This chapter is subject to the following plan changes:

Plan Change 6 decisions

Plan Change 7 – Rotokauri North decisions

Plan Change 5 – Peacocke Structure Plan decisions with new text underlined and deleted text removed.

The following provisions have legal effect under Section 86B (3) of the RMA

25 City-wide

This chapter has two roles. Firstly, it provides objectives, policies, activity status and standards for activities that are relevant across the City and are not zone specific:

- Earthworks and vegetation removal
- Events and temporary activities
- Hazardous facilities
- Network utilities and the electricity national grid corridor
- Signs
- Transportation

Secondly, the chapter provides City-wide objectives, policies and standards that are applicable to the activities in the zone chapters:

- Development suitability
- Landscaping and screening
- Lighting and glare
- Noise and vibration
- Public art
- Smoke, fumes, odour and dust
- Solid waste
- Three Waters
- Transportation
- Urban design

25.1 Development Suitability

25.1.1 Purpose

a) The purpose of this chapter is to provide guidance on the development of land when it occurs in isolation from, or in conjunction with, a subdivision of land.

b) This chapter also provides objectives and policies complementing the National Environmental Standard on Assessing and Managing Contaminants in Soil to Protect Human Health with regard to managing use, development and subdivision on land affected by, or likely to be affected by contaminants. This District Plan concentrates on contamination that poses a risk to human health. The Waikato Regional Plan manages effects on the natural environment with respect to contaminated land.

25.1.2 Objectives and Policies: Development Suitability

Objective	Policies
25.1.2.1 To ensure the provision of safe, efficient and integrated infrastructure as part of land development.	**25.1.2.1a** All development shall provide infrastructure appropriate for the activity proposed.
	25.1.2.1b New development shall be adequately serviced by suitable telecommunication, electricity, Three Waters and transport infrastructure.
	25.1.2.1c Urban development will not be allowed unless appropriate infrastructure is available, or is made available by the developer, and the servicing of this land does not compromise the safety, efficiency and sustainability of planned infrastructure.
Explanation	
Infrastructure must be planned in advance of development whether it occurs within Structure Plan areas or within the existing urban areas of the City. Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Hamilton City Council Infrastructure Technical Specifications. Additional or alternative requirements may be required by the NZTA for any infrastructure which affects a state highway. *Council's Long Term Plan or Annual Plan and the National Land Transport Programme sets out the programme for providing infrastructure to service growth. Where a developer wishes to pursue development ahead of Council's or NZTA's programmes, a development agreement will need to be entered into with Council, or NZTA, with respect to the state highway network, to ensure that the infrastructure is provided in a way which is safe, efficient and sustainable from a City-wide and network perspective. Structure plans, Integrated Transport plans, Integrated Catchment Management*	

plans, Water Impact Assessments and the Open Space Strategy will be used as reference points to assess whether a proposal will not compromise existing or planned infrastructure. In these cases it is anticipated that developers will bear the full costs of infrastructure provision.

The reason for Council's approach is due to its inability to fund infrastructure necessary to support the development of growth all at once. This will enable the sustainable management of growth for the social and economic wellbeing of the community and meet the needs of future generations.

Objective	Policies
25.1.2.2 Any development of land is carried out in a manner which reflects the physical constraints on its use and development, and minimises any adverse effects on the environment.	**25.1.2.2a** Development of land shall: i. Not result in increased risk of erosion, subsidence, slippage or inundation, ii. Wherever possible, avoid or mitigate any adverse effects on water quality and quantity, and iii. Avoid or mitigate adverse effects on significant infrastructure.
	25.1.2.2b Development shall be located and designed to maintain or enhance any: i. Scheduled built heritage item, ii. Archaeological and cultural site, iii. Significant tree, and iv. Significant natural area.

Explanation

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 development.

Objective	Policies
25.1.2.3 Land affected by soil contaminants is identified and made safe for its intended use before any change of use, development or subdivision.	**25.1.2.3a** Any use, development and subdivision shall minimise the adverse effects that may arise from land affected by soil contaminants.
	25.1.2.3b Land affected by soil contaminants shall be remediated to a level, or managed in a way, that is suitable for its intended use.
	25.1.2.3c Exposure arising from the ongoing use of land affected by soil contaminants shall be managed to

	avoid or mitigate the risk of adverse effects on human health.

Explanation
The use, development or subdivision of land that is contaminated or potentially contaminated could expose people to levels of contaminants which may be damaging to their health. This provides an objective and policy framework for assessing Discretionary Activities under the National Environmental Standard on Assessing and Managing Contaminants in the Soil to Protect Human Health.

Note: National Environmental Standards on Assessing and Managing Contaminant in Soil to Protect Human Health

1. The Resource Management (National Environmental Standard on Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 apply to defined activities in specific circumstances.
2. Proposals to remove or replace a fuel storage system, sample soil, disturb soil, subdivide or change the use of land must consider whether this National Environmental Standard applies.
3. Council is responsible for applying and enforcing the provisions of National Environmental Standards. This National Environmental Standard provides standards relevant to managing the use, development and subdivision of contaminated or potentially contaminated land for the protection of human health. Refer to the Ministry for the Environment's website for relevant documents and guidance material.
4. This National Environmental Standard may alter the activity status of activities within this Plan, and additional standards, matters for assessment and criteria may apply. Council holds information that may assist in establishing whether activities on the Hazardous Activities and Industries List, as defined by the National Environmental Standard, currently or have previously operated on the land.
5. Activities may have other non-contaminated land related controls relevant to it that are found in other parts of the District Plan.

25.2 Earthworks and Vegetation Removal

25.2.1 Purpose

a) Earthworks refer to the disturbance of land by moving, removing, placing or replacing soil or earth by any means. Earthworks are a necessary part of land subdivision and development, but can result in adverse effects including accelerated erosion and sedimentation, contamination of fresh water, and increased risks from natural hazards. Earthworks can also impact on amenity values, including an unnatural look of the modified land.

b) Hamilton City is predominantly an urban environment. Trees make an important contribution to the health and wellbeing of the residents of the City and to the quality of the City's landscape. Vegetation removal can impact on biodiversity and ecosystems within the City, and the urban amenity of the City.

c) The Waikato Regional Council and Waikato Regional Plan have primary responsibility under the Act for controlling land use for soil conservation and water quality. The District Plan has a supporting role, as the District Plan controls subdivision and development of land.

d) This chapter outlines earthworks and vegetation removal rules relating to the zones, and cross-references to chapters where additional rules relating to earthworks and vegetation removal are outlined. Rules in other chapters (see Rule 25.2.3) address specific matters such as natural hazards, significant natural areas and archaeological or cultural sites and may be more onerous than those contained in this chapter which deals with earthworks and vegetation removal generally and in relation to the Electricity National Grid Corridor.

25.2.2 Objectives and Policies: Earthworks and Vegetation Removal

Objective	Policies
25.2.2.1 Minimise the adverse effects of earthworks and vegetation removal on people, property, and the environment.	**25.2.2.1a** Earthworks and vegetation removal shall occur in a way that: i. Minimises adverse effects on existing landforms, natural features and significant vegetation. ii. Maintains natural processes and features including natural drainage patterns and streams. iii. Does not create new, or exacerbate existing natural hazards. iv. Minimises adverse effects on land and water, especially effects such as erosion and sedimentation. v. Creates practicable building sites, efficient use of land and infrastructure, ensures effective stormwater flow paths, and a safe living and working environment. vi. Minimises dust, noise, and runoff. vii. Adopts a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River and, in particular, those effects that threaten serious or irreversible damage to the Waikato River. viii. Maintains or enhances riparian vegetation on the margins of natural watercourses and wetlands.
25.2.2.2 Enable earthworks in the Peacocke Structure Plan area that facilitate the creation of a high amenity, medium density environment where they: 1. Are undertaken as part of subdivision to establish a cohesive and consistent approach to earthworks throughout a development. 2. Minimise modification of Significant Natural Areas and	**25.2.2.2a** Earthworks maintain the hydrology of the Peacocke Structure Plan Area. **25.2.2.2b** Where required, locate batters and retaining walls between lots to minimise the use of retaining walls able to be seen from public spaces. **25.2.2.2c** Minimise the use of retaining walls. Where required, adopt a consistent style throughout a

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locations with significant ecological, cultural and historic value. 3. Are within Significant Bat Habitat Areas that are not Significant Natural Areas 4. Establish a transport network that works with and reflects the topography of the site.	development and ensure these are designed to minimise their visual impact. Plan Change 5 Peacocke Structure Plan **25.2.2.2d** Require earthworks to be designed in a comprehensive manner, minimising the need for secondary earthworks. **25.2.2e** Manage the heights and location of retaining walls to ensure that they are not visually dominant. **25.2.2f** Require earthworks over large areas to be undertaken in association with subdivision consent to ensure a cohesive outcome that ensures a well-designed urban area that provides for high levels of amenity.

Explanation

Environment in the City are maintained or enhanced. The policy intends natural landforms (such as ridges and gullies) to be protected as much as possible to retain the natural character and amenity values. Earthworks should also limit the adverse effects of erosion and sedimentation, and minimise soil compaction. The policies aim to ensure that the positive effects of earthworks are realised in terms of practicable building sites, maintaining stormwater flow paths, efficient use of land and infrastructure, and a resulting safe living and working environment.

The Peacocke Structure Plan area has been identified as a medium density growth area for Hamilton. The area contains rolling topography which can be challenging to develop. The policy framework recognises the challenges to developing these areas and seeks to enable landform modification in such a way that enables development, while remaining sympathetic to the general character of the land form in the area. This means earthworks should replicate the general orientation of topography to enable the integration of residential development within the site. The road network and block structure should be designed to work with the contour of the land and minimise the extent of retaining required. Where steeper slopes are to be developed, alternative approaches to construction should be used including mid lot development or multi-storey houses.

Bulk earthworks undertaken at subdivision stage should be designed to minimise the need for secondary earthworks.

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25.2.3 Rules – Activity Status Table

Activity	Class
a) Earthworks (excluding earthworks covered by Rule 25.2.3 b) and i))	P
b) Earthworks and vegetation removal involving trenching, pole installation and replacement, slab foundation (not exceeding 2m in	P

Activity	Class
depth) and pile foundations for telecommunication masts, for infrastructure and network utilities	
c) Trimming, maintenance or removal of vegetation or trees not otherwise mentioned in this Plan	P
d) Trimming and pruning of vegetation necessary to protect all overhead electric lines or telecommunication lines	Activity status and rules contained in Chapter 25.7: Network Utilities and the Electricity National Grid Corridor
e) Removal of vegetation or trees in the Open Space Zones	Activity status and rules contained in Chapter 15: Open Space Zones
f) Earthworks and vegetation trimming, maintenance or removal within a: i. High Flood Hazard Area ii. Medium Flood Hazard Area iii. Low Flood Hazard Area iv. Temple View Flood Hazard Area v. Culvert Block Flood Hazard Area vi. Waikato Riverbank and Gully Hazard Area	Activity status and rules contained in Chapter 22: Natural Hazards
g) Earthworks and vegetation maintenance, trimming or removal affecting: i. An archaeological and cultural site in Schedule 8B of Volume 2, Appendix 8 ii. A significant tree in Schedule 9D of Volume 2, Appendix 9 iii. A significant natural area in Schedule 9C of Volume 2, Appendix 9	Activity status and rules contained in Chapter 19: Historic Heritage and Chapter 20: Natural Environments
h) Works within the root protection zone of a: i. Significant tree in Schedule 9D of Volume 2, Appendix 9 ii. Tree within a significant natural area in Schedule 9C of Volume 2, Appendix 9	Activity status and rules contained in Chapter 20: Natural Environments
i) Earthworks associated with the replacement and/or removal of a fuel storage system as defined and controlled in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.	P
j) Earthworks that do not meet the requirements of 25.2.5.1	D
k) Vegetation clearance in the Peacocke Structure Plan Area that does not meet the requirements of 25.2.5.2	RD

Note

1. Earthworks and Vegetation Removal must comply with any relevant requirements of the Waikato Regional Plan and the Waikato Regional Pest Management Plan.

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2. No person may destroy, damage, or modify an archaeological site without an authority from Heritage New Zealand. If items of archaeological significance are found when undertaking earthworks, authority must be obtained from Heritage New Zealand before proceeding with any further works which could potentially destroy, damage, or modify such items.
3. Activity status for earthworks relating to existing high voltage transmission lines as of 14 January 2010, identified on the District Plan Maps and forming part of the National Grid, is set out and determined within the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009.
4. The Resource Management (National Environmental Standard on Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 may alter the activity status of activities and additional standards, matters for assessment and criteria may apply. Refer to Chapter 25.1: City-wide – Development Suitability for relevant objectives (25.1.2.3) and policies (25.1.2.3a to 25.1.2.3c).
5. For any activity not identified above, see Section 1.1.8.1.

25.2.4 Rules – General Standards

25.2.4.1 Earthworks in All Zones

a) Where fill material is used it is required to be clean fill.

b) All earthworks or areas of bare earth not being worked for three months or more shall be stabilised and sown with ground cover.

c) All earthworks shall retain sediment on site through implementation and maintenance of sediment controls. This standard does not apply to the transportation of material off site.

d) All earthworks activities shall be managed to avoid material deposits on public roads from any vehicles operating on site.

e) Earthworks shall not obstruct or divert any stormwater overland flow path or result in changed stormwater drainage patterns on adjacent land in different ownership.

   i. Rule 25.2.4.1 e) does not apply within the Transport Corridor Zone

f) Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where the land disturbance occurs.

g) Earthworks must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

h) Earthworks volumes outside any Natural Hazard Area must not exceed the following maximums in any single activity or cumulative activities in any calendar year following commencement of earthworks activities:

Activity	Rototuna North East Character Zone and Special Natural Zone	All Other Residential and Special Character Zones	All Other Zones
Earthworks associated with any activity requiring	500m^3	500m^3	Unlimited

building consent (including associated site works)			
Earthworks associated with subdivision	500m^3	500m^3	1000m^3
All other earthworks	40m^3	100m^3	1000m^3

Note

1. The above volume standards do not apply to:
   (a) Transport Corridor Zone
   (b) Activities authorised by a consent for a concept plan for a Major Facility prepared under Chapter 17
   (c) A Concept Plan Consent for a Precinct prepared under Chapter 8
2. Refer to Chapter 22 regarding earthworks in Natural Hazard Areas.
3. Refer to *Erosion & Sediment Control: Guidelines for Soil Disturbing Activities*, which is available on the Waikato Regional Council website: www.waikatoregion.govt.nz

25.2.4.2 Earthworks Within any National Grid Yard

a) Earthworks within a National Grid Yard shall:

i. Be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire.

ii. Be no deeper than 750mm between 2.2m and 5m from a transmission pole support structure or stay wire.

iii. Be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure.

iv. Be no deeper than 3m between 6m and 12m from the outer visible edge of a transmission tower support structure.

v. Not create an unstable batter that will affect a transmission support structure.

vi. Not result in a reduction in the ground to conductor clearance distances as required by NZECP.

Provided that:

vii. Earthworks undertaken by a Network Utility Operator are exempt from i to iv above.

viii. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a transport corridor, footpath or driveway are exempt from i to iv above.

ix. Vertical holes less than 500mm in diameter and more than 1.5m from the outer edge of a pole support structure or stay wire are exempt from i and ii above.

Note

1. Consultation with Transpower New Zealand Limited (or its successor) is advised when undertaking any earthworks under or adjacent to high voltage transmission lines. Transpower New Zealand will be an affected party for any earthworks not meeting the

standards in Rule 25.2.4.2 where the earthworks occur within the Ruakura Structure Plan area. In other areas this will be determined in accordance with S95E of the RMA.

25.2.5 Rules – Specific Activities

25.2.5.1 Earthworks in the Peacocke Medium Density Zone: Peacocke Precinct

a) Earthworks within the Peacocke Structure Plan shall be no more than 600m^2 in area, unless:

i. It is in conjunction with an associated subdivision consent; or

ii. It is associated with works authorised by an existing resource consent or requiring building consent.

Provided that:

iii. Earthworks undertaken by a Network Utility Operator are exempt from i to ii above.

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25.2.5.2 Vegetation Clearance in the Peacocke Structure Plan Area

a) The removal of any tree or vegetation within the Peacocke Structure Plan Area outside Significant Natural Areas is a permitted activity where:

i. It has a diameter less than 150mm measured at 1.4m in height above ground level; or

ii. Where it has a diameter of 150mm or more measured at 1.4m in height above ground level and:

A. A report is provided by a suitably qualified ecologist demonstrating that, following an assessment of the tree, the tree is not a confirmed or potential bat roost tree; and

B. The above report is provided to Hamilton City Council prior to the removal of the tree(s); or

iii. The vegetation removal is authorised by an existing subdivision or land use resource consent.

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

25.3 Events and Temporary Activities

25.3.1 Purpose

a) Events such as concerts, parades, festivals, galas, meetings or exhibitions occur on a regular basis throughout the City.

b) Temporary activities include construction activities and temporary helicopter landing pads. Construction can involve temporary structures such as site offices and cranes near roads, and generate various adverse effects including unusually heavy traffic movements.

c) The temporary nature of the activities generally makes any adverse effects more acceptable to the community. Consequently, many events and temporary activities of short duration are tolerated by those affected while others enjoy what the event has to offer.

d) Events and temporary activities make a contribution to the economic, social and cultural wellbeing and help create a vibrant Hamilton.

25.3.2 Objectives and Policies: Events and Temporary Activities

Objective	Policies
25.3.2.1 Temporary activities and events are managed in a way that contributes to economic, social and cultural wellbeing and to creating a vibrant City, while adverse effects on the environment are minimised.	**25.3.2.1a** The positive effects of events and temporary activities shall be recognised and encouraged.
	25.3.2.1b Events and temporary activities shall be managed to minimise adverse effects including noise, light spill, glare, dust, odour, litter, effects on public health and safety, and the safe and efficient functioning of transport networks.
Explanation	
Events bring in thousands of visitors and significant economic, social and cultural benefits to the City and its surrounds.	
Objective	**Policies**
25.3.2.2 Temporary activities and events are located appropriately.	**25.3.2.2a** Events and temporary activities shall be located where adverse effects can be adequately managed, with particular consideration given to: i. Expected attendance numbers, the facilities provided at the site, including for entry and exit, crowd control, and health and safety. ii. The timing, duration, scale and intensity of the adverse effects, including noise, dust, odour, lighting, glare, and waste.

	iii. The safety and efficiency of transport networks. iv. The frequency of events and temporary activities at any one location and associated cumulative effects. v. Any alternative venues available and suitable for all or part of the event, with preference given to permanent venues over temporary venues.
	25.3.2.2b Temporary structures and buildings shall be sited to minimise adverse effects on surrounding property and activities.

Explanation

The adverse effects of events and temporary activities are usually mitigated by their infrequent nature, short duration, limited scale and their social, cultural and economic benefits. However, it is important to manage events and temporary activities that generate significant adverse environmental effects. For this reason some events and temporary activities will require resource consent when they exceed a certain scale or threshold of effects, which are defined by standards.

25.3.3 Rules – Activity Status Table

Activity		Class
Events		
a)	Events	P
b)	Events or activities associated with events on the Waikato River or Lake Rotoroa (Lake Hamilton) – motorised or non-motorised	P
c)	Events or activities associated with events on Lake Rotokaeo (Forest Lake) or Lake Waiwhakareke (Horseshoe Lake) – motorised or non-motorised	NC
Temporary Activities		
d)	Hot-air balloon launching	P
e)	Pyrotechnic displays	P
f)	Temporary activities in a public place	P
g)	Temporary buildings and structures ancillary to a permitted event or permitted activity in an Open Space Zone	P
h)	Temporary buildings and structures incidental to a building or construction project	P
i)	Large projection and TV screens	P
j)	Temporary landing/takeoff points for helicopters	P
k)	Temporary retail	P

Note

1. Refer to the Hamilton City Public Places Bylaw and Hamilton City Public Places Policy for other restrictions to activities in a public place.
2. Refer to the Council policy on Pyrotechnic Displays on Council-Administered Reserves.
3. Events may be required to obtain other approvals outside those required by the District Plan, e.g. temporary road closures. These approvals may be subject to timeframes of up to 60 working days.
4. Refer to Waikato Regional Council Navigation Safety Bylaw.
5. For any activity not identified above, see Section 1.1.8.1.

25.3.4 Rules – General Standards

a) All activities in this chapter shall comply with the zone lighting standards in Chapter 25.6: City-wide – Lighting and Glare.

b) In the event there is conflict between the provisions of Chapter 25.3: Events and Temporary Activities of the District Plan and the provisions of any other chapter in the District Plan, the provisions of Chapter 25.3 prevail.

25.3.5 Rules – Specific Standards

25.3.5.1 Information to be Provided with Resource Consent Applications for Events

a) Any event that is required to obtain a resource consent is also required to submit with that resource consent application a:

   i. Waste Management Plan (Appendix 1.2.2.13).

   ii. Transport Management Plan (Appendix 1.2.2.13).

   iii. Noise Management Plan (Appendix 1.2.2.13).

   Note

   1. Irrespective of District Plan requirements, all events that expect to have over 1000 people attend are required to have a Waste Management Plan under the Solid Waste Bylaw.
   2. Irrespective of District Plan requirements, all events within the Transport Corridor Zone are required to submit a Temporary Traffic Management Plan under the Local Government Act.
   3. Some permitted events may require a noise management plan to be submitted prior to the event occurring (refer to Rules 25.3.5.2(c)(vi) and 25.3.5.3(e)(vi)).

25.3.5.2 Events at Hamilton Gardens, Central City Zone – Downtown Precinct (including Garden Place, Civic Square and Hood St) and Central City Zone – Ferrybank Precinct

a) No more than 5000 people shall attend an event at any one time.

b) Events shall take place only between the following hours.

   i. 0700 and 2230 Sunday to Thursday.

   ii. 0700 and 2400 Friday and Saturday.

   Note

   1. The time periods used to set noise limits within zones may vary to the hours set for when events are allowed to take place.

c) The noise standards for the relevant zone in Chapter 25.8: City-wide – Noise and Vibration shall apply to all events except for those events on six days per calendar year when the following standards (i-vi) shall apply:

i. The noise from the event (including practice or testing) does not exceed the following noise levels at any point within the notional boundary of any other site within the:

- Future Urban Zone

Or, any point within the boundary of any other site in the:

- Residential Zone
- Special Character Zone

Time of day	Noise levels $L_{Aeq\ [15\ min]}$	Noise levels L_{AFmax}
1000 – 2400 hours	75 dB 70 dB at 63Hz 65 dB at 125Hz	85 dB

ii. Standard (i) above shall not apply to crowd noise from events.

iii. The event does not exceed six hours' duration per day.

iv. Testing or practice involving the use of electronic sound amplification does not exceed two hours.

v. The public is notified of any one-off event at least 48 hours before the event commences, including information about:

A. The nature of the event and that noise limits for general activities may be exceeded.
B. Proposed dates, start and finish time of the event itself and the expected times of any sound testing or practice.
C. Contact details before and during the event.
D. Possible alternative dates in the event of postponement.

Note

1. Suitable methods for achieving compliance with this standard are:
   a) The publishing of a public notice containing the required information in a newspaper with a circulation that covers the entire area affected by the proposal, or
   b) By placing a physical notice containing the required information at the site where the event will be held at least 48 hours before the event commences, and
   c) By written notice containing the required information being delivered to the physical address of all adjacent residents and landowners at least 48 hours before the event commences.

vi. Provide a noise management plan to Council at least 48 hours before the event commences to demonstrate compliance with these noise standards.

25.3.5.3 Events at Innes Common, Hamilton Lake Domain, Wintec (City and Rotokauri), and Within the Knowledge Zone

a) No more than 5000 people shall attend an event at any one time.

b) No more than six events per calendar year shall be held at each place.

c) No event shall exceed three consecutive days (excluding preparation and clean up).

d) Events shall take place between the following hours.

i. 0700 and 2230 Sunday to Thursday.

ii. 0700 and 2400 Friday and Saturday.

Note

1. The time periods used to set noise limits within zones may vary to the hours set for when events are allowed to take place.

e) The noise standards in 25.8.3.9a) shall apply to all events except for those events on six days per calendar year when the following standards (i-iv) shall apply:

i. The noise from the event (including practice or testing) does not exceed the following noise levels at any point within the notional boundary of any other site within the:

- Future Urban Zone

Or, any point within the boundary of any other site in the:

- Residential Zone
- Special Character Zone

Time of day	Noise levels $L_{Aeq\ [15\ min]}$	Noise levels L_{AFmax}
1000 – 2400 hours	75 dB 70 dB at 63Hz 65 dB at 125Hz	85 dB

ii. Standard (i) above shall not apply to crowd noise from events.

iii. The event does not exceed six hours' duration per day.

iv. Testing or practice involving the use of electronic sound amplification does not exceed two hours.

v. The public is notified of each event at least 14 days before the event, including information about:

A. The nature of the event and that noise limits for general activities may be exceeded.
B. Proposed dates, start and finish time of the event itself and the expected times of any sound testing or practice.
C. Contact details before and during the event.
D. Possible alternative dates in the event of postponement.

Note

1. A suitable method for achieving compliance with this standard is the publishing of a public notice containing the required information in a newspaper with a circulation that covers the entire area affected by the proposal.

vi. Provide a noise management plan to Council at least one month before the event to demonstrate compliance with these noise standards.

25.3.5.4 Events in the Destination Open Space Zone (excluding Lake Waiwhakareke), Sport and Recreation Open Space Zone (apart from those covered in 25.3.5.2 and 25.3.5.3)

a) No more than 3000 people shall attend an event at any one time.

b) No more than three events per calendar year shall be held at each place.

c) No event shall exceed two consecutive days' duration (excluding preparation and cleanup time).

d) The noise standards in 25.8.3.9 shall apply.

e) Events shall take place between the following hours.

i. 0700 and 2230 Sunday to Thursday.

ii. 0700 and 2400 Friday and Saturday.

Note

1. The time periods used to set noise limits within zones may vary to the hours set for when events are allowed to take place.

25.3.5.5 Events or Activities Associated with Events on the Waikato River or Lake Rotoroa (Lake Hamilton) – Motorised or Non-motorised

a) No motorised event shall exceed two consecutive days' duration (excluding preparation and cleanup time).

b) A maximum of three motorised events on the Waikato River shall take place per calendar year.

c) Noise generated by the event shall comply with the noise standards in 25.8.3.9.

d) Events shall take place between the following hours.

i. 0700 and 2230 Sunday to Thursday.

ii. 0700 and 2400 Friday and Saturday.

Note

1. The time periods used to set noise levels within the zone noise rules may vary to the hours set for when events are allowed to take place.

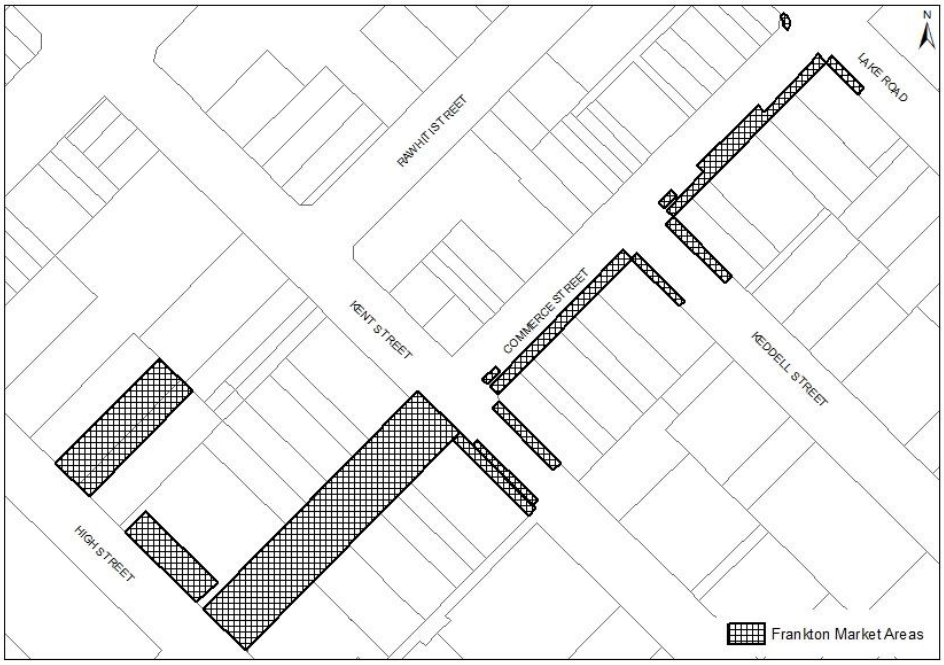
25.3.5.6 Frankton Markets

a) The markets shall operate within the areas defined in Figure 25.3.1.

b) The markets shall take place on Saturdays between the hours of 0500 and 1430 (including set up and pack down).

c) The markets require an approved Transport Management Plan.

Figure 25.3.1: Location of Frankton Markets



Note

1. Refer to the Hamilton City Public Places Bylaw and Hamilton City Public Places Policy for any further restrictions on activities in a public place, including an approved Transport Management Plan.

25.3.5.7 Events in the Rest of the City

a) No more than 1000 people shall attend an event at any one time.

b) No more than three events per calendar year shall be held at each location.

c) No event shall exceed two consecutive days' duration (excluding preparation and cleanup time).

d) Events shall take place between the following hours.

   i. 0700 and 2230 Sunday to Thursday.

   ii. 0700 and 2400 Friday and Saturday.

   Note

   1. The time periods used to set noise levels within the zone noise rules may vary to the hours set for when events are allowed to take place.

e) Noise generated by the event shall comply with the noise standards for the relevant zone in Chapter 25.8: City-wide – Noise and Vibration.

25.3.5.8 Temporary Buildings and Structures Incidental to a Construction Project

a) Temporary buildings and structures shall be removed within three months after the last day of the project or within three months of ceasing to be used, whichever is earlier.

25.3.5.9 Temporary Buildings and Structures Ancillary to a Permitted Event or Permitted Activity in an Open Space Zone

a) All buildings and structures shall be removed and the site returned to its original condition within five working days after the last day of the event or activity.

b) All buildings and structures (excluding temporary fences) shall comply with the building setback standards for the zone in which they are located.

c) All buildings and structures shall comply with the maximum building height standards for the zone in which they are located.

25.3.5.10 Temporary Landing and Takeoff Points for Helicopters

The use of temporary landing and takeoff points for helicopters shall be subject to the following standards.

Activity	Standards
a) Emergencies	None. Emergency landings and take-offs are not subject to any standards in the Plan
b) Helicopter use incidental to construction project	All takeoffs and landings shall only occur during daylight hours
c) Any other purpose	i. The site is used for takeoffs and landings on no more than five days in any 12-month period ii. The site is used for takeoffs and landings on no more than two consecutive days

25.3.5.11 Pyrotechnic Displays

a) Pyrotechnic displays shall take place between the following hours.

i. 0700 and 2230 Sunday to Thursday.

ii. 0700 and 2400 Friday and Saturday.

b) The noise standards in Chapter 25.8: City-wide – Noise and Vibration and Chapter 25.3: Events and Temporary Activities shall not apply to pyrotechnic displays.

