

This chapter is subject to the following plan changes:
 Proposed new text in Notified Plan Change 12 - underlined with green highlighting.
 Proposed deleted text in Notified Plan Change 12 - ~~striketrough with red highlighting~~.
 Recommended amendments to Notified Plan Change 12:

- New text - underlined.
- Deleted Operative Plan text - ~~striketrough~~.
- Deleted Notified Plan Change 12 text - ~~striketrough~~.

Submission Points relating to recommended amendments.

4.1 Residential Zones

4.1.1 Purpose

All Residential Zones

The Residential Zones assist in creating a compact City. The Central City Zone also contributes significantly to the residential strategy by providing opportunities for higher-density living in the Central City (see Chapter 7: Central City Zone).

The city has a finite amount of residential land. To accommodate more people, Council needs to develop the land it has more efficiently. The key is to provide a range of section sizes and household choices, including smaller sections and more compact living environments (such as townhouses and apartments).

District Plan provides for four Residential Zones (shown on the Planning Maps) that promote opportunities for different dwelling densities and housing typologies. These are:

4.2 General Residential Zone.

4.3 Medium Density Residential Zone.

4.3A Peacocke Medium Density Residential Zone

4.4 High Density Residential Zone.

4.5 Large Lot residential Zone.

The provisions of this chapter are designed to assist in meeting the density targets of the Regional Policy Statement.

Vision and Strategy (Te Ture Whaimana)

The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato is the primary direction-setting document for activities within the Waikato and Waipa River catchments.

Development within the residential zones have the potential to adversely affect the health and well-being of the Waikato River and its tributaries particularly with regards to the potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within the Waikato River catchment. Te Ture Whaimana requires betterment (restoration and protection) and this must be proportionate to the impact of the application/development on the catchment.

Historic Heritage

District Plan identifies a number historic heritage buildings and historic heritage areas within the residential areas that will have specific rules for the development of these area to ensure the retention of their historic values(see Chapter 19: Historic Heritage). These areas are identified through an overlay. Rules within Chapter 19 take preference over Chapter 4.

Residential Precincts

A number of residential precincts (Appendix 3 – 3-1) have been established within the residential zones where specific objectives, policies and rules have been introduced. A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying residential zone. Objectives and policies for any of the precincts have primacy over any similar objectives and policies set out in 4.1.2 and 4.3.2.

All Residential Areas

Design and layout of residential units and buildings are critically important. All residential development must address potential adverse environmental effects and ensure a quality-well-functioning urban environment is achieved through high quality urban design.

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 safe environment including the provision of usable, practical and function living space both internally and externally. The planned urban form for each residential zone is anticipated to change, and this may detract from current values experienced by some people. These changes are not, in themselves, an adverse effect.

All Residential Zones are intended to be primarily for residential purposes and other activities need to maintain residential character and amenity.

In addition to residential activities, some small-scale non-residential activities, such as home-based business and home stays, are appropriate in residential areas. A limited range of non-residential activities that support communities, such as schools and health centres, can potentially establish within the zones. However, this is subject to their compatibility with the anticipated residential character and amenity.

Three-Waters Connections Policy

For a development wanting to connect to the city's water, wastewater and stormwater networks an additional approval may be required through the Three Waters Connection Policy which sits outside of the conventional resource management planning process. The Three Waters Connection Policy outlines what matters Council will consider when considering an application for a service connections approval.

4.1.2 Objectives and Policies: All Residential Zones

- a) Objectives and policies for any of the precincts have primacy over any similar objectives and policies set out in 4.1.2 and 4.3.2.

Objective	Policies
<p>4.1.2.1 Ensure that development within the Residential Zones gives effect to The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato.</p>	<p>4.1.2.1a Avoid development where the direct or cumulative effects on the three waters infrastructure network cannot be mitigated to an acceptable level.</p> <p>4.1.2.1b Developments and activities in the Residential Zones must give effect to the outcomes in the The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato through developments and activities being designed and operated to protect and restore the health and wellbeing of the River.</p> <p>4.1.2.1c The health and wellbeing of the Waikato River is restored and protected by controlling density, building size, site permeability and appropriate mitigation of earthworks, and by maintaining and enhancing access to the Waikato River.</p> <p>4.1.2.1d Where development is adjoining gullies that convey stormwater to the Waikato River, a comprehensive treatment train approach to stormwater treatment, indigenous wetland and landscape planting, and ecological restoration of the gullies will be required to enhance and protect the ecological values of the gully network.</p> <p>4.1.2.1e Water-sensitive techniques are incorporated into new development to reduce demand on water supplies, wastewater disposal and to manage stormwater.</p>

