

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.

4.3

Medium Density Residential Zone

4.3.1

Purpose

Its purpose The Medium Density Residential Zone is applied to provide for housing supply and choice in a manner that meets the future needs of the community. The Medium Density Residential Zone is a reasonably high-intensity zone enabling a greater intensity of development than~~previously provided for~~ the General Residential Zone.

Medium density development provides a number of benefits, including a more efficient use of land and infrastructure and the ability to foster walkable communities, which provide for access to services, jobs and daily needs within a walkable or cyclable distance. The thresholds of what is anticipated are primarily derived from the Government's requirements including through its National Policy Statements.

Over time, the appearance of the medium density neighbourhoods will change, with development typically up to five storeys in a variety of sizes and forms, including detached dwellings, terrace housing and apartments. It also provides for more housing options, such as one or two person homes, smaller families and opportunities for retirees to downsize. Increased density supports public transport and viable commercial centres, increasing the number of people within a walkable catchment.

The Medium Density Residential Zone applies to~~existing~~ residential areas that have been identified as suitable to accommodate higher density development. The intent is to encourage site redevelopment, primarily for multi-level and attached housing which are expected to deliver good urban design outcomes. These areas are located within greenfield areas, to the north of the Central City, along Boundary Road, Hukanui Road and Peachgrove Road, and adjacent to the following Business Centres:

- Chartwell
- Hamilton East
- Five Cross Roads
- University and Clyde Street
- Thomas Road
- Dinsdale
- Glenview
- Nawton

The zone also provides for residentially-compatible business activity including home businesses and other commercial or community activities.

The Medium Density Residential Zone may be extended to include new areas as part of future private plan changes or Council-led plan change processes.

Where resource consent is required for 4 or more dwellings, the plan places particular emphasis on achieving the anticipated urban built character of the Medium Density Residential Zone while achieving attractive and safe street and public open spaces. As well as managing the effects of development on adjoining neighbouring sites, including visual amenity, privacy and access to daylight, and ensuring a high quality on-site living environments. The built character of the Zone is anticipated to change over time, with effects on the existing amenity of neighbouring sites anticipated.

Precincts

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.

Ruakura and Te Awa Lakes Residential Precincts

Activities within a Development Area can proceed on a staged basis if stages have been defined as part of the resource consent granted.

Applications for resource consent for a Development Area should be in accordance with the relevant structure plan, relevant design guide, the information requirements in Appendix 1.2.2.8 of Volume 2 and any other relevant rule in the District Plan.

Where an application for resource consent for a Development Area requires consent for a number of activities with a variety of activity status, for the purposes of assessment, the activities will be bundled and the most onerous activity status will apply to the entire application.

Where resource consent for Development Activities is required in the Ruakura and Te Awa Residential Precinct, these consents should be applied for concurrently to achieve coordinated and integrated development.

Rotokauri North Precinct

The Rotokauri North Precinct is approximately 140 hectares. It is bounded to the north by Te Kowhai Road and to the west by Exelby Road. Chapter 3.6A refines and supersedes the Rotokauri Structure Plan with respect to land within Rotokauri North.

Peacocke Precinct

For any development within the Peacocke Precinct Chapter 4A Peacocke Medium Density Residential Zone will apply.

4.3.2

Objectives and Policies: Medium Density Residential Zone

- a. The following objectives and policies do not apply in the Medium Density Zone: Peacocke Precinct (Refer to 4.3A).
- b. Objectives and policies for any of the precincts have primacy over any similar objectives and policies set out in 4.1.2 and 4.3.24.

Objective	Policies
<p>4.3.2.1 Promote comprehensive and integrated development for the development of 4 or more residential units within the Medium Density Residential Zone.</p>	<p>4.3.2.1a The development achieves higher density in conjunction with high quality amenity through a <u>master planning approach</u> that is informed by the relevant structure plan and related rules.</p>
	<p>4.3.2.1b Incorporate universal access principles into any development.</p>
	<p>4.3.2.1c Encourage subdivision and land use to be undertaken concurrently.</p>
	<p>4.3.2.1d Land is used in <u>general</u> accordance with <u>the relevant structure plan and master planning</u>, including coordination with staging and provision of infrastructure.</p>
	<p>4.3.2.1e Where on site car parking is provided ensure:</p> <ul style="list-style-type: none"> i. <u>Where possible provide a combined vehicle crossing where vehicle access is not from a rear lane;</u> ii. <u>The visual dominance of garage doors and carparking is minimised;</u> iii. <u>That the effects of car parking on public space and streetscapes are minimised by avoiding parking forward of the residential unit;</u> iv. <u>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 path, s and separated cycle ways-path, are located or cycle lane.</u>
	<p>4.3.2.1f Enable residential development that:</p> <ul style="list-style-type: none"> i. <u>Are on sites:</u> <ul style="list-style-type: none"> a. <u>Of a sufficient size and dimension to accommodate the proposed number of residential units; and</u> b. <u>Where there is sufficient frontage to public space, and with private space to the rear; and</u> ii. <u>Through site layout, building design and landscaping:</u> <ul style="list-style-type: none"> a. <u>Clearly delineate public and private space;</u> b. <u>Promote passive surveillance of adjoining public</u>

	<p><u>spaces;</u></p> <p>c. <u>Avoid bland featureless elevations, high blank walls and non-permeable fencing to public spaces; and</u></p> <p>d. <u>Orientate habitable rooms, balconies and entrances to public space.</u></p>
Objective	Policies
<p>4.3.2.2 The Medium Density Residential Zone and development within it provides for a variety of housing types and sizes that respond to:</p> <p>i. <u>Housing needs and demand; and</u></p> <p>ii. <u>The neighbourhood's planned urban built character, including 3 to up to 5 storey buildings.</u></p>	<p>4.3.2.2a The Medium Density Enable a variety of housing typologies with a mix of densities within the zone, including <u>3 to 5 storey terraced residential units and up to 5 storey apartment buildings.</u></p> <p>4.3.2.2b <u>Recognise that development in accordance with the Medium Density Residential Zone will have adverse effects, in some instances substantial, on existing development and neighbours, and (except where a neighbour has provided written approval to a proposal):</u></p> <p>i. <u>Subject to (ii) below, ensure that development which generates with adverse effects greater than those enabled by the Medium Density Residential Zone on a neighbour will achieve an equivalent or greater overall standard of on-site amenity for that neighbour that is consistent with the objectives and policies for all residential zones under 4.1.2 compared to development in accordance with what the Medium Density Residential Zone could be reasonably anticipated to result in.</u></p> <p>ii. <u>Where a proposal cannot satisfy (i) above, avoid adverse effects beyond those that could normally result from development in accordance with what the Medium Density Residential Zone could be reasonably anticipated to result in except where substantial off-setting positive effects.</u></p> <p>4.3.2.2c Medium density residential development should be located within and close to suburban centres, tertiary education facilities and hospital, and in areas serviced by <u>passenger public transport.</u></p> <p>4.3.2.2d Development within the Medium Density Residential Zone should aim to achieve a net residential density (excludes roads and open space) of between 30-65 residential units per hectare.</p>

Explanation

Objective 4.3.2.2 and associated policies acknowledge that a wide variety of housing should be provided for in this Zone. The type of housing required can change over time in response to factors such as changing demographics (including an ageing population), cultural preference and household composition.

Ruakura Residential Precinct

Objective	Policies
4.3.2.3 <u>The Medium-Density Residential Zone in the Ruakura Residential Precinct includes an Integrated Retail Development providing services and community facilities capable of meeting the day to day needs of the immediate neighbourhood.</u>	4.3.2.3a <u>An Integrated Retail Development limited in size shall be provided for in a location central to the Ruakura Medium-Density Residential Development.</u>
	4.3.2.3b <u>Activities within the Integrated Retail Development shall principally serve their immediate neighbourhood.</u>
	4.3.2.3c <u>The scale and nature of activities within the Ruakura Integrated Retail Development shall not generate significant adverse amenity effects on surrounding residential areas and transport networks.</u>
Explanation <u>The Ruakura Integrated Retail Development Centre will provide a range of everyday goods and services and essentially serve a walk-in population. Being situated in a planned residential area it is essential that the range and scale of activities is compatible with neighbouring residential activity and local amenity values.</u>	

Te Awa Lakes Residential Precinct

Objective	Policies
4.3.2.4 <u>The Medium-Density Residential Zone within the Te Awa Lakes Residential Precinct area enables a comprehensively designed residential development incorporating a component of affordable housing and integrated with the adjacent adventure park tourist and recreation attraction, the Waikato River, and nearby communities, all contributing to an attractive gateway to the city.</u>	4.3.2.4a <u>A range of housing types, including higher densities, are enabled to provide a choice of living environments, connected to other communities through multi-modal and non-motorised transport.</u>
	4.3.2.4b <u>The development achieves higher density in conjunction with high quality amenity through a masterplanned approach that is informed by the Te Awa Lakes Structure Plan and related rules.</u>
	4.3.2.4c <u>The development provides affordable housing through the higher density and by specifying that a minimum percentage of new homes do not exceed a maximum purchase price.</u>
	4.3.2.4d <u>Development is sensitive to the Waikato River interface through lower density development and building setbacks.</u>
	4.3.2.4e <u>The development will protect and enhance the ecological and cultural values of the site through protection of an archaeological site, a comprehensive treatment train approach</u>

	to stormwater treatment, indigenous wetland and landscape planting, maintenance of high water quality in the lakes and ecological restoration of the adjoining gully that conveys stormwater to the Waikato River.
Explanation	

These objective and policies reflect the unique location of the Te Awa Lakes Medium-Density Residential Zone and its integration with the adventure park, the masterplanning that underpins it and the opportunity afforded for it to integrate into its surrounding activities and features and nearby communities, while achieving high levels of residential amenity and ecological protection and enhancement. An important aspect of the policies is to ensure that, as far as practicable, residential development does not result in reverse sensitivity effects on existing and future industrial activities. The zone is consistent with the purpose and principles of the Te Awa Lakes Structure Plan.

Rototuna Town Centre Precinct

4.3.2.5 Residential development within the Medium Density Residential Zone of the Rototuna Town Centre Precinct will be undertaken to ensure a compact, well designed, and functional residential developments with high levels of amenity.	4.3.2.5a Ensure that high and medium residential development establish in the locations shown on the Rototuna Town Centre Precinct.
	4.3.2.5b Use the Rototuna Town Centre Design Guide to implement quality residential design and living environments within the identified medium density residential areas of the Rototuna Town Centre Precinct.
	4.3.2.5c Ensure that residential development within the Rototuna Town Centre Precinct delivers densities consistent with those promoted by the NPS-UD.
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.

Rotokauri North Residential Precinct

Objective	Policies
4.3.2.6 Development within the Rotokauri North Residential Precinct enables a medium density residential	4.3.2.6a Enable a medium-density residential urban form and character for four or more dwellings which is

environment which has high levels of amenity and allows for a range of housing typologies.

defined by:

- i. Clearly delineating between public and private spaces;
- ii. Ensuring building bulk is located towards the road frontage and side boundaries of lots, with less development within the rear yards (excluding rear lane accessed garaging);
- iii. Ensuring there is sufficient space between the rear of opposing dwellings to provide rear yards for outdoor living with privacy and reasonable solar access;
- iv. Ensuring opportunities for convenient, comfortable and safe interaction at the public space / private property boundary interface through the provision of low fence heights and enabling visually open porch structures extending into the front yard;
- v. Providing high quality, safe, interconnected and accessible public spaces rather than relying on large private outdoor spaces.

