

Amend Chapter 3 Structure Plans, 3.7 Ruakura as follows (insertions underlined, deletions ~~struck out~~):

3.7 Ruakura

The Ruakura Structure Plan area is approximately 822 hectares, the land having been transferred from the jurisdiction of Waikato District Council to Hamilton City in July 2011.

Vision

- a. Development of the Ruakura Structure Plan area has been guided by the following vision.
 - i. The expansion of the City to provide a significant new employment area based around the development of an inland port and regional logistics hub which will form a catalyst for further development and attract a wider range of business to the City.
 - ii. Maximise the use of existing infrastructure investment, including the railway network, and align land use patterns with the area's planned infrastructure investment to achieve integrated transport and land use development; with an emphasis on logistics and freight.
 - iii. Create opportunities for the ongoing development of research, learning and innovation activities and in doing so recognising the importance of the University of Waikato, the AgResearch Campus and the Waikato Innovation Park to the City and the Region.
 - iv. Develop comprehensively planned areas of residential housing in the north of the structure plan area at Greenhill Park, connecting with Fairview Downs, providing a range of housing choice. Create a new residential neighbourhood at the Ruakura -Tuumata Structure Plan Area, with a comprehensive network of green open space connecting people and managing and enhancing stormwater quantity and quality, a multi-functional transport network providing for walking, cycling and public transport, providing for the community and day to day retail needs of the locality and with high quality well-designed houses and other buildings, providing a range of housing types. Development in the Ruakura -Tuumata Structure Plan Area is anticipated undertaken in a manner to ensure a well-functioning urban environment, and be coordinated with the provision of infrastructure and services.
 - v. Configure land uses around a comprehensive network of well-connected open spaces that will perform a range of functions including stormwater and ecological management, providing pedestrian and cycle routes, and enabling passive and informal recreation.
 - vi. An area of new development within the City which is integrated and complementary with the existing and planned land use pattern for the City.

- b. The Ruakura Structure Plan area provides ~~405ha~~ 345ha of employment land incorporating an inland port, regional logistics hub, industrial park and other employment land. It also provides 77ha for research and innovation activities, allowing for the expansion of the existing Waikato Innovation Park and maximising opportunities for connectivity and interaction between the University of Waikato and AgResearch.
- c. The Ruakura Structure Plan area provides for an eventual population of approximately ~~1800~~ 3000 households.
- d. The Structure Plan includes the development of the Ruakura Retail Centre which will have unique characteristics and functions to warrant its own classification within the business hierarchy for the City. Located within the Knowledge Zone the centre will support the zone's role as the principal focal point for research and innovation activities, provide retail services to these activities and to adjacent suburbs and will anchor a future passenger transport interchange at its northern end. The Structure Plan also includes the development of the Tuumata Neighbourhood Centre. Once fully developed, the Tuumata Neighbourhood Centre will serve both the immediate Tuumata residential area, but also a wider catchment with the provision of a supermarket.
- e. The Structure Plan creates employment opportunities centred on an inland port and freight and logistics hub and is a strong economic anchor for the City and region, but does not compromise the function, viability and vibrancy of the Central City.
- f. The Structure Plan sets out the development concept for the long-term growth of Ruakura over the period to 2061. The area's progressive development will be triggered by the co-ordinated provision of Ruakura Strategic Infrastructure including transport corridors, and extensions to Three Waters supply. Ruakura Strategic Infrastructure which is to be provided in advance of certain development includes:
 - i. A wastewater network.
 - ii. Water storage and supply network.
 - iii. Stormwater management network.
 - iv. Transport corridor, pedestrian and cycleway connections.
- g. The relevant Ruakura Structure Plan area Figures in Appendix 2 indicate the eventual pattern of development within Ruakura whereby infrastructure and open space areas are to be confirmed through detailed design. It includes:
 - i. Figure 2-14 Ruakura Structure Plan – Land Use (Appendix 2 which shows the land use zoning and open space areas;
 - ii. Figures 2-15 A and B Ruakura Strategic Infrastructure (Appendix 2):
 - A. shows the strategic infrastructure for the transport network within the Ruakura Structure Plan area;

B. shows the strategic three waters network within the Ruakura Structure Plan area;

- iii. Figure 2-16 Ruakura Land Development Plan Areas (Appendix 2) which shows the different areas for staged development within the Ruakura Structure Plan;
- iv. Figure 2-17 Inland Port Building Setbacks and Landscape Controls (Appendix 2) which shows the setbacks and controls for the Inland Port; and
- v. Figure 2-18 Ruakura Cyclist and Pedestrian Network Plan (Appendix 2) which shows the connectivity of the proposed and existing cycle and pedestrian network within the Ruakura Structure Plan area and to surrounding areas.

vi. Figure 2-14A Ruakura - Tuumata Structure Plan which shows in detail the structure plan components for this area and Figure 2-14B, and its accompanying diagrams, which shows transport corridor cross sections.

h. Explanation to Rules

- i. The Land Development Consent (see Rule 3.7.4.2) is the key tool to aid the staged process for urbanisation in the Ruakura Structure Plan. Apart from the Ruakura - Tuumata Structure Plan area on Figure 2-14A, All other land use, subdivision and development for urban purposes will require resource consent first, being the provision of below ground or at ground infrastructure and services before built development will be considered. For the Ruakura - Tuumata Structure Plan area, a high quality and well-functioning new neighbourhood will be realised through controls on the design and layout of built development, the transport network and open space, in accordance with a detailed structure plan.
- ii. In addition, Staging and Traffic Requirements (see Rule 3.7.4.3) are provided that align with the strategic land allocation for industrial development in the Waikato Regional Policy Statement. This is to ensure that the arterial network has capacity and the safety, efficiency and functioning of the transport network is maintained through the progressive release of land for development.
- iii. Land use in the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan Area will roll out in three stages in accordance with the Regional Policy Statement’s industrial land allocation in the Future Proof Area which is as follows:

Strategic Industrial Nodes located in Central Future Proof area (based on gross developable area) ¹	Industrial land allocation and staging (ha)			Total allocation
	2010 to 2021	2021 to 2041	2041 to 2061	2010 to 2061 (ha)
Rotokauri	85	90	90	265
Ruakura	80	115 ²	210 ²	405
Te Rapa North	14	46	25	85

Horotiu	56	84	10	150
Hamilton Airport	74	10	40	124
Huntly and Rotowaro	8	8	7	23
Hautapu	20	30	46	96
TOTAL HA	337	383	428	1148

¹ Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including transport corridors, stormwater and wastewater facilities.

² Development beyond the 2021 period is subject to completion of the Hamilton section of the Waikato Expressway.

- a. The three stages of land use and development in the Ruakura Logistics Zone and Ruakura Industrial Park Zone in the Ruakura Structure Plan area are provided for in Rule 3.7.4.3 of this District Plan.
- b. ~~The 405ha identified above comprises the Ruakura Inland Port and Logistics Zone (approximately 195ha) and Ruakura Industrial Park (approximately 210 ha)~~ The total industrial land allocation for Ruakura includes land currently in the Ruakura Inland Port and Logistics Zone, land currently in the Ruakura Industrial Park Zone and land on the eastern side of the Waikato Expressway currently not zoned for industrial purposes but shown as future urban in the Future Proof Strategy Update 2022. The staging and timing identified provides for Stage 1 of the Inland Port and logistics zone (shown as A on Figure 2-16 Ruakura Land Development Plan Areas (Appendix 2)) and up to 30 hectares of industrial development within the Ruakura Industrial Park to 2021. The Ruakura Structure Plan area is linked to the development of Hamilton section of the Waikato Expressway. Further development beyond the initial 80ha identified for the 2010-2021 period should not occur until the Hamilton section of the Waikato Expressway is completed and connected to the Ruakura land in a manner that does not undermine the efficient functioning and safety of the transport network, or another infrastructure solution has been demonstrated to satisfy the relevant criteria for alternative land release in Method 6.14.3 of the Waikato Regional Policy Statement.
- iv. Land use in the General Residential Zone, ~~and~~ the Medium Density Residential Zone and the Tuumata Residential Precinct in the Ruakura Structure Plan area will roll out in accordance with the provision of all necessary network infrastructure.
- v. Land use in Precinct C of the Knowledge Zone in the Ruakura Structure Plan area will roll out in accordance with the provision of Ruakura Strategic Infrastructure and associated network connections.
- vi. The boundaries of zones for the proposed land uses within the Ruakura Structure Plan area are defined by the planning maps. Open Space at Ruakura consists of indicative and fixed areas on Figure 2-14 Ruakura Structure Plan – Land use and Figure 2-14A Ruakura -Tuumata Structure Plan (Appendix 2). The final location of open space notated as indicative will

be addressed as part of a Land Development Consent, or for the Ruakura - Tuumata Structure Plan area, at the time of subdivision. Any change from the Structure Plan will need to ensure that the alternative provides for the connected and multifunctional purpose of the Ruakura Open Space Zone.

3.7.1 Structure Plan Components

This section provides an explanation of the main land use elements to achieve the Vision described in 3.7a.

3.7.1.1 Ruakura Logistics Zone – Inland Port

- a. Ruakura is strategically located to satisfy increasing national demand for facilities to efficiently handle freight, particularly that originating at the Port of Tauranga and the Port of Auckland.
- b. The port will be intermodal so freight can be transferred from and to rail and road transport. Railway facilities include sidings, platforms, container hardstand areas, lighting towers, security infrastructure and fire and hazardous substance management facilities and quarantine facilities. It also involves infrastructure including CCTV, communications and data management infrastructure and stormwater management.
- c. A full diamond interchange from the Waikato Expressway will service the road-based freight traffic associated with the inland port. In the initial phase, it is envisaged that the inland port will consist of primarily road-based freight until the rail infrastructure is developed.

3.7.1.2 Ruakura Logistics Zone – Logistics

- a. This generally comprises large warehouse buildings and large areas of hardstand. Logistics and freight-handling activities include all aspects of freight handling.
- b. Due to the costs involved in developing the inland port, and the nature of the infrastructure (such as security and MAF/Customs facilities), it is important that the freight and logistics area is occupied by businesses which use the facilities provided by the inland port rather than more general industrial or employment activities.

3.7.1.3 Ruakura Industrial Park Zone

- a. Beyond the area identified for the inland port and logistics is more general industrial land for a wider range of employment and economic activities. This land use is facilitated through a new Industrial Park Zone which encourages industrial activities that support the primary purpose of a port and logistic area, while avoiding offensive and noxious activities. It is intended that this industrial area will deliver a higher standard of amenity than would ordinarily be associated with an industrial zone.

3.7.1.4 Knowledge Zone

- a. The Knowledge Zone provides further employment opportunities and is situated to capitalise on the location of the Waikato Innovation Park, AgResearch Campus and the University of Waikato. The Knowledge Zone is divided into Precincts which reflect these significant land uses. It will provide for a comprehensive range of education, research and development activities with supporting retail and mixed-use activities, all set within a strong landscaped precinct.
- b. The Knowledge Zone is strategically important. While the existing Waikato Innovation Park, University and AgResearch Campus are all located within reasonably close proximity, they lack strong connectivity and a common focal area. There are significant opportunities to create an environment which supports the existing primary economic base of the region, along with the potential for new research and innovation activities related to the inland port and logistics hub, in a manner which does not compromise the Central City.

3.7.1.5 Ruakura Retail Centre and the Tuumata Neighbourhood Centre

- a. The development of the Knowledge Zone provides the opportunity to create further complementary activities in a form that can enhance connectivity and encourage better interaction between existing land uses. The key to achieving these outcomes is the creation of a new north-south link between the University and AgResearch Campus. This area will jointly link the existing activity as well as providing services and ancillary activities. Within this area, it is also proposed to make provision for a retail centre to serve Ruakura and adjacent areas while not undermining the primacy, function and vitality of the Central City, centred upon a 'main street' and public plaza, incorporating a potential passenger transport hub connecting to the Central City.
- b. The Tuumata Neighbourhood Centre on the Fifth Ave extension will be a local gateway to the new neighbourhood. It will be a comprehensively designed retail hub in a location that will be accessible to the immediate and wider community and well served by planned public transport. The Neighbourhood Centre will enable the establishment of community facilities, and provide goods, services and employment at a scale appropriate to its catchment, while not undermining the primacy, function, vitality, amenity or viability of the Central City. Provision for a supermarket and other day to day retail needs will be included in the Neighbourhood Centre.

3.7.1.6 Residential Zones

- a. The Ruakura residential area provides for a mixture of development that aligns with the densities proposed for General Residential, Medium-Density Residential and Large Lot Residential Zones. The intention is to provide an area with various housing choices, including site size and housing typologies. Residential development in the General Residential and Medium-Density Residential Zones is positioned to maximise existing connectivity from Fairview Downs and the Hamilton Ring Road. One Integrated Retail Development is provided for within the Ruakura Medium Density Residential Zone to serve the surrounding catchment (see Figure 2-14 Ruakura Structure Plan – Land use (Appendix 2)).
- b. The area bounded by Percival and Ryburn Roads and the Waikato Expressway is identified on the structure plan as future logistics area (see Figure 2-14 Ruakura Structure Plan – Land Use (Appendix 2)). This is to ensure the Regional Policy

Statement's industrial land allocation requirements can be given effect to. However, the staged development of this 35 hectare area as part of the inland port is unlikely to be required during the current planning period. A Large Lot Residential Zone has been retained for this area until such time as any future plan change rezones this area for logistics purposes. Development controls apply to the Inland Port, Logistics and Industrial Park Zones to provide an appropriate level of residential amenity.

c. The Tuumata Residential Precinct

The Tuumata Residential Precinct has provisions which vary the underlying General Residential Zone and are intended to create an attractive and safe urban environment, providing a high level of amenity on site for residents, on adjoining sites, and for the transport corridors and public open spaces. A range of other complementary activities are provided for by the General Residential Zone including certain community activities. A building height of three levels is provided for, enabling a variety of housing typologies with single storey dwellings, duplex dwellings, terrace dwellings, apartments and papakainga. An overall net density is enabled of 50 dwellings per hectare. Development is intended to be generally consistent with the Ruakura - Tuumata Structure Plan to ensure a well-functioning urban environment.

3.7.2 Ruakura Strategic Infrastructure

The Ruakura Strategic Infrastructure that is to be provided in conjunction with urban development is set out below.

3.7.2.1 Transportation Network

The transport network to service the Structure Plan area comprises the following hierarchy, which describes the form and function of the various routes (see Figure 2-15A Ruakura Strategic Infrastructure – Transport (Appendix 2):

- a. The **Waikato Expressway** forms the eastern boundary of the Structure Plan area. There are two interchanges to the Waikato Expressway connecting to major arterials within the City's network at the Pardoia Boulevard interchange in the north, and the re-aligned Ruakura Road interchange in the south.
- b. **Pardoia Boulevard** will initially be two-lane with provision for a four-lane major arterial City Gateway route connecting the Waikato Expressway to the City's Ring Road at Wairere Drive/Crosby Road roundabout. Access is provided via the Spine Road intersection. Strategic water and wastewater infrastructure should co-locate in this corridor.
- c. The **Spine Road (North)** is a minor arterial to the north of Pardoia Boulevard and provides strategic connectivity to the future residential development in the north. This will be a two-lane minor arterial road, with direct property access on the western side and intersection only access on the eastern side of the Spine Road. The road corridor will provide for public transport, on-street parking, a shared walking and cycle path and swales for stormwater management. Strategic wastewater and water infrastructure should co-locate within the corridor, coupled with the underground 110kv Transpower transmission line.
- d. The **Spine Road (Central)** will be a two-lane minor arterial road south of Pardoia Boulevard to the Fifth Avenue extension. The road corridor provides for public

transport, parking, shared footpath and cycle path and a swale area for stormwater management. Strategic wastewater and water infrastructure should co-locate within this road corridor, coupled with the underground 110kv Transpower transmission line through the Medium Density Residential Zone north of Fairview Downs. There is a requirement for staged completion of sections of the Spine Road (Central) prior to development of Land Development Plans.

- e. **Fifth Avenue Extension** will initially be two-lane with provision for a four-lane major arterial road extending the Cross City Connector arterial network from Wairere Drive to the Spine Road. It provides for public transport, a shared walking and cycle path and a swale area for stormwater management.
- f. The **Spine Road (South)** will initially be two-lane with provision for a four-lane major arterial road from Fifth Avenue south to Ruakura Road West. This extends the Cross City Connector arterial to the Ruakura Industrial Park area. This section includes a road bridge over the East Coast Main Trunk Railway. It provides for public transport, shared footpath and cycleway and a swale area for stormwater management. Strategic wastewater and water infrastructure will co-locate within the road corridor.
- g. **Ruakura Road (Urban)** will continue to function as a two-lane minor arterial road between the Wairere Drive Ring Road and the Spine Road. It provides for public transport and shared footpath and cycle path.
- h. **Ruakura Road West** will initially be a two-lane minor arterial road with provision for a four-lane major arterial City Gateway route, connecting the Spine Road major arterial to the Waikato Expressway. A series of signalised intersections will provide access to the Inland Port Ruakura Logistics Zone north, Ruakura Industrial Park Zone and the proposed service centre to the south. The corridor provides for public transport, shared footpath and cycle path and swale area for stormwater management.

The Collector road network serving the arterial network shows indicative connections but will be assessed at each Land Development Plan stage to ensure transport connectivity between development areas and the greater structure plan area. For the Ruakura Tuumata Structure Plan area, the Collector Road and Local Road network is shown indicatively on Figure 2-14A with the indicative cross sections for this network shown on Figure 2-14B and its accompanying figures. The final design of this road network is to be in general accordance with that layout and cross sections and will be assessed and determined at subdivision stage.

3.7.2.2 Open Space Network

Open space at Ruakura (Figure 2-14 Ruakura Structure Plan – Land Use and for the Ruakura -Tuumata Structure Plan area at Figure 2-14A (Appendix 2)) provides for a range of functions including stormwater and ecological management, a well-connected pedestrian and cycleway network linking open space land, neighbourhood reserves for passive and informal recreation, and amenity strips between different areas. The following are key components of the open space network:

- a. Greenway – the green corridor that runs from the north west along Pardoia Boulevard and down adjacent to the Spine Road to link to open space along Silverdale Road and the Mangaonua gully to the south. The greenway includes linear wetlands and vegetated margins, storage basins, low-flow channels,

indigenous vegetation plantings, and buffer and interface amenity planting. The greenway will also provide for other functions including pedestrian and cyclist paths, and passive recreation such as seating areas.

- b. Gullies – at the northern end (Kirikiriroa Stream headwaters) and southern end (Mangaonua gully) of the structure plan area are gullies which will be protected in the same manner as those across the rest of the City in accordance with Chapter 21 Waikato River Corridor and Gully Systems.
- c. Visual amenity and buffer between incompatible activities – open space areas and planting shall provide an effective/suitable buffer, between different types of land uses.
- d. Neighbourhood reserves - these provide a range of informal recreation facilities including children’s play areas, and spaces for passive and active recreation. Each neighbourhood reserve is expected to provide an area of 0.5 ha and serve a population of 500m radius.
- e. Connectivity – open space at Ruakura is intended to contribute to a well-connected network for pedestrians and cyclists.

3.7.2.3 Stormwater

- a. The structure plan sits across four hydrological catchments, being the Kirikiriroa, Komakorau, Hamilton East and Mangaonua catchments. Due to the flat topography, most public stormwater devices will be provided for within the swale/linear wetland network adjacent to the transport network or underneath the national grid transmission lines where opportunities for other land uses are limited. In addition to these linear wetlands and swales, on-site stormwater management devices will also be required to mitigate effects of development. The precise nature and location of these stormwater facilities will be finalised through detailed catchment management planning and modelling undertaken as part of preparing Land Development Consent applications for the growth cell (through Water Impact Assessments), or at the subdivision stage in the Ruakura -Tuumata Structure Plan area, or arising from a full Integrated Catchment Management Plan.
- b. Stormwater must be managed in an integrated manner across all catchments with individual developments contributing towards wider network and catchment outcomes.
- c. Figure 2-15B Ruakura Strategic Infrastructure – Three Waters (Appendix 2) shows the recommended stormwater discharge points to three of the four catchments (excluding Komakorau). Discharge consents will be required from the Waikato Regional Council prior to the discharge of any stormwater into these catchments from the Structure Plan area.

3.7.2.4 Water and Wastewater

- a. A single reservoir is proposed to meet the demand and level of service requirements for the entire development of the structure plan. The single reservoir will also need to support the wider existing and future City needs. Figure 2-15B Ruakura Strategic Infrastructure – Three Waters (Appendix 2) shows an indicative location for a reservoir, at the highest point of the structure plan area within the existing AgResearch site, and indicative bulk mains connecting to the City network

at Wairere Drive and Peachgrove Road. The bulk and trunk network shall be located within the vested road corridor.

- b. Any Land Development Consent application will need to be supported by an assessment of options taking account of the whole of life costs for any proposed public infrastructure.
- c. The strategic wastewater solution at Wairere Drive/Crosby Road has been developed to service future development needs for the Ruakura Structure Plan area. This wastewater interceptor is to be extended east and then south along the Spine Road to a point south of the East Coast Main Trunk railway line. Beyond the Ruakura Structure Plan area the wastewater interceptor will continue to service growth areas for the City.
- d. It is Council's expectation that the entire structure plan area will be serviced in a manner that seeks to avoid the need for any vested pumping stations.

3.7.2.5 Indicative Infrastructure Development Programme

- a. Figures 2-15A and B Ruakura Strategic Infrastructure (Appendix 2) illustrate the Ruakura Strategic Infrastructure. Rules 3.7.4.3 and 3.7.4.4 detail the nature and staging of transportation and three waters infrastructure requirements. Land Development Consents [and subdivision consents for the Ruakura -Tuumata Structure Plan area](#) are expected to further refine these transportation and three waters infrastructure needs. It is expected that the provision of the strategic three waters infrastructure network would be integrated, constructed and vested concurrent with the development of the transport network including the incremental development of the Spine Road.
- b. Where strategic infrastructure is developed on land not held by Council, easements in favour of Hamilton City Council will be required to secure access to any public infrastructure. It is Council's expectation that all Ruakura Strategic Infrastructure will be vested in Council.