Note

1. Pyrotechnic displays are also hazardous facilities and need to comply with Chapter 25.4: City-wide – Hazardous Facilities. Other legislation, regulations and codes of practice apply to pyrotechnic displays, for example the Hazardous Substances and New Organisms Act 1996.

25.3.5.12 Temporary Retail

a) Temporary retail sites shall be established only in the Central City, Industrial, Ruakura Logistics, Ruakura Industrial Park Zone, Knowledge or Business 1 to 7 Zones.

b) Zone bulk and location standards shall not apply (e .g. setbacks, site coverage).

c) Such a site shall operate only for a maximum of 10 days per site per calendar year.

d) Such a site shall be only a maximum of 100m^2.

e) Temporary retail sites shall also comply with any other relevant rules in Chapter 25: City-wide.

25.3.6 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

25.4 Hazardous Facilities

25.4.1 Purpose

a) This chapter establishes a city-wide framework for managing hazardous facilities under the Act to avoid or minimise adverse effects and the risks associated with hazardous substances.

b) "Hazardous facility" is the general term used in this District Plan to describe any site where hazardous substances are stored, used, transported or disposed.

c) Hazardous substances can be toxic, flammable, highly reactive, corrosive, ecotoxic, radioactive or explosive. Risks to people and the environment arise if the substances react, degrade or are released because of inadequate management or an accidental spill.

d) Hazardous facilities need to be managed, designed and located appropriately, as well as having processes in place for dealing with accidental spills or the release of hazardous substances.

Note

1. Some activities involving hazardous substances are excluded from the definition of hazardous facilities. Check the definitions for hazardous substances and hazardous facilities first, to see if this chapter applies. This chapter focuses on the hazardous substances part of any activity. A hazardous facility may have other controls relevant to it that are found in the relevant Zone and city-wide chapters.
2. The District Plan is not the sole mechanism for managing the risks associated with the use, storage, transportation and disposal of hazardous substances. Other legislation such as the Hazardous Substances and New Organisms Act 1996, Land Transport Act 1998, Worksafe New Zealand Act 2013 and their regulations, impose additional controls and requirements (e.g. packaging, signage and labelling, transportation).

25.4.2 Objectives and Policies: Hazardous Facilities

Objective	Policies
25.4.2.1 To protect people, property and the natural environment by avoiding or minimising the adverse effects of storage, use, disposal or transport of hazardous substances.	**25.4.2.1a** Hazardous facilities shall be located where they do not give rise to levels of risk, including residual risks, which are incompatible with the nature of surrounding land uses or natural environment.
	25.4.2.1b Hazardous facilities shall be designed, constructed and managed to avoid or minimise significant adverse effects, including cumulative effects.
	25.4.2.1c Hazardous facilities shall provide facilities and systems to avoid the contamination of air, land and water (including groundwater, potable water supplies and surface waters) in the event of an accidental spill or release of hazardous substances.

	25.4.2.1d Disposal of hazardous substances shall be undertaken in an environmentally safe manner to minimise the risk of hazardous substances being discharged into the environment.
	25.4.2.1e Hazardous facilities shall be located, designed, installed and managed to avoid adverse effects of natural hazards, e.g. flooding, on the facility so as to reduce the risk of hazardous substances being discharged into the environment as a result of a natural hazard event.
	25.4.2.1f The positive effects that hazardous facilities have on the economic and social wellbeing of the Waikato region and Hamilton should be recognised.

Explanation

While the use of hazardous substances provides benefits to communities by meeting a need for products and services, facilities involving hazardous substances also present risks to the health and safety of people, property and the natural environment, including ecosystems. Hazardous substances can escape into the environment as a result of inadequate management or from an accidental release or spillage. Hazardous facilities and their activities need to be managed well and located appropriately in response to these risks.

Reference to risks includes the consideration of residual risk. In some cases, the residual risk may be of particular concern because of the facility's proximity to sensitive ecological areas or land uses (e.g. residential areas). In these cases the risks of the hazardous facility may outweigh its potential benefits.

Hazardous facilities are spread throughout the community. Some present very low risks because of the nature or small quantities of the hazardous substances held on the site. The District Plan assigns a level of control appropriate to the scale of risk that these activities present.

Hazardous facilities close to each other may generate cumulative risks that are greater than the risk of each individual facility. Where there are multiple hazardous facilities within a constrained area, each facility is to be designed and managed in a manner to minimise adverse effects on each other, as well as beyond the area occupied by hazardous facilities.

The disposal of hazardous substances generates risks to the health of the handlers, waste management facility operators, and communities, as well as risks to the receiving environment. The disposal of hazardous substances to authorised facilities or those serviced by an approved waste contractor will minimise the risk of substances escaping into the environment and generating adverse environmental effects.

Natural hazard events can threaten the containment of hazardous substances. Hazardous facilities are discouraged from areas that are susceptible to natural hazards as a means of managing this risk.

Objective	Policies
25.4.2.2 The operations of established hazardous facilities and the areas within which these facilities are encouraged are protected from significant reverse-sensitivity effects arising from the inappropriate location of sensitive land-use activities.	**25.4.2.2a** The establishment of sensitive land uses within or near existing hazardous facilities or areas identified for such a facility shall be managed if they would create significant reverse-sensitivity effects that would limit a facility's ability to carry out its operations without unreasonable constraints.
Explanation	
Reverse-sensitivity effects arise where a new activity is introduced into an environment which has the potential to limit the operation of existing activities. These new activities are incompatible or otherwise sensitive to the effects of the existing activity. Reverse-sensitivity effects need to be taken into account, particularly for significant hazardous facilities or larger areas of smaller facilities, where residual risks cannot be reduced to insignificant levels. *Significant established hazardous facilities in the City include the Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village. Industrial zoned lands are areas where hazardous facilities are expected to generally establish. Sensitive activities establishing in these areas or in close proximity to established hazardous facilities may constrain the current or future operation of such hazardous facilities.*	

25.4.3 Rules – Activity Status Table

Activity	Class
Activities Required to Use the Hazardous Facilities Screening Procedure	
a) Any hazardous facility: i. Not otherwise identified within this table ii. With a quantity ratio that is **equal to or below** the quantity ratio for permitted activities in Rule 25.4.5.1	P
b) Any hazardous facility: i. Not otherwise identified within this table ii. With a quantity ratio that is **more than** the quantity ratio for discretionary activities Rule 25.4.5.1	D
c) Teaching and research laboratories with a quantity ratio that is **more than** the quantity ratio for permitted activities in Rule 25.4.5.1 and complying with relevant standards in Rule 25.4.4. This excludes: i. Activities undertaken outside the laboratory ii. Bulk hazardous substances storage facilities iii. Field tests	C

Activity	Class
Specific Activities Not Required to Use the Hazardous Facilities Screening Procedure	
d) The retail sale of liquid fuel in underground storage tanks with a storage capacity of up to: i. 100,000 litres of petrol ii. 50,000 litres of diesel iii. Provided it can be demonstrated that compliance with relevant standards in Rule 25.4.4 and the requirements of the Hazardous Substances and New Organisms Act 1996 and regulations is achieved	C
e) The retail sale of Liquid Petroleum Gas (LPG) with storage capacity of up to: i. 6 tonnes (single vessel storage) ii. 1.35 tonnes cumulative capacity (exchange facilities for portable LPG cylinders) iii. Provided it can be demonstrated that compliance with relevant standards in Rule 25.4.4 and the requirements of the Hazardous Substances and New Organisms Act 1996 and regulations is achieved	C
Radioactive material	
f) The use or storage of radioactive materials with a radioactivity level less than that specified as an exempt activity in the Radiation Protection Regulations 1982	P
g) Any activity using, storing or transporting radioactive materials for the medical and dental treatment of patients and the use of such radioactive substances is under the control of a person licensed under the Radiation Protection Regulations 1982	P
h) The use or storage of radioactive material with a radioactivity level more than that specified as an exempt activity in the Radiation Protection Regulations 1982, but less than or equal to 1000 terabecquerel	D
i) The use or storage of radioactive material with a radioactivity level more than 1000 terabecquerel	NC
BOD_5 substances	
j) Any storage of high BOD_5 substances in quantities less than or equal to 10,000 litres (excluding the Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village, Ruakura Agricultural Research Campus and Waikato Innovation Park)	P
k) Any storage of high BOD_5 substances in quantities more than 10,000 litres (excluding the Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village, Ruakura Agricultural Research Campus and Waikato Innovation Park)	D
l) Any storage of high BOD_5 substances in quantities less than or equal to 100,000 kg, or 40,000 kg when within 30m of a water body (the Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village, Ruakura Agricultural Research Campus and Waikato Innovation Park only)	P
m) Any storage of high BOD_5 substances in quantities more than 100,000 kg or 40,000 kg when within 30m of a water body (the Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village, Ruakura Agricultural Research Campus and Waikato Innovation Park only)	D

Activity	Class
All Hazardous Facilities	
n) Any activity identified in 25.4.3(a), (c) to (g) and (j) within a: i. High Flood Hazard Area ii. Medium Flood Hazard Area iii. Low Flood Hazard Area iv. Temple View Flood Hazard Area v. Culvert Block Flood Hazard Area vi. Geotechnical Waikato Riverbank and Gully Hazard Area	D
Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village	
o) Any hazardous substances that are complying with the standards in 25.4.4 and 25.4.5.2	P

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

25.4.4 Rules – General Standards

When a Certificate of Compliance is sought a report by a suitably qualified and experienced practitioner may need to be provided to Council certifying compliance with the standards below, where appropriate.

25.4.4.1 Site Design

a) Any part of a hazardous facility which is involved in the manufacture, mixing, packaging, storage, loading, unloading, transfer, use or handling of hazardous substances shall be designed, constructed and operated in a manner which avoids:

   i. Any off-site adverse effects on people, ecosystems, physical structures and other parts of the environment, unless permitted by a resource consent.

   ii. The contamination of air, land and water (including groundwater, potable water supplies and surface waters) in the event of a spill or other type of release of hazardous substances.

25.4.4.2 Site Layout

a) The hazardous facility shall be designed to ensure that separation between on-site facilities and the property boundary is sufficient for the protection of neighbouring facilities, land uses and sensitive environments (excluding sites covered by Rule 25.4.5.2).

25.4.4.3 Site Drainage

a) Site drainage systems shall be designed, constructed and operated in a manner that avoids the entry or discharge of hazardous substances into the stormwater and wastewater networks unless permitted by a network utility operator.

b) All stormwater grates on the site shall be clearly labelled for stormwater only.

Note

1. Compliance can be achieved using precautionary methods, which may include clearly identified stormwater grates and access holes, roofing, sloped pavements, interceptor drains, containment and diversion valves, oil-water separators, sumps and similar systems.

25.4.4.4 Wash-Down Areas

a) Any part of the hazardous facility site where vehicles, equipment or containers that are, or may have become, contaminated with hazardous substances are washed shall be designed, constructed and managed to avoid any contaminated wash water from:

   i. Entering or discharging into the stormwater drainage or the wastewater networks unless permitted by a network utility operator.

   ii. Contaminating land, ground water, any water body or potable water supply.

Note

1. Suitable means of compliance include roofing, sloped pavements, interceptor drains, containment and diversion valves, oil-water separators, sumps and similar systems.
2. Council bylaws also apply to the discharge of contaminated wash water from the site.

25.4.4.5 Spill Containment Systems

a) Any parts of the hazardous facility site where a spill may occur shall be serviced by a suitable spill containment system that shall be:

   i. Constructed from impervious materials resistant to the hazardous substance(s) used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled on the site; and for above-ground storage of liquid hazardous substances:

      A. Able to contain the maximum volume of the largest tank on site plus an allowance for stormwater or fire water.
      B. For drums or other smaller containers, able to contain half of the maximum volume of substances stored, plus an allowance for stormwater or fire water.

   ii. Able to avoid any spill or other unintentional release of hazardous substances, and any stormwater and fire water that has become contaminated from:

      A. Entering the stormwater or wastewater drainage system, unless permitted by a network utility operator.
      B. Contaminating land, ground water, any water body or potable water supply.

Note

1. Suitable means of compliance include graded floors and surfaces, bunding, roofing, sumps, fire-water catchments, overfill protection and alarms, and similar systems.

25.4.4.6 Waste Management

a) Any hazardous facility generating waste containing hazardous substances shall dispose of these wastes to authorised facilities holding the necessary consents and be serviced by an acceptable waste disposal contractor.

Note

1. Hamilton City Council's Trade Waste Bylaw also applies to the management of waste from such sites.

25.4.4.7 Storage

a) Hazardous substances shall be stored in a manner that avoids:

i. The unintentional release of the hazardous substance.

ii. The accumulation of any liquid or solid spills or fugitive vapours and gases in enclosed off-site areas that could result in potentially adverse effects on people, ecosystems or built structures.

25.4.4.8 Storage Tanks – Petroleum Products

a) Tanks for the storage of petroleum products must be designed, constructed and managed to avoid leaks and spills and resulting adverse effects on people, ecosystems and property. Storage tanks shall be:

i. Constructed from impervious materials resistant to the hazardous substances to be stored.

ii. Equipped with secondary containment facilities.

iii. Serviced by a leak detection or monitoring system which is capable of detecting a failure or breach in the structural integrity in the primary containment vessel.

25.4.5 Rules – Specific Standards

25.4.5.1 Activities Required to be Assessed using the Hazardous Facility Screening Procedure

a) Hazardous facilities required to comply with this specific standard shall be assessed using the Hazardous Facility Screening Procedure explained in Volume 2, Appendix 12. This process will produce a "quantity ratio" that must be used to determine the activity status of the facility by referring to the table below.

Consent Status Matrix

Zone/Overlay	Activity Status/Consent Status Indices	
	Permitted	**Discretionary**
a) General Residential Zone b) Residential Intensification Zone c) Medium Density Residential Zone d) Large Lot Residential Zone e) Special Character Zones	≤0.02	>0.02
f) Natural Open Space Zone	≤0.05	>0.05
g) Central City Zone h) Business 4 and 5 Zones i) Transport Corridor Zone j) Rototuna Town Centre Zone k) Business 7 Zone (Frankton Living Overlay only)	≤0.1	>0.1

Zone/Overlay	Activity Status/Consent Status Indices	
	Permitted	**Discretionary**
l) Neighbourhood Open Space Zone m) Sport and Recreation Open Space Zone n) Destination Open Space Zone o) Community Facilities Zone p) Business 1, 2, 3 and 6 Zones q) Industrial Zone (Amenity Protection Area only)	≤0.2	>0.2
r) Business 7 Zone (excluding Frankton Living Overlay)	<0.4	>0.4
s) Major Facilities Zone t) Knowledge Zone (University of Waikato only)	≤0.6	>0.6
	Exception	
	Within 100m of any zone specified in a) to q) of this table, when the thresholds shall be:	
	≤0.3	>0.3
u) Industrial Zone (excluding Amenity Protection Area) v) Ruakura Logistics Zone w) Ruakura Industrial Park Zone x) Te Rapa North Industrial Zone y) Future Urban Zone z) Knowledge Zone (excluding University of Waikato)	≤1.0	>1.0
	Exceptions	
	Within 30m of any zone specified in a) to e) of this table, when the thresholds shall be:	
	≤0.2	>0.2
	Between 30m and 100m of any zone specified in a) to e) of this table, when the thresholds shall be:	
	≤0.75	>0.75
	Within 100m of any zone specified in f) to t) of this table, when the thresholds shall be:	
	≤0.75	>0.75

25.4.5.2 Te Rapa Dairy Manufacturing Site and Crawford Street Freight Village

a) The volumes and quantities of hazardous substances shall not increase by more than 20% from those existing on the sites as at 31 March 2016 and notified to the Council by 1 May 2016.

b) Any hazardous substance at the Te Rapa Dairy Manufacturing Site shall be stored or used at a minimum of 40m from the site boundary.

c) Any hazardous substance at the Crawford Street Freight Village shall be stored or used at a minimum of 65m from any boundary of the Residential, Open Space or Major Facilities Zones.

d) Where there is any non-compliance with the standards listed in a) to c) above the relevant class of the Hazardous Facility Screening Procedure set out in Volume 2, Appendix 12 shall apply.

25.4.6 Controlled Activities: Matters of Control

a) In determining any application for resource consent for a controlled activity, Council has reserved control over the matters referenced below.

Activity	Matter of Control Reference Number (Refer to Volume 2, Appendix 1.3.2)
i) Teaching and research laboratories with a quantity ratio that is **more than** the quantity ratio for permitted activities in Rule 25.4.5.1 and complying with relevant standards in Rule 25.4.4 This excludes : • Activities undertaken outside the laboratory • Bulk hazardous substances storage facilities • Field tests	A Hazardous Facilities
ii) The retail sale of liquid fuel in underground storage tanks with a storage capacity of up to: 100,000 litres of petrol 50,000 litres of diesel Provided it can be demonstrated that compliance with relevant standards in Rule 25.4.4 and the requirements of the Hazardous Substances and New Organisms Act 1996 and regulations is achieved.	A Hazardous Facilities

iii) The retail sale of Liquid Petroleum Gas (LPG), with storage capacity of up to: 6 tonnes (single vessel storage) 1.35 tonnes cumulative capacity (exchange facilities for portable LPG cylinders) Provided it can be demonstrated that compliance with relevant standards in Rule 25.4.4 and the requirements of the Hazardous Substances and New Organisms Act 1996 and regulations is achieved.	A Hazardous Facilities

25.4.7 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

25.5 Landscaping and Screening

25.5.1 Purpose

a) Landscaping provides a range of aesthetic, functional and ecological opportunities for environmental enhancement. This chapter includes standards for screening activities and contributing to the amenity of the streetscape. Landscaping in this context is intended to soften hard surfaces and bleak areas, reduce visual impacts and provide visual unity. The standards also recognise that landscaping can contribute towards improved ecology.

25.5.2 Objectives and Policies: Landscaping and Screening

Objective	Policies
25.5.2.1 To maintain and enhance amenity values within and around development, while contributing to local ecology and cultural connection where possible.	**25.5.2.1a** Minimise visual impacts of developments in part by providing appropriate screening and planting around activities and between zones.
	25.5.2.1b Encourage the planting of native species where appropriate.
Explanation	
Screening between zones, activities and particular development features, such as service and storage areas, helps mitigate the visual impact of development and contributes to the amenity of the streetscape.	

25.5.3 Rules – General Standards

25.5.3.1 Landscaping

Landscaping shall be provided in accordance with the following standards.

a) Activities adjacent to a major arterial transport corridor

i. A 2m wide planting strip shall be required along any boundary adjacent to a major arterial transport corridor from which vehicle access is obtained.

ii. A 2m wide buffer strip shall be required along any boundary adjacent to a major arterial transport corridor from which vehicle access is not obtained.

ii. The requirements in (i) and (ii) shall not apply in the City Centre Zone, all Residential Zones, Special Character Zones and Future Urban Zone.

b) Activities in the Industrial Zone (including Amenity Protection Area)

i. A 1.8m high close-boarded or similar solid fence or wall, and a ~~2~~1m wide buffer strip shall be required along any side or rear boundary with a Residential or Special Character Zone or Open Space Zone; and

ii. ~~Either~~

- A 2m wide planting strip shall be required along any boundary adjoining a transport corridor~~, or~~
- ~~A 1.2m or 1.8m permeable fence and 2m wide planting strip~~

~~shall be required along any boundary adjoining an Open Space Zone or transport corridor~~

iii. Where a site is wholly or partially within the Amenity Protection Area, a 1.8m high close-boarded or similar solid fence or wall, and a 5m wide buffer strip shall be required along any side or rear boundary with a Residential or Special Character Zone.

c) Activities in the Community Facilities and Knowledge Zones

i. A 2m wide planting strip shall be required along the boundary of a site adjacent to any Residential, Special Character or Open Space Zone, and

ii. When adjoining a transport corridor, a 30% planting area for the front setback adjoining the transport corridor shall be required.

iii. The requirements in (i) and (ii) shall not apply to the ECMT railway and private roads within the Knowledge Zone.

d) Activities in the Business 1 to 7 Zone

i. A 2m wide planting strip shall be required along the boundary of a site adjacent to, or facing, any Residential or Special Character Zone.

e) Activities in the Ruakura Industrial Park Zone

i. A 1.8m high close-boarded or similar solid fence or wall, and a 2m wide buffer strip shall be required along any side or rear boundary with a Residential or the Knowledge Zone; and

ii. Either

- A 2m wide planting strip, or
- ~~A 1.2m or~~ Up to a 1.8m permeable fence and 2m wide planting strip

shall be required along any boundary adjoining an Open Space Zone or transport corridor.

f) Drive-through services adjacent to a Residential or Special Character Zone

i. A 1.8m high close-boarded or similar solid fence or wall, shall be required along any side or rear boundary with a Residential or Special Character Zone, and

ii. A 2m wide planting strip shall be required along any front boundary facing any Residential or Special Character Zone

g) Ground-level parking spaces, loading spaces and vehicle storage areas adjacent to a transport corridor ~~in all Zones (except Residential, Special Character and Future Urban Zones)~~

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i. Where ground-level parking, loading spaces and vehicle storage areas (not associated with residential units) are provided within 5m of a boundary of a transport corridor, a 2m wide planting strip shall be required between that area and the transport corridor boundary

Where ground-level parking spaces associated with residential units are provided within 3m of a boundary of a transport corridor, a 1m wide planting strip shall be required between that area and the transport corridor boundary.

h) External ground-level parking spaces in all Zones

i. Parking areas of more than 10 parking spaces shall be landscaped with tree planting and ground cover planting at a rate consistent with Rule 25.5.4.6

ii. Parking areas of five or more parking spaces shall have either:

- ~~A 1.2m or 1.8m permeable fence, or~~
- A 2m wide planting strip; or
- Up to a 1.8m high permeable fence and 2m wide planting strip

between the parking area and the boundary with any Open Space Zone; and

iii. Parking areas of five or more parking spaces shall have either:

- A 1.8m high close-boarded or similar solid fence or wall~~, and a minimum 1m wide buffer strip,~~ or
- A 2m wide buffer strip

when along the site boundary, between the parking spaces and any Residential or Special Character Zone

i) Service areas in all Zones

i. Where service areas are visible from a transport corridor, any other public space, Residential or Special Character Zones they shall be screened from view with either:

- A 1.8m high close-boarded or similar solid fence or wall, and a minimum 1m wide buffer strip, or
- A 2m wide buffer strip

ii. Service areas associated with residential units shall not be required to be screened from view from other Residential or Special Character zoned land.

j) Outdoor storage areas in all Zones

i. Where outdoor storage areas are visible from a transport corridor, any other public space, Residential or Special Character Zone they shall be screened from view with either:

- 1.8m high close-boarded or similar solid fence or wall, and a minimum 1m wide buffer strip, or
- A 2m wide buffer strip

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k) Activities in the Ruakura Logistics Zone and the Crawford Street Freight Village

i. Where fencing is required to meet specialised security needs (e.g. Ministry of Agricultural quarantine specifications) a 6m high permeable fence may be used, provided that a 10m planting or buffer strip shall be provided along boundaries with any transport corridor or Open Space Zone.

- A 2m wide planting strip, or
- A 1.2m or 1.8m permeable fence and 2m wide planting strip

shall be required along any boundary adjoining an Open Space Zone or transport corridor

l) Utility Buildings/Cabinets

i. The requirements of Rules 25.5.3.1 (a) – (k) do not apply to the small utility buildings/cabinets not exceeding 10m^2/3m high, and network utility support poles and antennas.

25.5.3.2 Implementation

All planting shall be implemented within the first planting season after any buildings and other site works are completed.

25.5.3.3 Planting Strips, Buffer Strips and Planting Areas

Planting strips, buffer strips and planting areas shall not be:

i. Required on that part of any boundary required for pedestrian or vehicle access to the site.

ii. Required within an approach sight distance triangle as outlined in Rule 25.14.4.4.

iii. Used for outdoor storage, parking or vehicle manoeuvring.

25.5.3.4 Frangible Vegetation

Where a buffer strip or planting strip is to be located within 5m of the carriageway of an arterial transport corridor with a posted speed limit greater than 70 kilometres per hour all vegetation within the strip shall be frangible.

25.5.3.5 Maintenance

All fences and planting required by 25.5.3.1 shall be maintained in a manner to ensure ongoing compliance with relevant standards in this chapter. This will require regular care of planted areas, the timely repair or replacement of damaged fences, and the replacement of dead, dying or diseased planting.

Note

1. Guidance on selecting plant species appropriate to the site conditions is available from Council.
2. Particular care needs to be taken in selecting and locating specimen trees for planting, for example tree species which tend towards an expansive root system are an inappropriate choice for planting near underground network utilities. Guidance should be sought on appropriate species and local site constraints to ensure that the tree suits the site and any constraints.

25.5.4 Rules – Specific Standards

25.5.4.1 All Fences and Walls

a) Any fence or wall adjoining a buffer strip or planting strip required by this plan which is adjacent to a transport corridor or other public space shall be either:

i. located so that the buffer or planting strip is between the fence and the external site boundary, and shall be designed to enable access to plantings for maintenance purposes; or

ii. Be permeable in accordance with Rule 25.5.4.2 below.

25.5.4.2 Permeable Fences

a) The following design and dimensions shall apply to permeable fences.

Design requirements	~~When the height of the fence or wall is:~~
~~i. Designed/constructed for less than 50% see-through visibility (e.g. close paling, masonry, or other opaque material)~~	~~1.2m~~
ii. Materials with 50% or more see-through visibility in a consistent manner along the entire length of the fence, or ~~iii. Designed/constructed for less than 50% see-through visibility (e.g. close paling, masonry, or other opaque material) for the bottom 0.9m of the fence~~ ~~Materials with 50% or more see-through visibility for the top 0.9m of the fence~~	~~1.8m~~
~~iv~~. Materials with 50% or more see-through visibility	6m (Ruakura Logistics Zone only, see Rule 25.5.3.1k)

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Note

1. Refer to Figure 25.5.4a for examples of acceptable and unacceptable fencing solutions.
2. Glass, metal bars or louvres are acceptable fence designs to achieve minimum 50% see-through visibility.

25.5.4.3 Buffer Strips

a) Buffer strips shall be of a permeable nature for stormwater purposes.

b) Buffer strips shall consist of shrub or hedge planting (hedges are recommended where buffer strip widths are less than 2m) selected and maintained in a manner to ensure a mature height of at least 1.8m and shall be at least 0.5m in height at the time of planting.

c) Shrub or hedge planting shall be selected, located, provided at a density, and maintained in a manner to ensure that, when mature, a visually impermeable screen of planting is achieved (refer Figure 25.5.4b):

i. Along the length of the buffer strip, and

ii. To a height of at least 1.8m.

d) Buffer strips shall include specimen trees at the following minimum rates:

Length of the buffer strip	Number of specimen trees
Up to 10m	1

For each additional 10m or part thereof	An additional 1

Except where frangible vegetation is required by Rule 25.5.3.4, in which case frangible trees shall be required instead of specimen trees.

e) Trees required by 25.5.4.3d)shall be selected to ensure they are capable of growing to a mature height of more than 4m and shall be at least 1.8m in height at the time of planting.

f) Where two or more trees are required by 25.5.4.3d) they shall be spaced along the length of the buffer strip to ensure they are no more than 15m or less than 5m apart (refer Figure 25.5.4c).

25.5.4.4 Planting Strips

a) Planting strips shall be of a permeable nature for stormwater purposes.

b) Planting strips shall consist of a combination of groundcover and shrub planting, with shrub planting selected to ensure they are capable of achieving a maximum mature height of 0.8m, and are least 0.4m in height at the time of planting.

c) Groundcover and shrub planting shall be maintained to ensure they do not exceed a height of 0.8m (refer Figure 25.5.4d).

d) Groundcover and shrub planting shall be selected, located and provided at a density to ensure that a minimum of 50% of the surface of the planting strip is covered from the time of planting.

e) Planting strips shall include specimen trees at the following minimum rates.

Length of the planting strip	Number of specimen trees
Up to 10m	1
For each additional 5 spaces or part thereof	An additional 1

Except where frangible vegetation is required by Rule 25.5.3.4, in which case frangible trees shall be required instead of specimen trees.

f) Trees required by 25.5.4.4e) shall be selected to ensure they are capable of growing to a mature height of more than 4m and shall be at least 1.8m in height at the time of planting.

g) Where two or more trees are required by 25.5.4.4e) they shall be spaced along the length of the strip to ensure they are no more than 15m, or less than 5m apart (refer Figure 25.5.4c).

h) All trees shall be maintained to ensure that a clear distance of 2m is achieved between ground level and the tree canopy (refer Figure 25.5.4d). This standard shall not apply until a specimen tree reaches at least 4m high.

i) Trees within the planting strip shall be selected, located and maintained in a manner so as not to:

i. Create traffic safety problems by obscuring visibility for road users or train drivers.

ii. Obstruct traffic, official road, or hazard signage.

iii. Interfere with transport infrastructure or network utilities.

25.5.4.5 Planting Area

a) Where a planting area is required, the area shall:

i. Be of a permeable nature for stormwater purposes.

ii. Consist of a combination of groundcovers and shrubs or hedges.

iii. Include specimen trees at the following minimum rates:

Length of front boundary	Number of specimen trees
Up to 10m	1
For each additional 10m or part thereof	An additional 1

iv. Be located in the front setback between the non-residential activity and the adjoining transport corridor boundary.

v. Include groundcover, shrub or hedge planting that has been selected, located and provided at a density to ensure that a minimum of 30% of the area of the front setback requirement of the relevant zone is covered from the time of planting.

25.5.4.6 Internal Planting

a) Internal planting shall be located within the sealed area to break up the impermeable expanse of paving and hard surfaces while ensuring pedestrian and vehicle safety. For large areas this will require the internal planting requirements to be split into more than one location.

b) Internal planting shall consist of a combination of groundcovers and shrubs.

c) Internal planting shall include specimen trees at the following minimum rates:

Number of parking spaces	Number of specimen trees
Up to 20	1
For each additional ~~5~~10 spaces or part thereof	An additional 1

Proposed Plan Change 6- Notified Version

d) Groundcover and shrub planting shall be selected, located and provided at a density to ensure that a minimum of 50% of the surface of the internal planting area is covered from the time of planting (refer Figure 25.5.4e).

e) Shrub planting shall be selected to ensure it is capable of growing to a mature height of at least 0.5m and shall be at least 0.3m in height at the time of planting.

f) Trees required by 25.5.4.6c) shall be selected to ensure they are capable of growing to a mature height of more than 4m and shall be at least 1.8m in height at the time of planting.

g) Trees shall be located within a planting space free from impermeable surfaces with a minimum dimension or diameter of 1.5m diameter.

h) All planting shall be protected from potential pedestrian and vehicle damage.

Note

1. Suitable means of compliance includes providing formalised pedestrian crossing points, ensuring plant selection and layout does not make crossing difficult, low fencing, or wheel stops (refer Figure 25.5.4f).

2. For larger external ground-level parking spaces in all zones (more than 20 parking spaces) any assessment of landscaping proposals should consider the total site area including landscaping and trees to be planted within planting and/or buffer strips.

Figure 25.5.4a: Examples of acceptable fencing or wall solutions.

