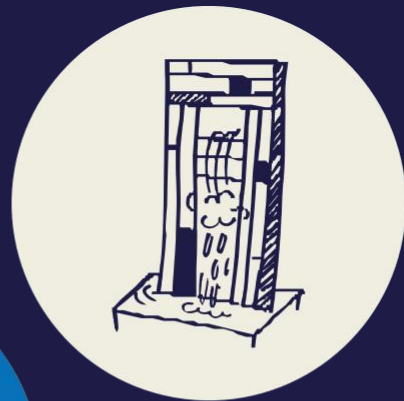


# PLAN CHANGE 12 – ENABLING HOUSING SUPPLY

Hamilton City Council



30 September 2022



**Hamilton  
City Council**  
Te kaunihera o Kirikiriroa

## Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this submission is aligned to all of the priorities outlined above.

## Council Approval and Reference

This submission was approved under delegated authority by Hamilton City Council's Chief Executive on 30 September 2022.

Hamilton City Council Reference D-4390828 - Submission # 705.

## Introduction

1. Hamilton City Council would like to make a submission to Plan Change 12 – Enabling housing Supply (PC12).
2. The following sections set out the specific provisions of the plan change that Hamilton City Council’s submission relates to under each of the seven topic matters. In the ‘Relief sought’ columns there are specific drafting edits sought, and some broader relief identified. This submission seeks that identified drafting, or the broader relief, or such similar relief as is necessary to address the matters set out in the corresponding ‘Commentary and Reasons’ columns be granted.

## Residential Zones and Subdivision

### 3. Residential zones submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
<p>Rule 4.2.5.3a Rule 4.3.4.3a Rule 4.4.5.3a</p>	<p>The Medium Density Residential Standards as notified include a landscaping standard, but not a permeable area control. The Operative District Plan (ODP) has a permeable area control which has been rolled over. There is a risk that rolling over the permeable area standard of the ODP may be seen to be an additional density standard that doubles up with the 20% landscaping requirement.</p> <p>The ODP defines permeable surfaces as follows:  <i>“Permeable surface Means any part of a site which is grassed or planted in trees or shrubs and is capable of absorbing water. It does not include impermeable surfaces or any area which:</i></p> <ol style="list-style-type: none"> <li><i>Falls within the definition of site coverage.</i></li> <li><i>Is covered by decks which do not allow water to drain through to a permeable surface.</i></li> <li><i>Is occupied by swimming pools.</i></li> <li><i>Is paved, sealed or formed to create a solid surface.</i></li> <li><i>Is used for vehicle parking, manoeuvring or access.</i></li> </ol> <p><i>Note</i>  <i>A green or living roof may provide a suitable alternative to permeable surfaces requirements but will be assessed on a case by case basis.”</i></p> <p>The on-site stormwater rule introduced into Chapter 25.13 refers to impermeable areas rather than permeable surfaces. Replacing the permeable area standard with an impermeable area standard would better accord with the intent of the standard to manage stormwater runoff, rather than on-site amenity.</p> <p>As defined in the ODP, impermeable surfaces means “surfaces such as roads, roof tops, footpaths, paving, decking which does not allow water to drain through to a surface which can absorb water,</p>	<p>Amend rule 4.2.5.3a as follows:  <del>“Permeable Impermeable surface- Minimum 30% of a site- Maximum 70% of net site area”</del></p> <p>And amend the notes to rule 4.2.5.3a as follows:  <del>“Requirements set out in 4.2.5.3 a can include the area required in 4.2.5.3 d”</del>            “Rainwater tanks with a capacity of &lt; 10,500 litres are exempt from the calculation of <del>permeable</del> <u>impermeable</u> surfaces. (Refer to Chapter 25.13).”</p> <p>Add the following new notes:  <u>“For the purposes of this rule, the definition of impermeable surfaces is amended by excluding swimming pools, living roofs, and porous or permeable paving, and including sealed or compacted metal driveways and car parking areas”</u>  <u>“Further guidance on permeable surfaces can be found in the Three Waters Management Practice Notes”</u></p> <p>Amend rule 4.3.4.3a as follows:  <del>“Permeable Impermeable surface- Minimum 30% of a site- Maximum 70% of net site area”</del></p> <p>And amend the notes to rule 4.3.4.3a as follows:  <del>“Requirements set out in 4.3.4.3 a can include the area required in 4.2.5.3 d”</del>            “Rainwater tanks with a capacity of &lt; 10,500 litres are exempt from the calculation of <del>permeable</del> <u>impermeable</u> surfaces. (Refer to Chapter 25.13).”</p> <p>Add the following new notes:</p>

	<p>swimming pools, patios or highly compacted soil that are not vegetated and do not infiltrate run-off.”</p> <p>Section 80E (2) of the RMA provides for related provisions such as those related to storm water management (including permeability and hydraulic neutrality).</p> <p>The impermeable area standard should be calculated on the basis of net site area (consistent with building coverage standard).</p>	<p><u>“For the purposes of this rule, the definition of impermeable surfaces is amended by excluding swimming pools, living roofs, and porous or permeable paving, and including sealed or compacted metal driveways and car parking areas”</u></p> <p><u>“Further guidance on permeable surfaces can be found in the Three Waters Management Practice Notes”</u></p> <p>Amend rule 4.4.5.3a as follows:  <del>“Permeable Impermeable surface- Minimum 20% of a site</del><u>Maximum 80% of net site area”</u></p> <p>And amend the notes to rule 4.4.5.3a as follows:  <del>“Requirements set out in 4.4.5.3 a can include the area required in 4.2.5.3 d”</del></p> <p>“Rainwater tanks with a capacity of &lt; 10,500 litres are exempt from the calculation of <del>permeable</del> <u>impermeable</u> surfaces. (Refer to Chapter 25.13).”</p> <p>Add the following new notes:  <u>“For the purposes of this rule, the definition of impermeable surfaces is amended by excluding swimming pools, living roofs, and porous or permeable paving, and including sealed or compacted metal driveways and car parking areas”</u>  <u>“Further guidance on permeable surfaces can be found in the Three Waters Management Practice Notes”</u></p>
Rule 4.2.5.8	To ensure Council’s desired urban design outcomes are achieved, where a site will have four or more residential units, the residential unit facing the street should be required to have the front facing the street.	<p>Amend rule 4.2.5.8c to ensure that the front door of the unit facing the street also faces the street.</p> <p>And, assessment criteria B3 and B4 to ensure this is achieved.</p>
Activity Status Table 23.3	Unit-title subdivision is provided for as a restricted discretionary activity as notified. The MDRS require unit-title subdivision to be provided for as a controlled activity.	Amend activity status table 23.2 to provide for unit-title subdivision as a controlled activity.

Rule 23.3v.	This rule refers to compliance with rule 23.7.2b) which states that “the standards in Rule 23.7 shall not apply to the subdivision of land to accommodate a network utility service.” A typographical error was made while drafting this rule and the correct reference is to rule 23.7.2c.	Amend Rule 23.3v as follows: “Fee simple subdivision that complies with Rule <del>23.7.2b)</del> 23.7.2c) within the General, Medium Density and High Density Residential Zones (excluding subdivision provided in xii, xiii and xiv).*”
-------------	---	---

## Historic Heritage

### 4. Historic heritage submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
Activity Status Table 19.3.2 Rule 19.4.2	The activity status table for historic heritage areas and Rule 19.4.2 provides for residential activities that are no longer provided for since the introduction of the medium density residential standards (MDRS). Activity status table 19.3.2 provides for ancillary residential unit and duplexes, and Rule 19.4.2 provides for “single dwellings” and “duplex dwellings”. These activities should align with Chapter 4 which provides for “up to three residential units” and “four or more residential units”	Amend activity status table 19.3.2 and rule 19.4.2 to reflect the MDRS and include the terms “up to three residential units” and “four or more residential units” where appropriate.
Activity Status Table 19.3.2	The activity status table provides for duplexes on rear sites specifically in the Hamilton East and Hayes Paddock HHA, and on front, rear and corner sites in all other HHA’s. The table does not provide for duplexes on rear sites in HHA’s other than the Hamilton East and Hayes Paddock HHA.	Add a new activity status that provides for duplex dwellings on rear sites within HHA’s other than Hamilton East and Hayes Paddock.
Rules 19.4.3 - 19.4.7	The provisions in Chapter 19 are also impacted by Plan Change 9 which is a Schedule 1 process working concurrently with PC12. These provisions will be affected by the outcomes of PC9, and the outcomes of PC9 may not be determined within the same timeframes as PC12.  These standards are subject to change through the PC9 process, depending on submissions received and may need to be further refined.	Review and refine these standards to reflect the submissions received through PC9, and further consequential amendments and technical work on bespoke standards for each HHA.
Rule 19.4.4	The changes to rules 4.2.5.3a, 4.3.4.3a and 4.4.5.3a relating to impermeable surfaces should be carried through to this rule for consistency and efficiency.	Amend to reflect the changes sought in rules 4.2.5.3a, 4.3.4.3a and 4.4.5.3a

Rule 19.4.5a Rule 19.4.7a	<p>The application and monitoring of this rule is unlikely to be effective, efficient or well understood by resource consent applicants and processing planners.</p> <p>In addition, where sites in an HHA adjoin a 6-storey enabled site, the average height could be greater than expected, impacting on the heritage and values of the HHA.</p>	<p>Amend rule 19.4.5a(ii) to provide for a maximum building height of 8m (noting that there might be bespoke standards for each HHA, depending on the outcomes of PC9).</p> <p>Amend rule 19.4.7a to provide for a maximum building setback of 5m in HHAs other than Temple View (noting that there might be bespoke standards for each HHA, depending on the outcomes of PC9).</p>
Rule 19.4.7e	<p>Rule 19.4.7e has been incorrectly transcribed into the table. The setback from the Waikato Riverbank and Gully Hazard Area is 6m and this rule applies city-wide.</p>	<p>Amend rule 19.4.7e to reflect that the setback should be 6m from the edge of the overlay.</p>

## Financial Contributions

### 5. Financial contributions submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
Rule 24.4.2b(iii) Rule 24.4.3b(ii) Appendix 18	<p>Objective 24.3.1 ii includes to require financial contributions in accordance with the Financial Contribution Rules to give effect to Te Ture Whaimana, including requiring betterment.</p> <p>Te Ture Whaimana includes several objectives relating to sites of significance including (emphasis added):  <i>(b) the restoration and protection of the <b>relationships of Waikato-Tainui with the Waikato River</b>, including their economic, social, cultural, and spiritual relationships;</i>  <i>(e) the integrated, holistic, and co-ordinated approach to <b>management of the natural, physical, cultural, and historic resources of the Waikato River</b>; and</i>  <i>(i) the <b>protection and enhancement of significant sites, fisheries, flora, and fauna.</b></i></p> <p>At the time Plan Change 12 was notified accurate information and costs were not available to staff to include the recognition of cultural</p>	<p>Amend Appendix 18 to incorporate the cost of recognising, protecting, enhancing, and commemorating historic resources and sites of significance.</p>

	<p>sites in the notified charges. This has since been developed and rules 24.4.2b(iii) and Rule 24.4.3b(ii) and Appendix 18 need to be updated to reflect this information.</p> <p>The estimated cost of commemorating a single site of significance to mana whenua is \$150,000 and it is expected that one cultural site per year will be appropriately recognised. This results in a contribution of \$55.96 per standard dwelling.</p>	
<p>Rule 24.4.2 Residential Development</p> <p>a. ii) Residential amenity B.</p>	<p>While the provisions as notified provide for upgrades to existing parks and open spaces that provide access to the river, gullies, lakes and stream, provision has not yet been made to provide for Council’s ability to provide <u>new</u> parks. Parks and open space are an important service and amenity for communities to enjoy where they live and provide space for leisure, recreation and to be amongst the natural environment.</p> <p>Council staff have identified gaps within the existing built environment where residential development does not have access to a park within a 500m walk. As the urban environment becomes denser, the demand for parks and open space will also grow and the ability to provide new parks must be provided for.</p> <p>Council suggests that a financial contribution could also be used to fund the acquisition of land for the purposes of establishing new parks and for their maintenance.</p> <p>The notified policy framework of Chapter 24, General Purpose 24.2.1 already seeks to recover from developers a contribution in the form of money, or land, or a contribution of both money and land, which:</p> <p>a. Avoids, remedies or mitigates adverse effects of the proposed activity on the environment including but not limited to, effects associated with:</p>	<p>Amend the policy framework of Chapter 24 and Appendix 18 so that it is clear that the Plan can require a financial contribution for the purposes of acquiring land for new parks and the maintenance of parks.</p> <p>Amend Policy 24.4.2 Residential Development</p> <p>a. ii) Residential amenity</p> <p>B. These costs will include:</p> <ul style="list-style-type: none"> <li>• Where public open spaces can be improved <u>and or the identification of additional land for new parks is justified</u>, the cost of land acquisition and development</li> </ul> <p>Amend Appendix 18 to refer to <u>residential amenity including streetscape</u>.</p> <p>No current formula for parks and this would need to be added.</p>



	iv., Parks, reserves open spaces network enhancement/ improvement – <i>which is distinct from streetscape amenity improvements identified in v.</i>	
General Rules	<p>The operative provisions enable Council to utilise its discretion when applying the rules. This should be carried through to the proposed rules so that flexibility in terms of the amount of contribution required is provided in the Plan.</p> <p>Chapter 24 could be clearer in articulating its application to greenfield development areas. It is good standard practise that greenfield subdivisions comprehensively plan and design for new neighbourhoods by providing three waters and roading infrastructure, as well as neighbourhood features that provide a level of amenity and open space. In addition, greenfield developments generally have high development contribution fees, and it is not Council’s intention to create barriers to development by imposing unrealistic development fees. To this extent, more thought should be given to how Chapter 24 applies to greenfield development areas.</p>	<p>Include a general rule that enables Council to utilise its discretion when calculating the level of financial contribution required.</p> <p>Include a provision that clearly articulates the application of the financial contribution rules to greenfield development areas.</p>
General	The provisions as notified do not clarify whether the contributions required are inclusive or exclusive of GST. Staff can confirm that the costings and calculations undertaken to determine the level of financial contributions required were exclusive of GST. To provide clarity, efficiency and effectiveness the chapter should be amended to make this clear.	Make amendments to Chapter 24 to clarify that the costs and contributions included in the provisions are GST exclusive.

# Three Waters

## 6. Three waters submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
Rule 25.13.4.5	<p>A number of amendments to Rule 25.13.4.5 are required to clarify the requirements and standards as they relate to residential developments of varying sizes. Smaller dwellings may need a smaller capacity re-use tank to meet on-site stormwater requirements rather than a 3,000L tank.</p> <p>The rule does not clarify whether each unit in a multi-unit development requires its own rain tank or how terraced dwellings should be provided for. The rule also requires some refinement to consider issues with multi-unit arrangements such as plumbing arrangements.</p> <p>The second column of the table under rule 25.13.4.5a refers to “Water sensitive techniques”. This should be “Water Conservation Measures” to align with the name of the rule.</p>	<p>Amend the table in rule 25.13.4.5 to clarify appropriate tank size and the number of tanks required for multi-unit residential developments.</p> <p>Amend the second column heading of table 25.13.4.5a to “<u>Water Sensitive Techniques Conservation Measures</u>”</p>
Rule 25.13.4.6	<p>The rule refers to ‘net density’ across a number of provisions. The wording surrounding ‘net density’ as notified creates uncertainty about its definition and how its applied in the context of this rule.</p>	<p>Amend provisions (1) in Table 25.13.4.6 column A as follows:</p> <ul style="list-style-type: none"> <li>iii. Residential development at an <u>average net density site area of at least</u> 1 unit per 200m<sup>2</sup> located in the General Residential zone, or</li> <li>iv. Residential development at an <u>average net density site area of at least</u> 1 unit per 150m<sup>2</sup> in the Medium Density Residential zone, or</li> <li>v. Residential development in the High-Density Residential zone, <u>or</u></li> <li>vi. Creating a new building for non-residential activities with a gross floor area greater than 300m<sup>2</sup>.</li> </ul>

Policies 25.13.2 and Rules 25.13.4	As notified, there are multiple references to 'water sensitive' techniques/design. Some of these references have been deleted with the intention being to replace this phrase with 'water conservation', and some have been retained. To provide consistency and efficiency "water conservation measures" should be adopted.	Replace the phrase "water sensitive techniques" with "water conservation measures" and include a definition for "water conservation measures" in Appendix 1.1.1.
------------------------------------	--	--

## Transportation

### 7. Transportation submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
Policy 2.2.3b(ii)	To be consistent with Chapter 25.14, this policy should include "micro-mobility"	Amend policy 2.2.3b(ii) as follows: "Prioritising walking, cycling, <u>micro-mobility</u> , and the use of public transport."
Rule 25.14.4.1j(i)	The notified wording, " <i>Any rear lane must: i. Have a minimum legal width of 7m for a two-way rear lane</i> ", is ambiguous. It could imply that one-way rear lanes are acceptable, which is not the case. The intention is that all rear lanes will be two-way.	Amend rule 25.14.4.1j(i) as follows: "j. Any rear lane must: i. Have a minimum legal width of 7m <del>for a two-way rear lane</del> <u>and provide for two-way vehicle movement.</u> "
Rule 25.14.4.2	The operative district plan and notified PC12 have no rules for on-site drop-off car spaces, which are referenced in Table 15-1a of the operative district plan for "e" (Childcare facilities for six or more children) and "ii" (schools). This gap in the plan needs to be remedied to ensure a well-functioning urban area is achieved as residential development throughout the city intensifies.	Amend Rule 25.14.4.2a as follows: "Parking, Loading Spaces, <u>On-site Drop-off Car Spaces</u> , and Manoeuvring Areas Quantity a. Where: • a new building is constructed on previously vacant land, or • a new use establishes on previously vacant land or within a vacant building, or • an existing building is altered in a way that increases the gross floor area, or • an existing use increases in scale (e.g. increased gross floor area), or • the use of land or buildings changes to a use with a higher traffic generation level,  then parking facilities, <u>and on-site drop-off car spaces</u> shall be provided on that site for the increased parking demand in accordance with the

levels set out in Tables 15-1a to 15-1f of Volume 2, Appendix 15-1, as applicable to the zone and activity, with the following exceptions: ...”

And amend Rule 25.14.4.2e as follows:

“e. ~~Parking~~Vehicle parking spaces, loading spaces, on-site drop-off car spaces, and manoeuvring areas shall:

i. Comply with the relevant dimensions, layouts and diagrams (including tracking curves) in Table 15-1h ~~to 15-1ha~~ and Figure 15-1i to Figure 15-1l of Volume 2, Appendix 15-1 and are suitably designed for the vehicles and their occupants.

Alternative means of compliance for the design of parking spaces (including accessible ~~parking car park~~ spaces), loading spaces, on-site drop-off car spaces, and manoeuvring areas is contained within AS/NZS 2890.2: 2002 Off Street Commercial Vehicle Parking and AS/NZS 2890.6: 2009 Off Street Parking for Disabilities and AS/NZS 2890.1:2004 Parking Facilities – Part 1: Off-Street Car-Parking.

i. Be formed and drained with a permanent sealed or paved all weather, dust-free surface in a manner suitable for the type and quantity of vehicles using the site.”

And amend rule 25.14.4.2f as follows:

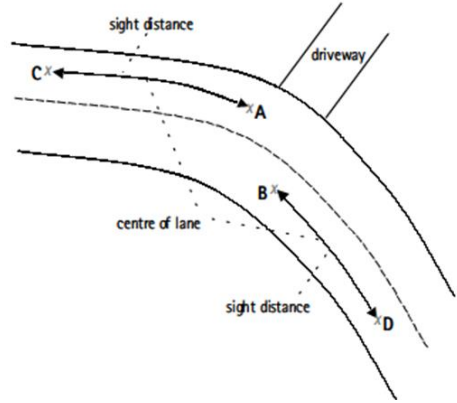
“f. No part of any ~~parking space~~ vehicle, cycle, or micro-mobility parking space, loading space, on-site drop-off car space, or manoeuvring area shall be located on any outdoor living area or service area.”

And amend rule 25.14.4.2h as follows:

“h. All ~~parking space~~ vehicle, cycle, space or micro-mobility parking spaces, loading spaces, on-site drop-off car space, or manoeuvring areas, (excluding those for residential activities), which are used during the hours of darkness shall must be illuminated in accordance with NZS1158.3.1 Lighting of Pedestrian Areas (P11), during the hours of

		<p>operation of the activity that the areas serve <u>and incorporate CPTED principles.</u>"</p> <p>And amend rule 25.14.4.2j as follows:          "j. Vehicles occupying any parking, <u>on-site drop-off car space</u>, or loading space shall <u>always</u> have ready access to a transport corridor <del>at all times</del>, without needing to move any other vehicle occupying other parking or loading spaces."</p> <p>And add a definition for "drop-off car space".</p>
Rule 25.14.4.2c	<p>Plan Change 12 includes a new exemption from the requirement to provide accessible car parks in the Central City Zone and Business 1, 5, 6, and 7 Zones for retail activities within existing buildings where there is no ability to provide customer or staff parking on the site. This exemption should extend to all activities and not be limited to retail activities only, because, in the circumstances described and irrespective of the type of activity within the building, there is no ability to provide customer or staff parking on the site. Without the amendment, the rule would require a resource consent to be obtained for any new or altered non-retail activity that does not achieve the standard, i.e., provision of accessible parks.</p>	<p>Amend Rule 25.14.4.2c as follows:          "c. For non-residential uses:          i. Accessible car park spaces for people with a disability shall be allocated and provided for in accordance with Table 15-1a or Table 15-1d of Volume 2, Appendix 15-1, whichever is the greater number, <u>except in the Central City Zone, Business 1 Zone, Business 5 Zone, Business 6 Zone, and Business 7 Zone no accessible car park spaces are required for retail activities within existing buildings where there is no ability to provide customer or staff parking on the site.</u>"</p>
Rule 25.14.4.2e(i)	<p>The notified Plan Change 12 includes a new figure, 15-1m, which needs to be referenced in Rule 25.14.4.2e(i)</p>	<p>Amend Rule 25.14.4.2e(i) as follows:          "i. Comply with the relevant dimensions, layouts and diagrams (including tracking curves) in Table 15-1h <u>to 15-1ha</u> and Figure 15-1i to Figure <del>15-1j</del> 15-1m of Volume 2, Appendix 15-1 and are suitably designed for the vehicles and their occupants."</p>
Rule 25.14.4.2aa	<p>Childcare facilities for six or more children should be included in the list of activities for which 10% of all cycle parking spaces must be designed to accommodate large cycles. This is because some parents or caregivers may transport their child or children to these facilities using a bike-drawn trailer or large bike.</p>	<p>Amend Rule 25.14.4.2aa as follows:          "aa. For the following activities, 10% of all cycle parking space must be designed to accommodate large cycles:</p> <ul style="list-style-type: none"> <li>• Building improvement centres</li> <li>• <u>Childcare facilities for six or more children</u></li> <li>• Nurseries and garden centres</li> <li>• Places of assembly (libraries only)</li> <li>• Retail activities - Gross floor area greater than 5,000m and all</li> </ul>

		supermarkets. <u>Note: Depending on the layout of the cycle parking spaces, it could be acceptable to use signs or markings to identify the cycle parking space at the end of the row for parking of large cycles.</u>
Rule 25.14.4.2a	The notified version of Plan Change 12 includes the minimum dimensions of gear lockers within the definition of "gear lockers". It would be more efficient for plan users if the dimensions were included in the standard.	Amend Rule 25.14.4.2.ab as follows: "i. At least one gear locker must be provided per cycle or micro-mobility parking space provided for staff. <u>Each locker must be at least 85cm high, 45cm deep and 20cm wide.</u> "  And amend rule 25.14.4.2ac as follows: "i. One gear locker per cycle or micro-mobility parking space must be provided for visitors where required by Table 15-1a in Volume 2, Appendix 15. <u>Each locker must be at least 85cm high, 45cm deep and 20cm wide.</u> "
Rule 25.14.4.3a	An amendment is requested to clarify the intent of rule 25.14.4.3a Travel Plan Requirements.	Amend rule 25.14.4.3a as follows: "a. A Travel Plan must be prepared and implemented where the <del>following</del> trigger thresholds in the following table are exceeded and: i. A new building is constructed on previously vacant land, or ii. A new use establishes on previously vacant land or within a vacant building, or iii. An existing building is altered in a way that increases the gross floor area, or iv. An existing use increases in scale (e.g., increased gross floor area), or v. The use of land or buildings changes to a use with a higher trip generation."
Rule 25.14.2.1	The proposed provisions as notified do not provide for the protection of existing street trees in the objectives and policies for the transport network. The removal of street trees should be avoided where possible to maintain existing canopy cover.	Add the following policy <b>25.14.2.1e</b> <u>Avoid the removal of existing street trees where possible.</u>  or  Amend policy 25.14.2.1b as follows: <b>25.14.2.1b</b> Promote <u>the protection of existing street trees</u> and the establishment and maintenance of a continuous tree canopy along transport corridors

		<p>to improve amenity for corridor users and adjoining land use, minimise the urban heat island effects of urban intensification, enhance biodiversity and ecological function, provide summer shade to make the corridors more comfortable for walking, cycling, and micro-mobility during hotter weather, and store carbon.</p> <p>And amend policy 25.14.2.1l as follows:</p> <p>...</p> <p><u>viii. Avoiding the removal of and damage to existing trees within transport corridors by positioning vehicle crossings and infrastructure a suitable distance from the base of trees.</u></p>
<p>Rule 25.14.4.1</p>	<p>The transport provisions as notified cover off well situations where compliance with the vehicle crossing standards cannot be achieved no matter where the vehicle crossing is located on the frontage. However, there is a gap where there are no standards relating to compliance with sight distances.</p>	<p>Amend rule 25.14.4.1 to ensure that local roads with a posted speed limit of 50km/h or less where compliance with sight distances cannot be achieved as part of any land use activity, that the proposed vehicle crossing shall be located to achieve the maximum sight distance as possible.</p>
<p>Figure 25.14.4.1d</p>	<p>Figure 24.14.4.1 should be updated to be in accordance with guidance from Waka Kotahi. The figure should be renamed to “Lines of Clear Sight” and add a definition.</p>	<p>Amend Figure 25.14.4.1d to the following diagram and rename to “Lines of Clear Sight”:</p> <p><i>Figure 1: Sight distance measurement</i></p>  <p>The diagram illustrates sight distance measurement on a curved road. It shows a road with a driveway on the right side. A dashed line represents the 'centre of lane'. Two solid lines represent the 'sight distance' from a point 'A' on the road to points 'C' and 'D'. Point 'B' is also marked on the road. The diagram shows how the sight distance is affected by the curve of the road and the presence of a driveway.</p> <p>And add a definition for “lines of clear sight”.</p>

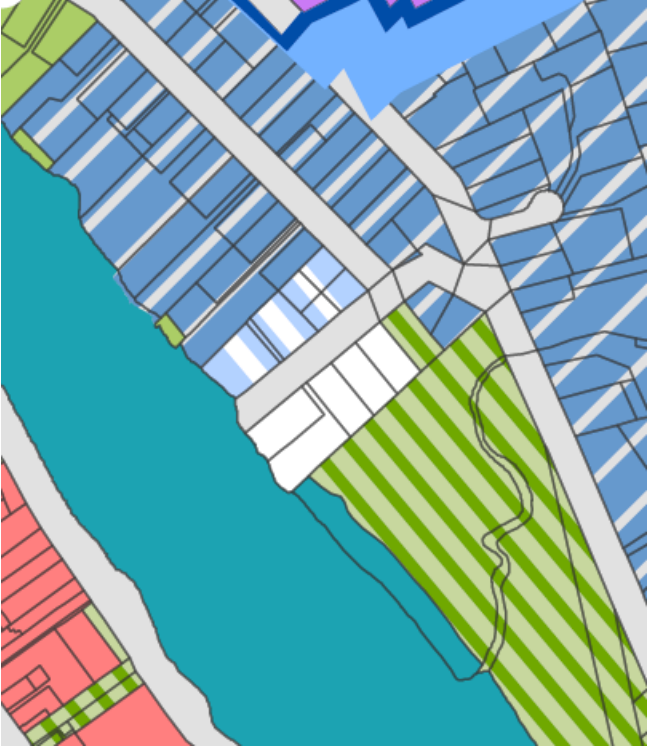
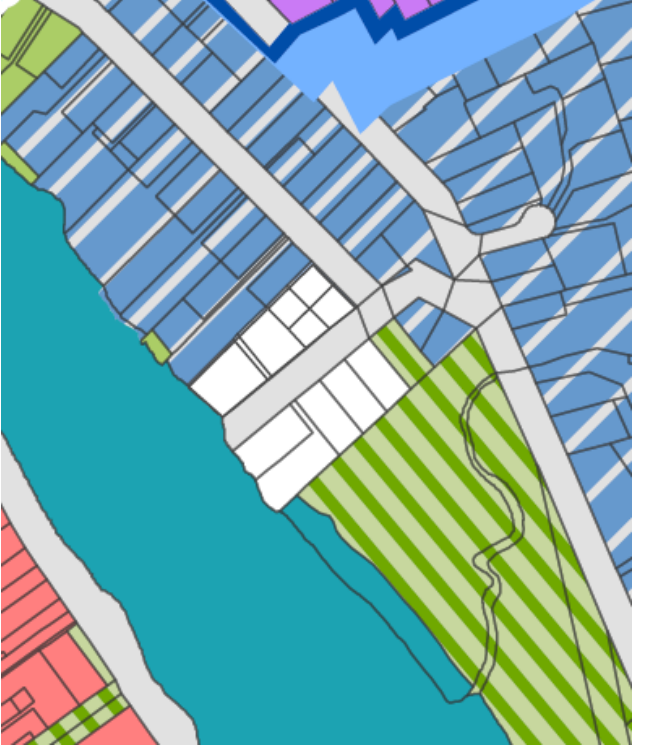
Appendix 15 Table 15-1h	The operative district plan and notified PC12 have no rules for on-site drop-off car spaces, which are referenced in Table 15-1a of the operative district plan for "e" (Childcare facilities for six or more children) and "ii" (schools). This gap in the plan needs to be remedied to ensure a well-functioning urban area is achieved as residential development throughout the city intensifies.	Amend the title of Table 15-1h in Appendix 15 as follows:  "Table 15-1h: Minimum dimensions for on-site parking spaces, <u>on-site drop-off car spaces</u> , and manoeuvring areas"
Appendix 15 Table 15-2a Simple ITA checklist, e. Design Statement	The design statement needs to include consideration of charging for electric vehicles.	Amend the design statement requirements for a simple ITA as notified as follows: "Developments triggering an ITA (i.e., those generating more than 500vpd or approximately 50 residential units or providing a new transport corridor) will be required to prepare a Design Statement that provides specific consideration and assessment of matters including: • How walking, cycling, micro-mobility use, and public transport will be prioritised including assessment of block layouts, contribution to neighbourhood permeability, design speed, point-to-point walking distances, frequency of vehicle crossings, and provision of on-street parking; • Rubbish, recycling, and food scraps collections; • How off-street parking, <u>including charging for electric vehicles</u> , is to be provided; and • How on- and off-street parking is to be designed to create a safe environment."
Table 15-2b Broad ITA checklist, e. Design Statement	The design statement needs to include consideration of charging for electric vehicles.	Amend the design statement requirements for a broad ITA as notified as follows: "Developments triggering an ITA (i.e., those generating more than 500vpd or approximately 50 residential units or providing a new transport corridor) will be required to prepare a Design Statement that provides specific consideration and assessment of matters including: • How walking, cycling, micro-mobility use, and public transport will be prioritised including assessment of block layouts, contribution to neighbourhood permeability, design speed, point-to-point walking distances, frequency of vehicle crossings, and provision of on-street parking; • Rubbish, recycling, and food scraps collections; • How off-street parking, <u>including charging for electric vehicles</u> , is to be



