

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 - ~~strikethrough with red highlighting~~.

Recommended amendments to Notified Plan Change 12:

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

Submission Points relating to recommended amendments.

13 Rototuna Town Centre Zone

13.1 Purpose

- a. The Rototuna Town Centre will provide the community with access to a range of goods and services in their local area. It is a mixed-use Centre comprising residential, retail, community, recreational and employment activities to provide everyday goods and services for the community. The District Plan provisions seek to achieve a comprehensively developed and well designed Centre, with high levels of amenity and quality living, working and playing environments. The zone provisions have been designed to enable the Centre to function as a local commercial and community focal point. It is essential that the Centre is well connected to the surrounding area it serves and is provided with efficient transport links to the wider City.
- b. The Centre is a component of the Rototuna Structure Plan, which guides development in the Structure Plan area. Development in the Centre must be in general accordance with the Rototuna Town Centre Concept Plan, ~~with Comprehensive Development Plans being used to ensure a comprehensive approach to development is taken in this area.~~
- c. The Concept Plan identifies activity precincts, proposed roads, pedestrian and cycle networks, public open space, water courses, drainage reserves and other key features. The design, layout, scale, integration, connectivity and form of buildings and sites will contribute to the amenity and successful functioning of the Centre.
- d. The Town Centre is made up of several activity precincts that contribute to the overall function of the Centre. These Precincts are:
 - i. Retail (areas 1 and 2).
 - ii. Employment.
 - iii. Residential Mixed Use.
 - iv. ~~Residential Medium and High Density.~~
 - v. Community.
 - vi. Active Recreation.
 - vii. Public Square.

13.2 Objectives and Policies: Rototuna Town Centre Zone

Objective	Policies
<p>13.2.1 The Town Centre becomes the focal point for the Rototuna area by providing for the local community's retail, employment, service, entertainment, and recreation needs and a range of residential living opportunities.</p>	<p>13.2.1a Ensure development contributes to the overall form and function of the Rototuna Town Centre by being in general accordance with the Rototuna Structure Plan, Rototuna Town Centre Concept Plan and Rototuna Town Centre Design Guide.</p>
	<p>13.2.1b Provide for a range of activity types in appropriate locations within the Town Centre through the land use precincts identified on the Rototuna Town Centre Concept Plan.</p>
	<p>13.2.1c Create a vibrant heart for the Town Centre through the development of community and commercial facilities of a high design standard, focused on the Main Street and Public Square.</p>
	<p>13.2.1d Ensure sufficient land is available for the establishment of service and light industries to provide local employment opportunities and meet the requirements of the Rototuna community.</p>
	<p>13.2.1e Promote a street-based, pedestrian-orientated shopping environment with a range of small shops in the Retail 1 Precinct by limiting retail floor areas.</p>
	<p>13.2.1f Promote the establishment of larger format retail activities in the Retail 2 Precinct to service the local community.</p>
<p>Explanation</p>	
<p><i>The role of the Rototuna Town Centre is primarily to serve local needs. The scale of retail, office and other commercial development will be controlled through floor area limits to ensure that the Centre functions as a local centre and to complement other large centres such as the City Centre, Chartwell and The Base that have city-wide and sub-regional commercial functions. This approach is entirely consistent with that of the Waikato Regional Policy Statement requiring Hamilton City Council to achieve compact urban environments that allow people to live, work and play within their local area.</i></p>	
Objective	Policies
<p>13.2.2 Develop the Town Centre in a comprehensive manner to ensure integrated approaches to land development and provision of infrastructure, the efficient use of the land resource, and the management of adverse effects.</p>	<p>13.2.2a Ensure that urban development within the Town Centre is undertaken in a comprehensive manner, integrating uses appropriately.</p>
	<p>13.2.2b Ensure the comprehensive development of the Town Centre is not compromised by the effects of sporadic development which does not integrate with adjacent activities and the wider area.</p>
	<p>13.2.2c Promote opportunities for developers to work together and to work with Council and other infrastructure providers to enable the</p>

	sharing of resources and facilities to achieve an integrated built form.
Explanation	
<i>A comprehensive approach to the design, layout and physical form of urban development enables agreed urban design policy approaches to be consistently applied. Such an approach also enables the complex relationships between different land uses to be effectively managed. A comprehensive approach requires consideration of developments in the wider context of the area, including relationships to key features such as the Main Street and Public Square.</i>	
Objective	Policies
<p>13.2.3 Ensure development incorporates quality urban design to achieve a functional, attractive, safe and vibrant Town Centre.</p>	<p>13.2.3a Require land use activities and subdivisions to be designed and developed in general accordance with the Rototuna Structure Plan, Rototuna Town Centre Concept Plan and Rototuna Town Centre Design Guide.</p>
	<p>13.2.3b Facilitate a vibrant Retail Precinct by providing for a range of activities, including the use of upper floors for business, entertainment and residential activities.</p>
	<p>13.2.3c Require the establishment of retail and restaurant activities at ground floor level in the Primary Frontage area identified on the Primary and Secondary Frontages Plan.</p>
	<p>13.2.3d Ensure that activities establishing at ground floor level within any defined primary and secondary frontage have customer entrances facing the street or Public Square.</p>
	<p>13.2.3e Ensure that off-street car parking does not dominate the street frontage, in particular ensure that any defined primary or secondary frontages are edged by built development rather than large parking, loading and service areas.</p>
Explanation	
<p><i>Town centres are an essential component of the urban fabric, providing essential goods and services to communities, and helping create a community identity and focal point. The urban design component of the District Plan seeks to ensure that these centres develop as attractive employment, living and community nodes. These outcomes are important in creating successful and sustainable centres that are vibrant and distinctive and in creating an environment that is high quality, safe and accessible to the surrounding community. Primary frontage areas are identified on the Primary and Secondary Frontages Plan (Volume 2, Appendix 7, Figure 7-3) to facilitate the development of retail focused principal shopping streets where buildings have a close relationship with adjoining streets and public spaces through a minimum two storey enclosure of the space and by adding variety and activity to the shopping frontage. Mixed-use development is encouraged within the Town Centre. This will benefit the community by enabling more activity in the area and contributing to greater urban vitality. Whilst residential activities are encouraged, they are not provided for at ground level in order to ensure continuous active retail and commercial activity street frontages. Well designed town centres encourage walking and cycling, thereby reducing dependence on the motor vehicle and promoting more sustainable use of land and infrastructure.</i></p>	