4.3.2.6b

Encourage a diverse range of residential developments:

- i. Near the Business 6 Zone within the Residential Medium-Density Overlay on the Structure Plan Figure 2-8A; and
- ii. Near collector roads, natural open space, parks and reserves

4.3.2.6c

Enable higher site coverage for terrace housing and apartments in the Rotokauri North Residential Precinct where any onsite parking is accessed by a rear lane and stormwater is managed appropriately.

4.3.2.6d

Encourage duplex residential units on sites where:

- i. There is sufficient road frontage width;
- ii. There is a combined vehicle crossing where vehicle access is not from a rear lane; and
- iii. Car parking dominance and adverse effects of car parking on public space and streetscapes are minimised.

4.3.2.6e

	<p><u>Encourage terrace housing and apartments that:</u></p> <ul style="list-style-type: none"> i. <u>Are on sites:</u> <ul style="list-style-type: none"> a. <u>Of a sufficient size and dimension to accommodate the proposed number of residential units; and</u> b. <u>Where there is sufficient frontage to public space, and with private space to the rear; and</u> ii. <u>Through site layout, building design and landscaping:</u> <ul style="list-style-type: none"> a. <u>Clearly delineate public and private space;</u> b. <u>Promote passive surveillance of adjoining public spaces;</u> c. <u>Avoid bland featureless elevations, high blank walls and non-permeable fencing to public spaces.</u>
	<p>4.3.2.6f <u>Control road façade elements to ensure dwellings relate to the road, including height controls, presence of a front door, sufficient glazing, ability to establish verandas / porches, landscaping provision, fencing heights, garage setbacks, and the control of garage in proportion to the façade width.</u></p>
	<p>4.3.2.6g <u>Enable the development and use of rear lanes, including opportunities for rear garaging/parking and habitable areas above the garage, especially where lot or dwelling frontage widths are narrow.</u></p>
	<p>4.3.2.6h <u>Require outdoor living spaces that are:</u></p> <ul style="list-style-type: none"> i. <u>Commensurate with medium density development; and</u> <p><u>Supported by opportunities to utilise front porches for outdoor living (as transitional spaces and to enable interaction with the street).</u></p>
	<p>4.3.2.6i <ul style="list-style-type: none"> i. <u>Enable service areas within side and rear yards, carports and garages.</u> </p>

Explanation

The objective and policies reflect the overall design approach for the development of the Rotokauri North Residential Precinct, which is to create a well-planned medium-density living environment that enables a variety of lifestyle and housing choices (and therefore a range of price points and provision of affordable housing).

The provisions recognise that the environment seeks to create liveable and useable spaces: dwellings are encouraged to create public fronts which address the street and encourage interaction, and back yards are provided for private outdoor living spaces. The achievement of this pattern of development is important to establishing a high-quality medium-density living environment.

4.3.3 Rules – Medium Density Residential Zone

4.3.3.1 Activity Status Table

The following activity status table does not apply in the Peacocke Precinct (Refer to 4.3A).

Activity	Medium Density Residential Zone
If the activity is subject to a site, feature or overlay then Chapter 1.1.8 Activity Status Defaults needs to be considered.	
a. Accessory building	P
b. Ancillary residential structures	P
c. Emergency housing for up to 10 residents	P
d. Residential activities	P
e. 1 to 3 residential units on a site	P
f. 4 or more residential units on a site	RD*
g. Papakainga containing 1 to 3 residential units	P
h. Papakainga containing 4 or more residential units	RD*
i. Rest home (Except within the Ruakura and Rotokauri North Residential Precincts)	RD
j. Rest home within the Ruakura and Rotokauri North Precincts	D
k. Retirement Village	RD
l. Managed care facilities (Except within the Ruakura and Rotokauri North Residential Precincts)	
i. Up to 109 residents	P
ii. 1140 or more residents (including excluding emergency housing)	D
m. Managed care facilities within the Ruakura and Rotokauri North Residential Precincts	D
n. Residential centre	D

Commercial Activities and Structures	
o. <u>Home-based business</u>	<u>P</u>
p. <u>Homestay accommodation</u>	<u>P</u>
q. <u>Show homes</u>	<u>RD*</u>
r. <u>Childcare facility (Except within the Ruakura and Rotokauri North Residential Precincts)</u> i. <u>Up to 5 children</u> ii. <u>Six or more children</u>	<u>P</u> <u>RD</u>
s. <u>Childcare facility within the Ruakura and Rotokauri North Residential Precincts</u> i. <u>up to 5 children</u> ii. <u>Six or more children</u>	<u>C</u> <u>RD</u>
t. <u>One Integrated Retail Development within the Ruakura Residential Precinct in accordance with the general location identified on Figure 2.14 Ruakura Structure Plan – Land Use (Appendix 2)</u>	<u>RD</u>
u. <u>Dairy (Except within the Ruakura Residential Precinct)</u>	<u>RD</u>
v. <u>Dairy within the Ruakura Residential Precinct</u>	<u>C</u>
w. <u>One Service Station (fronting Pardoia Boulevard – Ruakura Residential Precinct)</u>	<u>D</u>
x. <u>Health care service</u>	<u>D</u>
y. <u>Places of assembly</u>	<u>D</u>
z. <u>Visitor accommodation</u>	<u>D</u>
aa. <u>Offices (other than as a home-based business or except when complying with s.)</u>	<u>NC</u>
bb. <u>Service industry</u>	<u>NC</u>
cc. <u>Light industry</u>	<u>NC</u>
dd. <u>Restaurants</u>	<u>NC</u>
ee. <u>Licensed premises</u>	<u>NC</u>
ff. <u>Conference facility</u>	<u>NC</u>
gg. <u>Tertiary education and specialised training facility</u>	<u>NC</u>
Community Activities and Structures	
hh. <u>Temporary activities</u>	<u>P</u>
ii. <u>Informal recreation</u>	<u>P</u>
jj. <u>Organised recreation</u>	<u>P</u>
kk. <u>Community centre (Except within the Ruakura and Rotokauri North Residential Precincts)</u>	<u>RD</u>
ll. <u>Community centre within the Ruakura and Rotokauri North Residential Precincts</u>	<u>C</u>
mm. <u>General recreation</u>	<u>D</u>
nn. <u>Places of worship</u>	<u>D</u>
oo. <u>Marae (Accept when provided as part of a papakainga development)</u>	<u>D</u>

pp. <u>Marae provided as part of a papakainga development</u>	<u>RD*</u>
qq. <u>School</u>	<u>D</u>
rr. <u>Passenger transport facilities</u> <u>Public transport facilities</u>	<u>NC</u>
ss. <u>Club Rooms</u>	<u>NC</u>
All Activities and Structures	
tt. <u>Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)</u>	<u>P</u>
uu. <u>Demolition or removal of heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage.</u>	<u>See Chapter 19</u>
vv. <u>Maintenance, repair and alterations and additions to existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)</u>	<u>P</u>
ww. <u>Maintenance, repair and alterations and additions to heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage.</u>	<u>See Chapter 19</u>
xx. <u>Relocated buildings (Except within the Ruakura and Rotokauri North Residential Precincts)</u>	<u>NC</u>
yy. <u>Relocated buildings within the Ruakura and Rotokauri North Residential Precincts</u>	<u>C</u>
zz. <u>Any earthworks within the root protection zone of a tree where the trunk is located within a SNA in Schedule 9C (Volume 2, Appendix 9)</u>	<u>RD</u>
aaa. <u>Pruning and maintenance of the canopy of a tree where the trunk is located within a Significant Natural Area that overhangs the boundary of a Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</u>	<u>P</u>
bbb. <u>Emergency service facilities</u>	<u>D</u>
ccc. <u>Any boundary wall/fence equal to or less than 3.5m high as per Rule 4.3.4.7</u>	<u>P</u>
ddd. <u>Any boundary wall/fence over 3.5m high as per Rule 4.3.4.7 d</u>	<u>D</u>
Development activities within the Ruakura and Te Awa lakes Residential Precincts	
eee. <u>Earthworks and vegetation removal</u>	<u>RD*</u>
fff. <u>Construction of roads, pedestrian paths and cycle routes</u>	<u>RD*</u>
ggg. <u>Installation of three waters infrastructure</u>	<u>RD*</u>
hhh. <u>Works relating to open space establishment</u>	<u>RD*</u>
Development activities - Te Awa Lakes Development Areas Q and R	
iii. <u>Earthworks and vegetation removal</u>	<u>D</u>
jjj. <u>Construction of roads, pedestrian paths and cycle routes</u>	<u>D</u>
kkk. <u>Installation of three waters infrastructure</u>	<u>D</u>
lll. <u>Works relating to open space establishment</u>	<u>D</u>
Note	
1. <u>For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide – Network</u>	

Utilities and the Electricity National Grid Corridor.

2. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)
3. Buildings and structures adjacent to electricity infrastructure in the transport corridor are required to comply with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001), irrespective of whether they are permitted by the District Plan

4.3.3.2 Rules – Notification

- a. Except as set out below, all proposals for consent will be subject to the normal notification tests of the RMA:
 - i. Proposals for 1, 2 or 3 dwellings on a site that infringe no more than two of the rules in 4.3.3, excluding the height in relation to boundary standard, and where the degree of infringement of each of the standards is no greater than 10% of the standard(s) in question, shall be processed without public or limited notification.
 - ii. Proposals for 1, 2 or 3 dwellings on a site that infringe no more than two of the rules in 4.3.3, excluding the height in relation to boundary standard, but to an extent greater than specified in (i) above, or that infringe the height in relation to boundary standard, or that otherwise infringe three or more of the rules in 4.3.3. (including the height in relation to boundary standard), may ~~shall~~ be limited notified to the owners and occupants of adjoining sites.
 - iii. Proposals for 4 or more dwellings that do not comply with one or more of the rules in 4.3.3, but where the extent of infringement is greater than 10% of the standard(s) in question and less than 25% of the standard(s) in question may ~~shall~~ be limited notified to the owners and occupants of adjoining sites.
 - iv. Proposals for 4 or more dwellings that do not comply with one or more of the rules in 4.3.3, but where the extent of infringement is greater than 25% of the standard(s) in question may ~~shall~~ be publicly notified.

4.3.4 Rules – General Standards – Medium Density Residential Zone

- a. The following standards do not apply in the Medium Density Zone: Peacocke Residential Precinct (Refer to 4.3A)

4.3.4.1 Density

- a) The following minimum density standards do not apply to sites outside of the Three Waters Infrastructure Capacity Overlay.
- b) Maximum average net site areas apply to all sites.