Explanation

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

Development within the residential zones have the potential to adversely affect the health and well-being of the Waikato River and its tributaries. Te Ture Whaimana o Te Awa o Waikato requires betterment (restoration and protection) therefore the potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within the Waikato River catchment need to be avoided, remedied or mitigated.

Objective	Policies
<p>4.1.2.2 Development maximises the use of land by providing a range of housing typologies that are consistent with support the needs of the community and the neighbourhood's</p>	<p>4.1.2.2a Any development must:</p> <ul style="list-style-type: none"> i. Provide an adequate level of infrastructure and services appropriate for the proposed development, with the

planned urban built character while ensuring the provision of infrastructure services as part of any development.

[exception of Three Waters infrastructure in the Ruakura Structure Plan area and the Large Lot Residential Zone.](#)

- ii. [Takes into account and will not compromise the infrastructural needs of anticipated future development.](#)
- iii. [Not occur unless appropriate infrastructure and/or infrastructure capacity is available to service the proposed development.](#)
- iv. [Ensures that the capacity, efficiency, performance and sustainability of the wider infrastructure network is not compromised.](#)
- v. [Uses public infrastructure ahead of private infrastructure where appropriate.](#)

4.1.2.2b

[Residential development will use land and infrastructure efficiently by:](#)

- i. [Staging and sequencing development in general accordance with the relevant Structure Plan.](#)
- ii. [Otherwise complying with the relevant Structure Plan.](#)

4.1.2.2c

[Residential development shall achieve densities that are consistent with the growth management policies of the Waikato Regional Policy Statement and Future Proof.](#)

4.1.2.2d

[New buildings and activities shall mitigate effects on and from regionally significant infrastructure](#)

4.1.2.2e

[Residential land uses should be managed to avoid potential unreasonable effects, such as noise, from arterial transport corridors and state highways.](#)

4.1.2.2f

[New residential development must be able to be adequately serviced in terms of Three Waters infrastructure, with the exception of the Ruakura Structure Plan area Large Lot Residential Zone.](#)

4.1.2.2f

[Manage building setbacks and site layouts along identified transport corridors to provide sufficient amenity for adjoining sites and enable their widening to accommodate future dedicated facilities for public transport, walking, cycling, or micro-mobility.](#)

Explanation

[Not only do the residential areas need to have an adequate level of infrastructure available to enable development to occur, but they need to ensure that any development does not undermine that ability to accommodate the anticipated future increase in residential densities in the residential zones.](#)

Development densities provided for within the growth management policies of the Waikato Regional Policy Statement which takes into account policies from Future Proof and the Hamilton Urban Growth Strategy. Complying with staging ensures that infrastructure can be planned in advance of development and the effects of increased densities can be better managed. Infrastructure includes Three Waters and transport networks, as well as social infrastructure like libraries and community halls.

Council will assess any new service connection against the Regional Infrastructure Technical Specifications, the Three Waters Connection Policy, as well as any other relevant matter considered necessary to make a determination on an application to connect.

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

The policies recognise the need to manage residential land uses around regionally significant infrastructure, both existing and proposed — both to manage the effects that residential activities and structures can have on the infrastructure, as well as the adverse effects that the infrastructure can have on residential uses.

Objective	Policies
<p>4.1.2.3 The Residential Zones and development within these zones positively contribute to achieving a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</p>	<p>4.1.2.3a Apply the Medium Density Residential Standards (MDRS) across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga).</p> <p>4.1.2.3ab Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance and an urban tree canopy;</p> <p>4.1.2.3bc Enable housing to be designed to meet the day-to-day needs of residents.</p> <p>4.1.2.3cd Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</p>
Objective	Policies
<p>4.1.2.4 Residential activities remain the dominant activity in the Residential Zones and non-residential activities remain compatible with residential amenity values.</p>	<p>4.1.2.4a Manage the effects of non-residential activities, while recognizing that there are social, economic, community health and safety, and environmental benefits to be had from locally available non-residential activities within neighbourhoods.</p> <p>4.1.2.4b Home-based businesses must:</p> <ul style="list-style-type: none"> i. Be ancillary to the residential activity of the site. ii. Maintain a residential scale and visual appearance and have operational characteristics that are compatible with residential amenity values.