Objective	Policies
<p>13.2.4 Development of a Town Centre that is well connected and safely accessible by a range of transport modes.</p>	<p>13.2.4a Ensure streets, cycle ways, walkways and public transport facilities are designed and developed in general accordance with the Rototuna Structure Plan, Rototuna Town Centre Concept Plan and the Rototuna Town Centre Design Guide.</p>
	<p>13.2.4b Use the Rototuna Town Centre Concept Plan to guide development to achieve safe and efficient access to the Town Centre and within the Town Centre.</p>
	<p>13.2.4c Encourage <u>any opportunities for car parking provided to be</u> shared and centralised car parking provision.</p>
	<p>13.2.4d Ensure adequate provision is made for vehicle loading and storage and vehicle access, without compromising pedestrian safety and convenience.</p>
	<p>13.2.4e Ensure that street design including carriageway widths, cycleways and footpaths, traffic management measures, recognises the importance of such spaces as part of the public realm.</p>
	<p>13.2.4f Require, where practicable, provision of convenient access between carparking areas and the activities they are intended to serve.</p>
<p>Explanation</p>	
<p><i>The Rototuna Town Centre Concept Plan has been designed to create an urban form that facilitates greater use of public transport, and encourages walking and cycling. The vitality and vibrancy of the Town Centre can be enhanced by incorporating urban design principles into the design of roading infrastructure and by recognising that these are shared public spaces that contribute to the Centre's identity. An integrated transport network helps to avoid, remedy or mitigate the adverse effects of the roading network on the environment and on the community's amenity values by reducing travel distances to facilities, minimising car usage and pollution. The provision of adequate and convenient parking and loading facilities is part of Council's transport planning throughout the City. The ability of roads to carry traffic efficiently and safely depends to a large extent on the provision of vehicle parking, loading, manoeuvring, and access to and from properties.</i></p>	
Objective	Policies
<p>13.2.5 Development shall avoid adverse effects resulting from differing activities in the Town Centre and surrounding area.</p>	<p>13.2.5a Ensure that commercial and employment activities adjacent to residential precincts and zones are developed and operated in a manner that avoids effects on residential amenity values.</p>
	<p>13.2.5b Identify activity precincts within the Town Centre as a means of separating incompatible activities and managing adverse effects of activities.</p>
	<p>13.2.5c</p>

	Avoid the establishment of incompatible activities, such as heavy industry and noxious or offensive trades in the Employment Precinct, which may adversely affect the amenity of the precinct or adjoining precincts.
	13.2.5d Ensure buildings intended for mixed-use activities are designed to protect residents from the adverse effects of noise.
	13.2.5e Use building setbacks, separation and height controls and amenity planting where buildings adjoin residential precincts and zones.
	13.2.5f Require buildings to be set back from the Waikato Expressway and arterial roads.
	13.2.5g Require the provision of landscaping or landscape screening to mitigate potential adverse effects of activities and to contribute to the overall amenity of the Town Centre.

Explanation

It is important to ensure that incompatible uses such as industrial activities and residential activities do not establish in the same location, as this can cause nuisance effects such as noise, odour and heavy traffic, and can place constraints on the operation of the industrial activities. Part of the planning mechanism for managing effects is requiring activities to meet specified standards such as height controls, provision of service areas, outdoor open space and landscaping. These standards are especially important in locations where a precinct adjoins another precinct or zone and where sites adjoin arterial roads or the Waikato Expressway.

Objective	Policies
<p>13.2.6 Development of compact, well designed, and functional residential developments with high levels of amenity that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</p>	<p>13.2.6a Ensure that high, medium and mixed-use residential development establish in the locations shown on the Rototuna Town Centre Concept Plan.</p>
	<p>13.2.6b Use the Rototuna Town Centre Design Guide to implement quality residential design and living environments.</p>
	<p>13.2.6c Ensure that residential development delivers densities which maximises benefits of intensification within the Town Centre delivers densities consistent with those promoted by Future Proof and the Regional Policy Statement.</p>
	<p>13.2.6d Ensure each residential unit is provided with adequate storage space and service areas to accommodate typical residential living requirements.</p>
	<p>13.2.6e Ensure development is designed to avoid adverse noise effects occurring between residential units or from non residential activities.</p>
	<p>13.2.6f</p>

	Ensure development that is adjacent to public space achieves visual and physical connectivity to these areas.
	13.2.6g Ensure that buildings and activities associated with communal or care facilities do not overly dominate the amenity values of any residential precinct.
	13.2.6h-6g Encourage the siting of buildings to take advantage of aspect, topography and site conditions.
	13.2.6i.6h Require the provision of landscaping to mitigate potential adverse effects of activities and to contribute to the overall amenity of residential areas.