Activity	Minimum average net site area (per residential unit)	Maximum average net site area (per residential unit) (minimums unless

		otherwise stated)
Residential centres		75m² per resident
Rest homes		50m² per resident
Managed care facilities		100m² per resident
Single Residential Unit	150m²	350m²
Duplex Residential Unit	150m²	300m²
Terrace housing residential unit	150m²	250m²
Apartment building	150m²	-

Note:

[Refer to the rules in Chapter 25.13 - Three Waters relating to density requirements within the Three Waters Infrastructure Capacity Overlay.](#)

4.3.4.2 [Site Building Coverage](#)

Activity	Maximum site Building coverage)
a. All residential units (except for terrace housing units and apartment units where onsite parking is provided and accessed by a rear lane then 4.3.4.2. b. applies). Maximum building coverage for any terrace housing units and apartments where onsite parking is provided and accessed by a rear lane	50%
b. Maximum building coverage for any terrace housing units and apartments where onsite parking is provided and accessed by a rear lane	60%
c. Retirement villages	60%
d. All other activities	50%

Note:

[Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of building coverage \(Refer to Chapter 25.13\).](#)

[Refer to Chapter 19 - For activities within any Historic Heritage Areas relating to site coverage.](#)

4.3.4.3 [Permeable Impermeable Surface and Landscaping](#)

Activity	Standard
a. Permeable-Impermeable surface	Maximum 70% of net site area-30%
b. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of the total site area with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them. Where a tree or trees are retained on the site, their canopy and contribute to the minimum landscaped area and can include the canopy of trees regardless of the ground treatment below them.	

c.	On front, corner sites and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line. At least 50% of the landscape area shall be provided as a Deep Soil Area (DSA)		
	<div>i. To support shrubs and plants (but not lawn) on uncompacted soil of 400mm depth and;</div> <div>ii. For all trees, topsoil depth is required to increase to 1m.</div>		
d.	While a single contiguous DSA is preferred, several DSAs may be created of no less than 8m ² minimum area and no dimension less than 2m.		
d	On front, corner and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line (except sites within the Rotokauri North Residential Precinct).		
e.	i. Single residential unit and duplex residential units and apartment buildings	Minimum 50%	
	ii. Terrace housing with a residential unit frontage width 7.5m or greater	Minimum 40%	
	iii. Terrace housing with a residential unit frontage width of less than 7.5m	Minimum 30%	
e	Urban trees canopy:		
f.	Each residential development shall provide sufficient trees in an unobstructed area within the site, clear of any required vehicle access and manoeuvring, below the canopy of the tree to produce 20% site coverage by tree canopy. Tree canopy cover is calculated on the anticipatory canopy size of the tree at maturity regardless of the ground treatment surface below the canopy of the tree, at the rate set out below, with trees sized as below:		
	Tree size with corresponding height and projected canopy size		
	Tree Size	Tree Height at maturity (m)	Tree canopy cover at maturity (m ²)
	Small	0-5	10
	Medium	6-12	67
	Large	13-20	186
	Very Large	20+	250
	Land area (m ²) required		
			3.8
			25.5
			70.8
			95.4
	Soil volume required for a tree/tree roots (m ³) equals the land area (m ²) x 1m depth		
	i. Detached residential unit	Two per residential unit.	
	ii. Duplex residential units	Two per residential unit	
	iii. Terrace housing units	One per residential unit	
	iv. Apartment Buildings	Minimum of one tree per site with an additional tree for every 150m ² of site area.	
	v. All other activities	Minimum of one tree per site with an additional tree for every 200m ² of site area.	
f	The tree requirements as per 4.3.4.3e can be met by retaining existing mature trees on the site that either contribute fully or in-part to the tree canopy cover required for the net site area once mature.		
g.			
g	Specimen trees shall be planted as per 4.2.5.3d at a planted minimum size of at least 80L.		
h.			
Sites within the Rotokauri North Residential Precinct			

e.	<u>Permeability forward of the building line of the residential unit (including porch) planted in grass, shrubs and trees:</u>	
	<u>i. Sites 350m² or larger</u>	<u>Minimum 50%</u>
	<u>ii. Sites less than 350m²</u>	<u>Minimum 40%</u>
<p>Note:</p> <ul style="list-style-type: none"> For the purposes of this rule, the definition of impermeable surfaces is amended by excluding swimming pools, living roofs, and porous or permeable paving, and including sealed or compacted metal driveways and car parking areas. Further guidance on permeable surfaces can be found in the Three Waters Management Practice Notes. Requirements set out in 4.3.4.3 a can include the area required in 4.2.5.3 d. Requirements set out in 4.3.4.3 b can include the area required in 4.2.5.3 c and d. If the development retains an existing mature tree (or trees) of at least 6m in height each within the design, then this can be traded in place of a tree or trees required under 4.3.4.3 d at a ratio of 1:1. The management of stormwater generated from impermeable surfaces is controlled by Rule 25.13.4.2A in the Three Waters Chapter. Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of impermeable surface (Refer to Chapter 25.13). 		

4.3.4.4 Building Height

		Maximum Building Height	Maximum Storeys
a.	Medium Density Residential Zone (Except within the Rotokauri North Residential Precinct)	15m18m	5
b.	Medium Density Residential Zone within the Rotokauri North Residential Precinct	11m	3
c.	Rotokauri North Residential Precinct - within the 'Residential Medium Density Overlay' as shown on Figure 2-8A of the Rotokauri North Structure Plan	15m18m	3
Buildings must not exceed the heights identified in rule 4.3.4.4 a, b or c, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more.			

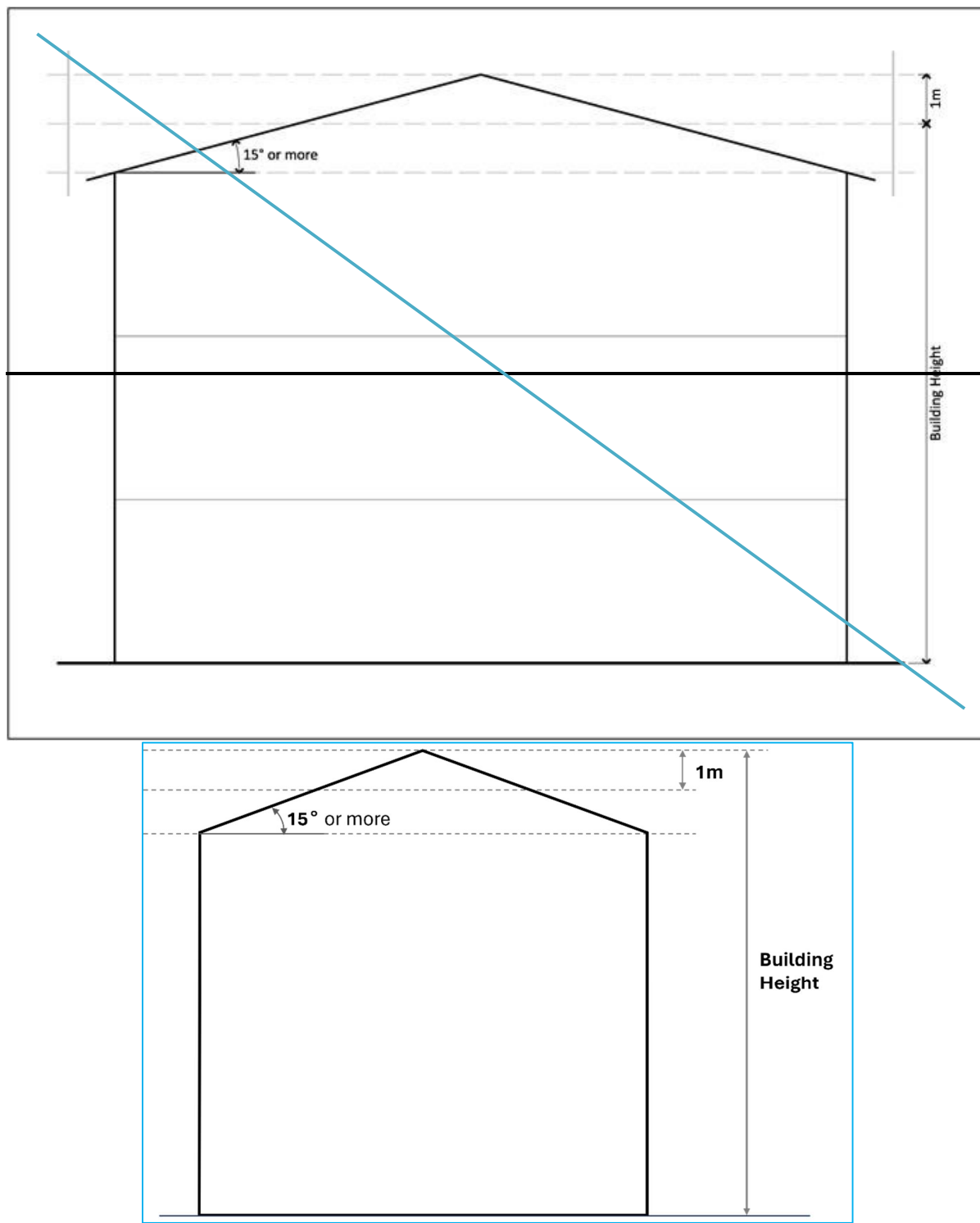


Figure 4.3.4.4 a Building Height.

4.3.4.5 Height in Relation to Boundary

Medium Density Residential - Height in Relation to Boundary
(except for sites within the Rotokauri North Residential Precinct containing four or more

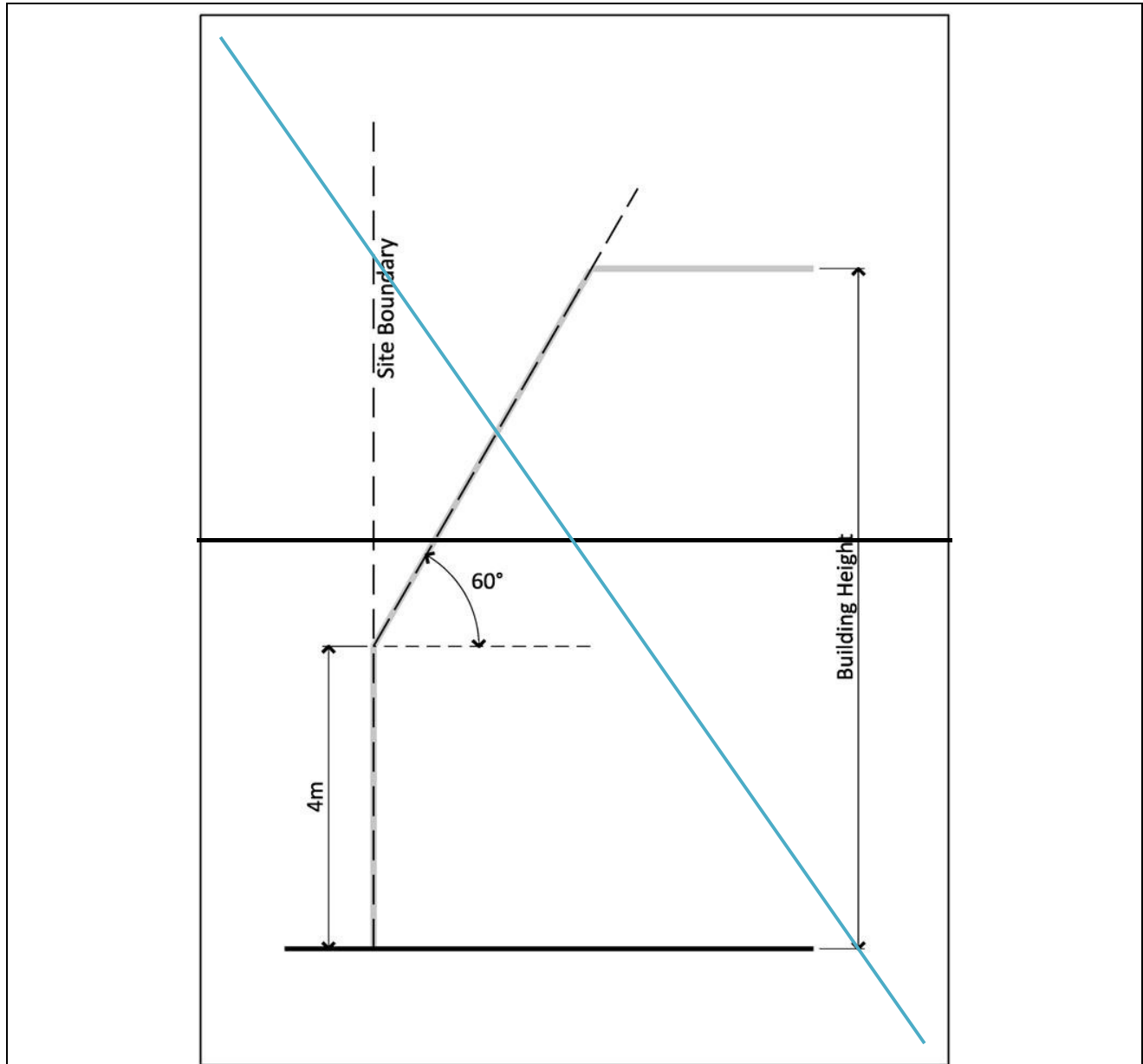
residential units)