	<ul style="list-style-type: none"> iii. <u>Take place within residential units or ancillary buildings.</u> iv. <u>Involve no outdoor storage of vehicles (other than those associated with staff or customers), equipment or goods visible from a public place.</u>
	<p>4.1.2.4c <u>Community facilities (including schools) and community support activities (including managed care facilities and residential centres) must:</u></p> <ul style="list-style-type: none"> i. <u>Serve a local social or cultural need, or wider educational needs for the community.</u> ii. <u>Be compatible with anticipated residential amenity.</u>
	<p>4.1.2.4d <u>Non-residential activities must only serve the local residential area and be of a <u>scale size</u> that reflects the anticipated residential amenity of the neighbourhood.</u></p>
	<p>4.1.2.4e <u>Visitor facilities such as accommodation and conference facilities should be located primarily in the Visitor Facilities Precinct.</u></p>

Explanation

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

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

Objective	Policies
<p>4.1.2.5 <u>Residential development incorporates sustainable features and technologies <u>that also consider climate change, including through emissions reduction and adaptation to the changing climate.</u></u></p>	<p>4.1.2.5a <u>Development must <u>encourage enable</u> the efficient use of energy and water, <u>such as-by:</u></u></p> <ul style="list-style-type: none"> i. <u>Incorporating water-sensitive techniques.</u> ii. <u>Off-setting Mitigating the effects of loss of permeable surface</u> <u>Reducing the use of reticulated electricity.</u> iii. <u>Utilizing solar energy.</u> iv. <u>Providing for electric mobility and its associated charging infrastructure.</u>

	<p>v. Consideration of sustainable building ratings</p> <p>vi. Providing residents with easily accessible information on the efficiency features of the development and how to best utilise these features for maximum environmental benefit.</p> <p>4.1.2.5b Ensure development implements methods and technologies to minimise the effects on climate change. Development implements methods and technologies to minimise and respond to the effects of climate change at all stages (design, construction and use of buildings) such as:</p> <ul style="list-style-type: none"> i. Utilisation of renewable energy sources ii. Increasing carbon sequestration iii. Mitigating 'urban heat island' effect through planting and providing adequate shade iv. Ensuring building design considers and accounts for the weather extremes predicted for Hamilton Kirikiriroa <p>4.1.2.5c Development encourages the preservation of topsoil and subsoils onsite.</p> <p>4.1.2.5d Development is informed by a flood risk assessment, utilising best available information, to ensure that risks of adverse effects from flood hazards are tolerable.</p>
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Explanation

This objective encourages new residential dwellings to use water and energy-efficient technologies and both will range in scale appropriate to the building. ~~Residential-~~The development of residential units, for example, ~~may wish to install should consider the installation of~~ solar panels on the roof and ~~install~~ a rainwater tank and provide infrastructure requirements for electric vehicles. Apartment buildings have the ability to incorporate more sophisticated technologies.

Objective	Policies
<p>4.1.2.6 Residential developments are designed and developed to create an attractive and safe urban environment, providing a level of amenity consistent with the planned urban environment:</p> <ul style="list-style-type: none"> i. On site for residents; ii. On adjoining sites; and iii. For the transport corridor and public open spaces. 	<p>4.1.2.6a Ensure that all development has a public 'front', where neighbours and visitors will access and primarily experience the development from and a private 'back', where public access is restricted and by invitation only. Require development to compatibly configure its fronts and backs with those of adjacent development so as to positively contribute the amenity of well-defined public and publicly accessible spaces, and private spaces.</p> <p>4.1.2.6b Require development to configure its public fronts and private backs to be compatible with adjacent development, contributing to the amenity of well-defined public and private spaces.</p> <p>4.1.2.6cb Require buildings and structures adjacent to the boundary of</p>

public and publicly accessible areas (including transport corridors) to incorporate CPTED principles.