Explanation

The layout of residential developments particularly in terms of privacy, setbacks, sunlight/daylight open space and service needs, are important to the quality and desirability of ~~medium to high density~~ residential development. However, there needs to be flexibility in how these aspects are addressed to ensure high quality design outcomes and an efficient use of the site. Buildings and structures also need to be of a size and scale that might be expected as part of a town centre and that are compatible with surrounding residential areas. The way in which buildings interface with public spaces can have a major bearing on how these spaces are used and their overall amenity value. Encouraging strong visual connections between public spaces and adjoining residential activities can lead to a greater sense of personal safety for the users of these spaces. This in turn promotes greater use and enjoyment of the spaces themselves.

~~The Rototuna Town Centre Zone must give effect to the Regional Policy Statement and be consistent with the principles of Future Proof and the Hamilton Urban Growth Strategy. The Future Proof Strategy requires an average dwelling yield of 16 dwelling units per developable hectare be applied to all new greenfield urban growth areas. This is to ensure an efficient use of the remaining physical land resource of the Waikato sub-region. Minimising energy demand and making efficient use of energy can be achieved through the layout, siting and design details of buildings.~~

Objective	Policies
13.2.7 Infrastructure is provided in a timely, integrated and efficient manner to support the establishment of land use activities.	13.2.7a Ensure infrastructure is provided in general accordance with the Rototuna Structure Plan and Rototuna Town Centre Concept Plan.
	13.2.7b Protect and enhance existing Three Waters infrastructure and encourage low impact urban design and development.
	13.2.7c Overland flow paths are to be identified during subdivision or development and retained free of obstruction, with a capacity to pass stormwater flows safely without causing damage to any property.

Explanation

Encouraging integrated approaches with Three Waters and the adoption of low impact design approaches are all mechanisms to assist in the efficient and coordinated provision of infrastructure and development. The Regional Policy Statement also introduces policy that specifies development principles, these include the requirement to direct development away from hazard areas and avoiding, remedying and mitigating adverse effects of development on soil stability, water quality, aquatic ecosystems and flooding. The above mechanisms

along with identifying and protecting overland flow paths all assist in giving effect to this policy.

Objective	Policies
<p>13.2.8 Provision of open space and protection of natural features to support biodiversity, enhance amenity levels and promote community health and wellbeing.</p>	<p>13.2.8a Ensure open space, active recreation reserves, drainage reserves and natural features are provided and designed in general accordance with the Rototuna Structure Plan, Rototuna Town Centre Concept Plan and the Rototuna Town Centre Design Guide.</p>
	<p>13.2.8b Ensure the creation of an ecological, cycling and walking corridor in association with the drainage reserve and water course.</p>
	<p>13.2.8c Ensure that the development of open space is consistent with any relevant operative Reserve Management Plan.</p>
	<p>13.2.8d Ensure that recreational facilities and activities (including ancillary activities) are designed, located and operated in a manner that will ensure that any adverse effects on the amenity of recreation land or its surrounding environment are minimised.</p>
	<p>13.2.8e Ensure that any building and parking facilities are integrated into the site and do not compromise the character thereof.</p>

Explanation

Open space and natural features make a significant contribution to the characteristics of an area and contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. It is therefore important to ensure that sufficient open space and recreation areas are provided for the Rototuna community and that these areas meet the varying requirements of the community. It is also important to recognise and provide for the multiple functions that open space and reserves provide. These functions include areas for active recreation such as sports fields and playgrounds, corridors for moving pedestrians and cyclists, corridors to facilitate biodiversity and drainage, and areas that enhance amenity and provide pleasant outlooks.

13.3 Explanation of Rules

- a. The rules that apply to development and activities in the Rototuna Town Centre Zone have been separated into two sections. Rules 13.4, 13.6, 13.8 should be developed in an integrated and 13.9 apply comprehensive manner. For this reason, in addition to all activities the identification of precincts, Figure 7-2 of Volume 2, Appendix 7 identifies a number of development areas.
- b. Applications for resource consent for a development area should be in accordance with the Rototuna Structure Plan, Rototuna Town Centre Concept Plan, Rototuna Town Centre Design Guide, the information requirements in Appendix 1.2.2.8 of Volume 2, Appendix 1 and development that require consent as part of a Comprehensive Development any other relevant rule in the District Plan process before they can be established. Rules 13.5, 13.7 and 13.8

apply to all activities and development after a Comprehensive Development Plan has been fully implemented and after all activities authorised by that consent have been fully operational for at least six months.

- c. In terms of Rule 13.5.15 Provisions in Rules 13.8 and 13.9, and the applicable rules in Rules 13.8.13 and 13.9.16, Other Chapters the following modifications shall apply.
 - i. For the Residential Medium-Density, Residential High-Density and Residential Mixed-Use Precincts Precinct the provisions relating to the Medium-Density Residential Zone.
 - ii. For the Employment Precinct the provisions relating to the Industrial Zone.
 - iii. For the Active Recreation and Public Square Precincts the provisions relating to the Sport and Recreation Zone.
 - iv. For the Retail 1 and Retail 2 Precincts the provisions relating to the Business 5 Zone.
 - v. For the Community Precinct the provisions relating to the Community Facilities Zone.