3.7.2.6 Connections to Ruakura Strategic Infrastructure

- a. The Structure Plan sets the overarching pattern of development, which is supported by strategic infrastructure. While the concepts are flexible in their application to some extent, the pattern of development shall be sequenced in accordance with the Ruakura Strategic Infrastructure as shown on Figures 2-15A and B Ruakura Strategic Infrastructure (Appendix 2). There are critical elements of strategic infrastructure that must be provided for within defined corridors and locations.
- b. There is no interim water capacity for the remainder of the Ruakura Structure Plan. Once the reservoir is operational, existing and subsequent development within the Structure Plan will be required to connect to the distribution network from the reservoir which will be serviced from both the existing main connections at Wairere Drive and Peachgrove Road.
- c. There is no interim wastewater capacity within the City's existing wastewater network to accommodate growth in the Ruakura Structure Plan area. All wastewater is to be disposed via a wastewater service which will be extended

south along the Spine Road corridor through Land Development Consent [and subdivision consent](#) applications. All Land Development Consent [and subdivision consent](#) applications shall demonstrate how they provide for immediate and or future connections to the Ruakura Strategic Infrastructure.

3.7.3 Objectives and Policies

When consent is required for subdivision and/or development within the Ruakura Structure Plan area, the proposal must be in accordance with the objectives and policies below and any general objectives and policies for Structure Plan areas (refer to 3.3).

Objective	Policies
<p>3.7.3.1 Land within the Ruakura Structure Plan area will be developed in accordance with the vision for the Ruakura Structure Plan area set out in 3.7 and 3.7.1.</p>	<p>3.7.3.1a The expansion of the City to provide a significant new employment area based around the development of an inland port and regional logistics hub which will form a catalyst for further development and attract a wider range of business to the City.</p>
	<p>3.7.3.1b Maximise the use of existing infrastructure investment, including the railway network, and align land-use patterns with the area’s planned infrastructure investment to achieve integrated transport and land use development; with an emphasis on logistics and freight.</p>
	<p>3.7.3.1c Create opportunities for the ongoing development of research, learning and innovation activities; recognising the importance of the University of Waikato, the AgResearch Campus and the Waikato Innovation Park to the City and the Region.</p>
	<p>3.7.3.1d Develop comprehensively planned areas of residential housing in the north of the structure plan area at Greenhill Park, connecting with Fairview Downs, providing a range of housing choice.</p>
	<p>3.7.3.1e Configure land uses around a comprehensive network of well-connected open spaces that will perform multiple functions including recreation, stormwater management, cycle ways and walkways, ecological and amenity.</p>
	<p>3.7.3.1f An area of new development within the City which is integrated and</p>

	<p>complementary to the existing and planned land use pattern for the City.</p> <p>3.7.3 1g <u>Create a new neighbourhood in the Ruakura -Tuumata Structure Plan area, with a comprehensive network of green open space connecting people and managing and enhancing stormwater quantity and quality, a multi-functional transport network providing for walking, cycling and public transport, providing for the community and day to day retail needs of the locality and with high quality well-designed houses and other buildings, providing a range of housing types.</u></p>
<p>3.7.3.2 Development and land use activities provide for urbanisation in the Ruakura Structure Plan area and are designed, developed and implemented in a manner which protects the amenity values of surrounding communities and facilities.</p>	<p>3.7.3.2a Development and land use will:</p> <ul style="list-style-type: none"> i. For existing and future residential activities ensure an appropriate level of amenity; and ii. Ensure an appropriate level of amenity in relation to existing and future facilities in the University of Waikato, Waikato Innovation Park and AgResearch. <p>This will be achieved by:</p> <ul style="list-style-type: none"> i. Mitigating the adverse effects of noise, vibration, lighting, glare, odour, dust, and air emissions; and ii. Ensuring attractively designed buildings and landscaped frontages to key public frontages; and iii. Screening and landscaping adjoining sensitive activities. <p>3.7.3.2b Land use, subdivision and development of the Ruakura Structure Plan will be undertaken in accordance with Figures 2-14, 2-15A and B, 2-16, 2-17 and 2-18 outlined in Appendix 2 Structure Plans.</p> <p>3.7.3.2c Interim land use and development long-term will not compromise the integrity and viability of the land use pattern of the Ruakura Structure Plan area.</p>

	<p>3.7.3.2d The positive effects of logistics, industry, knowledge, residential and open space activities on economic, cultural, social and environmental wellbeing will be encouraged and promoted by providing for these activities.</p>
	<p>3.7.3.2e Logistics, industry, knowledge, residential and open space land zoned as identified on Figure 2-14 will be safeguarded for these purposes.</p>
	<p>3.7.3.2f Industrial land to support the inland port will be released in stages to ensure that co-location and agglomeration benefits of the Inland Port are realised.</p>
<p>3.7.3.3 New urban development within the Ruakura Structure Plan area is serviced by and integrated with the existing and future infrastructure network (Ruakura Strategic Infrastructure – See Figure 2-15 A and B, Figure 2-14A Ruakura - Tuumata Structure Plan and Figure 2-14B Transport Corridor Cross Sections)</p>	<p>3.7.3.3a Land within the Ruakura Structure Plan will not be developed until adequate infrastructure is provided and a commitment to the development of the Ruakura Strategic Infrastructure is secured by an appropriate legal mechanism.</p>
	<p>3.7.3.3b Staging and sequencing will ensure the capacity of roading and Ruakura Strategic Infrastructure is not exceeded.</p>
	<p>3.7.3.3c The use and development of land for urban development is appropriate when a Land Development Consent has been granted by the Council, except for the Ruakura-Tuumata Structure Plan area.</p>
	<p>3.7.3.3d Development will not result in incompatible adjacent land uses with respect to existing or planned infrastructure.</p>
<p>3.7.3.4 An integrated and efficient pattern of land use and transportation.</p>	<p>3.7.3.4a Integrated Transport Assessments will be undertaken for each Land Development Plan area, and for high traffic generating activities, to manage impacts on existing and planned transport infrastructure including Ruakura Strategic Infrastructure.</p>
	<p>3.7.3.4b The transport network supports efficient passenger transport and walking and</p>

	<p>cycling, including dedicated facilities on arterial routes.</p> <p>3.7.3.4c Development is staged to coordinate with the extension and/or construction of the Spine Road and provides ongoing connectivity to the existing and future transport network.</p> <p>3.7.3.4d When road stopping procedures for parts of Ruakura Road and Percival Road are initiated under the Local Government Act to enable the expansion of the Inland Port alternative access proposals shall accord with the following principles:</p> <ul style="list-style-type: none"> i. A route which provides for travel in the general direction of Hillcrest and Silverdale without significant detours in terms of distance, travel times or connectivity; ii. A route which enables use of alternative modes of transport (particularly walking and cycling); and iii. A route which avoids severance effects for the Percival / Ryburn Road community. iv. A route which maintains north-south connectivity for all modes across the East Coast Main Trunk railway line for Percival Road and Ryburn Road properties until an appropriate connection via the Spine Road is operational. v. A route that avoids direct connection to industrial or logistics properties from Percival Road or Ryburn Road. <p>3.7.3.4e There will be no direct connection to properties in the Ruakura Logistics Zone (Land Development Plan Area P) and the Ruakura Industrial Park Zone (Land Development Plan Area F) from the currently formed Percival and Ryburn Roads north of the East Coast Main Trunk railway.</p>
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	<p>3.7.3.4f Opportunities for improved safety, accessibility, connectivity and efficiency within the transportation network are provided including dedicated facilities on arterial routes.</p>
<p>3.7.3.5 Development maintains or enhances indigenous biodiversity values and mitigates adverse effects on indigenous biodiversity.</p>	<p>3.7.3.5a Development will avoid adverse effects on significant indigenous biodiversity in the first instance, and where effects cannot be avoided, they should be remedied, mitigated or offset in order to maintain indigenous biodiversity values.</p>
	<p>3.7.3.5b Protect, and where appropriate enhance, the water quality of adjacent streams and gully systems in order to maintain or enhance indigenous biodiversity values.</p>
	<p>3.7.3.5c Encourage improved indigenous biodiversity outcomes through restoration and enhancement.</p>
	<p>3.7.3.5d Create a greenway which provides opportunities for improved habitat and ecological benefits in the Ruakura Structure Plan and in the downstream receiving environment. The greenway open space and road corridor shall include linear wetlands, their vegetated margins, storage basins, low flow channels, indigenous vegetation planting and amenity planting.</p>
	<p>3.7.3.5e Retain and re-establish viable populations of the black mudfish, longfin eel, shortfin eel, and indigenous lizards within the Ruakura Structure Plan, by the establishment and management of linear wetlands and riparian vegetation.</p>
	<p>3.7.3.5f The Land Development Consent will include methods to ensure maintenance or enhancement of indigenous biodiversity values and mitigation of adverse effects on indigenous biodiversity.</p>
<p>3.7.3.6 Land use and development in the Ruakura Structure Plan occurs in a manner which does not compromise the vitality, functions and amenity of the</p>	<p>3.7.3.6a The distribution, type, scale and intensity of commercial development in the Ruakura Structure Plan will not undermine the vitality, functions, and amenity of the central city.</p>

<p>central city and maintains a hierarchy of business centres in Hamilton.</p>	
<p>3.7.3.7 The creation of a regionally significant inland port and logistics hub in Hamilton.</p>	<p>3.7.3.7a Logistics, freight handling services and supportive activities and infrastructure shall be provided for in the Ruakura Knowledge Zone.</p>
	<p>3.7.3.7b The positive environmental economic and social effects of logistics and freight handling activities and infrastructure shall be recognised and supported.</p>
<p>3.7.3.8 The continued development of a research, education, innovation and technological activity precinct in a manner which does not compromise the Central City.</p>	<p>3.7.3.8a Research, education, innovation and technological activities and supporting activities and infrastructure shall be supported and co-located within the Ruakura Knowledge Zone.</p>
	<p>3.7.3.8b The manufacture and development of prototype goods, where such activities will complement the primary role of research, education and innovation, shall be provided for.</p>
	<p>3.7.3.8c Activities ancillary to and which support the primary purpose of the zone, such as retail and community activities, shall be recognised and provided for.</p>
	<p>3.7.3.8d The shared use of infrastructure, including car parking and buildings to maximise efficiencies of use, shall be encouraged.</p>
<p>3.7.3.9 The creation of a high quality Industrial Park in Ruakura.</p>	<p>3.7.3.9a Industrial development shall be well designed and of high quality in the Ruakura Industrial Park Zone.</p>
	<p>3.7.3.9b No provision is made for noxious or offensive industrial activities within the Ruakura Industrial Park Zone.</p>
<p>3.7.3.10 An integrated, well-planned residential environment.</p>	<p>3.7.3.10a Residential areas shall be comprehensively planned and developed in co-ordination with transport network connections.</p>
	<p>3.7.3.10b Residential areas <u>in the north of the Ruakura Structure Plan area</u> shall be</p>

	integrated with and connected to Fairview Downs.
<p>3.7.3.11 A centre for locally based retail facilities capable of meeting the day to day needs of the immediate surrounding neighbourhoods.</p>	<p>3.7.3.10c A range of housing choice shall be provided.</p> <p>3.7.3.11a Activities within the neighbourhood centre shall principally serve the immediate neighbourhood.</p> <p>3.7.3.11b The scale and nature of activities within the neighbourhood centre shall not generate significant adverse amenity effects on the surrounding residential area and transport network.</p>
<p>3.7.3.12 <u>Development of the Ruakura -Tuumata Structure Plan area achieves the following outcomes:</u></p> <ul style="list-style-type: none"> i. <u>A well-functioning urban environment with a residential neighbourhood and a neighbourhood centre, connected by road, pedestrian and cycle networks and open space.</u> ii. <u>Quality urban design outcomes.</u> iii. <u>Integrated, accessible and high-quality public spaces.</u> iv. <u>Incorporates mana whenua values.</u> v. <u>Integrated, multi modal and safe transport network that provides travel choices.</u> vi. <u>Gives effect to The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato, including through a comprehensive approach to stormwater management.</u> 	<p>3.7.3.13a <u>Development in the Ruakura -Tuumata Structure Plan area, including residential neighbourhoods, open space, the transport network and the management of stormwater should be in general accordance with the Ruakura -Tuumata Structure Plan Figures 2-14A and 2-14B.</u></p> <p>3.7.3.13b <u>The location and size of public open spaces is provided in accordance with the Council's Open Space Provision Policy.</u></p> <p>3.7.3.13c <u>The design and scale of the Neighbourhood Centre meets the daily needs of residents and is accessible to the immediate and wider community, while being well-served by planned public transport.</u></p> <p>3.7.3.13d <u>The design and naming of public spaces and structures, roads and other public linkages shall reflect and celebrate the history and whakapapa of tangata whenua of the area.</u></p> <p>3.7.3.13e <u>Developments and activities in the Ruakura -Tuumata Structure Plan area must give effect to the outcomes in The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato through:</u></p> <ul style="list-style-type: none"> i. <u>being designed and operated to avoid, remedy, mitigate the potentially significant adverse</u>

	<p><u>effects associated with stormwater and wastewater discharges;</u></p> <ul style="list-style-type: none"> ii. <u>managing stormwater quantity through centralised attenuation across the structure plan area;</u> iii. <u>managing stormwater quality at source and through a comprehensive treatment approach across the structure plan area;</u> iv. <u>incorporating water-sensitive techniques into new development to reduce demand on water supplies, wastewater disposal and to manage stormwater.</u>
	<p>3.7.3.13f</p> <p><u>The transport network shall prioritise the movement of pedestrians and cyclists over vehicles, incorporate the principles of CPTED, and provide;</u></p> <ul style="list-style-type: none"> i. <u>identified public transport routes to accommodate public transport and associated infrastructure;</u> ii. <u>a continuous and safe walking and cycling network with a high degree of connectivity both within and out of the structure plan area;</u> iii. <u>separated cycleways to encourage cycling;</u> iv. <u>a safe speed environment;</u> v. <u>a high level of amenity and include space to provide for street trees and for stormwater management; and</u> vi. <u>a continuous tree canopy along transport corridors to improve amenity for corridor users and adjoining land use, minimise the urban heat island effects of urban intensification, enhance biodiversity and ecological function, provide summer shade and store carbon.</u>

3.7.4 Rules

3.7.4.1 Ruakura Structure Plan Area

All land use and development within the Ruakura Structure Plan area shall be in accordance with:

- a. The Ruakura Structure Plan area as set out in section 3.7 of this Chapter, and
- b. Ruakura Structure Plan area Figures in Volume 2, Appendix 2, Figures 2-14 to 2-18, with land use and development in the Ruakura -Tuumata Structure Plan area

in general accordance with Figure 2-14A and 2-14B.

- c. Land Development Rules 3.7.4.2
- d. Staging and Traffic Rules 3.7.4.3
- e. Ruakura Strategic Infrastructure Rules 3.7.4.4
- f. General Matters 3.7.4.5.

3.7.4.2 Land Development Rules

- a. A resource consent for a restricted discretionary activity is required for the following activities in the Ruakura Structure Plan:
 - i. Preparation of land for development purposes including earthworks and vegetation removal.
 - ii. Construction of roads, pedestrian paths and cycle routes.
 - iii. Installation of Three Waters infrastructure (including linear wetlands and storage basins).
 - iv. Works related to the establishment of open space areas.
 - v. Screen planting associated with the Inland Port (Sub Area A (Inland Port) - see Figure 2-17 Inland Port Building Setbacks and Landscape Controls (Appendix 2)).

Except where these activities occur within the Ruakura -Tuumata Structure Plan area as shown on the Ruakura Structure Plan in Volume 2, Appendix 2, Figures 2-14 to 2-18.

- b. Land Development Consent shall be obtained for the entire Land Development Plan Area as shown in Figure 2-16 (except for the Ruakura -Tuumata Structure Plan area), in conjunction with land use, subdivision and development consent under any other rule of the Ruakura Structure Plan. Alternatively, Land Development Consent for activities listed in Rule 3.7.4.2.a may be applied for in relation to part of a Development Plan Area shown on Figure 2-16 or in combination with all or part of any other Land Development Plan Area : provided that the indicative information for the balance areas of each Land Development Plan Area is included in the application, as detailed in Appendix 1. The boundaries of the Land Development Plan (as shown on Land Development Plan which is submitted as part of any Land Development Consent application) may differ from the areas shown on Figure 2-16, except that for an application for any part of Land Development Plan Area ~~D or F~~, the full extent of the Spine Road included in ~~these that~~ Areas as shown on Figure 2-16 must be included in the Land Development Plan and the Land Development Consent application.
- c. A Land Development Plan shall provide the following information as detailed in Appendix 1.2.2.18 Information Requirements – Land Development Plans.
- d. Land Development 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.

- e. Except as provided for by sections 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 relevant zone chapter shall be considered without notification or the need to obtain approval from affected persons except that applications for all:

- i. Land Development Consents under Rule 3.7.4.2; and
- ii. Activities generating 1500 or more vehicle movements per day

shall be limited notified to the following unless they have given their affected party approval:

- Waka Kotahi New Zealand Transport Agency provided that the requirement for affected party approval shall not apply to activities with an asterisk (*) in the Residential Zones with the exception of LDP Area
- g. Further to clause (e), all activities within the Inland Port (Sub Area A (Inland Port)- see Figure 2-14 Ruakura Structure Plan – Land use (Appendix 2) classified as a Restricted Discretionary Activity by Rule 25.8.3.14.a shall be considered without notification or the need to obtain approval from affected persons.

3.7.4.3 Staging and Traffic Rules

3.7.4.3.1 Spine Road Construction Trigger

- a. The full extent of that section of the Spine Road (Figure 2-15A Ruakura Strategic Infrastructure-Transport (Appendix 2)) that is within or abuts LDP Area (Figure 2-16 Ruakura Land Development Plan Area (Appendix 2)) shall be constructed as part of the development authorised by the Land Development Consent for that LDP Area; and
- b. Development shall not commence in LDP Area I until the Spine Road is constructed along the full extent of LDP Area M; and
- c. Development shall not commence in LDP Area K until the Spine Road is constructed along the full extent of LDP Areas L and M.
- d. Development shall not commence in LDP Area G until the Spine Road is constructed along the full extent of LDP Areas T, L and M.
- e. Development shall not commence in LDP Area R until the Spine Road is constructed along the full extent of LDP Areas S, T, L and M; and
- f. Development shall not commence in LDP Areas ~~D~~, F or P until such time as the Spine Road is constructed along the full extent of LDP areas A, ~~D~~, F, and the Ruakura -Tuumata Structure Plan area and that part of LDP Area B that connects F to D.

3.7.4.3.2 North South Connectivity – Percival Road and Ryburn Road

- a. North-south connectivity for all modes across the East Coast Main Trunk railway line shall be maintained for Percival Road and Ryburn Road properties until a connection via the Spine Road is operational. There shall be no direct connection to industrial or logistics properties from Percival Road or Ryburn Road.
- b. The North-south route required under a) above shall not exceed a length of 2750 metres, measured from the intersection of the centrelines of Percival Road and Ryburn Road to the intersection of the centrelines of Ruakura Road and Silverdale Road.

Note: The north, central and south sections of the Spine Road are defined in 3.7.2.1 and shown in Figure 2-15A Ruakura Strategic Infrastructure-Transport (Appendix 2)

3.7.4.3.3 Industrial Land Stage 1 (RPS 2021 Allocation)

- a. Up to 80 hectares of land within the Ruakura Structure Plan may be developed before 1 January 2021, with general industrial not exceeding 30 hectares.

This can be made up with a combination of the following land allocations:

Ruakura Logistics Zone

- i. up to 20 ha of Ruakura Logistics Zone; or
- ii. up to 40 ha of land in Ruakura Logistics Zone subject to:
 - a. Signalisation of the existing intersection of Ruakura Road/Knighton Road; and
 - b. Signalisation of the intersection of Ruakura Road/Silverdale Road; and
 - c. Total weekday average peak hour generation for the area for each morning and evening peak periods based on a minimum two week continuous traffic count is less than 180 vph.
- iii. up to 80 ha of Ruakura Logistics Zone subject to:
 - a. Signalisation of the existing intersection of Ruakura Road/Knighton Road; and
 - b. Signalisation of the intersection of Ruakura Road/Silverdale Road; and
 - c. Ruakura Road being realigned and connected from the existing Ruakura Road (east of Silverdale Road) to the existing Ruakura Road (north of Vaile Road), and open to traffic; and
 - d. Formation of a priority controlled intersection where the realigned Ruakura Road meets the old Ruakura Road in the block between Holland Road and Vaile Road; and
 - e. Total weekday average peak hour generation for the Ruakura Logistics Zone for each morning and evening peak periods based on a minimum two week continuous traffic count is less than 180 vph.

Ruakura Industrial Park Zone
and/or

~~iv. Up to 16 ha of Ruakura Industrial Park Zone to the north of AgResearch provided the overall level of development within the Industrial Land Stage 1 shall not exceed 80 ha; or~~

iv. Up to 30 ha of land within the Ruakura Industrial Park Zone to the north of AgResearch, provided the overall level of development within the Industrial Land Stage 1 shall not exceed 80 ha; and

- a. Total weekday average peak hour generation for the Zone for each morning and evening peak periods based on a minimum two week continuous traffic count is less than 15 vph per gross developed hectare; and
- b. An approved Land Development Plan for Land Development Plan Area A being stage 1 of the Inland Port, south of the East Coast Main Trunk railway and west of Percival Road, and associated logistics activities; and
- c. Commencement of development within Land Development Plan Area A (being Stage 1 of the Inland Port (Sub Area A (Inland Port)) and associated logistics activities). For the purpose of this rule commencement of development will be as a minimum, water, and wastewater connections, stormwater solutions and transportation access to the Inland Port consistent with the approved Land Development Consent for the Inland Port, and consistent with any staging and interim infrastructure solution provided for in the Land Development Plan. These connections will be identified in the Land Development Consent.

3.7.4.3.4 Industrial Land Stage 2 (RPS 2021 - 2041 Allocation)

- a. ~~An additional 115ha~~ The full balance of land within the Ruakura Logistics Zone and Ruakura Industrial Park Zone may be developed post 1 January 2021 subject to:
 - i. The Waikato Expressway (Hamilton section) having been completed and directly connected to the Ruakura Structure Plan area, via an interchange at a realignment of Ruakura Road and the direct connection between Pardoia Boulevard Interchange and Wairere Drive.
 - ii. Weekday average peak hour traffic volume, including the traffic generated by the proposed development, not exceeding 1,200 vehicles per hour (vph) (one way) on Ruakura Road (east of Wairere Drive) and 1,400 vph (one-way) on Wairere Drive (south of Ruakura Road). Where the volume is in excess of either of these thresholds this area can be developed only when the Spine Road is connected and open to traffic from Ruakura Road to Fifth Avenue Extension.
 - iii. The traffic generation and network performance for Stage 1 Activities is in accordance with Rule 3.7.4.3.3.

