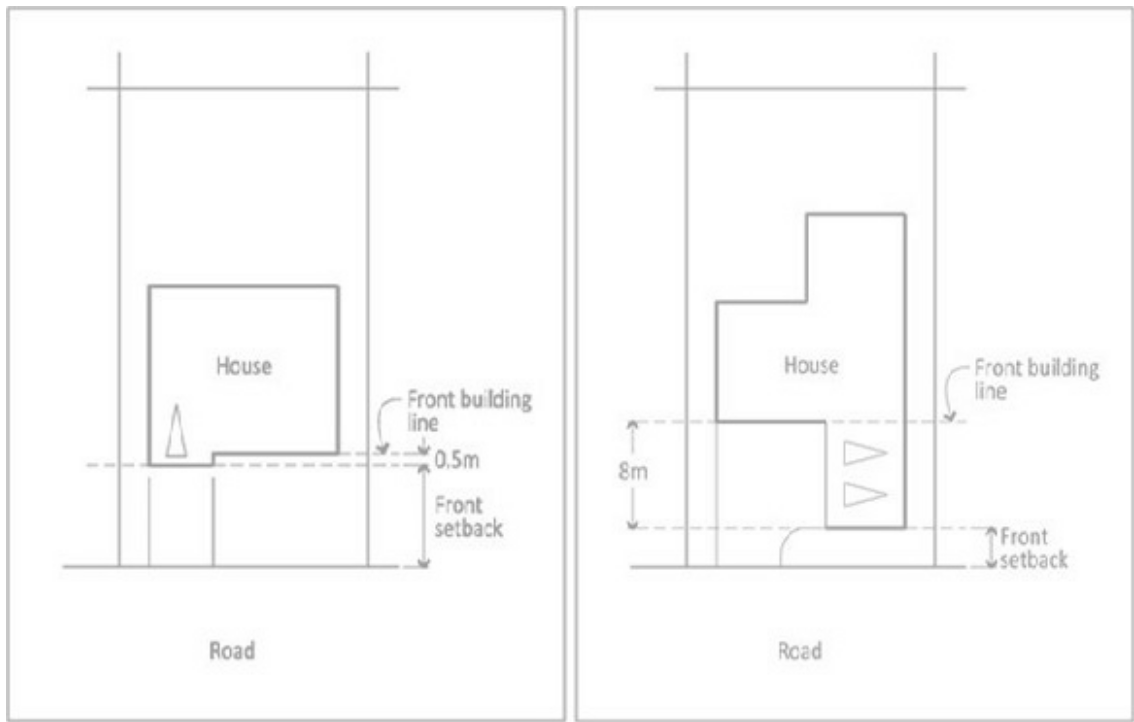




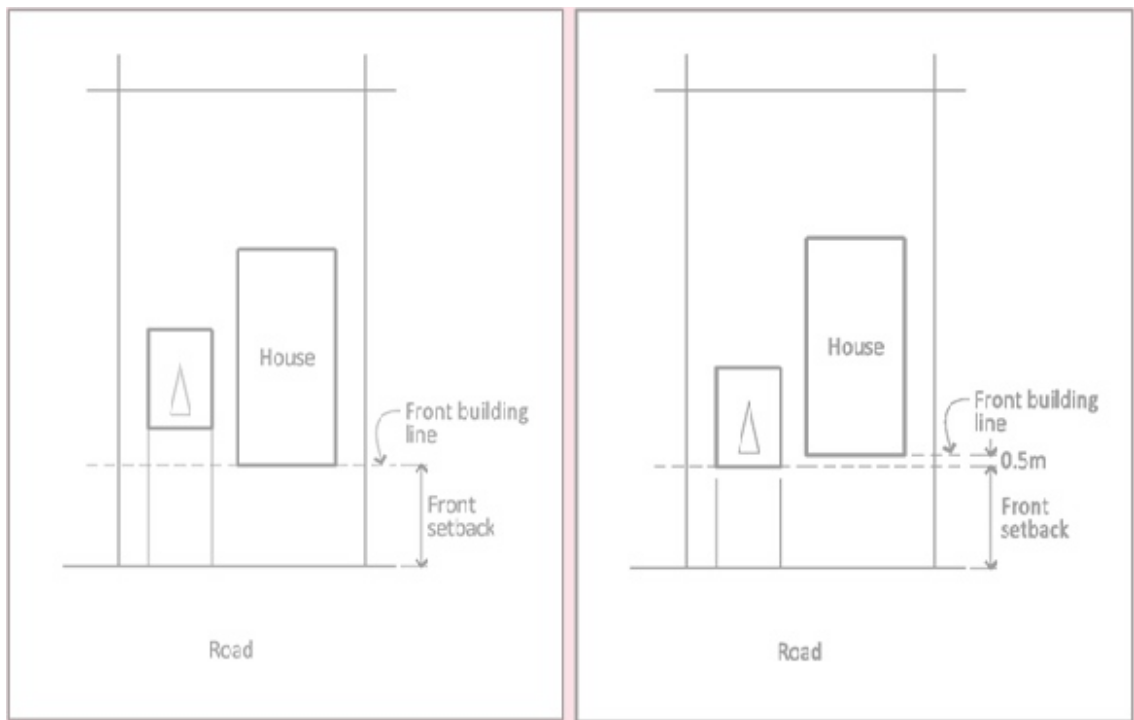
#### 5.4.7 Interface Between Public and Private