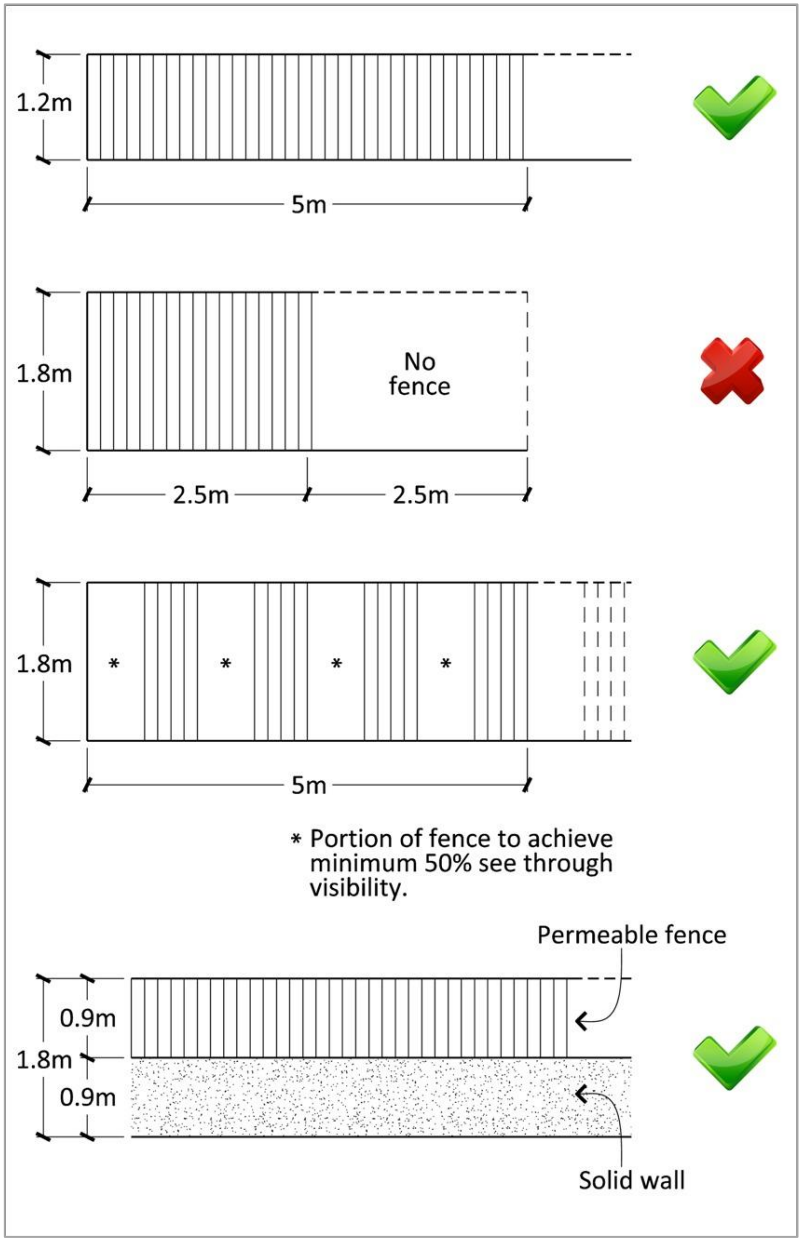


Figure 25.5.4b: Examples of shrub or hedge planting to achieve a visually impermeable screen

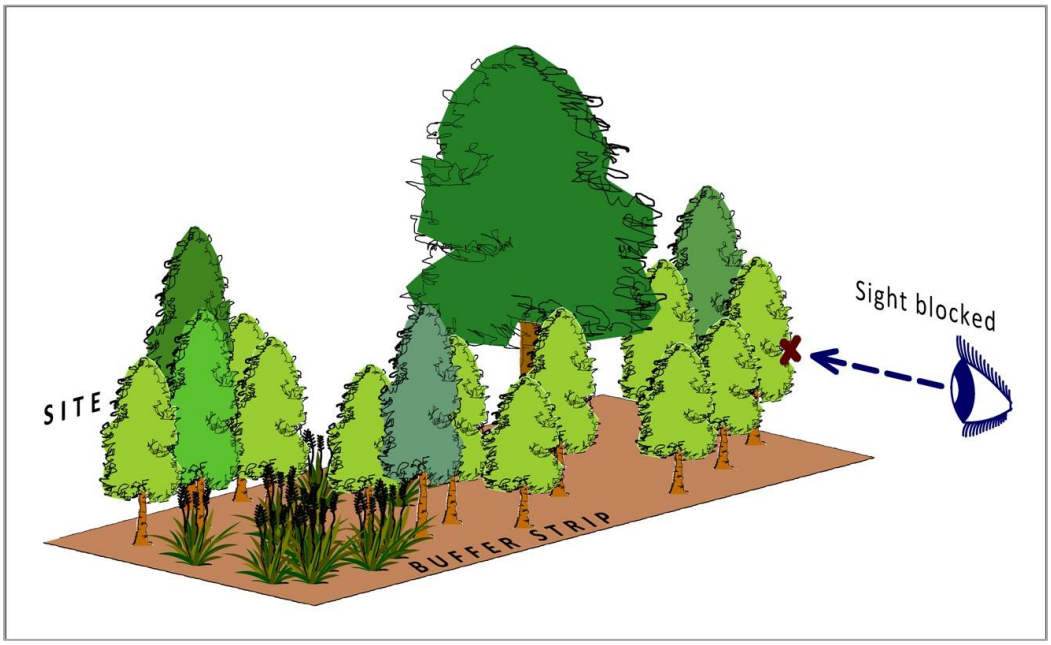


Figure 25.5.4c: Examples of achieving specimen tree spacing

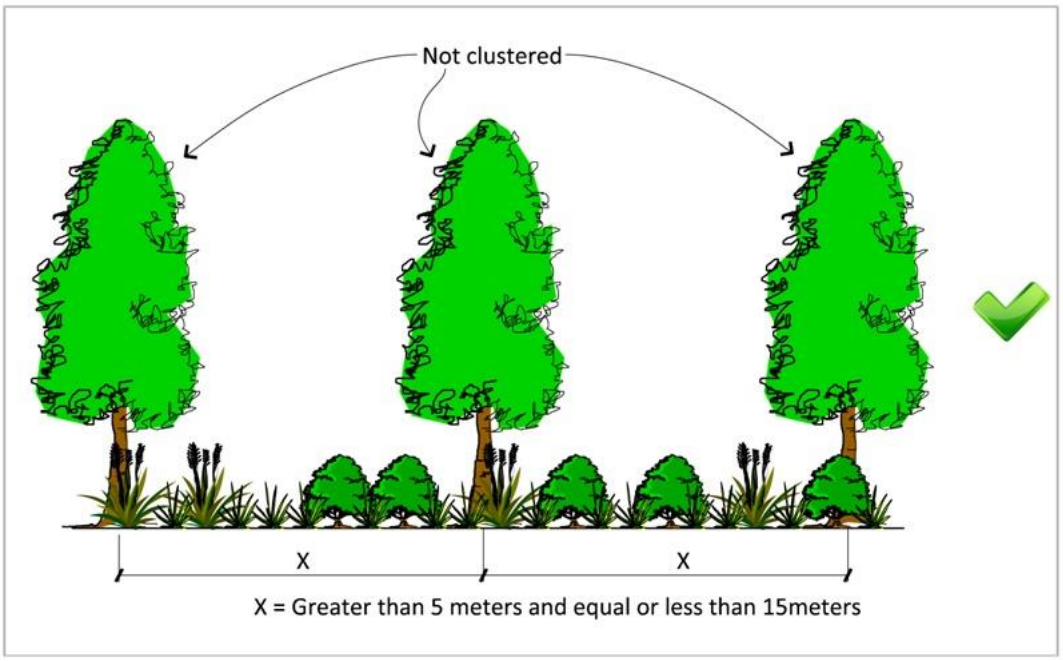


Figure 25.5.4d: Example of well-maintained groundcover

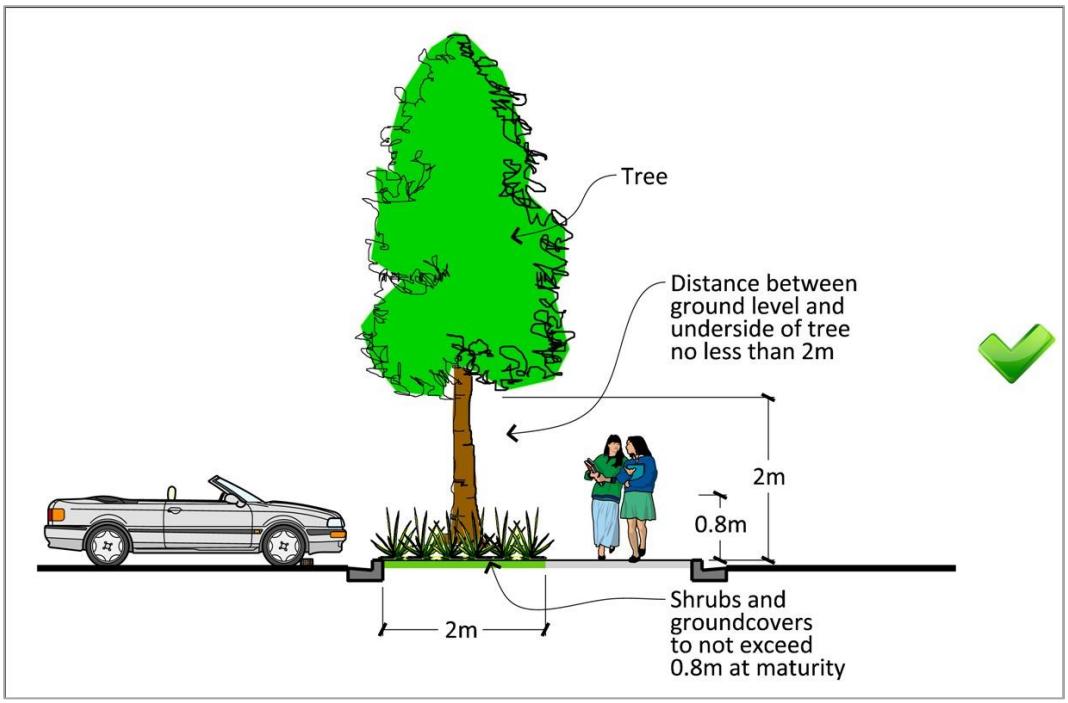


Figure 25.5.4e: Example of achieving ground coverage

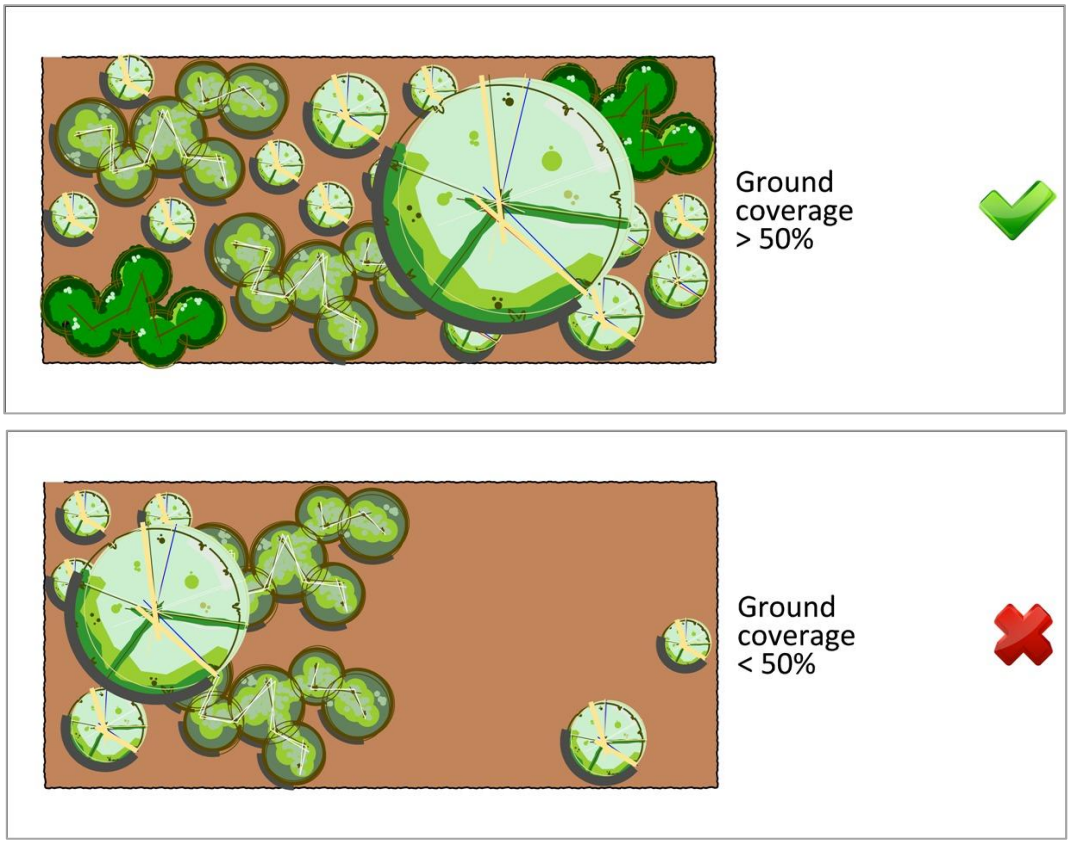
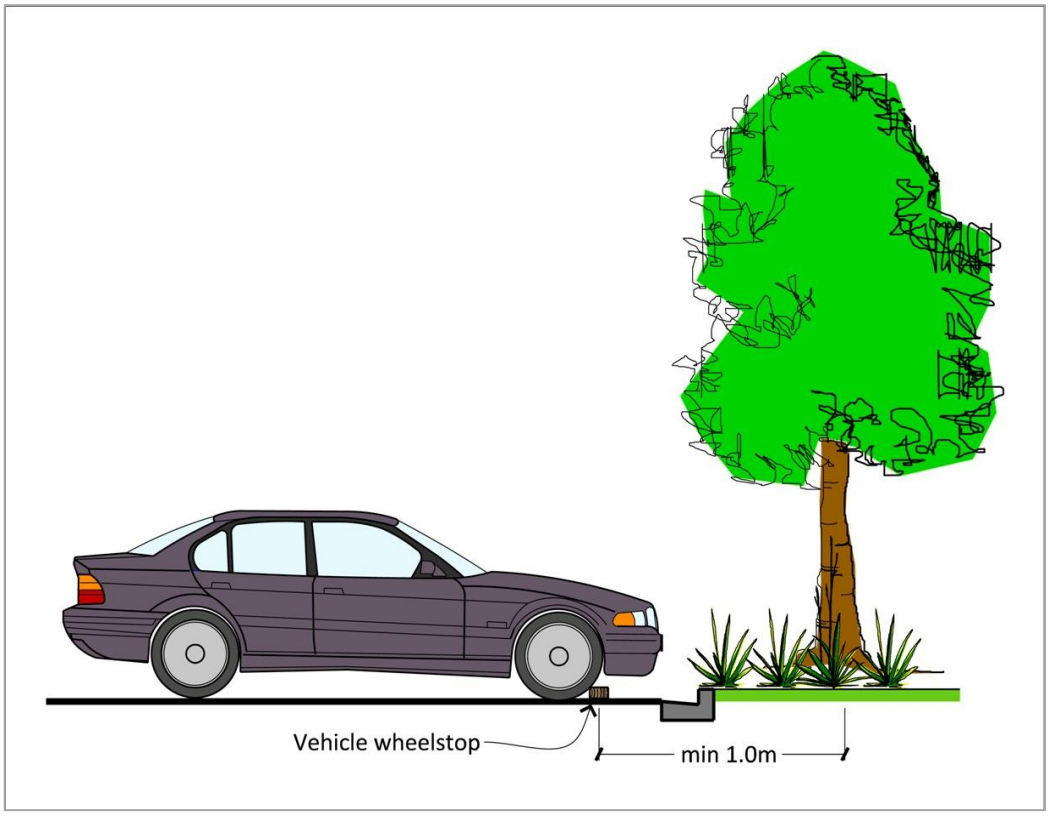


Figure 25.5.4f: Example of methods to protect trees from pedestrian or vehicle damage



25.5.5 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

25.6 Lighting and Glare

25.6.1 Purpose

a) Intrusive lighting is lighting that causes a nuisance to other people, usually by glare or light spill on to other people or properties. The District Plan manages these effects to protect amenity and safety values.

Plan Change 5 Peacocke Structure Plan

25.6.2 Objectives and Policies: Lighting and Glare

Objective	Policies
25.6.2.1 An environment free from the adverse effects of intrusive lighting.	**25.6.2.1a** Ensure that light spill and glare do not detract from the amenity values of other properties, compromise traffic safety, or have a negative effect on people's health and general welfare.
25.6.2.2 Lighting in the Peacocke Structure Plan Area is managed to ensure areas identified as Significant Bat Habitat Area retain their usability and functionality for bat activity.	**25.6.2.2a** Manage light spill and glare of fixed lighting at the boundary of the Significant Bat Habitat Area to ensure that the useability of long-tailed bat habitat is maintained while maintaining safety on adjoining properties.
	25.6.2.2b Ensure that fixed lighting in public spaces, such as parks and road corridors is designed to minimise the effects of lighting and glare on Significant Bat Habitat Area while also achieving a safe public realm for the community.
Explanation	

Intrusive lighting may include light from floodlights, security lights and activities such as welding. Light spill and glare have the potential to disturb people's sleep, which could adversely affect their health and general welfare. Unlike other adverse effects of activities, like smoke or noise, which are difficult to contain completely, light spill is reasonably simple to avoid by correct aiming or baffling (shading) of the light source.

The Peacocke Precinct is an important habitat for long-tail bats which are a threatened native species. Due to the presence of bats in the area, it is important the effects of development are managed to ensure bats are able to continue to move and forage through the area. This needs to be balanced against the safety needs of the community. Bats are particularly sensitive to light, which has the potential to inhibit their movement and feeding habits. For this reason it is important that those areas of Peacocke identified as being Significant Bat Habitat Areas are protected from the effects of excessive lighting and glare.

25.6.3 Rules – General Standards

a) Artificial lighting shall not result in illumination on transport corridors which may dazzle or distract transport corridor users or train drivers, or interfere with any traffic aids or signals. The relevant clauses of Australian Standard AS4282 1997 Control of the Obtrusive Effects of Outdoor Lighting shall apply with respect to the effect of artificial lighting on traffic.

b) Lighting designed to illuminate public spaces and transport corridors, including roads, public car parks and amenity areas, shall be designed in accordance with the Australian and New Zealand AS/NZS suite of standards.

Note

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

25.6.4 Rules – Specific Standards

25.6.4.1 Residential, Special Character, Future Urban and Community Facilities Zones

a) For any activity in any Residential or Special Character Zones, or the Future Urban or Community Facilities Zones, the spill of light from artificial lighting (excluding street and navigation lights and traffic signals) on to any other site shall not exceed 3 lux (horizontal and vertical) when measured or calculated at points 1.5m within the boundary of any other site.

25.6.4.2 Open Space Zones

a) Light spill from artificial lighting (excluding street and navigation lights and traffic signals) used in Open Space Zones shall comply with the following standards.

Location of light source (site in Open Space Zone)	Where measured	Standard
i. Sport and Recreation, Neighbourhood, and Natural Open Space	Measured horizontally or vertically, at points 1.5m within the boundary of any other site	Maximum 3 lux

Location of light source (site in Open Space Zone)	Where measured	Standard
Zones		
ii. Destination Open Space Zone	Measured horizontally or vertically, at points 1.5m within the boundary of any other site, except as stated in iii below	Maximum 10 lux
iii. Destination Open Space Zone	Measured horizontally or vertically, at points 1.5m within the boundary of any site in the Community Facilities Zone and Future Urban Zone or any Residential, Special Character or other open space zones	Maximum 3 lux

25.6.4.3 Major Facilities Zone and Knowledge Zone

a) The spill of light from artificial lighting (excluding street and navigation lights and traffic signals) in the Major Facilities Zone and Knowledge Zone on to any other site in any Residential, Special Character, Open Space, Community Facilities or Future Urban Zones, shall not exceed 3 lux (horizontal and vertical) when measured at points 1.5m within the boundary of the other site, except as provided for in Rule 25.6.4.3(c) and 25.6.4.3(d).

b) The spill of light from artificial lighting (excluding street and navigation lights and traffic signals) in the Major Facilities Zone and Knowledge Zone on to any other site in any zone not specified in Rule 25.6.4.3a shall not exceed 10 lux (horizontal and vertical) when measured at points 1.5m within the boundary of the other site, except as provided for in Rule 25.6.4.3(c) and 25.6.4.3(d).

c) Seddon Park

i. The flood lights shall not be used at more than 29 night-time events per year.

ii. The lights on the lighting towers shall not be used after:

- 2230 Monday to Thursday inclusive
- 2300 Friday to Sunday inclusive

However, the lights may remain on for the purpose of crowd dispersal for a period of up to one hour after the event or one hour after the time specified above, whichever is the earlier. Except on New Year's Eve when flood lights may be used for crowd dispersal up to 0030 on the following day (January 1).

iii. The level of lighting from Seddon Park shall not exceed 100 lux at all property boundaries.

d) Waikato Stadium

i. The flood lights shall not be used at more than 35 night-time events per year.

ii. The lights on the lighting towers shall not be used after:

- 2230 Monday to Thursday inclusive
- 2300 Friday to Sunday inclusive

However, the lights may remain on for the purpose of crowd dispersal for a period of up to one hour after the event or one hour after the time specified above, whichever is the earlier.

iii. The level of lighting from Waikato Stadium shall not exceed 100 lux at all property boundaries.

25.6.4.4 *Peacocke Medium Density Zone, Peacocke Local Centre Zone and Peacocke Neighbourhood Centre Zone: Peacocke Precinct*

Plan Change 5 Peacocke Structure Plan

a) Added illuminance from artificial outdoor lighting shall not exceed 0.3 lux (horizontal and vertical) at any height at the external boundary of the Significant Bat Habitat Area (SBHA.

b) Artificial outdoor lighting shall be fixed artificial outdoor lighting. Lighting attached to a vehicle is not considered to be fixed.

c) Where within 100 metres of a SHBA, artificial outdoor lighting on land adjoining a SBHA, including land immediately on the opposite side of the road which adjoins a SBHA, must;

i. Emit zero direct upward light.

ii. Be installed with the light emitting surface facing directly down and be mounted as low as practical.

iii. Be white LED, a maximum colour temperature of;

- *3000K on land with a residential use where separated from a SBHA by a public road with maximum 2700K lighting.*
- *2700K for land with a residential use, directly abutting a SBHA.*
- *2700K for all other use.*

iv. In the case of exterior security lighting, be controlled by a motion sensor with a short duration timer (5 minutes).

d) Artificial exterior lighting within a SBHA is only permitted for the express use of providing emergency lighting for an essential public service that could require unavoidable maintenance at night – e.g. a waste water pumping station. The lighting must be white LED with a maximum 2700k colour temperature, installed with the light emitting surface facing directly down, emit zero direct upward light and be mounted as low as practical.

Advisory notes

1. The term 'Added Illuminance' means illuminance added by artificial outdoor lighting that is therefore additional to illuminance present from natural ambient lighting. The Ambient Illuminance should be measured at a nearby proxy location on the same night and for the same sky conditions (clouds, weather, etc). The proxy location must have an unobstructed view of the sky, sufficient to ensure that the measurement is not affected. The Added Illuminance may then be determined by subtracting the Ambient Illuminance from the Measured Illuminance.

2. Any illuminance meter must be recently calibrated by a suitably accredited laboratory. The calibration should consider the spectral response and the meter must accurately read 0.01 lux.

25.6.4.5 All Other Zones

a) The spill of light from artificial lighting (excluding street and navigation lights and traffic signals) on to any other site shall not exceed 10 lux (horizontal and vertical) when measured or calculated at points 1.5m within the boundary of any other site. In the case of contiguous sites held in the same ownership for the same activity, the spill of light shall be measured or calculated at points 1.5m within the boundary of any other site beyond the boundary of the land holding.

b) The spill of light from artificial lighting (excluding street and navigation lights and traffic signals) on to any site in the Residential, Special Character, Open Space, Community Facilities or Future Urban Zones shall not exceed 3 lux (horizontal and vertical) when measured or calculated at points 1.5m within the boundary of any other site so zoned.

25.6.5 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
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25.7 Network Utilities and the Electricity National Grid Corridor

25.7.1 Purpose

a) Network utilities are services and facilities such as Three Waters systems, telecommunications, radio communications, electricity and gas networks. (For roads see Chapter 25.14: City-wide – Transportation.) Network utilities are provided by public and private organisations.

b) The successful functioning of the City depends on network utilities. It is therefore vital that construction, maintenance and operation of these services and facilities be effectively provided for in the District Plan.

c) While the core function of a network utility (e.g. water supply or tele-communications) will have overall positive effects, some may incidentally have adverse effects, for example from noise, odour or visual effects. Amenity values, landscape character, streetscape, heritage values, and public health and safety are all issues managed by the District Plan, while still allowing network utilities to function efficiently.

d) The provisions in this chapter apply to network utilities in all zones. The underlying zone objectives, policies and rules do not apply unless specifically referred to. City-wide rules such as those related to noise, dust, lighting and hazardous substances will still apply.

e) The provisions relating to the Electricity National Grid Corridor in this chapter apply to all development and activities within the Electricity National Grid Corridor. The underlying zone objectives, policies, rules, city-wide rules and subdivision rules still apply.

f) District Plan rules do not cover all network utilities activities. Network utilities may be exempt from rules because they operate under designations (see Chapter 26: Designations) or national environmental standards. In addition, national policy statements (such as the National Policy Statement on Electricity Transmission) or special legislation may affect the scope and administration of the District Plan.

g) Amateur Radio is provided for within the Network Utilities section, even though it is not a Network Utility by definition. Amateur Radio is important to ensure emergency management and international communications can be maintained and provided for.

25.7.2 Objectives and Policies: Network Utilities and the Electricity National Grid Corridor

These objectives and policies apply to all zones, and need to be read alongside, the Regional Policy Statement and relevant national policy statements, including the National Policy Statement on Electricity Transmission, National Policy Statement on Telecommunications and the National Policy Statement on Renewable Electricity Generation.

Objective	Policies
25.7.2.1 The importance of network utilities to support the development and functioning of Hamilton is recognised.	**25.7.2.1a** The positive effects and importance of network utilities, including the Electricity National Grid Corridor, for the social and economic wellbeing of Waikato region and Hamilton shall be recognised.
	25.7.2.1b The operation, maintenance and upgrading of and access to existing network utilities shall not be adversely affected by subdivision, land use and development.
	25.7.2.1c Subdivision, use and development in the Electricity National Grid Corridor shall not adversely affect the safe and efficient operation, maintenance of and access to the electricity transmission network.
	25.7.2.1d Sensitive Land Uses including schools, childcare facilities, residential buildings or hospitals, shall not establish close to high-voltage electricity transmission lines.
	25.7.2.1e The alteration or extension of existing development already within the Electricity National Grid Corridor shall be provided for where it does not compromise the electricity transmission network.
	25.7.2.1f Reverse-sensitivity effects shall be avoided.
	25.7.2.1g Network utility infrastructure shall be deployed in conjunction with land development.
	25.7.2.1h All development shall be adequately serviced by network utilities including Three Waters, gas, electricity and telecommunications.
	25.7.2.1i New network utilities shall have adequate capacity to support the potential scale and timing of development to be served.
	25.7.2.1j Broadband infrastructure shall be established and operated throughout the City.

Explanation
This objective and its policies recognise that network utility structures and services are critical for the functioning of the City. The policies require that an appropriate level of services must be planned in advance of new development, which is particularly the case in greenfields. It is important that the services provided are of sufficient capacity to accommodate the level of growth proposed. *There is potential for existing network utility infrastructure to be adversely affected by subdivision, use and development of surrounding land uses. Changes in land uses can affect access to the network utility or affect its ongoing operation and maintenance. Where network utility infrastructure is already existing, surrounding land uses need to be carefully managed to protect both the functioning of the utilities and to avoid risks to people and property. Sensitive land use should not be located where future conflicts are predictable, to avoid reverse-sensitivity effects where possible.* *Reverse sensitivity effects include recognising the operation of the Waikato Hydro Scheme as it relates to Waikato River levels through Hamilton. Development and activities could compromise the operating levels for the Waikato Hydro Scheme if careful consideration of location and design of three waters infrastructure, walkways, cycleways, boat ramps, pontoons and jetties and the like are not taken into account.* *Broadband is critical to the progress of the City. The Hamilton Economic Development Strategy includes an outcome that Hamilton has leading broadband infrastructure.*

Objective	Policies
25.7.2.2 Network utilities (excluding renewable electricity generation activities) are located, designed and operated to avoid, remedy or mitigate adverse effects on amenity and the surrounding environment.	**25.7.2.2a** Network utilities shall be designed, located, installed, operated and maintained to: i. Minimise the potential discharge of contaminants to the environment. ii. To the extent practicable avoid potential adverse effects on the health, safety and wellbeing of people and communities. iii. Minimise effects on the scale and character of surrounding land uses. iv. Minimise adverse visual effects as far as practicable through design and location, landscaping and screening. v. Be placed underground where practicable, excluding stormwater. vi. Allow for the provision and efficient operation of other network utilities. vii. Co-locate or co-site where possible. viii. Minimise adverse effects to adjacent properties.

	25.7.2.2b Network utilities that generate electromagnetic or radio frequency fields shall comply with national and international standards as specified in the relevant National Environmental Standard.
	25.7.2.2c Network utility structures are to be in accordance with all relevant National Environmental Standards.
	25.7.2.2d To the extent practicable network utility structures should not be located within areas of high amenity values listed in Volume 2, Appendix 13: Areas with Historic Heritage Values or Visual Amenity Values.

Explanation

This objective recognises that network utility structures can adversely affect the environment and amenity, and seeks to manage potential adverse effects, particularly through design and location. This objective excludes renewable electricity generation activities in recognition of the National Policy Statement for Renewable Electricity Generation.

Adverse visual effects can often be managed by putting the services underground. For networks, such as those with cables, that can be located underground, this is the required approach. Where network utility structures are located above ground, particular attention should be given to their design, location and minimising of any adverse visual effects. This can be achieved in a number of ways including screening, careful placement, size and appearance.

In the case of broadband, above-ground deployment of cables will allow rapid, relatively inexpensive and less disruptive installation of fibre to areas where overhead electricity distribution lines already exist. However in the longer term, underground installation is required to reduce visual pollution.

Co-location and co-siting of network utilities may provide environmental benefits in terms of visual amenity. Where possible, opportunities for co-location should be explored. However, it is recognised that co-location is not always possible due to operational issues such as radiofrequency interference, electrical interference and structural capacity.

Health and safety effects can arise from network utilities and their structures. Where electricity national grid corridors already exist, sensitive land use should not locate in close proximity. The National Policy Statement on Electricity Transmission defines sensitive activities.

There are a number of national and international standards that are external to the District Plan but that must be complied with. These are identified in the National Environmental Standards.

