

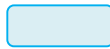
This chapter is subject to the following plan changes:

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.

4.4

High Density Residential Zone

4.4.1

Purpose

The High Density Residential Zone is predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities. This Zone provides for the greatest heights and densities within Hamilton City, thereby contributing to housing choice. Buildings of at least 6 storeys can be readily anticipated within this Zone, including adjacent to pre-existing 1 to 2 storey detached dwellings. As a result, the character of the Zone is anticipated to change substantially over time.

The Zone is applied in areas that are within a walkable catchment of the edge of the Central City Zone to ensure that residents have convenient access housing, jobs, community services, natural spaces and open spaces by way of public transport or active transport modes. Greater density is also enabled in the area north of the Central City where there is walkable access to the Central City Zone and the employment area of Te Rapa which have ease of access through active transport modes and public transport.

The High Density Residential Zone has a Visitor Facilities Precinct which recognises the existing visitor accommodation around Ulster Street. This area includes the sites fronting Ulster Street, from Mill Street to Beetham Park and provides for a high-density mix of visitor and permanent residential accommodation in the form of multi-unit and apartment developments. Ancillary activities often accompany visitor accommodation, such as conference facilities and restaurants.

The design and layout of sites and buildings in the High Density Residential Zone are critically important. Resource consent is required to ensure that development provides for high quality urban design and visually attractive buildings, and that adequate on-site amenity and privacy consistent with the expected urban built character of the Zone is provided for.

The Plan places particular emphasis on the importance of development integrating with and positively contributing to the quality, safety, and convenience of publicly accessible spaces. These include publicly-owned roads and parks, but also privately owned spaces that are primarily intended to provide public access to development, and that development in turn fronts on to or addresses.

4.4.2 Objectives and Policies: High Density Residential Zone

Objective	Policies
4.4.2.1 <u>The High Density Residential Zone and development within it:</u> <ul style="list-style-type: none"> a. <u>Provides for high density living that contributes to housing choice in areas with good accessibility to the Central City via public transport and active modes.</u> b. <u>Provides for a range of housing typologies that are consistent with an intended high density urban character of at least that enables developments of more than 6 storeys.</u> 	4.4.2.1a <u>Enable a variety of housing typologies, including terraced housing and multi-storey apartment buildings.</u>
	4.4.2.1b <u>Require the height, bulk, density and appearance of development to contribute to a high density urban character of at least up to 6 storeys or more.</u>
	4.4.2.1c <u>Development within the High Density Residential Zone should aim to achieve a net residential density (excludes roads and open space) of at least 65 residential units per hectare.</u>
Explanation	

This objective and associated policies recognise the role and function of the High Density Residential Zone as being able to accommodate high density residential uses, including multi-storey apartment buildings.

The National Policy Statement on Urban Development requires high-growth Councils to enable the provision of high density in areas that are considered to have good access to a range of activities, including employment, recreation and services, by way of active and public transport. The High Density Residential Zone is located in proximity to the Central City, which is the City's primary centre for commercial, civic and social activities, and the region's cultural and recreational hub.

By requiring new developments to contribute to a high density urban character, development within this Zone will collectively contribute to increasing housing choice and variety. Development will also, across time, concentrate the population of Hamilton to support the viability of alternative transportation modes, including active transport and public transport.

Objective	Policies
4.4.2.2 <u>Development within the High Density Residential Zone incorporates best practice urban design principles that contribute to an attractive, liveable and functional high density environment.</u>	4.4.2.2a <u>Enable developments that contribute to a well-designed-high quality high density environment, including through the use of height, design and scale, visually interesting roof profiles, recesses and projections, fenestration and façade treatments.</u>
	4.4.2.2b <u>Require developments adjoining existing pedestrian and cycling thoroughfares (such as walkways) to connect to and interface with these in a manner that is useable, practical and safe.</u>
	4.4.2.2c <u>Require developments to provide for functional and useable on-site amenities, including accessible storage space that meet household requirements.</u>

Explanation

This objective and associated policies recognise the importance of best practice urban design in a high density environment. Development within this Zone may require a specific design response in terms of scale, height, materials and form to ensure that it positively contributes to a high density environment.

In situations where developments adjoin existing walkways or thoroughfares, pedestrian and cycling connectivity to these spaces should be provided. Over time, this will enhance the off-road pedestrian and cycling network in this Zone, contribute to neighbourhood permeability and improve connectivity and walkability for users.

It is critical that developments in the High Density Residential Zone are designed to provide functional on-site amenities, including storage space. These spaces should be of a size that are able to meet the demand of the households, and should be located where they be easily accessed, such as the basement or ground floor of the building.

4.4.3 Rules — General Standards — High Density Residential Zone

4.4.3.1 Activity Status Table

Activity	High Density Residential Zone
a. Accessory building	P
b. Ancillary residential structures	P
c. Emergency housing for up to 10 residents	P
d. Residential activities	P
e. One residential unit on a site Single Detached Residential Unit	NC
f. 2 residential units on a site Duplex Residential Units	D
g. 3 or more attached residential units on a site (Terrace Housing or Apartment Buildings)	RD*
h. Papakainga	RD*
i. Rest home	RD*
j. Managed care facilities	P D
i. Up to 10 residents (excluding Including emergency housing)	
ii. 11 or more residents (excluding Including emergency housing)	
k. Residential centre	D
l. Retirement Village	RD*
Commercial Activities and Structures	
m. Home-based business	P
n. Homestay accommodation	P