- a. These standards only apply to front, corner and through sites only.
- b. Location of accessory buildings within the front setback
  - i. All detached accessory buildings shall be located no further forward of the front building line of the dwelling than 0.5m, (see Figure 5.4.7g);
  - ii. Accessory buildings that are an integral part of the design and construction of the dwelling shall, if the garage door is to face the street be located no further forward of the front building line of the dwelling than 0.5m, (see Figure 5.4.7h);
  - iii. Accessory buildings that are an integral part of the design and construction of the dwelling, if the garage door is 90 degrees to the street it shall be forward of the front line of the dwelling (but not encroaching into the front setback), by no more than 8m.
- c. At least one habitable room shall have a clear glazed window facing the transport corridor. For corner sites, this shall be required only on the transport corridor frontage from which vehicular access is provided.

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



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



### 5.4.8 Fences and Walls

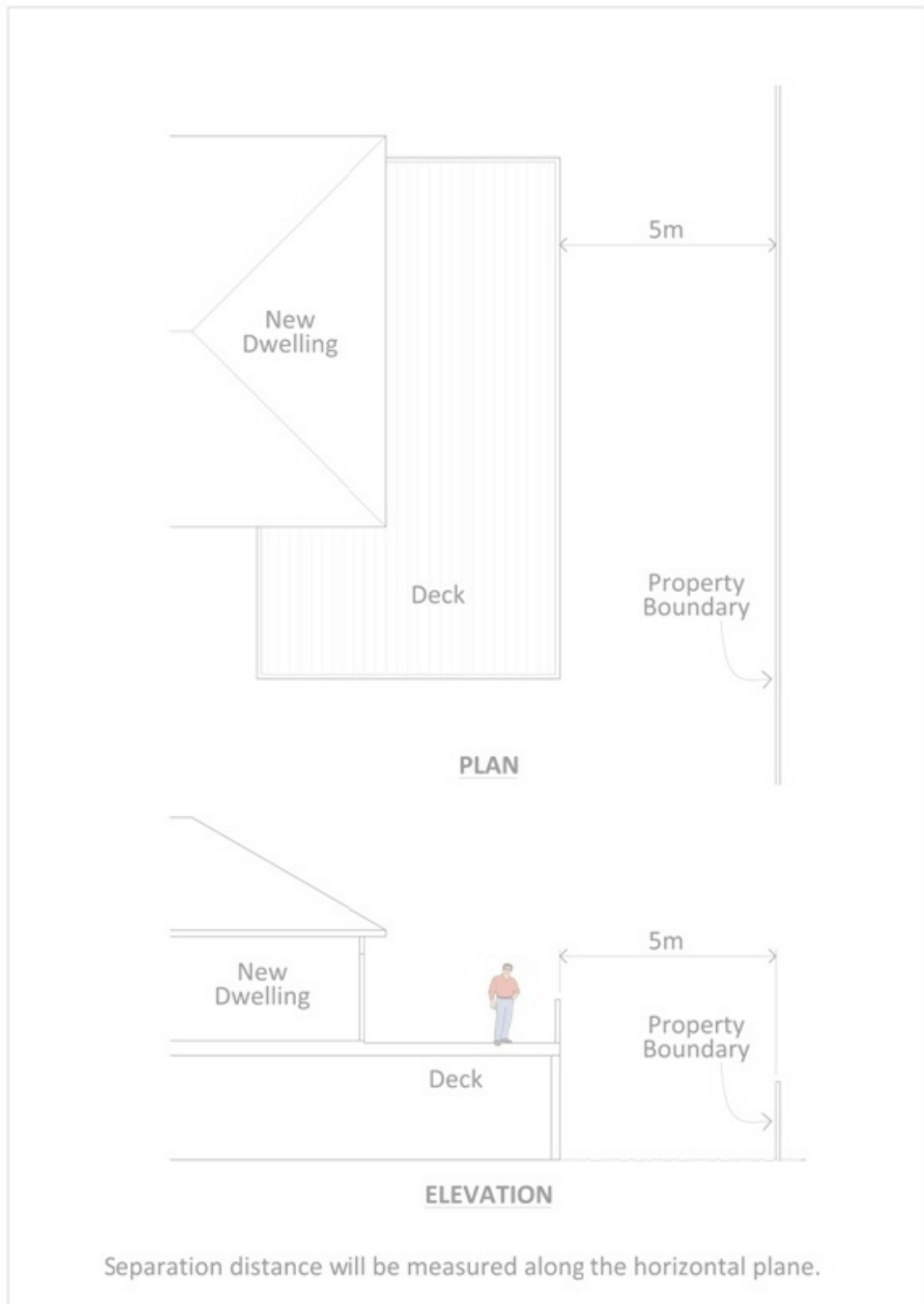
- a. Fences and walls shall have a maximum height of 1.8m, except as provided below.