- a. For single and duplex residential units on a site:
- i. Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following Figure 4.3.4.5 a :
 - ii. Where a boundary joins a site within the General Residential Zone, then buildings must not project beyond a 45° recession plane measured from a point 4m vertically above ground level along the boundary with the General Residential Zone.
 - iii. 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:

- ii-iv. A boundary with a road;
- iii-v. Existing or proposed internal boundaries within a site; or
- iv-vi. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed

- b. For three or more attached residential units on a site that adjoins a transport corridor, another site in the Medium Density Zone or High Density Zone or the following zones, any Business Zone, any Open Space Zones:
- i. Within the first 20 meters of the site measured from the transport corridor boundary 4.3.4.5 a. will not apply along the side boundaries.
 - ii. Within the first 20 meters of the site measured from the transport corridor boundary the following shall apply:
 - a. All parts of a building less than 11m in height (or up to 3 storeys) shall be setback from the side yard boundary a minimum of 1 meter as required by Rule 4.3.4.6 b;
 - b. All parts of a building greater than 11m in height (or greater than 3 storeys) shall be setback from the side boundary a minimum of 4 meters.
 - iii. Site boundaries that adjoin any other zone then 4.3.4.5 a. will apply.



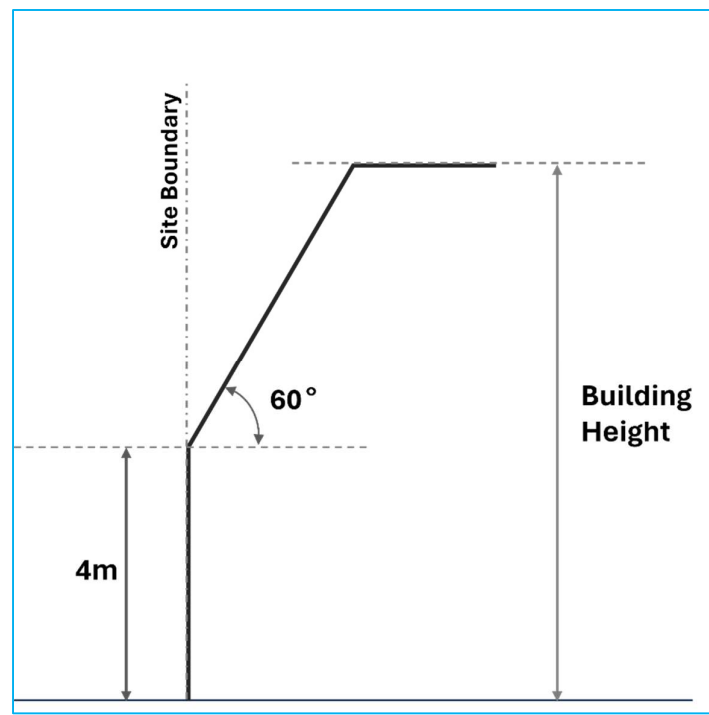


Figure 4.3.4.5 a Height in Relation to Boundary.

Within the Rotokauri North Residential Precinct the following shall apply to sites containing four or more residential units:

a. No part of any building shall protrude through a height control plane rising at an angle of either:

i. 45 degrees (for east or west boundaries)

ii. 55 degrees (for north boundaries); or

iii. 35 degrees (for southern boundaries).

This angle is measured from 2.5m above ground level at the relevant boundaries.

b. Except that no height control plane shall apply:

i. Where a boundary adjoins a rear lane.

ii. Where there is existing or proposed internal boundaries within a site.

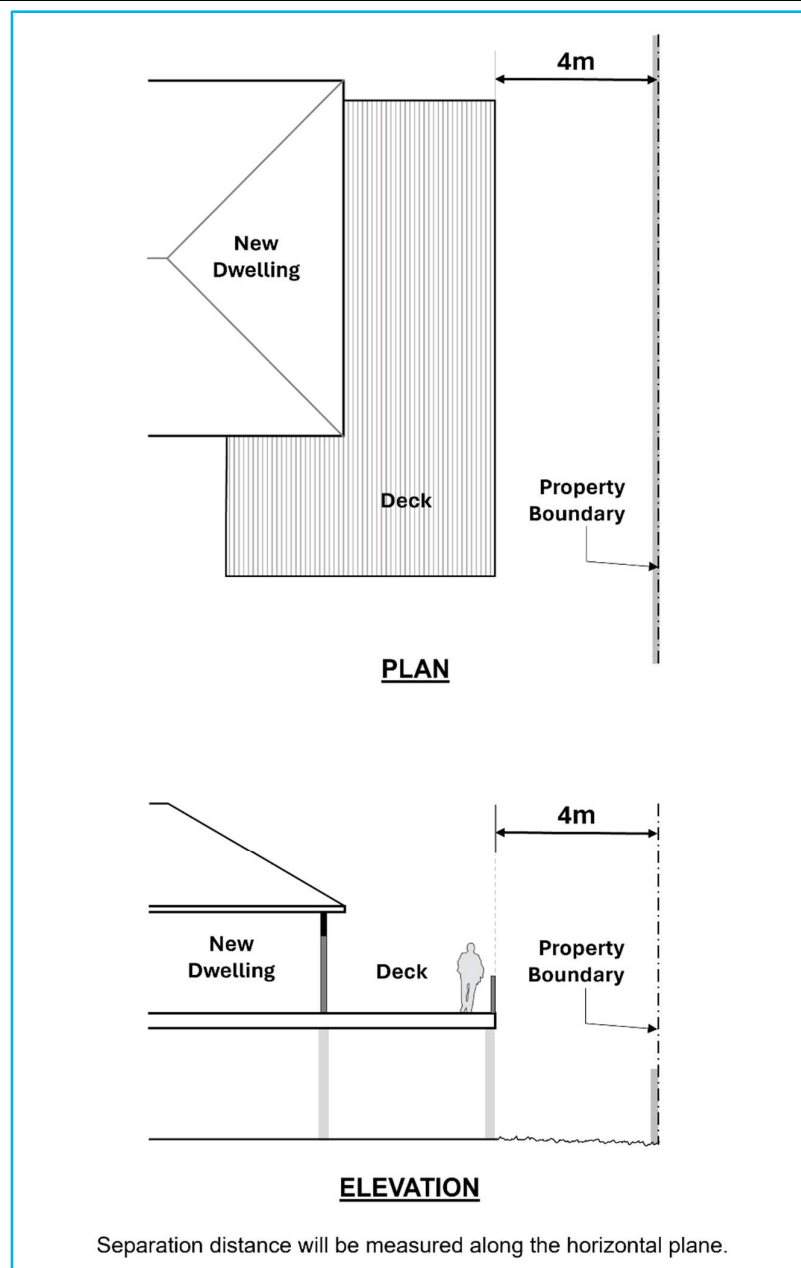
iii. Where there is an existing or proposed common wall between two buildings on adjacent sites.

c. The height control plane applies only along any side boundary that is within 8m of the rear boundary, and any rear boundary.

4.3.4.6 Building Setbacks

Building setback from The feature from which setbacks for buildings or other specified features are measured		Minimum setback distance
a.	Transport Corridor Boundary, except as provided for below:	1.5m
	i. A single storey unenclosed verandah / patio / porch space attached to a residential unit	1m
	ii. Other than provided for above	1.5m
	ii. Garage doors or carports that face the transport corridor	1.5m, or at least 5m
	iii. Arterial transport corridors.	5m
b.	Side boundary yard	1m
c.	One side boundary yard per site where:	0m
	i. Legal provision is made for access and maintenance; and	
	ii. Neighbours consent is obtained; and	
	iii. The opposite side yard is a minimum of 2m	
	i. The setback from the opposite side boundary on the site is at least 2m; and	
	ii. Legal provision is made for access and maintenance; and	
	iii. Neighbours' consent is obtained, or	
	iv. It is a common/party wall	
d.	Rear boundary yard (except where it adjoins a rear land)	1m
e.	Rear boundary yard where it adjoins a rear lane	0m, except where garage doors or carports face the rear lane, they must be setback either 0m, or at least 5m
f.	Except for setbacks from a rear lane, internal vehicle access, or private way for garages or carports, setbacks from side and rear yard setbacks boundaries may be reduced where:	
	i. The written consent of the owners adjoining the relevant setback or setbacks is obtained; or	
	ii. It is proposed to site a building within the 1m setback from a side or rear boundary and:	
	iiiA. The building is less than 10m ² in area; and	
	ivB. The building is less than 2m in height; and	
	vC. The building will not be connected to electricity supply; and	
	viD. There is no discharge of stormwater onto neighbouring land from the building; and	

	<p><u>viiE.</u> No more than one building is established on a site in accordance with this rule; except where notional boundaries are shown for an approved subdivision, one accessory building can exist for each notional lot.</p>
g	<p>Residential buildings must be setback at least 2m from the nearest part of any other residential building on the same site, except:</p> <p>i. No separation is required between buildings that are attached.</p> <p>ii. Where windows are located and designed (including glazing) to avoid views between rooms in different buildings on the same site, the buildings may be a minimum of 1.5m apart.</p>
h	<p>A balcony at upper-floor level must be setback at least 4m from all boundaries (see Figure 4.2.5.6a) except a boundary to a transport corridor or open space zone, any of the following that are less than 6m wide: an access way, right-of-way, private way, access lot, or entrance strip.</p> <p>Figure 4.3.4.6 a: Upper-floor setbacks for separation and privacy</p> <p>Separation distance will be measured along the horizontal plane.</p>



The feature from which setbacks for buildings or other specified features are measured	Minimum setback distance
<p>i Any Internal vehicle access or private way (including access to an ancillary residential unit).</p>	<p>In addition to any requirement in j, no part of a building (including eaves) shall extend over or encroach into an internal vehicle access or private way.</p>

i	<u>Internal vehicle access of private way (including access to an ancillary residential unit).</u>	<u>1m, except where garage doors or carports face the private way or internal vehicle access, they shall be setback either 1m or at least 5m</u>
kg	<u>Waikato Riverbank and Gully Hazard Area</u>	<u>6m (applies to For buildings and swimming pools): 6m</u>
Setback from the Waikato Expressway within the Rototuna Town Centre Precinct		
lh.	<u>All buildings within the Rototuna Town Centre Precinct shall be setback a minimum of 15 metres from the boundary of the Waikato Expressway (Designation E90 and E90a).</u>	
In the Rotokauri North Residential Precinct the following applies for four or more residential units on a site:		
mi.	<u>Rear yard for a building exceeding 5m in height</u>	<u>8m</u>
nj.	<u>Rear yard for a building up to 5m in height and single storey only</u>	<u>3m</u>
ok.	<u>No rear yard setback applies to a building up to a height of 7m where the site adjoins a rear lane.</u>	
Orientation of residential units in Te Awa Lakes Residential Precinct		
pl.	<u>Within 200m of the Waikato Expressway carriageway, habitable rooms shall be orientated away from the Expressway.</u>	

Note

1. Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.
2. Rear and side yard requirements do not apply to rainwater tanks with a capacity of <10,500 litres (Refer to Chapter 25.13).