13.4

Rules – Activities Subject to a Comprehensive Development Plan

- a. ~~The Rototuna Town Centre is divided into a number of Comprehensive Development Plan (CDP) Areas (as shown in Volume 2, Appendix 7, Figure 7-2).~~
- b. ~~Apart from the exceptions set out in 13.4.c and d. below, development of any land cannot be commenced unless it is in accordance with a consented CDP.~~
- c. ~~There are some activities that can occur as permitted activities, subject to compliance with relevant standards in Rule 13.8, before the approval of a CDP. These activities are:~~
 - i. ~~Maintenance, repair and minor alterations to existing buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage).~~
 - ii. ~~Temporary activities in accordance with Chapter 25.3: City-wide – Events and Temporary Activities.~~
 - iii. ~~Demolition or removal of existing buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage).~~
- d. ~~New transport corridors are restricted discretionary activities in accordance with Chapter 25.14 City-wide Transportation.~~
- e. ~~Applications for a CDP must be for a whole area, as identified in Volume 2, Appendix 7, Figure 7-2. Development within the Area may proceed in stages if stages have been defined as part of the consent granted for the CDP.~~
- f. ~~Unless otherwise stated, a CDP (required in respect of the areas identified in Volume 2, Appendix 7, Figure 7-2) requires an application for resource consent as a discretionary activity.~~

- g. The activity status of a CDP application will be classified as non-complying if one or more activities that form part of the application are identified as a non-complying activity in the Activity Status Table (Refer to Rule 13.6).
- h. All activities listed in Rule 13.6 are non-complying activities in the absence of an approved CDP, unless the activity is listed as permitted in Rule 13.4.c, subject to compliance with relevant standards.
- i. Activities within CDPs that fail to meet one or more of the standards in Rules 13.8 and 13.9 will be classified as a discretionary activity, with particular regard to the effects arising from the failure to meet the relevant standard or standards.
- j. Rule Table 13.6 sets out the status of activities (included in a CDP) in each precinct, as identified on the Rototuna Town Centre Concept Plan in Volume 2, Appendix 7, Figure 7-1.
- k. For changes of activities following the full implementation of a CDP in accordance with Rule 13.3.a, refer to Rules 13.7 and 13.9.

Note

1. All applications for CDPs shall specifically assess and determine the most suitable and appropriate location, format of roading network and other key components of infrastructure, and the location of precinct and CDP boundaries which are shown in diagrammatic form only on the Rototuna Town Centre Concept Plan (Volume 2, Appendix 7, Figure 7-1).
2. All applications for a CDP shall incorporate, as part of their base information, all locations and formats of roads, infrastructure precinct and CDP boundaries as determined through previous CDP consents within the Rototuna Town Centre Zone.

13.5

Rules – Activities Proposed after the Implementation of a Comprehensive Development Plan

- a. All development in an area that is subject to an approved CDP consent is permitted, but it must comply with the terms of that consent. Changes to the conditions of a CDP consent will be considered as a discretionary activity under section 127 of the Act, except where the proposed changes involve materially different effects or extend the scope of the original application. In these instances a new CDP consent is required (refer to 13.5.b).
- b. For an approved CDP that has been implemented any changes in use, or changes that involve materially different effects or extend the scope of the original application will require a new CDP consent. The new CDP will be assessed as a discretionary activity, unless otherwise stated (refer to Rule 13.7). There are some changes that can occur as permitted activities without the need for a new CDP consent. These activities are subject to compliance with the relevant standards in Rule 13.8, and are as follows:
 - i. Maintenance, repair and minor alterations to existing buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage).
 - ii. Informal recreation and ancillary buildings.
 - iii. Passenger transport facilities.
- c. After a CDP has been fully implemented and after all activities authorised by that consent

have been fully operational for at least six months Rule 13.7 and Rule 13.8 shall apply.

13.6 Rules – Activity Status Table for Comprehensive Development Plans

Activity	Activity Status											
	Retail 1 Precinct	Retail 2 Precinct	Community Precinct	Employment Precinct	Active Recreation Precinct	Public Square Precinct	Residential Mixed Use Precinct	Residential High Density Precinct	Residential Medium Density Precinct			
Buildings												
a. The erection of any new building, or external alteration or addition to an existing building				D	D	D	D	D	NC ¹	D	D	D
Commercial Activities and Structures												
b. Retail activities				D	D	NC	NC	NC	D	D	NC	NC
c. Ancillary retail activity				D	D	D	D	D	NC	D	NC	NC
d. Offices				D	D	D	D	NC	NC	D	NC	NC
e. Health care services				D	D	D	D	NC	NC	D	NC	NC
f. Visitor accommodation				D	D	D	NC	NC	NC	D	D	D
g. Service industry				D	D	NC	D	NC	NC	D	NC	NC
h. Light industry				NC	NC	NC	D	NC	NC	D	NC	NC
i. Restaurants				D	D	D	NC	NC	D	D	NC	NC
j. Licensed premises				D	D	D	NC	NC	D	D	NC	NC
k. Tertiary education and specialised training facilities				D	D	D	D	D	NC	D	NC	NC
l. Places of assembly				D	D	D	D	D	NC	D	NC	NC
m. Childcare centres				D	D	D	D	D	NC	D	NC	NC
n. Home-based business				D	D	D	D	NC	NC	D	D	D
o. Service stations				NC	NC	NC	D	NC	NC	NC	NC	NC
p. Parking lots and parking buildings				D	D	D	D	NC	NC	D	NC	NC
q. Transport depots				NC	NC	NC	D	NC	NC	NC	NC	NC
r. Yard-based retailing				NC	D	NC	NC	NC	NC	NC	NC	NC
Community Activities and Structures												
s. Schools				D	D	D	D	D	NC	D	NC	NC