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

#### 5.4.9 Residential Buildings – Separation and Privacy

- a. Residential buildings shall be set back at least 3m from the nearest part of any other residential building on the same site, except:
  - i. No separation is required between buildings that are attached.
  - ii. Where windows are located and designed (including by glazing) to avoid views between rooms in different buildings on the same site, separation distance is a minimum of 1.5m.
- b. A balcony at upper floor level shall be set back at least 5m from boundaries (see Figure 5.4.9a). This does not apply to a boundary along a transport corridor, access way, right-of-way, private way, access lot, or entrance strip less than 6m wide.

**Figure 5.4.9a:** Upper floor setbacks for separation and privacy



- c. ~~Temple View Character Area. Within the teacher housing corridor there shall be a minimum 7m separation distance between single dwellings.~~

#### 5.4.10 ~~Buildings and Activities within the Temple View Zone's Character and~~

## Heritage Areas

Description	Requirements	
	Character Area	Heritage Area
a. Curtilage wall along Tuhikaramea Road	Shall be reinstated to reflect the height, colour, design quality and spatial relationship with the built form of the former teacher housing	Shall be reinstated to reflect the height, colour and design quality of the curtilage wall
b. Colour: Applies to new buildings or alterations of existing buildings	Shall be in general accordance with the colour scheme throughout the Character Area's and adjoining Heritage Area	Shall be in general accordance with the colour scheme identified throughout the Character Area's and adjoining Heritage Area
c. Repairs and maintenance to buildings or structures	Shall be in accordance with the broader architectural characteristics such as colour, form, materials and finishes	Shall be in accordance the broader architectural characteristics such as colour, form, materials and finishes
d. Maintenance, repair and replacement of former teacher accommodation along Tuhikaramea Road	Shall reflect the general spatial characteristics, scale and modulation of the existing teacher accommodation as viewed from Tuhikaramea Road, with particular regard to the offset from the front boundary, architectural response to Tuhikaramea Road and curtilage treatment. Buildings shall include the broader architectural characteristics such as colour, form, materials and finishes and deliver on the principles of good urban design	
e. New building and development	Buildings shall generally reflect the broader architectural characteristics including but not limited to colour, style, materials and finishes to maintain a coherent character to the overall site and deliver on the principles of good urban design	Shall maintain the overall open spatial characteristics of the area, as viewed from Tuhikaramea Road with particular regard to the immediate surrounding landscape and the primacy of the Temple within the area. Buildings shall include the broader architectural characteristics such as colour, form, materials and finishes to maintain a coherent character to the overall site and deliver on the principles of good urban design
f. Repairs, maintenance and replacement of private roads and car parking areas	Shall be maintained or developed to reflect the sealed surface and kerbed edge consistent with the roads and parking areas while allowing for alternative treatment consistent with the overall character of the area where warranted for good urban design or functional requirements	Shall be maintained or developed to reflect the sealed surface and kerbed edge consistent with the roads and parking areas while allowing for alternative treatment consistent with the overall character of the area where warranted for good urban design or functional requirements