Objective	Policies
25.7.2.3 Increased use and development of renewable energy resources.	**25.7.2.3a** The positive effects of using and developing renewable energy resources, for the environment and economic and social wellbeing, shall be recognised.
	25.7.2.3b The renewable energy resources of Hamilton (including geothermal, hydro, biomass, solar and wind) shall be recognised and encouraged for their potential contribution to national and local energy production.
	25.7.2.3c Investigation, identification and assessment of potential sites and energy sources for renewable electricity generation shall be encouraged.
	25.7.2.3d Renewable electricity generation activities shall be designed, located, installed, operated and maintained to: i. Minimise the potential adverse effects to the environment. ii. Avoid, reduce or displace greenhouse gas emissions. iii. Maximise the use of the renewable energy resource. iv. Offset any adverse residual environmental effects with measures or environmental compensation which benefit the local environment and community affected.
	25.7.2.3e The development and use of small and community-scale distributed renewable electricity generation shall be encouraged, subject to: i. Acceptable effects on amenity values, especially from noise, visual impacts on neighbourhoods, air emissions, glare and lighting, flicker effects on natural light, steam and odour. ii. Acceptable effects on water bodies, landscapes and significant natural areas. iii. An assured standard of long-term maintenance of sites and equipment.

Explanation
This objective and associated policies recognise that the production and use of renewable electricity resources can have positive effects on the environment and community wellbeing. However, making the best use of renewable resources may adversely impact on other resources and values, such as landscape and local amenity. *The Act requires the District Plan to have particular regard to the benefits derived from the use and development of renewable energy. Although not stated in the Act, these benefits may include security of supply and greater reliability (by diversifying sources of energy), reduction in greenhouse gas emissions, reduction in dependence on the national grid, and reduction of transmission losses. Such use will also add to electricity generation capability on a more sustainable basis.* *The National Policy Statement for Renewable Electricity Generation recognises that energy demand has been growing steadily and will continue to do so. Renewable electricity can assist in meeting this demand. Policies relating to this objective recognise and provide for renewable electricity generation at a range of scales. "Small and community-scale distributed electricity generation" are promoted by the national policy statement, subject to the local context, which in Hamilton City will involve consideration of urban and suburban amenity values.*

Objective	Policies
25.7.2.4 Efficient operation, maintenance and upgrade of the existing electricity transmission network and to enable the establishment of new electricity transmission resources.	**25.7.2.4a** The national, regional and local benefits of sustainable, secure and efficient electricity transmission shall be recognised.
	25.7.2.4b The effective operation, maintenance, upgrading and development of the electricity transmission network shall be supported.
	25.7.2.4c The technical and operational requirements of the network shall be considered.
	25.7.2.4d Adverse effects of new transmission infrastructure or major upgrades of existing transmission infrastructure shall be addressed by the route, site and method selection.
	25.7.2.4e The reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets shall be recognised.
	25.7.2.4f Substantial upgrades of transmission infrastructure shall be used as an opportunity to reduce existing adverse effects of transmission.

	25.7.2.4g Where practicable, new transmission infrastructure should be avoided in urban environments, areas of high recreational value or amenity, and adjoining sensitive land use.
	25.7.2.4h New transmission networks shall in preference be established using the designation process for efficient long-term development, operation and maintenance of electricity transmission infrastructure.

Explanation

This objective and policies gives effect to the National Policy Statement on Electricity Transmission, which is itself intrinsically linked to the National Environmental Standard for Electricity Transmission Activities. While the national policy statement provides the strategic policy framework, the national environmental standard provides rules for the existing transmission infrastructure. The NPSET has one objective with several components :

- *To recognise the national significance of the electricity transmission network.*
- *To facilitate the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources.*
- *To manage the adverse environmental effects of the network.*
- *To manage the adverse effects of other activities on the network.*

Objective	Policies
25.7.2.5 Amateur Radio Configurations are provided for where they do not have a significant adverse effect on visual amenity and residential character.	**25.7.2.5a** Amateur Radio Configurations are designed, constructed and located to minimise adverse effects on existing or anticipated residential character and amenity of adjoining properties or the surrounding neighbourhood.

Explanation

This objective and policy provides for Amateur Radio Configurations in the General Residential Zone and Future Urban Zone. Providing for the activity of Amateur Radio configuration is important given the role they play in emergency response and international telecommunication. However, this requires balancing between providing for Amateur Radio and protecting the community and environment from significant adverse effects on amenity values.

25.7.3 Rules – Activity Status

The rules contained in Sections 25.7.3 - 25.7.4 override all zone rules unless a particular zone rule is specifically referred to in this chapter.

Activity – All Zones	Class
All Network Utilities	
a) The operation of existing network utilities, whether underground or above ground	P
b) The installation and upgrading of network utilities located underground (excluding electricity transmission lines)	P
c) The maintenance and repair of any existing network utility	P
d) The removal of existing network utilities, whether underground or above ground	P
e) The trimming and pruning of vegetation necessary to protect electric lines (including as required to meet the Electricity (Hazards from Trees) Regulations 2003) or telecommunication lines	P
f) Network utility development, operation, or maintenance not otherwise mentioned in any section of this table	P
Electricity Transmission at and above 110kV	
g) New above-ground lines and support structures (other than relocation)	D
h) New underground lines and associated structures	D
i) Substations	D
j) Switching stations	D
k) Minor upgrading of existing above-ground lines and support structures	P
l) Upgrading of existing above-ground lines and support structures	RD
Electricity Distribution up to 110kV	
m) Underground lines, including underground connections from buildings and sites	P
n) New above-ground single-pole lines and support structures	RD
o) Minor upgrading of existing above-ground lines and support structures	P
p) Upgrading of existing above-ground lines and support structures	RD
q) New and upgraded transformers, substations and switching stations distributing electricity at a voltage up to, and including 110kV, and ancillary buildings in the Open Space Zones and Special Character Zones (except within the Peacocke Character Zone)	D
r) All other zones	P
Telecommunications	
s) Underground telecommunication lines, including underground connections from buildings and sites	P
t) Minor upgrading of existing telecommunication equipment	P

Activity – All Zones		Class
u)	New overhead connections from buildings and sites to existing overhead line networks	P
v)	New above-ground single-pole structures and associated telecommunication lines	RD
w)	New above-ground single-pole structures and associated telecommunication lines in existing overhead network areas for ultra-fast fibre installation	P
x)	Addition of telecommunications lines and fittings to existing supporting structures	P
y)	Antenna in Special Character Zones and Open Space Zones	D
z)	Antenna in all other zones	P
aa)	Amateur Radio Configuration	P
bb)	Cabinet in Open Space Zones and Special Character Zones (except within the Peacocke Character Zone)	RD
cc)	Cabinets in all other zones	P
dd)	Mast in Special Character Zones and Open Space Zones	D
ee)	Mast in all other zones	P
ff)	Up to two satellite dishes per site in all zones, except in the Industrial Zones, Business 1 to 7 Zones and Residential Intensification Zone where up to four satellite dishes per site	P P
gg)	Card and coin operated telephone booths (excluding Open Space Zone)	P
hh)	Installation of equipment internally within any telephone exchange	P
ii)	Installation of telecommunications facilities in Transport Corridor Zone within an area having historic heritage values or visual amenity values listed in Volume 2, Appendix 13.	RD
Gas		
jj)	Underground gas transmission pipelines at a pressure less than 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations, but not compressor stations	P
kk)	Underground gas transmission pipelines at a pressure of 2000 kilopascals or greater, including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses	D
ll)	Gas valve and takeoff stations, sales gates and regulator systems	P
Water Infrastructure		
mm)	New underground pipelines conveying Three Waters and overland stormwater conveyances (open drains and channels)	P
nn)	Pump stations and aerial crossings on bridges or structures or over water courses and other depressions	RD
oo)	Water and wastewater treatment plants	D
pp)	Water supply reservoirs	RD

Activity – All Zones	Class
qq) Stormwater detention, treatment and/or soakage facilities to service more than 1 site	RD
Meteorological	
rr) Meteorological enclosures and buildings, automatic weather stations, and voluntary observer sites and associated microwave links	P
ss) Single metrological instrument sites	P
tt) Two or more meteorological instruments per site (including associated support structures)	D
Energy	
uu) Structures associated with the investigation and assessment of potential electricity generation from biomass, hydro or geothermal resources	RD
vv) Wind energy facility and windpower generators for bulk power supply	D
ww) Small scale distributed renewable energy generation	P
xx) Community scale distributed renewable energy generation	D
yy) Solar panels and solar heating systems for the purposes of serving the site on which they are located	P
zz) Solar panels and solar heating systems for the purposes of serving more than one site	RD
aaa) Temporary diesel-fuelled generation activities in all Zones	P

25.7.4 Rules – Activity Status – Electricity National Grid Corridor

Activities and Buildings within the Electricity National Grid – All Zones	Class			
	Within Greenfield Areas National Grid Yard	Within Greenfield Areas National Grid Corridor	Within Urban Areas National Grid Yard	Within Urban Areas National Grid Corridor
a) New buildings or additions to the building envelope of existing buildings for a sensitive land use	NC	P	NC	P
b) Any building associated with non-sensitive land uses (including commercial or industrial activities) on existing developed sites within urban areas	N/A	N/A	P	P
e) Any building associated with non-sensitive land uses (including commercial or industrial activities and accessory buildings) on Lot 1 DPS 75707 (1 Bisley Road)	D	P	P	P
d) Maintenance, repair and internal alterations to existing buildings that do not result in the alteration of the building envelope and/or an increase in floor space for a sensitive land use	P	P	P	P
e) Establishment of a sensitive land use and changes of activity to a sensitive land use	NC	P	NC	P
f) Any building within the National Grid Corridor, except as otherwise provided for in a) to e) above	NC	P	NC	P
g) Any building within 12m of the outer visible edge of a National Grid support structure	NC	NC	NC	NC
h) Any new building less than 2.5m high and 10m^2 in area (excluding i) below)	P	P	P	P
i) Within the Ruakura Structure Plan area any new building less than 2.5m high and 10m^2 in area and any fencing up to 2.5 metres high, lighting up to 2.5 metres high, and traffic management structures up to 2.5 metres high (including as required to manage activities under the lines), subject to compliance with NZECP 34:2001 and no closer than 12 metres clearance from the outer visible edge of a National Grid support structure	P	P	P	P

Activities and Buildings within the Electricity National Grid – All Zones	Class			
	Within Greenfield Areas National Grid Yard	**Within Greenfield Areas National Grid Corridor**	**Within Urban Areas National Grid Yard**	**Within Urban Areas National Grid Corridor**
j) In the Ruakura Logistics Zone, unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities (outside of approved crossings under l) below) in the National Grid Yard.	NC	N/A	N/A	N/A
k) In the Ruakura Logistics Zone, unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities in the National Grid Corridor.	N/A	RD	N/A	N/A
l) In the Ruakura Logistics Zone, crossings for Mobile Plant as defined in NZECP 34:2001 (does not apply to the movement of containers on trucks or trains) in the National Grid Yard.	RD	N/A	N/A	N/A
m) In the Ruakura Logistics Zone, light towers, walls and fences greater than 2.5 metres high in the National Grid Yard and National Grid Corridor.	RD	RD	N/A	N/A
n) Any activity not complying with Rule 25.7.6.1 National Grid Buildings and Structures	NC	NC	NC	NC
o) Network utilities	Refer to Rule 25.7.3 above			

Note

1. All activities or buildings within the Electricity National Grid Corridor shall have the activity class identified above, except where the class of the activity or building is more restrictive within the relevant zone or city wide rules, in which case the more restrictive activity status shall apply. Where Electricity National Grid Corridors for different lines intersect, the most restrictive Corridor will apply. Where an activity is not identified above, it shall be controlled by the relevant zone and city wide rules.
2. The controls within the Electricity National Grid Corridors do not apply to sections of a line which have subsequently been placed underground, or removed. In such cases the relevant zone and city wide rules will apply.
3. The operation, maintenance, upgrading, relocation or removal of an existing electricity transmission line and structures is largely controlled by the Resource Management Act (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.
4. The installation and operation of telecommunications facilities (antennas and cabinets in the road reserve) is largely controlled by the National Environmental Standards for Telecommunications Facilities (2008), separate to this District Plan.
5. Works in close proximity to all electric lines can be dangerous. Compliance with the New Zealand Electrical Code of Practice 34:2001 is mandatory for any construction, buildings, excavation or other work on or near an electric line.

6. Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines especially within 20m of those lines, contact the line operator.
7. Network utilities that transmit radiofrequency fields or emit electromagnetic fields shall comply with the relevant New Zealand Guidelines or Legislation.
8. Network utilities that emit electro-magnetic fields shall comply with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines.
9. Consultation with Transpower New Zealand Limited (or its successor) is advised when considering development within the High Voltage Electricity National Grid Corridor. Transpower New Zealand Limited will be an affected party for any development requiring resource consent under or adjacent to high voltage transmission lines.
10. For any activity not identified above, see Section 1.1.8.1.

25.7.5 Rules – General Standards

25.7.5.1 Height

Zones	Maximum height
a) Maximum height of the entire structure including any attached antennas, support structures, etc (except lightning rods): All Residential, Special Character, Community Facilities, Open Space, and Future Urban Zones, and in the Transport Corridor Zone adjoining any of these zones	15m
b) Maximum height of the entire structure including any attached antennas, support structures, etc (except lightning rods): All Business 1 to 7, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics and Knowledge Zones and in the Transport Corridor Zone adjoining these zones	24m
c) Maximum height of entire structure including any attached antennas, support structures, etc, where co-located on the same structure (except lightning rods): All Business 1 to 7, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics and Knowledge Zones and in the Transport Corridor Zone adjoining these zones	26m
d) Maximum height of lightning rods above a structure or building: All zones	2m
e) Maximum height above a building that an antenna or dish can protrude: All Residential, Special Character and Future Urban Zones	1m
f) Maximum height above a building that a antenna or dish can protrude: All Community Facilities, Open Space, Business 1 to 7, Industrial, Central City, Ruakura Logistics and Transport Corridor Zones	4m
g) Meteorological instruments, anemometer mast: All zones	12m

Note

1. Explanation to Rule 25.7.5.1(c) above:
   Co-location refers to the shared use of a network utility for multiple purposes or by multiple providers. For example, the network utility structure may incorporate telecommunication masts and meteorological devices.
2. Transport Corridor Zone:
   Where two different zones adjoin the Transport Corridor Zone the more restrictive standard shall apply.

25.7.5.2 Cross-section Width of Antenna, Poles and Masts

Zones	Maximum cross-sectional width
a) All Residential, Special Character Community Facilities, Open Space and Future Urban Zones, and in the Transport Corridor Zone adjoining any of these zones	0.7m
b) All Business 1 to 7, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics, and Knowledge Zones and in the Transport Corridor Zone adjoining any of these zones	1.3m
c) All Business 1 to 7, Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Major Facilities, Central City, Ruakura Logistics, Knowledge zones and in the Transport Corridor Zone adjoining any of these zones where antennas, poles and/or masts are co-located on the same structure	2.1m

Note

1. Explanation to Rule 25.7.5.2(c) above:
   Co-location refers to the shared use of a network utility for multiple purposes or by multiple providers. For example, the network utility structure may incorporate telecommunication masts and meteorological devices.
2. Transport Corridor Zone:
   Where two different zones adjoin the Transport Corridor Zone the more restrictive standard shall apply.

25.7.5.3 Separation Distance

a) Minimum separation distance between poles and masts: All zones	15m
b) Minimum separation distance between poles and masts within 20m of the intersection of two or more roads within the Transport Corridor Zone	5m
c) Minimum separation distance between antenna: All zones	0m
d) Separation distance in respect of (a), (b) and (c) above excludes utility poles supporting overhead services in the Transport Corridor Zone.	-

25.7.5.4 Size of Panels and Dishes

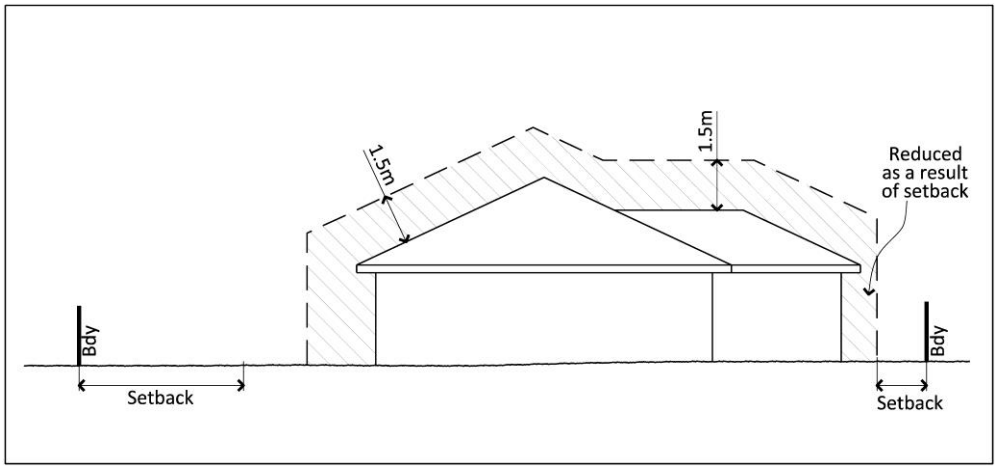
a) Maximum diameter of any dish:	
i. Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Business 1 to 7, Central City, Ruakura Logistics Zones, or in the Transport Corridor Zone adjoining these zones	4m
ii. All other zones or in the Transport Corridor Zone adjoining any of these zones	2m

b) Maximum distance beyond a building profile that solar panel or solar heating structure can protrude (see Figure 25.7.5a): All zones	1.5m

Note

1. Transport Corridor Zone:
   Where two different zones adjoin the Transport Corridor Zone the more restrictive standard shall apply.

Figure 25.7.5a: Example of maximum distance beyond a building profile that a solar panel or solar heating structure can protrude



25.7.5.5 Cabinets, Equipment and Other Structures

a) Maximum volume for individual cabinets or other above ground structures for electricity and telecommunications: i. Industrial, Ruakura Industrial Park, Te Rapa North Industrial, Business 1 to 7, Central City and Ruakura Logistics zones ii. Transport Corridor Zone and all other zones	 25m^3 6.5m^3
b) Maximum volume for underground structures: All zones	40m^3
c) Maximum area for buildings housing network utility equipment: All zones	40m^2 GFA
d) Maximum height for buildings housing network utility equipment: All zones	Refer relevant zone standards

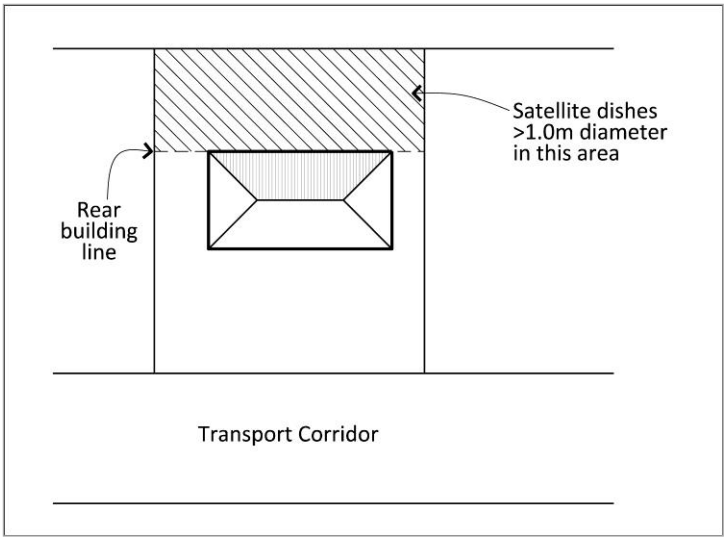
25.7.5.6 Setbacks

a) Network utilities structures with a volume greater than 6.5m^3 shall comply with the minimum building setback for the relevant zone.

b) For all Residential and Special Character zones, satellite dishes over 1m diameter shall be located behind the rear building line of the dwelling (see Figure 25.7.5a).

c) The zone performance standards for an accessory building shall apply to solar panels and solar water-heating devices not attached to a building.

Figure 25.7.5b: Setback for Satellite Dishes



25.7.5.7 Provisions in Other Chapters

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

- Chapter 2: Strategic Framework
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

25.7.6 Specific Standards

25.7.6.1 National Grid Buildings and Structures

All buildings or structures permitted by 25.7.4a) and b) must comply with at least one of the following conditions:

i. A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or

ii. Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions. As required by the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

25.7.6.2 Amateur Radio Configuration

The following amateur radio configurations are permitted activities within the General Residential and Future Urban Zones under this Rule, unless they are proposed to be located within a site that has a Significant Natural Area, Historic Heritage Item or Significant Archaeological Site.

25.7.6.2.1 Antennas

a) Where attached to a building or other structure (including a mast) radio and telecommunications antenna up to and including 2m in diameter for an antenna dish and not exceeding 2m2 in area or 2m in any dimension for a panel antenna; provided the antenna does not overhang a site boundary; and

b) One pedestal mounted antenna per site provided that:

i. The antenna is pivoted less than 4m above the ground with a maximum diameter of 5m; and

ii. The pedestal and/or the antenna are located in accordance with the , setback and height in relation to boundary standards applying to buildings in the zone in which they are located

25.7.6.2.2 Aerials

a) Aerials that comply with the following:

i. Any of the elements making up the aerial do not exceed 80mm in diameter;

ii. For horizontal HF yagi aerials, the maximum element length does not exceed 14.9m, and the boom length does not exceed 13m;

iii. No part of the aerial (including aerial wires) overhangs a site boundary;

iv. The setback standards applying to buildings in the applicable General Residential Zone or Future Urban Zone (except that aerial wires are not required to comply with the setback standards);

v. No part of the aerial exceeds the maximum stated height applying to buildings in the applicable General Residential Zone or Future Urban Zone by more than 2m (except for vertical aerials as provided for in vi below);

vi. For vertical aerials, one vertical aerial to a maximum height of 20m, provided there is only one vertical aerial or one supporting structure (and attached aerial(s) or antenna(s) under c) below) per site that exceeds the maximum stated height applying to buildings in the applicable General Residential Zone or Future Urban Zone by more than 2m.

25.7.6.2.3 Supporting Structures

a) No more than six support poles for wire aerials of less than 115mm in outside diameter per site provided:

i. The maximum height of the support poles is the maximum building height applying in the zone in which they are located;

ii. The setback and height in relation to boundary standards shall not apply to these support poles;

iii. Where guy wires are used these must not exceed 12mm in diameter; and

b) One pole support structure (excluding support poles for wire aerials) or lattice support structure per site provided that:

i. The maximum height of the pole support structure is 9m and the maximum inscribed circle of the pole and any lowering mechanism shall be 600mm below 4m in height and 115mm above 4m; or

ii. The maximum height of the lattice support structure is 9m and the maximum inscribed circle and any lowering mechanism shall be 900mm below 8m in height and 660mm above 8m; and

iii. The pole or lattice structure is located in accordance with setback standards applying to buildings in the zone in which they are located. For the purpose of this rule the height in relation to boundary standards shall not apply to the pole or lattice support structure; and

iv. Where guy wires are used these must not exceed 12mm in diameter; and

v. At no point must any guy wire overhang the boundary.

c) For each site, one support structure can exceed the maximum stated height applying to buildings in the applicable General Residential Zone and Future Urban Zone by more than 2m, provided that:

i. The maximum height of the support structure and any attached aerials or antennas is 20m;

ii. The supporting structure may be one of the following:

1. A guyed mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 115mm; or

2. A guyed lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m shall be 300mm. The mast may be of constant width or tapering; or

3. A self-supporting lattice mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m and 420mm at 20m; or

4. A self-supporting tubular mast. The maximum inscribed circle of the mast below 9m shall be 1000mm, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 230mm at 9m and 115mm at 20m.

iii. There may be local enlargement of support structure to accommodate a rotator mechanism;

iv. The supporting structure is located in accordance with setback standards applying to buildings in the applicable General Residential Zone or Future Urban Zone. For the purpose of this rule the height in relation to boundary standards shall not apply to the supporting structure;

v. Where guy wires are used these must not exceed 12 mm in diameter;

vi. At no point must any guy wire overhang the boundary.

25.7.6.3 Temporary Diesel-Fuelled Generators

Temporary Diesel-Fuelled Generation Activities, including associated transformers and fuel storage tanks shall:

a) Produce no greater than a combined output of 10MW per site;

b) Operate for no longer than 6 months in any calendar year.

25.7.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

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

Activity Specific	**Matter of Discretion and Assessment Criteria Reference Number** **(Refer to Volume 2, Appendix 1.3.3)**
i. Electricity Transmission - upgrading of existing above-ground lines and support structures	• I – Network Utilities and Transmission
ii. Electricity distribution – new above-ground single-pole lines and support structures	• B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
iii. Electricity distribution – upgrading of existing above-ground lines and support structures	• B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
iv. Telecommunications – new above-ground single-pole structures and associated telecommunication lines	• E – Heritage Values and Special Character • I – Network Utilities and Transmission

v. Telecommunications – cabinet in Open Space Zones and Special Character Zones (except within the Peacocke Character Zone)	• E – Heritage Values and Special Character • I – Network Utilities and Transmission
vi. Telecommunications – facilities in the Transport Corridor Zone within an area having historic heritage values or visual amenity values as identified in Appendix 13	• E – Heritage Values and Special Character • I – Network Utilities and Transmission
vii. Water infrastructure – pump stations and aerial crossings on bridges or structures or over water courses and other depressions	• B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
viii. Water infrastructure – water supply reservoirs	• B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
ix. Water infrastructure – stormwater detention, treatment and/or soakage facilities to service more than 1 site	• E – Heritage Values and Special Character • I – Network Utilities and Transmission
x. Energy – structures associated with the investigation and assessment of potential electricity generation from biomass, hydro or geothermal resources	• B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
xi. Energy – solar panels and solar heating systems for the purposes of serving more than one site	• B – Design and Layout • E – Heritage Values and Special Character • I – Network Utilities and Transmission
xii. Energy – Temporary diesel-fuelled generation activities in all Zones	• B – Design and Layout • E – Heritage Values and Special Character • F – Hazards and Safety • I – Network Utilities and Transmission
xiii. In the Ruakura Logistics Zone, unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities in the National Grid Corridor	• N - Ruakura

xiv. In the Ruakura Logistics Zone, crossings for Mobile Plant as defined in NZECP 34:2001 (does not apply to the movement of containers on trucks or trains) in the National Grid Yard.	• N - Ruakura
xv. In the Ruakura Logistics Zone, light towers, walls and fences greater than 2.5 metres high in the National Grid Yard and National Grid Corridor.	• N - Ruakura

25.7.8 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

25.8.1 Purpose

a) Noise and vibration can have an adverse effect on amenity values, adversely affecting people's health, interfering with communication and disturbing sleep and concentration. Under the Act, noise includes vibration, so the objectives and policies on noise cover vibration as well, unless the context requires otherwise.

b) District Plan standards for noise are important in determining when resource consents will be required for land uses and the assessment of applications. The District Plan provisions are subject to Section 16 of the Act, which requires everyone carrying out activities to adopt the best practicable option to ensure that noise does not exceed a reasonable level.

c) The duty to adopt the best practicable option is not always avoided by compliance with a District Plan rule on noise. Noise may be deemed to be unreasonable even though the District Plan does not require resource consent. Enforcement action for unreasonable noise will usually be based on the noise enforcement provisions of the Act, but may be based on exceeding the District Plan standards.

25.8.2 Objectives and Policies: Noise and Vibration

Objective	Policies
25.8.2.1 Activities have minimal adverse noise and vibration effects on other activities and sites, consistent with the amenity values of the receiving environment.	**25.8.2.1a** The amenity values of the surrounding neighbourhood and adjoining activities, especially noise-sensitive activities, shall be protected from the effects of unreasonable noise.
	25.8.2.1b Construction, maintenance and demolition activities shall be required to minimise potential adverse effects on the surrounding neighbourhood and adjoining activities.
	25.8.2.1c Noise effects arising from new and altered roads should be managed using best practicable options to ensure noise levels received by existing premises and facilities that are sensitive to noise are reasonable.
	25.8.2.1d Commercial, industrial and community activities shall ensure that noise received at the boundary of Residential and Special Character Zones is consistent with the residential noise environment.

	25.8.2.1e Noise from non-residential activities in residential areas shall not unduly adversely affect residential amenity values.
	25.8.2.1f Temporary events shall minimise noise impacts on residential activities when taking into account the level and duration of the noise.

Explanation

The policies ensure that noise levels will be appropriately managed to protect the amenity values of receiving environments.

Management of the interface between areas is important to ensure that noise is within a reasonable expectation for the zoning and noise levels meet accepted minimum standards for the receiving environment. Within industrial and commercial areas, higher noise levels are accepted, but will be controlled to prevent unreasonable noise from transferring between sites.

The policies will capture changes to the noise environment arising from new and altered roads. The Plan aims to limit people's exposure to traffic noise from new transport corridors by reducing noise at the source, and requiring insulation for new development beside busy transport corridors (see Objective 25.8.2.2).

Many construction activities are inherently noisy but methods are available which can control the emission and impact of this noise. Noise experienced during construction is of a temporary nature and provided that noise at inconvenient times can be mitigated or avoided, reasonable levels of construction noise can be accommodated.

Objective	Policies
25.8.2.2 Reduce reverse-sensitivity effects arising from new noise-sensitive activities locating: i. Within the Central City, Business, Industrial, Te Rapa North Industrial, Ruakura Logistics and Ruakura Industrial Park Zones. ii. Near to transport networks. iii. Within a defined helinoise boundary. iv. Within the noise emission boundary of the Te Rapa Dairy Manufacturing Site. v. Within the Te Awa Lakes Structure Plan Area, recognising the proximity of	**25.8.2.2a** Noise-sensitive activities locating within the Central City, Business, Industrial, Ruakura Logistics, Te Rapa North and Ruakura Industrial Park Zones or within an existing defined helinoise boundary or within the Te Rapa Dairy Manufacturing Site Noise Emission Boundary should include design and materials to reduce interior noise to acceptable levels.
	25.8.2.2b Noise-sensitive activities locating near transport corridors that carry high traffic volumes, or railways, should include design and materials to reduce interior noise to acceptable levels.
	25.8.2.2c Noise-sensitive activities located within the Rototuna North East Character Zone adjacent to the Waikato Expressway (Designation E90) within the habitable building setback should provide

Te Awa Lakes residential development to regionally significant and other industry (including industry located in the Waikato District) and regionally significant infrastructure.	sufficient acoustic treatment to protect its residential noise environment.

Explanation

The objectives and policies recognise that some areas of the City contain a diverse range of activities, and that there is increased potential for conflict over noise, particularly when noise-sensitive activities locate near existing noisy activities.

The objective and policies recognise that noise-sensitive activities establishing in these areas will require appropriate design and materials, such as acoustic insulation, to achieve an acceptable internal noise environment.

The objectives and policies also recognise that the noise levels within the Te Rapa Dairy Manufacturing Site Noise Emission Boundary were agreed through an appeal settlement on the Waikato District Plan and the area around the Dairy Manufacturing Site was subsequently transferred into Hamilton City. Noise sensitive activities locating within the Dairy Manufacturing Site Noise Emission Boundary need to be aware of the existing noise levels within the Noise Emission Boundary.

In the Rototuna North East Character Zone, the use of a specific building setback provision pre and post the construction of the Waikato Expressway (Designation E90) negates the need for additional acoustic mitigation of dwellings beyond the setback and provides protection for the outdoor amenity of residential properties within the setback. However, habitable buildings located within the setback do have an increased potential to be affected. Accordingly noise-sensitive activities establishing in this area will require appropriate design and materials, such as acoustic insulation, to achieve an acceptable internal noise environment.