t. Community centres	D	D	D	D	D	NG	D	NG	NG
u. Places of worship	NC	NC	D	D	NC	NC	NC	NC	NC
v. Marae	D	D	D	D	NG	NG	D	NG	NG
w. Emergency service facilities	NG	NG	NG	D	NG	NG	NG	NG	NG
x. General recreation	NC	NC	NC	NC	D	D	NC	NC	NC
y. Informal recreation and ancillary buildings	D	D	D	D	D	D	D	D	D
z. Club rooms	D	D	D	D	D	NG	D	NC	NC
aa. Passenger transport facilities	D	D	D	D	D	D	D	D	D
Residential Activities and Structures									
bb. Apartment	D	D	NG	D	NG	NG	D	D	D
cc. Residential centres	D	D	D	NG	NG	NG	D	D	D
dd. Managed care facilities	D	D	D	NC	NC	NC	D	D	D
ee. Rest homes	D	D	D	NG	NG	NG	D	D	D
ff. Single dwellings	NG	NG	NG	NG	NG	NG	NC	NC	D
gg. Accessory building	D	D	D	D	D	NG	D	D	D
hh. Ancillary residential units	D	D	D	D	NG	NG	D	D	D
All Activities and Structures									
ii. Signs	D	D	D	D	D	D	D	D	D

[†]Excludes buildings associated with public transport facilities, which shall be classified as discretionary activities.

Note

1. Refer to 13.3.a – Explanation of Rules. Example: The inclusion of light industry within the Community Precinct will identify a CDP as a non-complying activity, pursuant to Rule 13.4.h.
2. For any activity not identified above, see Section 1.1.8.1.

13.7.4

Rules –

Activity Status Table for Activities Proposed Within an Area with an Implemented Comprehensive Development Plan

Refer to Rule 13.3.a: Explanation of Rules for an explanation of when a Comprehensive Development Plan is considered to have been implemented.

Activity	Activity Status							Residential High Density Precinct Deleted under PC12	Residential Medium Density Precinct Deleted under PC12
	Retail 1 Precinct	Retail 2 Precinct	Community Precinct	Employment Precinct	Active Recreation Precinct	Public Square Precinct	Residential Mixed Use Precinct		

Buildings									
a. The erection of any new building associated with activities listed in this Table, or external alteration or addition to an existing building ¹	D	D	D	D	D	NC ²	D	D	D
b. Maintenance, repair and minor alterations to existing buildings (except heritage buildings in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P	P	P	P	P	P	P
Commercial Activities and Structures									
c. Retail activities	P	P	NC	NC	NC	P	P	NG	NG
d. Ancillary retail activity	P	P	P	P	D	NC	P	NC	NC
e. Offices	P	P	P	P	NC	NC	P	NG	NG
f. Health care services	P	P	P	P	NC	NC	P	NG	NG
g. Visitor accommodation	P	P	P	NC	NC	NC	P	D	D
h. Service industry	D	D	NC	P	NC	NC	P	NC	NC
i. Light industry	NC	NC	NC	P	NC	NC	D	NC	NC
j. Restaurants	P	P	P	NC	NC	P	P	NG	NG
k. Licensed premises	P	P	D	NC	NC	P	D	NC	NC
l. Tertiary education and specialised training facilities	P	P	P	P	D	NC	P	NC	NC
m. Childcare centres	P	P	P	P	D	NC	P	NG	NG
n. Places of assembly	P	P	P	D	D	NC	D	NC	NC
o. Home-based business	P	P	P	P	NC	NC	P	P	P
p. Service stations	NC	NC	NC	D	NC	NC	NC	NC	NC
q. Parking lots and parking buildings	D	D	D	D	NC	NC	D	NC	NC
r. Transport depots	NC	NC	NC	P	NC	NC	NC	NC	NC
s. Yard-based retailing	NC	P	NC	NC	NC	NC	NC	NC	NC
Community Activities and Structures									
t. Community centres	P	P	P	D	D	NC	D	NC	NC
u. Marae	D	D	P	D	NC	NC	D	NC	NC
v. Schools	P	P	P	P	D	NC	P	NC	NC
w. Emergency service facilities	NC	NC	NC	D	NC	NC	NC	NC	NC
x. General recreation	NC	NC	P	NC	P	P	NC	NC	NC
y. Club rooms	P	P	P	D	P	NC	D	NC	NC

z. Places of Worship	D	D	P	D	D	NC	D	NC	NC
Residential Activities and Structures									
aa. Apartment	P	P	NC	P	NC	NC	P	P	P
bb. Residential centres	D	D	D	NC	NC	NC	D	D	D
cc. Managed care facilities	D	D	D	NC	NC	NC	D	D	D
dd. Rest homes	D	D	P	NC	NC	NC	P	P	P
ee. Single dwellings	NC	NC	NC	NC	NC	NC	NC	NC	P
ff. Accessory building	D	D	D	D	D	NC	D	D	D
gg. Ancillary residential units	P	P	P	P	NC	NC	P	P	P
hh. <u>Terraced dwelling</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>P</u>		

¹ Excludes ancillary buildings associated with Informal Recreation which are classified as permitted activities and alterations and additions to buildings associated with existing schools which are classified as permitted activities in Community Precincts.