4.1.2.6de

Building and development design achieves quality on-site amenity by providing:

- i. Buildings located close to the front boundary and/or the boundary adjoining the space that the public will gain access from and which the development will front.
- ii. Visually obvious front doors and habitable room windows facing the public front.
- iii. Practical and functional internal and external living area.
- iv. Private, useable outdoor living areas that are located to the rear of the site where it is practicable to do so
- v. Access to adequate levels of sunlight and daylight throughout the year.
- vi. Adequate service areas to accommodate typical residential living requirements.
- vii. Public access and, where offered, parking (where offered) and manoeuvring areas on-site contribute positively to on-site amenity and meet the needs, safety, and convenience of residents.
- viii. Energy-efficient and sustainable design technologies where compatible with the scale and form of residential development.
- ix. Sufficient outlook to create a sense of visual and acoustic privacy.
- x. Avoidance of the visual dominance of site and building frontages by garages or parking areas.
- xi. Limit the number of vehicle crossings to prioritise pedestrian and cyclist safety and amenity on public roads or publicly accessible spaces used to give access to development.
- xii. Use of private rear / service lanes, separate to the space forming the public front, associated with narrow-frontage dwellings so as to achieve (9) and (10).
- xiii. High quality landscaping to add visual amenity and mitigate the impacts of climate change, including the urban heat island effect and impacts on the natural environment.

4.1.2.6ed

Ensure each residential unit is provided with adequate storage space and service areas to accommodate typical residential living requirements.

<p>4.1.2.6fe Ensure development is designed (such as through building location, orientation, and acoustic insulation) to avoid unreasonable adverse noise effects occurring between residential units or from non-residential activities on the site or from adjoining sites.</p>
<p>4.1.2.6gf Vegetation and trees, including street trees, should be retained wherever possible, and replaced where they cannot be retained.</p>
<p>4.1.2.6hg Encourage the siting of buildings to take advantage of aspect, topography and site conditions.</p>
<p>4.1.2.6ih Require the provision of landscaping and trees to mitigate potential adverse effects of activities and to contribute to the overall amenity, climate resilience, and urban tree canopy of residential areas.</p>
<p>4.1.2.6ji Ensure Minimise the number of vehicle crossings providing access to residential units with narrow, are minimised on road frontages where narrow dwellings are proposed and where such access would cross an existing or proposed shared paths and separated cycle ways path, are located or cycle lane.</p>
<p>4.1.2.6kj Ensure any development is well designed and minimises building bulk and visual dominance effects on adjoining sites, including minimising opportunities for overlooking adjoining properties.</p>

Explanation

Good design of housing is critically important to on-site and off-site amenity, especially where there is higher-density housing. The policies identify the features important for residential development, regardless of what form the dwelling may take, e.g. single, duplex or apartment.

Important design features include access to sunlight, outdoor living space, storage space, space for waste and recycling, visual connectivity to public spaces such as the street, and privacy. Incorporation of these features will ensure functional and high-quality living environments for the occupants.

How buildings relate to a street or public accessible space (such as a private road or accessway) can have a major bearing on people's perception of the safety of an area. Cumulative effects of development should contribute positively to the streetscape and amenity. The urban amenity expected by residents can be positively or negatively altered by development.

Objective	Policies
<p>4.1.2.7 Buildings and activities at the interface of residential zones with significant natural areas will be managed to ensure the ecological values of these areas are</p>	<p>4.1.2.7a Adverse effects of adjoining development on identified significant natural areas shall be managed through limiting earthworks and controlling vegetation maintenance to reduce the impact on their ecological values.</p>

<u>protected.</u>	
Explanation	

Residential development adjoining areas of significant natural values have the potential to adversely affect the values of these areas and the ecological function and health of these areas as a result these affects needed to be addressed before development can occur.

Objective	Policies
<p>4.1.2.8 <u>Buildings and activities within a Historic Heritage Area will be managed to ensure the heritage values of these areas are retained.</u></p>	<p>4.1.2.8a <u>Non-residential activities shall only be established within any identified historic heritage area when the activity maintains the heritage values of the area through built form and scale.</u></p>
Explanation	

Non-residential uses within identified historic heritage areas should be discouraged unless they can retain the historic value of the area through the design of the built form and scale of the proposed activities.