Objective	Policies
25.8.2.3 Reduce reverse-sensitivity vibration effects arising from new development locating near to the rail transport network.	**25.8.2.3a** New buildings locating near to the rail network should include design and materials to reduce vibration to acceptable levels.

Explanation

The objectives and policies recognise that in some areas of the City near to the rail network there is potential for vibration effects. The objective aims to ensure that new buildings locating near to the rail are designed to recognise the environment in which they are located.

25.8.3 Rules – Specific Standards

25.8.3.1 Measurement and Assessment of Noise

a) Noise levels shall be measured in accordance with NZS 6801:2008 “Acoustics – Measurement of Environmental Sound” and assessed in accordance with NZS 6802:2008 ‘Acoustics – Environmental Noise’. These apply unless otherwise stated.

25.8.3.2 Construction Noise

a) All construction noise shall comply with the relevant noise levels stated in NZS6803: 1999, section 7.2 ‘Recommended numerical limits for construction noise’ and shall be measured and assessed in accordance with NZS 6803:1999 ‘Acoustics – Construction Noise’.

25.8.3.3 Construction Vibration

a) Construction vibration received by any building on any other site shall comply with the provisions of and be measured and assessed in accordance with German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures.

25.8.3.4 Design and Construction of New and Altered Roads

a) Application of this standard.

   i. This standard shall apply only to new and altered roads predicted to carry at least 2000 annual average daily traffic (AADT) at the design year.

b) This standard shall not apply:

   i. In circumstances where NZS 6806: 2010 does not apply, as listed in paragraph 1.3.1 of NZS 6806: 2010.

   ii. To local transport corridors identified within Volume 2, Appendix 15-4, Figures 15-4b to 15-4f.

   iii. To altered roads where the vertical or horizontal alignment changes relate solely to providing pedestrian footpaths, cycleways, dedicated passenger transport or high-occupancy vehicle lanes, vehicle stopping or parking whereby that part of the carriageway dedicated to usual vehicle movement does not move closer to any protected premises and facilities.

c) Road-traffic noise shall be measured and assessed in accordance with NZS 6806:2010 ‘Acoustics – Road traffic noise – New and altered roads’.

d) Subject to 25.8.3.4(a) and (b) above, new or altered roads are designed and constructed to mitigate road-traffic noise in compliance with NZS 6806: 2010 ‘Acoustics – Road traffic noise – New and altered roads’.

Note

1. This rule mainly affects road controlling authorities such as Council and the New Zealand Transport Authority, but sometimes may affect a private developer building or altering a road in a subdivision designed to carry the requisite traffic volumes. The practical effect of the standard is that traffic noise received at ‘protected premises and facilities’ will be reduced by design features such as quieter road surfaces.

25.8.3.5 Helicopter Landing Area Noise

a) Helicopter noise from helicopter landing areas shall be measured and assessed in accordance with NZS 6807:1994 ‘Noise management and land-use planning for helicopter landing areas’.

Note

1. An activity that does not comply with NZS6807:1994 in Rule 25.8.3.5 will require consent, and the operator may be required to establish a helinoise boundary around the helicopter landing area, as described in NZS 6807:1994 via a change to the District Plan in accordance with the first schedule of the Act. Any new 'noise-sensitive activities' inside a defined helinoise boundary may be subject to the noise insulation requirements of NZS 6807:1994.
2. In addition to District Plan requirements, helicopter operation is subject to civil aviation controls.

25.8.3.6 Events and Temporary Activities

a) The relevant zone noise standards shall apply to all events and temporary activities, except as provided in Rule 25.3.5.2(c) and 25.3.5.3(e).

25.8.3.7 Noise Performance Standards for Activities in all Zones Except Major Facilities, Knowledge, Open Space, Ruakura Logistics and Ruakura Industrial Park Zones

a) Activities in all Zones except Major Facilities, Knowledge, Open Space, Ruakura Logistics and Ruakura Industrial Park Zones, shall not exceed the following noise levels at any point within the boundary of any other site in the:

i. Residential Zones.

ii. Special Character Zone.

Time of day	Noise level measured in $L_{Aeq\ [15\ min]}$	Noise level measured in L_{AFmax}
iii. 0600 – 0700 hours	45 dB	75 dB
iv. 0700 – 2000 hours	50 dB	-
v. 2000 – 2300 hours	45 dB	-
vi. 2300 – 0600 hours	40 dB	75 dB

b) Activities in all zones except the Major Facilities, Knowledge and Open Space Zones shall not exceed the following noise levels at any point within the notional boundary of any other site in the Future Urban Zone.

Time of day	Noise level measured in $L_{Aeq\ [15\ min]}$	Noise level measured in L_{AFmax}
i. 0700 – 2200 hours	55 dB	-
ii. 2200 – 0700 hours	40 dB	75 dB

c) Any activity within the Industrial and Te Rapa North Industrial zones shall not exceed a noise level of 65dBA (LAeq [15 min]) at any point within the boundary of any other site within that zone. This standard does not apply to sites held in common ownership with the site containing the activity generating the noise. This standard applies to Stage 1A of the Te Rapa North Industrial Zone, but does not apply to the remainder of the Te Rapa North Industrial Zone until such time as the Deferred Industrial Zone overlay is removed.

d) Activities in the Te Awa Lakes Business 6 Zone shall not exceed the following levels within any other Business 6 zoned site or within any site in the Te Awa Lakes Visitor Accommodation Overlay area:

Time of Day	Limit (L_{Aeq})	Limit (L_{AFmax})
0700 – 2300 hours	60 dB	-
2300 – 0700 hours	55 dB	75 dB
	60 dB at 63 Hz L_{eq}	
	55 dB at 125 Hz L_{eq}	

- The 63Hz and 125Hz octave band limits shall not apply to fixed mechanical plant.
- Adjustments for noise containing Special Audible Characteristics in accordance with New Zealand Standards NZS 6802:2008 "Acoustics – Environmental Noise" will only apply to A-weighted levels.

e) Application of this standard.

i. This standard does not apply to activities provided for by Rule 25.3.5.2(c) and 25.3.5.3(e)

ii. This standard does not apply to helicopter noise at helicopter landing areas, road traffic noise, or construction noise.

iii. This standard does not apply to residential activities, including the use of garden equipment (such as lawnmowers, chainsaws or wood chippers) ancillary to residential activities. Short duration use at reasonable times will usually be acceptable.

iv. This standard does not apply to noise from temporary emergency use of generators for continued power supply provided that the best practicable option to control the noise is adopted.

v. This standard does not apply to activities within the Te Rapa Dairy Manufacturing Site.

vi. This standard applies to all other activities, including home-based businesses, pool pumps, air conditioning units and domestic wind turbines.

Note

1. The Te Rapa North Deferred Industrial Area, excluding Stage 1A, is assessed against the Future Urban noise standards until such time as the Deferred Industrial Zone overlay is removed.

25.8.3.8 Te Rapa Dairy Manufacturing Site Noise Emission Boundary

a) Any activity within the Te Rapa Dairy Manufacturing Site shall be designed and conducted so that noise from site activities, other than construction noise, measured at the Te Rapa Dairy Manufacturing Site Noise Emission Boundary shown on Planning Maps 1B, 2B, 6B and 7B and Figure 6-6 in Volume 2 shall not exceed 45 dB $L_{Aeq\ (15\ min)}$.

25.8.3.9 Noise Performance Standards for Activities in the Major Facilities Zone, Knowledge Zone and Open Space Zones

a) Activities within the Major Facilities Zone, Knowledge Zone and Open Space Zones shall not exceed the following noise levels at any point within the notional boundary of any other site within the:

i. Future Urban Zone.

Or, any point within the boundary of any other site in the:

ii. Residential Zones.

iii. Special Character Zone.

Time of day	Noise level measured in L_{Aeq} [15 min]	Noise level measured in L_{AFmax}
iv. 0700 – 2300 hours	55dB	-
v. 2300 – 0600 hours	40dB	75 dB
vi. 0600 – 0700 hours	45dB	75 dB

vii. Rule 25.8.3.9(a) vi shall not apply to the Knowledge Zone and the Ruakura Open Space Zone (excluding Lot 3 DPS 66853), in which case the application of night noise limit of Rule 25.8.3.9a)v shall be extended to apply between the hours of 2300 hours to 0700 hours.

viii. Activities on any site within Te Awa Lakes Major Facilities Zone must not exceed $L_{Aeq[15min]}$ 65 dB at any point within the boundary of any other site within Te Awa Lakes Major Facilities Zone

b) Rule 25.8.3.9(a) shall not apply to crowd noise from events.

c) For Seddon Park, Waikato Stadium, Claudelands Events Centre and Te Rapa Racecourse the noise standards outlined in Rule 25.8.3.9(a) shall apply except for six days per calendar year when the following standards shall apply.

i. The noise (including practice or testing) does not exceed the following noise levels at any point within the boundary of any site in the:

- Residential Zone
- Special Character Zone

Time of day	Noise levels measured in L_{Aeq} [15 min]	Noise levels measured in L_{AFmax}
ii. 1000 – 2300 hours	75 dB 70 dB at 63Hz 65 dB at 125Hz	85 dB
iii. On New Year's Eve these noise levels shall apply up to 0030 hours the following day (January 1).		

iv. Rule 25.8.3.9(c)i shall not apply to crowd noise from events.

v. The noise event does not exceed four hours' duration, except on two of the six occasions when the duration of the noise event must not exceed seven hours, exclusive of practice and sound checks.

vi. Practice or testing involving the use of electronic sound amplification must not exceed two hours.

vii. The public is notified at least 14 days before the noise event, including information about:

- The nature of the noise event and the fact that the noise limits for general activities may be exceeded.
- Proposed dates and start and finish time of the event itself, and the expected times of any testing or practice.
- Contact details before and during the noise event.
- Possible alternative dates in the event of postponement.

Note

1. A suitable method for achieving compliance with this standard is the publishing of a public notice containing the required information in a newspaper with a circulation that covers the entire area affected by the proposal.

viii. Provide a noise management plan to Council at least one month before the event to demonstrate compliance with the relevant noise standards.

d) Application of this standard:

i. This standard does not apply to activities provided for by Rule 25.3.5.2(c) and 25.3.5.3(e)

ii. This standard does not apply in relation to noise received from the Te Rapa Racecourse at the following existing sites on Minogue Drive.

- Pt Lot 1 DP 311765
- Lot 5 DP 443687
- Section 3 SO 318174

iii. This standard does not apply to noise from helicopter noise at helicopter landing areas, road traffic noise, or construction noise.

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

a) The standards in Rule 25.8.3.10(e), (f) and (g) shall apply to the construction of new buildings to be used for noise-sensitive activities and to additions of habitable rooms to existing buildings, within:

i. The Central City Zone, Business 1 to 7 Zones, Industrial Zone, Te Rapa North Industrial Zone, the Te Rapa Dairy Manufacturing Site Noise Emission Boundary, Rototuna Town Centre Zone and the Te Awa Lakes Business 6 Zone and the Te Awa Lakes Major Facilities Zone.

ii. All sites, near existing and proposed transport corridors that carry high traffic volumes, as defined in 25.8.3.10(b), and (c) below.

iii. All sites, near a railway line, as defined in 25.8.3.10(d) below.

iv. The Rototuna North East Character Zone, where the residential activity is within the 55dB $L_{Aeq(24hr)}$ contour line from the Waikato Expressway, established via subdivision in accordance with 23.6.12c, where habitable rooms are located outside of the 55dB $L_{Aeq(24hr)}$ contour, no acoustic treatment is required even if one or more boundaries of the lot is intersected by the noise contour.

b) "Near existing and proposed transport corridors that carry high traffic volumes" applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the nearest edge of the carriageway (not being a state highway) of:

i. Any ~~All~~ existing arterial transport corridor or any of the following collector transport corridors
   - Bader Street
   - Bankwood Road- South of Comries Road
   - Beerescourt Road
   - Brooklyn Road
   - Bryant Road
   - Cambridge Road
   - Clyde Street- East of Wairere Drive
   - Collins Road- West of Ohaupo Road
   - Comries Road
   - Grandview Road- Avalon Drive to Hyde Street
   - Knighton Road- Clyde Street to Ruakura Road
   - Maeroa Road- Ulster Street to Norton Road
   - Naylor Street- Grey Street to Wairere Drive
   - New Castle Road
   - Palmerston Street- Pembroke Street to Cobham Drive
   - Pukete Road
   - Rifle Range Road
   - Sandwich Road
   - Seddon Road- Tainui Street to Norton Road
   - Silverdale Road

   Note

   For the avoidance of doubt, only the Collector or Arterial portion of the transport corridors listed above are covered by this rule.

ii. A ~~D~~designated transport corridor~~s~~ (where the designation defines the location of the carriageway) that is~~are~~ predicted to carry an annual average daily traffic level (AADT) at the design year of at least:

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

iii. Where the designation does not define the location of the carriageway for Rule 25.8.2.10(b)(ii) then the 40m distance shall be measured from the designation boundary.

c) "Near existing and proposed transport corridors that carry high traffic volumes" also applies to noise sensitive activities where the building line of the building containing the activity is within:

i. 100m of the Waikato Expressway (Designations E90, E90a and E81a), except that this standard does not apply to:

   1. the land zoned Rototuna North East Character Zone – see Rule 25.8.3.10 ~~(~~a)(iv) above; or

2. feeder roads serving the expressway interchanges where the noise sensitive activity is more than 100m from the Waikato Expressway proper or any of its interchanges; or

ii. 80m of any other state highway where the speed limit is equal to or greater than 70km/hour, or where the speed limit is less than 70 km/hour and the AADT is at least 10,000 vehicle per day; or

iii. 40m of any state highway where the speed limit is less than 70km/hour and the AADT is less than 10,000 vehicles per day;

iv. Where the distances specified in (i), (ii) and (iii) above shall be measured from the edge of the carriageway, or the designation boundary if the carriageway location has not been confirmed in writing by the Requiring Authority; and

v. Where the speed limit specified in (ii) and (iii) above shall be the posted speed limit in the case of an existing state highway, or the speed limit confirmed in writing by the Requiring Authority for a proposed state highway; and

vi. Where the AADT specified in (ii) and (iii) above shall be the current AADT for an existing state highway, or the predicted AADTin the design year confirmed in writing by the Requiring Authority for a proposed state highway.

d) "Near a railway line" applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the boundary of a designation for Railway Purposes (Designations F1 and F1a).

e) Where this standard applies (as defined by Rule 25.8.3.10(a) to (d) above) ~~A~~any habitable room in the building containing the noise sensitive activity shall be protected from noise arising from outside the building by ensuring the building is designed and constructed to meet an indoor design sound level of 35dB $L_{Aeq\ (24hr)}$ in bedrooms and 40dB $L_{Aeq(24hr)}$ in all other habitable rooms ~~, or~~

~~i.~~

ii~~.~~ Where only 25.8.3.10(a)iv ~~i~~ applies, the outdoor noise level shall be the level incidental on the residential activity based on the noise level prediction parameters in Rule 23.6.12(c)

For Rule 25.3.8.10 e) i above 'Unit' means a defined part of a building under different ownership and occupancy, including apartments and separate leased areas within a building. These minimum sound insulation performance standards apply in addition to the requirements of the NZ Building Code G6.

- The 63Hz and 125Hz octave band limits shall not apply to fixed mechanical plant.
- Adjustments for noise containing Special Audible Characteristics in accordance with New Zealand Standards NZS 6802:2008 'Acoustics-Environmental Noise' will only apply to A-weighted levels.

f) Compliance with Rule 25.8.3.10(e)i shall be achieved by:

i. An acoustic design certificate that describes the proposed design of the building that will achieve compliance with the internal noise design standards in Rule 25.8.3.10(e); or

ii. An existing solid building or landform blocking the line of sight from all parts of all windows and doors of any new habitable room(s) to any part of the carriageway, or the designation if the carriageway location has not been confirmed in writing by the Requiring Authority, within the relevant distance specified in:

1. Rule 25.8.3.10 (b) for transport corridors that are not state highway, or
2. Rule 25.8.3.10 (c) for transport corridors that are state highway, and any habitable room is set back at least 40m from any part of the carriageway, or the designation if the carriageway location has not been confirmed in writing by the Requiring Authority.

g) Where the internal noise design standards in Rule 25.8.3.10(e) can only be achieved in a habitable room with windows and doors closed, an alternative ventilation system shall be installed that complies with the requirements of Section G4 – Ventilation of the New Zealand Building Code 2011.

25.8.3.11 Noise-sensitive Activities – Ruakura Logistics Zone, Ruakura Industrial Park Zone and Knowledge Zone

a) Buildings to be used for noise-sensitive activities shall not be constructed with any part of the building within 40m of the designation for the Waikato Expressway. This requirement shall not apply to the feeder roads serving the Pardoa Boulevard and Ruakura interchanges.

b) The following standards in this rule shall apply to the construction of new and altered buildings to be used for noise-sensitive activities within:

i. The Ruakura Logistics Zone, the Ruakura Industrial Park Zone and the Knowledge Zone.

ii. All sites, near existing and proposed transport corridors that carry high traffic volumes, as defined in Rule 25.8.3.11 (c) and (d) below.

iii. All sites, near a railway line, as defined in Rule 25.8.3.11(e) below.

c) "Near existing and proposed transport corridors that carry high traffic volumes" applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the nearest edge of the carriageway of:

i. All existing transport corridors, and

ii. Designated transport corridors (where the designation defines the location of the carriageway), that are 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 ≤50km/hr.
- 2,000 AADT where the posted speed limit is >50km/hr.

d) "Near existing and proposed transport corridors that carry high traffic volumes" also applies to noise-sensitive activities where the building line of the building containing the activity is within 100m of the boundary with the Waikato Expressway designation, except for parts of the feeder roads serving the Pardoa Boulevard and Ruakura Interchanges beyond 100m from these interchanges"

e) "Near a railway line" applies to noise sensitive activities where the building line of the building containing the activity is within 40m of the boundary of a designation for Railway Purposes.

f) Where this standard applies, either:

- Any room in a building shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the minimum performance standard of $D_{2m,nT,w}$ + Ctr > 30 dB, or
- Where only Rule 25.8.3.11(b)ii and iii apply, an acoustic design certificate signed by a suitably qualified acoustic engineer shall state the outdoor noise levels will not exceed 55 dB $L_{Aeq(1h)}$ for rail noise or 57 dB $L_{Aeq(24h)}$ for road-traffic noise at the building facade.

g) Where Rule 25.8.3.11(f) applies, a supplementary source of air shall be provided to achieve a minimum ventilation as specified in Section G4 Ventilation of the New Zealand Building Code 2011 and provide cooling. The ventilation system shall generate less than 35dB L_{Aeq} measured at 1 metre from the internal grill/diffuser.

25.8.3.12 Operational Vibration from Rail Lines – Activities in All Zones

a) Any new building developed for a vibration sensitive activity within 20m of a boundary of a designation for railway purposes shall comply with Class C vibration limits in NS 8176E:2005 – Vibration and Shock: Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.

b) Where Rule 25.8.3.12(a) applies a design report prepared by an acoustics engineer, demonstrating compliance with the vibration criteria, shall be submitted to the Council prior to construction of the building.

Note

1. Some properties more than 20m from a rail line may experience vibration from passing trains. Factors such as soil ground conditions, distance from rail lines and building design will affect the amount of vibration received. For more information, professional advice can be sought from engineers before undertaking building work near the rail corridor.

25.8.3.13 Noise Performance Standards for Activities in the Ruakura Logistics and Ruakura Industrial Park Zones

a) Activities shall not exceed the following noise limits

i. At or within the notional boundary of any residential unit on any other site within the Ruakura Logistics Zone or within the Ryburn Road and Percival Road Large Lot Residential Zone (as identified in Appendix 14-1).

ii. At or within the boundary of any site in the Residential Zones and Knowledge Zone, except as provided for in i above.

Time of day	Noise levels measured in $L_{Aeq\ [15\ min]}$	Noise levels measured in L_{AFmax}
0700 – 2000 hours	55 dB	-
2000 – 2300 hours	50 dB	-

2300 – 0700 hours	40 dB	75 dB

b) Any activity within the Ruakura Logistics and Ruakura Industrial Park Zones shall not exceed a noise limit of 70dB ($L_{Aeq\ [15\ min]}$) within the boundary of any other site within that Zone. This standard does not apply to sites held in common ownership with the site containing the activity generating the noise.

c) Application of this standard.

i. This standard does not apply to temporary activities.

ii. This standard does not apply to noise from helicopters at helicopter landing areas, road noise, or construction.

iii. This standard does not apply to residential activities, the use of garden equipment (such as lawnmowers, chainsaws or wood chippers) ancillary to residential activities. Short duration use at reasonable times will be acceptable.

iv. This standard applies to all other activities, including home-based businesses, pool pumps, air conditioning units and site based wind turbines.

v. Assessment of the standard shall be in accordance with NZS6801:2008 and NZS6802:2008 including a reference time interval (t) of 15 minutes.

d) A noise barrier shall be provided to ensure that the noise limits in Rule 25.8.3.13(a) are met and in accordance with the following:

i. The barrier shall be constructed at, or to the north of, the northern-most limit of the Inland Port operations area (Sub Area A (Inland Port)) and in any other locations necessary to ensure the noise limits in Rule 25.8.3.13(a) will be met.

ii. The barrier may be constructed in stages to suit staged development of the Inland Port (Sub Area A (Inland Port)).

iii. The barrier shall be designed and constructed in accordance with best practice and certified by a suitably qualified expert.

iv. The barrier shall be designed to avoid or minimise the reflection of noise from passing trains onto residential properties on Ryburn Road.

v. The noise barrier shall form part of the Noise Management Plan for each stage of development of the Inland Port (Sub Area A (Inland Port)).

25.8.3.14 Non-Conformity with Standards in the Ruakura Logistics Zone

a) Any activity in the Inland Port (Sub Area A (Inland Port)) which is between 40 dBLAeq(15 min) and 45 $dBL_{Aeq(15\ min)}$ between 2300 and 0700 hours when measured under 25.8.3.13a is a restricted discretionary activity. This shall be considered without notification or the need to obtain approval from affected persons, except as provided for by sections 95A(2)(b) and (c), 95B(2) and (3) and 95C(1) to (4) of the Act.

b) Any activity in the Inland Port (Sub Area A (Inland Port)) which exceeds 45 $dBL_{Aeq(15\ min)}$ between 2300 and 0700 hours when measured under 25.8.3.13a) is a non-complying activity.

25.8.4 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

25.9 Public Art

25.9.1 Purpose

a) Public art provides an opportunity to create a sense of place, and to add to an aesthetically attractive and vibrant City. The District Plan can contribute to the inclusion of public art in public places through bulk and location standards and incentives. It is noted that questions of artistic style or taste are not addressed in the District Plan. Furthermore, art in public places will require approvals outside of processes of the Act.

25.9.2 Objectives and Policies: Public Art

Objective	Policies
25.9.2.1 Increased provision of art throughout the City that is reflective of the character and diversity of the Hamilton community.	**25.9.2.1a** Public art shall be encouraged in public places and on private land that is easily visible from public places and that has relevance to the site, history, the environment, or has cultural significance.
	25.9.2.1b Public art shall be encouraged in the Central City and at Hamilton's gateways.
	25.9.2.1c Public art shall be compatible with the amenity of the existing locality.
	25.9.2.1d Access to arts and cultural activities that acknowledge the differences in the community across age, ability and culture shall be provided for.
	25.9.2.1e The location of public art does not affect the safety or efficiency of the transportation network.
Explanation	
The District Plan can facilitate and encourage public art in the City, while managing potential effects of artwork structures. The District Plan can also provide for arts and cultural activities and facilities. The District Plan relies upon approval processes that occur outside the Act to endorse the location and form of public art.	

25.10 Signs

25.10.1 Purpose

a) Signs and other outdoor advertising displays are important for communicating information to the public. In particular they provide directions, identify premises, assist businesses in selling goods and services, and promote events and activities.

b) The quality and location of signs have the potential to contribute positively to an area but also have the potential to create adverse visual effects, particularly in areas where high amenity levels are expected. The location of signs, particularly on or adjacent to transport corridors, also has the potential to adversely affect traffic safety. The District Plan controls signs to preserve accepted levels of amenity and safety. In particular, the District Plan controls high-intensity signs in all zones, signs on historic heritage buildings and sites, and provides more permissive standards in the Central City, Business, Industrial, Ruakura Logistics and Ruakura Industrial Park Zones such as enabling signs that do not relate to the on-site activity.

25.10.2 Objectives and Policies: Signs

Objective	Policies
25.10.2.1 Provide for signs which contribute positively to an area and do not compromise visual amenity and transport safety.	**25.10.2.1a** The number, size, location and appearance of signs visible from public places shall maintain the character of the area.
	25.10.2.1b Signs shall not create adverse effects from illumination, light spill, flashing or reflection.
	25.10.2.1c Messages or images on signs visible from transport corridors shall not confuse or distract transport corridor users.
	25.10.2.1d Signs in the Central City Zone that contribute to an attractive and vibrant centre should be allowed.
	25.10.2.1e Signs on scheduled historic heritage buildings and sites and archaeological and cultural sites shall be compatible with the heritage values being protected.
	25.10.2.1f Signs shall be well maintained to minimise impacts on visual amenity values.

Explanation
Signs have the potential to create adverse effects, particularly in areas where high visual amenity standards are expected. Inappropriate signs can detract from the character and values associated with an area, as well as impacting on traffic safety. The objective and policies address the potential adverse effects of signs on traffic safety, visual amenity, light spill, character and scheduled heritage buildings. *Signs can contribute positively to a sense of vibrancy and the policies recognise the need to enable signs, particularly in the Central City Zone, where this District Plan is encouraging a vibrant Centre.* *The City has many events that require temporary signs and off-site advertising for promotional reasons. These requirements need to be managed so that the adverse visual effects created are minimised and experienced only for a short period. The policies also address impacts from a lack of maintenance when signs age, or are damaged or vandalised.*

25.10.3 Rules – Activity Status Table

Activity	Class
a) Temporary signs	P
b) Low-intensity signs	P
c) Any low-intensity sign which is not visible from beyond the site on which it is located	P
d) Traffic control devices and signs erected by a public authority	P
e) Safety signs required to meet legislative requirements	P
f) Low-intensity signs on historic heritage buildings in Volume 2, Appendix 8, Schedule 8A and archaeological and cultural sites in Volume 2, Appendix 8, Schedule 8B (except within the Major Facilities Zone – Waikato Hospital Campus)	RD*
g) High-intensity signs other than those in Rule 25.10.3h) ***Note:*** This includes any sign provided for in h) below which fails to comply with Rule 25.10.4 and Rule 25.10.5	D
h) Any electronic sign in the Central City, Business 1-7 Zones, Industrial Zone, Ruakura Logistics Zone, Ruakura Industrial Park Zone, Neighbourhood Centre Zone - Peacocke and Local Centre Zone - Peacocke which complies with Rule 25.10.4 and Rule 25.10.5	RD

Proposed Plan Change 6- Notified Version

Note

1. The erection of signs on Hamilton City Council land and public places is controlled under a bylaw for public places. Information on the size and format of traffic signs is set out in the Hamilton City Infrastructure Technical Specifications. Signs on state highways are controlled under the New Zealand Transport Agency's 'Manual of Traffic Signs' and 'Markings and Traffic Control Devices Manual'.
2. Activities (a) to (e) and (g) only have immediate legal effect if they are located in the Special Heritage Zone or the Temple View Heritage Area, as shown on Planning Map 60B.
3. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).
4. For any activity not identified above, see Section 1.1.8.1.

25.10.4 Rules – General Standards

a) Signs that are not visible from outside the site on which they are located shall not be required to comply with any of the standards in Rule 25.10.5.

Note

1. Light spill shall be controlled under the relevant provisions of the District Plan, where it is from a sign not visible from any public place or nearby site.

b) Signs shall not project over a transport corridor or be located within a transport corridor (except as provided for in 25.10.5.10), other than a traffic sign or safety sign erected by, or at the direction of, a public authority or a sign controlled under a Council bylaw.

c) Signs shall not be placed so they block sight distances at intersections or driveways.

d) A sign must not display any image that:

i. Resembles or is likely to be confused with any traffic sign or signal;

ii. Contains reflective, fluorescent or phosphorescent materials that will reflect headlights, or distract and interfere with a road user's vision;

iii. Uses flashing or revolving lights or lasers or any other method of illumination that will dazzle or distract drivers.

Note

1. Where the sign is adjacent to a state highway with a speed limit higher than 60 km/h, the NZTA comments shall be taken into account.

e) Signs shall not be required to meet the setback requirements specified in the underlying zone rules.

f) Where a maximum permitted area is specified for a sign in Rule 25.10.5:

i. The area of the sign shall be calculated by measuring the rectangular area which encloses all symbols or letters which make up the sign surface (see Figure 25.10.4a).

ii. Where the sign is an uneven shape the area shall be calculated by measuring the rectangular area which encloses the uneven shape (see Figure 25.10.4b).

iii. The total area of a sign is taken to be the sum of the area of all faces of the sign.

Figure 25.10.4a: Calculating the area of a sign

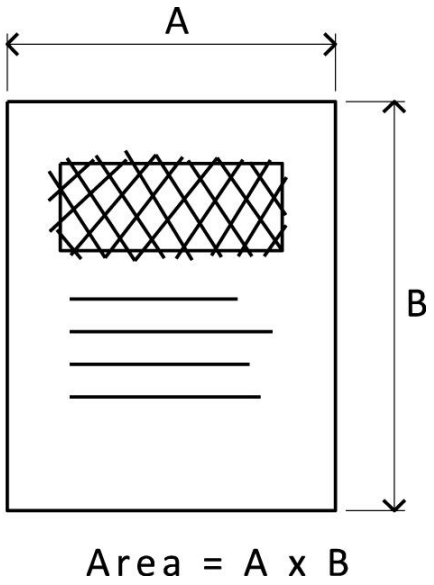
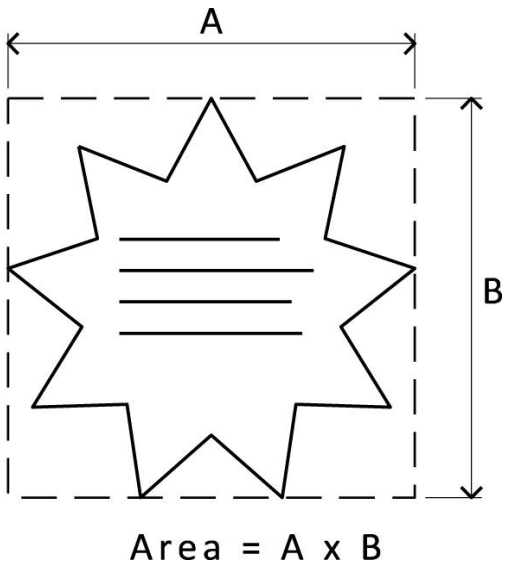


Figure 25.10.4b: Calculating the area of an uneven shaped sign



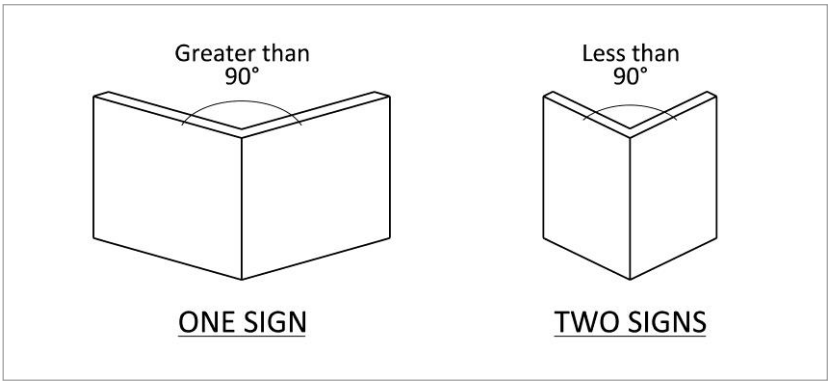
g) Where a standard is specified for a sign in Rule 25.10.5:

i. Any V-shaped sign containing an interior angle of 90 degrees or more is deemed to be one sign (see Figure 25.10.4c below).

ii. Any V-shaped sign containing an interior angle of less than 90 degrees is deemed to be two signs (see Figure 25.10.4c below).

h) Advertising signs shall not be similar in appearance to any traffic control device.