4.3.4.7 Boundary Fences and Walls

Rules		Requirements
a.	<u>Front and side boundary fences or walls located forward of the front building line of the residential unit.</u>	<u>Maximum height 1.2m or 1.5m provided 50% of that part over 1.2m is visually permeable.</u>
b.	<u>Boundary fences or walls adjoining Open Space Zone</u>	<u>1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</u>
c.	<u>All other boundary fences or walls</u>	<u>Maximum height 1.8m</u>
d.	<u>Where a retaining wall and front boundary fence are proposed, the maximum height of the combined structure measured from the bottom to top, shall be no more than 1.5m before the following shall apply:</u>	

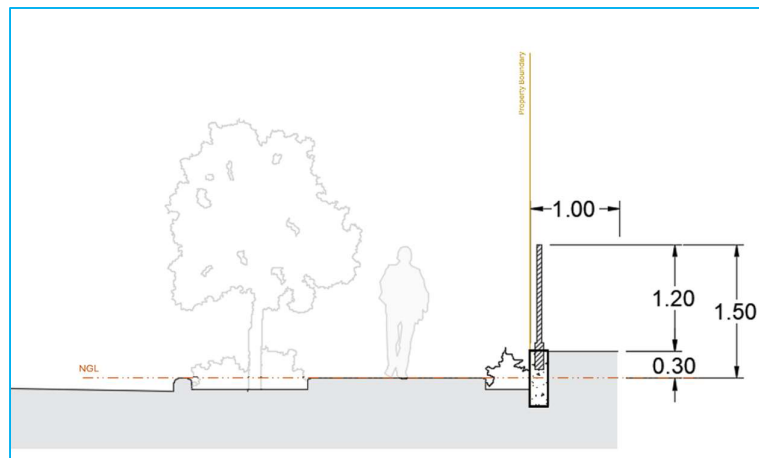


Figure 4.3.4.7(d) Retaining wall and fence height

- i. Between 1.5m – 2.5m: A horizontal step at least 1m in depth shall be integrated into the structures no more than 1.2m above the level of the street boundary.

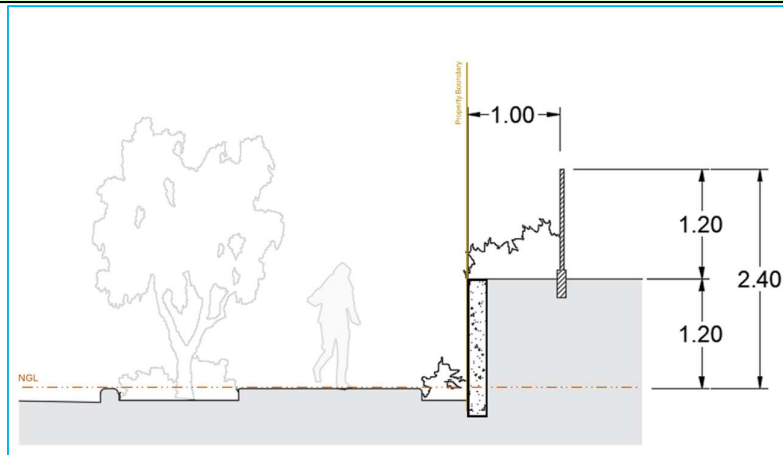


Figure 4.3.4.7(di) Retaining wall and fence height - one step

- ii. Between 2.6m – 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structures no more than 1.2m above the ground level at the base of each 'step'.

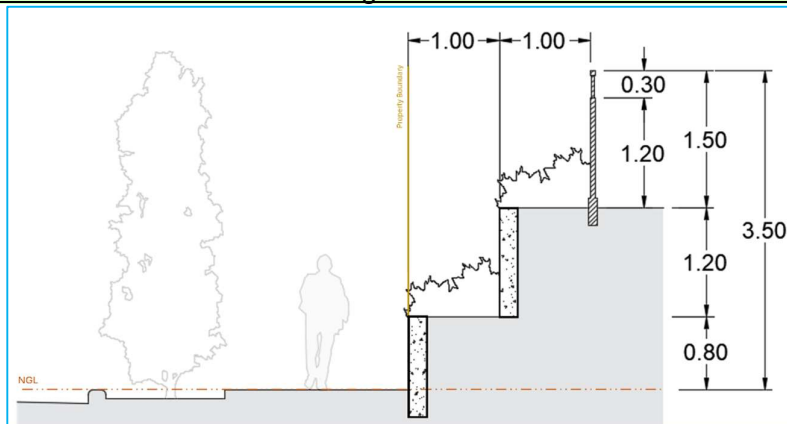


Figure 4.3.4.7(dii) Retaining wall and fence height - two steps

	iii. <u>More than 3.5m: discretionary activity.</u>	
e.	This rule shall not apply to any fence and/or wall which:	
	i. <u>Following construction will be located at or below the natural ground level of the land that existed prior to construction commencing; or</u>	
	ii. <u>Is internal to a proposed development and does not result in any fence or wall which has a height of 2m or more in relation to natural ground level of any adjoining external property boundary not in common ownership.</u>	
For boundary fences and walls the following heights within the Ruakura Residential Precinct also apply		
f.	<u>Front and side boundary fences or walls located forward of the front building line of the residential unit surrounding north facing Outdoor Living Areas that face a transport corridor.</u>	<u>1.8m (with 50% or more of the fence visually permeable).</u>
g.	<u>For sites adjoining an Open Space Area as shown on Figure 2-14: Ruakura Structure Plan – Land Use (Appendix 2), fences or walls located between the residential unit and the Area boundary.</u>	<u>1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).</u>
For boundary fences and walls the following heights within the Te Awa Lakes Residential Precinct also apply		
h.	<u>Front and side boundary fences or walls located forward of the front building line of the residential unit surrounding north facing Outdoor Living Areas that face a transport corridor.</u>	<u>1.8m (with 50% or more of the fence visually permeable).</u>
For boundary fences and walls the following heights within the Rotokauri North Residential Precinct also apply		
i.	<u>Any boundary fence between a residential unit and a Open Space Zone or open space reserve that will vest in Hamilton City Council shall comply with the following standards:</u>	
	<u>Designed and constructed for less than 50% see-through visibility (e.g. close paling, masonry, or other opaque material)</u>	<u>1.2m maximum height</u>
	<u>Materials with 50% or more see-through visibility</u>	<u>1.8m maximum height</u>

Note:

- Any retaining wall which is higher than 1.5m and load bearing is not subject to this standard and will be considered, for the purpose of assessment, as a building.
- Any fence and/or wall that is taller than 2.5m is not subject to this standard and will be considered, for the purpose of assessment, as a building.
- For the purpose of the Building Act 2004 any retaining wall with a fall height greater than 1.0m requires the provision of a fall protection fence or similar of not less than 1.0m high. For the purpose of this rule this fall protection will be considered as an integral part of the retaining wall and the combined height will be assessed as the overall height of both structures.

4.3.4.8**Public Interface**

Public interface for one to three residential units on a site		
a.	<u>Where a residential unit is facing the street it must have:</u>	
	i. <u>A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors.</u>	

Public Interface for four or more all residential units on a site

ab. Any Where a residential unit is facing a the street it transport corridor must have:

- i. A minimum 20% of the street-facing façade at ground level in glazing. This can be in the form of clear-glazed windows or doors. For the purposes of this rule, the area of a single gable facing the street shall not be included in the calculation of the street facing façade area where the internal ceiling height is measured from the highest room:

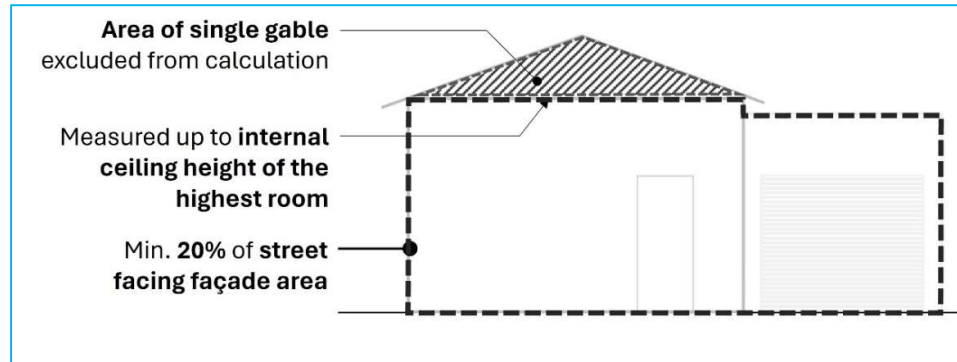


Figure 4.3.4.8 a: Street facing façade area – single storey unit

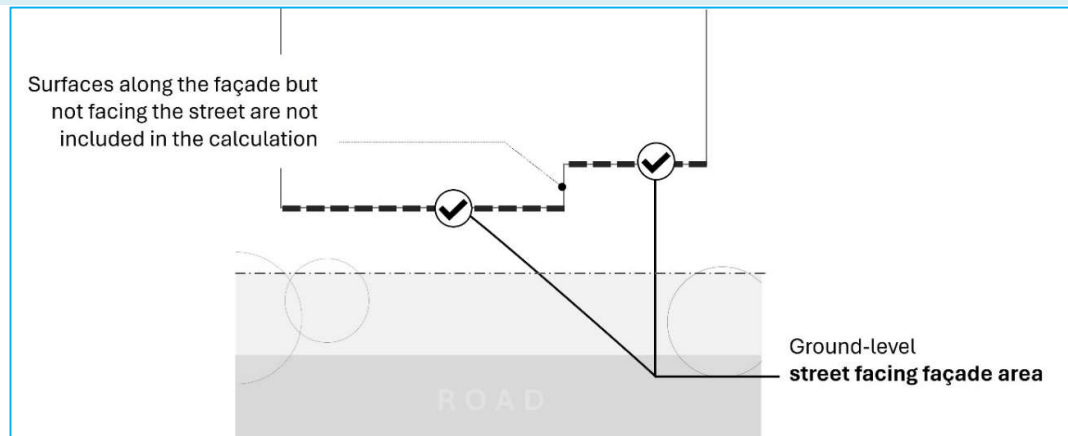


Figure 4.3.4.8 b: Street facing façade area

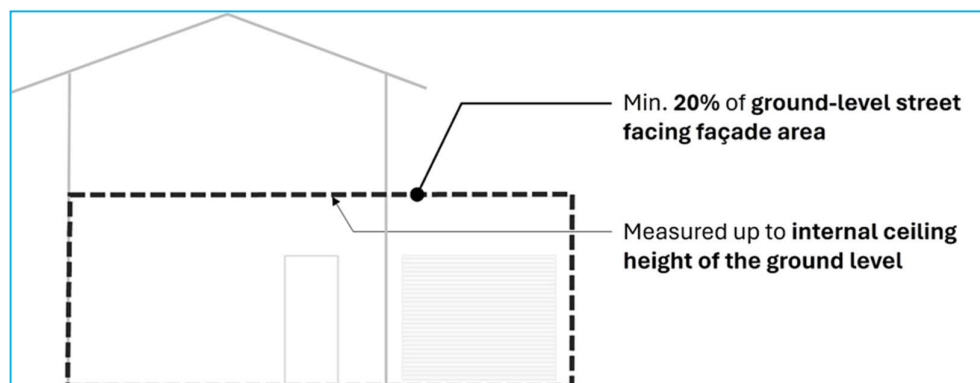


Figure 4.3.4.8 c: Street facing façade area – Two Storey Unit

- ii. At least one habitable room of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any