² Excludes buildings associated with Public Transport Facilities which shall be classified as discretionary activities.

Note

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

13.8.5 Rules – General – Performance Standards for All Permitted Activities in the Rototuna Town Centre Zone

13.8.5.1 Change in Land Use

Development Yield

a. A change in land use in an approved GDP shall not result in the development yields (Rule 13.9.1) being not achieved.

Applications for Development Areas must demonstrate that the yield achieves the Residential Unit total identified below.

Development area (as identified in Appendix 7-2)	Residential yield – minimum units per Development area ('no maximum limit') ¹
<u>B</u>	<u>25</u>
<u>G</u>	<u>114</u>

13.8.5.2 Primary Frontages

Height in Relation to Boundary

Where a building is on land that adjoins a Residential Zone, Community Facilities Zone or an adjoining development area no part of any building shall penetrate a height control plane rising at an angle of 60 degrees beginning at an elevation of 4m above the boundary.

Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- i. A boundary with a road
- ii. Existing or proposed internal boundaries within a site
- iii. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed
- iv. Where written consent from the owners and occupiers of the adjoining property and/or Development Plan area is obtained.

13.5.3 Primary Frontages

- a. Only retail activities and restaurants shall be located at the ground floor level of buildings within the Primary Frontages, as defined in Volume 2, Appendix 7, Figure 7-3.

13.8.3.5.4 Hours of Operation

- a. Hours of operation for specified activities are as follows.

i. Any use that is not Residential in the Mixed Use Precinct	0600hr and 2300hr (Monday-Saturday) 0700hr and 2300hr (Sunday and public holidays)
ii. Community Precinct (excluding residential activity)	0700hr and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)
iii. Active Recreation Precinct	0700 and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)
iv. Flood Lighting in the Active Recreation Precinct	0800hr and 2130hr
v. General Recreation in the Public Square Precinct	0700 and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)

13.8.4 Residential Unit Size

- a. The minimum habitable gross floor area required in respect of any Residential Unit shall be:

Form of residential unit	Gross floor area
i. <u>Studio unit</u>	<u>Minimum 45m²</u>
ii. <u>1 bedroom unit</u>	<u>Minimum 55m²</u>
iii. <u>2 or more bedroom unit</u>	<u>Minimum 80m²</u>

- b. In any one residential apartment building containing in excess of 20 residential units, the combined number of one bedroom units and studios shall not exceed 70% of the total number of apartments within the building.

13.8.5.5 Residential Activities Outdoor Living, Service and Storage Areas

a. Outdoor Living Area

- i. Each Residential Unit or any residential accommodation associated with non-residential activities shall be provided with an outdoor living area which:
- Shall be for the exclusive use of the Residential Unit.
 - Shall be readily accessible from a living area of a Residential Unit.
 - Shall be free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
 - Shall have a minimum area per Residential Unit of 12m² and a minimum dimension of 2.5m width, where provided at ground level.
 - Shall have a minimum area per Residential Unit of 8m² and a minimum dimension of 1.8m width, where provided in the form of a balcony, patio or roof terrace.

Note

1. Any communal outdoor living is optional and shall be provided in addition to the above provisions.

b. Service Area

- i. Each Residential Unit or any residential accommodation associated with non-residential activities shall be provided with service areas as follows.
- A minimum service area of 10m² per residential unit with a minimum dimension of 2.5m located at ground floor level and readily accessible to that residential accommodation.
 - The service area shall be maintained with an all-weather, dust free surface.
 - The vehicular access associated with a service area may not be located within a primary or secondary frontage.
 - A service area shall not be able to be viewed from a public space.

c. Storage Area

- i. ~~In addition to internal storage, each Residential Unit or any~~ Each residential accommodation associated with non-residential activities ~~unit shall be provided with a~~ storage ~~areas as follows.~~
- ~~Located~~ area located at or below ground floor level ~~and,~~ readily accessible to that residential accommodation unit, secure and weatherproof.
 - The storage ~~area~~ areas for each residential unit shall ~~be secure and weather proof.~~

- Meet the following minimum of 1.8m long by 0.9m high by 0.6m deep volume requirements:

Unit Type	Minimum Storage Area Volume
Studio unit	3m ³
One bedroom unit	4m ³
Two bedroom unit	5m ³
Three or more bedroom unit	6m ³

- iii. The minimum dimensions for width and depth shall be 1.2m and the minimum height shall be 1.8m.

13.8.5.6 Residential Activities in Non-Residential Precincts

- a. No residential units (including apartment buildings), residential centres, managed care facilities, rest homes, visitor accommodation or marae shall be located at ground floor level within the Retail, Employment or Community Precincts.