### 5.4.11 Outdoor Living Area

- a. These standards do not apply to managed care facilities or rest homes.
- b. Each residential unit shall be provided with an outdoor living area that is:
  - i. For the exclusive use of each residential unit.
  - ii. Readily accessible from a living area inside the residential unit.
  - iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and

**service areas:**

- iv. Located on a side of the residential unit which faces north, east or west (refer Figure 5.4.11.e below). For the purpose of this standard, a side that faces north, east or west means the area to the:
- West of the westernmost and/or easternmost corners of the dwelling, and/or
  - West of the west facing façade aligned at no more than 15 degrees to the north-south axis; and/or
  - East of the east facing façade aligned at no more than 15 degrees to the north-south axis.

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

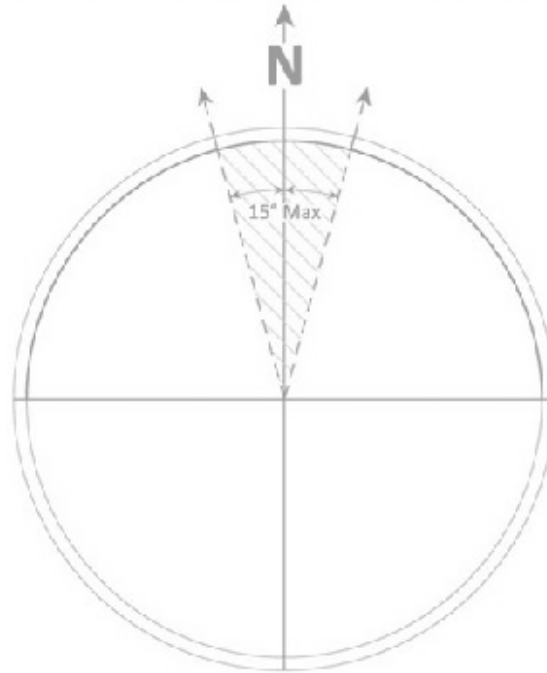
Residential units	Outdoor living area per residential unit	Shape
i. Including single dwellings and duplex dwellings	60m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Capable of containing a 6m diameter circle</li> <li>• No dimension less than 2.5m</li> </ul>
ii. Ancillary residential units	12m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

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

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

**OUT DOOR LIVING AREA**

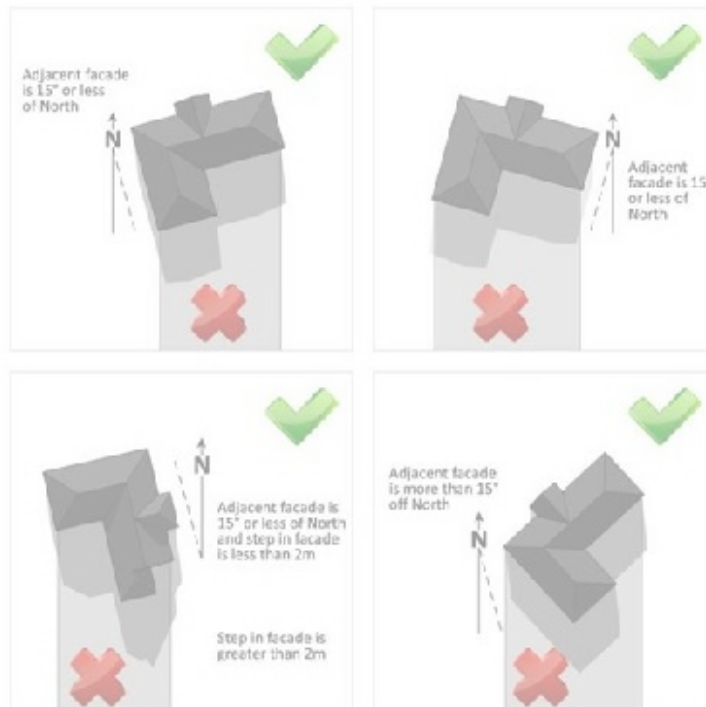
The location of the outdoor living area for a dwelling will vary based on the dwelling's orientation.