	<p>accessory building. For corner and through sites this shall be required only on the frontage from which pedestrian access to the front door is provided. At least one habitable room with a clear glazed window facing the transport corridor, not obstructed by an accessory building or fence greater than 1.5m in height.</p> <p>iii. <u>A front door located on the street facing façade with direct pedestrian access from the boundary.</u></p> <p>iv. <u>For corner and through sites this the requirements of i to iii shall be required only on the frontage from which pedestrian access is provided (front door).</u></p>
<u>be.</u>	<p><u>In addition to Rule 4.3.4.8 a, Aa</u> <u>all residential developments comprising 4 or more residential units must have pedestrian access from a transport corridor to the front door of each residential unit, or to the single front door and lobby of an apartment building. This pedestrian access must:</u></p> <p>i. <u>Be step-free and separate from and clear of any obstructions, carriageway, vehicle parking space (including any parked vehicle overhang or nose-in space), cycle parking space, service area, loading space, or vehicle manoeuvring area, except:</u></p> <p>A. <u>As provide for in d ii, or</u></p> <p>B. <u>Where the pedestrian access must cross a carriageway.</u></p> <p>ii. <u>Have lighting to meet the requirements set out in Chapter 25.6.</u></p>
<u>ce.</u>	<p><u>A pedestrian access serving between 4 and 15 up to 20 residential units must be at least 1.5m wide, except:</u></p> <p>i. <u>Where the pedestrian access is adjacent to any building wall or fence, it must be at least:</u></p> <p>A. <u>1.8m wide, or</u></p> <p>B. <u>1.65m wide with a 0.75m wide landscape strip provided on one side of the path between it and either the building wall or the fence, or</u></p> <p>ii. <u>Where the residential development comprises only 4 or 5-6 or less residential units, the pedestrian access may be shared in a carriageway that serves those 4 or 5-residential units only, is at least 3.5m wide, and within a legal width of at least 4m.</u></p>
<u>de.</u>	<p><u>A pedestrian access serving more than 20 15 residential units must be at least 1.8m wide, except where the pedestrian access is adjacent to any building wall or fence, a 0.75m wide landscape strip must be provided on one side of the path between it and either the building wall or the fence.</u></p>

Note

Landscaping must be in accordance with Rule 25.5.4.4 a-d.

For four or more residential units on a site within the Rotokauri North Residential Precinct the following will also apply.

<u>ef.</u>	<u>In the Rotokauri North Residential Precinct the principal living rooms or the dining room of a residential unit must have the principal glazing associated with that room facing either the transport corridor frontage, or the rear yard (or rear lane if applicable).</u>
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4.3.4.9 Outlook Space

Outlook for all residential units

a.	<u>An outlook space must be provided from all habitable room windows.</u>
b.	<u>A principal living room of a residential unit must have an outlook space with a minimum dimension of 4m depth and 4m width.</u>
c.	<u>All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</u>
d.	<u>The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</u>
e.	<u>The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.</u>
f.	<u>The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.</u>
g.	<u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u>
h.	<u>Outlook spaces required from different rooms within the same building may overlap, and may also overlap where they are on the same wall plane in the case of a multi-storey building.</u>
i.	<u>Outlook spaces may be under or over a balcony.</u>
j.	<u>Outlook spaces must:</u> <ul style="list-style-type: none"> i. <u>Be clear and unobstructed by buildings and fences that do not comply with Rule 4.3.4.7; and</u> ii. <u>Not extend over an outlook spaces or outdoor living space required by another residential unit.</u>
k.	<u>To clarify an outlook space can be:</u> <ul style="list-style-type: none"> i. <u>Above or below another outlook space (in a vertical configuration);</u> ii. <u>Under buildings, such as balconies; and</u> iii. <u>Over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences.</u>

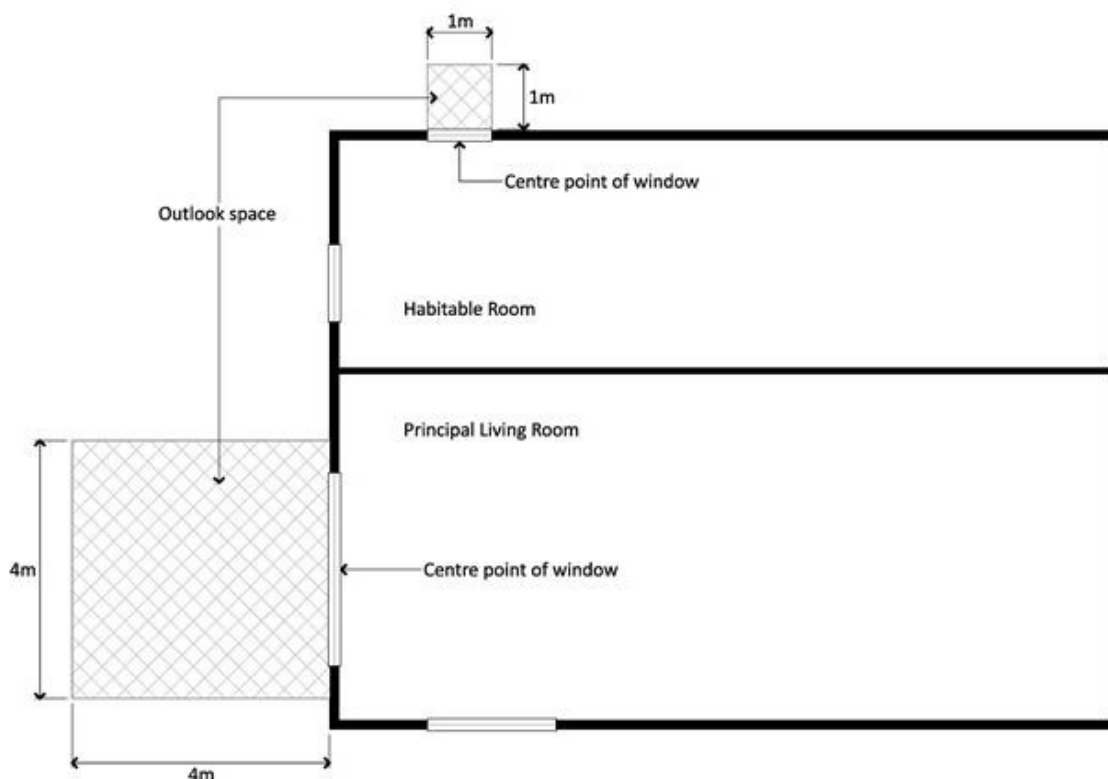


Figure 4.3.4.9 a Outlook Space

Notes:

To clarify an outlook space can be:

1. *above or below another outlook space (in a vertical configuration);*
2. *under buildings, such as balconies; and*
3. *over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences.*

4.3.4.10 Outdoor Living Area

Outdoor living area per residential unit	
a.	<p><u>Outdoor living areas shall have minimum areas and dimensions as follows:</u></p> <ol style="list-style-type: none"> i. <u>Each residential unit, except for when a communal area is provided, shall be provided with an outdoor living area that is:</u> <ol style="list-style-type: none"> A. <u>For the exclusive use of each residential unit.</u> B. <u>Readily accessible from a living area inside the residential unit.</u> C. <u>Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.</u> ii. <u>Communal open space shall comply with 4.4.10a.iii as well as being:</u>

A. For the shared use of all residents on site, and

B. Readily accessible from all residential units on site.

iii. Outdoor living areas shall have areas and dimensions as follows.

<u>Residential Units</u>	<u>Outdoor living area per residential unit</u>	<u>Shape</u>
<u>Single and duplex units</u>	<ul style="list-style-type: none"> • <u>Up to 2 bedrooms- 20m²; plus</u> • <u>10m² for each additional bedroom over 2</u> 	<ul style="list-style-type: none"> • <u>No width contributing to the complying area less than 3.0m; or</u>
<u>Terraced units</u>	<u>12m²</u>	<u>No dimension less than 1.8m</u>
<u>Apartment buildings</u>	<u>8m²</u>	<u>No dimension less than 1.8m</u>
<u>Communal open space for the exclusive use of residential units</u>	<u>Up to 7 residential units - 8m² per units,</u> <u>8 or more residential units – 7m² per units</u>	<u>Capable of containing a circle with the following diameter:</u> <ul style="list-style-type: none"> • <u>4-7 residential units – 6m</u> • <u>8 or more residential units – 8m</u> <u>No dimension less than 2.5m</u>

iv. Outdoor living areas may comprise a combination of ground floor, balcony, verandah, porch, patio or roof terrace space that:

A. Where provided in the form of a balcony, patio, verandah, porch or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and

B. Is accessible from the residential unit

C. May be grouped cumulatively by area in 1 communally accessible location

Outdoor living area per residential unit In the Rotokauri North Precinct the following applies:

- b.** The outdoor living area may comprise two distinct areas where an unenclosed verandah / porch of minimum 8m² and with a minimum dimension of 1.8m is provided at the front of the residential unit on the ground floor, and a minimum 12m² living area with a minimum dimension of 3m is provided to the rear of the residential unit.