3.7.4.3.5 The Knowledge Zone Precinct C (including the Ruakura Retail Centre, but excluding Precincts A, B and D) Staging

a. Up to 16 ha of land within Precinct C (including the Ruakura Retail Centre) may be developed subject to:

- i. A connection being formed between Precinct C and Ruakura Retail Centre and the signalised intersection of Ruakura/Knighton Roads.
- ii. Weekday average peak hour traffic volume, including the traffic generated by the proposed development, not exceeding 1,200 vehicles per hour (vph) (one way) on Ruakura Road (east of Wairere Drive) and 1,400 vph (one-way) on Wairere Drive (south of Ruakura Road). Where the volume is in excess of either of these thresholds this area can only be developed when the Spine Road is connected and open to traffic from Ruakura Road to Fifth Avenue Extension.

Or

- iii. Suitable arterial network capacity can be demonstrated or established in a manner that maintains the efficiency, safety and functioning of the transport network.

Provided that:

- iv. No more than 5ha can be developed unless the Spine Road is connected and open to traffic from Ruakura Road to Fifth Avenue Extension.

3.7.4.3.6 Ruakura - Tuumata Structure Plan Area

- i. A maximum of 430 residential units developed in the Ruakura – Tuumata Structure Plan area prior to the construction and operation of the Fifth Ave extension connecting to the Eastern Transport Corridor.
- ii. There shall be no new buildings in the Business 6 Neighbourhood Centre zone in the Ruakura – Tuumata Structure Plan area prior to the construction and operation of the Fifth Ave extension connecting to the Eastern Transport Corridor, except for:
 1. Temporary buildings and structures provided for in 25.3 Events and Temporary Activities.
 2. Showhomes associated with development in the Ruakura – Tuumata Structure Plan area.
 3. Buildings and structures associated with activation and promotion activities in the Ruakura – Tuumata Structure Plan area including a single temporary cafe not exceeding 100m², playgrounds, information and signs.
 4. Buildings and structures associated with stormwater management and public open space.

- iii. There shall be no new buildings within the National Grid Yard until such time as the transmission line and associated support structures have been removed, except for:
 - 1. Buildings and structures associated with stormwater management and public open space where they comply with 25.7 Network Utilities and the Electricity National Grid Corridor.
 - 2. Where the transmission line has been placed underground, in which case this rule shall not apply.

3.7.4.3.67 Staging Activity Status

- a. Any application for resource consent not in accordance with Rules 3.7.4.3.1 – 3.7.4.3.56 i and ii. is a discretionary activity.

The Council's discretion shall include, but not be limited to, the following assessment criteria:

- i. Consistency with the Industrial Land Allocation or alternative land release criteria specified in any operative or proposed Regional Policy Statement including any approved alternative land release provided for.
- ii. Mitigation works to ensure that development does not result in long term adverse effects on the efficiency, safety and functioning of the transport network.
- iii. The timing of any other planned local network upgrades that would contribute to the offset of the effects of traffic generation.
- iv. Certainty of timing over the construction of the Hamilton section of the Waikato Expressway and the extent to which this enables a departure from the provisions of Rule 3.7.4.3.1.
- v. The ITA matters for discretion set out in Appendix 1.3.3 N Ruakura.
- vi. For ~~industrial development in excess of 16ha in the Industrial Park Zone in LDP Areas B and D or~~ for any industrial development outside of this area: whether a Land Development Consent for Area A (being Stage 1 of the Inland Port (Sub Area A (Inland Port)) and associated logistics activities) has been approved and the necessary infrastructure connections for the Inland Port are in place.
- vii. Where the boundaries of a Land Development Plan Area in an application for Land Development Consent differ from those shown on Figure 2-16, the extent of the Land Development Plan Area shall be developed in an integrated manner. This shall include the provision for and connectivity to infrastructure, and ensure that key transport infrastructure such as the Spine Road is developed in a manner that provides at least the same levels of efficiency, effectiveness and safety anticipated through a land development consent in accordance with Figure 2-16. Where an application includes part of a Land Development Plan Area in Figure 2-16 it shall be demonstrated that granting consent to that part will not prevent the integrated development of the balance of that Area.

- b. Any application for resource consent not in accordance with Rule 3.7.4.3.6 iii. is a non-complying activity.
- c. Except as provided for by Section 95A (2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act, an application under this rule shall be considered without notification or the need to obtain approval from affected persons except that the application shall be limited notified to the following unless the persons have given their affected party approval:
- Waka Kotahi New Zealand Transport Agency.

3.7.4.3.78 Traffic Generation

- a. Any activity (excluding subdivision and residential activities in the Ruakura - Tuumata Structure Plan area) generating 1500 or more vehicle movements per day (vpd) requires resource consent as a restricted discretionary activity.
- b. This rule does not apply to events and temporary activities where a temporary traffic management plan has been approved by the relevant road controlling authority.
- c. If an affected party under Rule 3.7.4.2.e has provided their written approval for a Land Development Consent then no further approval is required for any additional Integrated Transport Assessment for activities generating 1500 or more vehicle movements per day, except where the trip generation was not considered as part of the original Integrated Transport Assessment.

3.7.4.3.89 Explanation to Rules

- a. The staging conditions relate to the provisions of the RPS and in particular Table 6-2 which sets out the strategic industrial land allocation for the Waikato Region. Ruakura is identified for the staged release of land to provide for up to 405ha of industrial land by 2061. The rules are aimed at ensuring compliance with this land release, including taking into account land on the eastern side of the Waikato Expressway currently not zoned for industrial purposes but shown as future urban in the Future Proof Strategy Update 2022, while ~~but~~ still picking up key triggers and levels of tolerance where network upgrades and other constraints lie.
- b. Due to the size of the site and the development timescale the roll out, and specific mix of Ruakura Logistics and Ruakura Industrial Park land uses are not yet understood. Ruakura Logistics activities are expected to have a significantly lower level of traffic generation than Industrial Park Activities. Rules accommodate a range of development options and environmental effects. While the location and final layout of these activities are fixed, the take up of the land will depend on the market demand and, so some staging flexibility is appropriate.
- c. The Industrial Stage 2 development and the Precinct C development within the Knowledge Zone are subject to the Waikato Expressway (Hamilton section) being completed and connected to the Ruakura Structure Plan area or suitable arterial network capacity being demonstrated or established in a manner that maintains the efficiency, safety and functioning of the transport network. Where construction is underway and a completion date is available some flexibility on further land release may be appropriate to ensure benefits are obtained from infrastructure at

the earliest possible date and development to cater for market demand is not unduly delayed.

3.7.4.4 Ruakura Strategic Infrastructure Rules

All land use and development within Land Development Areas shall meet the following performance standards.

3.7.4.4.1 Potable Water Supply

- a. Connection to the Ruakura water reservoir via a new distribution network in a manner consistent with the Ruakura Strategic Infrastructure as provided for in Figure 2-15B Ruakura Strategic Infrastructure – Three Waters (Appendix 2), with the following exception:
 - i. Prior to the operation of the Ruakura reservoir, up to 1250 residential lots in the Ruakura Structure Plan may be serviced from the existing Pardoia Boulevard / Wairere Drive water connection. Once the Ruakura water reservoir is operational, all existing and proposed residential development within the structure plan area shall be connected to the reservoir via a new distribution network.

3.7.4.4.2 Wastewater Network

- a. The wastewater network shall be extended along the Spine Road corridor to the full extent of the Land Development Plan Area boundary and adjacent also to the Ruakura -Tuumata Structure Plan area, in accordance with Figure 2-15B Ruakura Strategic Infrastructure (Appendix 2).
- b. The wastewater network shall discharge into the Ruakura Strategic Infrastructure wastewater network.

3.7.4.4.3 Stormwater Network

- a. All stormwater management infrastructure shall be in accordance with an approved ICMP where available, or with an approved Water Impact Assessment. In particular, in absence of a relevant ICMP, stormwater management infrastructure shall be subject to specific catchment management planning through a Water Impact Assessment and be consistent with the stormwater discharge points shown on Figure 2-15B Ruakura Strategic Infrastructure – Three Waters (Appendix 2).

3.7.4.4.4 Ruakura -Tuumata Structure Plan Area – Stormwater

- a. A stormwater reticulation and disposal system must be provided that is adequate to safeguard people from injury or illness and protect property upstream or downstream from damage caused by surface water.
- b. New buildings, and additions to existing buildings must be constructed using inert cladding, roofing and spouting building materials, i.e. avoiding use of high contaminant yielding building products which have:

- i. exposed surface(s) or surface coating of metallic zinc of any alloy containing greater than 10% zinc
 - ii. exposed surface(s) or surface coating of metallic copper or any alloy containing greater than 10% copper
 - iii. exposed treated timber surface(s) or any roof material with a copper-containing or zinc-containing algaecide.
- c. Rainwater tanks with a capacity of <10,500 litres are exempt from the following bulk and location provisions of the relevant zone.
- i. Site coverage.
 - ii. Permeable surfacing.
 - iii. Rear or side boundary setbacks.

3.7.4.4.5

Ruakura -Tuumata Structure Plan Area – Water Conservation Measures

- a. The following water sensitive technique for water conservation techniques shall be incorporated, connected to, achieved or maintained as part of any new development as identified below.

<ul style="list-style-type: none"> i. <u>New residential units in the Tuumata Residential Precinct.</u> ii. <u>Other new buildings in the Tuumata Residential Precinct containing a kitchen, laundry, toilet or bathroom.</u> 	<ul style="list-style-type: none"> • <u>Provision for future installation of water metering infrastructure.</u> • <u>Use of low flow fixtures in kitchen, laundry, toilets and bathrooms.</u> • <u>Rainwater tank of a minimum size of 3000 litres for non-potable use (garden watering, toilet, laundry etc), except for dwellings in a Tuumata residential apartment dwelling where a communal tank or tanks may be provided, suitably sized to meet the non-potable use needs of the units..</u>
<ul style="list-style-type: none"> iii. <u>Other new buildings in a non-residential zone in the Tuumata Development Area containing a kitchen, laundry or bathroom.</u> 	<ul style="list-style-type: none"> • <u>Provision for future installation of water metering infrastructure.</u> • <u>Use of low flow fixtures in kitchen, laundry, toilets and bathrooms</u>

3.7.4.4.46 Explanation to Rules

Refer to 3.7.2. Ruakura Strategic Infrastructure

3.7.4.5 General Matters

All land use and development within the Ruakura Structure Plan area shall be subject to all infrastructure requirements identified as part of the assessment criteria set out in the relevant rules of:

- a. Chapter 4: Residential Zones
- b. Chapter 8: Knowledge Zone
- c. Chapter 10: Ruakura Logistics Zone
- d. Chapter 11: Ruakura Industrial Park Zone
- e. Chapter 15: Open Space Zones
- f. Volume 2, Appendix 1.3.3 Restricted Discretionary Activity – Matters for Discretion and Assessment Criteria

3.7.5 Provisions in Other Chapters

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

- Chapter 4: Residential Zone
- Chapter 8: Knowledge Zone
- Chapter 10: Ruakura Logistics Zone
- Chapter 11: Ruakura Industrial Park Zone
- Chapter 15: Open Space Zones
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gully Systems
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide
- Volume 2, Appendix 1: District Plan Administration

Insert the following into Chapter 4 Residential Zones, Section 4.1 Purpose, 4.1.1 General Residential Zone

4.1.1.1 Tuumata Residential Precinct

The Tuumata Residential Precinct applies to a large block of land in the Ruakura Structure Plan. The land has a General Residential Zone, with the Tuumata Residential Precinct applying specific provisions which vary aspects of the underlying General Residential Zone. The Precinct adopts the Medium Density Residential Standards from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, augmenting these with additional controls. The Tuumata Residential Precinct provides for a range of housing types that are consistent with the neighbourhood's planned urban built character, including 1-3 storey buildings. The Tuumata Residential Precinct also provides for residentially compatible business activity, in the same manner as the underlying General Residential Zone. Development in the Tuumata Residential Precinct is intended to be generally consistent with the Ruakura-Tuumata Structure Plan to ensure a well-functioning urban environment.

Insert the following into Chapter 4 Residential Zones, Section 4.2 Objectives and Policies: Residential Zones

4.2 Objectives and Policies: Residential Zones

Objective	Policies
<p>4.2.15 <u>The Tuumata Residential Precinct and development within it provide for a variety of housing types and sizes that:</u></p> <p><u>i. respond to housing needs and demand; and</u></p> <p><u>ii. are consistent with the neighbourhood's planned urban built character, including 1 to 3 storey buildings.</u></p>	<p>4.2.15a <u>Enable a variety of housing types with a mix of densities within the zone, including 1, 2 and 3-storey attached and detached residential units</u></p> <p>4.2.15b <u>Enable housing to be designed to meet the day-to-day needs of residents.</u></p> <p>4.2.15c <u>Provide for developments not meeting permitted activity status, while encouraging high-quality developments.</u></p>
<p>4.2.16 <u>Development in the Tuumata Residential Precinct is undertaken in a manner to ensure a well-functioning urban environment, and is coordinated with the provision of infrastructure and services.</u></p>	<p>4.2.16a <u>Residential development shall be generally consistent with the Ruakura -Tuumata Structure Plan.</u></p> <p>4.2.16b <u>New residential development must be able to be adequately serviced by three waters and transport infrastructure.</u></p>
<p>4.2.17 <u>Residential units within the Tuumata Residential Precinct are designed and developed to create an attractive and safe urban environment, providing an appropriate level of amenity:</u></p> <p><u>i) On site for residents;</u> <u>ii) On adjoining sites; and</u> <u>iii) For the transport corridors and public open spaces.</u></p>	<p>4.2.17a <u>All residential units and residential development shall have:</u></p> <ul style="list-style-type: none"> i. <u>Reasonable access to sunlight and daylight.</u> ii. <u>Separation and spaciousness around units where appropriate to the dwelling type.</u> iii. <u>Outdoor living areas.</u> iv. <u>Outlook from each residential unit to provide a sense of visual and acoustic privacy.</u> v. <u>Passive surveillance to achieve safe streets and public open spaces.</u> vi. <u>Landscaping to add visual amenity.</u> vii. <u>Adequate provision on-site for storage and waste management.</u> viii. <u>Accessory buildings, garages and parking areas (where any of these are provided) which avoid visual dominance of site and building frontages.</u> <p>4.2.17b <u>Where there are more than 4 residential units per site, additional on-site and off-site amenity shall be provided by:</u></p> <ul style="list-style-type: none"> i. <u>Ensuring that buildings have a public 'front', where neighbours and visitors will access and</u>

	<p><u>primarily experience the development from, and a private 'back'.</u></p> <ul style="list-style-type: none"> ii. <u>Requiring buildings to compatibly configure fronts and backs with those of adjacent buildings so as to positively contribute the amenity of well-defined public and publicly accessible spaces, and private spaces.</u> iii. <u>Incorporating CPTED principles into buildings and structures adjacent to the boundary of public and publicly accessible areas (including transport corridors).</u> iv. <u>Locating buildings close to the front boundary and/or the boundary adjoining the space that the public will gain access from and which the development will front.</u> v. <u>Providing visually obvious front doors.</u> vi. <u>Providing practical and functional internal and external living areas.</u> vii. <u>Providing adequate service areas to accommodate typical residential living requirements.</u> viii. <u>Where provided, having parking and manoeuvring areas situated on-site to contribute positively to on-site amenity and meet the needs, safety and convenience of residents.</u> ix. <u>Avoiding visual dominance of the street by accessory buildings, garages or parking areas.</u> x. <u>Ensuring vehicle crossings are minimised on road frontages where narrow dwellings are proposed and where shared paths and separated cycle ways are located.</u> xi. <u>Using private rear / service lanes, separate to the space forming the public front, associated with narrow-frontage dwellings.</u> xii. <u>Requiring the provision of landscaping to mitigate potential adverse effects of activities and to contribute to the overall amenity of residential areas.</u> xiii. <u>Making adequate provision on-site for waste management.</u>
<p>4.2.18 <u>Residential development in the Tuumata Residential Precinct incorporates sustainable features and technologies.</u></p>	<p>4.2.18a <u>Development should encourage the efficient use of resources by:</u></p> <ul style="list-style-type: none"> i. <u>Incorporating water-sensitive techniques, including encouraging the provision of rainwater tanks.</u> ii. <u>Providing landscaped areas on site.</u> iii. <u>Providing trees to minimise urban heat island effects, enhance biodiversity and ecological function, provide summer shade and store carbon.</u> iv. <u>Providing for electric bikes and vehicle charging stations.</u>

Explanation

The Tuumata Residential Precinct provides for a range of housing types that are consistent with the neighbourhood's planned urban built character, including 1-3 storey buildings. The Precinct will enable the development of single storey dwellings, duplex dwellings, terrace dwellings, apartments and Papakainga.

The Tuumata Residential Precinct adopts the Medium Density Residential Standards from the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. It augments these with additional provisions on urban trees, setbacks from internal lanes, boundary fences and walls, the public interface of buildings, waste management and service areas, storage areas, accessory buildings, vehicle access and vehicle parking design. Additional design assessment criteria apply where four or more residential units are proposed on a site. These provisions are intended to create an attractive and safe urban environment, providing an appropriate level of amenity on site for residents, for adjoining sites, and for transport corridors and public open spaces.

The Tuumata Residential Precinct also provides for residentially compatible business activity, in the same manner as the underlying General Residential Zone. This includes enabling home businesses and other commercial or community activities of a type and scale appropriate in a residential neighbourhood.

Development in the Tuumata Residential Precinct is intended to be generally consistent with the Ruakura-Tuumata Structure Plan to ensure a well-functioning urban environment.

4.3 Rules – General Residential, Residential Intensification and Large Lot Residential Zones

4.3.1 Activity Status Table – General Residential Zone, Residential Intensification Zone and Large Lot Residential Zone

Activity	General Residential Zone	Residential Intensification Zone	Large Lot Residential Zone
Residential Activities and Structures			
a. Accessory building	P	P	P
b. Apartment building <ul style="list-style-type: none"> i. On Lot 2 DP492571 (see Figure 4.3.1) ii. Percival and Ryburn Road enclave <i>(except for the Tuumata Residential Precinct – refer 4.3.3)</i>	D RD -	RD - -	D - NC
c. Ancillary residential unit	P	NC	P
d. Ancillary residential structures	P	P	P
e. Single dwelling: first residential unit per site <i>(except for the Tuumata Residential Precinct – refer 4.3.3)</i>	P	D	P
f. Single dwelling: second and subsequent residential unit per site <i>(except for the Tuumata Residential Precinct – refer 4.3.3)</i>	RD*	D	RD*
g. Duplex dwellings <ul style="list-style-type: none"> i. Percival and Ryburn Road enclave <i>(except for the Tuumata Residential Precinct – refer 4.3.3)</i>	RD* -	RD* -	RD* NC
h. Integrated Residential Development	RD	NC	NC
i. Managed care facilities <ul style="list-style-type: none"> i. up to 9 residents ii. up to 10 residents (excluding emergency housing) iii. 11 or more residents (excluding emergency housing) 	P D D	P P D	P D D
j. Emergency housing for up to 10 residents	P	P	P
k. Papakainga <i>(except for the Tuumata Residential Precinct – refer 4.3.3)</i>	RD*	RD*	RD*
l. Residential activities	P	P	P
m. Residential centre	D	D	D
n. Rest home	RD*	RD*	RD*

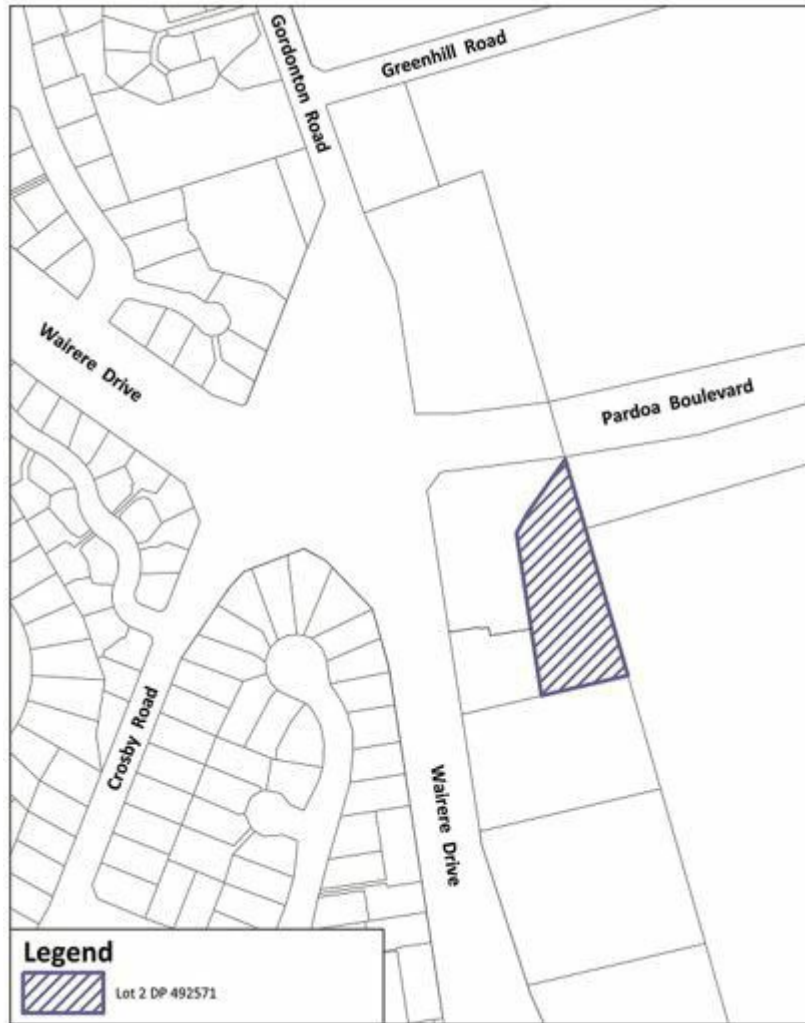
o. Farming activities	NC	NC	P
p. Rural industry	NC	NC	D
q. Produce stalls	NC	NC	P
r. New building for the purpose of Health Care Services identified in 4.3.1.x	RD	-	-
ra. The use of buildings for any residential activity in the Percival/Ryburn Roads Ruakura Structure Plan Area where the site is subject to a restrictive no-complaint covenant in favour of adjoining Industrial Park and Logistics Zoned land (see Note 3 below).	-	-	P
rb. The use of buildings for any residential activity in the Percival/Ryburn Roads Ruakura Structure Plan Area where the site is not subject to a restrictive no-complaint covenant in favour of adjoining Industrial Park and Logistics Zoned land (see Note 3 below).	-	-	D
Commercial Activities and Structures			
s. Childcare facility i. up to 5 children ii. six or more children	P RD	RD RD	P RD
t. Conference facility	NC	D	NC
u. Conference facility in Visitor Facilities Area	-	P	-
v. Dairy	RD	NC	D
w. Health care service	D	D	NC
x. Health care services on Lot1 DP S2537, Flat B DP S43060, Flat 1 DP S43568, Flat 2 S67794 (being at 452, 448B, 444A and 444B Ulster Street), Lot 28 DP S4185 and Lot 27 DP S4185 (being at 3 and 5 Urlich Avenue)	P	-	-
y. Home-based business	P	P	P
z. Homestay accommodation	P	P	P
aa. Office, other than as a home-based business	NC	NC	NC
bb. Places of assembly	D	D	NC
cc. Restaurant	NC	D	NC
dd. Restaurant ancillary to visitor accommodation in Visitor Facilities Area	-	P	-
ee. Show homes	P	D*	P
ff. Tertiary education and specialised training facility	RD	D	NC
gg. Visitor accommodation	RD	D	D

hh. Visitor accommodation in Visitor Facilities Area	-	P	-
Community Activities and Structures			
ii. Community centre	RD	D	D
jj. Informal recreation	P	P	P
kk. Marae	D	D	D
ll. Organised recreation	P	P	P
m. Places of worship	RD	D	D
nn. School	D	D	NC
All Activities and Structures			
oo. Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P
pp. Maintenance, repair and alterations and additions to existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P	P	P
qq. Relocated buildings	P	P	P
rr. Emergency service facilities	RD	D	D

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. For any activity not identified above, see Section 1.1.8.1.
3. Refer to Chapter 1.1.9 for activities marked with an asterisk (*)
4. For the purposes of this rule a “restrictive no-complaint covenant” is defined as a restrictive covenant registered on the Title to the property or a binding agreement to covenant, in favour of the adjoining Industrial Park and Logistics Zoned land by the landowner (and binding any successors in title) not to complain as to effects generated by the lawful establishment and operation of the Industrial Park and Logistics Zoned land (including the inland port).