o. <u>Show homes</u>	<u>RD</u>
p. <u>Childcare facility</u>	
i. <u>Up to 5 children</u>	<u>P</u>
ii. <u>Six or more children</u>	<u>RD</u>
q. <u>Dairy on the ground floor of a building</u>	<u>RD</u>
r. <u>Dairy on upper floor of a building</u>	<u>NC</u>
s. <u>Health care service</u>	<u>D</u>
t. <u>Places of assembly</u>	<u>D</u>
u. <u>Visitor accommodation outside the Visitors Facilities Precinct</u>	<u>RD</u>
v. <u>Visitor accommodation in the Visitor Facilities Precinct</u>	<u>P</u>
w. <u>Offices (other than as a home-based business)</u>	<u>NC</u>
x. <u>Service industry</u>	<u>NC</u>
y. <u>Light industry</u>	<u>NC</u>
z. <u>Restaurants</u>	<u>D</u>
aa. <u>Restaurants ancillary to visitor accommodation in the Visitor Facilities Precinct</u>	<u>P</u>
bb. <u>Conference facility outside the Visitors Facilities Precinct</u>	<u>D</u>
cc. <u>Conference facility in the Visitors Facilities Precinct</u>	<u>P</u>
dd. <u>Tertiary education and specialised training facility</u>	<u>D</u>
Communities Activities and Structures	
ee. <u>Informal recreation</u>	<u>P</u>
ff. <u>Organised recreation</u>	<u>P</u>
gg. <u>Community centre</u>	<u>D</u>
hh. <u>General recreation</u>	<u>D</u>
ii. <u>Places of worship</u>	<u>D</u>
jj. <u>Marae (Accept when provided as part of a papakainga development)</u>	<u>D</u>
kk. <u>Marae when provided as part of a papakainga development</u>	<u>RD*</u>
ll. <u>School</u>	<u>D</u>
mm. <u>Passenger transport facilities Public transport facilities</u>	<u>NC</u>
nn. <u>Clubrooms</u>	<u>NC</u>
All Activities and Structures	
oo. <u>Demolition or removal of a building</u>	<u>P</u>
pp. <u>Maintenance, repair and alterations and additions to existing buildings</u>	<u>P</u>
qq. <u>Any earthworks within the root protection zone of a tree where the trunk is located within a Significant Natural Area (SNA) in Schedule 9C (Volume 2,</u>	<u>RD</u>

<u>Appendix 9)</u>	
rr. <u>Pruning and maintenance a tree within a Significant Natural Area where the canopy overhangs the boundary of the Significant Natural Area in Schedule 9C (Volume 2, Appendix 9)</u>	<u>P</u>
ss. <u>Relocated buildings</u>	<u>NC</u>
tt. <u>Emergency service facilities</u>	<u>D</u>
uu. <u>Any boundary wall and fence equal to or less than 1.5m high as per Rule 4.4.5.7</u>	<u>P</u>
vv. <u>Any boundary wall and fence over 3.5m high as per Rule 4.4.5.7</u>	<u>D</u>

Note

1. For activities and buildings in the Electricity National Grid Corridor see Chapter 25.7: City-wide — Network 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.

4.4.4**Rules - Notification**

- a. Except as provided for by Section 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act applications for any Restricted Discretionary Activity identified with an asterisk (*) in the activity status table 4.4.3.1 shall be considered without notification or the need to obtain approval from affected persons.
- b. If the activity marked with an asterisk (*) does not comply with all relevant standards, notification will be determined in accordance with Rule 1.1.9 in Chapter 1.
- c. Notwithstanding clause (a), where an activity identified in Rule 4.4.3 requires resource consent for a Restricted Discretionary Activity under two or more activity descriptions, and only one of the Restricted Discretionary Activities is identified with an asterisk (*), notification of the activity shall be at the Council's discretion in accordance with Section 95A, 95B and 95C of the Act.

4.4.5**Rules - General Standards****4.4.5.1****Density**

<u>Activity</u>	<u>Maximum average net site area (minimums unless otherwise stated)</u>
a. <u>Terrace housing unit</u>	<u>Maximum net site area of 15000m² per residential unit</u>
b. <u>Apartments</u>	<u>-</u>
c. <u>Residential centres, rest homes, managed care facilities</u>	<u>50m² per resident</u>

Note:

Refer to the rules in Chapter 25.13 - Three Waters

4.4.5.2 Site Building Coverage

Activity	Maximum site building coverage
a. All activities	60%

Note:
Rainwater tanks with a capacity of <10,500 litres are exempt from the calculation of building coverage (Refer to Chapter 25.13)

4.4.5.3 Permeable Impermeable Surface and Landscaping

Activity	Standard		
a. <u>Permeable-Impermeable surface</u>	<u>Minimum 20% of a site-Maximum 80% of net site area</u>		
b. <u>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.</u>			
c. <u>On front, corner sites and through sites, landscaping planted in grass, shrubs and trees required forward of the front building line.</u> At least 50% of the landscape area shall be provided as a Deep Soil Area (DSA)			
i. To support shrubs and plants (but not lawn) on uncompacted soil of 400mm depth and;			
ii. For all trees, topsoil depth is required to increase to 1m.			
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.			
e. <u>Urban trees canopy:</u> <u>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:</u>			
<u>Tree size with corresponding height and projected canopy size</u>			
<u>Tree Size</u>	<u>Tree Height at maturity (m)</u>	<u>Tree canopy cover at maturity (m²)</u>	<u>Land area (m²) required</u>
<u>Small</u>	<u>0-5</u>	<u>10</u>	<u>3.8</u>
<u>Medium</u>	<u>6-12</u>	<u>67</u>	<u>25.5</u>
<u>Large</u>	<u>13-20</u>	<u>186</u>	<u>70.8</u>
<u>Very Large</u>	<u>20+</u>	<u>250</u>	<u>95.4</u>
<u>Soil volume required for a tree/tree roots (m³) equals the land area (m²) x 1m depth</u>			
i. <u>Terraces and/or Apartments</u>	<u>Minimum of one tree per site with an additional tree for every 150m² of site area.</u>		
ii. <u>Other activities</u>	<u>Minimum one tree per site with an additional tree for every 200m² of site area</u>		

e f. The tree requirements as per 4.4.4.3 c 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.

f.g. Specimen trees shall be planted as per 4.2.5.3d at a planted ~~minimum~~ size of at least 80L.

Note:

- 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 4.4.5.3 a can include the area required in 4.4.5.3 b.
- Requirements set out in 4.4.5.3 b can include the area required in 4.4.5.3 c.
- If the development retains an existing mature tree (or trees) of at least 6m in height within the design, then this can be traded in place of a tree or trees required under 4.4.5.3 c 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 im permeable surface (Refer to Chapter 25.13).

4.4.5.4 Building Height

Building height	Building Height	Maximum Storeys
a. All buildings	26 24 m	-
Buildings must not exceed a building height identified in 4.4.5.4 a, 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.		