Outdoor living area per residential unit	
a.	<p><u>Outdoor living areas shall have minimum areas and dimensions as follows:</u></p> <p><u>a. A residential unit at ground floor level must have an outdoor living space that is at least 20m². This may comprise a combination of ground floor, balcony, verandah, porch, patio or roof terrace space that:</u></p> <ul style="list-style-type: none"> <u>i. Where located at ground level, has no dimension less than 3m</u> <u>ii. Where provided in the form of a balcony, patio, verandah, porch or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and</u> <u>iii. Is accessible from the residential unit</u> <u>iv. May be:</u> <ul style="list-style-type: none"> <u>1. Grouped cumulatively by area in 1 communally accessible location; or</u> <u>2. Located directly adjacent to the unit;</u> <u>v. For four or more residential units, it is readily accessible from the principal living room; and</u> <u>vi. Is free of buildings, parking spaces, and servicing and manoeuvring areas</u> <p><u>b. A residential unit above ground floor level must have an outdoor living space that is at least 8m² and has a minimum dimension of 1.8 metres. This outdoor space can be provided in the form of a balcony, patio, or roof terrace and:</u></p> <ul style="list-style-type: none"> <u>i. Must be accessible from the residential unit</u> <u>ii. May be:</u> <ul style="list-style-type: none"> <u>1. Grouped cumulatively by area in 1 communally accessible location; or</u> <u>2. Located directly adjacent to the unit.</u>

The outdoor living area standards in Rule 4.3.4.10 do not apply to managed care facilities or rest homes. See Rule 4.3.5.5 and Rule 4.3.5.78

4.3.4.11 Waste Management and Service Area

Description		Minimum requirements per residential unit.
a.	Residential units	<p>All residential units</p> <ul style="list-style-type: none"> i. Minimum of 5m² per residential unit ii. Minimum dimension 1.5m

		<p><u>For 4 or more residential units the following shall also apply:</u></p> <ul style="list-style-type: none"> iii. <u>No waste storage or collection point shall occur within the front yard setback</u> iv. <u>Spaces can be provided for each individual unit or cumulatively on a communal basis</u> <p><u>For 3 or more residential units the following shall also apply:</u></p> <ul style="list-style-type: none"> v. <u>A Waste Container Management Plan shall be prepared for the site.</u>
b.	<u>Community centres and visitor accommodation.</u>	<ul style="list-style-type: none"> i. <u>Minimum of 10m²</u> ii. <u>Minimum dimension 1.5m</u> iii. <u>A Waste Container Management Plan shall be prepared for the site.</u>
c.	<u>Dairies (may be indoor or outdoor)</u>	<ul style="list-style-type: none"> i. <u>Minimum 10m²</u> ii. <u>Minimum dimension 1.5m</u> iii. <u>Readily accessible to service vehicles</u> iv. <u>Indoor service area separately partitioned</u> v. <u>Outdoor service area; all-weather dust-free surface</u> vi. <u>A Waste Container Management Plan shall be prepared for the site.</u>
d.	<u>All service areas</u>	<ul style="list-style-type: none"> i. <u>Clothes drying areas shall be readily accessible from each residential unit</u> ii. <u>Service areas shall be screened so they are not visible from a legal road, ground floor of adjoining residential sites, open space zones and public walkways by vegetation or fencing in accordance with Section 25.5</u> iii. <u>Rubbish and recycling areas required for each residential unit shall be located where bins can be moved for roadside collection without requirement for them to be moved through the residential unit (excluding garages)</u> iv. <u>Service areas may be located within garages where it is demonstrated that there is sufficient room to accommodate the minimum area without impeding parking</u>

		<p>v. For any apartment development the storage area for rubbish, recycling, and food scraps must be at ground level or in a basement</p> <p>vi. The maximum walking distance from any entrance to each residential unit within an apartment building to the storage area for rubbish, recycling and food scraps should not exceed 30 metres (lift travel distance excluded).</p>
e.	Retirement Villages	<p>i. 5m² per residential unit</p> <p>ii. Minimum dimension 1.5m</p> <p>iii. A Waste Container Management Plan shall be prepared for the site.</p>
f.e.	The waste management and service area standards in Rule 4.3.4.11 do not apply to managed care facilities or rest homes. See Rule 4.3.5.5 and Rule 4.3.5.78	

Note:

Contact Council's Waste and Resource Recovery Team for advice on waste container management in the transport corridor.

4.3.4.12 [Minimum Residential Unit Size](#)

The Minimum floor area required of each residential unit (excluding ancillary residential units)	
Unit Type	Floor Area
vi. Studio unit	35m²
iv. One bedroom unit	45m²
vii. Two bedroom unit	55m²
vii. Three bedroom unit	75m²
viii. Four or more bedroom unit	90m²

4.3.4.132 [Storage Areas](#)

For apartment developments containing four or more residential units

- Each residential unit shall be provided with a storage area located at or below ground-floor level, readily accessible to that residential unit, secure and weatherproof.
- The storage areas for each residential unit shall meet the following volume requirements:

Unit Type	Minimum storage area volume
i. <u>Studio unit</u>	<u>3m³</u>
ii. <u>One bedroom unit</u>	<u>4m³</u>
iii. <u>Two bedroom unit</u>	<u>5m³</u>
iv. <u>Three or more bedroom unit</u>	<u>6m³</u>

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

4.3.4.143 Accessory Buildings, Vehicle Access and Vehicle Parking

Accessory buildings, vehicle access and vehicle parking for four or more residential units on a site	
a.	<u>Any accessory building either attached and detached must be setback at least 1m from the front building line of the residential unit.</u>
b.	<u>Where a residential unit has a frontage equal to or greater than 12m width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or greater than 12m; two single-width or one double-width garage or car port spaces, and one driveway / parking pad up to 6m wide, maximum may <u>can</u> be provided.</u>
c.	<u>Where the residential unit has a frontage greater than 7.5m but less than 12m width facing a street or a publicly accessible on-site access way (for pedestrians) greater than 7.5m but less than 12m; one single-width garage or car port space, and one driveway / parking pad up to 3.5m wide may be provided.</u>
d.	<u>Where the residential unit has a frontage equal to or less than 7.5m width facing a street or a publicly accessible on-site access way (for pedestrians) equal to or less than 7.5m; no garage or car port spaces within the residential unit's frontage is permitted and any vehicle access and garaging is to be provided by a rear lane (Except when 4.3.4.12 d. or for duplex residential units within the Rotokauri North Residential Precinct, then 4.3.4.12 f. applies).</u>
e.	<p><u>For any duplex and or terrace housing development adjoining a local transport corridor and containing no more than 6 residential units where a the individual residential units have has a frontage width equal to or less than 7.5m then, one external parking pad may be provided in the front yard up to 3.5m wide and no less than 5.5m deep for each that residential unit where the following are met:</u></p> <ul style="list-style-type: none"> i. <u>It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time;</u> ii. <u>Access to the parking pads shall be restricted to a local transport corridor roads or publicly accessible on-site access ways of no less than 7m in width;</u> iii. <u>The development must comply with the requirements for impermeable surface standards in Rule 4.2.45.3 and the boundary fencing and wall standards in Rule 4.3.4.7; and</u> iv. <u>The Each residential unit must have at least one habitable room with clear glazed window facing the local transport corridor read.</u>
ea.	<u>There must be no more than one double-width vehicle crossing for each pair of residential units in a duplex or terrace housing development, except that, if the total number of residential units in a terrace housing development is odd, then one residential unit in that development may have its own</u>

	<u>single-width vehicle crossing.</u>
<u>eb.</u>	<u>A double-width vehicle crossing serving two adjoining residential units in a terrace housing or duplex development must be from 5.5m to 6.0m wide and centred on the boundary between the residential units.</u>
<u>ec.</u>	<u>A single-width vehicle crossing serving a single residential unit in a terrace housing development, in accordance with Rule 4.3.4.14 ea, must be from 3.0m to 3.5m wide.</u>
<u>f.</u>	<p>Where an on-site vehicle parking area includes more than 4 parking spaces, the parking area shall be</p> <p>i. <u>Landscaped at the rate of 1 tree per 5 parking spaces, planted within or immediately adjacent to the parking spaces.</u></p> <p>Rule 4.3.3.1 <u>24</u> f. takes preference over the requirements in Rule 25.5.4.6 Internal planting.</p>
Accessory buildings, vehicle access and vehicle parking for four or more residential units on a site within the Rotokauri North Residential Precinct the following rules also apply	
<u>g.</u>	<p>For duplex residential units that have a frontage width facing a local street or a publicly accessible on-site access way with a width equal to or less than 7.5m, and have a habitable room with clear glazed window facing the transport corridor, the following apply:</p> <p>i. <u>Each residential unit within the duplex unit may only have one car parking space. It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time. The related subdivision consent shall record this on the record of title as a consent notice.</u></p> <p>ii. <u>The car park for each residential unit must be at least 2.5m x 5.5m, be located next to one another and be accessed from a single double-width vehicle crossing.</u></p> <p>iii. <u>The vehicle crossing must be located at one side of the site and both parking spaces must be contained within 6.5m of the relevant side boundary.</u></p> <p>iv. <u>Clauses i to iii do not apply to any duplex dwelling where vehicle access is obtained from a rear lane.</u></p>
<u>h.</u>	<p>On a site where the transportation corridor boundary is:</p> <p>i. <u>12.5m or greater the garage door width shall not exceed 6m of the front building line.</u></p> <p>ii. <u>Less than 12.5m, only a single garage door up to 3.5m wide is allowed on the front building line.</u></p>
<u>i.</u>	<u>If the garage door does not face the transport corridor, a minimum of 20% of the garage façade facing the transport corridor must be glazed. This rule does not apply to garages or carports facing a rear lane.</u>

Note:

- The combine width of vehicle crossings and any parking spaces are to be measured along the front boundary where it adjoins the transport corridor.

4.3.4.15 4 Built Form**For any terrace housing or apartment development containing four or more residential units**

- No wall which is parallel to or up to an angle of 30° to any external boundary except the road frontage shall exceed 15m in length without there being a step in (or out) plan of at least 1.8m

depth and 4m in length.

- b. All parts of a building less than 11m in height shall be setback from the side and rear boundary as required by Rule 4.3.4.6;
- c. All parts of a building greater than 11m in height shall be setback from the side and rear boundary by a minimum of 4 metres.

4.3.4.156 Universal Access

For applications including 10 or more residential units	
a.	<p>At least 10% of residential units on a site shall be designed to provide convenient wheelchair access including:</p> <ol style="list-style-type: none"> i. <u>Access from a street to an entry door (which may be a front, back or side door) using gradients no greater than 1:20 and has a level (stepless) transitions from inside to outside.</u> ii. <u>Doorways that are at least 810mm (door leaf 860mm) wide to fit a wheelchair.</u> iii. <u>At least one bedroom and accessible bathroom be located at ground level and on the same level as the kitchen and living room.</u> <p><u>Note:</u><i>Where the assessment of the number of accessible units results in a fractional number, any fraction under one-half shall be disregarded and fractions of one-half or greater shall be considered as one residential unit.</i></p>

4.3.4.176 River Interface Overlay in Te Awa Lakes Residential Precinct

River interface overlay	
a.	<u>The minimum area of land (net site area) required in respect of each residential unit adjoining any existing or proposed esplanade reserve adjacent to the Waikato River shall be 1,000m².</u>
b.	<u>The maximum height of a building or structure is 8m.</u>
c.	<u>The General Residential Zone Rules in 4.2.5.2, 4.2.5.3 and 4.2.5.5 shall apply.</u>
d.	<u>The following rules do not apply to this overlay 4.3.4.1, 4.3.4.2, 4.3.4.3 and 4.3.4.5.</u>

4.3.4.187 Affordable Housing

Affordable housing in the Te Awa Lakes Residential Precinct	
a.	<p><u>The total Development Yield for the Te Awa Lakes Residential Precinct shall include affordable residential units that meet the following requirements:</u></p> <ol style="list-style-type: none"> i. <u>At least 10% of the residential units of the total Development Yield of 892 (+/- 10%) shall be sold on the open market at a price that is no more than 90% of the average Hamilton city residential house value, as shown in the most recent June figures published by Quotable Value (www.qv.co.nz) at the date of sale and purchase agreement (to transfer the property to the buyer).</u>

	<ul style="list-style-type: none"> ii. <u>The buyer must not, at the time of purchase, own a residential unit either solely or jointly with another person (including as a trustee of a trust).</u> iii. <u>All Consent applications shall include details of the location, number and percentage of any affordable housing units or allotments and shall include details of the cumulative total of affordable residential unit sales to date to demonstrate that 10% of affordable residential units of the total Development Yield will be achieved.</u> iv. <u>Where parent fee simple titled sections or 'super lots' for future duplex or apartment units are proposed, the unit yield and future subdivision opportunity for individual fee simple titled sections shall be identified for the purpose of identifying the affordable housing yield in accordance with ii and iii above.</u> v. <u>A consent notice or other legal mechanism shall be placed on the computer freehold register for each affordable residential unit and/or fee simple titled section at the time of subdivision s224-(e) certification, requiring that the provision in 4.3.4.16 a.i above is to be met for three years from the date of issue of title.</u> vi. <u>Not less than 9 of the Development Areas shall include a minimum 10% affordable housing component.</u>
	<p><u>Any non-compliance with this rule shall be a Discretionary Activity.</u></p>

4.3.4.1819 Development Rules in the Ruakura Residential Precinct

a.	<p><u>Activities listed in 4.3.3.1 Rules – Activity Status Table – Medium Density Residential Zone which are undertaken in the Ruakura Residential Precinct shall comply with Rules 3.7.4.1, 3.7.4.2, 3.7.4.3, 3.7.4.4, 3.7.4.5 and 3.7.5 in Chapter 3: Structure Plans.</u></p>
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4.3.4.2019 Development Rules in Te Awa Lakes Residential Precinct

a.	<p><u>Resource consent applications for activities listed in a) 4.3.3.1 Activity Status Table – Development Activities - Te Awa Lakes Development Areas Q and R shall be obtained for the entire development (which may be staged) of not less than one of the Development Areas in Figure 2-21, together with any adjacent Development Areas or parts of Development Areas, in conjunction with land use, subdivision and development under any other rule of the Medium-Density Residential Zone.</u></p>
b.	<p><u>It is anticipated that resource consents for Development Activities will be obtained at the same time to ensure that development within Te Awa Lakes is comprehensively planned from the outset and integrated and coordinated with development yet to occur.</u></p>
c.	<p><u>A resource consent application shall provide the information required by Information Requirements 1.2.2.21 – Development Consent - Te Awa Lakes Residential Precinct - Medium-Density Residential Zone (Volume 2, Appendix 1).</u></p>
d.	<p><u>Resource consent applications will be assessed in accordance with the functions of the Hamilton City Council prescribed in Section 31 of the Resource Management Act. Consents may also be required from Waikato Regional Council under the Waikato Regional Plan e.g. for stormwater discharge.</u></p>
e.	<p><u>Applications for any restricted discretionary activity identified with an asterisk(*) in the relevant zone chapter shall be considered without notification or the need to obtain approval from affected persons.</u></p>
f.	<p><u>Resource consent applications shall demonstrate the minimum freeboard heights specified in Rule 22.5.6 c shall be complied with, based on a level of 16.13m RL for the 1% annual exceedance</u></p>

	<u>probability event.</u>
g.	<u>Activities listed in 4.3.3.1 Rules – Activity Status Table – Medium Density Residential zone which are undertaken in the Te Awa Lakes Structure Plan Area shall comply with rules 3.8.5.1, 3.8.5.2, 3.8.5.3, 3.8.5.4, 3.8.5.5 and 3.8.6 in Chapter 3, Structure Plans.</u>

4.3.5 Rules – Specific Standards

4.3.5.1 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 activity shall have a maximum gross floor area of all buildings of 250m².

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

a.	<u>Gross floor area of all buildings</u>	<u>Maximum 250m²</u>
b.	<u>Hours of operation</u>	<u>0700 to 2200 hours</u>
c.	<u>Additional hours for special event (maximum 1 per calendar year)</u>	<u>2200 to 0200 hours</u>
d.	<u>The display or storage of materials, except for permitted signage, shall not be visible from outside the site.</u>	

4.3.5.3 Dairies

a.	<u>Gross floor area of retail</u>	<u>Maximum 100m²</u>
b.	<u>Hours of operation</u>	<u>0700 to 2200 hours</u>
c.	<u>Located on a corner or through site Located on a front, corner or through site and located on the ground floor of the building.</u>	

4.3.5.4 Home-based Businesses

For the avoidance of doubt, if an activity does not comply with all of the standards specified, it is not a home-based business.

- a. Home-based businesses shall:
 - i. Not involve more than three full time equivalent (FTE) employees that do not normally reside on the property.
 - ii. Not exceed 10m² or 30% of the total gross floor area of buildings on the site whichever is greatest.
 - iii. Not generate any trips by a heavy motor vehicle.
 - iv. Not involve deliveries or the arrival or departure of any persons from the Site between the

hours of 2000-0700, on any day.

- v. Occur internally within the building.
- vi. Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs.
- vii. Retail only those goods which have been manufactured, repaired, renovated or otherwise produced on the site.
- viii. Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.
- ix. 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.
- x. Have only one sign with a maximum area of 0.6m², a maximum dimension of 1m and having no part higher than 2m above the adjacent ground level. The sign must be attached to either a fence, wall or building.

4.3.5.5 Managed Care Facilities (Except in the Ruakura and Rotokauri North Residential Precincts)

- a. Within one calendar month of its occupancy, the Agency/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. The outdoor living area shall be provided communally which shall comprise:
 - i. At least 12m² 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.
 - v. Comprise not more than 35% impermeable surface area.

- vi. For the exclusive use of the residents.
 - vii. Readily accessible for all residents.
 - viii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- c. A service area shall be provided that has:
- i. A minimum area of 20m² 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 16m² with a minimum dimension of 2m.
 - iii. And a Waste Container Management Plan shall be prepared for the site.
- d. Staff providing supervision for managed care facilities accommodating eight or more residents shall be present on site at all times that residents are in occupation.
- e. No part of any site or premises used as a managed care facility shall contain a secure unit.

4.3.5.6 Show Homes

- a. Shall be staffed by a maximum number of two staff at any time.
- b. Shall be located on a front, corner or through site.
- c. Shall have a maximum activity duration of two years from the time of first occupation.

4.3.5.7 Rest Home (Except in the Ruakura and Rotokauri North Residential Precinct)

- a. Maximum occupancy shall be 10 residents (including live-in staff).
- b. The maximum density for rest homes shall be one person per 50m² of net site area.
- c. An outdoor living area shall be provided that:
 - i. Is for the exclusive use of the residents.
 - ii. Is readily accessible to 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 12m² per resident.
- ii. A minimum dimension of not less than 4m.
- iii. At least 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 20m².
 - ii. Minimum dimension of 3m.
 - iii. Provided that where a fully equipped laundry (both washing and drying machines) is provided in rest home, then the service area can be reduced to a minimum of 16m² with a minimum dimension of 2m.
 - iv. And a Waste Container Management Plan shall be prepared for the site.

4.3.5.8 Ruakura Residential Precinct - One Integrated Retail Development

(see Figure 2-14 Ruakura Structure Plan – Land use (Appendix 2))

- a. Activities shall only consist of:

- Retail
- Cafes/Restaurants
- Offices
- Healthcare services
- Community facilities
- Childcare facilities

<u>Combined gross floor area of all tenancies</u>	<u>Maximum of 3500m²</u>
<u>Gross floor area per tenancy (excluding offices)</u>	<u>Maximum 399m²</u>
<u>Gross floor area for office tenancies</u>	<u>Maximum 250m²</u>

- b. Only one integrated retail development shall be provided within the Ruakura Structure Plan Area
- c. Maximum Building Height: 14 metres
- d. Where any boundary adjoins a residential boundary, no part of any building shall penetrate a height control plane rising at an angle of 60 degrees beginning at an elevation of 6m above the boundary. Elements such as flues, flagpoles, open balustrades shall be exempt.
- e. Building setbacks

- Front Boundary: 5 metres when fronting an arterial road.
- Side and Rear Boundaries: 1.5 metres where the boundary adjoins a residential boundary or Open Space Zone.

f. A maximum building intensity (floor area Ratio) of 1:1 shall apply.

g. Service Areas

Any building shall provide service areas as follows:

- i. At least one service area of not less than 10m² or 1% of the gross floor area of the building, whichever is the greater.
- ii. Any additional service areas shall not:
 - Be less than 5m.
 - Have a minimum dimension of less than 2.5m
- iii. Any outdoor service area shall be maintained with an all-weather, dust free surface.
- iv. A service area may be located within a building provided that it is separately partitioned with an exterior door directly accessible by service vehicles.
- v. Any services area shall not encroach on to areas required by this District Plan for other purposes (e.g. parking, loading, landscaping and screening).

h. Outdoor storage

Any outdoor storage area used for storage of goods and materials shall:Be laid out and used in a manner that does not conflict with vehicle access.

- i. Be maintained with an all-weather, dust free surface.
- ii. Be located away from public view or otherwise screened by fencing and landscaping.
- iii. Not encroach on areas required by this District Plan for other purposes (e.g. parking, loading, landscaping and screening).
- i. No roller doors, or similar, which may obscure windows or entranceways may be installed on the front of any building fronting a public space.

Note

1. Any communal open space is optional and is additional to the above provisions.

4.3.5.9

Pruning and maintenance of a tree where the trunk is located within a Significant Natural Area and the canopy overhangs the boundary of a SNA in Schedule 9C (Volume 2, Appendix 9)

a. Shall comply with the following:

- i. Maximum amount of foliage to be removed per tree per calendar year is 15%
- ii. Maximum thickness (cross-section) of any branch or root that may be cut is 50mm.

4.3.6 Controlled Activities: Matters of Control

In determining any application for resource consent for a controlled activity, the Council shall reserve its control over the following matters.

Activity	Matter of Control (Refer to Volume 2, Appendix 1.3.2)
<u>Childcare facility for up to five children</u>	<u>F – Ruakura</u>
<u>Dairy</u>	<u>F – Ruakura</u>
<u>Community centre</u>	<u>F – Ruakura</u>
<u>Relocated buildings</u>	<u>F – Ruakura</u>

4.3.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

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. <u>4 or more dwellings residential units on a site</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u> • <u>J9 – Three Waters Infrastructure Capacity</u>
ii. <u>Infringements of one or more standards – up to 3 dwellings residential units per site</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u> <p><u>Except in relation to non-compliance with Rule 4.3.4.3 a, where matters of discretion will be limited to—JJ - Stormwater Quantity and Quality, and/or Rule 4.3.4.1 - minimum average net site area where matters of discretion will be limited to J9 – Three Waters Infrastructure Capacity.</u></p>
iii. <u>Infringements of one or more standards—4 or more dwellings per site</u>	<ul style="list-style-type: none"> • <u>B—Design and Layout</u> • <u>C—Character and Amenity</u>
iv. <u>Childcare facility for 6 or more children</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>

v. <u>Community centre (Except in the Ruakura and Rotokauri North Residential Precinct)</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
vi. <u>Dairy</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
vii. <u>Papakāinga*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
viii. <u>Marae provided as part of a papakāinga development*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
ix. <u>Rest home (Except within the Ruakura and Rotokauri North Residential Precincts)*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
x. <u>Show Home</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
xi. <u>Retirement Village</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C - Character and Amenity</u>
xii. <u>Any earthworks within the root protection zone of a tree where the trunk is located within a Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</u>	<ul style="list-style-type: none"> • <u>D – Natural Character and Open Space</u> • <u>F – Hazards and Safety</u>
<u>Ruakura Residential Precinct</u>	
xiii. <u>One Integrated Retail Development in accordance with the general location identified on Figure 2-14 Ruakura Structure Plan – Land Use (Appendix 2)*</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>H – Function, Vitality, Viability and Amenity of Centres</u> • <u>N – Ruakura and Te Awa Lakes</u>
<u>Rotokauri North Medium-Density Residential Zone</u>	
xiv. <u>Any restricted discretionary activity</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>C – Character and Amenity</u> • <u>O – Rotokauri North</u>

Note

1. Refer to Chapter 1.1.9 for activities marked with an asterisk.

4.3.8 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

4.3.9

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