Figure 25.10.4c: V-shaped signs



25.10.5 Rules – Specific Standards

25.10.5.1 Low Intensity Signs

Illuminated, Low Intensity signs shall meet the following intensity standards:

a) Subject to Rules 25.10.5.1(b) and (c) below, no illuminated sign shall produce:

i. More than 1000 candelas/m^2 for signs less than 10m^2 in area.

ii. More than 800 candelas/m^2 for signs equal to or greater than 10m^2 in area.

b) No illuminated sign located in the Future Urban, Large Lot Residential, Residential, Special Character and Open Space zones, shall produce:

i. 600 candelas/m^2 for signs less than 10m^2 in area.

ii. 400 candelas/m^2 for signs equal to or greater than 10m^2 in area.

c) Any sign shall conform to the luminance levels in Rule 25.10.5.1(b) if the face of the sign is:

i. At a 90-degree axis to any transport corridor or railway line, or

ii. Within 20m of a transport corridor and 20 degrees of either side of a motorist's or train driver's line of sight, or

iii. At a transport corridor intersection or railway level crossing.

d) The lighting filament used to light any sign shall not be visible from any point measured within 2m of ground level.

25.10.5.2 Future Urban Zone

a) All signs shall be associated with the activity on the site, and shall be located on the site to which they relate.

b) Signs may provide only the property name, or the name, logo and contact information for a home-based business or other activity carried out as a permitted activity on the site, or relate to site access or safety.

c) Signs shall not advertise goods or services, other than as inherent in a business name.

d) Signs in the Future Urban Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
One	0.6m^2	1m	2m

25.10.5.3 Open Space Zones

a) All signs shall be associated with the activity on the site, and shall be located on the site to which they relate.

b) Signs in the Open Space Zones shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
i. One directional sign at each entrance to the site	0.6m^2 per sign	-	1.5m
ii. One single-sided sign at each entrance to the	3m^2 per sign	2.5m	2m

site			
iii. One park development sign for the purpose of providing proposed park development information	2m^2	2m	-

25.10.5.4 Major Facilities Zone

a) Signs in the Major Facilities Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
One double-sided sign at each entrance to the site	3m^2	3m	3m

b) Seddon Park – the rules in 25.10.5.4(b)i to vii below are in addition to Rule 25.10.5.4(a).

i. Signs that are 'inset' or attached to the exterior of buildings providing sponsors names shall not exceed an area of 40m² per building.

ii. Signs relating to activities within each building shall not exceed an area of 20m² per building.

iii. Signs under Rule 25.10.5.4(b)i or ii shall not exceed an area of 10m² on any building with frontage to Seddon Road that is directly opposite dwellings in any Residential Zone.

iv. Event advertising and City happenings signs on transport corridor frontages shall be limited to four signs, with no sign exceeding an area of 6m².

v. Venue naming signs shall be limited to one per transport corridor frontage, with no sign exceeding an area of 12m^2.

vi. No standards shall apply to signs located in the site that are directed primarily at patrons inside the venue, including signs on the perimeter of playing arenas (painted, illuminated, static, electronic scrolling).

vii. The area and height of signs shall be calculated in accordance with Figures 25.10.4a and 25.10.4b.

c) Waikato Stadium – the rules in 25.10.5.4(c)i to vii below are in addition to Rule 25.10.5.4(a).

i. Signs that are ''inset" or attached to the exterior of buildings providing sponsors names shall not exceed an area of 40m² per building. These signs may be back lit or surface lit.

ii. Signs relating to activities within each building shall not exceed an area of 20m² per building.

iii. Signs under Rule 25.10.5.4(c)i or ii shall not exceed an area of 10m² on any building with frontage to Seddon Road that is directly opposite dwellings in the Residential Zone.

iv. Event advertising and city happenings signs on transport corridor frontages shall be limited to four signs with no sign exceeding an area of 6m².

v. Venue naming signs shall be limited to one per transport corridor frontage, with no sign exceeding an area of 12m^2.

vi. No sign area standards shall apply to signs located in the site that are directed primarily at patrons inside the venue including signs on the perimeter of playing arenas (painted, illuminated, static, electronic scrolling).

vii. The area and height of signs shall be calculated in accordance with Figure 25.10.4a and 25.10.4b.

d) Te Rapa Racecourse Thoroughbred Business Park.

i. For activities in the Thoroughbred Business Park the standards in Rule 25.10.5.7 Business and Industrial Zones shall apply.

e) Waikato Hospital – Rule 25.10.5.(e)i below is in addition to Rule 25.10.5.4(a).

i. No sign area standards shall apply to signs located internally on the Waikato Hospital site that are directed at visitors inside the site, including naming and directional signs. For the purposes of this rule signs visible on Pembroke Street, between the intersection with Ohaupo Road/Selwyn Street and the second intersection with Ohaupo Road, are deemed to be internal to the Waikato Hospital site.

f) Te Awa Lakes Adventure Park – Rule 25.10.5.4 f) i-iii below replaces Rule 25.10.5.4.a)

i. Free standing entrance signs shall comply with the following standards

Maximum Number of Signs per entrance	Maximum Sign Area	Maximum Width	Maximum Sign Height from Ground Level
One free standing double sided sign per road entrance	24m	6m	16.5m

ii. No sign standards shall apply to signs that are directed primarily at patrons inside the Adventure Park.

iii. Signs shall not exceed 6m^2 on any building facing and visible from the Te Awa Lakes Medium Density Residential Zone. Signs must be directed primarily at patrons on the site.

25.10.5.5 Community Facilities Zone

a) All signs shall be associated with the activity on the site, and located on the site to which they relate.

b) Signs in the Community Facilities Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension	Maximum sign height (from

		(height or width)	ground level)
i. One access or safety sign at each entrance to the site	0.6m^2 per sign	-	1.5m
ii. Either One other sign at each entrance to the site, or	0.6m^2 per sign	1m	2m
One other sign per site	3m^2 (single sided)	2.5m	2m

25.10.5.6 Residential and Special Character Zones

a) All signs shall be associated with the activity on the site, and located on the site to which they relate.

b) Signs may only provide the property name, or the name, logo and contact information for a home-based business or other activity carried out as a permitted activity on the site, or relate to site access or safety.

c) Signs shall not advertise goods or services, other than as inherent in a business name.

d) Signs shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
One	0.6m^2	1m	2m

Note

1. Standard 25.10.5.6 only has immediate legal effect for activities located in the Special Heritage Zone or the Temple View Zone Heritage Area, as shown on Planning Map 60B.

25.10.5.7 Central City, Business 1 to 7, Industrial Zones, Neighbourhood Centre Zone - Peacocke and Local Centre Zone – Peacocke

a) Signs in the Central City, Business 1 to 7, Industrial zones, Neighbourhood Centre Zone – Peacocke and Local Centre Zone - Peacocke shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum sign height (from ground level)
i. One directional sign may be displayed at each entrance to the site	1.2m^2 each	2m
ii. Any sign, whether attached to the face or roof of the building or protruding from the face of the building	1m^2 for every metre of site frontage. For rear sites 1m^2 for every metre of any single	A maximum sign height equal to the building height of the relevant zone provided that it does not exceed the height of the parapet or facade of the building

Maximum number of signs	Maximum sign area	Maximum sign height (from ground level)
	site boundary.	
iii. Free-standing signs: One double-sided sign for each frontage	1m^2 for every metre of site frontage to a maximum of 10m^2	A maximum sign height equal to the building height of the relevant zone

b) Electronic signs shall also comply with the following standards:

i. Sign content shall be limited to static displays only.

ii. Sign content shall not change at intervals greater than once every 8 seconds.

iii. Changes to sign content shall be limited to a maximum transition time of 1 second between two messages/images. There must be no scroll, flash, type or fade between the messages/images.

iv. Maximum Electronic Luminance shall have the following limits:

Day Time Luminance: when full sunlight directly strikes the face of the sign 8000 cd/m^2 and otherwise 6000 cd/m^2

Day Time Luminance Morning/Evening Twilight and Inclement Weather: 600cd/m^2

Night Time Luminance: 350cd/m^2

Note

1. All electronic signs must also have a facility for automatically adjusting the sign luminance so that the sign brightness is always comparable with the surrounding luminance conditions and restrictions above.
2. A consent condition may be appropriate to require the review of conditions to ensure luminance levels are appropriate.

v. Minimum letter size shall comply with the following standards.

Posted speed limit (km/h)	Letter height (mm)		
	Main message	Property name	Secondary message
50	150	100	75
60	175	125	90
70	200	150	100
80	250	175	125
100	300	200	150

vi. Minimum forward sight distance to the sign shall comply with the following standards.

Posted speed limit (km/h)	Minimum Visibility (m)
50	80
60	105

Posted speed limit (km/h)	Minimum Visibility (m)
70	130
80	175
100	250

vii. A Maintenance Plan shall be developed to address procedures for maintenance and repair of any faults. The Maintenance Plan shall include provisions for automatic shutdown of the sign in the event of a fault which affects the signs performance.

25.10.5.8 Knowledge Zone

a) Signs in the Knowledge Zone shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum sign height (from ground level)
i. Two signs affixed to the face of the tenancy or department building	10m^2 per tenancy/ department	A maximum sign height equal to the building height of the zone provided that it does not project beyond the top of the façade of the building
ii. Any directional signage	2m^2 per tenancy/ department	2m
iii. One double-sided sign at each entrance to the site	3.4m^2 per face of the sign	3m

b) University of Waikato – the rules 25.10.5.8(b)i and ii below are in addition to Rule 25.10.5.8(a):

i. No standards shall apply to signs located in the site that have been approved as part of a concept plan.

ii. No standards shall apply to signs located in the site that are located outside the Interface Area.

25.10.5.9 Ruakura Logistics and Ruakura Industrial Park Zones

a) Signs in the Ruakura Logistics and Ruakura Industrial Park Zones shall comply with the following standards.

Maximum number of signs per entrance	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
i. Free-standing signs: One double-sided sign for each road frontage	24m^2	6m	16m

ii. One sign attached to the face of a building	24m^2	6m	A maximum sign height equal to the building height of the relevant zone provided that it does not exceed the height of the parapet or facade of the building

b) Security and directional signage shall be excluded.

c) Electronic signs shall also comply with the following standards:

i. Sign content shall be limited to static displays only.

ii. Sign content shall not change at intervals greater than once every 8 seconds.

iii. Changes to sign content shall be limited to a maximum transition time of 1 second between two messages/images. There must be no scroll, flash, type or fade between the messages/images.

iv. Maximum Electronic Luminance shall have the following limits:

Day Time Luminance: when full sunlight directly strikes the face of the sign 8000 cd/m^2 and otherwise 6000 cd/m^2

Day Time Luminance Morning/Evening Twilight and Inclement Weather: 600cd/m^2

Night Time Luminance: 350cd/m^2

Note

1. All electronic signs must also have a facility for automatically adjusting the sign luminance so that the sign brightness is always comparable with the surrounding luminance conditions and restrictions above.
2. A consent condition may be appropriate to require the review of conditions to ensure luminance levels are appropriate.

v. Minimum letter size shall comply with the following standards.

Posted speed limit (km/h)	Letter height (mm)		
	Main message	Property name	Secondary message
50	150	100	75
60	175	125	90
70	200	150	100
80	250	175	125
100	300	200	150

vi. Minimum forward sight distance to the sign shall comply with the following standards.

Posted speed limit (km/h)	Minimum Visibility (m)
50	80
60	105

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Posted speed limit (km/h)	Minimum Visibility (m)
70	130
80	175
100	250

vii. A Maintenance Plan shall be developed to address procedures for maintenance and repair of any faults. The Maintenance Plan shall include provisions for automatic shutdown of the sign in the event of a fault which affects the signs performance.

25.10.5.10 Veranda Signs Above the Transport Corridor Zone

a) Signs attached beneath verandas shall leave a clearance of 2.75m to the footpath.

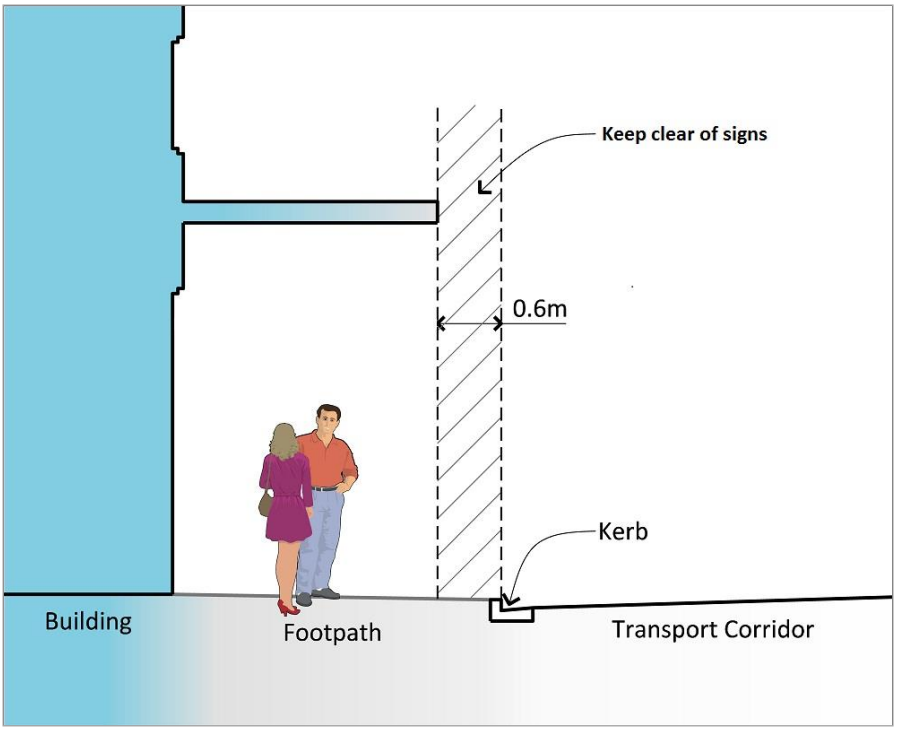
b) Signs attached beneath verandas shall be set back not less than 0.6m from a vertical line measured from the edge of the carriageway kerb (refer to Figure 25.10.5a).

c) Signs located on top and on the fascia of a veranda shall not extend beyond the fascia of the building and shall be set back not less than 0.6m from a vertical line measured from the carriageway kerb (refer to Figure 25.10.5a).

d) Veranda signs shall be restricted to signs advertising businesses, services or products located on the site associated with the sign.

e) Signs located on top or beneath verandas shall be structurally sound and affixed to the veranda in a safe manner.

Figure 25.10.5a: Area to be kept free from signs



25.10.5.11 Scheduled Historic Heritage Buildings and Sites listed in Schedule 8A and 8B of Volume 2, Appendix 8: Historic Heritage

a) All signs shall be associated with the activity on the site.

b) Signs on sites identified in Schedule 8A and 8B of Volume 2, Appendix 8: Historic Heritage shall comply with the following standards.

Maximum number of signs	Maximum sign area	Maximum dimension (height or width)	Maximum sign height (from ground level)
Two	Maximum total area per sign is 0.5m^2	1m	2m

Note
1. Signage should be consistent with the Heritage New Zealand guidelines for signage on Historic Heritage.

25.10.5.12 Temporary Signs

a) Temporary signs shall comply with the following standards.

Zone or specific site	Maximum number of signs	Maximum area per sign	~~Maximum total area of signage per site~~
i. Residential, Special Character, Future Urban and Community Facilities zones	Two signs per site, or two signs per frontage in the case of a corner site	~~1.83~~m^2	~~3.6m^2~~
ii. Business 1-7, Central City, Industrial, Ruakura Logistics, Ruakura Industrial Park and Knowledge, Open Space and Major Facilities, Neighbourhood Centre Zone – Peacocke, Local Centre Zone - Peacocke	Two signs per site, or two signs per frontage in the case of a corner site	~~36~~m^2	~~6m^2~~

b) Temporary signs shall not exceed 2.5m in height or the maximum sign height for permanent signs on the site under zone rules, whichever is the greater.

c) Temporary signs shall be displayed for the following time periods.

i. Real estate signs shall be removed within 14 days after the transfer of property ownership has been completed.

ii. Signs that advertise construction projects shall be located on the site to which they relate and shall be removed no later than two weeks after construction has been completed.

iii. Signs related to elections shall be displayed for no more than three months before an election and must be removed before polling, or such lesser time as may be prescribed by legislation.

iv. Signs that advertise a temporary retail activity (refer to Rule 25.3.5.12 of Chapter 25.3: City-wide – Events and Temporary Activities) shall be displayed only for the duration of that activity and must be within the site where the activity is taking place.

v. Signs for the purpose of public notification shall be displayed as prescribed by legislation.

vi. Signs that advertise any other event shall be displayed within a period of up to four weeks before to three days after the event.

Note

1. The Electoral Act 1993 and its associated regulations also specifies controls on parliamentary election signs.
2. Standard 25.10.5.12(a)i only has immediate legal effect for activities located in the Special Heritage Zone or the Temple View Zone Heritage Area, as shown on Planning Map 60B.

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2. The erection of signs on the Hamilton City Council land and public places, including transport corridors is controlled under a bylaw for public places.

25.10.6 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 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 1.3.3)**
i. Low-intensity signs on historic heritage buildings in Volume 2, Appendix 8, Schedule A and archaeological and cultural sites identified in Volume 2, Appendix 8, Schedule 8A or 8B (except within the Major Facilities Zone – Waikato Hospital Campus)*	• E – Heritage Values and Special Character
ii. Any electronic sign in the Central City Zone, Business 1-7 Zones, Industrial Zone, Neighbourhood Centre Zone – Peacocke, Local Centre Zone – Peacocke, Ruakura Logistics Zone and Ruakura Industrial Park Zone which complies with Rule 25.10.4 and Rule 25.10.5	• B – Design and Layout • E – Heritage Values and Special Character

Note

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

25.10.7 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

25.11 Smoke, Fumes, Odour and Dust

25.11.1 Purpose

a) Under the Act, responsibility for controlling discharges to air lies with the Waikato Regional Council, managed primarily through the Waikato Regional Plan. The District Plan focuses on the control of minor nuisance effects of smoke, fumes, odour and dust. These rules are in addition to powers available to Council under Section 17 of the Act.

25.11.2 Objectives and Policies: Smoke, Fumes, Odour and Dust

Objective	Policies
25.11.2.1 Avoid adverse effects on local amenity values and people's wellbeing arising from smoke, fumes, odour and dust.	**25.11.2.1a** Adverse effects of offensive or objectionable smoke, fumes, odour or dust, shall be avoided outside the site from where they originate.
	25.11.2.1b Activities sensitive to smoke, fumes, odour or dust shall not locate where amenity values are already compromised by those effects.
	25.11.2.1c Activities that pose significant risks of major adverse effects on air quality shall not locate where high air quality is expected.
Explanation	
Impacts on amenity values from smoke, fumes, odour or dust can arise from a variety of land uses. They often cannot be contained within the site from where they originate, and some dispersal across the boundaries is inevitable and usually acceptable. There is often a subjective element in the way these effects are perceived. Policy 25.11.2.1a addresses smoke, fumes, odour or dust that is offensive or objectionable outside the originating site. What is offensive or objectionable will vary according to the characteristics of the area. Only very low levels of smoke, fumes, odour or dust will be acceptable in residential areas, while higher levels may be acceptable in industrial areas. *Policies 25.11.2.1b and 25.11.2.1c envisage that activities with similar effects or expectation of amenity should be grouped together, and those with dissimilar effects and expectations should be kept apart. This will help to reduce conflicts and the potential for reverse sensitivity, and to mitigate effects that cannot be contained on-site.*	

25.11.3 Rules – General Standards

a) No objectionable or offensive dust, smoke, fumes or odour shall have adverse effects at any other site.

Note

1. Where, in the opinion of a warranted enforcement officer, a significant nuisance is arising from smoke created by any source, Section 17 (Duty to Avoid, Remedy or Mitigate Adverse Effects) of the Act will apply and Council may use its enforcement powers under Part XII of the Act.
2. In relation to all nuisances involving smoke, fumes, dust and odour, attention is drawn to the obligation to comply with any relevant Rules in the Regional Plan, Bylaws and the provisions of the Health Act 1956 and its associated regulations.

25.11.4 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

25.12 Solid Waste

25.12.1 Purpose

a) Solid waste includes domestic and commercial rubbish and more broadly means any materials left over from an activity or process that are no longer viable. Council manages many aspects of solid waste through the Waste Management and Minimisation Plan (prepared by Council to give effect to the Waste Minimisation Act 2008 and the Litter Act 1979) and through a bylaw prepared under the Local Government Act.

b) Under the Act and Waste Minimisation Act, waste is a resource to be sustainably managed, and the effects of the creation, collection, recycling, recovery, storage, treatment and disposal of solid waste may be controlled by District Plans. This District Plan policy clearly signals that sustainable solid waste principles should apply to waste disposal.

c) This District Plan requires the provision of service areas in developments to encourage appropriate solid waste disposal, and facilities that encourage the management of waste in accordance with the solid waste hierarchy, i.e. recycling before disposal.

25.12.2 Objectives and Policies: Solid Waste

Objective	Policies
25.12.2.1 Reduce the amount of solid waste generated and ultimately entering landfills.	**25.12.2.1a** Promote the reduction of solid waste volumes based on the following waste hierarchy. • Reduction • Reuse • Recycle • Recovery • Treatment • Disposal
	25.12.2.1b Promote practices that reduce the volume of solid waste generated and disposed of.
Explanation	
Solid waste can be significantly reduced, reused or recycled, so that it need not take up space in landfills. As well as being an under-used resource, waste also has adverse economic and environmental effects, in terms of costs of collection services, land for disposal, and adverse effects on the receiving environment. *Hamilton's Solid Waste Bylaw requires the licensing of persons who collect and transport waste. The granting of licenses and associated conditions include consideration of how Council's Waste Minimisation and Management Plan and waste reduction initiatives are promoted, and require information about the quantity, source, destination and types of waste involved.*	

Part of the information requirements for industrial activities requiring consent is the preparation of a Waste Minimisation Plan (refer to Volume 2, Appendix 1.2.2.15).

Objective	Policies
25.12.2.2 Solid waste activities and facilities are managed in a way that addresses adverse effects from the storage and disposal of solid waste.	**25.12.2.1a** Solid waste collection, recycling, recovery, storage, treatment and disposal activities shall be sited, designed and managed to reduce solid waste entering landfills, and minimise adverse effects on the environment.
	25.12.2.1b Ensure pleasant and functional service areas are provided in new developments for waste and recycling storage.

Explanation

Within Hamilton City there are existing services for the collection, processing, marketing and beneficial reuse of solid waste and diverted material. As a new landfill is unlikely to be established in Hamilton, more facilities such as waste transfer, reuse and recycling facilities established by Council and the private sector are anticipated and encouraged. Any waste going to a landfill should go to a landfill that is specifically designed and managed to avoid adverse effects on the environment.

Solid waste collection, recycling, recovery, storage, treatment and disposal activities can have adverse effects on the environment – including litter, smell, leachate, vermin, traffic (including heavy vehicles) and noise. The choice of location for these facilities is important, as well as management to mitigate or remedy potential adverse effects.

Activities require appropriate and functional internal and external storage space for waste and recyclables pending collection, that are easy to access by residents, businesses and waste collection agencies. The policies aim to ensure that suitable storage space is provided in these developments in a manner that recognises the amenity values of the surrounding area.

25.12.3 Rules – General Standards

25.12.3.1 Solid Waste Storage Areas

a) All activities shall provide appropriate, on-site storage areas for recycling and litter bins that are accessible for waste collection services.

25.12.4 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

25.13 Three Waters

25.13.1 Purpose

a) This section contains objectives and policies that focus on the impact of subdivision, use and development on water resources, and on the need for an integrated provision of sustainable Three Waters infrastructure in conjunction with development. Land-use planning is critical in minimising conflicts and sustaining water quality and quantity for future generations.

b) Pressure on water resources in the region is increasing due to a growing population and the associated concentration of activities. This affects demand for water resources and Three Waters infrastructure (drinking water, wastewater and stormwater) which is managed by Council.

c) Water quality of the Waikato River has declined over time. Although point-source pollutants have reduced since the 1970s, non-point sources now comprise the majority of nutrient and sediment inputs into the Waikato River and its tributaries. Water quality in Lake Rotoroa has improved over time; however it still suffers from algal blooms attributed to high nutrient levels and from time to time is closed to contact recreation.

d) As a municipal water provider, Council has three significant resource consents for the taking of water for municipal purposes and discharging of wastewater and stormwater. In complying with these consent conditions, and as a responsible water manager, Council must impose standards and conditions on development within the City.

e) As part of the Waikato River Settlement between the Crown and Waikato-Tainui, Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River has been developed and must be given effect to. It is the primary direction-setting document for the Waikato River and its catchments, which include the lower reaches of the Waipa River, and outlines the vision for the Waikato River as:

"Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri

The river of life, each curve more beautiful than the last

Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come."

25.13.2 Objectives and Policies: Three Waters

Objective	Policies
25.13.2.1 Water resources are protected from the adverse effects of subdivision and development.	**25.13.2.1a** Subdivision and development is located and designed to minimise adverse effects on ground and surface water resources, particularly the life-supporting capacity of water bodies and their riparian margins.

	25.13.2.1b Subdivision and development on the margins of natural watercourses and wetlands should be located and designed to maintain, and where possible enhance: i. Riparian margins. ii. Water quality. iii. Water resources. iv. Aquatic habitats.

Explanation

This objective and policies focus on the effects subdivision and development can have on water resources, and seeks that these effects be minimised. Land-use activities can impact on water resources, for example, by increasing stormwater flows over or into land, by increasing sediment loads, and increasing the demand for water-related infrastructure.

Objective	Policies
25.13.2.2 Measures to facilitate the efficient use of water resources are incorporated into new subdivision and development.	**25.13.2.2a** Water-sensitive techniques are incorporated into new subdivision and development to reduce demand on water supplies, wastewater disposal and to manage stormwater.

Explanation

This objective and policy focuses on water conservation and efficiency, and in particular the incorporation of water-sensitive techniques into new subdivision and development to improve the level of water efficiency.

Objective	Policies
25.13.2.3 Three Waters infrastructure is provided as part of subdivision and development, and in a way that is: • Integrated • Effective • Efficient • Functional • Safe • Sustainable	**25.13.2.3a** All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.
	25.13.2.3b Subdivision and development shall not occur unless the required infrastructure is available to service it.
	25.13.2.3c Three Waters infrastructure is to be designed and constructed in accordance with any existing Structure Plan and relevant Integrated Catchment Management Plan.

	25.13.2.3d Large scale subdivision and development proposals are to prepare an Integrated Catchment Management Plan (where one does not already exist) or a Water Impact Assessment.

Explanation

There are servicing constraints within the City. Early discussions with Council on the serviceability of development are necessary.

Integrated Catchment Management Plans will be used as a tool to help manage the form and function of Three Waters infrastructure in an integrated, effective, efficient, functional, safe and sustainable manner.

Over time Integrated Catchment Management Plans will be developed for existing urban areas. Structure Plans and large scale activities will require an Integrated Catchment Management Plan (as outlined in Volume 2, Appendix 1.2.2.6). Until this occurs, stormwater, water and wastewater infrastructure must continue to be provided and managed. Water Impact Assessments are another complementary tool that will be used to assess and ensure Three Waters integration at a more detailed level.

Council maintains a register of all full ICMPs and can advise of any relevant to a particular development proposal and site.

Where there is conflict between a Structure Plan and an ICMP, the latter will prevail.

Water-sensitive techniques to sustainably manage stormwater, water and wastewater are included as well as minimum permeable surfaces standards, which are provided in most Zone Chapters of the District Plan.

In areas where a full Integrated Catchment Management Plan does not exist the following policies also apply:

Design
25.13.2.3e
Three Waters infrastructure is designed and constructed to:

i. Minimise the effects of urban development on downstream receiving waters and groundwater.

ii. Ensure that the capacity, efficiency and sustainability of upstream and downstream infrastructure will not be compromised.

iii. Facilitate access, maintenance and operational requirements.

iv. Cater for the potential effects of climate change.

v. Ensure appropriate standards of public health, safety and amenity.

vi. Ensure that surface water runoff is appropriately managed in accordance with the following drainage hierarchy.

1. Retention for reuse.
2. Soakage techniques.
3. Detention and gradual release to a watercourse.
4. Detention and gradual release to stormwater reticulation.

Stormwater
25.13.2.3f
Stormwater management techniques are designed and constructed to:

i. Maintain or improve the quality of stormwater entering the receiving environment.

ii. Avoid or mitigate off-site effects from surface water runoff.

iii. Sustainably manage the volume and rate of discharge of stormwater to the receiving environment.

Water Supply
25.13.2.3g
Water supply infrastructure is designed and constructed to meet consumption, hygiene, water-sensitive design and firefighting requirements.

Wastewater
25.13.2.3h
Wastewater is treated and disposed of in a way that minimises effects on public health, the environment, and cultural values.

Explanation

Three Waters infrastructure is a key component of subdivision, use and development. It needs to be developed sustainably and agreed upon at the planning stage of the development. All new greenfield areas must have a Structure Plan and an Integrated Catchment Management Plan in place before development begins. Integrated catchment management planning is a process whereby the effects of development on all Three Waters infrastructure capacity and the appropriateness and integrity of

proposed treatments and reticulation systems and networks are designed to manage the change or intensification and assessed and used to help guide decisions. This objective and policies provide support to the direction in Chapter 2: Strategic Framework and Chapter 3: Structure Plans to avoid a situation where Three Waters planning occurs independent to land-use planning.

The objective and policies also provide direction for minimum requirements for the design of Three Waters infrastructure and services in the absence of an Integrated Catchment Management Plan.

Climate change may impact on the frequency and intensity of storm events and other weather extremes such as droughts. The impact of these changes needs to be considered as part of the long term management of the Three Waters.