**Diagram A: Outdoor Living Area indicator**

**Note: North is True North**

To determine if a dwelling's façade is aligned no more that 15° to the north-south axis, the north point of the Outdoor Living Area Indicator (Diagram A) should be aligned with the north point shown on the site plan. If façade is within the 15° off set, then that façade should be included as part of the area used to locate outdoor living areas (See diagrams below). If a façade has an in step or out step of more than 2m the façade south of that point should be excluded.



## 5.4.12 Service Areas

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

Description	Minimum requirements
b. Every site, including first residential unit, but excluding 5.4.12.d to f	i. At least 20m <sup>2</sup> ii. Minimum dimension 3m
c. Service area for second and subsequent residential units, including duplex dwellings	i. Additional 20m <sup>2</sup> for second and each subsequent unit ii. Minimum dimension 3m
d. Service area per ancillary residential unit	i. Additional 10m <sup>2</sup> ii. Minimum dimension 2.5m
e. Apartments	i. 10m <sup>2</sup> ii. Minimum dimension 2.5m
f. Community centres, visitor accommodation, conference facilities	i. 10m <sup>2</sup> ii. Minimum dimension 2.5m
g. Dairies (may be indoor or outdoor)	i. Minimum 10m <sup>2</sup> ii. Minimum dimension 2.5m iii. Readily accessible to service vehicles iv. Indoor service area separately partitioned v. Outdoor service area shall have an all-weather, dust-free surface
h. All service areas	i. Readily accessible from each residential unit ii. Not visible from a public place

## 5.4.13 Provisions in Other Chapters

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

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

## 5.5 Rules – Specific Standards

### 5.5.1 Ancillary Residential Unit

- A maximum of one ancillary residential unit per site.
- A maximum gross floor area of 60m<sup>2</sup>.
- The outdoor living area shall not be included as part of the outdoor living area provided for the principal residential building on site.

### 5.5.2 Childcare Facility



- a. The activity shall not be part of a multiple residential unit development.
- b. The activity shall be located on a front, corner or through site.
- c. The maximum gross floor area of all buildings shall be 250m<sup>2</sup>.

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

a. Gross floor area of all buildings	Maximum 250m <sup>2</sup>
b. Hours of operation	0700 to 2200 hours
c. Additional hours for special events (maximum 1 per calendar year)	2200 to 0200 hours
d. No exterior indication of the activity, including the display or storage of materials, shall be visible from outside the site, except for permitted signs	

### 5.5.4 Dairies

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

### 5.5.5 Home-based Businesses

- a. For the avoidance of doubt, if an activity does not comply with all of the standards specified, it is not a home-based business. Home-based businesses shall:
  - i. Employ no more than 2 people, one of whom must reside on the site on a permanent basis.
  - ii. Not exceed 30% of the total gross floor area of buildings on the site.
  - iii. Not generate any trips by a heavy motor vehicle.
  - iv. Not generate vehicle trips or pedestrian traffic between 2000 to 0800 hours.
  - v. Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs.
  - vi. Retail only those goods which have been manufactured, repaired, renovated or otherwise produced on the site.
  - vii. Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.
  - viii. Not generate nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects — these shall be measured at the boundaries of the site.
  - ix. Have only one sign with a maximum area of 0.6m<sup>2</sup>, a maximum dimension of 1m and having no part higher than 2.0m above the adjacent ground level. The sign must be attached to either a fence, wall or building.

## 5.5.6 Managed Care Facilities

- a. Within one calendar month of its occupancy, the Agency or person(s) responsible for the Managed Care Facility shall provide the residents of the properties adjoining the site and Council's Planning Department a written information pack. The information pack shall include an overview of the Agency and the range of services provided (if relevant), and the type of care and programs to be provided within the Managed Care Facility and shall include the following:
  - i. Proposed number of residents.
  - ii. The anticipated number of visitors to the site per week and daily visiting hours.
  - iii. Anticipated full-time equivalent staff at the facility.
  - iv. Regular and emergency contact details to enable prompt and effective contact if necessary.
  - v. The policies for the management of possible emergency situations including the management of neighbour relations in an emergency situation.
- b. An outdoor living area shall be provided which is:
  - i. For the exclusive use of the residents.
  - ii. Readily accessible for all residents.
  - iii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
  - iv. Comprises no more than 35% impermeable surface area.
  - v. Provided with a screen, wall or fence along that part of any site boundary adjoining the outdoor living area in order to screen the area from abutting properties.
- c. The outdoor living area shall be provided communally which shall comprise:
  - i. At least 15m<sup>2</sup> per resident.
  - ii. A minimum dimension of not less than 4m.
  - iii. An area capable of containing a 6m diameter circle.
  - iv. At least 60% at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.
- d. A service area shall be provided that has:
  - i. A minimum area of 20m<sup>2</sup>; with a minimum dimension of 3m.
  - ii. In cases where a fully equipped laundry (washing and drying machines) is provided, then the service area can be reduced to a minimum of 16m<sup>2</sup> with a minimum dimension of 2m.