13.8.5.7 Retail Activities

- a. The maximum gross floor area of any individual retail tenancy in the Retail 1 Precinct shall not exceed 400m².
- b. Retail activities in the Retail 1 Precinct shall not form part of an integrated development with a gross floor area in excess of 1,000m².
- c. The maximum gross floor area of any individual retail tenancy in the Retail 2 Precinct shall not exceed 4,000m².
- d. In the Residential Mixed-use Precinct:
 - i. The maximum gross floor area of any individual retail tenancy shall not exceed 100m².
 - ii. Individual retail tenancies must front onto the street and be located in accordance with the Retail Frontages in Volume 2, Appendix 7, Figure 7-4.
 - iii. Only one retail tenancy depth from the road frontage.
 - iv. No Integrated Retail Developments.
- e. The maximum land area occupied for yard-based retailing by any individual retail tenancy shall not exceed 150m².
- f. The maximum gross floor area of any individual Ancillary Retail tenancy shall not exceed:
 - i. 400m² in the Retail 1 Precinct.
 - ii. 50m² in the Community Precinct.
 - iii. 150m² in the Employment Precinct.

iv. 100 m² in the Residential Mixed Use Precinct.

13.5.8.8 Offices

- a. The maximum gross floor area of any individual office tenancy shall not exceed 250m² in the Retail 1, Retail 2, Community, Employment or Residential Mixed-use Precincts.

13.8.5.9 Tertiary Education and Specialised Training Facilities, Schools and Childcare Centres

- a. The maximum floor area of any individual Tertiary Education and Specialised Training Facility, School or Childcare Centre shall not exceed 250m² in the Employment or Mixed-use Residential Zone.

13.8.5.10 Service Areas for Non-Residential Activities

Any buildings used for non-residential activities shall be provided with one or more service areas as follows.

- a. The total service area shall be not less than 10m² or 1% of the gross floor area of the building whichever is the greater, provided that any individual service area shall be not less than 5m² with a minimum dimension of 2.5m.
- b. A service area may be located within a building, provided it is separately partitioned with an exterior door directly accessible by service vehicles.
- c. Any outdoor service area shall be maintained with an all-weather, dust free surface.
- d. Any service area, and any associated vehicular access shall not be located within a primary frontage.

13.5.11 Building Setbacks from Expressway

- a. All buildings shall be setback a minimum of 15 metres from the boundary of the Waikato Expressway (Designation E90 and E90a).

13.5.12 Development Intensity Active Recreation

- a. The maximum site coverage for buildings in the Active Recreation precinct shall be 1% or 250m², whichever is greater.

13.8.11.5.13 Rest Homes

- a. Activities shall comply with Rule 4.3.5.7.9.b b. to e.

13.8.12.5.14 Home-based Business

- a. Activities shall comply with Rule 4.7.3.5.4.

13.8.13 Provisions in Other Chapters

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

- 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

13.9 Rules – Standards for Discretionary Activities, Only for Activities Listed in Rule 13.6

13.9.1 Development Yield

Applications for Comprehensive Development Plans must demonstrate that the yield achieves the Residential Unit total identified below.

Comprehensive Development Plan area (as identified in Appendix 7-2)	Residential yield – minimum units per Comprehensive Development Plan area ('no maximum limit') ¹
B	25
F	30
G	114
H	138
J	115
K	101
L	83
M	87
N	123
O	223
Q	36
R	75
S	104
T	93

¹The yields set out above guide the total level of residential development expected in order to meet the growth strategies of the Regional Policy Statement. The yield can be adjusted up as there is 'no maximum limit'.

13.9.2 Height in Relation to Boundary

- a. Where a building is on land that adjoins a Residential Zone, Community Facilities Zone, the

Residential Medium Density Precinct, Residential High Density Residential Precinct or an adjoining GDP area:

- i. No part of any building shall protrude through a height control plane rising at an angle of 28° between northwest (315°) and northeast (45°) and an angle of 45° in all other directions and commencing at an elevation of 3m above ground level at any boundary (See Figure 13.9.2b).
Except that:
- ii. Where a boundary adjoins a road or access, the 45° vertical angle commencing at a height of 3m above the boundary shall apply to the affected boundary.
- iii. Where buildings are attached, no setback is required between those buildings.
- iv. Where written consent from the owners and occupiers of the adjoining property and/or Comprehensive Development Plan area is obtained.

Figure 13.9.2b: Height control plane for a boundary adjoining a Residential Zone, Community Facilities Zone, the Residential Medium Density Precinct, Residential High Density Residential Precinct or an adjoining GDP area

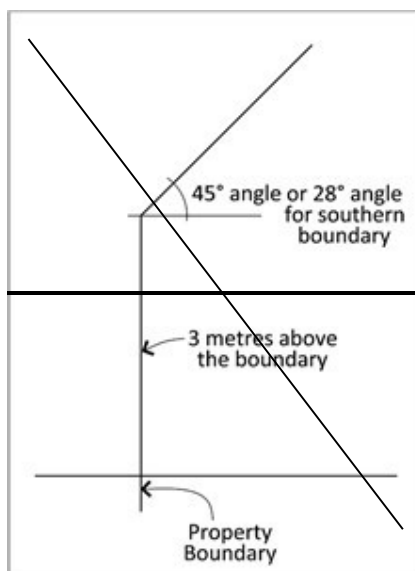
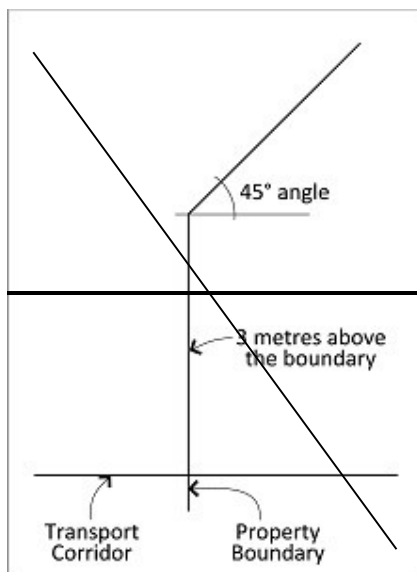