25.13.3 Rules – Activity Status Table

Activity	Status
a) Any activity required to prepare a Water Impact Assessment by rule 25.13.4.6	RD*
b) Any activity required to prepare an Integrated Catchment Management Plan by rule 25.13.4.1(b)	RD*

Note

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

25.13.4 Rules – General Standards

25.13.4.1 Integrated Catchment Management Plan

a) Where a full ICMP already applies to an area, development of Three Waters infrastructure shall be undertaken in accordance with it. This will be considered a means to achieve compliance with the standards in Rules 25.13.4.1(b) and 25.13.4.2 to 25.13.4.4.

b) In areas where an ICMP does not exist an ICMP as described in Volume 2, Appendix 1.2.2.6 shall be prepared for development or subdivision:

i. Creating more than 40 additional residential units on any site.

ii. Creating more than 40 additional allotments.

iii. Of any land involving more than 3ha.

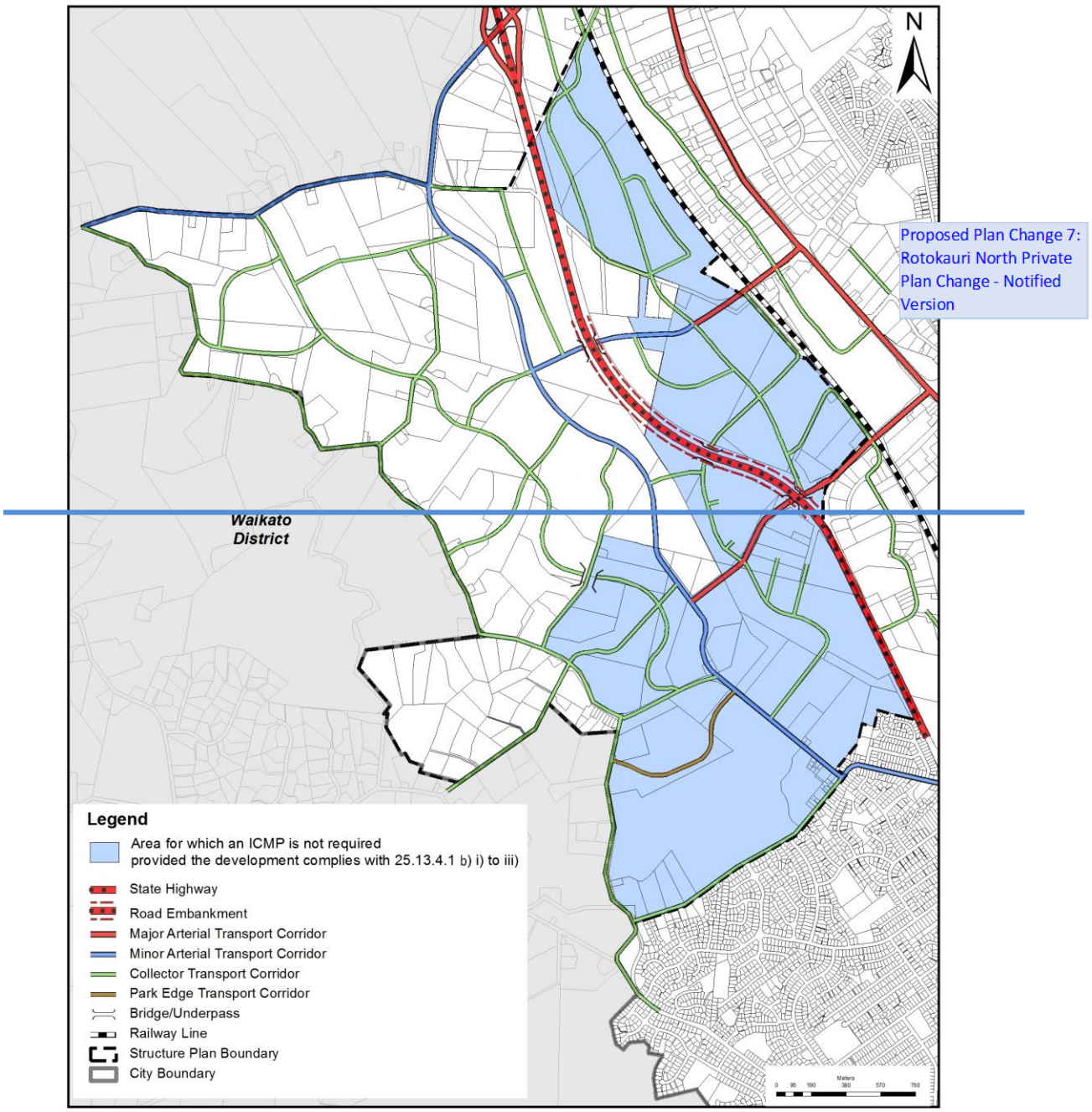
iv. For development of Stage 1 of the Rotokauri Structure Plan beyond the area identified in Figure 25.13.4a). Preparation of this ICMP shall, where relevant to the particular catchment, take into account the entire area of Stage 1 of the Rotokauri Structure Plan, including the area identified in Figure 25.13.4a).

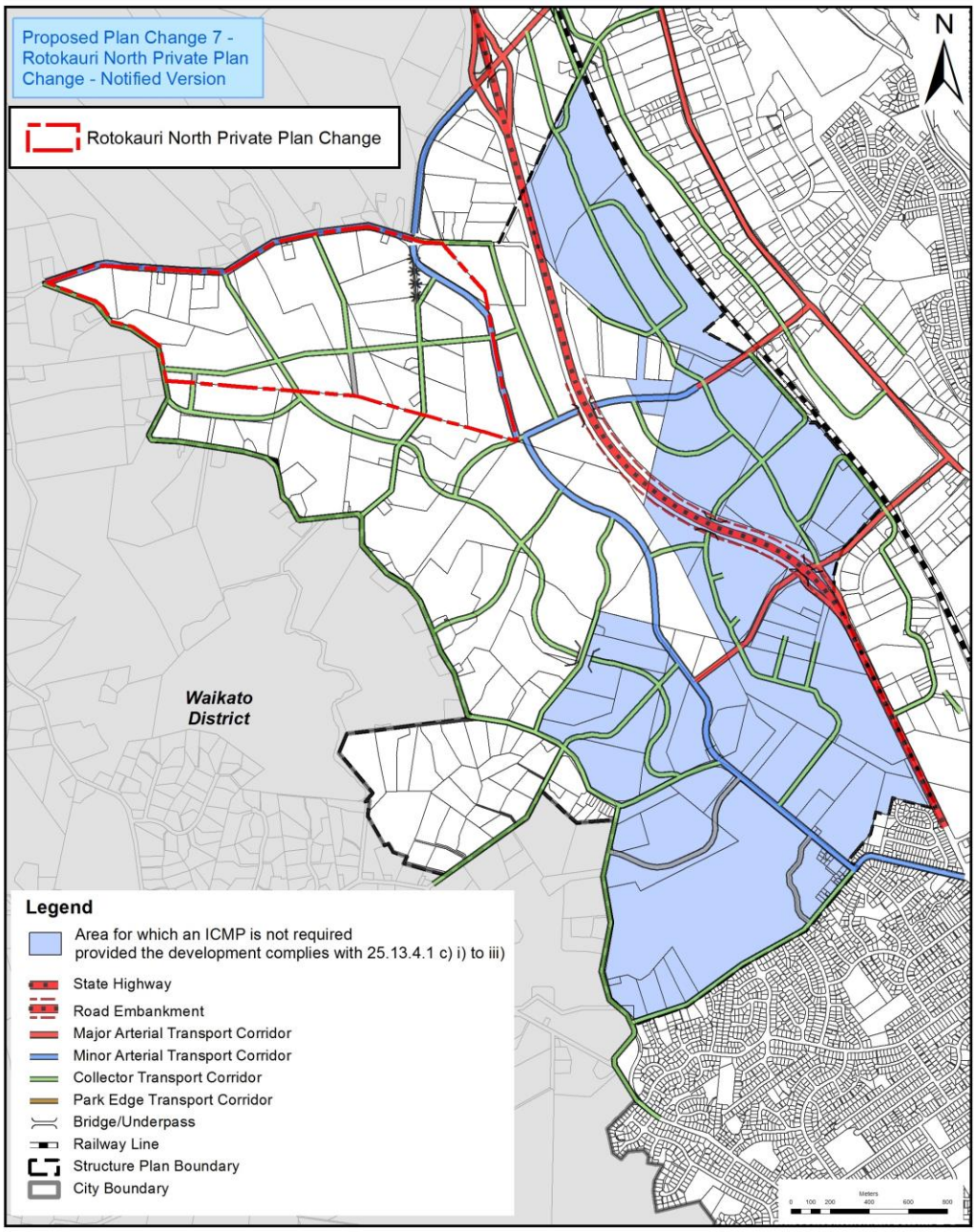
Except that a separate ICMP is not required when all the information that it would otherwise include is incorporated into an approved Concept Development Consent for a Major Facility prepared under Rule 17.4 and the Concept Development Consent is accepted as satisfying the requirements of this rule.

Note

1. The 3ha trigger in Rule 25.13.4.1b)iii relates to the footprint of the proposed development or subdivision.
2. A full ICMP should be prepared at the Structure Plan stage in accordance with Chapter 3.3.

Figure 25.13.4a: Area of development within Rotokauri which is excluded pursuant to Rule 25.13.4.1 b) iv





25.13.4.2 Stormwater

a) A stormwater reticulation and disposal system shall be provided that is adequate to safeguard people from injury or illness and protect property from damage caused by surface water.

b) Stormwater management measures shall be in place and operational upon the completion of subdivision and/or development to ensure that the rate of stormwater discharge offsite is at or below pre-development rates. Stormwater management measures shall be implemented, as appropriate, in accordance with the following drainage hierarchy:

i. Retention for reuse

ii. Soakage techniques

iii. Detention and gradual release to a watercourse

iv. Detention and gradual release to stormwater reticulation.

Note

1. Acceptable means of compliance for the provision, design and construction of stormwater infrastructure, and the drainage hierarchy, are is contained within the Hamilton City Infrastructure Technical Specifications.
2. Bylaws may also impose additional controls or restrictions with regard to stormwater.
3. See Rule 25.2.4 regarding earthworks.

25.13.4.3 Wastewater

a) An adequate, reliable, safe and efficient wastewater service shall be provided.

b) Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for a wastewater system as follows.

i. The installation or upgrading of the wastewater network and/or wastewater pump stations to serve all proposed allotments and/or buildings, and

ii. Connection to the wastewater network from each proposed allotment or building.

c) In the Future Urban Zone and Large Lot Residential Zone (Ruakura Structure Plan area only) where network utility services for wastewater treatment and disposal are not provided by Council, each site shall adequately provide for its own on-site treatment and disposal of wastewater and provide evidence of a satisfactory wastewater system to Council: no on-site wastewater treatment and disposal system shall be allowed that services more than one site and crosses any site boundary.

d) Rule 25.13.4.3c) shall not apply to any wastewater system servicing the 7ha development within Te Rapa North Industrial Zone Stage 1A, provided for under Rule 12.6.1 c)i), and connected to the wastewater infrastructure on Te Rapa Dairy Manufacturing Site.

Note

1. Discharge of trade waste to the Council network will require approval from Council in accordance with the Trade Waste Bylaw.
2. Wastewater treatment systems may require approvals from the Regional Council.
3. Acceptable means of compliance for the provision, design and construction of wastewater infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.

25.13.4.4 Water

a) An adequate, reliable, safe and efficient supply of potable water shall be provided.

b) Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for:

i. Water metering infrastructure, and either

ii. A connection from the public water supply reticulation to each proposed residential allotment or existing building, or

iii. A public water supply reticulation system extending from the main trunk water supply system (or from an existing water supply reticulation if appropriate) to

allow a service to be connected from the transport corridor frontage of each non-residential allotment.

c) In the Future Urban Zone and Large Lot Residential Zone (Ruakura Structure Plan area only) where a water supply reticulation system is not provided, evidence of satisfactory water supply shall be provided as part of the consent application.

d) A reticulation system shall be provided which is adequate for fire-fighting purposes and for estimated domestic and commercial consumption.

e) Where a development results in high-use allocation from the water supply reticulation system, evidence of satisfactory water supply shall be provided.

Note

1. There are limitations on the City's municipal supply of potable water for industrial use other than human drinking and sanitation. Any industrial activity requiring more than $15m^3$ of water per day for purposes other than human drinking and sanitation is considered a high-use allocation and should consult Council's Infrastructure Department early in the planning process.
2. Acceptable means of compliance for the provision, design and construction of water infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.
3. Bylaws may also impose additional controls or restrictions with regard to water supply.

25.13.4.5 Water Efficiency Measures

a) In addition to Low Flow Fixtures, at least one water sensitive technique for stormwater shall be incorporated, connected to, achieved or maintained as part of any new development as identified below.

Where required	Water sensitive techniques
i. New residential units ii. Other new buildings containing a kitchen, laundry or bathroom	• Detention of stormwater to 80% of pre-development runoff by an appropriate means • Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone • Rainwater tank for non-potable reuse system • Other equivalent feature

Note

1. An ICMP (relevant to the site) and the Hamilton City Infrastructure Technical Specifications can provide guidance on the above water sensitive techniques and other equivalent features.
2. Council maintains a register of all full ICMPs and can advise of any relevant to a particular development proposal and site.
3. Where the site is covered by an ICMP, the water sensitive techniques required by 25.13.4.5(a) above shall be consistent with the recommendations of that Plan.
4. An ICMP may make recommendations identifying water sensitive techniques that are suitable (or unsuitable) for a particular catchment or specific Three Waters measures or targets that need to be achieved. In order for new development to comply with 25.13.4.5(a), the selection and implementation of water sensitive techniques must be consistent with any relevant recommendations.
5. To be effective rainwater tanks for new buildings should have a capacity of at least 5,000 litres or should be appropriately designed considering the specific site constraints.

6. Additional techniques are listed within the definition of "water-sensitive techniques" included in Section 1.1.2 of Volume 2 - Definitions Used in the District Plan.

b) 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.

c) Low flow fixtures shall be incorporated in alterations or additions to any existing building that add an extra toilet, kitchen, laundry or bathroom.

25.13.4.6 Water Impact Assessments

a) A Water Impact Assessment, as described in Volume 2, Appendix1.2.2.5, is required for any development or subdivision:

i. Creating four or more additional residential units on any site.

ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors).

iii. Involving more than 1ha of land.

iv. Creating a new building for industrial activities with a gross floor area greater than 1000m^2.

v. Involving any new activity which will have a water requirement greater than 15m^3 per day.

vi. Creating a new building for non-residential activities (other than industrial activities or as provided for in vii. below) with a gross floor area greater than 300m^2.

vii. Within the Major Facilities Zone:

1. Creating a new building for non-residential activities (other than industrial activities) with a gross floor area greater than 3,000 m^2; or

2. Providing residential accommodation for more than 13 additional people, not being accommodation for hospital patients.

b) This Rule does not apply in areas where an ICMP exists and satisfies the information requirements for Water Impact Assessments in accordance with Table 1.2.2.5b of Volume 2, Appendix 1.2.2.5, or where all the information that a Water Impact Assessment would otherwise include, or the matters it would otherwise address, are incorporated in a Water Supply Agreement with Council or other documents, assessed and approved under any other provision of this District Plan or the Waikato Regional Plan.

Note

1. The 1ha trigger in Rule 25.13.4.6(a)iii) relates to the footprint of the proposed development or subdivision.

25.13.4.7 25Rotokauri North Structure Plan Area

1. Any stormwater devices installed on private lots as a means to achieve the requirements of the ICMP (or sub catchment ICMP) must be maintained by the

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site owner(s) in perpetuity. A consent notice will be registered on the certificate of title to that effect at time of subdivision.

2. Where re-use is proposed/required the tank must be dual plumbed to non-potable uses such as toilet and washing machine in the dwelling.

25.13.5 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 1.3.3)
i. Any activity required to prepare a Water Impact Assessment as by Rule 25.13.4.6*	• J – Three Waters Capacity and Techniques
ii. Any activity required to prepare an Integrated Catchment Management Plan as by Rule 25.13.4.1(b)*	• J – Three Waters Capacity and Techniques

25.13.6 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation

25.14 Transportation

25.14.1 Purpose

a) This chapter contains city-wide objectives, policies and rules relevant to the transport network and subdivision, use and development.

b) The transport network is a significant and essential physical resource of the City that contributes to the economic, social and cultural wellbeing of residents, visitors and businesses within and outside Hamilton.

c) The transport network includes all transport corridors and infrastructure, pedestrian and cycle, passenger transport, rail and river ferry routes. Also, while Hamilton Airport is not within the City it is our closest facility for moving goods and people by air. The facility is Regionally Significant Infrastructure and with its air routes is a key component of the wider transport network.

25.14.2 Objectives and Policies: Transportation

Objective	Policies
Integrated Transport Network **25.14.2.1** An integrated multi-modal transport network that meets national, regional and local transport needs and is: • Responsive • Efficient • Affordable • Safe • Accessible • Sustainable • Integrated with land use	**Land Use Integration** **25.14.2.1a** The transportation network and related infrastructure is planned, designed, constructed and managed in a manner that: i. Is consistent with and supports the land-use spatial framework for the City (Figure 2.1a in Chapter 2). ii. Promotes vibrant business centres. iii. Contributes to safe and efficient multi-modal transport corridors serving the Central City, business centres and other key destinations. iv. Contributes to a transportation network that: A. Is accessible to all users, including transport disadvantaged and mobility impaired. B. Maximises opportunities for walking, cycling and passenger transport. C. Creates good connections between residential areas, passenger transport services, schools, employment nodes, recreation areas, shops and other destinations. D. Provides a choice of routes and transport modes for travelling. v. Recognises the need for effective long-term solutions that are affordable and practicable.

	Transport Network **25.14.2.1b** The transportation network and related infrastructure is planned, designed, constructed and managed in a manner that: i. Recognises the affordability of providing new public infrastructure and other actions to increase the capacity of the transport network to accommodate growth. ii. Enables flexible management of transport corridors to allow them to perform their function within the City's transport corridor hierarchy. iii. Promotes energy conservation and efficiency. iv. Promotes a safe and efficient transport network. v. Allows for network utility infrastructure, and streetscape amenity. vi. Provides access to and has regard for the safety and needs of the mobility impaired, transport disadvantaged, cyclists, pedestrians, passenger transport users, and others using the transport corridor to move from place to place. vii. Contributes to the social, economic, cultural and environmental needs of current and future users of the transport network. viii. Takes account of the whole of life operational and maintenance costs of the transport network.
	Adverse Effects of the Transport Network **25.14.2.1c** Adverse effects of new transport infrastructure and changes to the existing transport network are minimised while recognising: i. Amenity values of adjacent activities, ii. Cultural and heritage values, biodiversity, and iii. Safety, access and mobility of all users iv. The function and the location that that part of the transport network has within the transport corridor hierarchy. v. The character and purpose of the zone in which it is located.

	25.14.2.1d The design, location and quantity of parking infrastructure is managed in a way that: i. Provides for special design requirements of transport network users. ii. Minimises adverse effects arising from an over- or under-supply of parking. iii. Minimises adverse safety and efficiency effects on the transport network. iv. Maximises opportunities for the efficient use of existing parking infrastructure. v. Trips by active modes and passenger transport are encouraged through integration with travel demand management and passenger transport options.
	Adverse Effects on the Transport Network **25.14.2.1e** Adverse effects of subdivision, use and development activities on the transport network are avoided or minimised with particular regard to: i. Connections to, and integration with, the transport network. ii. Reverse-sensitivity effects of land uses sensitive to adverse transport effects (e.g. noise). iii. Promoting streetscape amenity. iv. Ensuring performance, condition, safety, efficiency and long-term sustainability and affordability of the transport network. v. Ensuring trips by active modes and passenger transport are encouraged through integration with travel demand management and passenger transport options. vi. Protection of strategic and arterial transport networks, including associated intersections.
	25.14.2.1f Integrated Transport Assessments shall be required for new subdivision, use or development of a nature, scale or location that has the potential to generate significant adverse transportation effects.

	25.14.2.1g Buildings, structures and trees shall not create a potential hazard to the flight paths of aircraft or any other operations associated with Hamilton Airport by intruding within the airport's airspace.

Explanation

Transport networks are complex systems that influence and are in turn influenced by subdivision, use and development. The overarching objective of creating an integrated multi-modal transport network to meet the needs of the City recognises several qualities that need to be considered and balanced when planning for, constructing and managing the transport network and in the integration of transport and land use. The policies recognise that different land use environments and parts of the transport network have different tolerances to change. For example, changes to the transport network can have a more significant effect on the amenity values of a residential environment, yet the same change in an industrial environment may not create the same impact.

The policies are grouped to recognise and respond to key transport issues: integration with land use; planning, construction and maintenance of the transport network; and adverse effects of and on the transport network.

Integrated Transport Assessments are a key method by which the transportation effects of proposals are identified and assessed. Thresholds for requiring an Integrated Transport Assessment and resource consent are set based on the location, nature and scale of activities. This provides a consistent, city-wide framework within which proposals are considered, and means by which to address adverse transportation effects, including cumulative effects, are established.

Buildings, structures and trees in certain parts of the city could protrude into the flight path of planes departing and approaching Hamilton Airport. This increases the risks to public safety both on the ground and in the air.

The policies recognise that the hierarchy of the adjacent transport corridor can influence the nature and level of impacts. For example, parking over-spill onto a major arterial transport corridor is likely to have a more significant adverse effect on the primary movement function of the corridor when compared to the effects of over-spill onto a local transport corridor, whose primary function is property access.

25.14.3 Rules – Activity Status Table

Activity	Class
a) Any activity required to prepare a simple or broad Integrated Transport Assessment by Rule 25.14.4.3	RD*
b) New transport corridors	RD

Note

1. For the following transport-related activities refer to the relevant zone chapter.
   - Parking lots and parking buildings
   - Railway line, marshalling yard, or railway station
   - Passenger transport facility
   - Heliport
   - Pontoon/jetty
2. Arterial Transport Corridor Protection Areas are shown on the Structure Plans within Volume 2, Appendix 2.
3. Refer to Chapter 1.1.9 for activities marked with an asterisk (*).
4. For any activity not identified above, see Section 1.1.8.1.

25.14.4 Rules – General Standards

25.14.4.1 Vehicle Crossings and Internal Vehicle Access

Separation Distances

<table>
<tr>
<td>a) Distance between vehicle crossings on the same transport corridor frontage</td>
<td>
i. Where the posted speed of the adjoining road is 60km/h or less the distance between vehicle crossings on the same side of the road shall be either:

Less than 2m (provided no more than 2 vehicle crossings adjoin each other); or
More than 7.5

ii. Where the posted speed of the adjoining road is more than 60km/h the distance between vehicle crossings on either side of the road shall meet the relevant separation requirements in the below table; or:
<table>
<tr><th>Posted speed limit of adjoining transport corridor</th><th>Minimum distance between vehicle crossings</th></tr>
<tr><td>60 km/h and under</td><td>7.5m</td></tr>
<tr><td>70 km/h</td><td>40m</td></tr>
<tr><td>80 km/h</td><td>100m</td></tr>
<tr><td>90 km/h</td><td>200m</td></tr>
<tr><td>100 km/h</td><td>200m</td></tr>
</table>
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iii. On local roads with a posted speed of 50km/h or less where compliance with i. or ii. above cannot be achieved as part of any land use activity the proposed vehicle crossing shall be separated as far as possible from any other existing or proposed crossing.

iv. In Rotokauri North the minimum distance shall be 2m.

v. In the Peacocke Structure Plan area, on minor arterial transport corridors where a shared path or separated cycleway are provided, there shall be a minimum distance of 50m between vehicle crossings.

Plan Change 5 Peacocke Structure Plan
</td>
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<tr>
<td>b) Minimum distance between any vehicle crossing and a railway level crossing</td>
<td>
Vehicle crossings shall be:

i. At least 30m from any railway level crossing, measured from the legal boundary of the property with railway land.

For local roads with a posted speed limit of 50km/h or less Where this cannot be achieved the vehicle crossing shall be located as close as reasonably practicable to the furthest site boundary from the railway level crossing

Note

1. Examples of exceptions can include where the property boundary frontage is less than 30m and there is no other available access point, or the topography would make it impractical to construct an access
</td>
</tr>
</table>

c) Minimum distance between any vehicle crossing and a transport corridor intersection

Vehicle crossings shall meet the following relevant separation requirements in the tables below. The distance should be measured in accordance with the figure below:

For vehicle access onto local roads with a posted speed limit of 50km/h or less and serving a listed permitted activity where the separation requirements cannot be achieved the vehicle crossing shall be located as close as reasonably practicable to the furthest site boundary from the intersection (as relevant to the property boundary indicated in the figure below).

i. Minimum distance between any vehicle crossing and transport corridor intersection – posted speed limit 60km/h or less.

Adjoining transport corridor hierarchy (posted speed limit 60 km/h or less)	Intersecting transport corridor hierarchy			
	Major arterial	Minor arterial	Collector	Local
Major Arterial	30m	30m	30m	30m
Minor Arterial	30m	30m	30m	30m
Collector	20m	20m	15m	15m
Local	20m	20m	15m	15m

ii. Minimum distance between any vehicle crossing and transport corridor intersections – posted speed limit greater than 60km/h

Adjoining transport corridor hierarchy (posted speed limit greater than 60 km/h)	Intersecting transport corridor hierarchy			
	Major arterial	Minor arterial	Collector	Local
Major Arterial	100m	100m	100m	100m
Minor Arterial	100m	100m	100m	100m
Collector	45m	45m	30m	30m
Local	45m	45m	30m	30m

Note

The examples of exceptions can include where the property boundary frontage is less than 30m and there is no other available access point, or the topography would make it impractical to construct an access in a complying location.

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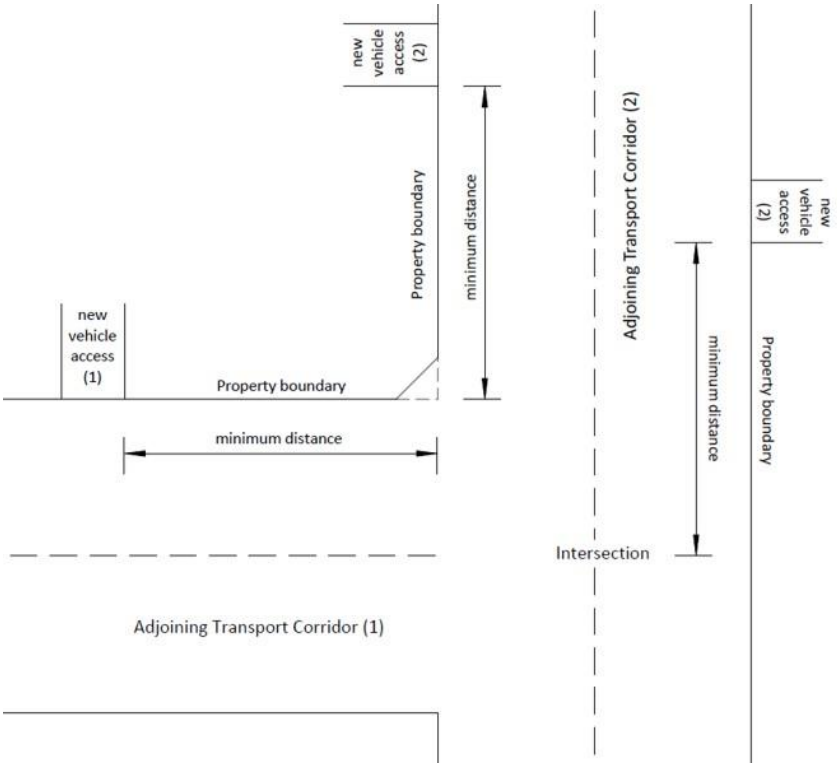
iii. Except that in Rotokauri North the minimum distance applicable to a Local road to Local road intersection (where the posted speed limit is 60km/h or less) shall be 10m.

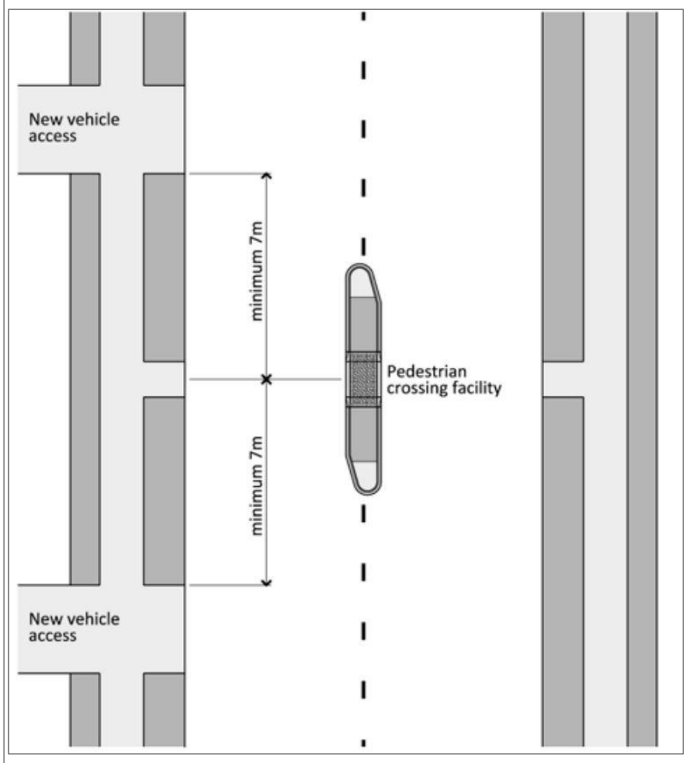
(see diagram below)

Figure 25.14.4.1a - Minimum distance between any vehicle crossing and transport corridor intersections



d) Minimum distance from a dedicated pedestrian crossing facility (e.g. pedestrian crossing, mid-block pedestrian signals, refuge islands, kea crossings)	The closest edge of the vehicle crossing shall be at least 7m from the centre of the pedestrian crossing facility measured in accordance with the diagram below.

Figure 25.14.4.1b – Minimum distance from a new vehicle access to a pedestrian crossing facility



Sightlines	
e) Minimum sight distance from any vehicle crossing	Vehicle crossings shall meet and be measured in accordance with the relevant sight distance requirements below

Minimum sight distance from vehicle crossings

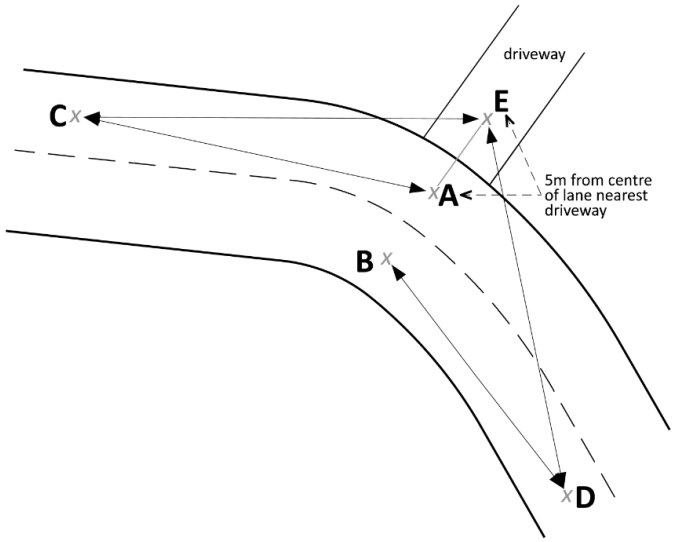
	Frontage transport corridor hierarchy classification		
Posted speed limit	**Local**	**Collector**	**Major and minor arterials**
40km/hr	45m	50m	90m
50km/hr	60m	70m	120m
60km/hr	85m	90m	150m
70km/hr	105m	120m	185m
80km/hr	135m	145m	220m
90km/hr	160m	175m	265m
100km/hr	195m	210m	305m

Notes

1. The sight distances are based on Austroads Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections (Equation 1 and 2).
2. Where there is an accepted speed survey, the operating speed and relevant equation may be used to calculate the minimum sight distance.
3. Local transport corridor sight distances are calculated based upon Approach Sight Distance (ASD) with Reaction time (R_T) of 1.5 seconds.
4. Collector transport corridor sight distances are calculated based upon ASD with R_T of 2 seconds.
5. Arterial transport corridor sight distances are calculated based upon Safe Intersection Sight Distance (SISD) with R_T of 2 seconds.
6. Grade is based on 0%. Austroads provides adjustment factors for grades.
7. Sight distances have been rounded up to the nearest 5m.