Figure 4.3.1: Lot 2 DP 492571 (see Rule 4.3.1b.i.)



4.3.2 Rules – Ruakura Structure Plan Area General Residential – Staging

- a. Activities listed in 4.3 Rules – Activity Status Table – 4.3.1 General Residential Zone and Residential Intensification Zone which are undertaken in the Ruakura Structure Plan Area 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.

4.3.3 Activity Status Table – Tuumata Residential Precinct

In addition to the activities specified in table 4.3.1 for the General Residential Zone, the following activities apply to the Tuumata Residential Precinct.

<u>Activity</u>	<u>Tuumata Residential Precinct</u>
<u>a. 1 to 3 residential units on a site</u>	<u>P</u>
<u>b. 4 or more residential units on a site</u>	<u>RD</u>
<u>c. Construction and use of residential units that do not comply with any of the standards</u>	<u>RD*</u>
<u>d. Retirement villages</u>	<u>RD*</u>
<u>e. Papakainga containing 1 to 3 residential units</u>	<u>P</u>
<u>f. Papakainga containing 4 or more residential units</u>	<u>RD*</u>
<u>g. Signs associated with development in the Ruakura – Tuumata Structure Plan Area</u>	<u>P</u>
<u>h. Any boundary wall/fence equal to or less than 3.5m high as per Rule 4.15.7d.</u>	<u>P</u>
<u>i. Any boundary wall/fence over 3.5m high as per Rule 4.15.7d.</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 (*)

4.3.3.1 Rules – Notification – Tuumata Residential Precinct

Except as set out below, all proposals for consent will be subject to the notification tests of the RMA 1991 as set out in Chapter 1.1.9:

- i. Proposals for the construction and use of 1, 2, or 3 residential units on a site that do not comply with any of the standards in 4.15 shall be processed without public or limited notification.
- ii. Proposals for the construction and use of 4 or more residential units on a site that comply with the standards in 4.15 shall be processed without public or limited notification.

Amend Chapter 4 Section 4.4 Rules-General Standards- General Residential, Residential Intensification Zones and Large Lot Residential Zone as follows:

4.4 Rules – General Standards – General Residential, Residential Intensification Zones and Large Lot Residential Zone

- a. The following standards apply in the General Residential, Residential Intensification Zones and Large Lot Residential Zone only.
- b. The following standards do not apply in the Tuumata Residential Precinct. Refer section 4.15 for the standards that apply in the Tuumata Residential Precinct.

....

Amend Chapter 4 by adding Section 4.15 Rules – General Standards - Tuumata Residential Precinct as follows:

4.15. Rules – General Standards – Tuumata Residential Precinct.

4.15.1 Density

Activity	Net site area (minimums unless otherwise stated)
Residential centres and Rest homes	75m ² per resident
Managed care facilities	100m ² per resident

Note:

Refer to Chapter 25.13 - Three Water Infrastructure Capacity Overlay relating to density requirements.

4.15.2 Building Coverage

Activity	Maximum building coverage
<u>All residential units (except for Tuumata residential terrace dwellings and Tuumata residential apartment dwellings where onsite parking is provided and accessed by a rear lane)</u>	<u>50%</u>
<u>Tuumata residential terrace dwellings and Tuumata residential apartment dwellings where onsite parking is provided and accessed by a rear lane</u>	<u>60%</u>
<u>All other activities</u>	<u>40%</u>

Notes

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

4.15.3 Permeability and Landscaping

Activity	Standard
a. <u>A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a development site with grass or plants, and can include the canopy of a tree regardless of the ground treatment below them.</u>	
b. Urban trees – <u>Each residential unit shall provide a specimen tree in at least a 3m diameter unobstructed area within the site for each tree, clear of any required access and manoeuvring, at the rate set out below:</u>	
i. <u>Single dwelling</u>	<u>Two per residential unit.</u>
ii. <u>Duplex dwelling</u>	<u>One per residential unit</u>
iii. <u>Tuumata residential terrace dwelling</u>	<u>One per residential unit.</u>
iv. <u>Tuumata residential apartment dwelling</u>	<u>Minimum of one tree per site with an additional tree for every 200m² of site area.</u>
v. <u>All other activities</u>	<u>Minimum of one tree per site with an additional tree for every 200m² of site area.</u>
c. <u>Specimen trees shall be planted at a planted size of at least 80L.</u>	

Note:

- 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 4.15.3.3 at a ratio of 1:1.*

4.15.4 Building Height

Activity	Building Height	Maximum Storeys
a. <u>All Activities in the Tuumata Residential Precinct</u>	<u>11m</u>	<u>3</u>
<u>Buildings must not exceed a building height identified in 4.15.3.4 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.</u>		

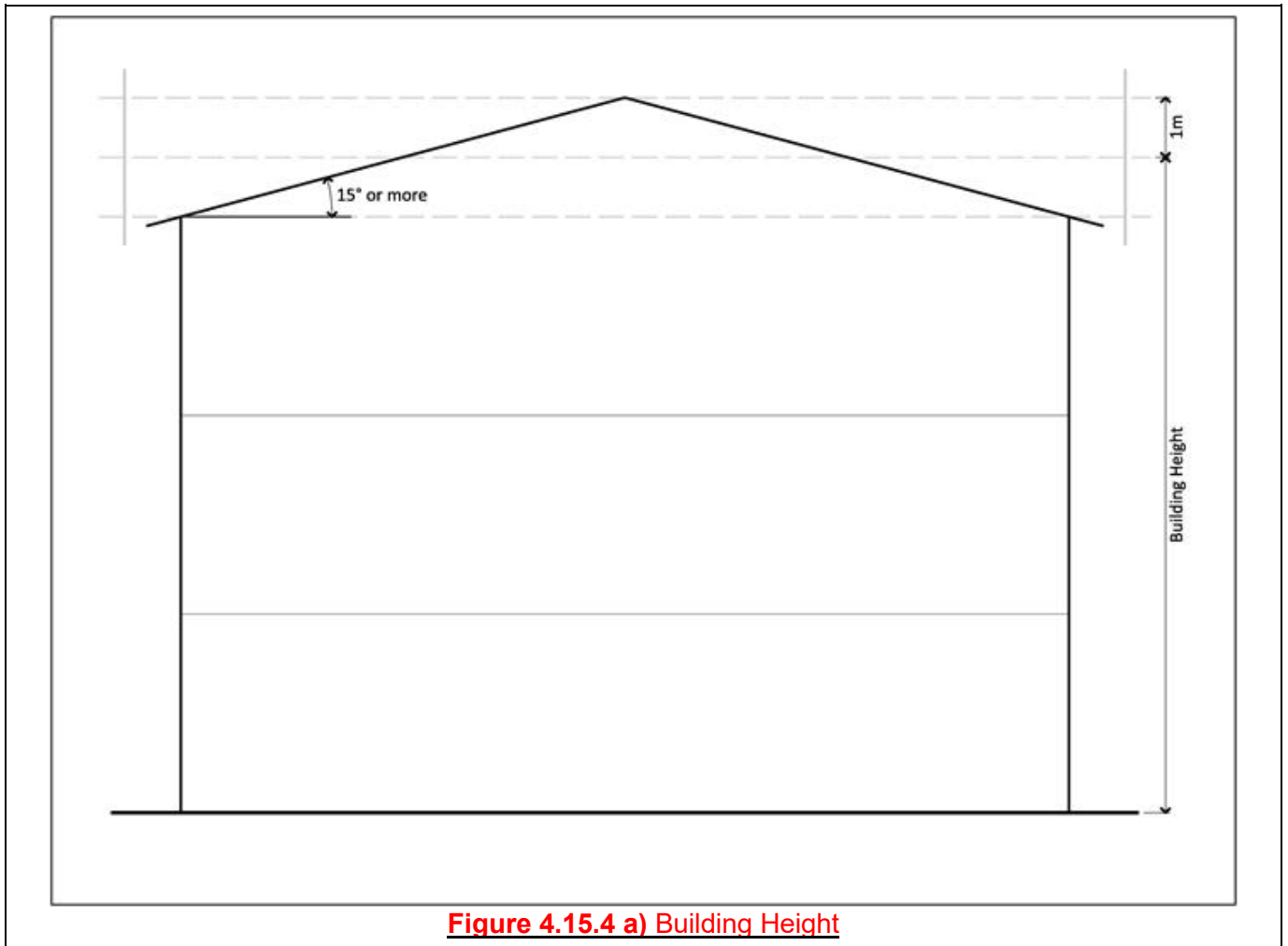


Figure 4.15.4 a) Building Height

4.15.5 Height in Relation to Boundary

Height In Relation to Boundary

Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries. 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. existing or proposed internal boundaries within a site.
- iii. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

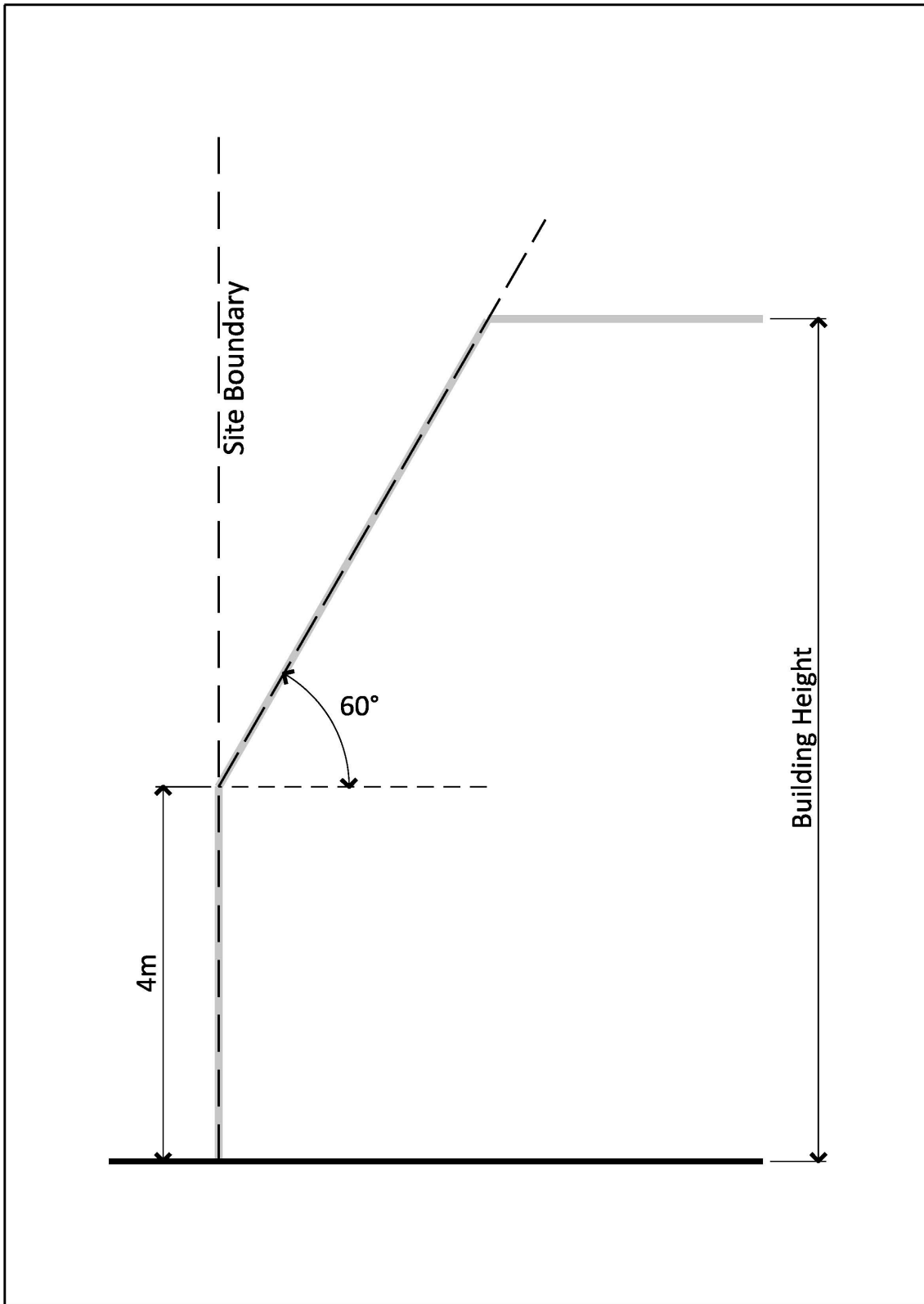


Figure 4.15.5 a) Height in Relation to Boundary

4.15.6 Building Setbacks

<u>Building setback from:</u>	<u>Minimum distance</u>
<u>a. Transport corridor boundary</u>	<u>1.5m</u>
<u>b. Where a garage is provided and the garage door or carport facing towards a transport corridor, the garage shall be set back from the transport corridor boundary.</u>	<u>5m</u>
<u>c. Side yards</u>	<u>1m</u>
<u>d. Rear yard (except on corner sites where no rear yard is required)</u>	<u>1m</u>
<u>e. Rear yard where it adjoins a rear lane.</u>	<u>0m</u>
<u>f. Side and rear yard setbacks may be reduced where.</u> <ul style="list-style-type: none"> <u>i. The written consent of the owners adjoining the relevant setback or setbacks is obtained; or</u> <u>ii. It is proposed to site a building within the 1m setback and:</u> <ul style="list-style-type: none"> <u>a. The building is less than 10m² in area; and</u> <u>b. The building is less than 2m in height; and</u> <u>c. The building will not be connected to electricity supply; and</u> <u>d. There is no discharge of stormwater onto neighbouring land from the building; and</u> <u>e. 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.</u> 	
<u>g. Internal vehicle access serving up to three residential units on a site (excluding access to an ancillary residential unit).</u>	<u>No part of a building (including eaves) shall extend over or encroach into an internal vehicle access.</u>
<u>h. Internal vehicle access serving more than three residential units on a site</u>	<u>Setback of residential units = 1m</u>
<u>i. Building setbacks to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.</u>	<u>0m</u>

Note:

- i. Rear and side yard requirements do not apply to rainwater tanks with a capacity of <10,500 litres.

4.15.7 Boundary Fences and Walls

<u>Rules</u>	<u>Requirements</u>
<u>a. 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>
<u>b. 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</u>

	<u>visually permeable).</u>
<u>c. All other boundary fences or walls.</u>	<u>Maximum height 1.8m</u>
<u>d. Where a retaining wall and front 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>	
<ul style="list-style-type: none"> <u>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.</u> <u>ii. Between 2.51m – 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'.</u> <u>iii. More than 3.5m: discretionary activity.</u> 	
<u>e. 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.</u>	
<u>f. 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.</u>	
<u>g. This rule shall not apply to any fence and/or wall which:</u>	
<ul style="list-style-type: none"> <u>i. following construction will be located at or below the natural ground level of the land that existed prior to construction commencing; or</u> <u>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.</u> 	

Note 1.

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.

4.15.8 Public Interface

Public Interface for Residential Units on a site (excluding Tuumata residential terrace dwellings and Tuumata residential apartment dwellings)

- a. Where a residential unit is facing the street it 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.

Public Interface for Tuumata residential terrace dwellings and Tuumata residential apartment dwellings on a site

- b. Where a residential unit is facing the street it 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.
 - 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.
 - iii. For corner and through sites this shall be required only on the frontage from which pedestrian access is provided (front door).
- c. All residential developments in Tuumata residential terrace dwellings and Tuumata residential apartment dwellings 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 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.
- d. A pedestrian access serving between 4 and 15 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 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.
- e. A pedestrian access serving more than 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.

4.15.9 Outlook Space

Outlook	
<u>a.</u>	<u>An outlook space must be provided from all habitable room windows.</u>
<u>b.</u>	<u>A principal living room of a dwelling must have an outlook space with a minimum dimension of 4m depth and 4m width.</u>
<u>c.</u>	<u>All other habitable rooms must have an outlook space of 1m in depth and 1m in width.</u>
<u>d.</u>	<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>
<u>e.</u>	<u>The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.</u>
<u>f.</u>	<u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u>
<u>g.</u>	<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>
<u>h.</u>	<u>Outlook spaces may be under or over a balcony.</u>
<u>i.</u>	<u>Outlook spaces must:</u> <ul style="list-style-type: none"> i. <u>be clear and unobstructed by buildings; and</u> ii. <u>not extend over an outlook spaces or outdoor living space required by another dwelling.</u>
<u>j.</u>	<u>To clarify an outlook space can be:</u> <ul style="list-style-type: none"> a. <u>above or below another outlook space (in a vertical configuration);</u> b. <u>over or under buildings, such as balconies; and</u> c. <u>over driveways or footpaths within the site, as long as it is not obstructed by structures such as fences.</u>

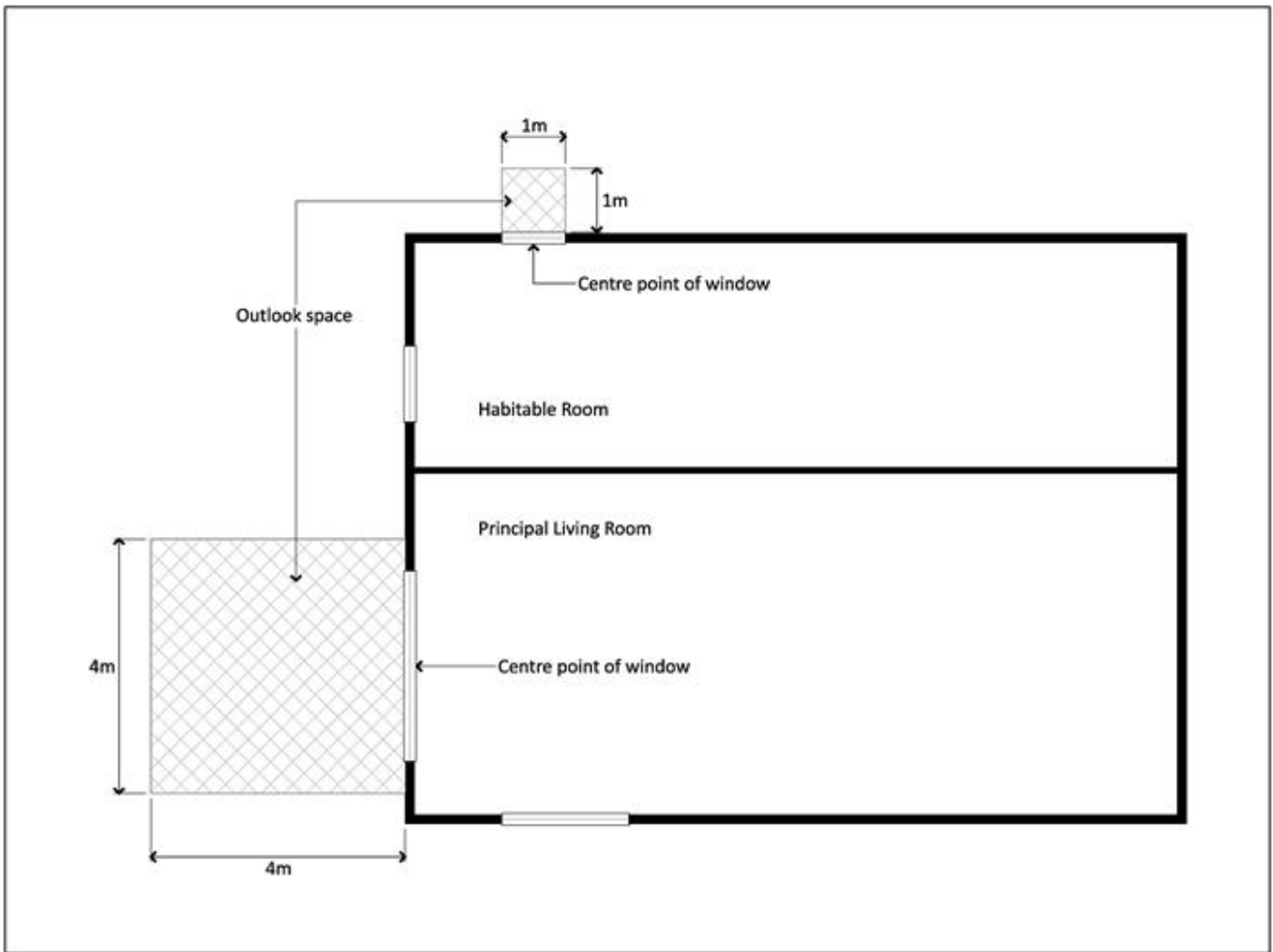


Figure 4.15.9 a) Outlook

4.15.10 Outdoor Living Area

Outdoor living area per residential unit

a. Outdoor living areas shall have minimum areas and dimensions as follows:

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, patio or roof terrace space that:

- i. where located at ground level, has no dimension less than 3m; and
- ii. where provided in the form of a balcony, patio or roof terrace, is at least 8m² and has a minimum dimension of 1.8m; and
- iii. is accessible from the residential unit; and
- iv. may be:
 1. grouped cumulatively by area in 1 communally accessible location; or
 2. located directly adjacent to the unit; and
- v. is free of buildings, parking spaces, and servicing and manoeuvring areas.