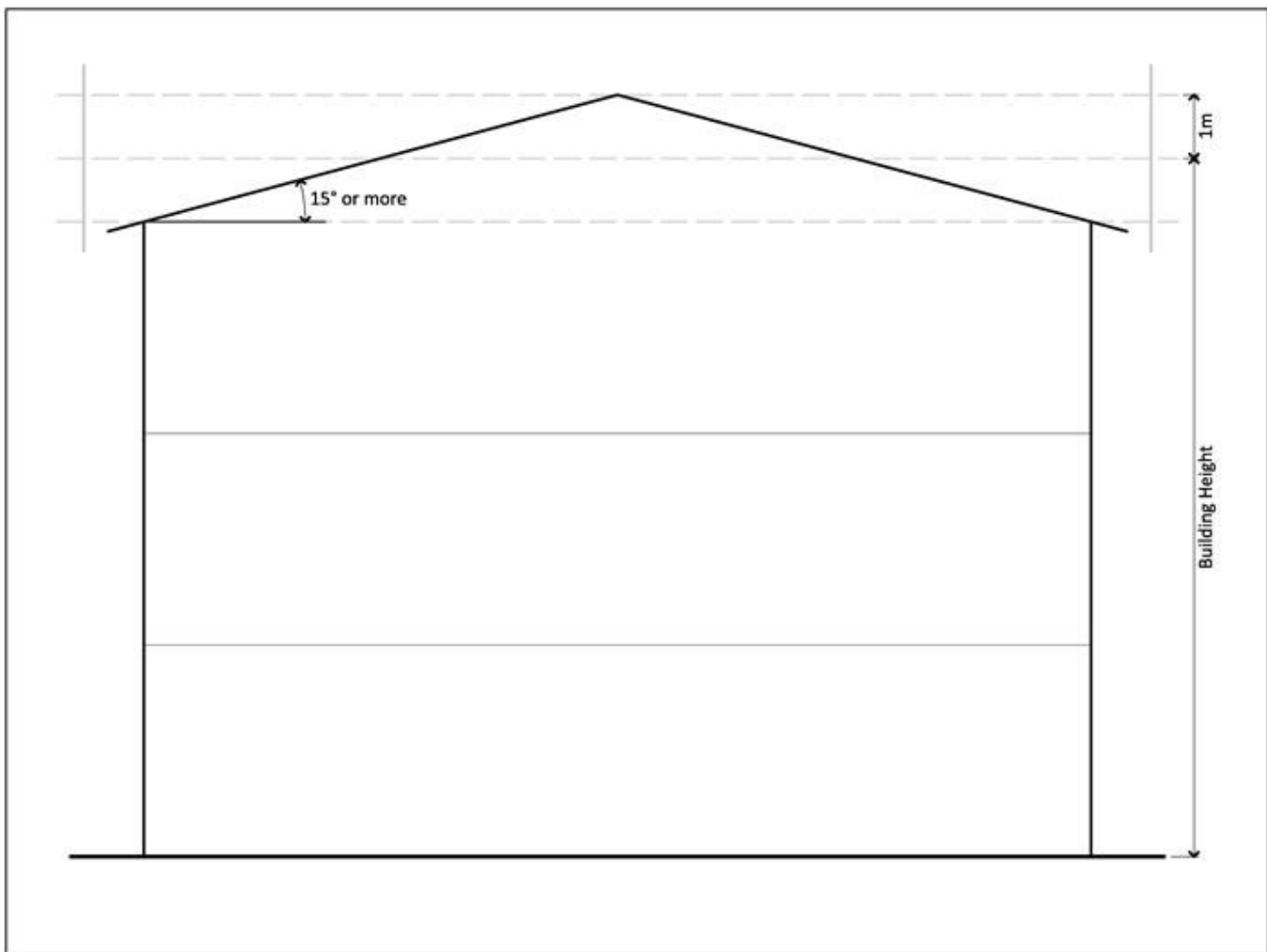


Figure 4.4.5.4 a Building Height.

4.4.5.5 Height in Relation to Boundary

Where the subject site in the High Density Residential Zone adjoins any other Zone

- a. Any buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along the boundaries adjoining any other zone. 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 transport corridor
 - ii. A boundary with public Open Space Zones
 - iii. A boundary with the Central City Zone
 - iv. A boundary with any Business zones
 - v. A boundary with any industrial zone
 - vi. Site boundaries where there is an existing common wall between 2 buildings on adjacent sites or

where a common wall is proposed.

vii. A boundary with the General Residential Zone

- b. 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.

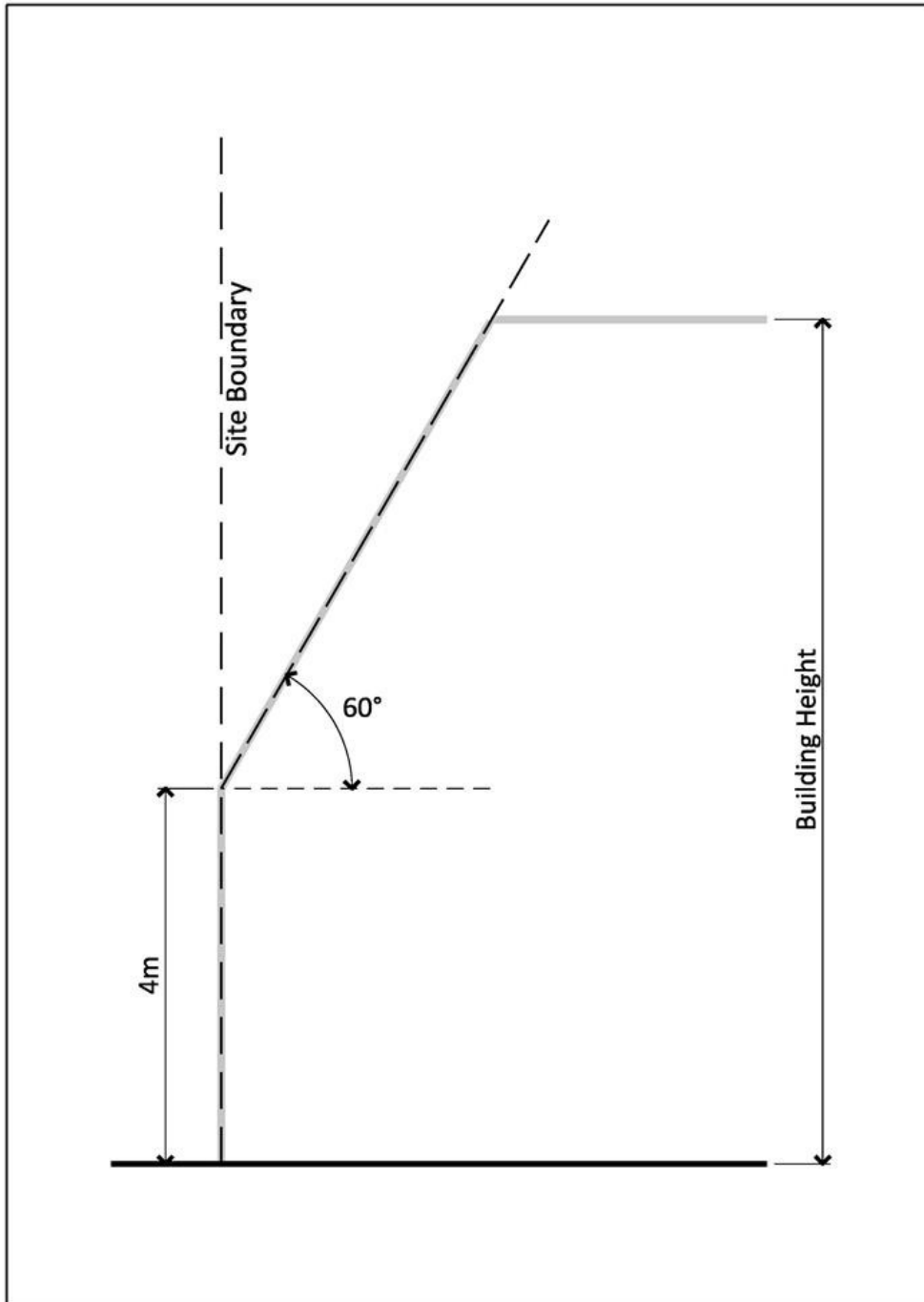
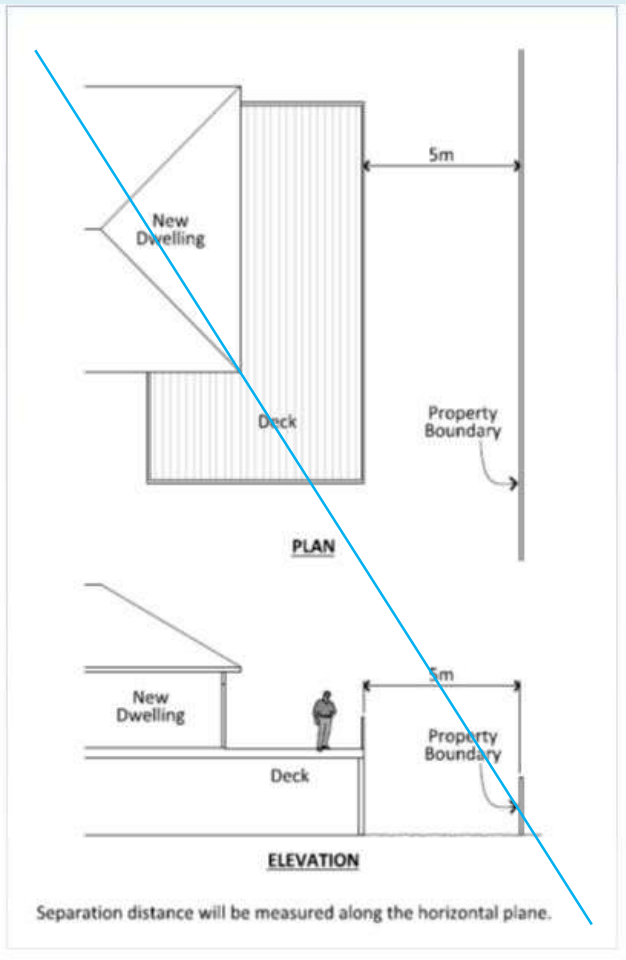
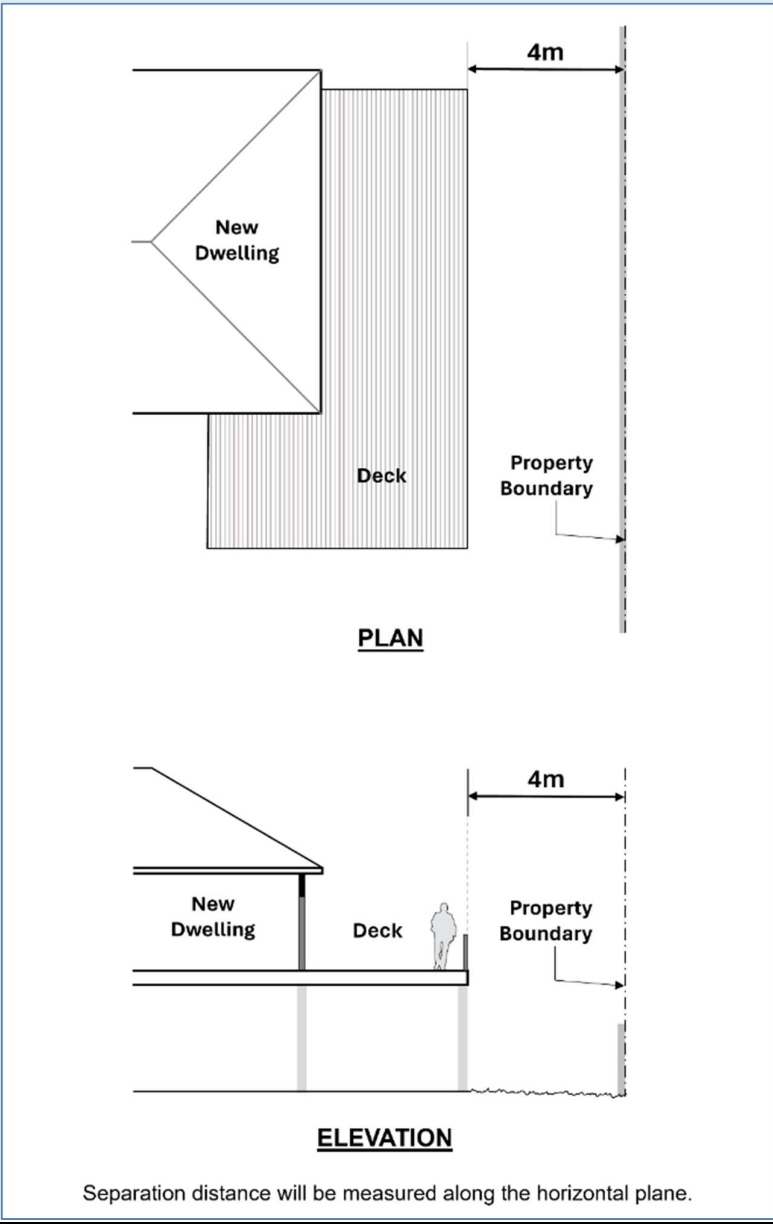


Figure 4.4.5.5 a Height in Relation to Boundary.

4.4.5.6 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 i. Local and collector transport corridors ii. Arterial transport corridors	1m , except where garage doors or carports face a transport corridor, they must be setback 1m or at least 5m. 5m
b. Side yard boundary	1m
c. Rear yard boundary	1m
d. Rear yard boundary where it adjoins a rear lane	0m , except where garage doors or carports face the rear lane, they shall be setback either 0m, or at least 5m
e. Internal vehicle access serving up to 3 residential units on a site Any internal vehicle access or private way (including access to an ancillary residential unit)	In addition to any requirement in f: i. No part of a building (including eaves) shall extend over or encroach into an internal vehicle access or private way, and ii. Garage doors or carports facing the internal vehicle access or private way, must be setback either 1m or at least 5m
f. Internal vehicle access or private way serving more than 3 residential units on a site	Setback of For residential units: 1m
g. Waikato Riverbank and Gully Hazard Area	6m (applies to For buildings and swimming pools): 6m
h. Residential buildings must be setback at least 2m from the nearest part of any other residential building on the same site, except: i. No separation is required between buildings that are attached. ii. Where windows are located and designed (including glazing) to avoid views between rooms in different buildings on the same site, separation distance may be a minimum of 1.5m.	
i. A balcony at upper-floor level must be setback at least 4m from all boundaries (see Figure 4.4.5.7 a), except a boundary to a transport corridor, open space zone, or any of the following that are less than 6m wide: access way, right-of-way, private way, access lot, or entrance strip.	
Figure 4 4 5 7 a: Inner-floor setbacks for separation and privacy	





- Note**
- 1. Refer to Chapters 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.
 - 2. The above standards do not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
 - 3. Setbacks from a rear and/or side boundary requirements do not apply to rainwater tanks with a capacity of <10,500 litres (Refer to Chapter 25.13).

4.4.5.7 Fences and Walls

Rule	Maximum Height
a. Transport corridor boundary and side boundary fences or walls located forward of the front building line of the building.	Maximum height 0m 0.9m (with 50% of the fence length permitted at 1.2m

	provided 50% of that part over 0.9m is visually permeable).
b. Boundary fences or walls adjoining Open Space Zone	Maximum height 1.5m (with 50% permitted at 1.8m provided 50% of that part over 1.5m is visually permeable).
c. All other boundary fences or walls	Maximum height 1.8m

d. [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:](#)

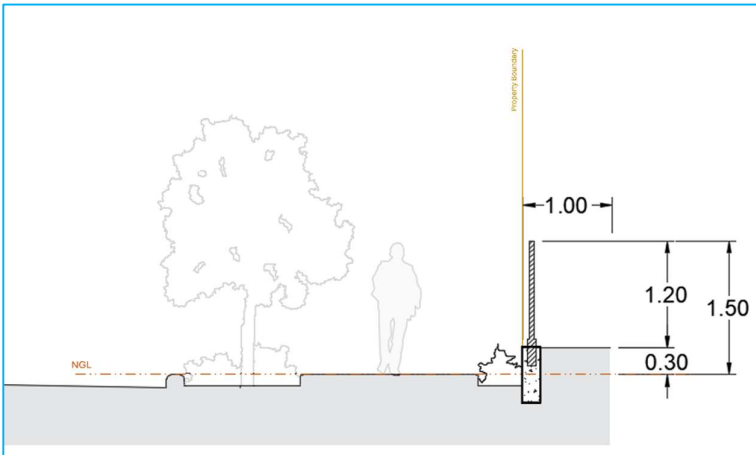


Figure 4.4.5.7(d) a Retaining wall and fence height

i. [Between 1.5m and 2.5m: A horizontal step at least 1m in depth shall be integrated into the structure\(s\) no more than 1.2m above the level of the transport corridor boundary](#)

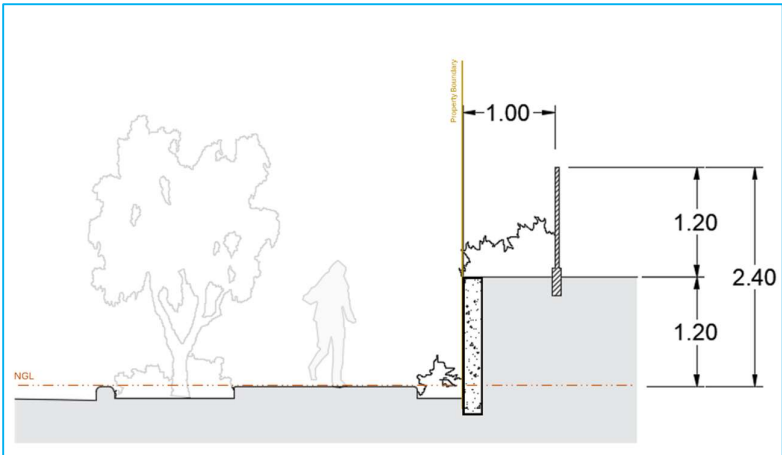


Figure 4.4.5.7(di) Retaining wall and fence height - one step

ii. [Between 2.51m and 3.5m: Two horizontal steps, each at least 1m in depth, shall be integrated into the structure\(s\) no more than 1.2m above the ground level at the base of each 'step'.](#)

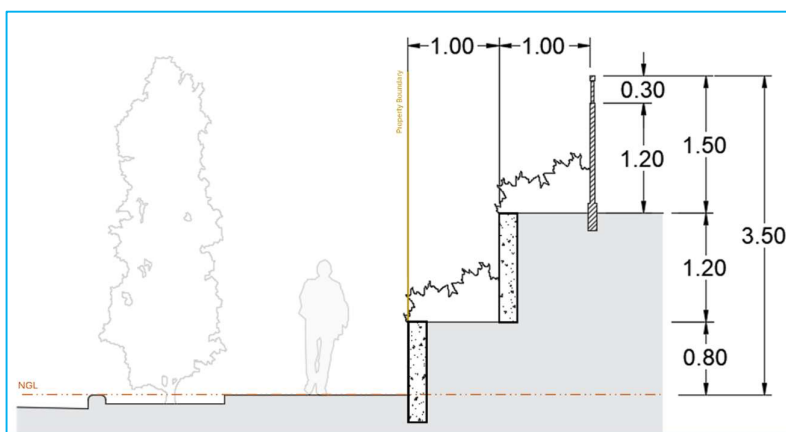


Figure 4.4.5.7(dii) Retaining wall and fence height - two steps

iii. More than 3.5m: Discretionary activity

e. This rule shall not apply to any fence and/or wall which:

- i. Following construction will be located at or below the natural ground level of the land that existed prior to construction commencing; or
- ii. Is internal to a proposed development and does not result in any fence or wall which has a height of 1.8m or more in relation to natural ground level of any adjoining external property boundary not in common ownership.

Note

1. 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.
2. 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.
3. 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.

4.4.5.8

Public Interface

Residential units facing the street

a. Where a Any residential unit is facing 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:

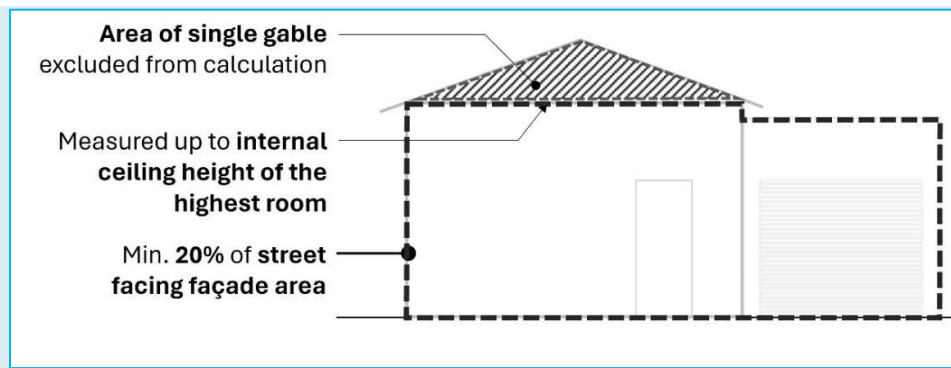


Figure 4.4.5.8 a: Street facing façade area – single storey unit

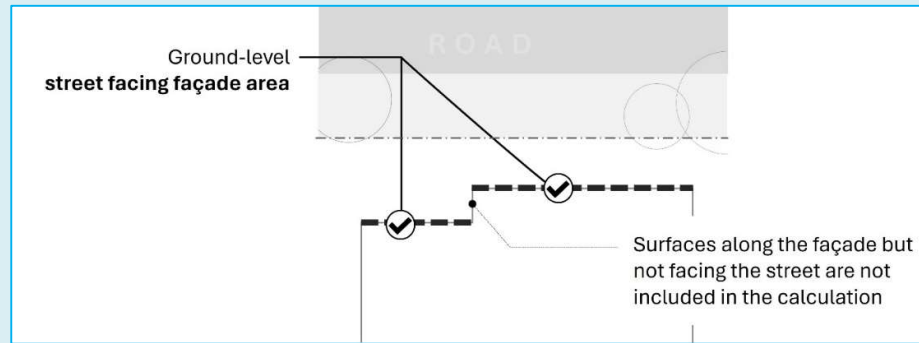


Figure 4.4.5.8 b: Street facing façade area

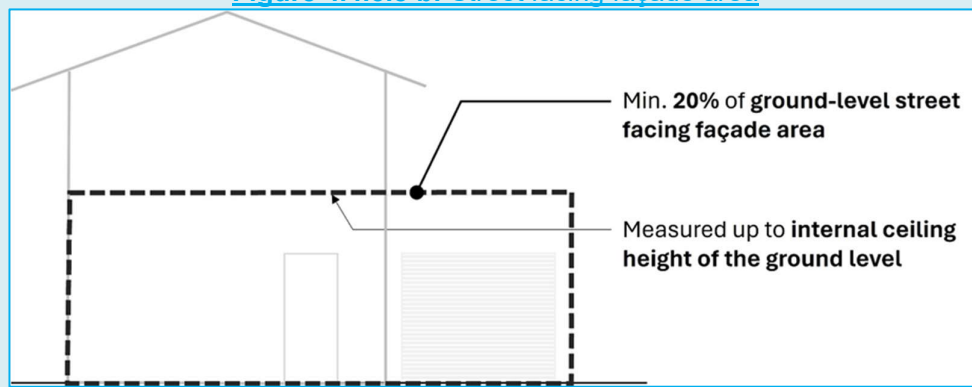


Figure 4.4.5.8 c: Street facing façade area – two storey unit

- 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 accessory building. For corner and through sites this shall be required only on the frontage from which pedestrian access is provided (front door). At least one habitable room with a clear glazed window facing the transport corridor, not obstructed by an accessory building or fence greater than 1.2m in height.
- iii. A front door located on the street facing façade with direct pedestrian access from the boundary.
- iv. 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).

Public Interface for 4 or more residential units

- b. In addition to Rule 4.4.5.8 a, A 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:
 - i. 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:
 - A. As provided for in c-d ii, or
 - B. Where the pedestrian access must cross a carriageway.
 - ii. Have lighting to meet the requirements set out in Chapter 25.6.
- c. A pedestrian access serving between 4 and 15 up to 20 residential units must be at least 1.5m wide, except:
 - i. Where the pedestrian access is adjacent to any building wall or fence, it must be at least:
 - A. 1.8m wide, or
 - B. 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
 - ii. 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.
- d. A pedestrian access serving more than 2045 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.

Note

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

4.4.5.9

Outlook Space

Outlook spaces for terraces or apartments

- a. An outlook space must be provided from habitable room windows.
- b. A principal living room of a dwelling must have an outlook space with a minimum dimension of 3m depth and 3m width.
- c. All other habitable rooms must have an outlook space of 1m in depth and 1m in width.
- d. The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- e. 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.
- f. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

g. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
h. 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.
i. Outlook spaces may be under or over a balcony.
<p>j. Outlook spaces must:</p> <ul style="list-style-type: none"> i. Be clear and unobstructed by buildings and fences that do not comply with Rule 4.4.5.7; and ii. Not extend over an outlook spaces or outdoor living space required by another- residential unit dwelling.
<p>k. To clarify an outlook space can be:</p> <ul style="list-style-type: none"> i. Above or below another outlook space (in a vertical configuration); ii. Under buildings, such as balconies; and iii. Over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences.

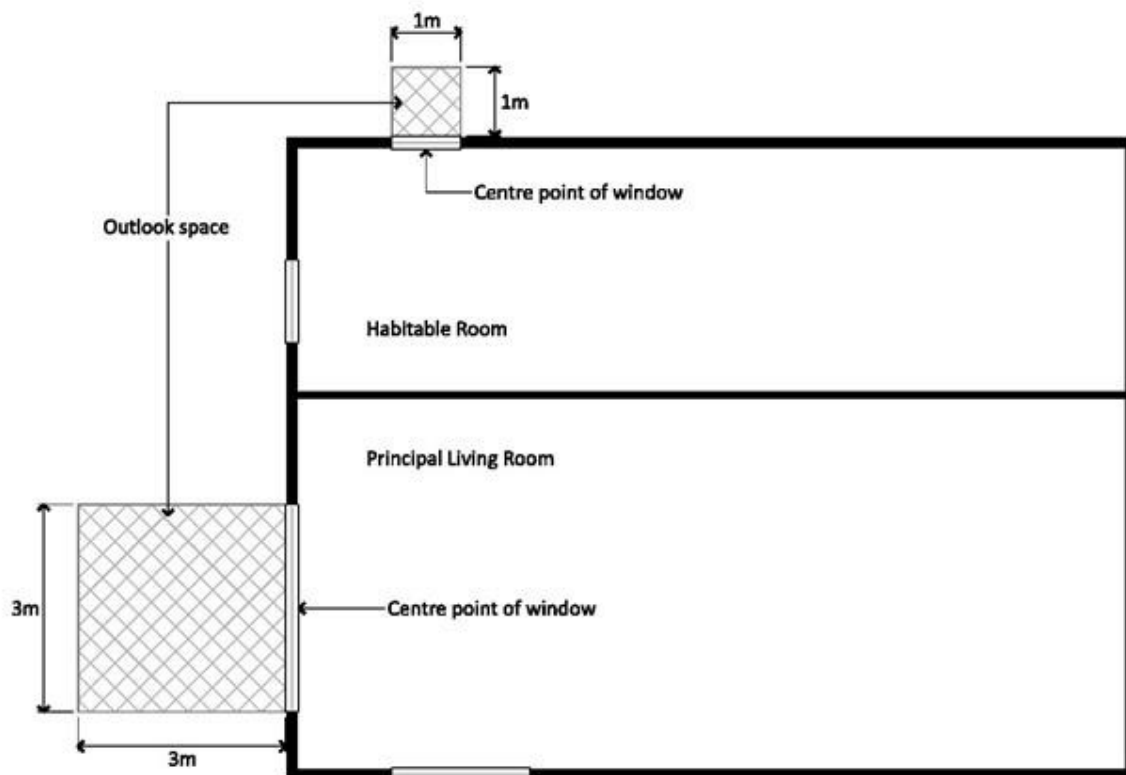


Figure 4.4.5.9 a Outlook

A. For the exclusive use of each residential unit.

B. Readily accessible from a living area inside the residential unit.

C. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.

ii. Communal open space shall comply with 4.4.10a.iii as well as being:

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>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 unit,</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.

c. The above standards do not apply to managed care facilities or rest homes. Refer to Rule 4.4.6.4 and Rule 4.4.6.5

4.4.5.11 Waste Management and Service Areas

Description	Minimum Requirements
a. Residential units	<ul style="list-style-type: none"> i. 5m² per residential unit. ii. Minimum dimension 1.5m iii. No waste storage or on-site collection point shall occur within the front yard setback or in front of the building iv. Spaces can be provided for each individual unit or cumulatively on a communal basis v. A Waste Container Management Plan shall be prepared for the site.
b. Community centres and visitor accommodation.	<ul style="list-style-type: none"> i. 10m ii. Minimum dimension 1.5m iii. A Waste Container Management Plan shall be prepared for the site.
c. Dairies (may be indoor or outdoor)	<ul style="list-style-type: none"> i. Minimum 10m² ii. Minimum dimension 1.5m iii. Readily accessible to service vehicles iv. Indoor service area separately partitioned v. Outdoor service area; all-weather dust-free surface vi. A Waste Container Management Plan shall be prepared for the site.
d. All service areas	<ul style="list-style-type: none"> i. Clothes drying areas shall be readily accessible from each residential unit ii. Service areas shall be screened so they are not visible for a legal road, ground floor or adjoining residential sites, Open Space Zones and public walkways by vegetation or fencing in accordance with Chapter 25.2. iii. 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). iv. Service areas may be located within garages where it is demonstrated that there is sufficient

	<p>room to accommodate the minimum area without impeding parking.</p> <p>v. For any apartment development, the storage area for rubbish, recycling and food scraps must be at the ground level or in the 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 30m (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>
<p>fe. These standards do not apply to managed care facilities or rest homes (refer Rule 4.4.6.43 and Rule 4.4.6.54)</p>	

Note:

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

4.4.5.12 [Minimum Residential Unit Size](#)

The Minimum floor area required of each residential unit (excluding ancillary residential units)

Unit Type	Floor Area
a. Studio unit	35m²
b. One bedroom unit	45m²
c. Two bedroom unit	55m²
d. Three bedroom unit	75m²
e. Four or more bedroom unit	90m²

4.4.5.123 [Storage Areas](#)

For apartment developments

a. 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.	
b. The storage areas for each residential unit shall meet the following volume requirements:	
Unit Type	Minimum storage area volume
i. Studio unit	3m³
ii. One bedroom unit	4m³

iii. <u>Two bedroom unit</u>	<u>5m³</u>
v. <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.

4.4.5.134 Accessory Buildings, Vehicle Access and Vehicle Parking

Accessory buildings, vehicle access and vehicle parking

- a. Any accessory building either attached or detached must be set back at least 1m from the front building line of the residential unit.
- b. Where the residential unit has a frontage equal to or greater than 12m width facing a transport corridor street or a publicly accessible on-site access way (for pedestrians) equal to or greater than 12m:
 - i. Two single-width or one double-width garage or car port spaces, and one driveway / parking pad up to 6m wide, maximum may be provided.
- c. Where the residential unit has a frontage greater than 7.5m but less than 12m-width- facing a transport corridor street or a publicly accessible on-site access way (for pedestrians) greater than 7.5m but less than 12m:
 - i. One single-width garage or car port space, and one driveway / parking pad up to 3.5m wide may be provided.
- d. For terrace housing developments adjoining a local transport corridor and containing no more than 6 residential terrace housing units, where a the individual residential units has have 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 that each residential unit where the following are met:
 - i. It must be an unenclosed parking pad and shall not be enclosed into a carport or garage at any time.
 - ii. 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.
 - iii. The development must comply with the requirements for impermeable surface standards in Rule 4.4.5.3 and the boundary fencing and wall standards in Rule 4.4.5.7, and
 - iv. The Each residential unit must have at least one habitable room with clear glazed window facing the local transport corridor road in accordance with Rule 4 4.5.8
- e. Where the residential unit has a frontage equal to or less than 7.5m width facing to a transport corridor street or a publicly accessible on-site access way (for pedestrians) equal to or less than 7.5m:
 - i. No garage or car port spaces within the dwelling's frontage is permitted and vehicle access and garaging is to must be provided by way of a rear lane.
- f. Where an on-site parking area includes more than 4 parking spaces, the parking area shall be
 - i. Landscaped at the rate of 1 tree per 5 spaces, planted within or immediately adjacent to the parking spaces.

Rule 4.4.5.134 f takes preference over the requirements in Rule 25.5.4.6 Internal planting.

g. There must be no more than one double-width vehicle crossing for each pair of residential units in a 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 single-width vehicle crossing.

h. A double-width vehicle crossing serving two adjoining residential units in a terrace housing development must be from 5.5m to 6.0m wide and centred on the boundary between the residential units.

i. A single-width vehicle crossing serving a single residential unit in a terrace housing development, in accordance with Rule 4.4.5.14g, must be from 3.0m to 3.5m wide.

4.4.5.145 Built Form

For any terrace housing or apartment development containing four or more residential units

- a. 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 (or up to 3 storeys) shall be setback from the side and rear boundary a minimum of 1 meter as required by Rule 4.4.5.6 b & c;
- c. All parts of a building greater than 11m in height (or greater than 3 storeys) shall be setback from the side and rear boundary a minimum of 4 meters.

4.4.5.156 Universal Access

For application including 10 or more residential units

- a. At least 10% of residential units on a site shall be designed to provide convenient wheelchair access including:
 - i. 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.
 - ii. Doorways that are at least 810mm (door leaf 860mm) wide to fit a wheelchair
 - iii. At least one bedroom and accessible bathroom be located on the same level as the kitchen and living room

Note: 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.

4.4.6 Rules - Specific Standards

4.4.6.1 Childcare Facility

- a. The activity shall be located on the ground floor of a building.
- 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.

4.4.6.2 Home-based Businesses

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

4.4.6.3 Show Home

- 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.

4.4.6.4 Managed Care Facilities

- 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 a minimum area of 20m² with a minimum dimension of 3m. 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.
- d. Waste Management and Minimisation Plan shall be prepared for the site.
- e. 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.
- f. No part of any site or premises used as a managed care facility shall contain a secure unit.

4.4.6.5

Rest Homes

- 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 that has a minimum area of 10m² with a minimum dimension of 1.5m.
- f. A Waste Management and Minimisation Plan shall be prepared for the site.

4.4.6.6 Visitor Accommodation (Outside of the Visitor Facilities Precinct)

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

4.4.6.7 Dairy

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

4.4.6.8 Pruning and maintenance of a tree where the trunk is located within a Significant Natural Area and the canopy overhangs the boundary of a Significant Natural Area 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.

4.4.7 **Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria**

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

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
a. <u>3 or more 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>Except in relation to non-compliance with Rule 4.4.5.3 a., where matters of discretion will be limited to JJ - Stormwater Quantity and Quality</u>
b. <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>
c. <u>Papakāinga*</u>	<ul style="list-style-type: none"> • <u>B — Design and Layout</u> • <u>C - Character and Amenity</u>
d. <u>Marae when 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>
e. <u>Rest home*</u>	<ul style="list-style-type: none"> • <u>B — Design and Layout</u> • <u>C - Character and Amenity</u>
f. <u>Retirement village*</u>	<ul style="list-style-type: none"> • <u>B — Design and Layout</u> • <u>C - Residential Amenity</u>
g. <u>Visitor accommodation</u>	<ul style="list-style-type: none"> • <u>B — Design and Layout</u> • <u>C - Character and Amenity</u>
h. <u>Emergency service facilities</u>	<ul style="list-style-type: none"> • <u>B — Design and Layout</u> • <u>C - Character and Amenity</u>
i. <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>	<ul style="list-style-type: none"> • <u>D — Natural Character and Open Space</u> • <u>F — Hazards and Safety</u>

Note

Refer to Chapter 1.1.9 for activities marked with an asterisk

4.4.8 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

4.4.9 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