- e. Staff providing supervision for managed care facilities accommodating 8 or more residents shall be present on site at all times that residents are in occupation.
- f. No part of any site to be used as a managed care facility shall be located within a 150m radius of an existing managed care facility for which a resource consent was required for its establishment or operation, unless the facilities are separated by the Waikato River, an arterial transport corridor, railway lines, or a gully system identified by the Waikato Riverbank and Gully Hazard Area within the Planning Maps.
- g. No part of any site or premises used as a managed care facility shall contain a secure unit.

### 5.5.7 Relocated Buildings

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

### 5.5.8 Show Homes

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

### 5.5.9 Rest Homes

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

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

#### 5.5.10 Visitor Accommodation

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

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

- a. Retail activities within the Peacocke Character Zone need to be in general accordance with the Peacocke Structure Plan.
- b. Retail activities within the Peacocke Character Zone that form part of an approved Master Plan or part of a land use consent for Precinct 1 within the Temple View Zone, Character Area shall be required to comply with the associated rules in Chapter 6: Business Zones 1 to 6 as follows:

- i. Business Zone 5 when located in the defined Suburban Centre
  - ii. Business Zone 6 when located in the defined Community Focal Point
- once a Master Plan or land use consent has been implemented.

### 5.5.12 Development Yield in the Rototuna North East Character Zone

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

## 5.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

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

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. Any building or structure (including alterations and additions) identified as a Restricted Discretionary Activity in the Special Character Zone; except where specifically listed below*	<ul style="list-style-type: none"> <li>• E—Heritage Values and Special Character</li> </ul>
ii. Any activity identified as a Restricted Discretionary Activity in the Special Character Zone; except where specifically listed below*	<ul style="list-style-type: none"> <li>• E—Heritage Values and Special Character</li> </ul>
iii. Alterations and additions forward of the front building line to a pre-1940 dwelling within the Hamilton East Dwelling Control area or to a pre-1939 dwelling within the Claudelands Dwelling Control area on a front, corner or through site	<ul style="list-style-type: none"> <li>• E—Heritage Values and Special Character</li> </ul>
iv. Ancillary residential unit*	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>
v. Single dwelling: Second and subsequent residential unit per site*	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>
vi. Duplex dwellings—excluding Hayes Paddock*	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>
vii. Childcare facility for 6 or more children, except in Temple View Zone	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>
viii. Community centre	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>
ix. Dairy	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>
x. Tertiary education and specialised training facility	<ul style="list-style-type: none"> <li>• B—Design and Layout</li> <li>• E—Heritage Values and Special Character</li> </ul>

xi. Rest home*	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xii. Walkways and cycleways*	<ul style="list-style-type: none"> <li>E— Heritage Values and Special Character</li> <li>G— Transportation</li> </ul>
xiii. Single dwelling: First residential unit per site*	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xiv. Childcare facility within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xv. Apartments within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xvi. Erection of any boundary structure along Tuhikaramea Road, within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xvii. Construction of a new building within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xviii. School within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xix. Marae within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xx. Place of Worship within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xxi. Visitor accommodation within Precinct 4 of the Character Area within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xxii. Retail activity, other than as a homebased business in Precinct 1 of the Character Area within Temple View	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> <li>H1— Function, vitality and amenity of centres</li> </ul>
xxiii. Healthcare services within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xxiv. Place of Assembly within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xxv. Office, other than as a home-based business, in Precinct 1 of the Character Area within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> <li>H1— Function, vitality and amenity of centres</li> </ul>
xxvi. Emergency housing for up to 10 residents within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>
xxvii. Managed care facilities within the Temple View Zone	<ul style="list-style-type: none"> <li>B— Design and Layout</li> <li>E— Heritage Values and Special Character</li> </ul>

**Note**

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

## 5.7 Other Resource Consent Information

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

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

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

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