A residential unit above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that

- i. is at least 8m² and has a minimum dimension of 1.8 metres; and
- ii. is accessible from the residential unit; and
- iii. may be
 - 1. grouped cumulatively by area in 1 communally accessible location in which case it may be located at ground level; or
 - 2. located directly adjacent to the unit.

b. The above standards do not apply to managed care facilities, retirement villages or rest homes.

4.15.11 Waste Management and Service Areas

Description		Minimum requirements per residential unit
<u>a.</u>	<u>Residential Unit</u>	<p>All residential units</p> <ul style="list-style-type: none"> i. <u>5m² per residential unit.</u> ii. <u>Minimum dimension 1.5m</u> <p>Except for residential units in <u>Tuumata residential terrace dwellings and Tuumata residential apartment dwellings</u> where the following apply:</p> <ul style="list-style-type: none"> i. <u>Waste storage shall be screened from public view and the collection point shall not occur within the front yard setback</u> ii. <u>Spaces can be provided for each individual unit or cumulatively on a communal basis.</u>
<u>b.</u>	<u>Community centres and visitor accommodation.</u>	<ul style="list-style-type: none"> i. <u>10m²</u> ii. <u>Minimum dimension 1.5m</u>
<u>c.</u>	<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>
<u>d.</u>	<u>All waste management and service areas</u>	<ul style="list-style-type: none"> i. <u>Clothes drying areas shall have direct access 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</u>

		<p><u>sufficient room to accommodate the minimum area without impeding parking.</u></p> <p>v. <u>For any apartment development the storage area for rubbish, recycling, and food scraps must be at ground level or in a basement.</u></p>
e.	<u>These standards do not apply to managed care facilities or rest homes.</u>	

Note

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

4.15.12 Storage Areas

For Tuumata residential apartment dwellings on a site

- a. Each Tuumata residential apartment dwelling 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 Tuumata residential apartment dwelling shall meet the following volume requirements:

<u>Minimum storage area volume</u>	<u>4m³</u>
------------------------------------	-----------------------

- c. The minimum dimensions (height, width and depth) for each storage area shall be 1.2m and the minimum height shall be 1.8m.

4.15.13 Accessory Buildings, Vehicle Access and Vehicle Parking

Accessory buildings, vehicle access and vehicle parking for Tuumata residential terrace dwellings and Tuumata residential apartment dwellings on a site

- a. Any accessory building either attached or detached must be setback at least 1m from the front building line of the residential unit.
- b. Where the residential unit has a frontage 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 can be provided.
- c. Where the residential unit has a frontage 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.
- d. Where the residential unit has a frontage 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 dwelling's frontage is permitted and any vehicle access and garaging is to be provided by a rear lane.
- e. For any development containing no more than 6 residential units where the individual residential units 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 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. Any relating subdivision consent shall record this on the record of title as a consent notice.

- ii. access to the parking pads shall be restricted to local roads or publicly accessible on-site access ways of no less than 7m in width, and
- iii. each residential unit must have at least one habitable room with clear glazed window facing the local road.
- f. Where an on-site vehicle parking area includes more than 4 parking spaces.
 - i. the parking area shall be landscaped at the rate of 1 tree per 5 parking spaces, planted within or immediately adjacent to the parking spaces.
 - ii. 4.15.3.13 f) takes preference over the requirements in Rule 25.5.4.6 Internal planting.

Note:

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

4.11 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

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

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number
	(Refer to Volume 2, Appendix 1.3)
i. Duplex dwellings*	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
ii. Apartment buildings	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
iii. Childcare facility for 6 or more children	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
iv. Community centre	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
v. Dairy	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
vi. Tertiary education and specialised training facility	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
vii. Papakainga*	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
viii. Places of worship	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
ix. Rest home*	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
x. New building for the purpose of Health Care Services identified in 4.3.1.r.	<ul style="list-style-type: none"> ● B – Design and Layout
xi. Second and subsequent single dwellings per site*	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
xii. Visitor accommodation	<ul style="list-style-type: none"> ● B – Design and Layout ● C – Character and Amenity
xiii. Emergency service facilities	<ul style="list-style-type: none"> ● B – Design and Layout

	<ul style="list-style-type: none"> • C – Character and Amenity
xiv. Integrated Residential Development	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity
Ruakura Medium-Density Residential Zone	
xiv. Land Development Activities*	<ul style="list-style-type: none"> • N – Ruakura and Te Awa Lakes
xv. Duplex dwellings (other than provided for in 4.5.4.b) above) and apartments*	<ul style="list-style-type: none"> • B – Design and Layout • N – Ruakura and Te Awa Lakes
xvi. One Integrated Retail Development in accordance with the general location identified on Figure 2-14 Ruakura Structure Plan – Land Use (Appendix 2)*	<ul style="list-style-type: none"> • B – Design and Layout • H – Function, Vitality, Viability and Amenity of Centres • N – Ruakura and Te Awa Lakes
xvii. Papakainga*	<ul style="list-style-type: none"> • B – Design and Layout • N – Ruakura and Te Awa Lakes
Te Awa Lakes Medium-Density Residential Zone	
xviii. Land Development Activities*	<ul style="list-style-type: none"> • N - Ruakura and Te Awa Lakes • N13 – Te Awa Lakes Earthworks and Remediation • N14 – Te Awa Lakes Earthworks and Remediation in LDP Areas Q and R • F – Hazards and Safety
xix. Duplex dwellings (other than provided for in 4.5.4.b. above) and apartments*	<ul style="list-style-type: none"> • B – Design and Layout • N – Ruakura and Te Awa Lakes
xx. Papakainga*	<ul style="list-style-type: none"> • B – Design and Layout • N – Ruakura and Te Awa Lakes
Rotokauri North Medium-Density Residential Zone	
xxi. Any restricted discretionary activity	<ul style="list-style-type: none"> • B – Design and Layout • C – Character and Amenity • O – Rotokauri North
Tuumata Residential Precinct	
<u>xxii. 4 or more residential units on a site</u>	<ul style="list-style-type: none"> • <u>C – Character and Amenity</u> • <u>N17 – Tuumata Design and Layout</u> <p><u>For clarity, 1.4.2 Residential Design Guide (Residential and Special Character Zones) applies</u></p>
<u>xxiii. Residential units where they infringe one or more of the standards</u>	<ul style="list-style-type: none"> • <u>A – General Criteria</u>
<p>Note</p> <p>1. Refer to Chapter 1.1.9 for activities marked with an asterisk (*) except for those outlined within the Ruakura Medium-Density Residential Zone which is outlined in 4.12 below.</p>	

Amend Chapter 6: Business Zones 1 to 7, Clauses 6.3 and 6.6 as follows (insertions underlined, deletions ~~struck out~~):

6.3 Rules – Activity Status Table

	Character (for information only)						
	Commercial fringe	Major Event Facilities	Sub-Regional centre	Large Format Retail	Suburban Centre	Neighbourhood Centre	Frankton Commercial Fringe
Business Zone	1	2	3	4	5	6	7
Buildings							
....
w. Total retail floorspace in categories u., v.i. – iv. and cc. to ee.							
i. up to 103,700m ² GFA on land zoned Business 3 on The Base site shown on Fig 6.1b	-	-	P	-	-	-	-
ii. >103,700m ² GFA on land zoned Business 3 on The Base site shown on Fig 6.1b	-	-	RD*	-	-	-	-
iii. Up to 2,500m ² GFA on land in the Te Awa Lakes Business 6 Zone (inclusive of existing retail floorspace GFA as at 1 November 2017 and including categories gg. and hh.						P	
iv. 2,500m ² to 5,000m ² GFA on land in the Te Awa Lakes Business 6 Zone						D	
v. <u>Up to 6000m² GFA on land zoned Business 6 in the Ruakura-Tuumata Structure Plan Area and including categories dda, gg and hh.</u>						<u>P</u>	
....

Chapter 6 Business 1 to 7 Zones

dd. Supermarket (excluding supermarket on land zoned Business 6 in the Ruakura- Tuumata Structure Plan Area)	RD*	NC	RD*	RD*	RD*	NC	RD*
dda. Supermarket on land zoned Business 6 in the Ruakura- Tuumata Structure Plan Area	-	-	-	-	-		
i. < 3500m ² GFA ii. > 3500m ² GFA						RD* D	
....
jj. Drive-through services							
i. excluding automotive fuel retailing	RD	RD	RD*	RD*	RD*	NC	RD
ii. automotive fuel retailing only	RD	NC	D	RD	D	NC	RD
iii. In the Te Awa Lakes Business 6 Zone (existing as at 1 November 2017)	-	-	--	-	-	P	-
iv. <u>Drive through services (automotive fuel retailing only) on land zoned Business 6 in the Ruakura- Tuumata Structure Plan Area</u>	=	=	=	=	=	<u>RD*</u>	=
....

Note

For any activity not identified above, see Section 1.1.8.1.
Refer to Chapter 1.1.9 for activities marked with an asterisk (*)

6.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a. In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives

Chapter 6 Business 1 to 7 Zones

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)
....	•
<u>xviii. New buildings, alterations and additions to buildings, and accessory buildings* in the Business 6 Zone in the Ruakura-Tuumata Structure Plan Area</u>	<ul style="list-style-type: none"> • <u>B – Design and Layout</u> • <u>N17- Ruakura: Tuumata Structure Plan – Neighbourhood Centre</u>

Note

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

Amend Chapter 11 Ruakura Industrial Park Zone, 11.1 Purpose as follows (insertions underlined, deletions ~~struck-out~~):

11 Ruakura Industrial Park Zone

11.1 Purpose

- a. The Ruakura Industrial Park Zone is an important component of the overall development concept for Ruakura. Ruakura is strategically located and is of an appropriate scale to enable the development of a large, structure planned urban extension. The core to the development concept is the creation of an Inland Port (Sub Area A (Inland Port)) and a logistics hub (Sub Area B (Logistics)).
- b. Key attributes of the three areas for the Ruakura Industrial Park Zone include its location adjoining strategic infrastructure, including the expressway, the Spine Road, the Inland Port, and key educational, research and innovation facilities and the co-locational benefits for businesses that are derived from these facilities. Its location means it also has an important role as a gateway into Hamilton.
- c. There are ~~three~~ two industrial park areas: ~~One fronts onto Wairere Drive and the proposed Fifth Avenue extension (Fifth Avenue Industrial Park)~~ The first is in the vicinity of the Silverdale area, south of the Waikato Expressway connection (Silverdale Industrial Park). The ~~third~~ second is north of the Large Lot Residential Zone (Percival and Ryburn Roads) and bounded by the Waikato Expressway on the eastern side and will have access off the Spine Road in the vicinity of Fairview Downs.
- d. The industrial park concept will be achieved by requiring a high standard of design for all buildings, landscaping and buffer areas and restricting certain types of industrial activities. This includes requiring setbacks from sensitive land uses including a 40m setback from existing residential development to the south-east of the Structure Plan area, and by putting in place an Interface Design Control Area around the periphery of the zone.
- e. The provisions also seek to ensure that the Ruakura Industrial Park Zone is not occupied by land uses that are non-industrial, unless they are either ancillary to industrial use, support industrial uses, or are more appropriately located within an industrial environment than a business centre. This will reduce the potential for industrial land to be diluted by non-industrial uses, resulting in pressure for new industrial land to be zoned elsewhere, and for existing industrial land to be rezoned to commercial use.

.....

Amend Chapter 23 Subdivision as follows (insertions underlined, deletions ~~struck out~~):

23 Subdivision

23.1 Purpose

- a. Subdivision is essentially the process of dividing a parcel of land or a building into one or more further parcels, or changing an existing boundary location. Subdivision by itself is not a use of land, however it often sets the platform for future development and land use.
- b. The development and use of land and buildings can be facilitated by subdivision. As such, the purpose of this chapter is to ensure that subdivision activities within the City are undertaken in a manner that supports the outcomes sought in the underlying zone. It is also to ensure the integrated management of the effects of the use, development or protection of land and associated natural and physical resources.

23.2 Objectives and Policies: Subdivision

Objective	Policies
<p>23.2.1 To ensure that risk to people, the environment and property is not exacerbated by subdivision.</p>	<p>23.2.1a Subdivision:</p> <ul style="list-style-type: none"> i. Does not result in increased risk of erosion, subsidence, slippage or inundation. ii. Minimises any adverse effects on water quality. iii. Ensures that a building platform can be accommodated within the subdivided allotment clear of any areas subject to natural hazards. iv. Ensures that any risks associated with soil contamination are appropriately remedied as part of the subdivision process. v. Ensures reverse sensitivity mitigation measures avoid or minimise effects such as noise associated from an arterial transport corridor or State Highway.
<p>Explanation</p>	
<p><i>The policies ensure that land is suitable for subdivision and will not increase risks to people, the environment and property.</i></p>	
Objective	Policies

<p>23.2.2 Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well designed environments.</p>	<p>23.2.2a Subdivision:</p> <ul style="list-style-type: none">i. Is in general accordance with Subdivision Design Assessment Criteria to achieve good amenity and design outcomes.ii. Is in general accordance with any relevant Structure Plan.iii. Is in general accordance with any relevant Integrated Catchment Management Plan.iv. Maintains and, where possible, enhances existing amenity values.v. Promotes energy, water and resource efficiency.vi. Provides for the recreational needs of the community.vii. Discourages cross-lease land ownership.viii. Ensures that any allotment is suitable for activities anticipated for the zone in which the subdivision is occurring.ix. Contributes to the achievement of identified residential yield requirements over time where appropriate.x. Avoids or minimises adverse effects on the safe and efficient operation, maintenance of and access to network utilities and the transport network.xi. Is avoided where significant adverse effects on established network utilities or the transport network are likely to occur.xii. Promotes connectivity and the integration of transport networks.xiii. Provides appropriate facilities for walking, cycling and passenger transport usage.
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	<p>xiv. Provides and enhances public access to and along the margins of the Waikato River and the City's lakes, gullies and rivers.</p> <p>xv. Facilitates good amenity and urban design outcomes by taking existing electricity transmission infrastructure into account in subdivision design, and where possible locating compatible activities such as infrastructure, roads or open space under or in close proximity to electricity transmission infrastructure.</p> <p>xvi. Ensures that a compliant building platform can be accommodated within the subdivided allotment outside of the National Grid Yard.</p>
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Explanation

Subdivision has a lasting impact on the built form and function of a city. These policies require that the subdivision process respond to the range of form and function matters, such as urban design and resource efficiency, identified in the policy in order to achieve good environmental and built form outcomes in Hamilton City.

Objective	Policies
<p>23.2.3 Medium-Density Residential Zone (<u>excluding Rotokauri North</u>) and Rototuna Town Centre Zone areas are developed comprehensively.</p>	<p>23.2.3a Subdivision that creates additional allotments in the Medium-Density Residential <u>Zone (excluding Rotokauri North)</u> or the Rototuna Town Centre Zone does not occur without an approved Comprehensive Development Plan or Land Development Consents for Ruakura (<u>excluding the Ruakura -Tuumata Structure Plan area</u>) and Te Awa Lakes.</p>

Explanation

Comprehensive Development Plans are a useful tool to ensure a comprehensive approach to the layout and design of medium-density development. The Board of Inquiry Decision for Ruakura included a Land Development Consent process to ensure a comprehensive approach to layout and design within the medium density development occurs.

Objective	Policies
<p>23.2.4 To ensure the provision of infrastructure services as part of the subdivision process.</p>	<p>23.2.4a Subdivision:</p> <p>i. Provides an adequate level of infrastructure and services appropriate for the proposed development.</p>

	<ul style="list-style-type: none"> ii. Takes into account and shall not compromise the infrastructural needs of anticipated future development. iii. Does not occur unless appropriate infrastructure and/or infrastructure capacity is available to service the proposed development. iv. Ensures that the capacity, efficiency, performance and sustainability of the wider infrastructure network is not compromised. v. Uses public infrastructure ahead of private infrastructure where appropriate.
Explanation	
<p><i>Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Infrastructure Technical Specifications. The Ruakura Structure Plan area includes two areas of Large Lot Residential Zones which are not anticipated to be serviced with Three Waters infrastructure, and should accommodate on-site servicing. Parts of the Future Urban Zone, where rural uses are to predominate, will also contain on-site servicing.</i></p>	
Objective	Policies
<p>23.2.5 Subdivision occurs in a manner that recognises historic heritage and natural environments.</p>	<p>23.2.5a Subdivision avoids, remedies or mitigates adverse effects on:</p> <ul style="list-style-type: none"> i. Scheduled heritage items. ii. Scheduled archaeological and cultural sites. iii. Scheduled significant trees. iv. Scheduled significant natural areas. v. The Waikato River and gullies and river banks, lakes, rivers and streams.
	<p>23.2.5b Subdivision protects, and where possible enhances any:</p> <ul style="list-style-type: none"> i. Landforms and natural features. ii. Vegetation.
	<p>23.2.5c Subdivision of land which protects and enhances the riparian margins of the Waikato River and the City's lakes, gullies and rivers.</p>

Explanation	
<i>Subdivision and the associated development of land often involves modification and this has the potential to cause or exacerbate adverse effects. These effects should be managed through the location and design of subdivision.</i>	
Objective	Policies
23.2.6 Subdivision of an existing, or an approved, development shall have suitable instruments in place to manage individual ownership, and any shared rights and interests in common.	23.2.6a To ensure that any subdivision is supported by management structures and legal mechanisms that provides certainty of, and enables effective ongoing, management, maintenance and operation of land, structures, services, apartment buildings, and common areas.
Explanation	
<i>The objective and policy ensures that the type of land tenure proposed is the most appropriate to the nature and configuration of underlying development. In the case of fee simple subdivision of apartment buildings, the means by which shared and common components are to be managed by multiple parties is clearly demonstrated and established at the time of application for subdivision.</i>	
Objective	Policies
<u>23.2.7</u> <u>Subdivision in Rotokauri North is designed comprehensively to ensure a medium-density environment with a high standard of urban design quality.</u>	<u>23.2.7a</u> <u>Enable subdivision in Rotokauri North that:</u> <ol style="list-style-type: none"> i. <u>Creates lots that are generally rectangular in shape with a greater depth than width;</u> ii. <u>Provides lots of a suitable shape and size for apartment developments;</u> iii. <u>Forms a well-connected block structure that avoids:</u> <ul style="list-style-type: none"> • <u>rear lots wherever possible; and</u> • <u>culs-de-sac, except where there is no practical alternative (e.g., adjoining the green spine) and pedestrian connectivity can still be achieved;</u> iv. <u>Maximises street or pedestrian frontage to public spaces, including at least one side of streams or drainage reserves that are longer than 250m;</u> v. <u>Maximises land efficiency to promote affordable housing while achieving clauses iii and iv above;</u> vi. <u>Can accommodate a permitted activity duplex dwelling.</u>
Explanation	

The objective reflects the overall design approach for Rotokauri North, 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). It recognises that the environment must create liveable and useable spaces. The policies require the development of urban blocks and interconnected roading networks at the time of subdivision, and for dwellings to create public fronts which address the street and encourage interaction, whilst generally ensuring that back yards are provided for private outdoor living spaces.

Achieving the Rotokauri North subdivision pattern of development through lot and urban block layout is important to establishing a high-quality medium-density living environment, and ensuring the integration of subdivision and land use outcomes, particularly where these relate to the creation of vacant fee simple lots and their subsequent development with individual houses.

Objective	Policies
<p><u>23.2.8</u> <u>Subdivision contributes to a well-functioning urban environment that is generally consistent with the Ruakura -Tuumata Structure Plan on Figure 2-14A Ruakura -Tuumata Structure Plan and Figure 2-14B Transport Corridor Cross Sections.</u></p>	<p><u>23.2.8a</u> <u>Create a block pattern that enables an integrated, well-connected neighbourhood that encourages walking and cycling by:</u></p> <ul style="list-style-type: none"> i. <u>Providing clear, direct and safe routes to business and employment areas, schools, open space and other destinations.</u> ii. <u>Establishing a transport network and design that is safe, accessible and prioritises the needs of pedestrians and cyclists.</u> iii. <u>Managing the size and shape of blocks to create a permeable and legible block pattern.</u> iv. <u>Providing safe links for pedestrians and cyclists.</u> v. <u>Reflecting approved land use consents.</u> <p><u>23.2.8b</u> <u>Enable safe and attractive urban environment with a high level of amenity by:</u></p> <ul style="list-style-type: none"> i. <u>Designing the street and lot layout to maximise access to sunlight.</u> ii. <u>Creating lots that enable buildings to front the street establishing public frontages and private backyards.</u> iii. <u>Providing road frontages to areas of public open space.</u> iv. <u>Minimising the creation of rear lots and cul de sacs.</u> v. <u>Ensuring that connectivity is provided for pedestrians and cyclists.</u> vi. <u>Enabling the provision of rear access lanes.</u> vii. <u>Enabling a range of lot sizes to provide for a mix of building typologies.</u>

23.2.8c

Create high amenity streets by designing the transport corridor to:

- i. Provide for high quality pedestrian and cycling facilities.
- ii. Provide for public transport and associated stops on identified routes on Figure 2-14A Ruakura -Tuumata Structure Plan and Figure 2-14B Transport Corridor Cross Sections.
- iii. Provide for on-street parking in recessed parking bays to ensure carriageways are kept clear from parked cars.
- iv. Include planting and landscaping and stormwater management devices.
- v. Create a safe speed environment.

23.2.8d

Minimise vehicle access being provided across separated cycleways or shared paths on identified transport corridors shown on Figure 2-14A Ruakura -Tuumata Structure Plan and Figure 2-14B Transport Corridor Cross Sections, in order to ensure a high level of safety on the footpaths and cycleways.

23.2.8e

Require rear lanes to be designed, and limit their length, to create low vehicle speeds, provide for the safety of users and make walking and cycling more attractive by minimising trip lengths.

23.2.8f

Encourage the consolidation of vehicle crossings for adjacent sites in order to minimise interruption of the footpath by vehicle crossings.

23.2.8g

Require subdivision to provide for areas of open space that are:

- i. Located in areas that are accessible to pedestrians.
- ii. Of a size and frequency suitable for the density expected in the Ruakura - Tuumata Structure Plan area and consistent with Council's Open Space Provision Policy.
- iii. Designed to be safe and useable for people of all abilities.