Figure 25.14.4.1d - Sight distance measurement

There should be lines of clear sight from driver's eye height to driver's eye height (1.15m above ground level) along the lines detailed below.	
Lines AC and BD	All vehicle crossings on all transport corridors
Lines EC and ED (no permanent obstructions, exclude parked vehicles which may obstruct these sight lines occasionally)	All vehicle crossings on minor arterial, collector and local transport corridors
Lines EC and ED (no obstructions, parked vehicles not excluded)	All vehicle crossings on major arterial transport corridors
Points C and D are established by measuring the sight distance from Table in 25.14.4.1e) along the centre of the appropriate lane from points A and B. For practical purposes A and B can be taken as opposite the centre of the driveway.	



Note

1. Derived from the New Zealand Transport Agency, "Road and Transport Standards: Guidelines for Visibility at Driveways"

Quantity	
f) Maximum number of vehicle crossings for any site within a Residential or Special Character Zone	One
g) Maximum number of vehicle crossings for any site, not within a Residential or Special Character Zone	i. One per frontage that is equal to or less than 20m wide ii. Two per frontage that is more than 20m wide (excluding frontages to the strategic network or arterial transport corridor iii. One per frontage to a strategic network or arterial transport corridor

Design and Access Widths

Proposed Plan Change 7: Rotokauri North Private Plan Change - Notified Version

h) Vehicle crossing and internal vehicle access dimensions shall:

i. Comply with the relevant dimensions identified in the Tables below

Vehicle crossing widths Vehicle Crossings	Width (m)[1]	
	Minimum	Maximum
Residential and Special Character Zones *except as provided below*.	3.0	5.5
Rotokauri North Medium Density Zone – applies to a 'combined' vehicle crossing intended to serve two units (including a duplex)	5.5	6
Peacocke Structure Plan area – Combined vehicle crossings intended to serve two units (including a duplex dwelling)	5.5	6
All other Zones	5.0	7.5

Plan Change 5 Peacocke Structure Plan

1. Measured along the front boundary where it adjoins the Transport Corridor

Internal vehicle access widths

Internal Vehicle Access	Use of Access	Minimum Formation Width (m)	Minimum Legal Width
Residential units	1-6 units	3.0	3.6
	7-20 units (where access is to form common property under a unit title arrangement)	5.5	6.0

	7-20 units (where access to vest as road as part of a fee simple subdivision)	6.0	16.0
	More than 20 units (Local Road)	6.0	20.0
	More than 20 units (Collector Road)	9.0	23.0
Residential centres, visitor accommodation	1-12 occupants	3.0	3.6
	More than 12 occupants	5.5	-
Car parking facilities	Up to 15 spaces	3.0	-
	More than 15 spaces	6.0	-
All other sites used for industrial or business activities	Up to 5 occupancies	6.0	-
	More than 5 occupancies	8.0	-

ii. 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.

iv. Be designed and configured to meet the relevant requirements of Table 15-6a in Appendix 15.

v. On fee simple subdivision any internal vehicle access serving more than 6 residential units will be required to be formed and vested in Hamilton City Council as a public road.

Proposed Plan Change 7: Rotokauri North Private Plan Change - Notified Version

vi. The access requirements of i., iv and v do not apply to rear lanes in Rotokauri North. Instead the following shall apply:

i. Minimum legal width of a two-way rear lane	7m
ii. Minimum legal with of one-way rear lane where parking spaces accessed directly off the lane and/or any reverse vehicle manoeuvring into the lane are aligned between 0° (parallel parking) to 45° (angled parking) to the lane.	4m
iii. Minimum legal width of one-way rear lane where parking spaces accessed directly off the lane and/or any reverse vehicle manoeuvring into the lane are aligned between 46° (angled parking) and 90° (perpendicular parking).	7m

Plan Change 5 Peacocke Structure Plan

vii. The internal vehicle access requirements for residential units of i., iv and v do not apply in the Peacocke Structure Plan. Instead, SUB-PREC1-PSP: R21 Roading and Access shall apply.

Note

1. Acceptable means of compliance for the design and construction of vehicle crossings is contained within the Hamilton City Infrastructure Technical Specifications.

2. Council will apply the Local Government Act 1974 to require action to prevent damage to the berm from crossings being of inadequate width or construction.

i) Any internal vehicle access shall

i. Have a minimum unobstructed width at vehicle entrances and between buildings of no less than 3.5m
ii. Not be used for carparking or storage of materials, landscaping, fencing or other obstructions that would restrict access by emergency vehicles
iii. Have a minimum height clear of buildings and other obstructions of 4.0m
iv. Have splays of 2m x 2m which are clear of structures higher than 1m at any vehicle entranceway or where vision of pedestrians or oncoming vehicles is restricted.

j) A passing bay shall be provided along an internal vehicle access which serves more than one allotment or more than five car parking spaces, in cases where:

i. The access is less than 5.5m wide and has a length greater than 70m, or

ii. Unrestricted visibility is not available over its full length.

Proposed Plan Change 7: Rotokauri North Private Plan Change - Notified Version

k) Location Restrictions in Rotokauri North

i. No vehicle crossing(s) may be located over a dedicated cycle lane or 3m shared path. A legal mechanism (consent notice) shall restrict vehicle crossings and access to rear lanes, access lots or side roads where a dedicated cycle lane or 3m shared path is on the allotments Transport Corridor frontage.

ii. No new vehicle crossing(s) may have direct access from State Highway 39.

25.14.4.2 Parking, Loading Spaces and Manoeuvring Areas

Quantity

a) Where:

- a new building is constructed on previously vacant land, or
- a new use establishes on previously vacant land or within a vacant building, or
- an existing building is altered in a way that increases the gross floor area, or
- an existing use increases in scale (e.g. increased gross floor area), or
- the use of land or buildings changes to a use with a higher traffic generation level,

then parking facilities shall be provided on that site for the increased parking demand in accordance with the levels set out in Tables 15-1a to 15-1f of Volume 2, Appendix 15-1, as applicable to the zone and activity, with the following exceptions:

i. If the activity is required to operate under an approved Concept Plan or Concept Development Consent that includes parking requirements, the levels set out in the Concept Plan or Concept Development Consent shall be applicable and the levels set out in Tables 15-1a to 15-1f of Volume 2, Appendix 15-1 shall not apply.

Note

1. Concept Plans or Concept Development Consents are generally a requirement for use and development within the Major Facilities Zone and the University of Waikato (Knowledge Zone). Activities that are required to operate under an approved Concept

Plan or Concept Development Consent use the rates in Tables 15-1a to 15-1f of Volume 2, Appendix 15-1, for guidance only. It is expected that site specific parking rates based on actual parking demand and site surveys may be more appropriate.

ii. Staff cycle spaces required by Table 15-1a of Volume 2, Appendix 15-1 shall not be required to exceed one per ten Full Time Equivalent staff.

iii. Cycle parking spaces shall not be required where:

- The building setback is 0m for the entire frontage of the subject site.
- A publicly available cluster of cycle spaces is located within 50m of the public entrance of the activity and in sufficient quantities to meet the levels otherwise required by Table 15-1a of Volume 2, Appendix 15-1.

b) In the Central City Zone and Business 1 to 7 Zones, where 10 or more staff cycle spaces are required by Rule 25.14.4.2(a), end-of-journey cycle facilities for staff shall be provided in accordance with Table 15-1g of Volume 2, Appendix 15-1.

c) For car parking required by Rule 25.14.4.2(a), for non-residential uses.

i. Accessible car park spaces for people with a disability shall be allocated and provided for in accordance with Table 15-1d of Volume 2, Appendix 15-1.

ii. Where 50 or more car park spaces are provided, accessible car park spaces for less mobile users shall be allocated and provided for in accordance with Table 15-1e of Volume 2, Appendix 15-1.

d) In Business 1 to 7 Zones, where 10 or more on-site car parking spaces are provided, the total number of spaces shall not exceed the required car parking levels identified in Table 15-1a of Volume 2, Appendix 15-1 by more than 25%. Car parks leased to or shared with other activities to meet required parking levels for the other activities are excluded from this assessment. Any lease or sharing arrangements must be ongoing, for the duration of the activity and formalised by a legally binding mechanism.

e) Where the assessment of the number of parking spaces (of any type) results in a fractional space, any fraction under one-half shall be disregarded and fractions of one-half or greater shall be considered as one space.

Design

f) Parking spaces, loading spaces and manoeuvring areas shall:

i. Comply with the relevant dimensions, layouts and diagrams (including tracking curves) in Table 15-1h and Figure 15-1i to Figure 15-1 l of Volume 2, Appendix 15-1 and are suitably designed for the vehicles and their occupants.

Alternative means of compliance for the design of parking spaces (including accessible parking spaces), loading spaces and manoeuvring areas is contained within AS/NZS 2890.2: 2002 Off Street Commercial Vehicle Parking and AS/NZS 2890.6: 2009 Off Street Parking for Disabilities and AS/NZS 2890.1:2004 Parking Facilities – Part 1: Off-Street Car-Parking.

ii. Be formed and drained with a permanent sealed or paved all weather, dust-free surface in a manner suitable for the type and quantity of vehicles using the site.

Note

1. Acceptable means of compliance for the formation and drainage of parking spaces, loading spaces and manoeuvring areas is contained within the Hamilton City Infrastructure Technical Specifications.
2. For Rotokauri North development, permeable pavements will also be considered a means of compliance with (ii).

Proposed Plan Change 7: Rotokauri North Private Plan Change - Notified Version

g) No part of any parking space, cycle space, loading space or manoeuvring area shall be located on any outdoor living area or service area.

h) Design and layout shall meet any requirements for landscaping and screening in the applicable zones and Chapter 25.5: City-wide – Landscaping and Screening.

i) All parking space, cycle space, loading spaces or manoeuvring areas, (excluding those for residential activities), which are used during the hours of darkness shall be illuminated in accordance with NZS1158.3.1 Lighting of Pedestrian Areas (P11), during the hours of operation of the activity that the areas serve.

j) Sufficient on-site manoeuvring areas shall be provided to avoid the reversing of vehicles off a site:

   i. Where any car park has vehicle access to any arterial transport corridor.

   ii. Where any car parking areas with vehicle access to any transport corridor contains:

      A. More than five parking spaces, or

      B. Is located more than 30m from the boundary with the transport corridor.

k) Vehicles occupying any parking or loading space shall have ready access to a transport corridor at all times, without needing to move any other vehicle occupying other parking or loading spaces.

   This rule does not apply to:

   i. Residential units, where instead only one car parking space per unit needs to have access at all times,

   ii. Loading spaces for offices less than 100m^2 gross floor area,

   iii. Staff parking areas, or

   iv. Where an automated parking stacking system is used.

l) Where an automated parking stacking system is used, ready access from the system's entrance or exit to a transport corridor and sufficient queuing and manoeuvring area must be maintained at all times, without needing to move any other vehicle occupying other parking or loading spaces.

   Note

   1. For the purpose of the standards above "automated parking stacking system" means parking facilities that are controlled by a machine that moves and organises the vehicles into an arrangement for storage by means of mechanical stacking or similar method, and where drivers are only required to manoeuvre vehicles on to a pad or into a specific position.

m) Sufficient on-site manoeuvring areas shall be provided for loading spaces to avoid:

   i. Vehicles needing to reverse off site on to an arterial transport corridor.

ii. Vehicles projecting on to the transport corridor whilst loading or unloading.

n) Where on-site parking is provided, sufficient space shall be provided for vehicle queuing as follows.

i. For up to and including 30 parking spaces, a minimum on-site queuing length of 6m.

ii. For more than 30 parking spaces, the vehicle capacity of the queuing length shall be calculated as (0.03) x (number of parking spaces). The required vehicle capacity calculated shall be rounded up to the next whole number (i.e. the next whole vehicle) and a queuing length of 6m provided per vehicle.

iii. The required queuing length shall be measured from the transport corridor boundary at the vehicle entrance of the site, to the nearest vehicle control point on the site.

iv. For the purpose of assessment, where more than one vehicle crossing is provided to a site, the required queuing length may be assessed for each access point individually, with each parking space allocated to the nearest usable entry vehicle crossing.

Provided that Rule 24.14.4.2 n) shall not apply to Residential Activities and Structures in the Residential or Special Character Zones.

o) Visitor cycle parking spaces shall be located within 30m of public entrances for the activity.

p) Staff cycle parking spaces shall be located so it may be easily accessed by regular users of the activity and may be provided off-site.

q) The design of cycle parking spaces shall meet the following requirements.

i. All cycle parking is adequately spaced to allow a cyclist to manoeuvre and attach a cycle to each stand.

ii. Visitor cycle parking shall consist of stands that:

A. Are securely attached to an immoveable object such as a wall or ground.

B. Support the bicycle frame.

C. Are clearly visible or signposted to cyclists entering the site.

D. Are able to be detected by the visually impaired when in publicly accessible areas so as to not create a safety hazard.

iii. Staff cycle parking shall consist of a stand or enclosed space that:

A. Allows the bicycle to be secured.

B. Is undercover or otherwise protected from inclement weather.

Note

1. Acceptable means of compliance for the design of cycle parking spaces is contained within the Hamilton City Infrastructure Technical Specifications.

25.14.4.3 Integrated Transport Assessment Requirements

Any activity that requires an ITA under this rule is also subject to Rule 25.14.3a).

Trip Generation Triggers

a) A Simple or Broad Integrated Transport Assessment (ITA) shall be prepared for activities as required by this rule, in accordance with the following trigger thresholds.

	LOW <100 vpd	MEDIUM 100 - 499 vpd	HIGH 500 - 1499 vpd	SIGNIFICANT >1500 vpd
Any activity in the relevant zone (except in the Central City Zone)	-	-	Simple ITA required	Broad ITA required
Any activity in the Central City Zone, excluding the Downtown Precinct	-	-	-	Broad ITA required
Any activity in the Downtown Precinct of the Central City Zone				Downtown Precinct ITA required

[1] Table 15-2d of Volume 2, Appendix 15-2 contains guidance for converting vehicles per day into other units of measures. This can be used for screening proposals to identify whether an ITA is required or not.

Existing Vehicle Access Triggers

b) For existing vehicle accesses to a strategic network or major arterial transport corridor, or where it takes access across an existing railway level crossing:

i. A Broad ITA shall be prepared for any restricted discretionary activity in the relevant zone (including subdivision), or

ii. A Simple ITA shall be prepared for any permitted activity in the relevant zone,

that increases the use of the vehicle access by more than 100 vehicles per day.

This standard shall not apply if the relevant road controlling authority or Kiwirail (in the case of railway level crossings) provides written confirmation that an ITA is unnecessary.

Specific Activity Triggers

c) A Broad ITA shall be prepared for new:

i. Schools.

ii. Hospitals.

iii. Transport depots (goods).

iv. Drive-through services.

v. Emergency service facilities (with traffic control signals controlling access).

vi. Transport corridor.

d) A Simple ITA shall be prepared for new:

i. Emergency service facilities (without traffic control signals controlling access).

Area Specific Triggers

e) i) A Broad ITA shall be prepared for any new activity within the 'Area A' identified in Volume 2, Appendix 15-7, Figure 15-7a, which exceeds the following traffic generation rate based on gross site area.

i. 14.1 trips/hectare/morning peak hour, or

ii. 15 trips/hectare/afternoon peak hour

Note

1. Every inward or outward movement from the site shall be counted as an individual trip.
2. The trip rates specified are those as they related to the peak hour of the road network, between the hours of 0700-0900 and 1600-1800 Monday to Friday and 1100-1300 on Saturday.
3. Gross site area includes any land to be vested as public road, open space, or other public purpose; any entrance strip with a width of 6m or less, any right of way, any private way or access lot; or any other land that is unable to be developed as part of an industrial site on a permanent basis.

e) ii) A Broad ITA shall be prepared for subdivision creating any additional lots, and/or any new development which generates greater than 100vpd, within 'Area B' identified in Volume 2, Appendix 15-7, Figure 15-7a.

In addition to the Broad ITA content specified in 25.14.4.3m) the assessment shall include but not be limited to, specific consideration of demand, levels of service, and options for mitigation at the following intersections as identified on Figure 15-7b in Volume 2, Appendix 15-7:

1. Te Kowhai Road/Te Rapa Road
2. Base Parade/Te Rapa Road
3. Wairere Drive/Te Rapa Road
4. Te Wetini Drive/Arthur Porter Drive/Wairere Drive/ramps to and from Mangaharakeke Drive
5. Foreman Road/Mangaharakeke Drive
6. Crawford Street/Mangaharakeke Drive/Avalon Drive roundabout
7. Avalon Drive (through road)/Avalon Drive (Connection to Rotokauri Road)

The purpose of mitigation is to ensure the safe and efficient operation of the transport network, and to maintain the desirable levels of service as follows:

i) An average delay per vehicle during peak hours on the approaches to intersections of no greater than:

a. 55 seconds for the strategic network, major and minor arterial transport corridors;

b. 80 seconds for all other transport corridors.

ii) On the strategic network, major and minor arterial transport corridors during peak hours:

a. Average vehicle speeds between intersections restricted to no less than 90 percent of the posted speed limit;

b. Average vehicle speeds, including intersections, constrained to no less than 18km/h;

iii) Unless demonstrated otherwise with site specific data, peak periods are taken to be 7am to 9am and 4pm to 6pm Monday to Friday.

e) iii) A Broad ITA shall be prepared at the time of the first subdivision creating any additional lots, and/or any new development within Temple View Zone Precinct 3 identified in Volume 2, Appendix 4, Figure 4-5.

The Broad ITA shall assess the transport effects of Precinct 3 including the proposed subdivision and/or proposed new development and the remaining developable area of Precinct 3.

In addition to the Broad ITA content specified in 25.14.4.3 m) the assessment shall include, but not be limited to, specific consideration of demand, levels of service and options for mitigation at the following intersections:

- Tuhikaramea Road/State Highway 23
- Tuhikaramea Road/Kahikatea Drive/Gibson Street
- Tuhikaramea Road/Collins Road

f) A Broad ITA shall be prepared for any new managed care facilities; retirement villages; rest homes; and visitor accommodation activity on the defined site shown on Figure 15-7c in Volume 2, Appendix 15-7, where the traffic generation from all activities on the defined site exceed:

i. 989 trips in the morning peak hour, or

ii. 1,386 trips in the afternoon peak hour.

Note

1. Every inward or outward movement from the site shall be counted as an individual trip.
2. The trip rates specified are those as they related to the peak hour of the road network, between the hours of 1600-1800 Monday to Friday.

New Vehicle Access Triggers

g) A Broad ITA shall be prepared for any activities requiring a new vehicle access to a transport corridor.

i. That is part of the strategic network,

ii. That is identified as a major arterial transport corridor,

iii. From any site within the Major Facilities Zone (excluding the Thoroughbred Business Park),

iv. From the University of Waikato (Knowledge Zone),

v. That is identified as an active frontage in the Central City Zone (refer to Volume 2, Appendix 5, Figure 5-7 Active Frontages Overlay Plan), or

vi. From any site within the Central City Zone, other than from dedicated service lanes or public parking buildings or lots.

The assessment required by this rule may be reduced to a Simple ITA or removed if there is no internal connection possible to other entrances and the relevant Road Controlling Authority provides written confirmation that a Broad ITA is not appropriate. The trigger thresholds in Rule 25.14.4.3a) can provide guidance on the level of assessment necessary based on location and intensity of use.

h) A Broad ITA shall be prepared for any subdivision, use or development requiring a new railway level crossing access.

Exceptions

i) Rules 25.14.4.3 a) to e) do not apply to:

i. Events and Temporary Activities (see Chapter 25.3: City-wide – Events and Temporary Activities) where a Transport Management Plan is required.

ii. New activities in a Major Facilities Zone or the University of Waikato (Knowledge Zone) when in accordance with an approved Concept Development Consent (Volume 2, Appendix 1.2.2.14).

iii. New activities in accordance with an approved Comprehensive Development Plan (Volume 2, Appendix 1.2.2.8).

iv. New activities in the Te Rapa North Industrial Zone when in accordance with an approved Concept Development Consent (Volume 2, Appendix 1.3.2D).

v. New activities at the Ruakura Research Centre (Knowledge Zone) and Waikato Innovation Park (Knowledge Zone) when in accordance with an approved Concept Plan.

j) Rule 25.14.4.3 a) does not apply to activities within an approved Structure Plan Area (Refer Chapter 3 and Appendix 2), except that a Broad ITA shall be prepared for significant (>1,500vpd) traffic generating activities. This exception does not apply to those activities covered by Rule 25.14.4.3h) or Rule 25.14.4.3e) ii) above.

Content

k) All ITAs shall be completed by suitably qualified professionals and should generally follow the approach and guidelines of New Zealand Transport Agency's "Research Report 422: Integrated Transport Assessment Guidelines, November 2010". Requirements and report format for ITAs are included in Tables 15-2a Simple ITA and 15-2b Broad ITA of Volume 2, Appendix 15-2.

25.14.4.4 Minimum Sight Distances at Railway Level Crossings

a) New buildings, structures and activities that would obstruct drivers seeing approaching trains shall not be located within the Approach Sight Triangles and Restart Sight Triangles of any Railway Level Crossing.

b) Approach Sight Triangles shall be measured using the vehicle approach speeds and distances identified in Table 15-3a measured in accordance with Figure 15-3b of Volume 2, Appendix 15-3.

c) Restart Sight Triangles shall be measured using the distances identified in Table 15-3c measured in accordance with Figure 15-3d of Volume 2, Appendix 15-3.

d) Rule 25.14.4.4 does not apply to transport infrastructure or signage required to manage traffic at the Railway Level Crossing.

Note

1. Approach Sight Triangle controls ensure sight distances are maintained to ensure transport corridor users are able to see a train and stop before the crossing or to continue at the approach speed and cross the level crossing safely.
2. Restart Sight Triangle controls ensure transport corridor users stopped at level crossing are able to see far enough along the railway line to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train.

25.14.4.5 Height of Structures – Horizontal and Conical Obstacle Limitation Surfaces

a) No building, mast, tree or other object shall penetrate any of the horizontal and conical obstacle limitation surfaces surrounding Hamilton Airport as shown in Volume 2, Appendix 15-9.

Note

1. The Horizontal Obstacle Limitation Surface is located in a horizontal plane above the main runway with an elevation of 102m Moturiki Datum having its outer limit at a locus of 4000m measured from the periphery of the main strip.
2. The Conical Obstacle Limitation Surface slopes upwards and outwards from the periphery of the Horizontal Surface at a gradient of 1 vertical to 20 horizontal to an elevation of 207m above Moturiki Datum.
3. Where any Resource Consent is required as a result of non-compliance with this rule then consultation with the operator of Hamilton Airport is advised. Evidence of any consultation with and support or comments from the operator of Hamilton Airport should be included in the resource consent application.

25.14.5 Rules – Specific Standards

25.14.5.1 New Transport Corridors

The provisions of the following chapters apply to new transport corridors where relevant.

- Chapter 2: Strategic Framework
- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- 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

25.14.6 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 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 1.3.3)
i. Any activity required to prepare a simple or broad Integrated Transport Assessment by Rule 25.14.4.3*	• G – Transportation
ii. New transport corridors	• G – Transportation

Note

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

25.14.7 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

25.15 Urban Design

25.15.1 Purpose

a) Good quality urban design is fundamental in delivering the Council's Vision for a smart, liveable city which is attractive, well-designed and compact with a strong sense of place. The District Plan is a 'design led' plan which is 'outcome' focused. The consideration of urban design throughout the Plan chapters is required to ensure that urban design principles are applied consistently throughout all zones.

b) Urban design applies not only to the appearance but also the function and feel of buildings and public spaces including streets. It focuses on public frontages and spaces and addresses elements such as streetscape, walkability, sustainable design, mixed-use development, 'active edges' of building frontages, and people's safety and accessibility.

c) Quality urban design is recognised as having economic, environmental, cultural and social dimensions (*The Value of Urban Design: The economic, environmental and social benefits of urban design, Ministry for the Environment, 2005*). Good quality design increases economic value, producing higher returns on investment. It can also reduce management and maintenance costs, lead to more productive workplaces, and enhance image and prestige.

d) Quality urban design assists to enhance environmental, social, cultural and economic wellbeing by establishing urban environments that:

   i. Are competitive, thrive economically and facilitate creativity and innovation.

   ii. Provide a choice of housing, work and lifestyle options.

   iii. Are healthy and assist to sustain people and nature.

   iv. Are inclusive and offer opportunities for all citizens.

   v. Are distinctive and have a strong identity and sense of place.

   vi. Are well-governed and have a shared vision and sense of direction.

   vii. Are well connected and accessible for a range of users.

e) Within some zoning chapters outlined in this plan new buildings are to have matters such as design quality, appearance and amenity considered as controlled or restricted discretionary activities. This is combined with design led assessment criteria which combines international best practice urban design principles with factors considered to be of special importance to the City of Hamilton and its surrounding environments. The design principles identified within the plan also reflect New Zealand's national Urban Design Protocol of which Hamilton City has been a signatory since 2006.

f) The *City Design Guide* VISTA further outlines Hamilton's expectations for better designed environments – describing how a well-designed place should look, feel and function. The non-regulatory guide highlights key urban design principles considered fundamental to Hamilton's development as a prosperous, memorable and sustainable city.

g) Objectives, policies, rules and assessment matters within this District Plan, along with other methods adopted by Council, seek to facilitate and encourage

subdivision and development design in a manner that will continually enhance the quality of the City's urban environments. While many urban design matters are responded to directly within the chapters of this District Plan, including specific topic and area based design guidance, this section provides the objectives and policies for those urban design matters that need to be considered throughout Hamilton regardless of the zoning that may apply.

25.15.2 Objectives and Policies: Urban Design

Objective	Policies
25.15.2.1 Urban environments that promote the retention and enhancement of urban amenity values, i.e. pleasantness, aesthetics, coherence, cultural and recreational values.	**25.15.2.1a** Streetscape quality, public open spaces and pedestrian amenity are improved through appropriate streetscape and built-form which enhances the appearance, functionality, comfort and safety of the pedestrian environment.
	25.15.2.1b Built form and public amenity features, including public art, are encouraged to enhance public awareness of historic and contemporary heritage and culture.
	25.15.2.1c A high standard of internal and external amenity for commercial and community buildings and a high standard of external amenity for residential buildings are provided, including provision of natural ventilation, recreation space, daylight and sunlight access, and adequate living space for residential units.
Explanation	
The pleasantness, aesthetics, coherence, cultural and recreational values of an urban environment can assist to enhance the environmental, social, cultural and economic wellbeing of the community. *Through the District Plan, for both controlled and restricted discretionary activities, matters such as design quality, scale, appropriate streetscape, provision of active frontages, articulated facades and safe, legible pedestrian connections will be considered as part of the assessment criteria. Other methods such as area specific design guides, will also be used. Council can facilitate discussion, encourage and provide for design responses that will continually increase these values and the wellbeing of the Hamilton community.*	

Objective	Policies
25.15.2.2 Urban environments that promote a positive sense of place and are reflective of the characteristics of the surrounding local environment.	**25.15.2.2a** Development within residential, business and City living areas is encouraged to promote a sense of human scale.
	25.15.2.2b Development will be expected to respond positively to the character of the area, the scale and proportion of buildings and spaces in which it is situated.
	25.15.2.2c Public and private development is encouraged to provide for attractions or focal points (including 'gateways') that assist in enhancing community identity.
	25.15.2.2d Sympathetic, contemporary design responses to cultural and heritage character within the surrounding local environment is encouraged.
	25.15.2.2e Distinctive architectural styles within identified character areas are retained.
Explanation	
It is important that the positive characteristics of the local urban environment are embraced in future subdivision and development so that the local environment retains its distinctiveness, and from this, its unique sense of place. *Through the District Plan and other methods such as the Urban Design Panel, Council can facilitate and encourage design which reflects those positive attributes to enhance the sense of place and local identity.*	
Objective	**Policies**
25.15.2.3 Continued enhancement of public and personal safety throughout the City, by reducing opportunities for crime to occur.	**25.15.2.3a** The assessment of and appropriate responses to Crime Prevention Through Environmental Design (CPTED) principles is required within subdivision and development proposals, to reduce threats to personal safety and security and to promote the delivery or development of environments where people feel safe.
	25.15.2.3b The concepts and philosophy of CPTED are included in the Council's design, planning, management and use of public space and community facilities.

Explanation	
Public and personal safety is essential to develop and sustain an inclusive City in which all ages and genders can feel comfortable. The use of CPTED principles in subdivision and development proposals such as the provision of linkages, accessibility in subdivision design and active surveillance, will assist in creating and maintaining such a city.	
Objective	**Policies**
25.15.2.4 Subdivision and development which is well connected, legible and promotes sustainable energy use.	**25.15.2.4a** Subdivision and development design responds positively to local amenity and character values and promote use of renewable energy sources.
	25.15.2.4b Subdivision and development patterns through good through site linkages and consideration of site context promote walking, cycling and other active modes of transport.
Explanation	
Sustainable energy use in subdivision and development has positive impacts on people economically, socially and culturally, as well as benefitting the natural environment. Through the District Plan and other methods Council can encourage subdivision and development which promotes sustainable energy use, either through the design and orientation of buildings, windows and open space, provision of through-site links for pedestrians and cyclists, or on-site water conservation measures.	
Objective	**Policies**
25.15.2.5 Urban environments that integrate land use with transport planning to provide permeable, highly connected and sustainable transport networks.	**25.15.2.5a** Activities that are well located in respect of travel demand promote an efficient transport hierarchy and compact City around key nodes and circulation networks.
	25.15.2.5b Development promotes connectivity and accessibility with pedestrian routes, cycleways, public reserves and green corridors.
Explanation	
Integrating land use in subdivision and development design has positive impacts on people economically, socially and culturally, as well as benefitting the natural environment. Through the District Plan and other methods Council can encourage an integrated approach to land use and transport planning which promotes sustainable travel patterns and energy use, either through integration of existing circulation networks including transport corridors, cycleways, public reserves and green corridors or a highly connected and permeable road hierarchy.	

25.15.3 Other Resource Consent Information

Refer to Volume 2, Appendix 1: District Plan Administration for the following urban design criteria and guidance.

- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides