

TOLLEMACHE CONSULTANTS LTD.

Rotokauri North Private Plan Change Request

Planning Assessment: Assessment of Environmental Effects

Application to Hamilton City Council pursuant to
Schedule 1 of the Resource Management Act 1991

Rotokauri North, Rotokauri

April 2019



DOCUMENT CONTROL RECORD

PROJECT: Rotokauri North Private Plan Change

DOCUMENT: Assessment of Effects on the Environment

CLIENT: Green Seed Consultants Limited

PROJECT LOCATION: Rotokauri North

AUTHORS: Mark Tollemache & Renee Fraser-Smith

REVISION: FINAL v2

TABLE OF CONTENTS

1.	Introduction	5
1.1.	Necessity for a Private Plan Change	5
1.2.	Attachments and Supporting Documents	6
2.	Description of the Site and Surrounds	8
2.1.	Applicant Details	8
2.2.	Subject Sites	9
2.3.	Description of the Subject Sites	10
2.4.	Historic and Current Land Uses	10
2.5.	Topography and Catchment Boundaries.....	11
2.6.	Overland Flowpaths and Flooding.....	12
2.7.	Soils	14
2.8.	Hydrogeology	16
2.9.	Stream Locations/Classifications	16
2.10.	Surrounds	17
3.	Proposed Plan Change	17
3.1.	Background	17
3.2.	Re-zoning Proposal.....	18
3.3.	Purpose and Reasons	36
4.	Statutory Context	36
4.1.	Overview	36
4.2.	Resource Management Act 1991	37
5.	Section 32 Evaluation	41
6.	Assessment of Environmental Effects	42
6.1.	Alternative Locations or Methods	43
6.2.	General Effects of Land Use Change	43
6.3.	Social.....	44
6.4.	Archaeological /Cultural Effects	44
6.5.	Landscape and Visual Effects	45
6.6.	Ecological Effects	49
6.7.	Effects on Infrastructure, Traffic and Development	54
6.8.	Risk from Hazards and Contamination	60
6.9.	Reverse Sensitivity	62
6.10.	Economic	63
6.11.	Positive Effects	63
6.12.	Overall Summary of Environmental Effects	64

7.	Assessment Statutory Documents	64
7.1.	Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.....	65
7.2.	National Policy Statement on Urban Development Capacity 2016.....	65
7.3.	National Policy Statement for Freshwater Management 2014	67
7.4.	National Environmental Standards for assessing and managing contaminants in soil to protect human health 2011	69
7.5.	Waikato Regional Policy Statement	69
7.6.	Waikato Regional Plan	74
8.	Other Matters / Non-Statutory Documents.....	74
8.1.	Future Proof	74
8.2.	Hamilton Urban Growth Strategy (2010)	78
8.3.	Waikato-Tainui Environmental Plan	78
8.4.	The Waikato Plan.....	81
8.5.	Waikato Regional Land Transport Plan.....	81
8.6.	Waikato Regional Public Transport Plan	82
8.7.	Regional Walking and Cycling Strategy.....	83
8.8.	Access Hamilton	84
9.	Part 2 of the RMA	84
9.1.	Section 5 - Purpose.....	84
9.2.	Section 6 – Matters of National Importance	85
9.3.	Section 7 – Other Matters	86
9.4.	Section 8 – Treaty of Waitangi	87
10.	Consultation	87
11.	Notification	88
12.	Conclusion	88

1. INTRODUCTION

- 1.0.1. This report documents the section 32 statutory analysis of an application for a Private Plan Change (“**PPC**”) to rezone approximately 140ha of Future Urban (“**FUZ**”) zoned land to Medium Density Residential Zone (“**MDRZ**”) and Business 6 Zone (“**B6Z**”) made by Green Seed Consultant Ltd (“**GSCL**”) on an area of land known as Rotokauri North, within the Hamilton City Council’s Rotokauri Structure Plan area (“**RSP**”). The application has been made to Hamilton City Council (“**Council**”) under the Resource Management Act 1991 (“**RMA**”).
- 1.0.2. This report has been prepared to support a request for a Private Plan Change (“**PPC**”) to the Hamilton City District Plan (“**HCDP**”), made by Green Seed Consultants Ltd (“**GSCL**”) pursuant to the First Schedule of the Resource Management Act (“**RMA**”) for an area of land identified as “Rotokauri North” in the north-west of Hamilton City.
- 1.0.3. Rotokauri North comprises 140ha of land proposed to be zoned for urban activities, specifically;
- 137.6 hectares is proposed a Medium Density Residential zone (“**MDRZ**”);
 - 1.2 Hectares is proposed as Business 6 zone (Neighbourhood) (“**B6Z**”);
 - Amend the existing Rotokauri Structure Plan map to specifically **exclude** the Rotokauri North area;
 - Insert a new Rotokauri North Structure Plan (“**RNSP**”) and associated rules; and
 - Retain the existing Natural Open Space zoning (“**NOSZ**”) and Significant Natural Area (“**SNA**”) overlay located within the site (approx. 1.2 hectares).
- 1.0.4. Based on the total area, the development of the PPC area could yield approximately 2,000 houses.
- 1.0.5. The majority (approximately 133 ha) of the area, falls within land holdings falling under the GSCL umbrella.
- 1.0.6. Although the land falls out of the planned sequence for development of the existing Rotokauri North area, this PPC seeks to bring forward the land for development to cater for the need for additional housing in Hamilton City in an area where infrastructure can be provided.

1.1. Necessity for a Private Plan Change

- 1.1.1. The PPC is required because:
- i. The Rotokauri North landholdings are currently zoned Future Urban (“**FUZ**”) under the HCDP, meaning it cannot be developed for residential use without a plan change process.
 - ii. Although the land falls within the existing operative Rotokauri Structure Plan area (“**RSP**”) the land is not earmarked for release by HCC until post-2028.

- 1.1.2. In addition, the GSCL land has been recommended by Council (on 18 October 2017) to be identified as a Special Housing Area ("**SHA**") in accordance with the Housing Accords and Special Housing Areas Act 2013 ("**HASHAA**").
- 1.1.3. The proposed SHA is 133 ha in area. At the design workshop undertaken 5 to 8 August 2018 between the experts supporting GSCL and Hamilton City Council ("**HCC**") officers, it was recommended that approx. 7 ha of additional sites associated with Rotokauri North be included in the PPC request. This is to support integrated management rather than these areas remaining FUZ.

1.2. Attachments and Supporting Documents

- 1.2.1. Attachments to this AEE include:
 - (a) **Attachment 1** List of Acronyms
 - (b) **Attachment 2** Locality Map
 - (c) **Attachment 3** Certificate of Title (subject to this request)
 - (d) **Attachment 4** Proposed Plan Change Provisions and Structure Plan Map
 - (e) **Attachment 5** Section 32 Assessment
- 1.2.2. This PPC is supported by the following technical reports which are provided as attachment to the PPC application:
 - (f) **Attachment 6** Rotokauri North SHA: Archaeological Assessment prepared by CFG Heritage dated 3 December 2018
 - (g) **Attachment 7** the following reports relating to Geotechnical Matters:
 - a. Rotokauri North SHA Geotechnical Assessment Report prepared by HDGeo dated 25 October 2018
 - b. Rotokauri North SHA – Response to HCC Peer Review prepared by HDGeo dated 27 February 2019
 - (h) **Attachment 8** Rotokauri North Preliminary Site Investigation by HDGeo dated 11 July 2018
 - (i) **Attachment 9** Rotokauri North Sub-Catchment Integrated Management Plan prepared by Tollemache Consultants dated April 2019.
 - (j) **Attachment 10** Rotokauri North ICMP: Desktop Review of Hydrogeological Conditions Influencing Stormwater Design prepared by Beca dated 17 July 2018
 - (k) **Attachment 11** Rotokauri North Development Area: Technical review of stream classifications prepared by Tonkin & Taylor Ltd, dated 7 December 2018
 - (l) **Attachment 12** Receiving Environment and Rapid Erosion Assessment Rotokauri North Sub-Catchment prepared by Morphum Environmental Ltd November 2018 DRAFT ("**Morphum**")

- (m) **Attachment 13** Integrated Traffic Management Report prepared by Commute Transportation Specialists dated April 2019.
- (n) **Attachment 14** Economic Report by Property Economics dated 30 October 2018
- (o) **Attachment 15** Urban Design Assessment by Ian Munro dated April 2019.
- (p) **Attachment 16** Infrastructure Report prepared by McKenzie & Co Consultants Ltd dated April 2019.
- (q) **Attachment 17** Landscape and Visual Assessment by LA4 dated April 2019
- (r) **Attachment 18** Cultural Impact Assessment Working Draft for Lodgement [April 2019
- (s) **Attachment 19** Summary of Consultation
- (t) **Attachment 20** Legal Opinion by Berry Simons
- (u) **Attachment 21** Notification Assessment

1.2.3. This report is also supported by the following technical reports (which are not provided as attachments to this report but can be provided upon request).

- (v) Rotokauri Integrated Catchment Management Plan ("**Rotokauri ICMP**") prepared by Hamilton City Council;
- (w) Rotokauri ICMP – Ecological Assessment and Inputs prepared by Kessels Ecology dated 31 August 2016;
- (x) Mangaheka Integrated Catchment Management Plan ("**Mangaheka ICMP**") prepared by Beca; and
- (y) Mangaheka Stream – Assessment of Ecological Values to inform an Integrated Catchment Management Plan, prepared by Boffa Miskell dated 27 June 2016.

1.2.4. The following reports that were prepared in conjunction with the Rotokauri Structure Plan (and associated Plan Change- Variation 18) (which are not provided as attachments to this report but can be provided upon request).

- (z) Rotokauri: Inventory of natural resources and management criteria prepared by BBO 1998
- (aa) Environmental protection overlay: Site assessments prepared by Downs, T & Clarkson, B 2001
- (bb) Rotokauri Lake Structure Plan – Cultural assessment prepared by NaMTOK 2001
- (cc) Rotokauri Structure Plan: Phase One Report Environmental Constraints/ Urban Needs Assessment Prepared by BECA June 2001
- (dd) Rotokauri Structure Plan: Phase One Maps prepared by BECA 2001

- (ee) Rotokauri Flood Plain Preliminary Geo- technical Investigation Report no. 2368 prepared by Opus June 2005
- (ff) Rotokauri Structure Plan (variation 8) prepared by Hamilton City Council August 2005
- (gg) Ecological Investigations of the Rotokauri, Te Rapa and Te Kowhai Catchments prepared by Kessels and Associates Ltd 2006
- (hh) Restoring Waikato's Indigenous Biodiversity: Ecological Priorities and Opportunities prepared by Waikato Biodiversity Forum/ EW October 2006
- (ii) The Distribution of fish in the urban gully system streams of Hamilton City prepared by CBER contact report 18 October 2006
- (jj) Rotokauri Structure Plan Road Network-Traffic Modelling prepared by Gabites Porter 2007
- (kk) Rotokauri Growth Cell; Assessment of Land Demand for New Zealand Commercial Centres May 2007 prepared by Speer & Speer Associates May 2007
- (ll) Rotokauri Western Hills Landscape Study prepared by Boffa Miskell October 2007

2. DESCRIPTION OF THE SITE AND SURROUNDS

2.1. Applicant Details

APPLICANT	Green Seed Consultants Limited.
SITE ADDRESS	A Locality map is in Attachment 2 .
LEGAL DESCRIPTION	As per below and in Attachment 3 .
SITE AREA	140 Hectares (approximately).
DISTRICT PLAN	Hamilton City District Plan (" HCDP ").
CURRENT ZONING	Future Urban (" FUZ ") and Significant Natural Area (" SNA ").
DESIGNATIONS / SPECIAL LIMITATIONS	Refer to Planning Maps.

2.2. Subject Sites

2.2.1. The below **Table 1** outlines the properties subject to this PPC request.

Table 1: Legal Descriptions

Property Address		Legal Description		CT Number	Title Area
17	Burbush Road	LOT 6	DP 359488	242207	16.48 ha
29	Burbush Road	LOT 5	DP 359488	242207	2625 m2
38	Burbush Road	LOT 4	DP S15254	SA14B-112	5.0712 ha
56	Burbush Road	LOT 4	DP 359488	242205	3.948 ha
64	Burbush Road	LOT 3	DP 359488	242204	3286 m2
76	Burbush Road	LOT 2	DP 359488	242203	3.9298 ha
82	Burbush Road	LOT 1	DP 359488	242202	2500 m2
	Burbush Road	LOT 3	DP S15254	SA14B-111	5.787 ha
	Burbush Road	LOT 9	DP S15255	SA14B-117	4.0469 ha
350	Exelby Road	LOT 6	DP S15123	SA13B-745	13.7188 ha
372	Exelby Road	LOT 5	DP S15123	SA13B-744	4.062 ha
223	Te Kowhai Road	LOT 10	DP S15255	SA14B-118	4.0469 ha
223	Te Kowhai Road	LOT 11	DP S15255	SA14B-119	4.0469 ha
223	Te Kowhai Road	PT LOT 7	DP S15255	SA14B-115	4.0823 ha
245	Te Kowhai Road	LOT 1	DP S4129	SA1263-30	1829 m2
301	Te Kowhai Road	LOT 1	DP S69074	SA55B-968	5210 m2
301	Te Kowhai Road	LOT 2	DP S69074	SA55B-968	5210 m2
301	Te Kowhai Road	LOT 1	DP S46587	SA55B-968	5210 m2
321	Te Kowhai Road	LOT 1	DP 485743	690913	4502 m2
329	Te Kowhai Road	LOT 2	DP 485743	690914	19.5514 ha
335	Te Kowhai Road	LOT 3	DP 334215	140356	5.1426 ha
341	Te Kowhai Road	LOT 2	DP 334215	140355	2.0000 ha
349	Te Kowhai Road	LOT 1	DP S72047	SA57D-840	5315 m2
353	Te Kowhai Road	LOT 3	DP 314799	58423	2.3615 ha
365	Te Kowhai Road	LOT 1	DP 314799	58421	2509 m2
371	Te Kowhai Road	LOT 2	DP 314799	58422	2.4815 ha
383	Te Kowhai Road	LOT 3	DP S15123	SA13B-742	4.2113 ha
	Te Kowhai Road	PT LOT 2	DP S15254	SA14B-110	4.4667 ha
	Te Kowhai Road	LOT 1	DP S15254	SA14B-109	4.2568 ha
		SEC 23		755895	4.2547 ha

2.3. Description of the Subject Sites

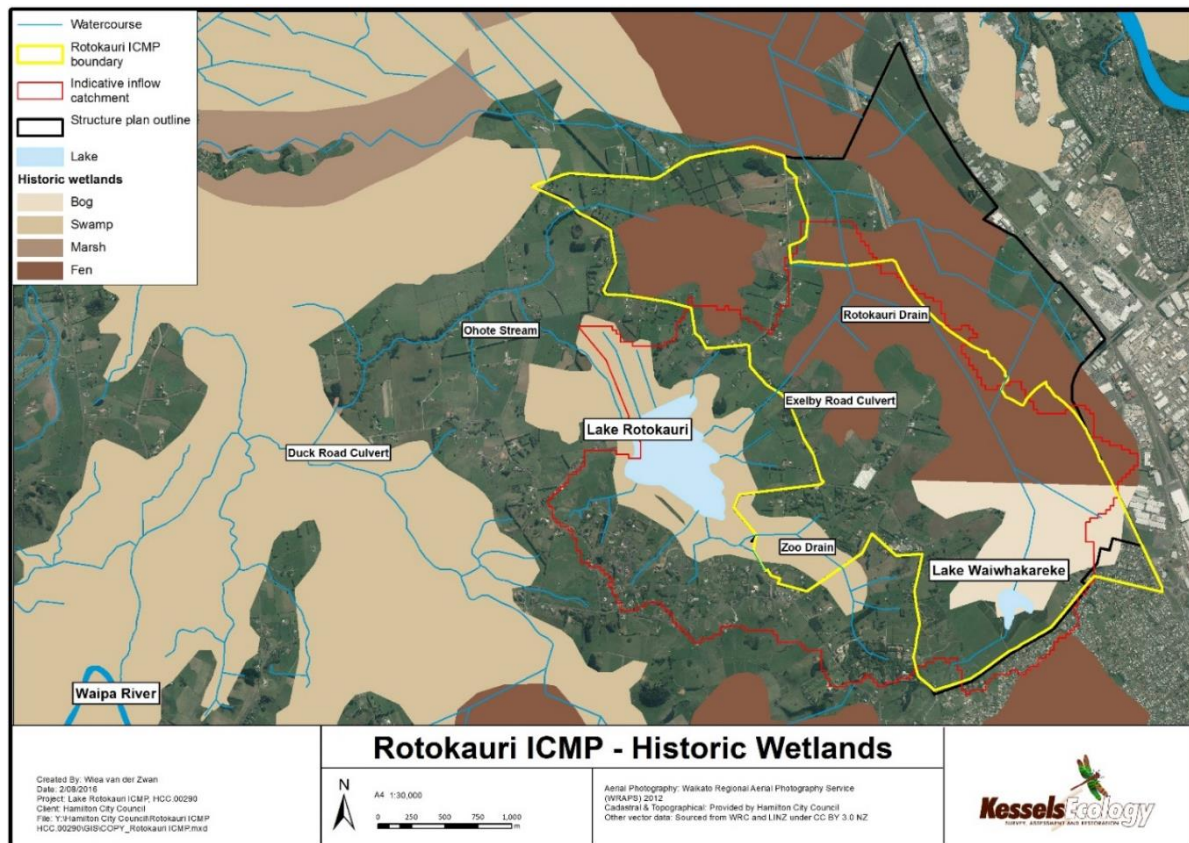
2.3.1. The site is located at the north-west extent of Hamilton City and consists of a total area of approximately 140 hectares as shown in the Locality Diagrams in **Attachment 2**. It is bounded by the Te Kowhai Road (SH39) to the north, greenfield lands to the east and south and Exelby Road to the west and south. Burbush Road runs north to south through the eastern portion of the site.

2.4. Historic and Current Land Uses

2.4.1. Historically the site was partially covered by a wetland (fen) which, as identified in the archaeology section below, was drained to make way for agricultural land practises in the early 1900s.

2.4.2. Figure 1 below is included in the Rotokauri ICMP (as Figure 2-2) and identifies the location of the fen / wetland.

Figure 1: Historical fen / wetland



2.4.3. The current land use is for agriculture, with some lifestyle dwellings. Historic uses of the site are associated with farming for livestock and dairying.

2.4.4. Vegetation on the site is mainly grazed pasture grasses and exotic tree species used for hedging and shelterbelts. Some native trees are present on the site but are generally located in amenity gardens surrounding dwellings. There is an existing significant stand of kahikatea in the north-eastern corner of the site, which is identified by the HCDP as a SNA.

2.4.5. Proportionally across Rotokauri North, the land uses are as follows:

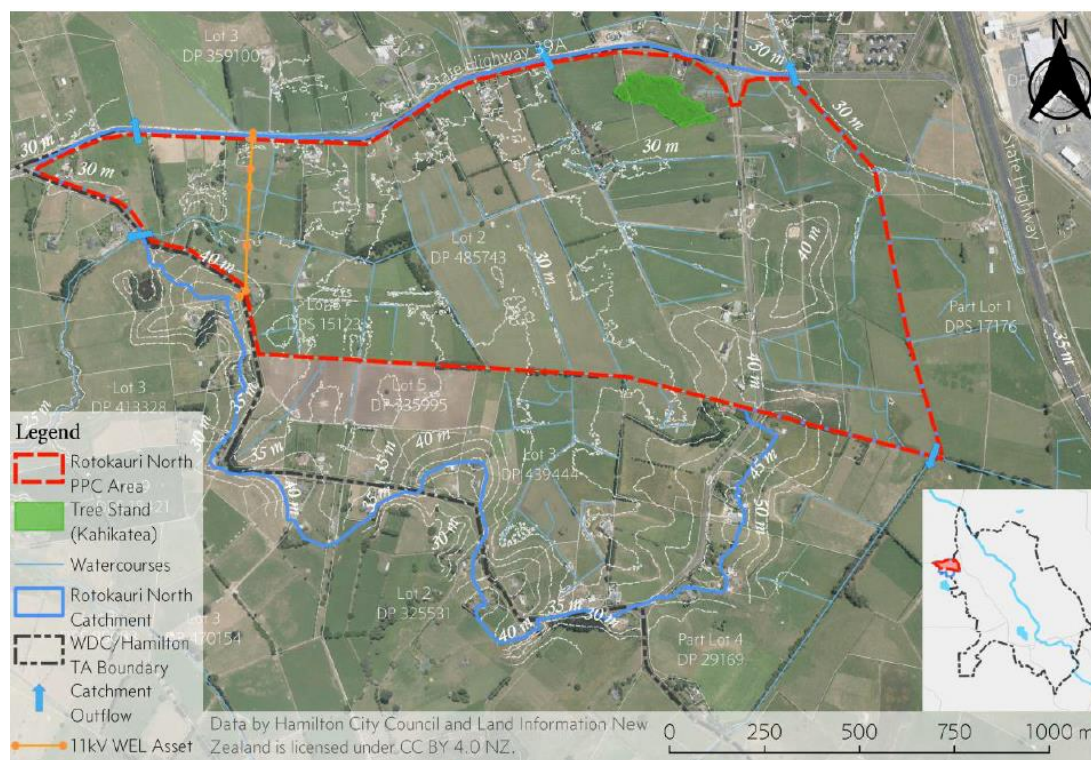
- 97.4% of land classified as exotic grassland,
- 1.6% classified as exotic forest, and
- The remaining 1.0% classified as indigenous forest as per the Land Cover Database (version 4.1).

2.4.6. The SNA, known as Burbush Road Forest or Perkins Bush is a small patch of kahikatea trees situated on private property north of Lake Rotokauri. It has been identified as an SNA under the HCDP. Kessels (2016) records it as: “The canopy is dominated by kahikatea with emergent rewarewa, with an understorey of tawa, mahoe, white maire, pohuehue and titoki (Cornes et al. 2012). In 2011 the area was mostly fenced from stock. Weed species include woolly nightshade, Chinese privet, Tradescantia and pasture grasses are prevalent in the ground tier”.

2.5. Topography and Catchment Boundaries

2.5.1. As identified in Figure 2 below, the majority of Rotokauri North is relatively flat, generally 28-30 RL. There are some terraces along the southern and eastern edges of the development area which are up to 40 RL.

Figure 2: Topography map



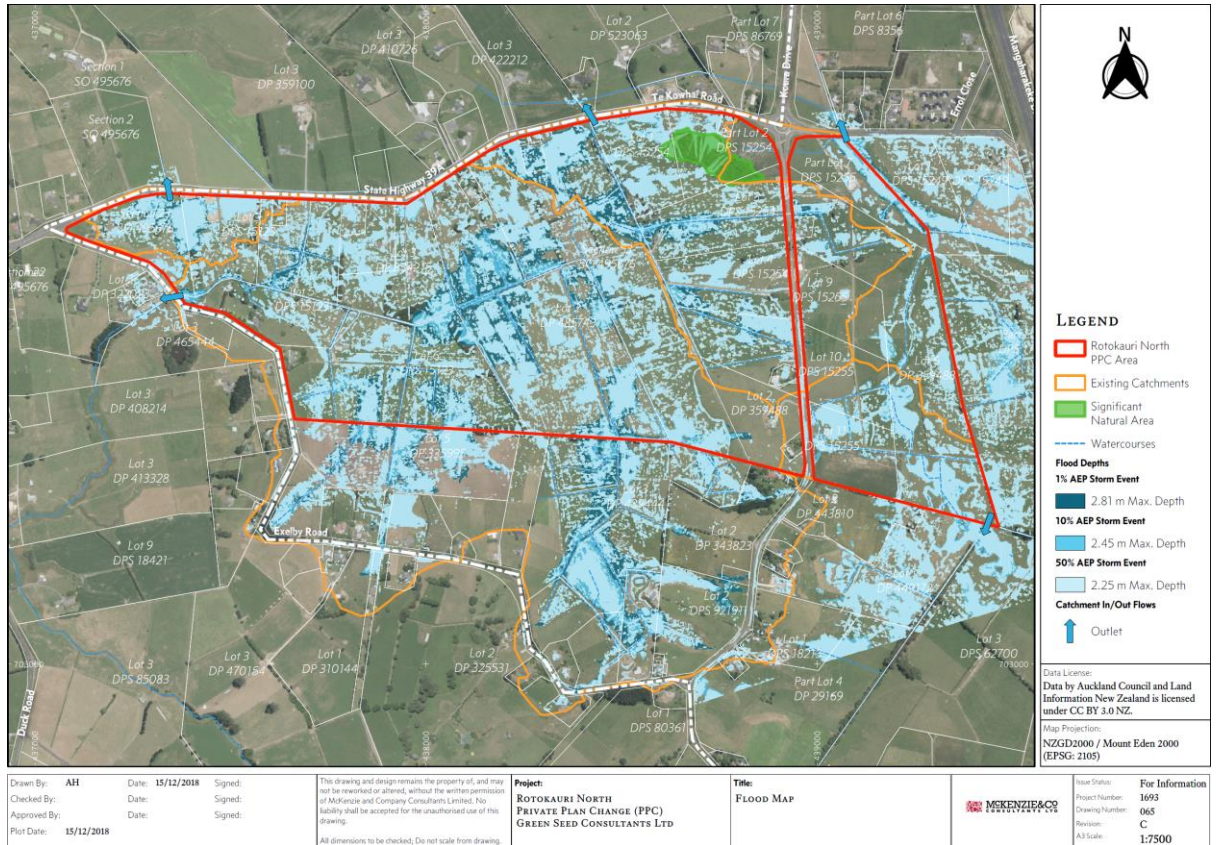
2.5.2. The Rotokauri North area is within the catchments of the Ohote, Te Otamanui, Mangaheka and Rotokauri South stream networks.

- 2.5.3. The majority of the stormwater catchment discharge is via the Ohote catchment, which runs predominantly east-west through Rotokauri North and comprises approximately 136.7 hectares of land. The Ohote catchment ultimately discharges to the Waipa River approximately 6 kilometres downstream. The catchment drains through a culvert located at Exelby Road, which is also the eastern catchment boundary.
- 2.5.4. Te Otamanui catchment falls south of Te Kowhai Road within the HCC territorial boundary, with the northern portion of the catchment (outside of Rotokauri North area) within the Waikato District Council ("**WDC**") territorial boundary. Land within this catchment comprises approximately 46.2 hectares. Two culverts under Te Kowhai Road convey flow from the south to north. One culvert services the western area (6.9 ha) and the other the eastern area (39.3 ha). Te Otamanui catchment discharges north-westerly to the Waipa River approximately 8 kilometres downstream.
- 2.5.5. The Mangaheka catchment flows from south to north, with the portion falling within Rotokauri North being 14.9 hectares and is the upper portion of the catchment. The catchment eventually discharges to the Waipa River approximately 2.5 kilometres south of Ngaruawahia. This catchment has an approved Mangaheka ICMP.
- 2.5.6. The portion of Rotokauri North within the upper reach of the Rotokauri South catchment comprises approximately 14 hectares. The catchment flows south-westerly to Rotokauri Lake approximately 1.5 kilometres away. The Rotokauri South catchment also has an approved Rotokauri ICMP.
- 2.5.7. The majority of the land is currently used for farming, with minimal impervious areas.

2.6. Overland Flowpaths and Flooding

- 2.6.1. The above Figure 2 also shows the overland flowpaths and watercourses on the site. Classification of modified and artificial watercourses is in accordance with the Tonkin & Taylor stream classification memo (2018) in **Attachment 11**. Figure 3 shows the existing flood extent and indicates that part of the site is subject to flooding.

Figure 3: Flooding Extent



2.6.2. The site is located roughly central to the broader Hamilton Basin which is characterized by low rolling hills (Hamilton Hills) and plains with low terraces and gullies draining into the Waikato and Waipa Rivers (Hamilton Lowlands) as described below (HDGeo, 2018, in **Attachment 7**):

- The Hamilton Hills are linear, sinuous hills and ridges that are remnant of an older erosion surface. They consist of alluvial material and non-welded ignimbrites (Walton Subgroup) and are typically overlain by a number of metres of airfall volcanic ash (Kauroa Ash and Hamilton Ash).
- The Hamilton Lowlands are a broad, low angle alluvial fan created by the Waikato River in the Late Quaternary. The fan materials are derived from rhyolitic eruptions in the central North Island and generally consist of late Pleistocene primary and secondary volcanoclastic sediments with a wide variety of grain sizes (Piako Subgroup and Hinuera Formation). Deposition of the fan materials ceased when the Waikato River entrenched into its current course approximately 17 ka and thin airfall tephra layers accumulated on the fan surface (Hinuera Surface).

2.6.3. The New Zealand Geological map (QMap) for the Waikato Region shows that local soils within Rotokauri North consist of the Walton Subgroup, the Hinuera Formation, and Piako Subgroup materials. The Walton Subgroup falls predominantly along the ridges west, south, and east of the Rotokauri North area and are described as Early Pleistocene to Middle Pleistocene alluvium dominated by primary and re-worked non-welded ignimbrite. The main basin within the Rotokauri North area consists of the Hinuera Formation and Piako Subgroup.

- 2.6.4. The Hinuera Formation makes up the majority of the low-lying areas of site, with small areas in the south and southeast of the site described as the Piako Subgroup. The Hinuera Formation is described as Late Pleistocene cross-bedded pumice sand, silt and gravel with interbedded peat. The Piako Subgroup is described as Late Pleistocene locally derived mud, silt, gravel and peat.
- 2.6.5. Site conditions encountered by HD Geo were typically consistent with the mapped geology.
- 2.6.6. The low-lying portions of the site contain sand and silty soils with a high groundwater table, which can be susceptible to liquefaction under earthquake-induced cyclic loading.
- 2.6.7. Liquefaction of this magnitude is not uncommon in the Waikato, but it does have the potential to affect options for stormwater management, specifically, chosen options must consider the potential for "lateral spreading". Lateral spreading is a phenomenon where liquefied material allows the soil above to move horizontally towards a free face, such as a stream bank.
- 2.6.8. HD Geo have indicated that the site currently has an isolated lateral spreading risk adjacent to the Mangaheka stream near Te Kowhai Road in the north-eastern corner of site.
- 2.6.9. Potential mitigation from liquefaction and lateral spreading is addressed in the assessment of effects section further below.

2.7. Soils

- 2.7.1. Landcare Research identifies the soils to be a mix of Land Use Capabilities (ranging from 1 in the flats adjacent to Te Kowhai Road to 4 towards the southern extent of the catchment).
- 2.7.2. Landcare Research identifies the site as having well-drained soils (along the ridges) and very poorly drained soils within the main basin (see Figure 4). The soil moisture regime ranges from moderate (along the ridges) to very high in the main basin (see Figure 5).

Figure 4: Soil Drainage

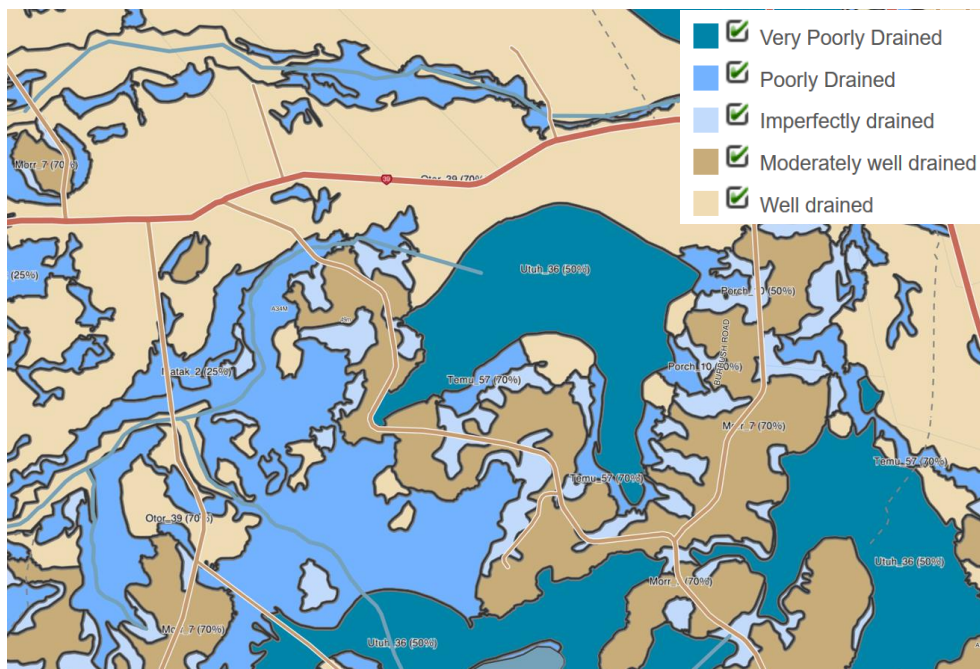
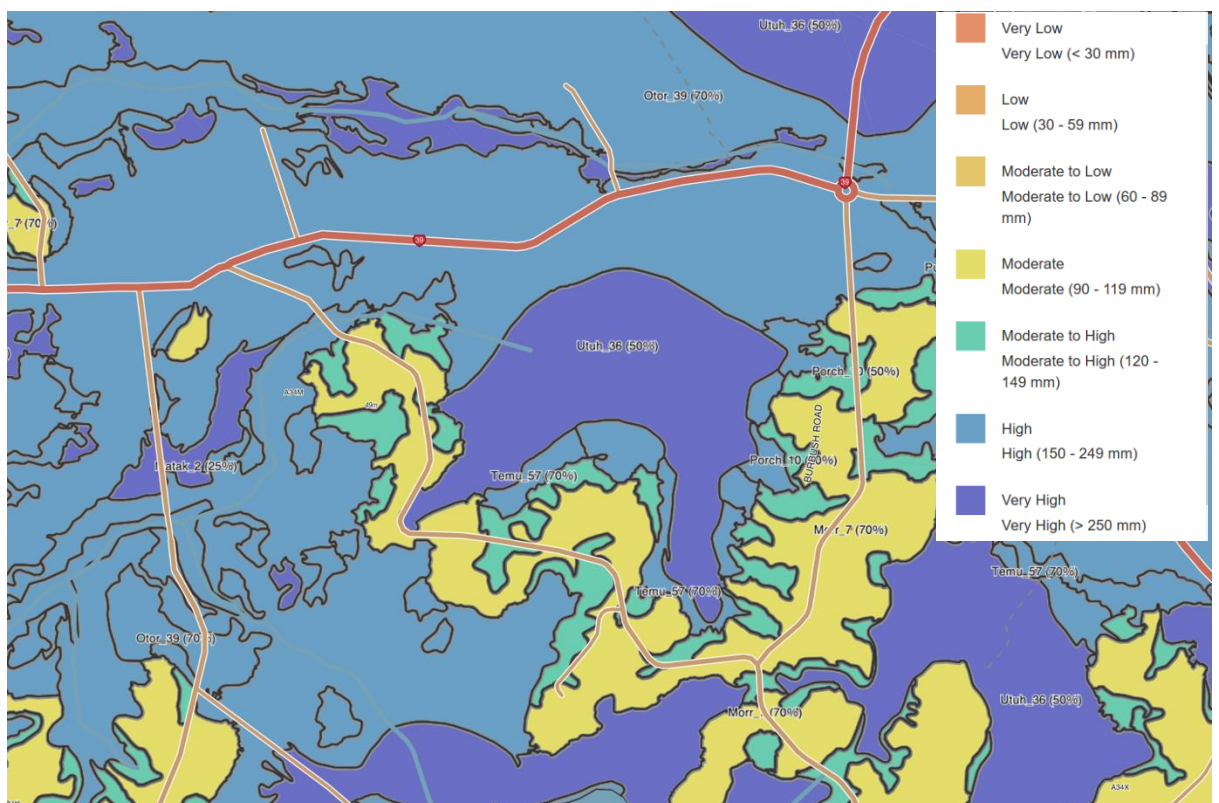


Figure 5: Soil Moisture



2.8. Hydrogeology

2.8.1. There are three significant surface water bodies within three kilometres of the Site:

- Lake Rotokauri, located approximately 1.3 km to the south from the southwestern-most extent of the Site;
- Horseshoe Lake, located approximately 2.5 km to the south/southeast from the south-eastern-most extent of the Site; and
- The Waikato River, located approximately 2.5 km from the eastern-most extent of the Site.

2.8.2. Surface water flows are expected to generally follow local topography, toward the east, north and west along drainage trenches through the site. The south-eastern corner of the site drains towards Lake Rotokauri through a network of a stream tributaries feeding into Lake Rotokauri, and then into the Waipa River. The bulk of the catchment flows westwards along a network of farm drains into the Ohote stream and then into the Waipa River. The headwaters of Te Otamanui stream fall within the central northern portion of the site. And the Mangaheka stream flows along the eastern boundary of the site. Both Te Otamanui and Mangaheka catchments flow northwards out to the Rotokauri North site and then westwards to the Waipa River. However, groundwater is likely to be largely constrained from following the same routes by the hills to the east, west and south, and is likely to travel northeast towards the Waikato River (as outlined in the Beca Memo in **Attachment 10**).

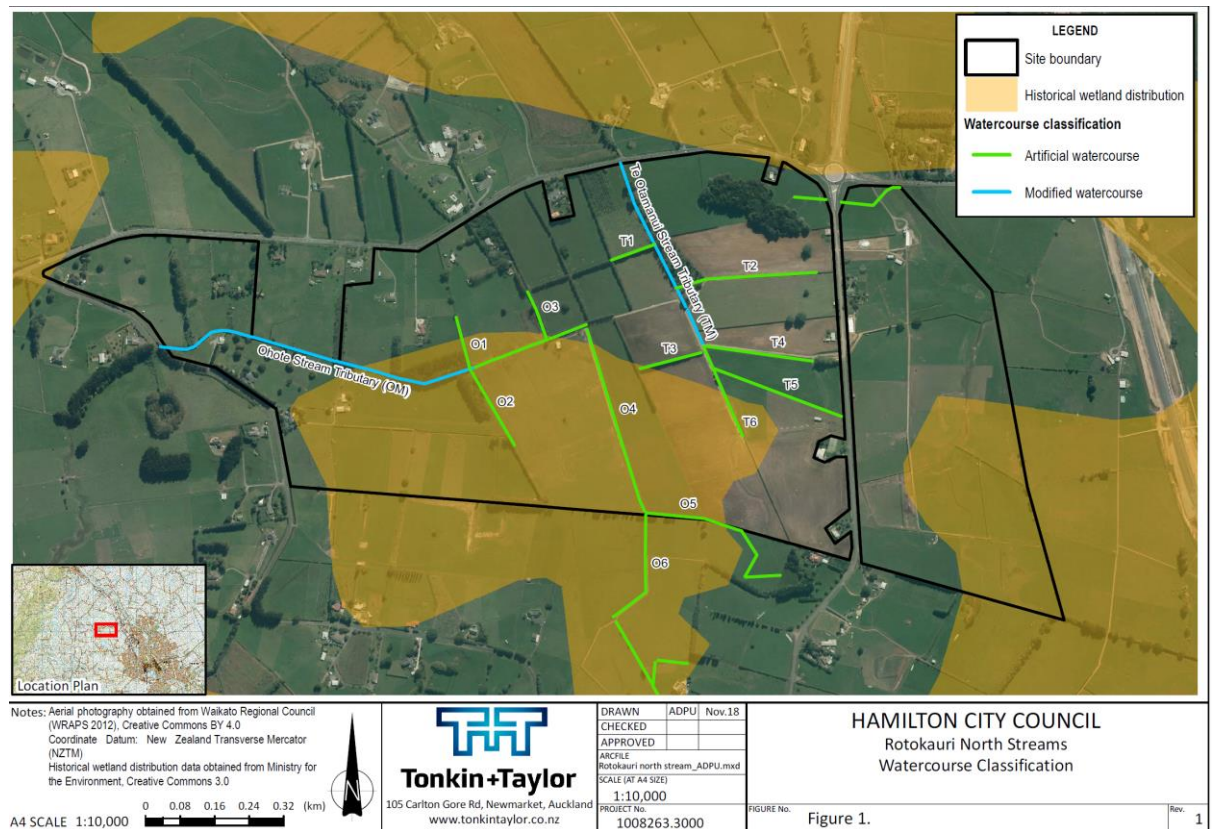
2.8.3. A groundwater investigation conducted at the site by HD Geo (2018) revealed groundwater at a depth of approximately 0.1 to 1.5m (below ground surface) in the low-lying areas and approximately 6m in the elevated areas.

2.9. Stream Locations/Classifications

2.9.1. Tonkin & Taylor undertook an assessment to identify and classify (in accordance with Waikato Regional Plan ("WRP") definitions) the watercourses located within the site.

2.9.2. The majority of the watercourses present within the site are consistent with the WRP definition for an "artificial watercourse", and all watercourses have been mapped as per Figure 6 below:

Figure 6: Watercourse Classification



2.10. Surrounds

- 2.10.1. The Rotokauri North area lies in the north-west corner of the HCC boundaries. Land on the opposite side of SH39 and Exelby Road fall under the WDC jurisdiction and are zoned under both the operative and proposed Waikato District Plans (“WDP”) as “rural”, and utilised for a mix of rural lifestyle and farming activities.
- 2.10.2. Land within the HCC boundary to the south and east is zoned FUZ and is also used for a mix of rural lifestyle and small scale farming activities.
- 2.10.3. Further east lies a developing Industrial area (rezoned as part of Rotokauri Stage 1), and further east again is The Base shopping complex.

3. PROPOSED PLAN CHANGE

3.1. Background

- 3.1.1. The Rotokauri growth area was brought into Hamilton City during the 1980s to provide for long-term development and city growth. The RSP (Plan Variation 18) was developed and notified in October 2007 and became operative in June 2011. The RSP includes approximately 485 hectares of residential land through the western half of the Rotokauri area but included internal staging to the release of land (to accord with the timing of available infrastructure).

3.1.2. The HCDP describes the area as:

“The Rotokauri growth cell is an area of approximately 1000 Ha on the north-west fringe of Hamilton. It was brought into the city during the 1980s to provide for long-term development and city growth. At present it is primarily in agricultural use, with the majority of the area zoned for future urban development within the District Plan.”

3.1.3. The RSP outlines the release of land for development in two stages (the subject land falling within identified Stage 2): The RSP indicates that the release of land beyond stage 1A (such as the PPC area) will be contingent upon the availability of network capacity which may arise as a result of traffic generation being less than anticipated in the traffic growth assessments, or from completion of new infrastructure.

3.1.4. Specifically, section 3.6.2.9 of the HCDP states:

“a) Constraints on the availability of infrastructure and network capacity limit the extent to which land can be released for development. Until capacity and services are available, it is essential the development potential of the remaining Rotokauri area is not compromised by interim development.

b) Council's Long Term Plan or Annual Plan sets out the programme for providing infrastructure to service growth. Where a developer wishes to pursue development ahead of Council's programmes a Development Agreement will need to be entered into with Council to ensure that the infrastructure is provided in a way which is efficient and sustainable from a city wide perspective. In these cases it is anticipated that developers will bear the full cost of infrastructure provision.

This approach will enable growth in areas that are not funded for infrastructure to be funded by developers under Development Agreements between all parties.”

3.1.5. The RSP indicates that the subject area will be part of the Stage 2 development and the timing will be dependent on the appropriate infrastructure being available.

3.1.6. For this reason, the subject site and the surrounding land was earmarked for future growth and was zoned FUZ.

3.2. Re-zoning Proposal

3.2.1. GSCL requests a PPC to the HCDP under the RMA to rezone 140 hectares of land and to insert a new Structure Plan and associated rules (as identified in **Attachment 4**) specific to the Rotokauri North area. Specifically, this PPC seeks to:

- i. Rezone approximately 137.6 hectares from FUZ to MDR to facilitate and support residential development;
- ii. Rezone approximately 1.2 hectares from FUZ to B6Z (Neighbourhood Centre);

- iii. Amend the existing Rotokauri Structure Plan map area to specifically **exclude** the Rotokauri North area; and
 - iv. Insert a new RNSP and associated rules.
- 3.2.2. An area of SNA subject to the HCDP overlay (and currently subject to a NOPZ) located within the site (approx. 1.2 hectares), is proposed to be retained.
- 3.2.3. The Plan Change maps and text are included in **Attachment 4**. In summary, the PPC text seeks to insert:

Proposed Provisions	Reason for change
Zone Map	
Rezone the Rotokauri North area from Future Urban Zone to Medium-Density Residential Zone and a small area of Business 6 Zone for a neighbourhood centre.	To support the urban development of the land consistent with the expectations of the land for accommodating growth, the Rotokauri Structure Plan, Rotokauri North Structure Plan and urban design assessment, the proposal is to rezone the land to provide for a range of housing typologies and densities, while providing an urban form which creates high quality amenity while utilising the land in an efficient manner.
Chapter 3: Structure Plans	
New Rotokauri North Structure Plan including roading hierarchy, key road locations and connections, and indicative open space areas, and associated modifications to insert Rotokauri North as a specific Structure Plan area and remove Rotokauri North from the Rotokauri Structure Plan Area.	The insertion of a new Structure Plan specific to Rotokauri North is based on a refinement only of the existing Rotokauri Structure Plan and has been tailored to achieved medium density living (which was not envisaged to the degree proposed by this PPC) in the original Structure Planning. Park locations on the Structure Plan are indicative as these are reliant on Council acquisition through the Local Government Act 2002 and LTP process. Although some "future reserve" features shown on the operative RSP have not been carried through onto the RNSP, this in no way impacts the ability of HCC to purchase the land for any purpose that it deems necessary to cater for parks or other reserves. Reserve features on a Structure Plan do not equate to a reserve zoning nor are they linked to any RMA expectation that the land will be "gifted" for free to the Council or any such purpose. Land for sports park facilities can be acquired by Council via the Public Works Act and designation or via a separate agreement with the relevant landowner. More specific detail on the RNSP is provided in the Urban Design Assessment by Ian Munro.
Road Cross Section Figures	These are intended to complement the minimum widths provided in Chapter 23 provisions and to

Proposed Provisions	Reason for change
	provide guidance in respect to the roading hierarchy reflected in the RNSP and ICMP BPOs.
3.6A Insert new Rotokauri Structure Plan area text	Insertion of a new section 3.6A and 3.6A.1 provides an overview of the vision and an explanation of the key structure plan elements and intended outcomes.
3.6A.2 Insert new objectives and policies	New objectives and policies are required to achieve the vision and outcomes listed in 3.6A.
3.6A.3 Insert References to other chapters	This insertion is to help guide District Plan users.
3.6A.4.1 Affordable Housing – require developments of 15 or more units/lots to provide 10% at an affordable rate to First Homebuyers.	<p>This set of provisions implements the Hamilton Housing Accord, along with commitments made by the applicant in respect to the Statement of Intent (“Sol”) and the Council’s Policy on SHAs.</p> <p>The proposal also supports housing variety and choice and provides for social and cultural wellbeing of residents.</p> <p>Given the scale of the PPC area, along with the time required to complete its development (10 to 15 years) and the likelihood that HASHAA will expire, only a rule in the HCDP can secure long term the provision of affordable housing. The PPC proposes this method, along with objectives and policies.</p>
Chapter 4: Residential	
<p>4.5.1, 4.5.2 & 4.5.3 – Comprehensive Development Plan</p> <p>Provision: Exclude Rotokauri North from this requirement.</p>	<p>The Environment Court has recently (in relation to the Auckland Unitary Plan) made a declaration on the <i>ultra vires</i> status of comprehensive development plans (“CDP”) as a tool to achieving resource management outcomes.</p> <p>The primary concern with a CDP is an ambiguous nature of a land use consent for a CDP as it neither allows actual subdivision or development activities and rather is an interim method to create a framework for other consents (subdivision and land use) to follow.</p> <p>The same can be said for the request from Council from review of the draft provisions to insert a masterplan version of the PPC in the Structure Plan text or as an Appendix – Design Guide. Neither of these outcomes serve any purpose for managing effects over and above the detailed provisions to support the urban design outcomes.</p> <p>In the case of the RNSP and PPC, the proposal provides a detailed structure plan maps, along with specific rules relating to the implementation of that structure plan along with the form of urban blocks and connecting roads.</p>

Proposed Provisions	Reason for change
	<p>A detailed ICMP has been prepared to manage stormwater treatment, detention and conveyance, along with the enhancement of streams.</p> <p>A rules-based framework which is based on the RNSP is more efficient and effective at supporting the integrated development of the PPC area (being through subdivision consents to establish roads, reserves, urban blocks and lots) than a two-stage process relying on a CDP.</p> <p>The CDP establishes a level of complexity, delay and cost which is not necessary where a more detailed RNSP and subdivision rules can direct specific outcomes through subdivision resource consent outcomes.</p>
<p>4.5.4 New activities for Rotokauri North MDRZ:</p> <ul style="list-style-type: none"> • Permitted Activity (“PA”) status for a specific type of ancillary residential unit • PA status for a specific type of duplex dwelling • PA status for garaging, carports and garden sheds • Restricted Discretionary Activity (“RDA”) for any duplex not meeting the Rotokauri North Acceptable Solutions Code • RDA status for apartments • Discretionary Activity (“DA”) status for noncompliance with PA or RDA standards or any other residential activity not provided for 	<p>Ancillary units:</p> <p>The proposed rule (in combination with its associated PA standards) provides for ancillary units to provide a diversity of housing stock and to attract different types of people, with different income brackets, tenure types and lifestyles, to be able to live in the area). These are limited to where they are above the garage within a rear lane scenario.</p> <p>Providing for ancillary units overlooking rear lanes provides not only an additional housing opportunity but a greater likelihood of the laneways being passively overlooked from adjacent units.</p> <p>Given the functional purpose of rear lanes, achieving such surveillance is likely to passively contribute to safety within the lanes based on Crime Prevention Through Environmental Design principles.</p> <hr/> <p>Duplex dwellings & Acceptable Solutions Code:</p> <p>The proposed rule (in combination with its associated PA standards) provides a diversity of housing stock to support a variety of residents, with different income brackets, and lifestyles, to be able to live in the area.</p> <p>The proposed rule is based on a 12.5m x 28m lot, which can be developed as a duplex building (2-units), in a manner where a high-quality urban design outcome can be achieved. To avoid unintended outcomes and inferior design options (without having to default to a resource consent for all duplex dwellings), an Acceptable Solutions Code has been specified which identifies spatially how the acceptable duplex is to be designed (and which is proposed to be incorporated into the District Plan in Appendix 1).</p>

Proposed Provisions	Reason for change
	<p>The acceptable solutions code is proposed to establish a framework to manage the performance of specific duplex dwellings as a permitted activity. A specific approach to duplex design is recommended to support high quality built form outcomes. Other forms of duplex design which do not accord with the Code will need resource consent. The duplex code provides opportunities to establish a duplex building on 12.5m x 28m lots with a specific frontage, vehicle crossing and car parking layout. It is considered appropriate to provide for this form of building as a permitted activity as it reflects a high-quality outcome, and while other duplex designs could be appropriate for the site, these need resource consent to evaluate their design and performance.</p> <p>Apartments: This category is intended to capture “terraced housing” options which also add to a diversity of housing stock and lifestyle options. Specific lot dimensions have been required via the activity standards (Rule 4.7.12) as a “starting point” for development as a means to avoid inferior outcomes.</p> <p>Ancillary Buildings: The District Plan definition of an ancillary building (which includes garages which have internal access as well as those which are separate buildings) requires this type of activity to be addressed. The provision of separate garaging or carports is also needed for rear lane housing design options.</p>
4.5.4 Modified more stringent activity status for dairies – proposed DA (from Controlled Activity (“CA”))	A Controlled Activity is considered too permissive and is not consistent with the outcomes sought for the environment. It is preferable and consistent with the policies, to encourage business activities to the local neighbourhood centre (B6Z).
4.5.4 Retained existing activity status for remainder of activities	Only those activities which need to be added to or modified to give effect to the proposed objectives and the RNSP have been amended.
4.6.3 – Height in relation to boundary (“HIRB”), insertion of new rule to manage sunlight/daylight effects on rear yards.	There is currently no HIRB in the MDRZ. The HIRB currently only applies adjacent to the General Residential Zone or the boundary of a CDP area.

Proposed Provisions	Reason for change
	<p>The proposed rule encourages buildings to mass towards street frontages and rear lane edges (for rear lane accessed garages), but to otherwise provide spacious and deep back gardens that can, in turn, accommodate private outdoor living spaces.</p> <p>This is part of a development strategy seeking to encourage outdoor living spaces to the rear of lots where they are genuinely private and do not lead to pressure for tall fences along road boundaries.</p> <p>The relaxation of HIRB at the side boundaries (other than for the rear 8m of lots) is promote a denser and more urban character of 2-storey buildings on efficient, narrow-width sites. These support land efficiency, and the focus of the policies o promoting larger rear yards to support private outdoor living courts.</p>
<p>4.6.5 – Permeable Surface, insertion of a new rule for permeability forward of the dwelling frontage (including porch) to take into account a medium density living environment</p>	<p>This rule only applies to front yard landscaping. The rule has been amended to take into account the narrower road frontages that may occur in Rotokauri as a result of the intention to achieve private rear yards. As such the rule has been tailored to ensure that narrow road frontages still achieve an acceptable landscape area.</p>
<p>4.6.6 – Site Coverage insertion of reference to Rotokauri North for existing 50% site coverage</p>	<p>There is currently no control applicable to the whole zone (only applies to specific areas). A control is considered appropriate, which is consistent with the rule that has been applied in the MDRZ elsewhere in the City.</p>
<p>4.6.6 – Site Coverage insertion of a 60% site coverage for terrace housing (applicable to Rotokauri North only)</p>	<p>The proposed rule enables the efficient development of terraced housing (where no side yards are provided between units), in particular where accessed via a rear-lane and where a detached garage is typically required and where more building coverage typically results.</p> <p>The objectives encourage buildings to locate and mass towards street frontages, which means that where additional site coverage is proposed, it is unlikely to be occur in a manner that has readily discernible effects in the wider environment.</p>
<p>4.6.7 – Height, insertion of reference to Rotokauri North for 10m maximum height</p>	<p>There is currently no control applicable to the whole zone (only applies to specific areas). A maximum control is considered appropriate, which is consistent with the rule that has been applied in the MDRZ elsewhere in the City.</p>
<p>4.6.7 – Height, insertion of reference to Rotokauri North for 14m height in a Rotokauri North Additional Height Overlay</p>	<p>The proposed rule provides for additional building height in the eastern part of the PPC area. This reflects the accessibility advantages of this are in terms of the PPC area's neighbourhood centre (B6Z), identified</p>

Proposed Provisions	Reason for change
	employment area east of the PPC site, and the transport links that are available. This part of the site has advantages over the western part of the site that support opportunities for intensification.
4.7.1 insert specific PA parameters for ancillary units specific to Rotokauri North	Refer to 4.5.4 above
4.7.12 Insert PA parameters for a duplex design, specific to Rotokauri North and RDA parameters for apartments.	Refer to 4.5.4 above
4.8.2 Building Setbacks insert new controls for rear yards (8m for the second storey of a building and 3m for the first storey of a building) AND provide for a porch encroachment into front yard (other provisions the same generally the as existing HCDP)	<p>An important aspect of the PPC is the development of urban blocks and lots with private rear yards. The emphasis is on enabling building to mass towards the street while retaining larger rear yards to accommodate private outdoor living courts. This reflects best practice urban design, particularly in greenfields situations. The land use rules direct these outcomes in an integrated manner.</p> <p>The proposed rear yard rule requires a rear yard setback to support the overall urban form outcomes and limits what buildings can locate within it. This is to help provide a consistent placement of sunny and open corridors mid-block, placement of rear private living courts so as to cumulatively maximise spaciousness, sunlight access, and separation to manage overlooking and privacy. The setbacks with work the HIRB controls, along with the outdoor living court standards to support these outcomes. The rules are considered appropriate in medium density housing settings given the increased potential for adverse nuisance effects between neighbours to occur.</p> <p>The rule also enables un-enclosed, 1-storey tall porches up to 1m from the front boundary. This is intended to promote more efficient use of front yard space and promote a transitional building space which supports socialisation and interaction at the street. It also provides opportunity for secondary outdoor living spaces where the visual amenity of the street can be better taken advantage of by residents. The applicant has successfully implemented the same form of control</p>

Proposed Provisions	Reason for change
	<p>in their Auranga development, and this is well recognised as supporting high quality urban design outcomes.</p> <p>The rule also requires the garage to be setback from the street to ensure that active parts of the dwellings are located forward on the inactive garage door. This reflects best practice in urban design where garages are accessed from the street rather than from rear lanes.</p>
<p>4.8.3 Insert specific garage door widths for lots in Rotokauri North.</p> <ul style="list-style-type: none"> • Maximum 6m for sites which have a greater width than 12.5m • Maximum 3.2m for sites with frontages less than 12.5 <p>AND require garages or carports to be set back 1m from the front building line (or if the garage door is not facing the street require minimum glazing to the street frontage).</p>	<p>The proposed rule bases garage door width based on the lot frontage width. This is a simplified approach whereby certain width lots cannot accommodate a double width garage, and therefore the rules address lot widths rather than percentage of frontage.</p> <p>In a single-garage-width scenario, it would still be possible for a unit to accommodate two cars within a garage (stacked arrangement), and retain a parking pad for visitors in front of this.</p> <p>Where lanes are provided, double width garages would be possible as these have negligible effects on streetscape.</p> <p>Further standards are proposed to ensure garages do not dominate street frontages by requiring them to be set back from building frontages (or glazing if the door is not facing the street).</p>
<p>4.8.4 insert outlook space/glazing for Rotokauri North – specifically require principal living rooms or dining rooms to have outlook over front yards or rear yard.</p>	<p>This rule reinforces the subdivision and lot layout approach of encouraging dwellings to face streets. As it is likely that habitable windows will be predominantly orientated to the front and back, rather than the sides, a more specific outlook requirement can apply that requires smaller side setbacks. This is because the dimensions of the lots support the massing of the dwelling to the road frontage and private rear yards.</p> <p>Supporting rules relevant to this approach are the restriction on rear lots (subdivision) and the rear yard requirement. Rear lots create a number of potential adverse effects within blocks, including a fracturing of the consistent 'what is public / what is private' spatial delineation.</p> <p>When rear lots exist in blocks, access driveways introduce frequent points of public access within blocks, spoiling privacy for adjacent buildings.</p>
<p>4.8.5 insert specific Outdoor Living provisions for Rotokauri North</p> <ul style="list-style-type: none"> • 36m²(6m shape factor); OR 	<p>General:</p> <p>The approach of the Rotokauri North provisions is to establish lots that are deeper than they are wider to allow buildings to mass towards the street, leaving private rear yards to accommodate outdoor living</p>

Proposed Provisions	Reason for change
<ul style="list-style-type: none"> • Combined area of 30m² (5m shape factor) and 8m² (1.2m depth) front porch <p>Insert above ground unit balcony sizes:</p> <ul style="list-style-type: none"> • 5m² (studio and one bedroom) • 8m² (two or more bedroom) 	<p>courts. Rear Yard rules restrict buildings to ensure that these spaces receive sunlight, and are no dominated by buildings. In addition, no rear lots are proposed.</p> <p>The outdoor living space rule enables spaces that are consistent with medium density housing standards across New Zealand's urban areas. The approach is to relate the living space to the smallest housing typologies, which in this case would be terrace houses and duplexes.</p> <p>The PPC proposes a set of complementary rules that promote these spaces to locate in the private rear yard, mid-block, which in conjunction with the specific yard and HiRB promotes openness and solar access in these spaces. The size and dimensions are appropriate, functional, attractive and will be well-used by residents in such a manner that the reduced area will not result in a reduction in actual amenity provided to residents. The rules promote development of un-enclosed, 1-storey porches in the front yard. These provide transitional spaces with the street, promote social intersection and in themselves can be high quality amenity spaces for residents. The rules support an overall approach to outdoor living spaces which provide for a combined area, recognising the positive streetscape and public interaction outcomes possible through the provision of these spaces.</p> <p>Balcony: As medium density living often includes units above ground level, these should be treated separately to a ground floor level units. The current district plan standards do not allow for this.</p>
<p>4.8.6 Provide exclusion for service courts to Rotokauri North</p>	<p>The service court requirement is not considered necessary on lots larger than 300m², simply as a function of the size of the site and likelihood that space will be available.</p> <p>On sites smaller than 300m², the needs of affordability and promoting compact urban lots and blocks support a different approach. The requirements for outdoor living space are considered sufficient to accommodate a garden shed and fold-up washing line in a way that will not impinge on the usability of the space. It is also relevant to note that for affordable housing and medium density housing envisaged in Rotokauri North, while there will be some large multi-bedroom family homes, many future units will have two bedrooms and be occupied by a small household that</p>

Proposed Provisions	Reason for change
	will have less service yard and storage needs than the default HCDP assumption of a 'worst case' large family dwelling and ancillary housing unit on the same lot. Furthermore, the HCCDP already contains solid waste standard 25.12.3.1 which effectively already requires development to provide for rubbish and recycling etc.
4.6-4.8.6 Retain all other provisions (not modified above) as applicable to the MDRZ	Only those activities which need to be added to or modified to give effect to the proposed objectives and the RNSP have been amended.
4.11 RDA Matters for Discretion – insert reference for Rotokauri North, and matters for discretion	Refer to Appendix 1 Assessment Matters.
Various- Other general insertions/clarifications etc. to include Rotokauri North in text	NA
Chapter 23: Subdivision	
Amendments to Objective 23.2.3 and Policy 23.2.3.a to exclude Rotokauri North from Land Development Plans and/ or Comprehensive Development Plan	Although the change affects an existing policy, this is considered a "consequential change" rather than a specific change to address the objectives sought by this PPC. The change is required to give effect to the changes in Chapter 4 whereby not Land Development Plan or Comprehensive Development Plan are required for Rotokauri North. Full justification for this has been made under the Chapter 4 provisions above.
<p>23.3d New activities and associated activity status for RNSP area:</p> <ul style="list-style-type: none"> • Subdivision not in accordance with the Structure Plan (DA) • Creation of a rear lot (NC) • Not meeting minimum lot size (NC) • Not meeting lot dimensions (DA) • Not meeting block layout dimensions (DA) • Not meeting access requirements/restrictions (DA) • Road widths not meeting required minimums (DA) 	<p>The applicant has deliberately proposed a package of rules and requirements, consistent with the proposed objectives and policies, to create certainty in respect to the urban form of development.</p> <p>In all cases, subdivision will precede land use consents because this is a greenfields site. The establishment of infrastructure (reticulated networks, stormwater, roading), urban blocks and green space networks is a prerequisite to establish lots for future individual houses or superlots for future comprehensive residential developments. There are certain urban form outcomes (i.e. cul-de-sacs and rear lots) that the applicant considers are undesirable in the greenfields location (particularly where there are few constraints).</p> <p>The provisions ensure that development creates a high quality living environment, without reliance solely on</p>

Proposed Provisions	Reason for change
<ul style="list-style-type: none"> • Creation of a permanent cul-de-sac (DA) • Subdivision in accordance with a land use consent (RDA) • Subdivision of specific duplex house (RDA) 	<p>matters of discretion for subdivision. The focus on activity status rules reflects this intention. The activity status for non-compliance with key activities creates a high expectation that development delivers the key features of the RNSP.</p> <p>The provisions to avoid rear lots and permanent cul-de-sac's are important to the creation of a walkable, legible and connected roading layout.</p> <p>Furthermore, for subdivision in accordance with a land use consent or a duplex, the provisions provide for a more efficient process to subdivide around approved resource consents.</p>
<p>23.3d Retained existing activity status for remainder of activities (the same as applicable in column 1 of Table 23.3a with the exception that the creation of new cross leases is not provided for)</p>	<p>Only those activities which need to be added to or modified to give effect to the proposed objectives and the RNSP have been amended.</p> <p>As cross leases are essentially "outdated" for and subdivision it is considered that land tenure is more appropriately managed via the fee simple subdivision provisions.</p>
<p>23.7.1 Insertion of 280m² minimum lot size for Rotokauri North MDRZ</p>	<p>The minimum vacant fee simple lot size is driven from the required minimum lot dimension (Rule 23.7.8). See below for the reasons for the approach.</p>
<p>23.7.8 Insert specific lot dimensions for Rotokauri North MDRZ (with corresponding garage door restrictions)</p> <p>-road frontage and depth requirements:</p> <ul style="list-style-type: none"> • 28m depth • 12.5m width ; OR • 10-12.49m width (where a requirement for a single garage door is registered as a consent notice) 	<p>As a result of design testing and the applicant's experience with their other developments, it was determined that the optimal lot depth would be 28m (taking into account the desire for adequate buildable footprint but also sufficient space for a private rear yard, along with the urban blocks that would result).</p> <p>Lot widths have taken into account likely future houses that would be designed/built (as permitted activities) on such lots.</p> <p>There has been careful consideration of the appropriate development controls for bulk and location and how these integrate with the specific standards proposed to apply to the lots. This approach, rather than focusing on lot area of shape factors, is focussed towards the development of an urban form which supports the overall high quality design outcomes sought in Rotokauri North. Consequently, it reflects a lifting of expectations in respect to the standards which would apply in this greenfields location.</p> <p>The standards are:</p> <ol style="list-style-type: none"> a) Minimum dimension of 28m x 12.5m (350m² and greater) – these lots support detached houses and also provide a lot for future duplex housing

Proposed Provisions	Reason for change
	<p>opportunities consistent with the Acceptable Solutions Code.</p> <p>These lots can accommodate a double garage without the garaging and associated vehicle manoeuvring dominating the streetscape.</p> <p>b) Minimum 28m x 10m (280m² and up to 350m²) – as a vacant lot, these have the potential to create adverse streetscape effects without a restriction on the garage door width – hence as well as land use rules, a consent notice must also be registered on the title of such lots restricting the garage and vehicle crossing to a single width. These lots provide opportunities to support a variety of housing typologies while recognising that urban design outcomes for certain forms of lots need to be identified at the time of subdivision and certainty established through the use of consent notices.</p> <p>c)</p>
<p>23.7.8 Insert maximum block dimensions for all subdivision in RNSP area</p> <ul style="list-style-type: none"> • 250m block length • 750m block perimeter 	<p>Block dimensions have been based on the above lot dimensions and walkable catchments.</p> <p>Adherence to the block dimensions (combined with restriction on rear lots and cul-de sac's) ensure a highly walkable and permeable outcome eventuates.</p> <p>The applicant has considerable experience in delivering high quality interconnected roading networks based on a traditional grid network. These block forms are dependent on permeability, and therefore block dimensions are important to ensure the balance between the efficient use of land and accessibility is achieved.</p> <p>These standards reflect the strong focus on urban form and design expressed by the PPC request.</p>
<p>23.7.8 insert Road vesting widths and accessway width standards:</p> <ul style="list-style-type: none"> • 7m two-way rear lane • 4m one-way lane with angled parking (parking angles between 0 degrees and 45 degrees) • 7m one-way rear lane with angled parking (parking angles between 46 degrees and 90 degrees) • 16m Local Road • 20m Collector Road 	<p>Specific road standards reflect a land efficiency for the developer(s) as these provide appropriate road cross-sections at a lesser width than standard roads, balancing the effect of the provision of a wider number of collector roads and the accommodation of swales. This acknowledges the hierarchy of roads proposed in the RNSP, along with ensuring that minimum standards are met. Consultation with Council highlighted concerns regarding very narrow roads, and while these may be appropriate in some circumstances, it is considered appropriate to provide for minimum standards, while also identifying roading cross-sections in Chapter 3.</p>

Proposed Provisions	Reason for change
	<p>For the developer(s) the land efficiencies are somewhat improved to support the greater level of permeability achieved by the anticipated urban block structure. This also supports the urban design outcomes associated with a network of local roads and interconnected urban blocks. This pattern maximises amenity, connectivity and urban form outcomes, but does impact on the total extent of land available for development when compared with lower quality subdivision outcomes which rely on cul-de-sacs and rear lots. The overall nature of the package for Rotokauri North provides an opportunity to express a reasonable balance reflecting that the priority is on a high quality street-based urban form.</p> <p>Specific accessway standards for "rear lanes" are also unique as these service lots, which have legal frontage, but are served from the "rear", create opportunities for garaging and service areas at the rear of dwellings. The rules also efficiently recognise that the angle of parking within the lane can significantly affect the required width for vehicle manoeuvring (and potentially create land efficiencies). The rear lane approach specifically support medium density housing opportunities such as terrace houses and provide access opportunities where restrictions on direct vehicle road access apply where lots have frontage to a dedicated cycle lane or 3m shared path. While the rear lanes have an impact of the efficient use of the land resource, their use is considered necessary and appropriate to support urban form, design and pedestrian and cyclist safety and convenience outcomes. These outcomes are necessary to enable the outcomes anticipated by the Zone.</p>
23.5-23.7 Retain all other provisions (not modified above) as applicable and retain all provisions relating to the B6Z zone (where it relates to the PPC B6Z zone)	Only those activities which need to be added to or modified to give effect to the proposed objectives and the RNSP have been amended.
23.8 - RDA Matters for Discretion <ul style="list-style-type: none"> • insert reference for Rotokauri North. 	Refer to Appendix 1.
Various- Other general insertions/clarifications etc. to include Rotokauri North in text	NA
Chapter 25: City Wide	
25.13.4.7 Three waters –	The first intention is to remove duplication and additional superfluous costs associated with the

Proposed Provisions	Reason for change
<ul style="list-style-type: none"> • Insert provisions for Rotokauri North ICMP to be treated with the equivalent status as a Council ICMP; AND • insertion of device maintenance requirements for lot owners. 	<p>current rules requiring an ICMP with every medium-large scale subdivision. The focus should instead be on showing consistency with the ICMP submitted for Rotokauri North.</p> <p>The provisions also effectively provide for the ongoing management of devices (which is currently not an issue addressed by the HCDP).</p> <p>The ICMP has been developed in collaboration with HCC. It reflects a high standard of technical detail and analysis, however, the HCDP would not recognise this because its focus is on Council developed, approved and certified ICMPs. Given the scale of the PPC area, along with the necessary level of technical information to support the request, the ICMP should be recognised in the planning framework in a manner consistent with other supporting documents. This reflects the proposed policies in Chapter 3.</p>
<p>25.14.4.1 Modifications to Vehicle Crossings and Internal Vehicle Access</p> <ul style="list-style-type: none"> • Minimum widths between vehicle crossings = 2m • Minimum distance for a vehicle crossing from a local road intersection = 10m 	<p>The proposal is to establish a medium density residential environment, which supports comprehensive residential developments and a range of section sizes. Testing of the current rules, along with the applicant's experience with their Auranga development, that modification of the City-wide rules is required to ensure alignment between transport provisions and the densities possible with the Zone and structure plan provisions.</p> <p>Necessary to this is an overall approach to roading design, the hierarchy and purpose of different types of roads as outlined in the roading cross sections (see figures in Chapter 3) and structure plan, along with an emphasis on low speed environments and pedestrian and cycle safety and convenience. Designing roads to achieve a lower speed environment (i.e. target of 30km per hour along local roads) improves the operating characteristics of the road, which effectively creates flow on benefits for vehicle crossing distances from intersections. The applicant considers that these aspects work as an overall package to support medium density residential development.</p> <p>The modification to widths between crossings is a clarification only as the District Plan is unclear (provides two confliction options). Vehicle crossings will also largely be determined at subdivision design stage so as to not conflict with street furniture/lighting/planting parking bays etc.</p>

Proposed Provisions	Reason for change
<p>25.14.4.1 Modifications to Vehicle Crossings and Internal Vehicle Access</p> <ul style="list-style-type: none"> • provision for a combined vehicle crossing width of 6m • provision for rear lane standards (equivalent to Rule 23.7.8) 	<p>Not providing the option to combine vehicle crossings is considered a lost opportunity. The current vehicle crossing widths do not take into account pairing opportunities, and these are important to supporting smaller lot sizes with narrower road frontages.</p> <p>The opportunity to combine or co-locate vehicle crossings has benefits in the design of streets, the extent of street length available for footpaths, and the location of other street furniture. The provisions directly support the level of intensity proposed with the Zone.</p> <p>Rear lane standards are repeated so as to avoid any confusion over their intended land use or subdivision status and to avoid confusion over Appendix 15 standards.</p>
<p>3.9.4.2.1(1) – Vehicle Crossings and Internal Vehicle Access</p> <ul style="list-style-type: none"> • new rules to supersede equivalent in Chapter 25/Appendix 15 • Minimum widths between vehicle crossings = 2m <p>Minimum distance for a vehicle crossing from a local road intersection = 10m</p>	<p>The proposal is to establish a medium density residential environment, which supports comprehensive residential developments and a range of section sizes. Testing of the current rules, along with the applicant's experience with their Auranga development, that modification of the City-wide rules is required to ensure alignment between transport provisions and the densities possible with the Zone and structure plan provisions.</p> <p>Necessary to this is an overall approach to roading design, the hierarchy and purpose of different types of roads as outlined in the roading cross sections (see figures in Chapter 3) and structure plan, along with an emphasis on low speed environments and pedestrian and cycle safety and convenience. Designing roads to achieve a lower speed environment (i.e. target of 30km per hour along local roads) improves the operating characteristics of the road, which effectively creates flow on benefits for vehicle crossing distances from intersections. The applicant considers that these aspects work as an overall package to support medium density residential development.</p> <p>The modification to widths between crossings is a clarification only as the District Plan is unclear (provides two confliction options). Vehicle crossings will also largely be determined at subdivision design stage so as to not conflict with street furniture/lighting/planting parking bays etc.</p>

Proposed Provisions	Reason for change
<p>25.14.4.1 Modifications to vehicle access restrictions insert new rule k) for: no direct access onto SH39, minor arterial road and collector road with a dedicated cycleway/3m shared path.</p>	<p>Direct vehicle access to SH39 from individual lots is not considered to be appropriate under any circumstances because of the traffic safety and road function implications. Provisions seek to prevent this outcome, which is a matter reflected in the structure plan.</p> <p>The other restrictions address potential safety and amenity conflicts between private vehicles and cyclists (and promote use of rear lanes which in turn supports higher density development). The applicant has highlighted a desire to achieve a high level of pedestrian and cycle convenience and safety, based on experience with their Auranga development. This is considered to be best practice design outcomes. With the provision of on-road cycle lanes and 3m shared paths, it is important to avoid conflicts across these with multiple vehicle crossings. The rule seeks to avoid vehicle crossings cross these street conditions, promoting safety and convenience. The package of rules enables rear lanes which would be the best practice outcome where vehicle access restrictions apply.</p>
<p>25.14.4.2(f) Clarification to ensure that permeable pavement meets the requirements for car parks to be "sealed or paved".</p>	<p>The clarification for pavement use is a clarification only (but also ensures that the ICMP can be implemented efficiently').</p>
<p>Insert new Rule 25.14.4.3 n). Require that (in addition to any other requirement for an ITA) any subdivision in Rotokauri North (other than subdivision of a duplex) must include an assessment to indicate whether the anticipated trip generation/vehicle movement and/or new roading connections require new intersections or upgrades to existing intersections identified on the Rotokauri North Structure Plan.</p>	<p>Feedback from HCC officers on draft provisions was the desire to have "trigger" rules in the DP for when new intersections and/or upgrades must happen.</p> <p>In general, the timing of upgrades works identified the ITA is dependent on overall staging of development. For example, a first stage may locationally need one intersection with SH39 for access, however, one does not trigger the other, nor is there a total cap on dwellings prior to construction as traffic may disperse across other connections created. Hence, it is not considered appropriate to specify exact dates, timing or numbers of dwelling prior to construction of each intersection upgrade.</p> <p>Given the above, HCC suggested that a staging plan could and/or should be provided so that rules could align with triggers. However, as this process is developer led and the onus and obligation of infrastructure funding and extension is already on the developer there is no RMA reason to unduly restrict staging to plan. It is the choice of the</p>

Proposed Provisions	Reason for change
	<p>developer/applicant where and what stages progress in what manner.</p> <p>As part of the existing HCCDP, any road construction is subject to resource consent, and the effects on the wider traffic network (and any upgrades etc. to accommodate development) falls within the scope of matters that can (and will be) considered. This adequately covers any potential for adverse effects on the timing of any nature of intersection upgrades associated with each stage of development.</p> <p>The proposed rule is somewhat superfluous (and the inefficiency of duplication rules is noted) given the broad scope Council have under the existing HCCDP provisions on this matter, however given the concerns of HCC (and the joint NZTA reviewer) the provision ensures that any requirement for upgrades and/or new intersection can be appropriately assessed with every stage of development in Rotokauri North.</p>
Appendix 1.2 Information Requirements	
<p>Insert new Information Requirements for Rotokauri North 1.2.2.24</p> <ul style="list-style-type: none"> • Exclude Subdivision of a Duplex from concept plans • Repetition of Chapter 25 changes to ICMP requirements 	<p>Excluding subdivisions occurring around duplexes from providing a site, analysis is considered a minor correction only, as there are no new effects from subdivision that require HCC discretion on a wider site analysis context.</p> <p>The clarification for ICMP's is also a "clarification only" to repeat Chapter 25 provisions.</p>
Appendix 1.3 Assessment Criteria	
<p>Insert new Assessment Criteria for Rotokauri North in 1.3.3</p> <ul style="list-style-type: none"> • Subdivision adjacent to SH39 • The creation of a rear lane • Any other restricted discretionary activity, discretionary activity or non-complying activities. • Specific limited criteria for subdivision of a duplex 	<p>The proposed specific criteria and assessment seek to address specific items such as ownership issues, ecology and buffering effects against the SH39 network.</p> <p>A landscape buffer against SH39 is considered appropriate. It is likely to comprise a 3m landscape buffer; the final form is dependent on the design of development. The discretion allows this matter to be considered as a consequence of the recommendations associated with the structure plan.</p> <p>Tailored provisions to limit discretion for duplex subdivision is considered the most efficient way to ensure that the subdivision component does not have the opportunity to re-ligate land use outcomes.</p>
Appendix 1.4 Design Guides	

Proposed Provisions	Reason for change
<p>Insert new 1.4.10 Design code for duplex designs also known as the “Acceptable Solutions Code”.</p>	<p>The acceptable solutions code is proposed to establish a framework to manage the performance of specific duplex dwellings as a permitted activity. A specific approach to duplex design is recommended to support high quality built form outcomes. Other forms of duplex design which do not accord with the Code will need resource consent. The duplex code provides opportunities to establish a duplex building on 12.5m x 28m lots with a specific frontage, vehicle crossing and car parking layout. It is considered appropriate to provide for this form of building as a permitted activity as it reflects a high quality outcome, and while other duplex designs could be appropriate for the site, these need resource consent to evaluate their design and performance.</p>
Appendix 7 Natural Environments	
<p>Modify name of SNA 11 to Kereru Reserve</p>	<p>The proposed change is a recognition of outcomes sought by the CIA prepared by the TWWG.</p>
Appendix 15 Transportation	
<p>Amend 15-1 Parking Insert new standard for parking: 1 carpark per duplex.</p>	<p>Medium density housing should optimise the potential for other modes of transport, and reduce the over reliance on private transportation by simply removing the requirement for every unit to have 2 car parks. The opportunity provided by Zone and structure plan is to accommodate a portion of the City's growth in a manner which supports a variety of housing types and price points, including affordable housing. The applicant has identified a potential conflict between the urban design, streetscape and affordability outcomes with the current rules which would require 4 car parks for each duplex building. This either creates a dominance of driveways, vehicle crossings and garages against the streetscape or effectively undermines affordability where duplexes need to occur on larger lots to accommodate these aspects as well as addressing streetscape and design matters. The duplex acceptable design code is based on maximising urban design and affordability opportunities while allowing the duplex to be configured within the standard lot, block and urban form pattern. To achieve this requires more flexibility in the provision of car parking, balancing often competing design matters to ensure convenience for occupants while maintaining high quality streetscapes that are no dominated by garaging and car parking where 4 car parks would be otherwise required.</p>

Proposed Provisions	Reason for change

3.3. Purpose and Reasons

- 3.3.1. The purpose of this application is to enable urban residential development to be undertaken within approximately 140 hectares of land. The reasons for this PPC are:
- i. There is an identified housing shortfall in Hamilton City which is a significant concern, and one that is generating housing affordability issues, particularly for first home buyers. In addressing this issue, Hamilton City has a Housing Accord which has been signed with Central Government to deliver additional housing. Of the 140 hectares covered by this PPC request, 133 hectares fall within a recommended Special Housing Area targeted to release land for the development of housing supply to accommodate the rapidly expanding population of Hamilton City, therefore relieving price pressure and providing more affordable housing.
 - ii. While the remaining 7 hectares falls outside the SHA, the land has been included in the PPC to form logical boundaries to the PPC (rather than leave pepper potted landholdings of FUZ). As discussed in the section 3 assessment (**Attachment 5**) the inclusion makes practical sense (rather than excluding minor landholdings which otherwise fall within the PPC area), but also provides for good planning and integrated management practise.
 - iii. The rezoning of approximately 140 hectares of land as proposed by the PPC will enable the development of new housing that will contribute towards the shortfall in the housing supply in the Hamilton City area.
 - iv. The land is already located within an identified growth area, and has been specifically earmarked for urban activities – notably the site has an existing FUZ (which itself signals a change in the future to “urban”).

4. STATUTORY CONTEXT

4.1. Overview

- 4.1.1. Schedule 1 of the RMA sets out the process for changes to District and Regional Plans. Clause 21 of that schedule states that any person may request a change to a district plan or a regional plan (including a regional coastal plan).
- 4.1.2. Clause 22 requires that the request to change a plan must be made to the appropriate local authority in writing and:
- i. *Shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan.*

This is as set out in Section 3.3 above.
 - ii. *Contain an evaluation report prepared in accordance with section 32 for the proposed plan or change*

Refer to the Section 32 (Attachment 5).

- iii. *Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significant of the actual or potential environmental effects anticipated from the implementation of the change, policy statement or plan.*

Refer Section 6.0 below for effects from rezoning the land.

4.2. Resource Management Act 1991

4.2.1. The RMA requires certain statutory requirements to be met prior to consideration of any PPC Request. The relevant sections are addressed below.

4.2.2. Clause 21 of Schedule 1 of the RMA states:

(1) A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change.

4.2.3. Under clause 21 of Part 2 of Schedule 1 of the RMA, any person may lodge a request for a PPC. Clause 21 states:

"21 Requests

(1) Any person may request a change to a district plan or a regional plan (including a regional coastal plan).

(2) Any person may request the preparation of a regional plan, other than a regional coastal plan.

(3) Any Minister of the Crown or any territorial authority in the region may request a change to a ... policy statement.

(4) Where a local authority proposes to prepare or change its policy statement or plan, the provisions of this Part shall not apply and the procedure set out in Part I shall apply."

4.2.4. Clause 22 of Schedule 1 of the RMA states:

(1) A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change.

(2) Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual

or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.

- 4.2.5. The purpose and reasons for this request have been outlined in this report. These are further supported by the accompanying Assessment of Effects, supporting expert assessment reports, and in the Section 32 Evaluation Report.
- 4.2.6. Under clause 25(2) of Schedule 1 of the RMA, after receiving all the necessary information, the Council has 30 working days to consider the request and how it should be dealt with. In this regard, the Council can decide to:
- a) Adopt the request as a Council plan change, either in whole or in part;
 - b) Accept the request as a PPC, either in whole or in part;
 - c) Convert the request to a resource consent application; or
 - d) Reject the request.
- 4.2.7. In accordance with Clause 29 of Schedule 1, Part 1 applies to a PPC which is accepted (rather than adopted) by the Council under clause 25(2)(b) of the Schedule. The PPC will, therefore, be determined having regard to the matters outlined in sections 31, 32 and 72 to 76 of the RMA, to the extent these are relevant to the PPC. In summary, these include whether the PPC:
- e) Accords with and will assist Council in carrying out its functions under section 31 of the RMA so as to achieve the RMA's purpose.
 - f) Accords with any regulations (including national environmental standards).
 - g) Gives effect to any relevant national policy statement and the regional policy statement provisions.
 - h) Has regard to:
 - i) Other higher order planning documents;
 - ii) Management plans and strategies under other Acts; and
 - iii) The actual and potential effects of activities on the environment.
 - i) Is the most appropriate way to achieve the HCDP's objectives, by identifying other reasonably practicable options for achieving the objectives and summarising the reasons for deciding on the provisions (including zoning) sought by the PPC.
 - j) Contains a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from implementing the PPC.

4.2.8. Clause 29(4) of Schedule 1 of the RMA provides that after considering the PPC and undertaking a further evaluation of the PPC in accordance with section 32AA of the RMA, the Council:

- k) May decline or approve the PPC and may make modifications if approving the PPC; and
- l) Must give reasons for its decision.

4.2.9. Section 74 of the RMA outlines the matters to be considered by territorial authority in preparing and changing its District Plan, as follows:

(1) A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, a direction given under section 25A(2), its duty under section 32, and any regulations.

(2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—

(a) Any—

(i) Proposed regional policy statement; or

(ii) Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and

(b) Any—

(i) Management plans and strategies prepared under other Acts; and ... (iia) Relevant entry in the Historic Places Register;

(c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

(2A) A territorial authority, when preparing or changing a district plan, must—

(a) take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district

(3) In preparing or changing district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.

4.2.10. With respect to the content of district plans, section 75 of the RMA provides as follows:

(3) A district plan must give effect to— ...

(c) any regional policy statement. (4) A district plan must not be inconsistent with—

...

(b) a regional plan for any matter specified in section 30(1).

...

(5) A district plan may incorporate material by reference under Part 3 of Schedule 1.

4.2.11. The relevant clauses from Section 31 of the RMA are as follows:

“(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of...”

4.2.12. The PPC adopts existing zones (MDRZ and B6Z) and existing objectives and policies relating to these zones; however, it is acknowledged that this PPC includes additional rules and objectives and policies specific to the RNSP area.

4.2.13. Section 32 of the RMA sets out how the evaluation of any proposed objective, policy, rule or other method is to be carried out. Section 32(1) requires an evaluation report to be prepared which must:

(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

4.2.14. Section 32(2) requires that the assessment must:

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

- 4.2.15. The benefits and costs (Section 32(2)(a) and (b)), and any potential risks from not acting or arising from uncertain or insufficient information (Section 32(4)(b)) are also relevant. A detailed section 32 has been undertaken for the PPC request (and provided in **Attachment 5**).

5. SECTION 32 EVALUATION

- 5.1.1. Clause 22(1) of Schedule 1 of the RMA requires that an evaluation report for the PPC be prepared in accordance with section 32 of the RMA. Section 32 sets out the matters to be considered in an evaluation report and requires that an evaluation must examine whether, having regard to efficiency and effectiveness, the policies, rules or other methods are the “most appropriate” to achieve the objectives of the PPC and the purpose of the RMA. Within this, an evaluation must take into account the benefits and costs of policies, rules or other methods. In determining the most appropriate methods, consideration of alternatives is required¹.

- 5.1.2. Specifically, Section 32(1) of the Act states:

(1) An evaluation report required under this Act must –

(a) Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by –

(i) Identifying other reasonably practicable options for achieving the objectives;

¹ This requirement does not extend to needing to give consideration to alternative sites.

(ii) Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) Summarising the reasons for deciding on the provisions;

(c) Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

5.1.3. Any assessment under section 32(1)(b)(ii) must also identify and assess the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for economic growth that are anticipated to be provided or reduced, and employment that is anticipated to be provided or reduced. If practicable, the benefits and costs are to be quantified. An assessment of the risk of acting or not acting, if there is uncertain or insufficient information about the subject matter of the provisions, is also required.

5.1.4. Overall, three components are required for a PPC request:

- a schedule of the requested changes (with a supplementary report describing the purpose of, and reasons for, the Change);
- an Assessment of Effects on the Environment; and
- a Section 32 Evaluation

5.1.5. All three components are covered within this Plan Change request, supported as necessary by relevant specialist input (**Attachments 6 to 19**). The Section 32 evaluation is provided as an attachment (**Attachment 5**) to this report.

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.0.1. This AEE has been prepared in accordance with Clause 22(2) of the Schedule 1 of the RMA which requires that the request describe the effects in such detail as corresponds with the actual and potential effects anticipated from the implementation of the PPC.

6.0.2. The assessment must address the following:

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
- (b) any physical effect on the locality, including any landscape and visual effects:
- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:

- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.
- 6.0.3. The following section presents an overview of the findings of the various technical reports and environmental assessments (**Attachments 6 to 19**) that have been commissioned by the applicant. The respective reports attached should be referred to for greater detail and analysis.

6.1. Alternative Locations or Methods

- 6.1.1. Schedule 4 of the RMA requires that, where it is likely that an activity will result in significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity is included.
- 6.1.2. The Council's own structure planning and growth identification has identified Rotokauri as an area suitable for growth, as anticipated by the existing FUZ and inclusion in the RSP. The release of land under the operative RSP is premised on the basis that appropriate infrastructure be provided to service the development/portion of land to be released. Although release of the Rotokauri North area is proposed ahead of growth planning timeframes, appropriate infrastructure can be provided to service the development (without reliance on Long Term Plan ("LTP") funding being available).
- 6.1.3. The delivery of the RNSP area aligns with an identified housing shortage in the Hamilton City area, which is evident from the fact that HCC has a signed "Housing Accord" with Central Government to deliver new residential housing to meet a shortage in supply. Of the entire 140 hectares subject to this PPC, 133 hectares (which aligns with the land parcels falling under the GSCL umbrella) has been recommended as a "Special Housing Area". However, a PPC is unable to be advanced under the HASHAA (as only a plan change to allow prohibited activities can be made – and there are no such activities in the HCDP).
- 6.1.4. For the reasons set out in this report, and in the Section 32 Evaluation (in **Attachment 5**), there will be no significant actual or potential adverse effects on the environment resulting from the proposed urbanisation of the subject land. The land has been identified for urbanisation, and the land can be effectively serviced and developed for housing.

6.2. General Effects of Land Use Change

- 6.2.1. The Zone Map and RNSP Map (**Attachment 4**) represent a framework for the RNSP area. The area is zoned FUZ and SNA at present and is rural in character, typically rural-residential and used for agricultural purposes.

- 6.2.2. The PPC enables a range of residential opportunities within a logically and efficiently connected roading network. The PPC recognises that if growth is allowed to occur without any appropriate control and/or management, many of these effects can potentially be detrimental to the wellbeing of the community and environment. Conversely, with appropriate consideration and management, many effects associated with growth (and urban development) can be positive.
- 6.2.3. The Urban Design Assessment ("UDA") prepared by Ian Munro (**Attachment 15**) includes a comprehensive assessment of the existing environment, taking into consideration the physical attributes of the area in general and assessing the opportunities and constraints of the area.
- 6.2.4. The PPC seeks to rezone the land MDRZ and create a new RNSP applicable to include the subject land. New objectives and policies are proposed that will ensure that any potential adverse effects associated with the implementation of the Zones and RNSP are avoided, remedied or mitigated. These have been addressed in detail in the section 32 evaluation in section 8 above.
- 6.2.5. Overall, it is noted that the above factors will assist in providing for positive effects from the change in land use and provide for the well-being of the community.

6.3. Social

- 6.3.1. At present, the locality is rural and rural-residential in character and is consistent with the current FUZ zoning under the HCDP. The area has previously undergone extensive agricultural activities and is modified by artificial farm drains, farm buildings and dwellings. The existing immediate environment has no social amenities.
- 6.3.2. The Zoning and RNSP anticipate a small neighbourhood centre within the area (B6Z), to support local needs to residents through provision of commercial day to day conveniences. The provision of this facility is considered to have positive effects for the new development area.
- 6.3.3. The RNSP also includes indicative neighbourhood reserves which will contribute in a positive manner to social amenities and wellbeing. Two 5000 m² reserves are identified to provide for the day-to-day needs of residents, and these are connected through a green-network based on the enhanced stream network.
- 6.3.4. Preliminary consultation with the Ministry of Education indicates that the wider area would likely require a new primary school. The Ministry is understood to be advancing land purchases to facilitate the development of a primary school within the RNSP area. The identification of a site for a primary school would be advanced through a Notice of Requirement process.

6.4. Archaeological /Cultural Effects

Archaeological

- 6.4.1. The area falls in drained swamp (fen) country. Archaeology reporting identified that in 1919 the area was “drained swampy country” with “undulating country in grass” to the east, in the vicinity of Burbush Road. It is believed that due to the presence of the swamp and its subsequent draining there is no evidence of the land or buildings being used for European settlers until the 20th Century. No recorded European heritage features have been identified in the vicinity of the site.
- 6.4.2. The closest recorded archaeological site to the development area is S14/11, 700m southwest of Exelby Road. The site is recorded as being a pre-European Maori burial site.
- 6.4.3. Based on the archaeological survey of the site (refer to **Attachment 6**), there is no evidence of any pre-1900 archaeology or heritage or any significant 20th century heritage.
- 6.4.4. No adverse effects are considered to result in respect to archaeological matters or built heritage. Accidental discovery protocols in Appendix 8-2 of the HCDP address accidental finds and these rules are considered appropriate to address these matters. No additional rules are considered to be necessary to support the rezoning of the land and implementation of the RNSP.
- 6.4.5. No section 6(f) RMA matters are considered to be relevant.

Cultural Heritage

- 6.4.6. With respect to any potential effects of the PPC on Iwi values, no evidence of pre-1900 archaeology or heritage, or significant 20th century heritage, was found in the RNSP area, either during the historic research or the field survey.
- 6.4.7. The HCDP does not record any cultural or archaeological sites within Rotokauri North. The Burbush Road forest (SNA 11) is noted to be of high value. It has been acknowledged by the work undertaken for the Rotokauri ICMP and Structure Plan (Chapter 3 of the HCDP) that the wetland areas surrounding Lake Rotokauri may contain buried taonga.
- 6.4.8. Cultural Values assessments and Iwi engagement for this PPC are ongoing. Bi-weekly meetings are being held with Te Haa o te Whenua o Kirikiriroa (“**THaWK**”) hapu to work through cultural values (general) and any specifics that may occur for the RNSP area. The cultural values assessment from the RSP is included in **Attachment 18**.
- 6.4.9. It is considered that the objectives, policies and rules in the HCDP (including those addressing accidental discovery protocols) will sufficiently address any concerns relating to archaeological effects and mitigate any potential adverse effects of the PPC on Iwi values (relating to any features of cultural significance). Specific approaches may also be adopted via the ongoing meetings with THaWK in respect to other matters of importance to Iwi, including ecology and water resources. The PPC also incorporates an amendment to the name of SNA 11 to align with recommendations of the CIA.

6.5. Landscape and Visual Effects

- 6.5.1. A Landscape and Visual Assessment has been undertaken by LA4 for the PPC area (refer to **Attachment 17**).

Visual Effects

- 6.5.2. The viewing audience outside the PPC area will encompass the following groups:
- i. Road users on parts of the surrounding road network including the SH39, Exelby Road and Burbush Road;
 - ii. Landowners and visitors to the properties accessed off the roads mentioned in I above; and,
 - iii. Landowners and visitors to the properties immediately adjoining the eastern and southern boundaries of the PPC area (not captured by ii above).
- 6.5.3. The proposed future development of the site enabled by the PPC raises a number of visual issues, including the potential effects on visual amenity to the following key areas:
- iv. Adjoining and Adjacent properties
 - v. Surrounding road network
 - vi. Wider area

Adjoining/Adjacent Properties

- 6.5.4. The adjoining properties to the site will be most affected by future development enabled by the PPC. This includes the rural and rural-residential properties to the south, west, east and north of the site.
- 6.5.5. Notably, properties to the east and south are to remain FUZ as they fall within Stage 2 of the RSP and Chapter 3 of the HCDP. As the development with the RNSP needs to "tie into" future development it is expected that the change in land use will occur right up to the boundaries of these sites.
- 6.5.6. The full effects of the change brought about by the proposal will be gradual as the land is retired from productive use, modified and staged built development extends across the landform. It is anticipated that the full progression from rural to urban will take a number of years. This will reduce the impact of the change to some degree, due to the incremental nature of the changes and a general conditioning of the audience over time as development progresses.
- 6.5.7. The green network extending up the stream corridors and anticipated planted streets (and conveyance channels in streets) will assist in breaking the development into more discrete units and filter views so that although the view will have changed from a rural to essentially an urban one the extensive green network will assist in breaking up the expansiveness of the development. In addition, the buffer intended to adjoining SH39 will also assist in mitigating visual effects. Despite this, however, the visual effects resulting from this change for the adjoining and adjacent rural and rural-residential properties would be moderate to high.

- 6.5.8. Overall the existing outlook from these properties will change significantly from an open rural pastoral scene into a comprehensive urban residential view. Although this will constitute a significant change to the existing rural character and a loss of the existing spaciousness, it is not the type of change which is totally unexpected within the context of the area as the land is signalled to undergo this change by its current FUZ zoning and inclusion in the RSP. Furthermore, the adjoining southern and eastern properties are also subject to the same zone (FUZ), which will undergo the same or a similar change after its own re-zoning in the future.

Surrounding Road Network

- 6.5.9. For road users on the surrounding road network, in particular those who live locally in rural situations, the development of the subject site is likely to result in visual effects of some significance, particularly for SH39 and Burbush Road users.
- 6.5.10. For general road users the effects are likely to be of much less significance as the development will be seen as part of the pattern of land use change expected to occur under the RSP (albeit some years ahead of the HCC planned timeframe), and due to fleeting views while moving through the landscape.
- 6.5.11. The extensive street tree plantings will assist in integrating the built development into the landscape and provide a vegetated framework of appropriate form and scale.
- 6.5.12. The landscape buffer is anticipated on the RNSP adjoining SH39. This is to separate development from the state highway, and to also establish a visual transition between the anticipated residential zone and adjoining rural environment north of the RNSP area.

Wider Area

- 6.5.13. Any views on the site from the wider area will be peripheral in nature. Largely views from the west and south will be screened by existing ridgelines. Visual effects associated with the peripheral views will be low to negligible.

Construction Effects

- 6.5.14. Due to the nature and scale of the development, and the level of disturbance it will bring to the existing landscape, the visual effects will generally be high during and immediately following construction. The most significant changes and resultant effects on visual amenity will arise from the extensive earthworks associated with roading and associated infrastructure.
- 6.5.15. These visual effects will reduce on completion with the establishment of the green network, open space and street tree plantings assisting in integrating the residential development into the surrounding landscape.

Landscape Effects

6.5.16. In 2007, Boffa Miskell prepared the 'Rotokauri Structure Plan – Western Hills Landscape Study' that investigated the landscape significance of the rolling topography that characterises the western part of the Rotokauri Growth node. Subsequently, the operative RSP includes a series of low ridgelines that have been identified as the Rotokauri Ridgeline Character Area ("RRCA") and referred to as "The Western Hills", and the operative RSP provisions seek to retain the legibility of the ridgelines and achieve a form and density of development that enables a sense of the underlying landform to be retained.

6.5.17. However, as part of this PPC a separate and independent review of these ridgelines have been undertaken by LA4 (refer to **Attachment 17**). The ridgelines rise up to approximately 25m above the majority of the flat PPC area.

6.5.18. LA4 finds that:

"The Western Hills do not constitute a significant landscape element or feature capable of defining a unique sense of place or identity to the RSP area.

While they provide a pleasant variation in landform they cannot be considered worthy of protection afforded by the RCCA provisions."

6.5.19. It is for these reasons that the RNSP does not include any ridgeline overlay, and overall it is not considered necessary to protect or restrict development on the ridgelines, nor is it expected that this will result in any significant adverse amenity effects on landscape values of the area.

Conclusions

6.5.20. The proposed urbanisation of the PPC area will significantly change its current open rural landscape character. The development will however be consistent with the zoning of the site, being FUZ, with urban expansion envisaged under the HCDP, RPS and Future Proof Framework.

6.5.21. Although the subject site is largely in open pasture, its rural character is lessened to a degree by the existing land uses, relatively degraded pasture, the proximity to the state highways (SH 39 and 1), and the developing industrial area to the east,

6.5.22. While the subject site includes land used for farming and agricultural purposes, it is a significantly modified degraded site with relatively low landscape values, with the exception of the existing protected SNA (which has already been identified for its significant natural value through the District Plan, and which is expected to ensure its ongoing protection).

6.5.23. The proposed urbanisation of the land will inevitably result in the transformation of the site from a rural area to a mixed density urban residential area. This will have implications on the surrounding rural and rural-residential land, with the urban development impacting on the rural qualities of these areas. Nevertheless, this is an area identified for urban expansion. Consequently, it is only the timing of that change from rural to urban which is different from the current timeframes outlined in Chapter 3 of the HCDP.

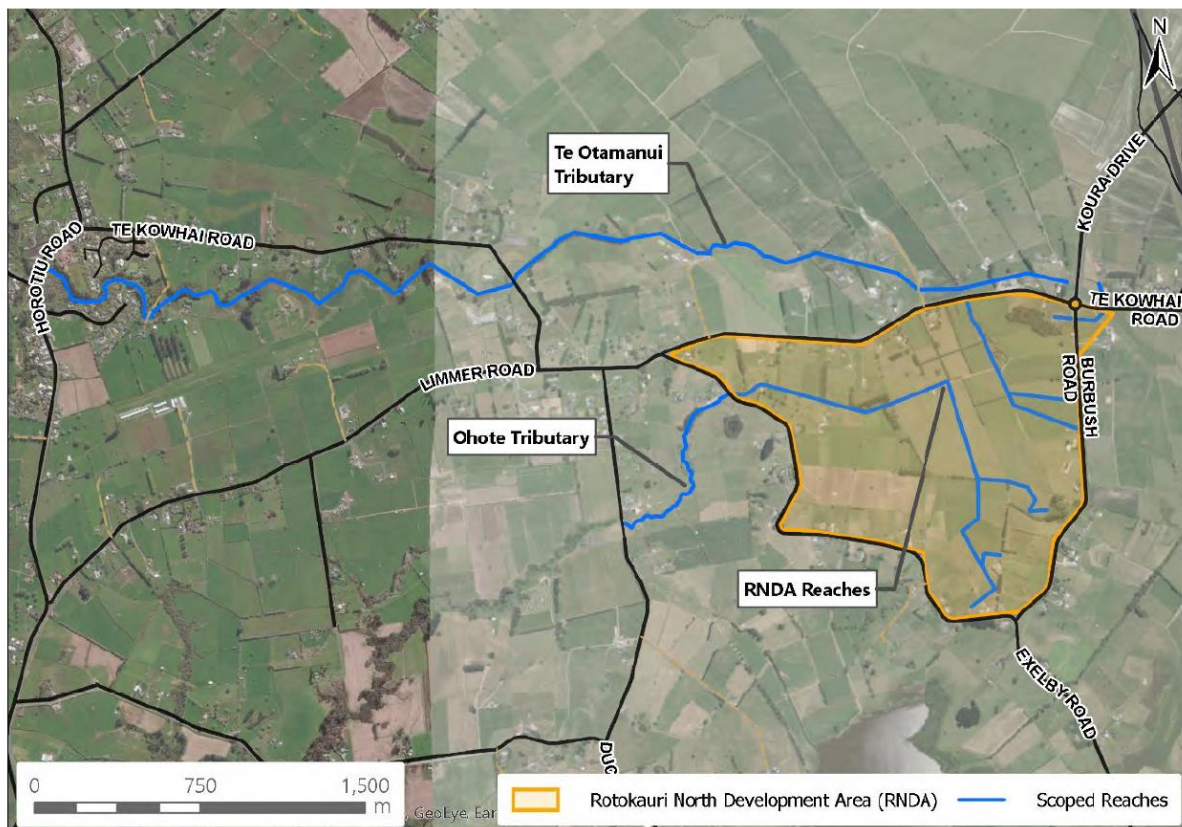
- 6.5.24. Because of the size and nature of the development and the anticipated eventual urbanisation of the area, rather than trying to screen the development or create significant buffers to the adjacent rural areas, the approach has been to accept the change and attempt to develop the site in accordance with accepted urban design principles to create a quality development with a high level of amenity, albeit an urban amenity. In saying this, a landscape buffer is proposed on the RNSP adjoining SH39. This is to separate development from the state highway, and to also establish a visual transition between the anticipated residential zone and adjoining rural environment north of the RNSP area.
- 6.5.25. The change from the existing rural character of this landscape to one dominated by the built form of a residential area will also introduce a range of beneficial effects, including:
- i. Enhancement to watercourses and stream corridors;
 - ii. Extensive framework of planting including riparian planting, vegetated swales and conveyance channels, specimen trees in streets and open space areas, which will improve the character and amenity as well as enhance habitat values, and break up the contiguous urban expanse increasingly with time and contribute to the wider surrounding area;
 - iii. Opportunities to eco-source seed stock from the remaining Kahikatea stand to increase the biodiversity and extent of this forest remnant; and,
 - iv. Public access provided for along the streams through pedestrian and cycle paths and open space linkages that will create recreational opportunities.
- 6.5.26. While the proposed development will result in a significant visual change from the site's current open and undeveloped state to one with urban characteristics, particularly for some of the immediate neighbours, such visual change is anticipated and is in accordance with the key planning initiatives (including the existing RSP) for the area.
- 6.5.27. Despite the relatively low landscape values and limited visual catchment area, the development will initially generate landscape and visual effects of some significance. These are inevitable with urban development in a predominantly rural area at the start of a process of urbanisation. In addition, the visual effects of the development of the site apparent from the early stages will decrease over time as proposed vegetation matures.

6.6. Ecological Effects

1. Ohote and Te Otamanui Catchments

- 6.6.1. Morpium was engaged to undertake an ecology assessment of the Rotokauri North sub-catchment and its receiving environments of Te Otamanui Tributary and Ohote Stream, as shown in Figure 7. This was to support the development of the ICMP and resulting PPC (refer to **Attachment 12**).

Figure 7: Wider Tributaries



- 6.6.2. The watercourses in the sub-catchment and the receiving environments are soft-bottom streams and silt/sand are the dominate benthic substrate types. The flat topography of the area is reflected by the slow-flowing streams in the catchment.
- 6.6.3. The majority of the watercourses are located within agricultural pastoral land, with small areas of rural residential land use. These “agricultural streams” were found to have little to no native woody riparian vegetation and direct stock access to the stream channel is common with damage from stock, such as pugging of banks, evident along many reaches.
- 6.6.4. Generally, the watercourses show evidence of channel modification such as straightening, widening and deepening. Adjacent land use is dominated by agricultural, pastoral activities. Sparse vegetation consisting of gorse, barberry and poplar dominated these reaches. In the downstream reaches of Te Otamanui mixed vegetation provides moderate shading to the stream channel.

- 6.6.5. Erosion scarring of stream banks is largely attributed to anthropogenic activities such as 'drain cleaning', stock damage and a lack of riparian vegetation. Bank benching, bank instability and fine sediment deposition can be largely attributed to stock damage rather than erosion from high stormwater flows. In the downstream reaches of Te Otamanui, there is some evidence of fluvia erosion caused by larger flows through constricted channel.
- 6.6.6. No "highly unstable" banks were identified. However, nine reaches (downstream of Rotokauri North in Te Otamanui catchment) in total were found to be "unstable". Erosion hotspots were also identified downstream of Rotokauri North.

Water Quality

- 6.6.7. Water quality results indicate poor water quality, with five measured parameters – including nitrogen and phosphorus exceeding the [Australian and New Zealand Guidelines for Fresh and Marine Water Quality](#) (referred to hereafter by its industry reference as "**ANZECC**") trigger values. Sediment quality was indicative of agricultural land use, with high concentrations of arsenic at one site, but relatively low concentrations of heavy metals such as zinc and lead across the sampled sites. Specifically, the Morphum reporting found:

"Five parameters exceeded the ANZECC trigger values set for lowland rivers and streams (protection of 95% of species) and the 'satisfactory' levels set by Waikato Regional Council for river water quality in the region (WRC, 2012)....

Turbidity exceeded the guideline values at all five sites, and by a magnitude of five at TEOT2 (25 NTU). Turbidity indicates water clarity and studies have shown turbidity levels above 5 NTU have adverse effects on underwater light – and thus on plant and invertebrate production (Davies-Colley, 1991). Loss in water clarity also adversely impacts migration of common native freshwater fish species (Boubee et al., 1997). High sediment loads from the surrounding land use is contributing to high turbidity in the sub-catchment.

Total nitrogen concentrations also exceeded the guideline values at all five sites. The highest concentrations were recorded in RNDA1 (4 g/m³) and TEOT1 (4.3 g/m³). Similarly, Total Kjeldahl Nitrogen, which indicates the concentrations of biologically available nitrogen, exceeded guideline values at these two sites. The nitrogen concentrations results fall within the 'C' attribute state of the NPS-FM indicating an adverse effect on some sensitive species. These sites are downstream of cattle farms and stock access to the stream was recorded upstream of both these sites.

Total phosphorus concentrations were also high in RNDA (0.18 g/m³), TEOT1 (0.03 g/m³) and TEOT2 (0.07 g/m³). Additionally, the site OHOTE, situated in the downstream reaches of the Ohote Stream (OHO_TRIB_1) also exceeded WRC guideline concentrations. Overall, the high concentrations of nutrients (N and P) are reflective of intensive agricultural land use in the sub-catchment."

- 6.6.8. With regard to sediment quality, one site (within Te Otamanui catchment) exceeded the ANZECC Interim Sediment Quality Guidelines (ISQG) high trigger values for arsenic.

- 6.6.9. Overall, the guidelines proposed in the NPS-FM, ANZECC and supporting Waikato Regional Council (“**WRC**”) documents suggest that the watercourses in Rotokauri North and the receiving environments are degraded.

Aquatic Ecology

- 6.6.10. Surveys for black mudfish were conducted at 4 sites, while sediment and water quality were conducted at five sites within the study area. No black mudfish were recorded at the sample sites.
- 6.6.11. No natural in-stream fish barriers such as cascades, waterfalls or dams were found in the sub-catchment, however, farm culverts within were identified as currently posing a barrier to fish passage.

2. Mangaheka Catchment

- 6.6.12. Boffa Miskell were engaged to undertake a watercourse ecology assessment of the receiving environments of Mangaheka Stream in conjunction with the preparation of an ICMP (prepared by Beca) for the Mangaheka Catchment. Although not specifically prepared for the PPC area, the comments made in the report relating to that part of the Mangaheka catchment falling in the PPC area are relevant and have been relied on for this assessment.

“Downstream of the industrial area and Waikato Expressway, artificial farm drains flow north and northwest to Koura Drive, where they meet at the drain main stem. The drain then flows northwest through farmland before transitioning to a modified stream channel with perennial flow where natural topography forms a surface drainage channel. Outside the Hamilton City boundary, the catchment of the drains is almost entirely rural (dairy farming), comprising artificial farm drains, with very little riparian vegetation”

- 6.6.13. Over the majority of the Mangaheka catchment (including that part included in Rotokauri North) the reporting identifies that vegetation has been widely modified over time with historic vegetation cover, including peat bog vegetation, replaced with exotic pasture grasses or crops and with exotic shrubs and trees established as shelterbelts. Indigenous plants are recorded as virtually non-existent throughout.

Aquatic Ecology / Water Quality

- 6.6.14. With respect to water quality the report generally identifies that in the upper catchment the watercourse type is an artificial watercourse (excavated drain) which generally provide poor habitat for fish and aquatic macroinvertebrates. Low or no flow, high temperatures, low dissolved oxygen, and very poor water clarity are likely to present fish passage barriers in this section of the catchment.

- 6.6.15. With respect to aquatic life the reporting generally finds that based on a fish survey (which was conducted in 2016) a total of four native species were identified, being: shortfin eel (*Anguilla australis*), longfin eel (*Anguilla dieffenbachii*), banded kokopu (*Galaxias fasciatus*), and black mudfish (*Neochanna diversus*); and one exotic species (mosquitofish). However, it was acknowledged that prior to development of the industrial land parcels in the upper catchment area in (in approximately 2011/12), three native species (mudfish (12 individuals), longfin eel (2 individuals) and shortfin eel (16 individuals)) were caught and translocated under permit from the upper catchment to the wetland area near Crawford Road in the lower part of the Mangaheka catchment.

3. Rotokauri South Catchment

- 6.6.16. There is no stream within this part of the PPC area.

4. Terrestrial Ecology

- 6.6.17. The site comprises mostly pasture and agricultural land. As previously outlined, there is a significant stand of kahikatea Trees adjacent to the intersection of Burbush Road and SH39 which is already protected under the HCDP provisions (and has a SNA overlay applied). All other vegetation is either associated with waterways (as accounted for in the assessment above), is of a shelterbelt/hedging variety, or associated with the garden areas of the dwellings.
- 6.6.18. As the area is already protected by the HCDP no further assessment of the values it holds have been undertaken nor are considered warranted. It is however anticipated that this will form part of a wider "green" network within the site, as evident from the RNSP. This PPC does not seek to alter the existing zoning or identification of the SNA (although as discussed under cultural effects the name associated with this SNA has been sought to be modified).
- 6.6.19. Opportunities for the enhancement of terrestrial habitat are also proposed to be addressed through a specific assessment criterion for subdivision within the RNSP area.

5. Overall Assessment

- 6.6.20. The PPC request takes into account the ecological values PPC area and the surrounding environment. Notwithstanding the currently degraded and modified nature of the streams, the existing HCDP and WRC policies and rules, which apply to the subject land, with respect to stream retention and ecological values and acknowledge that with replanting, a quality ecological environment could be established. This existing framework provides an appropriate level of protection already, which is further enhanced via the proposed PPC text which seeks to include a specific assessment criterion associated with terrestrial habitat enhancement.
- 6.6.21. Furthermore, the ICMP which has been prepared alongside this request includes specific targets for water quality improvement and water quantity mitigation (through attenuation and detention to reduce downstream erosion effects) for receiving stream environments to be achieved through stormwater management devices on lots and communal devices in open spaces and roads, and described further in section 6.7.5 below.

- 6.6.22. Overall, and for the reasons set out above, the PPC combined with existing District and Regional Plan provisions can result in positive effects whereby stream corridors and stream health are enhanced, and existing significant vegetation is also enhanced and protected.

6.7. Effects on Infrastructure, Traffic and Development

- 6.7.1. McKenzie & Co Consultants Limited has prepared an Infrastructure Report (**Attachment 16**) and additional reporting associated with the preparation of a sub-catchment Integrated Management Plan ("**ICMP**") which includes an assessment on the capacity and availability of reticulated infrastructure within the wider environment, and whether rezoning the land as proposed under this PPC request is appropriate on this basis.
- 6.7.2. Reports on traffic have also been prepared by Commute and provided in **Attachment 13**.

1. Earthworks

- 6.7.3. Earthworks will be necessary to facilitate the anticipated developments within the PPC area, including the preparation of building platforms, formation of roads, and construction of infrastructure and services for the anticipated developments.
- 6.7.4. It is anticipated that the provision of sediment and erosion controls in accordance with current best practise and will be appropriate to manage the potential effects associated with the necessary earthworks at the time of subdivision and development. The WRP and HCDP rules provide appropriate mechanisms to address the effects of earthworks activities through the resource consent process. No further rules or requirements are considered to be necessary to manage the effects of earthworks activities resulting from the rezoning of the land.

2. Three Waters

- 6.7.5. An ICMP has been prepared in conjunction with this PPC (**Attachment 10**). The purpose of the ICMP is to:
- i. To provide an integrated management approach based upon Best Practicable Options ("**BPOs**") to avoid as far as practicable and otherwise minimise, the cumulative adverse effects of all new stormwater activities in the sub-catchment;
 - ii. To provide guidance on how water, wastewater and stormwater within the catchment will be managed in an integrated way and in accordance with proposed land uses that occur within the site;
 - iii. To ensure the effects of stormwater discharges are mitigated in accordance with the requirements of the Rotokauri ICMP, discharge consents held/to be obtained and WRC guidance;

- iv. To provide a platform for considering the implementation of water sensitive principles (including but not limited to) to reduce demand for water, minimise wastewater generation and minimise the need for three waters infrastructure where appropriate.
- v. Investigating how Level of Service ("**LOS**") and industry best practice can be met; and
- vi. Investigating whether and how ICMP specific issues can be addressed.

3. Water

- 6.7.6. Detail of the demand and modelling is provided in McKenzie & Co Consultants (2019) Infrastructure Report (**Attachment 16**).
- 6.7.7. Water supply for Rotokauri North will be located within the Pukete Zone, as per HCC Water Master Plan philosophy. The same Water Master Plan has identified trunk network upgrades to service both Rotokauri North and South. However, the Master Plan had not allowed for the level of development currently being considered within the PPC within Rotokauri North at this time.
- 6.7.8. Rotokauri North will be serviced from the existing and master planned HCC networks at Te Kowhai Road and Wetini Drive. Water supply modelling results showed that these connections had sufficient capacity to service the area, once upgrades as programmed in Master Plan for 2061 were implemented. HCC identified the need for a DN450 ring main network to meet the level of service requirements, principally firefighting demand.

4. Wastewater

- 6.7.9. Detail of the demand and modelling is provided in McKenzie & Co Consultants (2019) Infrastructure Report (**Attachment 16**).
- 6.7.10. Wastewater networks have been designed with regard to the Regional Infrastructure Technical Standards ("**RITS**"), Waikato Local Area Shared Services ("**LASS**").
- 6.7.11. The existing 1050mm Far Western Interceptor ("**FWI**") is available on the western side of the Waikato expressway, some 200m south of Te Kowhai Road (SH39). The FWI is intended to service (subject to an extension to this infrastructure) Rotokauri North for wastewater. However, the proposed RNSP will impose additional demand on the Wastewater Treatment Plant ("**WWTP**") ahead of what is planned under the RSP of the HCDP and existing Rotokauri ICMP.
- 6.7.12. A wastewater impact assessment using the HCC Wastewater Master Plan model was undertaken based on the equivalent population of approximately 5,900. The assessment considered the impact of Rotokauri North on the receiving wastewater network for the 2061 horizon. It was noted that any significant increases in density, and consequently the equivalent population, will affect modelling results. Hence, further modelling may be needed to assess the network under any new density parameters.

- 6.7.13. Based on the model outputs, taking in to account the assumptions and limitations, it was concluded that:
- i. The FWI appears to have sufficient capacity to accommodate the additional RNDA development flows without worsening, or creating any existing, or new network system performance issues, respectively.
 - ii. System performance results for spare pipe capacity and maximum water level were overpredicted due to the effects associated with point loading of the Rotokauri North catchments. The magnitude of over prediction could not be quantified as part of the assessment. The predicted spare pipe capacity was likely to be greater than indicated by this assessment for both modelled scenarios (with and without Rotokauri North, if the discharge enters the trunk reticulation servicing the development before entering the existing network (FWI)).
 - iii. Rotokauri North is likely to increase pipe filling in some sections to nearly 100 percent, thereby utilising capacity as installed or master planned. However as per (b.) above, this is likely to an overestimate of actual pipe filling.
 - iv. Future development discharges to the FWI in addition to current allowances, and Rotokauri North, may cause new issues or worsen existing network system performance.

5. Stormwater

- 6.7.14. An ICMP has been prepared by Tollemache Consultants Ltd (**Attachment 10**). The ICMP adopts the approach to stream management, stormwater and flooding provisions of the HCDP and WRP. It reflects the latest best practice based on the Rotokauri ICMP (2017), guidelines from the WRC and the HCC feedback on the draft ICMP. The ICMP takes into consideration the natural hazards such as flood constraints and so forth, and proposes methods to maintain and enhance the downstream receiving environment.
- 6.7.15. the ICMP includes specific design parameters for development to adhere to in terms of flow, flood storage, overland flow paths, freeboard (for residential lots from flooding) and water quality targets. Water quality targets are as a minimum consistent with the National Policy Statement: Freshwater National, "bottom lines", or better (where there is a higher WRP standards).
- 6.7.16. A "toolbox" approach for lots is outlined, so that future lot owners can select the best option for their site. The toolbox includes (but not limited to):
- Rain tanks (for non-potable uses only) for lots greater than 280m²; and
 - Permeable paving for all lots.

- 6.7.17. A toolbox of options for attenuating and treating stormwater from roads is envisaged combined with additional methods for communal detention from all impervious surfaces within the site (to reduce effects on downstream flooding and erosion risk) including:
- Vegetated and grassed swales;
 - Vegetated Conveyance channels;
 - Off-line wetlands and/or dry detention basin; and
 - Riparian vegetation.
- 6.7.18. All devices will be sized during the resource consent stage of development in accordance with the ICMP. The existing discretions and assessment criteria of the HCDP provide the connection between ICMP best practicable options ("BPOs") and the resource consent process to implement the engineering solutions.
- 6.7.19. The RNSP anticipates the replanting of the sites modified watercourses (streams), along with their naturalisation. These would be vested as drainage reserve, providing opportunities to protect enhanced stream networks within the PPC area, and incorporate these into the recreation network.
- 6.7.20. Detail of modelling is provided in the ICMP and its attachments.
- 6.7.21. There is no Stormwater Discharge Consent applicable for the RNSP area, and will be sought separately from the WRC.
- 6.7.22. Overall, the proposed stormwater management options outlined in the ICMP are considered to be practicable and consistent with the water-sensitive design principles to ensure that the future developments can minimise and reduce effects on water quality, and downstream flooding and erosion.

6. Road Designs and Traffic

- 6.7.23. An ITA has been prepared by Commute Transportation Consultants (**Attachment 13**) in support of the PPC request. Key considerations as part of the ITA include accessibility via different modes of transport and the ability to progress the PPC within a safe and efficient roading network.
- 6.7.24. The RNSP contains a hierarchy of roads to respond to function (and desire lines for commuters/pedestrians and cyclists). These include:
- Minor arterial;
 - Collector; and
 - Key Local Roads.

- 6.7.25. Other local roads are anticipated to be incorporated into the overall hierarchy as the development progresses (and park edge roads where applicable)- however, it is not the intention of the RNSP (nor is it considered necessary) to be so overly prescriptive so as to identify every road. Key Road connections, which are existing tie in connections to the remainder of the RSP, are shown to ensure the development of the RNSP area does not undermine the ability of the remaining area to achieve the planned development of the RSP.

Access to the State Highway

- 6.7.26. The ITA (which is also supported by a previous memo dated August 2018 also prepared by Commute and included in **Attachment 13**) discusses the intersections with SH39, and notably assesses the difference between the intersection proposed by the RNSP when compared to those planned in the RSP.
- 6.7.27. As part of the master planning and structure planning process Commute undertook a sightline assessment to determine areas where proposed intersection could do (while meeting minimum safety requirements for appropriate sightlines onto the State Highway network), and re-evaluated these based on the intersection proposed by the RSP. The assessment identified that the proposed new intersection locations (as shown on the RNSP) achieve appropriate separation and sight line distances.
- 6.7.28. The existing Burbush Road intersection with SH39 will not be modified as a result of the PPC (although if minor improvements are required these will be facilitated at resource consent stage).
- 6.7.29. The ITA and the PPC do not anticipate any new driveways nor additional roads accessing the State Highway as these have the potential to cause traffic safety effects. As such, the PPC includes specific provisions to avoid new driveways/vehicle crossings on the SH39 (and inclusion of a "buffer" along this edge). These additional rules are proposed to ensure that adverse effects on the State Highway network are avoided.

Road Cross Sections

- 6.7.30. Although the existing RSP contains specific road cross sections this PPC does not consider it necessary to adhere to a planning rule as such for future road cross sections as these need to have some flexibility to respond specific site considerations, constraints and proposed densities/different housing typologies anticipated to be accommodated at the time of development. This is accommodated through existing HCDP provisions as provision of new roads are a "restricted discretionary activity", which gives Council sufficient discretion (and confidence) to ensure that roads are appropriately designed to meet the required development and be of appropriate dimensions to accommodate expected traffic volumes, pedestrians and cyclists.
- 6.7.31. However, to guide a cohesive neighbourhood, road cross sections have been included in the UDA, Infrastructure Reporting and assessed by the ITA. In addition, they have been provided indicatively as Figures in the Structure Plan Chapter of the PPC text.

- 6.7.32. Other specific tailored provisions for vehicle crossing locations and widths have been included in the PPC text to accommodate medium density housing, but which are also supported by the anticipation of a low speed environment (which can be achieved by the proposed road cross sections and implemented via the resource consent process for road design).

Walking and Cycling

- 6.7.33. Walking and cycling are generally anticipated to be provided in a consistent manner as identified in the UDA and ITA which includes the provision for cyclists and pedestrians associated with the road networks, and opportunities associated with the creation network. The specifications of pedestrian footpaths and cycleways are indicated on the road cross-section plans. Specific PPC provisions will also restrict new vehicle crossings over a dedicated cycleway to ensure that cyclists safety can be provided.
- 6.7.34. In addition the PPC provisions for maximum block lengths and block perimeters and restriction of use of cul-de-sac's further promotes a walkable neighbourhood.
- 6.7.35. These provisions are considered important to maximising positive effects associated with the provision of an interconnected roading network that promotes multi-modal transport opportunities. The applicant acknowledges that a higher level of service is proposed for pedestrian and cyclists, however this is considered to be appropriate given that a significant periods of time has elapsed between the original RSP and the PPC. In this period the community and professionals' understanding and expectations regarding pedestrian and cycling amenity and safety has changed, with higher standards expected to ensure that these modes are promoted.

Public Transport

- 6.7.36. Public Transport has been discussed in the ITA, and although there is no current network, the collector and minor arterial roads can be designed to accommodate bus movements. The ITA notes however that public transport is unlikely to be economical until at least 1000 dwellings are occupied.

Effects on the Wider Network

- 6.7.37. The HCDP requires one (1) space for apartments and ancillary units, however every "single dwelling and duplex dwellings" required two (2) spaces.
- 6.7.38. Specific to this PPC is the provision of a different parking rate (one space per unit) for duplex dwellings.
- 6.7.39. The ITA recognises that only providing one space for the duplex (and also apartments) is likely to encourage other forms of transport (other than private car). However, prior to the establishment of public transport this is likely to result in additional demand for on-street parking. As such the ITA recommends that in streets with a higher number of duplex dwellings anticipated the roads should be designed to have additional provision for on-street parking (eg closer to 1 space per 3 units rather than more typical minimum rate of 1 space per 4 units).

- 6.7.40. The reasons for the approach to car parking are addressed in more detail in the UDA and the Section 32, whereby positive effects on future streetscapes and the provision of a variety of housing types are balanced with the provision of a lesser car parking requirement for duplex houses. As noted above, as roads require resource consent, this affords the opportunity for the consideration of on-street parking can be addressed at resource consent/detailed design stage.

Overall

- 6.7.41. Overall, the full extent of development enabled by the proposal will be appropriately supported by the existing road network and upgrades to existing road network (required in conjunction with resource consents) to maintain appropriate levels of safety and efficiency on the surrounding road network. The further PPC provisions (including a requirement for specific assessments to confirm intersection performance and required upgrades with each subdivision stage) will ensure that any additional effects on safety on the SH39 or internal conflicts between road users can be appropriately managed.

7. Power, gas and telecommunications

- 6.7.42. These utility services can be provided in the usual manner at time of subdivision and development.

6.8. Risk from Hazards and Contamination

1. Land Stability/Liquefaction

- 6.8.1. A Preliminary Geotechnical Appraisal Report was prepared by HD Geo (**Attachment 7**) for the area subject to the PPC request. The Report confirms that the RNSP area is suitable for urban development.
- 6.8.2. As noted by HDGeo specific assessment of lateral spreading hazards will be required during detailed design. Potential mitigation options include:
- Dewatering of the adjacent ground so that liquefaction is unable to occur;
 - Adoption of slope stabilisation methodologies;
 - Buttress swale edges; and
 - Adoption of foundation designs that are tolerant to lateral spreading.
- 6.8.3. The Report recommends further site investigations will be required as developments progress in stages and specific requirements for foundation designs will be required (to appropriately manage potential liquefaction risk).

- 6.8.4. In response to Council's peer review of the HD Geo work a further response dated February 2019 (and also provided in **Attachment 7**) also identifies mitigation utilised in the recently developed parts of Hamilton that also have a liquefaction hazard, which would be suitable for Rotokauri North. These include:
- shallow ground improvement (to separate structures from liquefiable layers);
 - reinforced raft foundations (varying from simple ribraft to reinforced, resilient raft foundation piles to non-liquefying layers);
 - de-watering to reduce the hazard (usually locally to a lateral spreading hazard); and,
 - setbacks or barrier piles in some locations where lateral spreading was considered to be a risk.
- 6.8.5. Recommendations for further technical work, particularly related to geotechnical assessments, is not unusual, as detailed design always occurs prior to and conjunction with subdivision and development (just as a geotechnical completion report with additional recommendations follows an earthworks activity). Furthermore, risk of natural hazards is also a matter for consideration for subdivision under the RMA via section 106 (which gives Council the ability to decline any application that cannot address risk of natural hazards). The level of detail provided with this PPC is considered suitable to determine that the land can be rezoned.
- 6.8.6. In general, it is concluded that the RNSP area comprises topography and ground conditions that are considered suitable for urban use. No further rules or requirements are considered to be necessary to manage the effects of natural hazards resulting from the rezoning of the land.

2. Contamination

- 6.8.7. A Preliminary Site Investigation (PSI) Report has been undertaken by HD Geo Ltd (**Attachment 8**). Assessment was carried out on the following sites that the applicant has control over. The PSI concluded that specific sites within the PPC area may potentially contain sources of contamination therefore a DSI is required at time of future development. These matters would be subject to resource consent requirements under the NES at time of subdivision, earthworks or development. Therefore, any potential site contamination will be identified, and managed/remediated prior to enabling residential occupation of the land.
- 6.8.8. As the NES applies at a change of land use or any land modification works, any land falling outside of the applicant's control and not covered by the HD Geo work will still be required to have their own PSI undertaken in the future.
- 6.8.9. In light of the above, it is considered that the potential contamination of the site will be addressed through further testing and remedial works (if necessary), and therefore any health concerns resulting from the potential contamination will be less than minor upon completion of the future development.
- 6.8.10. No further rules or requirements are considered to be necessary to manage the effects of potential HAIL activities resulting from the rezoning of the land.

3. Flooding

- 6.8.11. As previously outlined under the stormwater section above, flood hazards have been taken into account in the modelling, final design and device sizing to manage potential flood risk within RNSP area and downstream.
- 6.8.12. Future development in the PPC area will need to establish lots and building platforms in accordance with engineering recommendations for Finished Floor Levels. This is already a requirement of the HCDP.
- 6.8.13. The technical work associated with the ICMP has modelled the pre and post development flooding associated with the catchments. The approach adopted by the ICMP is to utilise retention and detention to ensure that flooding is managed.

6.9. Reverse Sensitivity

1. NZTA

- 6.9.1. As previously outlined, intersection locations with the State Highway have been designed to avoid conflict and safety concerns. Furthermore the PPC provisions include restrictions on any further intersection (other than those identified on the RNSP) and/or new vehicle crossing. In addition, an amenity buffer (planted) is required by the RNSP against the State Highway (within adjoining lots). These measures are considered suitable to avoid potential safety and/or any other conflicts with users of the adjoining State Highway network.

2. Adjoining Future Urban Zone

- 6.9.2. It is acknowledged that until such time that the remaining FUZ zone is re-zoned, it will be used for rural activities. This does have the potential to create reverse sensitivity issues for future residential living on the boundary with the FUZ. Any actual potential for conflict though can be appropriately determined and addressed in future resource consents (as the exact timing of when this would actually become an issue over the lifespan on the development is unknown).
- 6.9.3. Furthermore, as the adjoining FUZ land will be urban in the future it is not considered appropriate to require buffer planting as part of the PPC (as this could cause integration issues later on when the FUZ land is being developed). No rules or requirements are considered to be necessary to manage the development of the land.

3. Future Industrial Area

- 6.9.4. The existing provisions of the HCDP address the issue of the interface between residential and industrial zoned land, establishing yard separation and noise standards at this interface, any future industrial land is also likely to be subject to this type of rule. No further rules or requirements are considered to be necessary to manage the interface between residential and (future) industrial zones.

4. Waikato Rural Zones

- 6.9.5. Land to the north and east falling within the WDC territory are zoned rural (and not proposed to change under the WDP review). However, both areas/zones are essentially “buffered” from the residential area proposed by this PPC by existing roads (SH39 and Exelby Road), which creates a separation distance of some 20 plus meters. This is considered sufficient to avoid reverse sensitivity effects between those rural uses and future residents of the Rotokauri North area.

6.10. Economic

- 6.10.1. The PPC seeks to accommodate approximately 2,000 residential dwellings within the area. At this scale it was considered appropriate to include a small neighbourhood centre for local convenience.
- 6.10.2. The economic assessments in **Attachment 14** takes into consideration the retail and services demand associated with the PPC.
- 6.10.3. The Economic Assessment considers that the total gross developable area for retail and local convenience would be around 4,000m² (as being sustainable by the population to be contained within the RNSP). Although the RNSP shows around 1.2 hectares to be rezoned – this takes into account the land that would be required for parking/loading and stormwater management etc that are associated with convenience retail and commercial service activities (not just the total occupiable area by a business activity).
- 6.10.4. The economic assessment has taken into consideration the location and role of the major centres and the planned future centre in Rotokauri South, and finds that small neighbourhood centre such as that proposed would serve the immediate Rotokauri North area without jeopardising the retail or commercial provision in the future planned Rotokauri South Centre and/or the nearby facilities at The Base.
- 6.10.5. Furthermore, all activities will be governed by the existing HCDP provisions for the B6Z, which inherently seek to ensure that these areas are neighbourhood centres that do not undermine the large business centres.
- 6.10.6. For these reasons any effects generated by the proposed neighbourhood centre on the integrity of other zoned and planned centres can be adequately avoided and/or mitigated through the application of the proposed B6Z (to the land area proposed) and the existing HCDP provisions.

6.11. Positive Effects

- 6.11.1. Land in this location was given a “differed zoning” (i.e. FUZ) until such time that infrastructure funding was available. The PPC is aligned with a Statement of Intent between the applicant and HCC for the provision of transportation, water, wastewater and stormwater infrastructure funding to service the PPC area (without reliance on the Council Long Term Funding processes). This agreement has unlocked the potential of this land to be delivered to the market ahead of its planned time, and supports the recommendation to the Government for the SHA.