Figure 13.9.2c: Height control plane for a boundary adjoining a transport corridor or access



13.9.3 Building Setbacks from Expressway

- a. All buildings shall be setback a minimum of 15 metres from the boundary of the Waikato Expressway (Designation E90 and E90a).

13.9.4 Development Intensity Active Recreation

- a. The maximum site coverage for buildings in the Active Recreation precinct shall be 1% or 250m², whichever is greater.

13.9.5 Primary Frontages

- a. Only retail activities and restaurants shall be located at ground floor level of buildings within the Primary Frontages as defined in Volume 2, Appendix 7, Figure 7-3.

13.9.6 Hours of Operation

- a. Hours of operation for specified activities are as follows:

Activity	Hours of operation shall be between
i. Any use that is not residential in the Residential Mixed Use Precinct	0700hr and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)
ii. Community Precinct (excluding residential activity)	0700hr and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)
iii. Active Recreation Precinct	0700 and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)
iv. Flood Lighting in the Active Recreation Precinct	0800hr and 2130hr
v. General Recreation in the Public Square Precinct	0700 and 2230hr (Sunday to Thursday) 0700hr and 2400hr (Friday and Saturday)

13.9.7 Residential Unit Size

- a. The minimum habitable gross floor area required in respect of each residential unit in the Rototuna Town Centre Zone shall be:

Form of Residential Unit	Gross Floor Area
i. Studio unit	Minimum 45m ²
ii. 1 bedroom unit	Minimum 55m ²
iii. 2 or more bedroom unit	Minimum 80m ²

- b. In any one residential apartment building containing in excess of 20 residential units, the combined number of one bedroom units and studios shall not exceed 70% of the total number of apartments within the building.

13.9.8 Residential Activities in Non-Residential Precincts

- a. No residential units (including apartment buildings), residential centres, managed care facilities, rest homes, visitor accommodation or marae shall be located at ground floor level within the Retail, Employment or Community Precincts.

13.9.9 Retail Activities

- a. The maximum gross floor area of any individual retail tenancy in the Retail 1 Precinct shall not exceed 400m².
- b. Retail activities in the Retail 1 Precinct shall not form part of an integrated development with a gross floor area in excess of 1,000m².
- c. The maximum gross floor area of any individual retail tenancy in the Retail 2 Precinct shall not exceed 4,000m².
- d. In the Residential Mixed-use Precinct:
- i. The maximum gross floor area of any individual retail tenancy shall not exceed 100m².
 - ii. Individual retail tenancies must front onto the street and be located in accordance with the location of retail plan in Volume 2, Appendix 7, Figure 7-4.
 - iii. Only one retail tenancy depth from the road frontage with no Integrated Retail Developments.
- e. The maximum land area occupied for yard-based retailing by any individual retail tenancy shall not exceed 150m².
- f. The maximum gross floor area of any individual ancillary retail tenancy shall not exceed:
- i. 400m² in Retail 1 Precinct.
 - ii. 50m² in Community Precinct.
 - iii. 150m² in Employment Precinct.

- iv. ~~100m² in Residential Mixed-use Precinct.~~

13.9.10 ~~Offices~~

- a. ~~The maximum gross floor area of any individual office tenancy shall not exceed 250m² in the Retail 1, Retail 2, Community, Employment, or Mixed-use Residential Precincts.~~

13.9.11 ~~Tertiary Education and Specialised Training Facilities, Schools and Childcare Centres~~

- a. ~~The maximum gross floor area of any individual tertiary education and specialised training facility, school or childcare centre shall not exceed 250m² in the Employment, or Mixed-use Residential Zone.~~

13.9.12 ~~Service Areas Non-Residential Activities~~

- a. ~~Any buildings used for non-residential activities shall be provided with one or more service areas as follows:~~

- i. ~~The total service area shall be not less than 10m² or 1% of the gross floor area of the building, whichever is the greater, provided that any individual service area shall be not less than 5m² with a minimum dimension of 2.5m.~~
- ii. ~~A service area may be located within a building provided that it is separately partitioned with an exterior door directly accessible by service vehicles.~~
- iii. ~~Any outdoor service area shall be maintained with an all-weather dust free surface.~~
- iv. ~~Any service area, and any associated vehicular access shall not be located within a primary frontage.~~

13.9.13 ~~Rest Homes~~

- a. ~~Activities shall comply with Rule 4.7.9.b. to e.~~

13.9.14 ~~Managed Care Facilities~~

- a. ~~Activities shall comply with Rule 4.7.6.~~

13.9.15 ~~Home-based Business~~

- a. ~~Activities shall comply with Rule 4.7.5.~~

13.9.16.5.15 Provisions in Other Chapters

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

- 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

13.10.6

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