23.2.8h

	<u>Enable larger lots, including super lots, where they are to be used to provide for future development and subdivision stages.</u>
	23.2.8i <u>Enable subdivision around residential development in the Tuumata Residential Precinct that is a permitted activity or has an approved land use consent.</u>
<u>Explanation</u>	
<u>The objective and policies reflect the overall design approach for the Ruakura-Tuumata Structure Plan area, which is to create a well-functioning urban environment featuring a block pattern that enables an integrated, well-connected neighbourhood, that encourages walking and cycling, with areas of open space and a comprehensive approach to stormwater management.</u>	
<u>Achieving the pattern of development anticipated in the Ruakura-Tuumata Structure Plan area through lot and urban block layout is important to establishing a high-quality living environment for subsequent development.</u>	

23.3 Rules – Activity Status Tables

Table 23.3a: General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 to 7, Industrial, Knowledge, Ruakura Logistics, Ruakura Industrial Park, Future Urban, All Open Space, Major Facilities, Community Facilities and Transport Corridor Zones and All Hazard Areas

Activity	General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 – 7, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park Zones	Future Urban Zone	All Open Space Zones, Major Facilities, Community Facilities, Transport Corridor Zones	All Hazard Areas
For Medium-Density Residential, Rototuna Town Centre Zone and Te Rapa North Industrial Zone see Table 23.3b below. For Special Character Zones see Table 23.3c below. For Rotokauri North see Table 23.3d below. For the Ruakura-Tuumata Structure Plan area see Table 23.3e below.				
i. Boundary adjustments	P	RD	P	RD
ii. Amendments to cross-lease, unit-titles and company lease	P	P	P	P

plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings				
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor	RD	RD	RD	D
v. Fee simple subdivision* (includes fee simple subdivision of apartment buildings)	RD*	RD*	RD*	D
vi. Cross-lease subdivision	NC	NC	NC	NC
vii. Company-lease subdivision*	RD*	RD*	RD*	D
viii. Unit-title Subdivision*	RD*	RD*	RD*	D
ix. Leasehold Subdivision	RD	RD	RD	D
x. Subdivision involving any allotment within the Electricity National Grid Corridor	RD	RD	RD	D
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedules 8A and 8B	D	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	D	D	D	D

Table 23.3b: Medium-Density Residential Zones (excluding Rotokauri North) and Rototuna Town Centre Zones, and Te Rapa North Industrial Zone

Activity	Medium-Density Residential and Rototuna Town Centre Zones		Ruakura and Te Awa Lakes Medium-Density Residential Zone	Te Rapa North Industrial Zone			
	Without an approved CDP	As part of or after a CDP has	With an approved LDC or an LDC with	Deferred Industrial outside	Within Stage 1A without	Within Stage 1A	Te Rapa Dairy Manufacturing Site?

		been approved	subdivision activity	of Stage 1A	at a CDP	after a CDP	
<p>For General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 to 7, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park, Future Urban, all Open Space, Major Facilities, Community Facilities and Transport Corridor Zones, and all Hazard Areas see Table 23.3a above. For Special Character Zones see Table 23.3c below.</p>							
i. Boundary adjustments inclusive where no LDC exists for Ruakura and Te Awa Lakes Medium-Density Residential Zone	P	P	P	P	P	P	P
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	P	P	P	P	P	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura and Te Awa Lakes Medium-Density Residential Zone	RD	RD	RD	RD	D	RD	RD
v. Fee simple subdivision	NC	D	RD*	NC	D	RD*	RD*
vi. Cross-lease subdivision*	NC	NC	NC	NC	NC	NC	NC
vii. Company-lease subdivision	NC	RD	RD	NC	D	RD	RD

viii. Unit-title Subdivision*	NC	RD*	RD*	NC	D	RD*	RD*
ix. Leasehold Subdivision	NC	RD	RD	NC	D	RD	RD
x. Subdivision involving any allotment within the Electricity National Grid Corridor	NC	RD	RD	RD	D	RD	RD
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedules 8A and 8B	NC	D	D	NC	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	NC	D	D	NC	D	RD	RD

Table 23.3c: Special Character Zones

Activity	All Special Character zones		Special Natural Zone		Rototuna North East Character Zone, Special Residential Zone, Special Heritage Zone and Special Natural Zone
	Temple View Zone	Peacocke Character Zone	Lot 2 DP425316		
		Without an approved Master Plan	As part of or after a Master Plan has been approved	Without an Approved CDP	As part of an application for a CDP or after a CDP has been approved
<p>For Medium-Density Residential, Rototuna Town Centre Zone and Te Rapa North Industrial Zone see Table 23.3b above. For General Residential, Residential Intensification, Large Lot Residential, Central City, Business 1 – 7, Industrial, Knowledge, Ruakura Logistics and</p>					

Ruakura Industrial Park, Future Urban, all Open Space, Major Facilities, Community Facilities, and Transport Corridor Zones, and all Hazard Areas see Table 23.3a above.

i. Boundary adjustments	RD	RD	RD	RD	RD	P
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	P	P	P	-	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	-	-	P
iv. Subdivision to accommodate a: - network utility service or - transport corridor	RD RD	RD RD	RD RD	RD NC	D D	RD RD
v. Fee simple subdivision*	D	-	-	NC	D	RD*
a. Fee Simple Subdivision within the Peacocke Character Zone for lots greater than 10ha	-	RD	RD	-	-	-
b. Fee Simple Subdivision within the Peacocke Character Zone for lots between 10ha and 2ha in the Terrace Area and between	-	D	D	-	-	-

10ha and 5000m ² in the Gully and Hill Areas						
c. Fee Simple Subdivision within the Peacocke Character Zone for lots less than 2ha in the Terrace Area and less than 5000m ² in the Gully and Hill Areas	-	NC	D	-	-	-
d. Subdivision within the Peacocke Character Zone to establish a Master Plan neighbourhood area according to Volume 2, Appendix 2, Figure 2-3 Peacocke Structure Plan – Character Areas and Neighbourhoods	-	D	D	-	-	-
e. Boundary relocation	-	D	D	D	D	-
vi. Cross-lease subdivision	NC	NC	NC	NC	NC	NC
vii. Company-lease subdivision*	D	NC	D	NC	D	RD*
viii. Unit-Title subdivision*	D	NC	D	NC	D	RD*
ix. Leasehold subdivision	D	NC	D	NC	D	RD
x. Subdivision involving any allotment within the Electricity	-	-	-	-	-	RD

National Grid Corridor						
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedule 8A and 8B	D	D	D	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	D	D	D	NC	D	D

Table 23.3d: All zones in Rotokauri North

<u>Activity</u>	<u>Activity Status</u>
i. <u>Boundary adjustments</u>	<u>P</u>
ii. <u>Amendments to unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings</u>	<u>P</u>
iii. <u>Subdivision to accommodate a network utility service or transport corridor</u>	<u>RD</u>
iv. <u>Cross-lease subdivision</u>	<u>NC</u>
v. <u>Company-lease subdivision*</u>	<u>RD*</u>
vi. <u>Unit-title Subdivision*</u>	<u>RD*</u>
vii. <u>Leasehold Subdivision</u>	<u>RD</u>
viii. <u>Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C</u>	<u>RD</u>
ix. <u>Fee simple subdivision*:</u>	<u>RD*</u>
a. <u>Any subdivision not in accordance with the Rotokauri North Structure Plan (Figure 2-8A)</u>	<u>D</u>
b. <u>Any fee simple subdivision which creates a rear lot</u>	<u>NC</u>
c. <u>Creation of any vacant lots not meeting the minimum lot size specified in Rule 23.7.1 below</u>	<u>NC</u>

d. <u>Creation of any vacant lots not meeting the minimum lot dimensions specified in Rule 23.7.8 below</u>	<u>D</u>
e. <u>Any subdivision not meeting the block layout dimensions or minimum specified in Rule 23.7.8 below</u>	<u>D</u>
f. <u>Any subdivision with access not meeting Rule 23.7.8 below</u>	<u>D</u>
g. <u>Any subdivision to create road to vest that does not meet the minimum widths in 23.7.8</u>	<u>D</u>
x. <u>Any subdivision which results in a permanent cul-de sac</u>	<u>D</u>
xi. <u>Subdivision in accordance with a land use consent</u>	<u>RD*</u>
xii. <u>Subdivision of a duplex which meets Rule 4.7.12.a to create fee simple titles</u>	<u>RD*</u>
xiii. <u>Subdivision of apartments to create fee simple or unit titles.</u>	<u>RD*</u>

Table 23.3e: All zones in the Ruakura -Tuumata Structure Plan Area, including the Tuumata Residential Precinct

<u>Activity</u>	<u>Activity Status</u>
i. <u>Boundary adjustments</u>	<u>P</u>
ii. <u>Amendments to unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings</u>	<u>P</u>
iii. <u>Subdivision to accommodate a network utility service, open space or transport corridor</u>	<u>RD</u>
iv. <u>Cross-lease subdivision</u>	<u>RD</u>
v. <u>Company-lease subdivision*</u>	<u>RD*</u>
vi. <u>Unit-title Subdivision*</u>	<u>RD*</u>
vii. <u>Leasehold Subdivision</u>	<u>RD</u>
viii. <u>Fee simple subdivision*:</u>	<u>RD*</u>
a. <u>Any subdivision not in general accordance with the Ruakura -Tuumata Structure Plan Area (Figures 2-14A and 2-14B)</u>	<u>D</u>
b. <u>Any fee simple subdivision which creates a rear lot in the Tuumata Residential Precinct</u>	<u>D</u>
c. <u>Creation of any vacant lots not meeting the minimum lot size specified in Rule 23.7.1 below</u>	<u>D</u>

d. <u>Creation of any vacant lots not meeting the minimum lot dimensions specified in Rule 23.7.9 below</u>	<u>D</u>
e. <u>Any subdivision not meeting the block layout dimensions or minimum specified in Rule 23.7.9 below</u>	<u>D</u>
f. <u>Any subdivision with access not meeting Rule 23.7.9 below</u>	<u>D</u>
g. <u>Any subdivision to create road to vest that does not meet the minimum widths in 23.7.9</u>	<u>D</u>
ix. <u>Any subdivision which results in a permanent cul-de sac</u>	<u>D</u>
x. <u>Subdivision for the purpose of the construction and use of residential units that are a permitted activity or have an approved land use consent in the Tuumata Residential Precinct.</u>	<u>C*</u>
xi. <u>Subdivision not meeting rule 23.6.15</u>	<u>D</u>

Public and limited notification is precluded of a subdivision associated with an application for the construction and use of residential units in the Tuumata Residential Precinct where:

- i) the application is for the construction and use of 1, 2, or 3 residential units that do not comply with 1 or more of the standards in 4.15; or
- ii) the application is for the construction and use of 4 or more residential units that comply with the standards in 4.15.

Public and limited notification is precluded of a subdivision in the Tuumata Residential Precinct where the subdivision where:

- i) The subdivision is associated with the construction and use of residential units that are a permitted activity; or
- ii) The subdivision is in accordance with an approved land use consent where that consent is for the purpose of the construction and use of residential units.

Note

1. Consultation with Transpower New Zealand Limited (or its successor) is advised when considering subdivision within the Electricity National Grid Corridor. Transpower New Zealand will be an affected party for any development requiring resource consent for a subdivision under or adjacent to high voltage transmission lines.

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

For any activity not identified above, see Section 1.1.8.1.

23.4 Rules – Application of the Transport Corridor Zone

- a. After 13 November 2012 land that is vested in the Council or the Crown as road pursuant to any enactment or provision in this plan, and has been formed as road to Council's required standards, then from the date of formation of the road, the land shall be subject to the rules in the Transport Corridor Zone but shall retain its current zoning.

23.5 Rules – General Standards

23.5.1 Telecommunication, Electricity, Gas and Computer Media

- a. Telecommunication, electricity, gas and ducting for computer media shall be provided at the time of subdivision, in accordance with the requirements of the relevant network utility operator and the relevant standards of the applicable zone.
- b. Telecommunication, electricity, gas and ducting for computer media shall be underground where possible.

Note

1. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.*

23.5.2 Provision of Esplanade Reserves and Strips

- a. An Esplanade Reserve or Esplanade Strip of not less than 20m measured from the edge of any river or lake shall be set aside and vested in Council in accordance with section 231 of the Act where any subdivision of land results in the creation of an allotment that adjoins the banks of:
 - i. The Waikato River.
 - ii. The margins of Lake Rotoroa (Hamilton Lake).
 - iii. Any watercourse where the average width of the bed is 3m or more where the river flows through or adjoins an allotment.
 - iv. Where a reserve or road of less than 20m width already exists along the edge of any river or lake, then additional land shall be vested to increase the minimum width to 20m.

23.5.3 Provisions in Other Chapters

- a. The provisions of the following chapters apply to activities within this chapter where relevant.
 - Chapter 3: Structure Plans
 - Chapter 25: City-wide

23.6 Rules – Specific Standards

- a. The standards of Rule 23.6 shall not apply to the subdivision of land to accommodate a network utility service.

23.6.1 Subdivision in the Ruakura Structure Plan Area

- a. Any subdivision which creates new allotments in the Ruakura Structure Plan area cannot initiate land use or development which is contrary to Rules 3.7.4.1 to 3.7.4.5 and Rule 3.7.5 of Chapter 3: Structure Plans, except as provided for within the Large Lot Residential Zone.
- b. A consent notice may be registered against the title of any new allotment to ensure compliance with the Ruakura Structure Plan area rules in Rules 3.7.4.1 to 3.7.4.5 and Rule 3.7.5 of Chapter 3: Structure Plans.
- c. Any subdivision which creates new allotments, and is in accordance with (a) and (b) above where applicable, shall be in accordance with the zoning of the land as identified on the Planning Maps and
- d. d in accordance with Rule 3.7.4.1.

23.6.2 Company Leases and Unit Title Subdivision

- a. Where an allotment is subject to an application for subdivision consent by way of company lease or unit title subdivision the following rules shall apply.
 - i. All existing buildings to which the subdivision relates shall have:
 - Existing use rights.
 - Been erected in accordance with a resource consent or certificate of compliance and building consent has been issued.
 - Comply with any relevant standards.
 - b. All areas to be set aside for the exclusive use of each building or unit shall be shown on the survey plan, in addition to any areas to be used for common access or parking or such other purpose.
 - c. In all staged subdivisions, provision shall be made for servicing the building or buildings and all proposed future buildings on the allotment.
 - d. Where subdivision consent has been approved, no alterations shall be made to the position of the boundary lines delineated on the survey plan, or otherwise defined, without further subdivision consent.
 - e. A design report shall be submitted detailing the effects of the proposed subdivision on the existing buildings pursuant to Section 116A of the Building Act 2004.
 - f. If alterations to buildings are necessary to fulfil the requirements of the Building Act or conditions of subdivision consent, they shall be undertaken in terms of a building consent and completed before the issue of a certificate under Section 224 of the Resource Management Act 1991. Such alterations shall comply with the relevant standards of the relevant zone and this chapter.

23.6.3 Amendments to a Cross-lease, Company Lease or Unit Title Plan

- a. The amendments shall be for the purpose of showing alterations to existing buildings or additional lawfully established buildings.
- b. The alteration shall be either permitted or otherwise lawfully established.

23.6.4 Cross-lease to Fee Simple Subdivision

- a. The proposed boundaries shall align with those exclusive use area boundaries on the cross-lease plan. Where no exclusive use areas are shown on the cross lease plan the boundaries shall align with the exclusive and established pattern of occupation associated with the existing underlying development.
- b. Where required to protect services, easements shall be provided.
- c. Rule 23.7 – Subdivision Design Standards shall not apply to subdivisions under this rule.
- d. The relevant land use rules in the respective zones (excluding Chapter 25.13 Three Waters) shall not apply to existing legally established buildings.

23.6.5 Leasehold Subdivision

Where an allotment is subject to an application for subdivision consent by way of leasehold subdivision the following rules shall apply where relevant.

- a. Section 23.4 Application of the Transport Corridor
- b. Section 23.5 Rules - General Standards
- c. Section 23.6 Rules - Specific Standards
- d. Section 23.7 Subdivision Design Standards

23.6.6 Boundary Adjustments

- a. Any boundary adjustment shall not result in the creation of additional allotments, except in circumstances where a boundary adjustment creates an additional allotment or allotments which are required to be held together with another allotment or allotments by way of compulsory amalgamation condition.
- b. Any boundary adjustment shall not alter the size of an existing allotment by greater than 10% of the registered allotment size.
- c. Any allotment subject to a boundary adjustment shall comply with all relevant development and performance standards.
- d. Where required to protect services, easements shall be provided.

23.6.7 Subdivision Activities within the Electricity National Grid Corridor

- a. Any subdivision which creates new allotments within the Electricity National Grid Corridor shall identify a building envelope, compliant with the relevant zone standards and the standards of this Chapter and clear of the National Grid Yard.
- b. Failure to comply with the above standard will result in the proposal being assessed as a non-complying activity.

23.6.8 Subdivision in the Medium-Density Residential Zones and Rototuna Town Centre Zone (excluding Rotokauri North Medium Density Residential Zone)

- a. Subdivision shall only take place in conjunction with a Comprehensive Development Plan or Land Development Plan application or after a Comprehensive Development Plan or Land Development Plan application has been granted. References to Land Development Plan in this rule relate to the Te Awa Lakes Medium-Density Residential Zone.
- b. Allotment area and configuration shall conform to the allotment areas approved as part of the land-use consent.
- c. A consent notice shall be registered against the title of each allotment to ensure compliance with the terms of the land-use consent.
- d. The standards in Rule 23.6.8.a to c. do not apply to subdivision to accommodate a network utility service or transport corridor.
- e. Subdivision in Land Development Plan Areas Q and R and Area X in the Business 6 Zone, shown on Figure 2-21 in Appendix 2 Structure Plans, that does not comply with a. above is a prohibited activity.

Note

1. Refer to Rule 23.6.1 for Medium-Density Residential Subdivision in the Ruakura Structure Plan area

23.6.9 Subdivision in the Te Rapa North Industrial Zone

- a. Subdivision occurring in Stage 1A shall only occur over the following land areas:
 - i. Post the Te Rapa section of the Waikato Expressway being open for public use, and prior to 1 January 2021 no more than 7ha of land shall be able to be subdivided; 7ha only in Stage 1A.
 - ii. After 1 January 2021 a maximum of 23ha of land shall be able to be subdivided, 23ha in Stage 1A, being additional to the 7ha provided for Stage 1A prior to 2021.

23.6.10 Subdivision Within Stage 1 of the Peacocke Structure Plan Area

- a. As part of any subdivision of Sec 1 SO 57582 or the balance of this parent lot, the following infrastructure requirements shall be met and certified by Council.
 - i. Upgrading of the existing wastewater network to provide for future development on the site.
 - ii. Implement a solution at the Dixon Road and State Highway 3 intersection that mitigates the adverse effects of potential traffic volumes from within Stage 1.
 - iii. Any subdivision that does not comply with i. and ii. above will be a non-complying activity.

23.6.11 Subdivision in the Peacocke Character Zone

Activity	Standards	
	Terraced Area	Gully Area and Hill Areas
a. Fee Simple Subdivision for lots greater than 10ha	180m frontage onto a formed and sealed legal road forming part of the City's transport network	
b. Fee Simple Subdivision for lots between 10ha and 2ha in the Terrace Area and between 10ha and 5000m ² in the Gully and Hill Areas	1. Lots between 10ha and 2ha <ul style="list-style-type: none"> i. Only applies to allotments created prior to 1 September 2011 or if the allotment was created by an acquiring authority, or by boundary adjustment ii. Limited to one new lot per parent title, other than for utility and access allotments 	2. Lots between 10ha and 5000m ² <ul style="list-style-type: none"> i. Only applies to allotments created prior to 1 September 2011 or if the allotment was created by a requiring authority, or by boundary adjustment ii. Average lot Size = 1ha iii. Limited to one new lot per parent title other than for utility and access allotments
	Note <ul style="list-style-type: none"> 1. A simple Integrated Transport Assessment (ITA) is required as part of the subdivision consent information requirements (refer {Link, 6163,Rule 25.14.3}) 2. A Subdivision Concept Plan is required as part of the subdivision consent information requirements (refer Volume 2, Appendix 1.2.2.2c) 	
c. Fee Simple Subdivision for lots less than 2ha in the Terrace Area and less than 5000m ² in the Gully and Hill Areas	1. Lots Less than 2ha <ul style="list-style-type: none"> i. Provide full urban infrastructure ii. Connection to the existing wastewater network to the satisfaction of Council iii. Provision of a transport corridor connection across the Waikato River to join with the existing transport network 	2. Lots less than 5000m ² <ul style="list-style-type: none"> i. Provide full urban infrastructure ii. Connection to the existing wastewater network to the satisfaction of Council iii. Provision of a transport corridor connection across the Waikato River to join with the existing transport network
	Note	

	1. A Master Plan is required as part of the subdivision consent information requirements (refer Volume 2, Appendix 1.2.2.3)
d. Boundary Relocation Subdivision	<ul style="list-style-type: none"> i. Minimum lot size of 5000m² ii. Shall not create any additional certificates of title. iii. All lots involved in the subdivision shall have formed and legal vehicle access iv. A concept plan shall be prepared showing how the allotments in the subdivision can be subsequently re-subdivided in accordance with Volume 2, Appendix 1.2.2.2

- e. Any subdivision, other than for urban purposes, shall be required to have a consent notice placed on all titles issued from the subdivision (including the parent lot) requiring the payment of any outstanding development contributions prior to the subdivision of the title for urban purpose being allowed.
- f. Except that the lots approved via subdivision consents (Council Consent Reference Numbers: 11.2009.20620, 11.2009.20621, 11.2099.20769, 11.2009.20770, 11.2007.18574, and 11.2011.22366) granted over the land described as Pt Lot 6 DP 34164, Lot 1 DPS 12991, Lot DPS 78023, Lot 1 DPS 76734, Lot 5 DPS 45202, Lot 2 DP 23381, Lot 5 DP 17475 Lot 8 DP 34164, Allotment 87, Pt Allotment 93 and Pt Allotment 94 Te Rapa PSH, Lot 3 DPS 45202, lots 1, 2 and 3 DPS 40592 and Lots 1, 2, 3, and 4 DPS 81210 can be used to create up to 52 lots for urban purposes without complying with Rule 23.6.10.c.1 or 2 provided that:
 - i. A wastewater system sufficient to service urban purposes is provided and certified by Council.
 - ii. A stormwater disposal solution is provided and certified by Council.
 - iii. A Master Plan for the area of not less than one neighbourhood, as identified within Volume 2, Appendix 2, Figure 2-3. Refer to Volume 2, Appendix 1.2.2.3 for information requirements.
 - iv. No further subdivision creating additional allotments is permitted unless Rule 23.6.11.c.1 or 2 is complied with.
- g. Any subdivision for urban purposes that is in accordance with an approved Master Plan shall not be required to prepare an Integrated Catchment Management Plan.
- h. Any subdivision for urban purposes that is in accordance with an approved Master Plan shall not be required to prepare an Integrated Transport Assessment.
- i. Any subdivision within the Peacocke Character Area which does not comply with the standards in Rule 23.6.11 will be a non-complying activity.

23.6.12 Subdivision in the Rototuna North East Character Zone

- a. The maximum development yield shall be 1100 residential units.
- b. The provision of a neighbourhood park area:

- i. The first subdivision of land adjoining the Waikato Expressway designation (Designation E90) shall submit for approval as part of the subdivision, a neighbourhood park concept plan, consisting of detailed plans and supporting documentation for the entire future reserve area as located on the Rototuna Structure Plan.
 - ii. The neighbourhood park shall:
 - Ensure varied widths no less than 20m.
 - Address and accommodate topographical constraints to ensure usability of the area for informal recreation.
 - Include flat open spaces for informal recreational.
 - Include one area of between 300m² and 800m² for the provision of a children's play area. The location and design of this plan area shall ensure the safe operation of the playground and shall have regard to any stormwater attenuation areas and the roading and cycling network. Where necessary, additional safety measures will be taken, such as fencing.
 - Include landscaping areas to provide an interesting and varied visual amenity for the area. These areas are to include varied vegetated areas (with the exception of the proposed Cycle and Walking access point across the Waikato Expressway, stormwater attenuation areas and identified viewing areas shown on the Rototuna Structure Plan) having a minimum planting width of 2m when parallel to the boundary of the Waikato Expressway, and consisting of native vegetation capable of reaching heights of at least 8m at maturity.
 - Reflect the principles of Crime Prevention Through Environmental Design (CPTED).
 - Include both a walking and cycling network in accordance with the Rototuna Structure Plan.
 - Show how the area will relate to its surrounding area, including the Waikato Expressway.
 - iii. Any subdivision of land adjoining the Waikato Expressway (Designation E90) shall have regard to and implement the portion of the approved neighbourhood concept plan over the land area the subdivision is for at the time of subdivision.
- c. At the time of subdivision of land and only if either the location of the carriageway within the designation corridor of the Waikato Expressway has been confirmed in writing by the Requiring Authority; or confirmed through an Outline Plan of Works approval under S.176A of the RMA; or construction is underway or completed; the following shall be identified on the subdivision plan to be submitted for consent:
- i. A 55dB_LA_{eq}(24hr) contour line from the Waikato Expressway carriageway boundary utilising the following criteria:

- Traffic flow of 12700 vpd
 - 10%HCV
 - Vehicle speed of 100km/hr (or the posted speed limit if that is lower)
 - Noise mitigation as confirmed by an approved Outline Plan of Works for Designation E90
 - Finished ground levels based on the proposed subdivision design
- ii. Identification of all lots where any boundary is intersected by the 55 dBLAeq(24hr) contour line.

23.6.13 Subdivision of Lot 2 DP425316 Lake Waiwhakareke Landscape Character Area

Subdivision shall only take place in conjunction with a Comprehensive Development Plan application or after a Comprehensive Development Plan application has been granted.

23.6.14 All Subdivision in the Te Awa Lakes Structure Plan area

- a. A consent notice shall be registered against the title of each allotment to ensure compliance with the terms of the land use consent relating to the management and eradication of alligator weed.

23.6.15 All Subdivision in the Ruakura -Tuumata Structure Plan Area as shown on Figure 2-14A at Appendix 2

- a. A maximum of 430 residential lots can be created prior to the construction and operation of the Fifth Ave extension connecting to the Eastern Transport Corridor.
- b. A neighbourhood park generally in the location identified on the Ruakura-Tuumata Structure Plan Figure 2-14A shall be vested in the Council with the subdivision of land adjoining the neighbourhood park location. The neighbourhood park shall be in accordance with the standards in 23.7.9:

23.7 Subdivision Design Standards

- a. The standards of Rule 23.7 shall not apply to the subdivision of land to accommodate a network utility service.
- b. The standards of Rule 23.7.1 shall not apply to:
- i. The unit title subdivision of existing lawfully established buildings; or
 - ii. The fee simple subdivision of existing lawfully established duplex dwellings

Provided that all relevant development and performance standards are met in relation to the proposed boundaries around that building or unless otherwise authorised by resource consent.

23.7.1 Allotment Size and Shape

Zone	Minimum Net Site Area	Max Net Site Area	Min Shape Factor
a. General Residential Zone (unless otherwise stated)	400m ²	-	15m-diameter circle
b. General Residential Zone (within the Rototuna Structure Plan Area)	400m ²	-	15m-diameter circle
c. General Residential Zone (adjoining the Waikato Expressway)	1000m ²	-	-
d. Residential Intensification Zone	350m ²	-	-
e. Special Residential Zone	Front, corner or through site – 600m ²	-	15m-diameter circle
	Rear Site – 400m ²	-	15m-diameter circle
f. Large Lot Residential – SH26, Ruakura Structure Plan area	2500m ²	-	15m-diameter circle
g. Large Lot Residential – Percival/Ryburn Rd, Ruakura Structure Plan area	2ha Except for Lot 8 DP 9210-5000m ²	-	Rule 23.7.1.w. applies
h. Rototuna North East Character Zone	500m ²	-	15m-diameter circle
i. Special Heritage Zone (unless otherwise stated)	600m ²	-	15m-diameter circle
j. Special Natural Zone (Lake Waiwhakareke Landscape Character Area)	350m ²	800m ² where a boundary to a site is adjoining the Lake Waiwhakareke Heritage Park or is separated from it only by a road reserve.	15m-diameter circle

k. Special Natural Zone (Ridgeline Character Area)	600m ²	-	15m-diameter circle
l. Peacocke Character Zone (Terrace Area)	200m ²	-	15m-diameter circle Medium-Density Residential – N/A
m. Peacocke Character Zone (Gully Area)	800m ²	-	15m-diameter circle
n. Peacocke Character Zone (Hill Area where slopes are less than 5 Degrees)	400m ²	800m ²	15m-diameter circle
o. Peacocke Character Zone (Hill Area where slopes are greater than 5 Degrees)	800m ²	-	15m-diameter circle
p. Temple View Zone (Within the Character Areas)	600m ²	-	15m-diameter circle
q. Temple View Zone (As part of a Duplex within precinct 1, 2, 3 and 4)	Duplex dwelling = 200m ² per unit (400m ² per duplex)	-	-
r. Central City Zone, Knowledge Zone, Business 1 to 7 Zones	1,000m ²	-	20m-diameter circle
s. Industrial Zone, Rotokauri Employment Area and Riverlea Industrial Area	Front, corner or through site – 1,000m ²	-	Rule 23.7.1.bb. applies
	Rear sites – 500m ²	-	Rule 23.7.1.bb. applies
t. Te Rapa North Industrial Zone	500m ²	-	Rule 23.7.1.bb. applies
u. Ruakura Logistics Zone	3000m ²	-	Rule 23.7.1.bb. applies
v. Ruakura Industrial Park Zone	3000m ² Except up to a maximum of 20% of sites for each subdivision stage shall have a minimum net site area of 1000m ² for front sites and 500m ² for rear sites.	-	Rule 23.7.1.bb. applies
w. Ruakura Industrial Park Zone LDP Areas T & G	Front, corner or through site- 1000m ²	-	Rule 23.7.1.bb. applies

	Rear Sites – 500m ²	-	Rule 23.7.1.bb. applies
x. Future Urban Zone	10ha	-	-
y. Te Awa Lakes Medium-Density Residential Zone lots that adjoin any existing or proposed esplanade reserve adjacent to the Waikato River (River Interface Overlay)	1000m ²	-	15m diameter circle
z. <u>Rotokauri North Medium-Density Residential Zone - applies to vacant lots only</u>	<u>280m²</u>		
aa. <u>Tuumata Residential Precinct - applies to vacant lots only</u>	<u>300m²</u>	=	=

23.7.2 Subdivision Suitability

- a. All subdivisions creating fee simple allotments shall ensure that new allotments (excluding any utility, road or reserve allotment, or allotment subject to amalgamation) are of a size and shape to enable activities anticipated in the zone.
- b. Where allotments are proposed that contain existing development on the existing title,
 - i. The applicable general and specific standards for the zone and activity under consideration shall be complied with for each allotment; and
 - ii. The applicable standards in Chapter 25 – City Wide shall be complied with for each allotment.

Note

For the avoidance of doubt, Rule 23.7.2.b does not apply to an infringement that has existing use rights or was approved under a Land Use Resource Consent.

- c. Where allotments are proposed that contain development that has been approved under separate land use consent, compliance with the approved layout shall be achieved as part of the subdivision.
- d. Where b. or c. is not complied with, a concurrent application for land use consent for the identified areas of non-compliance with the applicable general and specific standards, or the approved layout shall be made.

23.7.3 General Residential Zone, and All Special Character Zones

a. Minimum transport corridor boundary length for a front site (except in the Terrace area of the Peacocke Character Zone and within the Character Areas of the Temple View Zone)	15m
b. Minimum transport corridor boundary length for a front site within the Terrace area of the Peacocke Character Zone and within the Character Areas of the Temple View Zone	10m
c. Minimum rear boundary length of a front site	10m
d. Maximum number of allotments served by a single private way	20
e. Minimum private way width serving 1-6 allotments	3.6m
f. Minimum private way width serving 7 – 20 principal units where access forms common property under a unit title arrangement or, 7-9 units (where access is part of a fee simple subdivision)	6m
g. Minimum width of vehicle access (to be formed and vested as public road) serving 10-20 fee simple lots	16m
h. Minimum width of vehicle access to be formed and vested as public road: i. Serving more than 20 allotments (Local Road) ii. Serving more than 20 allotments (Collector Road on Structure Plan)	20m 23m
i. Maximum private way gradient	1:5m
j. Maximum private way length	100m (with passing every 50m)
k. Maximum cul-de-sac length, including private way	150m
l. Maximum number of private ways accessing directly on to a cul-de-sac turning head	1
m. Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0
n. Maximum pedestrian accessway length through a block	80m
o. Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide
p. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

Note

Standard 23.7.3 only has immediate legal effect when subdivision occurs in the Special Heritage Zone or Heritage Area of the Temple View Zone, as shown on Planning Map 60B.

23.7.4 Large Lot Residential Zone

a. Minimum transport corridor boundary length for a front site	40m
b. Minimum rear boundary length of a front site	10m
c. Maximum number of allotments served by a single private way	6
d. Minimum private way width serving 1-6 allotments	3.6m
e. Public road serving 7 – 20 allotments	16m
f. Public road serving more than 20 allotments (Local Road)	20m
g. Public road serving more than 20 allotments (Collector Road)	23m
h. Maximum private way gradient	1:5m
i. Maximum private way length	100m with passing every 50m
j. Maximum cul-de-sac length	150m
k. Maximum number of private ways accessing directly on to a cul-de-sac turning head	0
l. Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0
m. Maximum pedestrian accessway length through a block	80m
n. Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide
o. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

23.7.5 Residential Intensification Zone

a. Minimum transport corridor boundary length for a front site	15m
b. Minimum rear boundary width of a front site	10m
c. Minimum private way width serving 1-4 allotments	3.5m
d. Minimum private way width serving 7 – 20 principal units where access forms common property under a unit title arrangement	6m

e. Minimum width of vehicle access (to be formed and vested as public road) serving 7-20 fee simple lots	16m
f. Minimum width of vehicle access to be formed and vested as public road <ul style="list-style-type: none"> i. Serving more than 20 allotments (Local Road) ii. Serving more than 20 allotments (Collector Road) 	20m 23m
g. Maximum private way gradient	1:5
h. Maximum private way length	100m
i. Maximum pedestrian accessway length through a block	80m
j. Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide
k. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

23.7.6

Business 1 to 7 Zones, Te Rapa North Industrial Zone, Ruakura Industrial Park Zone, Ruakura Logistics Zone and Industrial Zone

a. Minimum transport corridor boundary length	8m
b. Minimum transport corridor boundary length adjoining a major arterial transport corridor	20m
c. Minimum access or private way width serving an allotment with a net site area of less than 2000m ²	8m
d. Minimum access or private way width serving an allotment with a net site area of 2000m ² –5000m ²	10m
e. Minimum access or private way width serving an allotment with direct access to a major arterial transport corridor	10m
f. Minimum private way width serving 1-5 allotments	10m
g. Maximum private way gradient	1:8
h. Maximum private way length	100m
i. Maximum pedestrian accessway length	80m
j. Minimum pedestrian accessway width	40m or less in

	length: 6m wide 41m – 60m in length: 9m wide 61m – 80m in length: 12m wide
k. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

23.7.7

Ruakura and Te Awa Lakes Medium-Density Residential Zone

a. Minimum lot width of front and rear boundary for front sites; except up to a maximum of 10% of sites for each subdivision stage shall be no less than 10m.	12m
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23.7.8

Rotokauri Northa. Vacant fee simple residential lots:

i. <u>Minimum transport corridor boundary length</u>	<u>12.5m</u>
ii. <u>Minimum transport corridor boundary length if:</u> <ul style="list-style-type: none"> • <u>A legal mechanism (consent notice) restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width up to 3.2m; OR</u> • <u>A rear lane provides legal vehicle access</u> 	<u>10m</u>
iii. <u>Minimum lot depth</u>	<u>28m</u>
iv. <u>For corner lots only one transport corridor boundary needs to meet the minimum length and the minimum depth needs only be achieved along one side boundary.</u>	

b. Vacant fee simple lot subdivisions:

i. <u>Maximum urban block length</u>	<u>250m</u>
ii. <u>Maximum urban block perimeter (bounded by roads)</u>	<u>750m</u>
iii. <u>For clarity the measurements above may be curvilinear and include frontage to a green linkage or reserve or proposed reserve</u>	

c. All rear lanes and roads:

i. <u>Minimum legal width of a two-way rear lane</u>	<u>7m</u>
ii. <u>All rear lanes to be formed and drained with a permanent sealed or paved all-weather, dust-free surface and in a manner suitable for the type and quantity of vehicles using the site, except permeable pavements are permitted where hydraulic connectivity of the soil, the</u>	

<u>depth of the water table below ground level and the freeboard available at the site are appropriate.</u>	
iii. <u>Each rear lane shall:</u> • <u>Be connected to a transport corridor at at least two locations.</u> • <u>Have a legal mechanism for ownership and ongoing maintenance of the lane.</u>	
iv. <u>Local Road minimum legal width (to be vested)</u>	<u>16.6m</u>
v. <u>Collector Road minimum legal width (to be vested)</u>	<u>20.8m</u>

23.7.9 Ruakura - Tuumata Structure Plan Area as shown on Figure 2-14A at Appendix 2 (all zones)

a. Vacant fee simple residential lots:

i. <u>Minimum transport corridor boundary length</u>	<u>10m</u>
ii. <u>For corner lots only one transport corridor boundary needs to meet the minimum length.</u>	

b. Vacant fee simple lot subdivisions

i. <u>Maximum block length</u>	<u>200m</u>
ii. <u>Maximum urban block perimeter (bounded by roads)</u>	<u>550m</u>
iii. <u>For clarity the measurements above may be curvilinear and include frontage to a green linkage/corridor, accessway or reserve. Measurements will be taken from the relevant transport corridor boundary of the proposed lots.</u>	
iv. <u>The maximum block length and urban block perimeter do not apply to superlot subdivision, being subdivision as a preliminary stage to establishing urban blocks.</u>	

c. Roading and access:

i. <u>Minimum legal width of a two-way rear lane</u>	<u>7m</u>
ii. <u>All rear lanes to be formed and drained with a permanent sealed or paved all-weather, dust-free surface and in a manner suitable for the type and quantity of vehicles using the site.</u>	
iii. <u>Each rear lane shall be:</u> a) <u>Designed to provide access and egress for large rigid trucks such as fire, furniture removal, refuse and recycling-collection trucks</u> b) <u>Connected to a transport corridor at each end.</u> c) <u>Privately-owned and its owners shall be responsible for its operation and maintenance</u> d) <u>Common property under the Unit Titles Act when it serves more than 9 residential units.</u>	

iv. <u>Where vehicle access is provided by a rear lane, each dwelling shall have a separate pedestrian access from the primary transport corridor boundary</u>	
v. <u>The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1a) and 25.14.4.1c) shall be demonstrated.</u>	
vi. <u>Transport Corridors shall have the following minimum legal widths to be vested (indicative alignments as shown on Ruakura-Tuumata Structure Plan Figure 2-14B):</u>	
<u>A. Collector Road</u>	<u>23.5m</u>
<u>A2. Collector Road with Intersection</u>	<u>24.9m</u>
<u>B. Local Road</u>	<u>18.6m</u>
<u>B2. Local Road with Shared Path</u>	<u>20.4m</u>
<u>B3. Local Road adjacent to an Urban Centre</u>	<u>27.9m</u>
<u>B4. Local Road with Shared Path and Bidirectional Cycle Path</u>	<u>17.5m</u>
<u>B5. Local Road with Bidirectional Cycle Path</u>	<u>18.2m</u>
<u>C. Local Road and Neighbourhood Street</u>	<u>17.3m</u>
<u>C2. Local Road with Shared Path</u>	<u>17.6m</u>
<u>C3. Local Road with Separated Cycleway</u>	<u>16.9m</u>
<u>C4. Local Road Adjacent to a Path</u>	<u>22.1m</u>
<u>Note 1: These transport corridor widths do not provide for swales or stormwater management. Additional width may be required for these features, if present, and may be required to accommodate any other features or activities.</u>	
<u>Note 2: The internal dimensions shown on Ruakura-Tuumata Structure Plan Figure 2-14B are indicative only and will be determined at subdivision stage.</u>	
vii. <u>Minimum width for pedestrian/cyclist access ways through a block:</u> a) <u>40m or less in length.</u> b) <u>41m – 60m in length.</u> c) <u>61m – 80m in length:</u>	<u>6m wide</u> <u>9m wide</u> <u>12m wide</u>
viii. <u>Minimum paved width for shared pedestrian/cyclist path through a block.</u>	<u>3m</u>
d. <u>Neighbourhood Park</u>	
i. <u>The Neighbourhood Park identified in the Ruakura - Tuumata Structure Plan at Figure 2-14A in Appendix 2 shall be provided and meet the following standards:</u> a) <u>Minimum area of 5000m² and rectangular.</u> b) <u>Minimum transport corridor frontage of 50% of the perimeter of the total park boundary.</u> c) <u>Is able to accommodate a 30mx30m square frontage.</u>	

<p>d) <u>Is generally flat and include flat open spaces for informal recreation.</u></p> <p>e) <u>Include one area of between 300m² and 800m² for the provision of a children's play area.</u></p> <p>f) <u>Include landscaping areas to provide an interesting and varied visual amenity for the area. These areas are to include native vegetation capable of reaching heights of at least 8m at maturity.</u></p>	
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23.8 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.

<u>Activity</u>	<u>Matter of Control</u> (Refer to Volume 2, Appendix 1.3)
i. <u>Subdivision for the purpose of the construction and use of residential units that are a permitted activity or have an approved land use consent in the Tuumata Residential Precinct.</u>	<ul style="list-style-type: none"> • <u>F – Ruakura</u>

23.8 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)
ii. Boundary adjustments	<ul style="list-style-type: none"> • C – Character and Amenity
ii. Subdivision involving any allotment within the Electricity National Grid Corridor	<ul style="list-style-type: none"> • I – Network Utilities and Transmission • N – Ruakura
iii. Subdivision in a Hazard Area	<ul style="list-style-type: none"> • F – Hazards and Safety

iv. Subdivision that may require the provision of Esplanade Reserves and Strips	<ul style="list-style-type: none"> • C – Character and Amenity • D – Natural Character and Open Space
v. Subdivision to accommodate a network utility service or transport corridor inclusive where no LDC exists for Ruakura Medium-Density Residential Zone	<ul style="list-style-type: none"> • C – Character and Amenity • I – Network Utilities and Transmission • N – Ruakura
vi. Fee simple subdivision*	<ul style="list-style-type: none"> • C – Character and Amenity
vii. Company-lease subdivision*	<ul style="list-style-type: none"> • C – Character and Amenity
viii. Unit-title subdivision*	<ul style="list-style-type: none"> • C – Character and Amenity
ix. Leasehold Subdivision	<ul style="list-style-type: none"> • C – Character and Amenity
x. Fee Simple Subdivision in the Peacocke Character Zone for lots greater than 10ha	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character
xi. Subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C, within Stage 1A after a CDP in the Te Rapa North Industrial Zone	<ul style="list-style-type: none"> • D – Natural Character and Open Space
xii. Fee Simple subdivision and Boundary Adjustment (within Special Character Zones)	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character
xiii. Subdivision to accommodate a network utility service or transport corridor (within Special Character Zones)	<ul style="list-style-type: none"> • C – Character and Amenity • E – Heritage Values and Special Character • I – Network Utilities and Transmission
xiv. <u>Any restricted discretionary activity subdivision in Rotokauri North (excluding subdivision of a duplex which meets Rule 4.7.12.a)</u>	<ul style="list-style-type: none"> • <u>C - Character and Amenity</u> • <u>O – Rotokauri North</u>
xv. <u>Any restricted discretionary activity subdivision in the Ruakura -Tuumata Structure Plan area.</u>	<ul style="list-style-type: none"> • <u>C - Character and Amenity</u> • <u>N15- Ruakura – Tuamata Structure Plan Subdivision.</u>

Note

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

23.9 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

25.8 Noise and Vibration

Amend rule 5.8.3.10 Noise-sensitive Activities – Activities in all Zones except Ruakura Logistics Zone, Ruakura Industrial Park Zone and the Knowledge Zone

Insert the following note into rule 5.8.3.10b ii (as underlined):

A designated transport corridor that is predicted to carry an annual average daily traffic level (AADT) at the design year of at least:

- 5,000 AADT where the posted speed limit is ≤ 50 km/hr.*
- 2,000 AADT where the posted speed limit is > 50 km/hr.*

Note: In relation to the Tuumata Structure Plan Area for the purpose of this rule, “designated roads” include the Fifth Ave Extension and the Eastern Transport Corridor (Spine Road) as shown on the Ruakura Structure Plan

1.1 Definitions and Terms

Insert the following new definitions into Appendix 1 District Plan Administration, 1.1 Definitions and Terms

Tuumata residential terrace dwelling: In relation to the Tuumata Residential Precinct, means a dwelling within a single residential building:

1. That contains three or more residential units; and
2. where the residential units are aligned horizontally side by side; and
3. where each residential unit has its own entrance on the ground floor

Tuumata residential apartment dwelling: In relation to the Tuumata Residential Precinct, means a dwelling within a residential building that contains two or more residential units where units are aligned vertically one on top of the other or are located above ground floor on top of another land use activity. For clarity, units are also able to be arranged horizontally.

Amend Appendix 1: District Plan Administration, 1.3 Assessment Criteria as follows (insertions underlined, deletions ~~struck-out~~):

1.3 Assessment Criteria

1.3.2 Controlled Activities – Matters of Control

Add the following matter of control to 1.3.2 F Ruakura

e.	<u>Subdivision for the purpose of the construction and use of residential units that are a permitted activity in the Tuumata Residential Precinct or have an approved land use consent.</u>	
	i.	<u>The extent to which the subdivision does not increase the non-compliance with the with the standards in rule 4.15 Rules- General Standards – Tuumata Residential Precinct.</u>
	ii.	<u>The subdivision contains an existing residential unit or a land use consent has been granted or is accompanied by a land use consent.</u>
	iii.	<u>No vacant allotments are created.</u>

1.3.3 Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria

Add the following matters of discretion and assessment criteria to 1.3.3: N Ruakura and Te Awa Lakes

<u>Ruakura- Tuumata Structure Plan – Subdivision</u>		
<u>N15</u>	<u>a.</u>	<u>Whether the subdivision is generally consistent with the Ruakura - Tuumata Structure Plan (refer 2-14A in Appendix 2).</u>
	<u>b.</u>	<u>Whether the subdivision provides for a comprehensive and connected Open Space and transport network which incorporates as necessary:</u> <ul style="list-style-type: none"> <u>i. open space in accordance with the Council’s Open Space Provision Policy;</u> <u>ii. connectivity of open space and streets;</u> <u>iii. design that is accessible for people of all ages and abilities, safe, and Open Space that is fronted by a road;</u> <u>iv. design which reflects and celebrates the history and whakapapa of tangata whenua of the area;</u> <u>v. design and naming of places, features and areas to reflect and celebrate the history and whakapapa of tangata whenua to the</u>

		<p><u>area, including bilingual signage and informed interpretation and wayfinding;</u></p> <p>vi. <u>a safe speed environment that that prioritises the safe movements of pedestrians and cyclists;</u></p> <p>vii. <u>pedestrian and cycle paths which form a network with public roads, public transport corridors and with adjacent parts of the Open Space network by directly connecting with established, or planned cycleways to provide a contiguous route;</u></p> <p>viii. <u>pedestrian and cycle paths that are designed in a manner consistent with the principles of CPTED, easy to navigate, have clear sightlines and facilitate movement through the structure plan area;</u></p> <p>ix. <u>general amenity planting and amenity for adjoining properties, including use of specimen trees in roads;</u></p> <p>x. <u>street furniture;</u></p> <p>xi. <u>provision for habitats;</u></p> <p>xii. <u>lighting design that does not deter bat movement; and</u></p> <p>xiii. <u>stormwater management.</u></p>
	<u>c.</u>	<u>The extent to which subdivision is designed to create a walkable and cyclable block pattern.</u>
	<u>d.</u>	<u>The extent to which the design of the subdivision provides for connection and integration to existing or future adjacent development or subdivision stages.</u>
	<u>e.</u>	<u>The extent to which subdivision creates a block pattern that enables dwellings to have public frontages and private back yards.</u>
	<u>f.</u>	<u>The extent to which subdivision is designed to maximise solar gain, establishing, where possible, a north/south block structure or varying the shape of lots to provide access to sunlight.</u>
	<u>g.</u>	<p><u>Where rear lanes are required for vehicle access, the extent to which:</u></p> <p>i. <u>The lane provides safe access to adjoining dwellings.</u></p> <p>ii. <u>The lane incorporates planting/landscaping to provide on-site amenity.</u></p> <p>iii. <u>The lane is designed to ensure it provides rear access only and any dwellings adjoining the lane front a public road or a reserve where pedestrian access is provided.</u></p> <p>iv. <u>The lane design allows for ease of access to the transport corridor for management of rubbish and servicing.</u></p>

Appendix 1

	<u>h.</u>	<u>The extent to which the subdivision avoids the creation of rear lots.</u>
	<u>i.</u>	<u>The extent to which lots accessed from the rear lane are sized to accommodate a dwelling, parking and manoeuvring requirements.</u>
	<u>j.</u>	<u>The extent to which culs-de-sac are minimised, and if proposed, are designed to be short and provide for pedestrian and cycle connections.</u>
	<u>k.</u>	<u>The extent to which the size and shape of larger lots will enable the development of multiunit typologies that are able to comply with the built form requirements of the residential zone.</u>
	<u>l.</u>	<u>The extent to which the size and shape of super lots are adequately provided with legal and physical access and will enable efficient subsequent subdivision in general accordance with the Ruakura-Tuumata Structure Plan.</u>
	<u>m.</u>	<u>The extent to which road width and design generally conforms with the Tuumata Structure Plan Road Cross Sections, as applicable to the function and purpose of that section of road, with reference to the Ruakura-Tuumata Structure Plan.</u>
	<u>n.</u>	<u>Where vehicle crossings are proposed across separated cycleways and shared paths, the extent to which these are minimised, and the transport corridor is designed to maximise the safety of pedestrians and cyclists.</u>
	<u>o.</u>	<u>The extent to which vehicle crossings adversely effect on street parking.</u>
	<u>p.</u>	<p><u>Where land development to implement the subdivision will cause loss of significant habitats of indigenous fauna (including but not limited to, black mudfish, shortfin eels and longfin eels), require that unavoidable adverse effects on such habitat are remedied or mitigated through:</u></p> <ul style="list-style-type: none"> <u>i. Replacing significant habitat; or</u> <u>ii. Creating new habitat; or</u> <u>iii. Enhancing areas of alternative habitat supporting similar ecological values and/or significance; and</u> <u>iv. Legal and physical protection.</u>
	<u>q.</u>	<p><u>The extent to which the subdivision and its associated stormwater management methods have been designed to give effect to The Vision and Strategy - Te Ture Whaimana o Te Awa o Waikato by:</u></p> <ul style="list-style-type: none"> <u>i. Protecting, restoring, and enhancing indigenous aquatic and terrestrial biodiversity, including restoration of ecosystems, habitat and wetlands, and the establishment or enhancement of ecological corridors.</u> <u>ii. Managing contaminants entrained in stormwater to restore and protect water quality in the receiving environment.</u> <u>iii. Remedying existing, or avoiding future, stream erosion, and land instability.</u>

		iv. <u>Protecting or enhancing the catchment's natural features, landform, character, functioning, and amenity.</u>
	r.	<u>The extent to which the subdivision and its associated stormwater management methods have been designed to manage the effects of climate change, including changes in rainfall patterns, and temperature</u>
	s.	<u>Whether there is appropriate Three Waters infrastructure and capacity, existing and proposed, to appropriately service anticipated development. For new stormwater ponds and wetlands, the extent to which the following adverse effects of the works on adjacent private property are avoided:</u> i. <u>Flooding and adverse effects on ground water levels; and</u> ii. <u>Creating habitat for mosquitoes and other undesirable insects.</u>
	t.	<u>Whether stormwater flows, volumes and contaminants have been adequately minimised or managed by through centralised attenuation, swales, ponds and other stormwater management devices and other water sensitive techniques so as to protect the integrity and health of any watercourses.</u>
	u.	<u>Whether adverse effects on the environment from stormwater, including from buildings and property have been avoided or otherwise managed and mitigated through best management practices.</u>
	v.	<u>Whether the proposal is consistent with the requirements of any relevant Integrated Catchment Management Plan or sub catchment ICMP, Council's comprehensive stormwater network discharge consent and the WLASS Regional Infrastructure Technical Specifications.</u>
	w	<u>Whether stormwater infrastructure is commensurate with that required to service that stage of subdivision, having regard to whether:</u> i. <u>It is consistent with any Integrated Catchment Management Plan or sub catchment ICMP (including meeting storage volume, conveyance and treatment requirements); and</u> ii. <u>Addresses any interim and permanent stormwater related effects on flow, water levels, water quality and ecology on the upstream and downstream areas.</u>
	<u>Ruakura: Tuumata Structure Plan – Neighbourhood Centre</u>	
<u>N16</u>	a.	<u>The extent to which the proposal is generally consistent with the Ruakura: Tuumata Structure Plan.</u>
	b.	<u>The extent to which development achieves high quality urban design by:</u> i. <u>Orienting buildings to public spaces and transport corridors.</u> ii. <u>Creating active frontages at street and plaza level, minimising blank walls.</u> iii. <u>Establishing a finer grain, walkable environment.</u> iv. <u>Locating parking and vehicle access so as to not dominate the streetscape.</u>

		<ul style="list-style-type: none"> v. <u>Integrating with walking and biking connections and providing for cycle parking.</u> vi. <u>Where applicable, emphasising street corners through building placement and design.</u> vii. <u>Incorporating the principles of CPTED into the design of buildings and spaces.</u> viii. <u>Using architectural design and detail to create an interesting streetscape.</u> ix. <u>Locating vehicle parking and service areas to the rear of buildings.</u> x. <u>Minimising vehicle crossings.</u> xi. <u>Providing a layout with north-east corner of the site acting as a non-vehicular gateway to the Neighbourhood Centre and wider Tuumata development, and a pedestrian linkage that joins from the northwest corner of the site to Tuumata collector road.</u> xii. <u>Providing a strong connection to the future bus stops on the Fifth Ave Extension.</u> xiii. <u>Managing traffic, parking and accessibility with a particular focus on improving walking, cycling and public transport accessibility, whilst also allowing for vehicular access.</u> xiv. <u>Providing parking areas in locations that allow co-ordinated access and strong pedestrian connectivity.</u> xv. <u>Incorporating clear signs and wayfinding.</u> xvi. <u>Providing landmarks in building design features on highly visible corners to improve the distinctiveness of the city</u>
	<p><u>c.</u></p>	<p><u>The extent to which the streetscape and road corridors have been designed to:</u></p> <ul style="list-style-type: none"> i. <u>Establish a slow speed environment that prioritises the safe movements of pedestrians and cyclists.</u> ii. <u>Enable use of the footpath for outdoor dining.</u> iii. <u>Integrate with Public Transport.</u> iv. <u>Be accessible and useable by people of all ages and abilities.</u> v. <u>Provide a high amenity environment with lighting, seating and planting.</u>

	<p><u>d.</u> <u>The extent to which public plazas in the Neighbourhood Centre have been designed to:</u></p> <ul style="list-style-type: none"> i. <u>Accommodate a range of uses and activities, including outdoor dining and have accessible ground level spaces that can support community activities.</u> ii. <u>Reflect and celebrate the history and relationship of tangata whenua of the area.</u> iii. <u>Have a strong relationship with and support the activity that happens within adjacent buildings and be accessed from adjacent buildings.</u> iv. <u>Be a high amenity environment with lighting, seating, landscaping and public art.</u> v. <u>Be accessible and useable by people of all ages and abilities.</u> vi. <u>Be a safe environment, taking into account the principles of CPTED.</u> vii. <u>Provide environmental comfort and solar access.</u> viii. <u>Avoid the creation of fully enclosed spaces, encourage passive surveillance, and have a minimum of one side open to a street.</u>
	<p><u>e</u> <u>The extent to which buildings fronting streets or public places have (in addition to the above matters) been designed to:</u></p> <ul style="list-style-type: none"> i. <u>Be of a high quality with such facades and frontages designed and finished with high quality materials and finishes.</u> ii. <u>Incorporate feature elements, including (but not limited to) variations to colours and building materials, coloured or textured banding, recesses, ornamental details, gables, verandahs, balconies, pillars, awnings, canopies and bay windows.</u> iii. <u>Include openings, balconies or other elements to encourage overlooking and surveillance of public space(s).</u> iv. <u>Be generally built to the front property boundary other than to allow for outdoor dining, courtyards, building articulation or other architectural elements.</u>
<p><u>N17</u></p>	<p><u>Tuumata Design and Layout</u></p>
	<p><u>Explanation:</u></p> <p><u>Assessment criteria are a tool to help ensure good quality outcomes are achieved. They describe key urban design elements that should be examined through the design process. In terms of design and layout, the elements are:</u></p> <ul style="list-style-type: none"> 2. <u>Context – has the proposal considered the surrounding context including adjacent properties?</u> 3. <u>Public Realm – has the proposal considered the adjacent public environment (including streets, open spaces)?</u>

	<p>4. <u>Site Layout – does the proposal ensure good privacy and CPTED outcomes for residents and a clear hierarchy of space?</u></p> <p>5. <u>Access – has safe circulation to and through the site been provided for all modes including pedestrians?</u></p> <p>6. <u>External Appearance – does the external design and architectural detailing incorporate methods to reduce the overall bulk and scale and avoid large blank, unrelieved walls?</u></p> <p><u>The criteria below have been grouped according to the above elements. Additional criteria apply to Landscaping and Screening and Waste Management.</u></p>
	<p><u>Context</u></p>
	<p>a. <u>Whether the proposal:</u></p> <ul style="list-style-type: none"> i. <u>Configures buildings to minimise any loss of sun and/or creation of shadows received by the outdoor living spaces or into habitable room windows on neighbouring sites.</u> ii. <u>Configures buildings to limit visual dominance and building length effects.</u> iii. <u>Configures windows to habitable rooms within buildings to maximise the privacy of neighbouring outdoor living spaces and habitable rooms, including by positioning the principal windows of habitable rooms to face streets and public open spaces where possible.</u> iv. <u>Responds to the site’s topography and maximise passive solar design opportunities in response to local microclimatic features.</u> v. <u>Has been designed in a manner that supports and enhances pedestrian and cycle movements, including access to the transport network.</u>
	<p><u>Public Realm</u></p>
	<p>b. <u>Whether the proposal:</u></p> <ul style="list-style-type: none"> i. <u>Positions front doors where they will be most easily discernible by pedestrians within a transport corridor and has considered ways (such as a change in level, increased setback, landscaping etc.) to differentiate between public and private areas and give primacy to the residential unit over the street (particularly for apartments located on major roads). Note, a change in level should occur on site and should not impact the continuity of grade along a footpath.</u> ii. <u>Incorporates front fencing and landscaping of a style that will complement the aesthetics of the building(s).</u> iii. <u>Has been designed to add visual interest and vitality to the streetscape and avoids large, featureless façades such as through incorporation of façade articulation, use of windows and roof profiles, the design of verandas and balconies and the careful choice of materials and colours. On corner sites, both of the front elevations should achieve this.</u>

		<p>iv. <u>Locates parking, manouvering areas, driveways and outdoor service areas so as to be as discrete as possible when viewed from within the transport corridor, and otherwise minimise visual dominance or clutter effects.</u></p>
		<p><u>Site Layout</u></p>
	<p><u>c.</u></p>	<p><u>For Tuumata residential terrace dwellings and Tuumata residential apartment dwellings, whether the proposal:</u></p> <p>i. <u>Has been configured to achieve a consistent delineation of integrated like-with-like public fronts and private backs, including by treating transport corridors, public open spaces (where topography allows), and private on-site access ways that act as the functional means by which the public can gain access to dwellings, as fronts. Pedestrian paths that could be used by the public must always be at the public front, however vehicle access if by resident-only traffic, could be provided as either part of a public front, or as a private back (such as via a rear lane).</u></p> <p>ii. <u>If the development is of a scale where a discernible block structure is being created, limits blocks to 2-lot depths so as to reinforce a clear delineation between public fronts and private backs.</u></p> <p>iii. <u>Configures buildings on the site so that each dwelling has a front elevation including a front door and habitable room windows positioned to face (and in the case of the front door to be accessible from) the transport corridor or private access way that is to act as the public front. There should be a separation distance of at least 1m between a publicly usable footpath and the external wall of a dwelling or an external site boundary fence to maintain a minimum of privacy. That space should be landscaped to create a physical privacy buffer between the building and users of the footpath.</u></p> <p>iv. <u>Any fencing between dwellings and a private on-site access ways that is to act as the public front should be limited to 1.2m maximum height.</u></p> <p>v. <u>Incorporates additional rear lane access ways for parking and access separate to the access way that is serving as the public front to the development (especially when the frontage width of dwellings is less than 6.5m per dwelling).</u></p> <p>vi. <u>Where communal or new public open spaces are proposed, positions them so as to be visual and physical focal points within the development and well-integrated with the on-site movement network including by way of having road frontage on at least one side.</u></p>
		<p><u>Access and Circulation</u></p>
	<p><u>d.</u></p>	<p><u>For Tuumata residential terrace dwellings and Tuumata residential apartment dwellings, whether the proposal:</u></p>

		<ul style="list-style-type: none"> i. <u>Provides clear, convenient and safe access for all modes of transport through the site by:</u> <ul style="list-style-type: none"> 1. <u>Locating garages, carports and vehicle access points to ensure the safety of all road users and the safe and efficient function of the transport network;</u> 2. <u>Providing clear, convenient and safe private pedestrian links through the site to facilitate access to any communal areas and areas of open space.</u> ii. <u>Provides a dedicated pedestrian carriageway that is separate to any required vehicle carriageway or reverse manoeuvring space.</u> iii. <u>Provides a legible, obvious and direct on-site circulation network that minimises the need for pedestrians and vehicles to cross each other's paths, and also minimises the number of blind turns or hard corners for users to navigate. Where shared spaces are provided, the speed should be designed to a maximum of 20km/hr.</u> iv. <u>Includes adequate lighting of any private accessway that is acting as a public front so as to assure safe night-time use by pedestrians.</u> v. <u>Has been designed to connect to and interface with existing and planned pedestrian and cycling thoroughfares (such as walkways and through-site links) in a manner that is useable, practical and safe. This includes by providing direct access from the site onto these linkages.</u> vi. <u>Provides for electric bikes and vehicle charging stations.</u> vii. <u>Has been designed to:</u> <ul style="list-style-type: none"> 1. <u>Accommodate manoeuvring of large rigid trucks such as public transport, fire, and rubbish, food scraps, and recycling collection vehicles within the transport corridor.</u> 2. <u>Separate loading and service areas from pedestrian, micro-mobility, and cycle movements.</u> 3. <u>Provide adequate on-site manoeuvring and circulation to allow rubbish, food scraps, and recycling collection vehicles to enter and leave the site without reversing on or off the transport corridor.</u> 4. <u>Separate vehicle access and manoeuvring areas from pedestrian, cycle, and micro-mobility movements</u> viii. <u>Where utilising a rear lane, the extent to which:</u> <ul style="list-style-type: none"> 1. <u>An appropriate legal mechanism will be established for ownership and ongoing management and maintenance of the</u>
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		<p><u>lane and for providing indemnity for collection of rubbish, food-scrap, and recycling (where the collection vehicles are proposed to enter the rear lane).</u></p> <p>2. <u>The lane is designed to accommodate the passage of large rigid trucks such as fire, rubbish, food-scrap, and recycling-collection trucks (where these are proposed to enter the rear lane).</u></p> <p>3. <u>The lane is designed to include traffic calming measures to promote slow vehicle speeds and provide a safe shared space.</u></p>
		<p><u>External Appearance</u></p>
	<p><u>e.</u></p>	<p><u>Whether the proposal:</u></p> <p>i. <u>Has been designed to add visual interest and vitality to the streetscape and avoids large, featureless façades including through incorporating elements as described below.</u></p> <p>ii. <u>All buildings should be designed to positively contribute to the street. This is best achieved by buildings being designed to be individually distinctive, provide doors and windows addressing the street, and that do not place parking, garaging or service areas in front of the building.</u></p> <p>iii. <u>Roof profiles should be designed to add visual interest to all buildings. Where multiple buildings are proposed, vary the height and pitch angles of roof forms between the buildings.</u></p> <p>iv. <u>Facades should avoid large areas of blank and/or flat wall surfaces. Variations in colour, material, and the use of recesses or projections (setbacks or set forwards) could be used to achieve this such that all buildings, irrespective of length, appear to be comprised of smaller square or vertically proportioned sections.</u></p> <p>v. <u>Windows should be used as opportunities to provide visual interest within facades, especially when combined with a variation in cladding material or colour.</u></p> <p>vi. <u>Balconies and associated balustrades, roofs and other structures (such as a verandah) can be highly effective at visually softening the appearance of large buildings and also add to the visual distinctiveness of the building.</u></p>
		<p><u>Waste Management</u></p>
	<p><u>f.</u></p>	<p><u>The extent to which developments provide for goods handling, storage, waste and recycling areas that are:</u></p> <p>i. <u>Easily accessible for collection agencies and avoid adverse visual, noise or odour effects on adjoining dwelling units and the unit or development itself.</u></p>

		<ul style="list-style-type: none"> ii. <u>Integrated into the design of the building and are not visually dominant when viewed from adjoining independent dwelling units and the transport corridor.</u> ii. <u>Located and designed to allow bins to be moved to waste collection points as conveniently and efficiently as possible. This should not require bins to be transported through dwelling units or across unpaved surfaces, stairs or steep gradients.</u>
	<ul style="list-style-type: none"> g. 	<p><u>The extent to which the predicted number of rubbish, recycling, and food scraps containers from the development or site that will be scheduled for collection at any time can be accommodated on the transport corridor berm while also ensuring that:</u></p> <ul style="list-style-type: none"> i. <u>A continuous, clear length of footpath or shared path at least 1.2m wide is always maintained past the collection site, and</u> ii. <u>Containers are not placed on any cycle lane, cycle path, carriageway, parking space, or loading space, and</u> iii. <u>Vehicle crossings are not obstructed.</u>
	<ul style="list-style-type: none"> h. 	<p><u>If there is insufficient space available on the transport corridor berm to accommodate all the rubbish, recycling, and food scraps containers from a development or site, whether there is sufficient space on the berm to accommodate just one, or more of the types of containers from that development, with the rest to be collected from on-site.</u></p>
		<p><u>Landscaping and Screening</u></p>
	<ul style="list-style-type: none"> i 	<p><u>The extent to which planting and landscaping (hard and soft elements) is used to:</u></p> <ul style="list-style-type: none"> i. <u>Establish and maintain a well-vegetated environment that includes a balanced combination of appropriate native and exotic species.</u> ii. <u>For Tuumata residential apartment dwellings, visually reduce the bulk of large development and mitigate adverse visual effects particularly from the front boundary and those parts of the site visible from public spaces.</u> iii. <u>Create an attractive environment that maintains safety and amenity for pedestrians, providing privacy between independent dwelling units and their indoor and outdoor living areas.</u>