- 6.11.2. The delivery aligns with an identified housing shortage in the Hamilton City area, which is evident from the fact that HCC has a signed "Housing Accord" with Central Government to deliver new residential housing to meet a shortage in supply.
- 6.11.3. The PPC seeks to bring forward ahead of planned growth dates, the availability for approximately 2,000 dwellings across 140 hectares of FUZ land to assist in relieving pressure on the current market. Furthermore, although this PPC is sought under the RMA and not the HASHAA and therefore has no statutory obligation to provide ongoing "affordable housing", the PPC includes specific provisions to ensure that the development will deliver 10% of the total yield at an "affordable rate (as defined in the PPC text) to First Home Buyers.
- 6.11.4. Furthermore and as outlined in the UDA, the provision of housing in the urban form proposed is considered to have positive effects on housing supply and infrastructure provision. The form of development illustrated by RNSP and associated specific rules will create an appropriately designed community that provides high quality amenity for residents, housing supply and a proportion of affordable houses.

6.12. Overall Summary of Environmental Effects

- 6.12.1. The effects of the proposal are considered to be adequately addressed by the:
 - i. The PPC text, including the RNSP and tailored rule specific to the Rotokauri North; and
 - ii. The District Plan provisions of the HCDP.
- 6.12.2. Regional Plan matters can be dealt with by adherence to the existing WRP rules and demonstrated at resource consent stage.
- 6.12.3. No further rules are considered necessary to address the effects of the proposal.

7. ASSESSMENT STATUTORY DOCUMENTS

- 7.0.1. Section 75(3) of the RMA states that a District Plan must give effect to any national policy statement; any New Zealand coastal policy statement; and any regional policy statement. Section 73(4) of that RMA states that a District Plan must not be inconsistent with a water conservation order; or a regional plan for any matter specified in section 30(1).
- 7.0.2. The following assessment sets out how the proposed Plan Change gives effect to the documents set out below:
 - i. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 ("**Settlement Act**");
 - ii. National Policy Statement on Urban Development Capacity 2016;
 - iii. National Policy Statement for Freshwater Management 2014;

- iv. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health; and
- v. Waikato Regional Policy Statement.

7.0.3. The following assessment also sets out how the proposed Plan Change is not inconsistent with the documents set out below:

- vi. Waikato Regional Plan.

7.1. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

7.1.1. The overarching purpose of the Settlement Act is to restore and protect the health and wellbeing of the Waikato River for future generations. The Act recognises Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) and establishes and grants functions and powers to the Waikato River Authority. Te Ture Whaimana o Te Awa o Waikato applies to the Waikato River and activities within its catchment affecting the Waikato River, and is deemed part of the RPS.

7.1.2. Refer to sections below for an assessment on how the proposed Plan Change gives effect to the Waikato Regional Policy Statement and Te Ture Whaimana o Te Awa o Waikato.

7.2. National Policy Statement on Urban Development Capacity 2016

7.2.1. The National Policy Statement on Urban Development Capacity ("NPS-UDC") directs local authorities to provide sufficient development capacity in their resource management plans for housing and business growth to meet demand. Development capacity refers to the amount of development allowed by zoning and regulations in plans that is supported by infrastructure.

7.2.2. Sufficient development capacity is necessary for urban land and development markets to function efficiently in order to meet community needs. In well-functioning markets, the supply of land, housing and business space matches demand at efficient (more affordable) prices.

7.2.3. The NPS-UDC contains objectives and policies that local authorities must give effect to in their resource management decisions that provide direction on:

- i. The outcomes that urban planning decisions should achieve.
- ii. The evidence underpinning those decisions.
- iii. Responsive planning approaches.
- iv. Coordination between local authorities and providers of infrastructure.

7.2.4. The objectives of the NPS-UDC are as follows:

Objective Group A – Outcomes for planning decisions

OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.

OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.

Objective Group B – Evidence and monitoring to support planning decisions

OB1: A robustly developed, comprehensive and frequently updated evidence base to inform planning decisions in urban environments.

Objective Group C – Responsive planning

OC1: Planning decisions, practices and methods that enable urban development which provides for the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long-term.

OC2: Local authorities adapt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.

Objective Group D – Coordinated planning evidence and decision-making

OD1: Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.

OD2: Coordinated and aligned planning decisions within and across local authority boundaries.

7.2.5. The PCC request gives effect to the NPS-UDC objectives and policies by:

- i. Hamilton is identified as being a 'high growth urban area' – as such local authorities are required to provide feasible development capacity over and above the projected demand by at least 20% in the short and medium term and 15% in the long term. The release of land for residential supply in aiding HCC in fulfilling the anticipated growth demand.
- ii. Extending a residential zoning (being MDRZ) to the site, enables the continued growth of the Rotokauri area to cater for current demand and the anticipated future growth of Hamilton City;

- iii. Provides for development which can be serviced by infrastructure being installed as part of the proposed growth in Rotokauri North;
- iv. The use of the MDRZ will enable the efficient use of zoned urban land and (the proposed) development infrastructure; and
- v. Adopts the existing District Plan zone provisions (with modifications specific to Rotokauri North), to ensure that a quality urban design outcome is achieved which will ensure that effects on the environment are appropriate to achieve the purpose of the act.

7.2.6. In addition, under the Housing Accord HCC has set a target of achieving yearly dwelling/section targets which equate to 4,200 from 2017-2019. The SHA for Rotokauri North was anticipated to occur in 2018, however delays have meant that this is not achievable. Regardless, provision of housing and sections via this PPC will contribute towards Housing Targets.

7.3. National Policy Statement for Freshwater Management 2014

7.3.1. The National Policy Statement for Freshwater Management ("NPS-FM") provides direction for the Council on the management of freshwater and with the 2017 amendments introduces environmental bottom lines for freshwater targets for water quality. The Regional and Local Council's must give effect to the NPS Freshwater - notably through the Regional Policy Statement and the Regional Plan (and any changes required to the District Plan by Local authorities to give effect to any changes by the Regional Council).

7.3.2. The NPS-FM endeavours to safeguard freshwater's ecological and human health values through the sustainable management of land and discharges of contaminants, manage freshwater quantity, manage by catchments, provide for integrated management of freshwater and development and provide for community and tangata whenua involvement in management. The NPS-FM also identifies tangata whenua and community values regarding freshwater and uses water quality measures to set objectives to protect these values. These are specifically reflected in the following objectives:

Objective AA1: To consider and recognise Te Mana o te Wai on the management of freshwater.

Policy AA1: By every regional council making or changing regional policy statements and plans to consider and recognise Te Mana o te Wai, noting that:

a) te Mana o te Wai recognises the connection between water and the broader environment – Te Hauora o te Taiao (the health of the environment), Te Hauora o te Wai (the health of the waterbody) and Te Hauora o te Tangata (the health of the people); and

b) values identified through engagement and discussion with the community, including tangata whenua, must inform the setting of freshwater objectives and limits.

Objective A1: To safeguard:

(a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and

(b) the health of people and communities, as affected by contact with fresh water; in sustainably managing the use and development of land, and of discharges of contaminants

Objective A2: The overall quality of fresh water within a region is maintained or improved while:

(a) protecting the significant values of outstanding freshwater bodies;

(b) protecting the significant values of wetlands; and

(c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated.

Objective A3 : The quality of fresh water within a freshwater management unit is improved so it is suitable for primary contact more often, unless:

a) regional targets established under Policy A6(b) have been achieved; or

b) naturally occurring processes mean further improvement is not possible.

Objective A4: To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits.

Objective C1: To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.

Objective D1: To provide for the involvement of iwi and hapū, and to ensure that tāngata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.

7.3.3. The PCC recognises the policy directive set out by the NPS-FM, specifically the Plan Change:

- i. Is supported by an ICMP which:
 - a) seeks to provide for the integrated management of three waters and development,
 - b) includes water quality targets which aligns with (or are higher) than the National Bottom lines.
 - c) Includes requirements for detention/attenuation to manage potential adverse downstream effects resulting from erosion and flooding.

- d) Anticipates that stormwater management devices are to be designed in accordance with the RITS which ensures that the effects of climate change are appropriately taken into account.
- ii. Has included the involvement of iwi and hapu (through a ongoing process and consultation with the Tangata Whenua Working Group ("TWWG") as outlined further in above) to ensure that the tangata whenua values and interests, including the principle of Te Mana o te Wai, are reflected in the outcomes associated with freshwater management.

7.4. National Environmental Standards for assessing and managing contaminants in soil to protect human health 2011

- 7.4.1. Under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("**NES Human Health**") any sites where activities on the Hazardous Activities and Industries List (HAIL) have occurred must be identified. The NES Human Health provides a nationally consistent set of controls and soil contaminant standards to ensure land affected by contaminants in soil is appropriately identified and assessed before it is subdivided or developed.
- 7.4.2. The NES Human Health applies at the time of subdivision and development/land disturbance. A preliminary site investigation (PSI) (**Attachment 8**) of contaminated land within the Rotokauri North area has been undertaken as discussed in previous sections of this report.

7.5. Waikato Regional Policy Statement

- 7.5.1. The RPS provides a framework for promoting the sustainable management of the Waikato regions natural and physical resources by identifying issues and outlining objectives, policies and methods, including processes, for addressing these issues. The relevant policy sections (with reference to corresponding objectives) are discussed below.

1. Section 6 Built Environment

- 7.5.2. Section 6 of the RPS aims to ensure that the built environment is planned and coordinated, including coordination with the provision of infrastructure. This section of the RPS ensures that the Future Proof Land Use pattern is implemented through District Plan provisions, in order to provide appropriately zoned and serviced land to enable development to occur now and in the future.
- 7.5.3. Through Objective 3.12 and Policy 6.1, 6.3, 6.14, 6.15, 6.16 and the development principles of 6A the RPS requires development of the built environment and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes.
- 7.5.4. The PPC specifically recognises this by:
 - i. Enabling a compact urban form by releasing land already identified for urban growth (as evident by its existing zoning as FUZ) and specifically already within the RSP (and notably within the Urban Limited indicated on Map 6-2).

- ii. Releasing land for development, thereby enabling people to provide for their socio-economic wellbeing through the provision of additional housing supply. In addition, the proposal includes a portion of housing which is required to be sold at a rate which equates to a percentage of the market value/rate. Furthermore, growth in an already identified location, relieves pressure on surrounding rural areas and other less desirable area to accommodate development and growth.
- iii. Table 6-1 identifies residential growth allocation and staging. Although this PPC is sought now (i.e. 2018/19), it is realistic to assume that the first residents would not “move in” to any new development until at least 2021/22 (allowing time for PPC hearings, appeal process, resource consents, implementation of subdivision and the construction of housing), which aligns with the second stage/resale of land dates under Table 6-1 – however, taking into account the direction of Future Proof (as detailed in below the Rotokauri Stage 2 land was not earmarked for release until Decade 3. Therefore, the PPC is be “out of sequence” with the RPS strategy for growth (and as such an assessment against the Development Principles of 6-A has been undertaken below).
- iv. The proposed zoning (MDRZ) will ensure that the targets set by Policy 6.15 of 16 household units per hectare for Rotokauri can be achieved.
- v. Existing natural features, such as the identified SNA and any biodiversity values associated with it, will continue to be protected by the PPC (no change to its protected status are proposed), and will be enhanced via the existing District Plan provisions and the PPC text. Furthermore, the cultural significance of this SNA is also enhanced via this PPC through the re-naming of the feature.
- vi. It is acknowledged that the development of the PPC area will require infrastructure extensions and upgrades to service the area, as the development falls ahead of the planned sequence for infrastructure funding and development under the LTP, these extensions will not comprise the function of that infrastructure.
- vii. The ICMP specifically addresses the integration of land use and water planning (as it covers three waters infrastructure).
- viii. Potential for reverse sensitivity effects have been addressed via no access restriction onto SH39, and existing District Plan provisions regarding the interface of industrial zones with residential are considered suitable to avoid future reverse sensitivity effects on any future industrial re-zoning (on land to the east).
- ix. The provision of a neighbourhood centre will provide for commercial development to support the wellbeing of local residents without detracting from larger centres (and specifically Hamilton City Centre).

2. Section 6A Assessment

7.5.5. With respect to the matters lists in Section 6A the PPC (in the same order (and numbered the same) as they are listed in 6A):

- (a) As growth at Rotokauri North falls inside the identified Urban Limit, the growth is considered to support existing (and planned) urban areas rather than creating a new urban area.
- (b) The existing road network of Exelby Road and SH39 create a clear distinction and boundary for zoned rural and urban areas.
- (c) As Rotokauri is planned 'greenfield' utilising this opportunity for development is considered appropriate.
- (d) The installation of new infrastructure to service the development for the RNSP area will not comprise the safe and/or efficient or effective operation of any existing or planned infrastructure. Effects on transportation infrastructure (by way of insertion of new intersections) can be managed and resource consent stage to align with specific development stages.
- (e) Refer to above comments. New infrastructure connections are needed to service the RNSP area.
- (f) Water demand and volume availability has been considered as per the McKenzie Infrastructure Report in Attachment 16.
- (g) The efficient use of water has been taken into account in the ICMP (refer to Attachment 10).
- (h) The development is not located adjacent to or in close proximity to any significant mineral resources, energy transmission corridors, regionally significant industry or high class soils. Regionally significant industry would be located in the existing Rotokauri Industrial area currently undergoing development (and located some distance from the site). Natural hazards have been taken into consideration and effects of flooding or liquefaction can be managed.
- (i) The RNSP and associated PPC seeks to provide for opportunities for walking and cycling through the development (which in time will be linked to other areas as the wider network and remainder of the Rotokauri area develops).

Opportunities for public transport infrastructure (buses) have been built into the width of the anticipated minor arterial and collector road carriageways.

The PPC also seek to reduce the number of car parks associated with higher density development (including duplexes) to assist in reducing the demand or reliance on private motor vehicles.

The Rotokauri North location also provide opportunities to live and play in the RNSP area, while work opportunities are located within the wider Rotokauri area (particularly as the Industrial zoning to the east develops).

- (j) Cultural heritage values have been taken into account and will continue to play a role in the development of the area through the ongoing nature of the TWWG. There is no scheduled heritage features within the RNSP area.
- (k) The existing stand of Kahikatea trees already protected by the HCDP (via the application of a SNA overlay) will be protected and enhanced as development to of the Rotokauri North progresses through the existing District Plan provisions and PPC.
- (l) Public access will be provided along the margins of streams.
- (m) Low impact urban design and water sensitive methods have been taken into account in the development of the BPO's for stormwater management within the RNSP area.
- (n) Sustainable design technologies have been identified in the ICMP such as dual plumbing for re-use tanks are anticipated for lots with sufficient back yard space to contain tanks (i.e. those over 280m²).
- (o) Reverse sensitivity effects have been managed through the use of appropriate buffers and restrictions on access.
- (p) The effects of climate change have been taken into account as part of the ICMP and will be taken into account in the design of stormwater management devices etc at resource consent stage.
- (q) Effects on Tangata Whenua values have been taken into account and will continue to play a role in the development of the area thought the ongoing nature of the TWWG.
- (r) The Vision and Strategy for the Waikato River has been taken into account (specifically refer to the ICMP) which sets water quality targets.
- (s) Resource efficient design and construction methods will be considered at resource consent stage.
- (t) Ecosystems within steam margins can be enhanced through riparian vegetation and removal of farm culverts etc (specifically refer to the ICMP).

3. Section 8 Fresh Water Bodies

- 7.5.6. It is noted that issues such as the protection of watercourses and quality of freshwater habitats are addressed through the existing provisions of the WRP, which with regard to the PPC area will be assessed through future regional consenting.
- 7.5.7. With regard to objectives 3.4, 3.13, 3.15 and the policies that fall under this section (and specifically Policy 8.33), the implementation of the ICMP which aligns with this PPC will manage effects on the values of freshwater bodies. Enhancement of riparian margins is also anticipated for streams which are retained through the development area (again subject to future consenting).
- 7.5.8. Commentary on Policy 8.5 will be discussed under the Te Ture Whaimana o Te Awa o Waikato commentary below.

4. Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River)

- 7.5.9. It is noted above that Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) has been included in full as part of the RPS (and is also part of the District Plan). Te Ture Whaimana o Te Awa o Waikato sets out a vision whereby 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.
- 7.5.10. Of relevance to the PPC are: objective (a) which sets out to restore and protect the health and wellbeing of the Waikato River and objective (h) which seeks recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.
- 7.5.11. The PPC recognises the policy directive set out by the Te Ture Whaimana o Te Awa o Waikato, as it is supported by the ICMP for the management of three waters, and to set quality targets and flows etc.

5. Section 10 Heritage

- 7.5.12. The Archaeological Report prepared by CFG found no evidence of European Heritage pre 1900, and the HCDP does not identify any sites of heritage or cultural value within the PPC area.
- 7.5.13. Cultural heritage values associated with the site have formed part of the work being undertaken as part of the TWWP.
- 7.5.14. Overall is considered that the cultural values reporting has meet the intention of objectives 3.9 and 3.18 and policies 10.1, 10.2, and 10.3, and as the TWWP will continue through to consenting and implementation, will ensure continued adherence to this section of the RPS.

6. Section 11 Indigenous Biodiversity

- 7.5.15. Objective 3.19, Policies 11.1 and 11.2 are targeted at ensuring the importance of biodiversity is recognised and identified and maintaining the viability of ecosystems. Biodiversity tends to be lost when ecosystems are broken up or damaged by inappropriate use of land or water, invasion by exotic plants or unsustainable use of species.
- 7.5.16. As previously outlined there is limited vegetation with the PPC due to the sites current agricultural uses -however there is an existing SNA (already protected under the HCDP) recognised for its biodiversity values and significant vegetation (being a Kahikatea stand) which will be retained, protected, and enhanced (at development stage) under the provisions of the District Plan and those proposed by the PPC.

7. Section 12 Landscape

- 7.5.17. With respect to objectives 3.20 and 3.21 and policies 12.1 and 12.3 landscape/visual assessment undertaken has been undertaken by LA4 to confirm that there are no landscape character or amenity features worthy of protection within the PPC area (other than the already protected SNA).

- 7.5.18. With respect to Policy 12.4 the structure plan anticipates public access along retained watercourses.

8. Sections 13-14 Natural Hazards and Soils

Natural hazards (flooding and geotechnical) can be addressed through implementation of the ICMP and specialist reporting which has identified further testing for foundation designs (and mitigation of liquefaction hazards), thereby ensuring development can meet objective 3.24 and policies 13.1 - 13.3 and 14.5.

7.6. Waikato Regional Plan

- 7.6.1. The Waikato Regional Plan provides direction regarding the use, development and protection of natural and physical resources in the Waikato region.
- 7.6.2. it is noted that once subdivision and development is progressed through future consenting processes, the matters set out in the Waikato Regional Plan will be further considered through Regional consenting processes.

8. OTHER MATTERS / NON-STATUTORY DOCUMENTS

8.1. Future Proof

- 8.1.1. The Future Proof Growth Strategy and Implementation Plan (2009) is an inter-regional growth strategy between Hamilton, Waipa and the Waikato sub-regions, jointly developed by Hamilton City Council, Environment Waikato, and the Waipa and Waikato District Councils. The Future Proof Strategy covers four key areas of development (residential, rural, business/industrial, and retail/commercial land uses), and sets out guidelines for how these areas are anticipated develop from 2006 to 2061. A draft update to the Future Proof Growth Strategy was released for comment in June 2017.
- 8.1.2. The purpose of Future Proof is to provide a comprehensive and robust growth management strategy in order to ensure land use and infrastructure are managed collaboratively between the partner councils for the benefit of the whole sub-region. It is a long-term strategy that provides direction and implementation of a sub-regional settlement pattern which identifies land supply needs over the next 50 years. The Future Proof Strategy Vision is:

"In 2061, the sub-region:

Has a diverse and vibrant metropolitan centre strongly tied to distinctive, thriving towns and rural communities

Is the place of choice for those looking for opportunities to live, work, invest and visit

Is the place where natural environments, landscapes and heritage are protected and a healthy Waikato River is at the heart of the Region's identity

Has productive partnerships within its communities, including tangata whenua

Has affordable and sustainable infrastructure

Has sustainable resource use."

- 8.1.3. Section C of Future Proof contains the adopted settlement pattern for Future Proof and allocation of staging and growth. The settlement pattern ensures that development is to happen in a unified and coordinated way to avoid any adverse effects on the surrounding districts. Rotokauri is an identified growth cell for Hamilton City.
- 8.1.4. The density targets specified under Table 2 indicate that 16 household units per hectare should be achieved in Hamilton Greenfield areas. The application of the MDRZ and existing HCDP policy 4.2.1A will ensure that this target can be achieved.
- 8.1.5. It is the timing and staging of the release of the land that sits ahead of the predictions for Rotokauri (and Hamilton Greenfield area), as the land falls within Stage 2 of RSP and Decade 3 (2036-2045) of Appendix 1 – Allocation and Staging of Growth.
- 8.1.6. Section 7.5 of Future Proof identifies that things may change which affects a change in the demand of land supply, such as central government intervention in urban land use policy. Section 7.5 also outlines those matters that proposals to change the timing and staging for land development set by the Future Proof Strategy should take into account. These have been addressed below:

"Consistency with the Future Proof Strategy guiding principles and other statutory planning documents."

- i. Consistency with the relevant Future Proof guiding principles is addressed further below, and assessment of other planning documents is being undertaken.

"Any proposal for change to land use or agreed timing and staging enables the Future Proof Partners to give effect to their NPS-UDC objective and policy requirements."

- ii. The early release of the land subject to this PPC is not expected to affect any NPS-UDC requirements of other Future Proof Partners. Notably, the site is boarded by WDC and the nearest growth cell (in WDC territory) is Te Kowhai. WDC has recently publicly notified a Proposed District Plan which (should) take into account its obligations under the NPS-UDC.

"Existing or committed public and private sector investments in land development and infrastructure."

- iii. Existing infrastructure commitments have been taken into account in the reporting for wastewater and water supply, and in both cases the works tie into larger facilities which are about to undergo planned upgrades (which can accommodate the growth projected). Furthermore, new infrastructure connections to service the PPC area are to be funded by the applicant. No infrastructure constraints with the adjoining State Highway network have been identified.

“Development must be shown to be adequately serviced without undermining committed infrastructure investments made by Council to support other growth areas.”

iv. Refer to the above comments.

“The efficient and safe use of existing or planning infrastructure.”

v. Refer to the above comments.

“Sustainable provision and funding of existing and future infrastructure. Development must be coordinated with the provision of infrastructure including utility services, and integrated with the transport network. The provision of infrastructure must take into account available or planned network capacity.”

vi. Refer to the above comments.

“Efficient use of local authority and central government financial resources.”

vii. Only those financial resources already committed to upgrades to major facilities (treatment plants) are being borne by the local authority. Furthermore, new infrastructure connections to service the PPC area are to be funded by the applicant and delivered in a manner which is coordinated with the development of the land.

“The ability for a developer to be able to pay for the necessary infrastructure.”

viii. Refer to the above comments.

“The compatibility of any proposed land use with adjacent land uses.”

ix. The potential for reverse sensitivity with adjacent land uses has been taken into account and addressed by the PPC mechanisms and existing District Plan mechanisms for land against the State Highway and industrial zones.

8.1.7. The key guiding principles are contained in section 1.3 and disused in more detail below;

Effective Governance, Leadership, Integration, Implementation and Productive Partnerships

i. These principles focus on collaboration between the regional and local authorities. Consultation associated with this PPC has included WDC and WRC.

Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit

ii. The PPC achieves the applicable principles (which are also replicated in Chapter D sections 11.4, 11.5 and 11.7) by:

(a) The application of a MDRZ in inherently promotes increased densities;

- (b) The Rotokauri North area falls within the existing urban limits and while it does not immediately adjoin the Stage 1 land, the remainder of Stage 2 does fall within the lifespan of the Future Proof documentation (Decade 3).
- (c) The PPC is a direct response to the need for increased demand of housing stock and land supply in the Hamilton area.
- (d) The RNSP adheres to principles of good urban design, as demonstrated in the UDS in Attachment 15.
- (e) Separation to the rural zones is clearly defined by key roads (SH39 and Exelby Road).
- (f) Although no planned public transport is identified for Rotokauri North the development has anticipated the collector road capability to accommodate a bus route, and walking and cycling paths both on and off road have been identified for the PPC area and by the RNSP.
- (g) The B6Z is intended to provide for local neighbourhood need and will not detract from existing major commercial centres.
- (h) Community facilities (i.e. recreational reserves) have been envisaged by the RNSP.

Protection of Natural Environments, Landscapes and Heritage and Healthy Waikato River as Heart of Region's Identity

- iii. The PPC achieves the applicable principles (which are also replicated in Chapter D section 12.3) by:
 - (a) Preparing a supporting ICMP for the RNSP area, which seeks to outline the best practicable option for avoiding adverse effects on the natural hydrological characteristics, water quality and ecosystems, by setting quality and flow targets to be achieved by development.
 - (b) The potential for water re-use (via dual plumbing for non-potable uses) for residential homes forms part of the ICMP implementation strategy (thereby encouraging and promoting efficient use).
 - (c) The vision and Strategy for the Waikato River has been taken into account in setting of targets to be achieved for quality and flow by the ICMP.
 - (d) The applicant has formed a working group with Mana Whenua to recognise and promote the relationship that they have with the awa.

Affordable and Sustainable Infrastructure

- iv. The PPC achieves the applicable principles which are also replicated in Chapter D section 12.1) by:

- (a) No new major arterial roads which require funding from Council or Central Government or NZTA are required to give effect to development of the RNSP. The adjacent SH39 has sufficient capacity to accommodate the additional traffic flows, thereby the development supporting the investment already spent on existing infrastructure.
- (b) Although no planned public transport is identified for Rotokauri North the development has anticipated the collector road capability to accommodate a bus route, and walking and cycling paths both on and off road have been identified for the PPC area and by the RNSP.

8.1.8. In addition, Chapter D implementation also includes principles in section 13.1 relating to Tangata Whenua through:

- i. The regular meetings of the TWWG, and the ongoing commitment between the applicant and the working group to recognise and promote the relationship that Tangata Whenua have with the awa.

8.2. Hamilton Urban Growth Strategy (2010)

8.2.1. The Hamilton Urban Growth Strategy ("**HUGS**") is a long-term growth planning exercise based around delivering coordinated and sustainable growth in Hamilton. It sets a pattern of future development within the Hamilton City boundaries. HUGS specifically details how, when and where growth should occur. The outcomes and recommendations of this process have been fed into Future Proof.

8.2.2. Rotokauri is identified as Future Residential Land in HUGS. This application is assessed to be consistent with achieving a compact city and to align with strategic land use framework. Any issuing regarding out of sequence development have been covered by the RPS and Future Proof assessments above.

8.3. Waikato-Tainui Environmental Plan

8.3.1. The Waikato-Tainui Environmental Plan ("**WTEP**") was developed by Waikato-Tainui to guide development through to 2050 to ensure that the needs of the present and future generations are provided for in a manner which goes beyond sustainability, while protecting and enhancing the environment.

8.3.2. The WTEP identifies in Section D a number of objectives and policies to achieve with respect to the cultural/physical environment in the Waikato-Tainui rohe. The proposed Plan Change has acknowledged these objectives/policies, and seeks to give effect to this document in the following ways:

Chapter 6: Consultation and Engagement with Waikato-Tainui

8.3.3. This chapter sets out consultation and engagement processes and supports and encourages early involvement of Waikato-Tainui in major projects to prevent delays in the latter stages of the process.

8.3.4. For this plan change a specific Tangata Whenua Working Group has been established to provide advice and feedback from Tangata Whenua. A full copy of the CIA is provided in **Attachment 18**. As a direct result of this feedback, the PPC includes an amendment to the listed name of the SNA in the District Plan.

Chapter 7: Towards Environmental Enhancement

8.3.5. This Chapter promotes an approach which focuses on maintaining the standard of the environment for the benefit of the present generation and for future generations to experience the same quality of land use as is currently experienced.

8.3.6. The enhancement approach is a step further than sustainability or maintenance and aims to improve the quality of the environment for future generations.

8.3.7. The ICMP document prepared alongside this PCC seeks to implement water quality targets for stormwater discharge to improve the current quality of water exiting the site (and entering the receiving environments). These standards align with as a minimum the NPS National bottom lines (and in some cases are higher).

8.3.8. Specific watercourse restoration will be addressed at resource consent stages.

Chapter 10: Tribal Strategic Plan

8.3.9. Whakatupuranga 2050 is the 'blueprint' for cultural, social and economic advancement for people of Waikato-Tainui to ensure that in the changing times, tribal identity and integrity is upheld. The vision of Whakatupuranga 2050 is "to grow a prosperous, healthy, vibrant, innovative and culturally strong iwi". The strategic objectives of Whakatupuranga are:

- Kingitanga (the king movement) remains an eternal symbol and that Waikato-Tainui remains as kaitiaki of the environment;
- Tribal identity and integrity is upheld;
- Tribal success, and
- Tribal social and economic wellbeing thrives.

8.3.10. An issue for Waikato Tainui as set out in Chapter 10 is the impact of resource use and development on the achievement of Whakatupuranga 2050. The health and wellbeing of the environment is inseparable from the social, cultural, spiritual, economic and environmental health and wellbeing of tangata whenua. Therefore, the way the environment is used and developed can have a significant impact of the achievement of Whakatupuranga 2050.

8.3.11. This has been taken into account by the TWWP and the outcomes, recommendations sought via this forum.

Chapter 11: The Vision and Strategy for the Waikato River

- 8.3.12. The Settlement Act gives effect to the settlement entered into between Waikato-Tainui and the Crown. An assessment against this document has been undertaken in a previous section of this report.

Chapter 14: Customary Activities

- 8.3.13. Access to traditional areas (e.g. Waikato River) for resource use and to undertake customary activities has been compromised in recent years which has had an impact on the ability for people of Waikato-Tainui to practice customary activities and transfer of knowledge between generations. Some examples of customary activities may include the launching of waka into the river for ceremonial, recreation, competition and sporting purposes, customary gathering and use of foods and the use of water bodies for activities relating to the spiritual, physical and cultural health and wellbeing of people (e.g. bathing and baptisms). Objective 14.3.1 of the WTEP states:

“Waikato-Tainui access to and ability to undertake customary activities and resource use, including along the margins of waterways, is protected and enhanced.”

- 8.3.14. This has been taken into account by the TWWP and the outcomes, recommendations sought via this forum.

Chapter 15: Natural Heritage and Biosecurity

- 8.3.15. Changes in land use have gradually depleted the natural plants and native animals and ultimately decreased indigenous biodiversity in the Waikato Region. Objective 15.3.2 states:

“Cultural, spiritual and ecological features of the Waikato landscape that are significant to Waikato-Tainui are protected and enhanced to improve the mauri of the land.”

- 8.3.16. Method 'd' of this objective states:

“Establishment and enhancement of ecological corridors linking areas of known high value indigenous habitat shall be treated as high priority for the allocation of resources by the authorities responsible. These corridors include riparian margins, gully systems, esplanade reserves, and vegetation alongside road corridors.”

- 8.3.17. The existing provisions of the Waikato Regional Plan (rules in Section 5.1) will ensure that future development within the Plan Change Area will be required to protect land from further erosion and ensure that any effects on the stream habitat network are appropriate in terms of the RMA and the strategic document hierarchy.

- 8.3.18. The existing SNA will continue to be protected under the existing operative HCDP provisions.

8.4. The Waikato Plan

8.4.1. The Waikato Plan ("the plan") is a comprehensive document that identifies and addresses issues that the region faces and seeks to take advantage of opportunities for the Waikato region. The plan identifies five key priorities with 10 key actions to address these priorities. The five priorities are as follows:

Planning for population change;

- i. As previously outlined, the Rotokauri North area falls within a planned growth node. Infrastructure to service the node will be brought forward in conjunction with development of the area.
- ii. The release of land is necessary to relieve the housing shortfall occurring in Hamilton.

Connecting communities through targeted investment;

- iii. Development will provide a roading network which integrates with the existing and wider area (including state highway network) and include pedestrian and cycling opportunities via dedicated facilities thereby features encouraging the use of alternative modes for local journeys.

Partnering with iwi/ Maori;

- iv. The PPC is supported by an ongoing relationship via the TWWG to work collaboratively towards developing the RNSP area.

Addressing water allocation and quality;

- v. Issues regarding water quality have been addressed via the ICMP (which sets specific water quality targets for stormwater discharge to meet, as well as options for reuse within sites).

Advancing regional economic development.

- vi. The RNSP includes a small neighbourhood centre to encourage and attract local business to support the local residents of the RNSP area.

8.4.2. Based on this, the proposal is considered to support the Waikato Plans priorities.

8.5. Waikato Regional Land Transport Plan

8.5.1. The Waikato Regional Land Transport Plan ("RLTP") sets out the strategic direction for land transport in the Waikato region for 30 years, from 2015-2045. The Waikato Region has identified in a number of its plans and policies, the importance of the integration of land use with infrastructure in the region. There are a number of policies and implementation methods to ensure the development of the built environment occurs in a planned and coordinated manner to ensure that infrastructural needs of the Region are catered for.

8.5.2. Some of the key messages from the RLTP are:

- Providing an integrated and aligned land-use and transport system;
- Providing an effective and efficient land transport system that enhances economic well-being and support growth;
- Achieve a significant reduction in risk, deaths and serious injuries across the region;
- Provide an adaptable and flexible approach to managing and developing the land transport system that optimises funding options;
- Provide communities access to a multi-modal land transport system that functions effectively to meet their social, cultural and economic needs; and
- Provide an environmentally sustainable and energy efficient land transport system that is robust and resilient to external influences.

8.5.3. A number of upgrades are planned to the existing land transport infrastructure near the vicinity of the site.

8.5.4. The proposed upgrades to the existing land transport infrastructure surrounding the site will integrate and align with the current road network as well as support the proposed growth in the area, thus contributing to a safe, efficient and effective transport system within Rotokauri North and Hamilton. These upgrades will connect the proposed development with the existing Hamilton town centre community and provide access to multi-modal services such as cycling & walking.

8.5.5. As such, the PPC is considered to be supportive of the RLTP objectives.

8.6. Waikato Regional Public Transport Plan

8.6.1. The Waikato Regional Public Transport Plan 2018 - 2028 ("RPTP") outlines the strategic direction for public transport in the Waikato region over the next 10 years. The plan aims to deliver an effective, efficient and integrated public transport system for the region. The vision of the RPTP is to "build a public transport system that enhances the vitality of our communities, strengthens our economy and helps create a healthier environment".

8.6.2. The following key policy focus areas are outlined in the RPTP to support this goal:

- Plan for a layered network of public transport services made up of Mass transit, Frequent, Connector, Coverage and Targeted public transport services;
- Consider the needs of the transport disadvantaged when providing for public transport services. The following groups of people are considered transport disadvantaged:
 - People with disabilities;
 - People without a driver licence or access to a vehicle

- Children or elderly
 - People with low income and/or living in 'high deprivation' neighbourhoods People living in isolated communities with no easy transport access to essential services.
 - Ensure public transport services at least meet the standard service levels set out in table 3.1 for each layer where there is appropriate demand and available funding.
- 8.6.3. There are currently very limited public transport services available near Rotokauri North area. However, as the remainder of the structure plan area is developed, it is likely that extensions to existing bus services, or new bus services, will be introduced to connect the site with the Hamilton town centre. The HCC DP policy also includes funding for a train station at Te Rapa. Establishment of these services by Council would provide the development with improved access to public transport services and has the potential to reduce traffic flows between these areas.
- 8.6.4. Table 23 of the RLTP indicates that there are plans to extend the existing Frankton service into the Rotokauri development.
- 8.6.5. In this regard, it is expected that as the public transport services outlined in this ITA are implemented, the proposed development is considered to align well with the objectives of the RPTP.

8.7. Regional Walking and Cycling Strategy

- 8.7.1. The Walking and Cycling Strategy for the Waikato Region outlines the strategy for walking and cycling within the Waikato region in accordance with the RLTP. The vision of the strategy is that: "*Walking and cycling are safe, integrated and accessible activities in the Waikato region*". The strategy intends to achieve this vision with the following three policies and actions:
- Support the construction and maintenance of accessible walking and cycling infrastructure throughout the regions for all user types;
 - Promote travel demand management and travel behaviour change initiatives that assist walking and cycling in relieving urban congestion and improving journey time reliability; and
 - Recognise the role that walking and cycling can play in the economic development of the region.
- 8.7.2. The proposed development intends to provide on-road cycle paths and pedestrian footpaths along all collector roads within the development as well as along the main minor arterial road. This will provide an easily accessible path for the use of other modes of transport to and from the site and has the potential to reduce the number of vehicles on the road network. Therefore, the proposal is considered to align well with the walking and cycling strategy.

8.8. Access Hamilton

- 8.8.1. Access Hamilton a guide for key transport partners work together to achieve outcomes for an integrated and effective transport system. The strategic vision of this document is to deliver an affordable, integrated, safe, responsive and sustainable transport system that supports economic, social, environmental and cultural well-being of the City.
- 8.8.2. The three main components that make up Access Hamilton include the strategy vision, the Integrated Transport Plan and the seven action plans. Access Hamilton sets a strategic direction until 2040 and works alongside a number of other strategies that assist Council to achieve its strategic objectives and guide city development, including the RLTP and Future Proof.
- 8.8.3. Although no planned public transport is identified for Rotokauri North (and is unlikely to be sustainable until the population increases in the area) the development has anticipated the collector road capability to accommodate a bus route, and walking and cycling paths both on and off road have been identified for the PPC area and by the RNSP. These features are consistent with the goals that Access Hamilton is seeking to achieve across the network.

9. PART 2 OF THE RMA

- 9.0.1. Part 2 of the RMA sets out the purpose, and additional principles, which are to be considered when applying the RMA. The following assessment is based on the purpose of the RMA, and the guiding principles (Sections 5 to 8).

9.1. Section 5 - Purpose

- 9.1.1. Section 5 in Part 2 of the RMA identifies the purpose as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life-supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.
- 9.1.2. The PPC is considered to be consistent with this purpose, in particular it seeks to enable the wellbeing (social and economic) of the growing population of Hamilton City through the release (through rezoning) of land for housing.
- 9.1.3. At the same time, the PPC seeks to address the matters (a) to (c), in particular:
- i. It seeks to ensure that the land resource is developed in a manner that achieves, and does not undermine, its potential to accommodate its share of projected growth and in particular contributes to the anticipated population growth. Growth in this location manages pressure for growth in other less appropriate parts of the Hamilton City, thereby safeguarding the needs of future generations;

- ii. It seeks to safeguard the life-supporting capacity of water through the use of water sensitive design options for stormwater management and the enhancement of the stream margins; and
- iii. Adverse effects of urban activities on the environment will be avoided, remedied or mitigated through the proposed provisions for land within the RNSP area and the existing HCDP rules.

9.2. Section 6 – Matters of National Importance

9.2.1. the Section 6 of the RMA sets out a number of matters of national importance, specifically;

- a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- f) *The protection of historic heritage from inappropriate subdivision, use, and development.*
- g) *The protection of recognised customary activities.*
- h) *The management of significant risks from natural hazards*

9.2.2. The PPC recognises and acknowledges these matters through the following methods;

- i. The RNSP and associated ICMP envisage the enhancement of the natural character of streams via planting of the stream margins, along with the management of erosion effects of stormwater through detention measures.
- ii. The site does not contain any identified "outstanding landscape" or features. The assessment of landscape and visual effects by LA4 (2019) (**Attachment 17**) does not identify the areas of sloping land as of significance in respect to the visual landscape.
- iii. The site contains an existing area identified by the HCDP as a SNA, being a stand of Kahikatea trees. The SNA is subject to the existing HCDP provision for protection (these will not be modified by this PPC). The trees are included in the RNSP as an area of land to be vested with Council to ensure its ongoing protection and management.

- iv. Public access to and along streams will be enhanced via provision of walkways along stream margins as outlined in the RNSP.
- v. The Archaeological Assessment (**Attachment 6**) does not identify any specific archaeological or heritage sites as requiring protection.
- vi. The relationship of Maori with their waahi tapu (and any customary activities) has been recognised and provided for through consultation as reflected in the CIA in **Attachment 18**.
- vii. The risk from natural hazards has been addressed through the HD Geo reporting (**Attachment 7**) and ICMP which covers flooding (Attachment 10).

9.3. Section 7 – Other Matters

9.3.1. Section 7 identifies a number of "other matters" to be given particular regard to, which are:

(a) *Kaitiakitanga;*

(aa) *The ethic of stewardship;*

(b) *The efficient use and development of natural and physical resources;*

(ba) *The efficiency of the end use of energy;*

c) *The maintenance and enhancement of amenity values;*

d) *Intrinsic values of ecosystems;*

f) *Maintenance and enhancement of the quality of the environment;*

g) *Any finite characteristics of natural and physical resources;*

h) *The protection of the habitat of trout and salmon;*

i) *The effects of climate change; and*

j) *The benefits to be derived from the use and development of renewable energy."*

9.3.2. The PPC has taken into consideration the 'other matters', and in respect of the above the following comments are made:

- i. The proposal has acknowledged the kaitiakitanga role (which is also a form of stewardship) of the local Iwi and consultation has been undertaken with respect to the PPC, RSP and RNSP. This has involved meetings with the TWWG and the discussion of the key technical reports of concern to Iwi (eg. Archaeological, ICMP and Ecology);

- ii. The proposed PPC will enable an efficient use of natural and physical resources as it will utilise land already earmarked for urban development under the HCDP and enables a range of housing/lifestyle options and affordability to meet the shortfall in housing supply (and affordability) within Hamilton City;
- iii. While the land will no longer be retained for its rural amenity, the amenity values and quality of the area have been recognised and will be enhanced through the implementation of RNSP and proposed provisions, in conjunction with the existing provisions of the HCDP; and
- iv. Natural ecosystems can be enhanced via future development as envisaged by the retention of the SNA and riparian planting of stream (as envisaged in the ICMP).
- v. No habitat of trout or salmon are identified in the PPC area.
- vi. The effects of climate change have been taken into account in the stormwater modelling, and this can be confirmed via future resource consents.

9.4. Section 8 – Treaty of Waitangi

- 9.4.1. Section 8 requires all persons exercising functions and powers under the RMA to 'take into account' the Principles of the Treaty of Waitangi.
- 9.4.2. Consultation is a key principle of the Treaty and has been taken into account. Iwi have been consulted throughout the process, and consultation is ongoing via regular meetings with the TWWG (refer to the CIA in **Attachment 18**).

10. CONSULTATION

- 10.0.1. Key Stakeholders for consultation have included:

- HCC
- WDC
- WRC
- MOE
- Waikato-Tainui
- Te Haa o te whenua o Kirikiriroa ("**THaWK**")
- Landowners inside the PPC area
- Adjacent neighbours.

- 10.0.2. A summary of consultation undertaken is provided in **Attachment 19** and a copy of the CIA is provided in **Attachment 18**. Regular meetings with the THaWK hapu have also occurred from November 2018 (resulting in the attached CIA).

11. NOTIFICATION

- 11.0.1. Under clause 25(2)(a)(i) of Schedule 1 of the RMA, Plan Changes may be limited notified. The test for notification is being able to identify all persons directly affected by the plan change. A Notification Assessment has been provided as **Attachment 21**.

12. CONCLUSION

- 12.0.1. The land covered by the PPC request is currently zoned FUZ and SNA under the HCDP. As such, a PPC is required in order to rezone the FUZ land for residential and neighbourhood centre use.
- 12.0.2. The proposed RNSP has been based on the opportunities and constraints identified from a wide range of technical inputs and analyses and is intended to replace the existing RSP for this area of land. Given the development potential of the area, a structure planning approach is adopted for the purpose of this PPC to determine the most logical locations for amenities within the RNSP area, and to preserve key linkages into the existing RSP area (so as not to comprise development in the remainder of the Rotokauri area and to ensure integration).
- 12.0.3. This PPC request seeks to introduce the MDRZ and B6Z, as well as a RNSP– all with the purpose of giving effect to the purpose of the RMA.
- 12.0.4. Included in **Attachment 5** to this document is the Section 32 assessment which demonstrates that the proposed policies and methods are the most appropriate for achieving the objectives and for achieving the purpose of RMA.
- 12.0.5. The AEE demonstrates that there are no significant constraints to the urbanisation of the RNSP area, and that potential adverse effects on the environment can be avoided, remedied or mitigated by the PPC provisions (or existing provisions within the HCDP).
- 12.0.6. Both the structure planning and rezoning process have had regard to the matters in Part 2 of the RMA, the RPS and other matters within Sections 74 to 77D of the RMA. The proposal is considered to be consistent with all of these matters.