		provided; and • How on- and off-street parking is to be designed to create a safe environment.”
--	--	--

# Planning Maps

## 8. Planning maps submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
<p>Residential zones – Riro Street</p>	<p>Riro Street has a proposed Historic Heritage Area (HHA) overlain through Plan Change 9. Plan Change 12 has erroneously notified general residential zoning on the southern side of Riro Street and medium density residential zoning on the northern side.</p> <p>To ensure that the provisions of the HHA can be applied effectively and as they are intended, the medium density residential zoning should be amended to general residential zoning.</p> 	<p><b>Relief Sought:</b></p> <p>Amend the planning maps so that the medium density residential zone within the HHA over Riro Street is changed to general residential zoning.</p> 

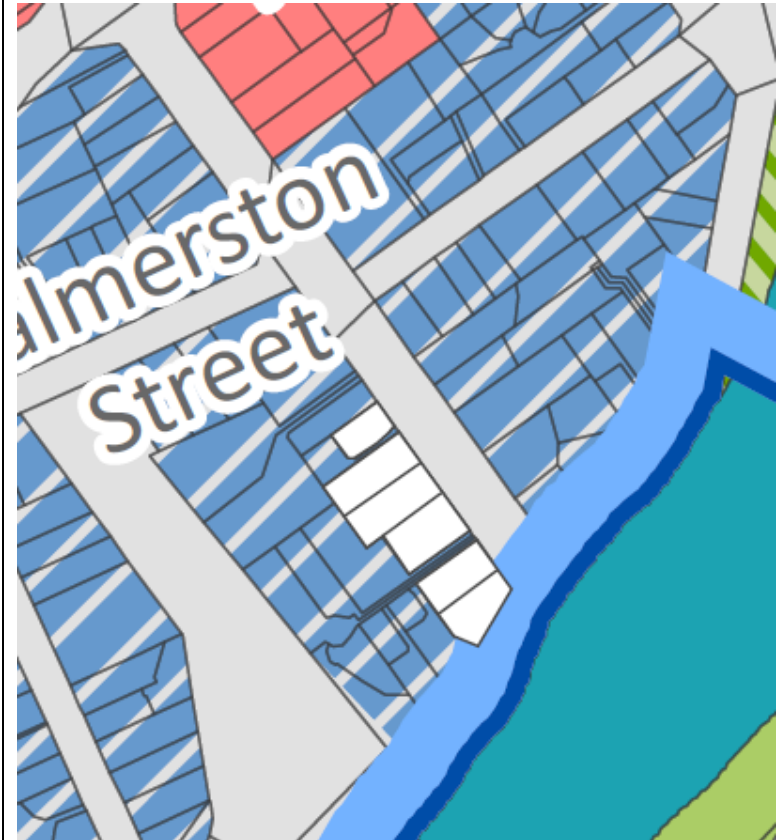
Residential zones – Anglesea Street

Anglesea Street has a proposed Historic Heritage Area (HHA) overlain through Plan Change 9. Plan Change 12 has erroneously notified high density residential zoning throughout this area.

To ensure that the provisions of the HHA can be applied effectively and as they are intended, the high density residential zoning should be amended to general residential zoning.

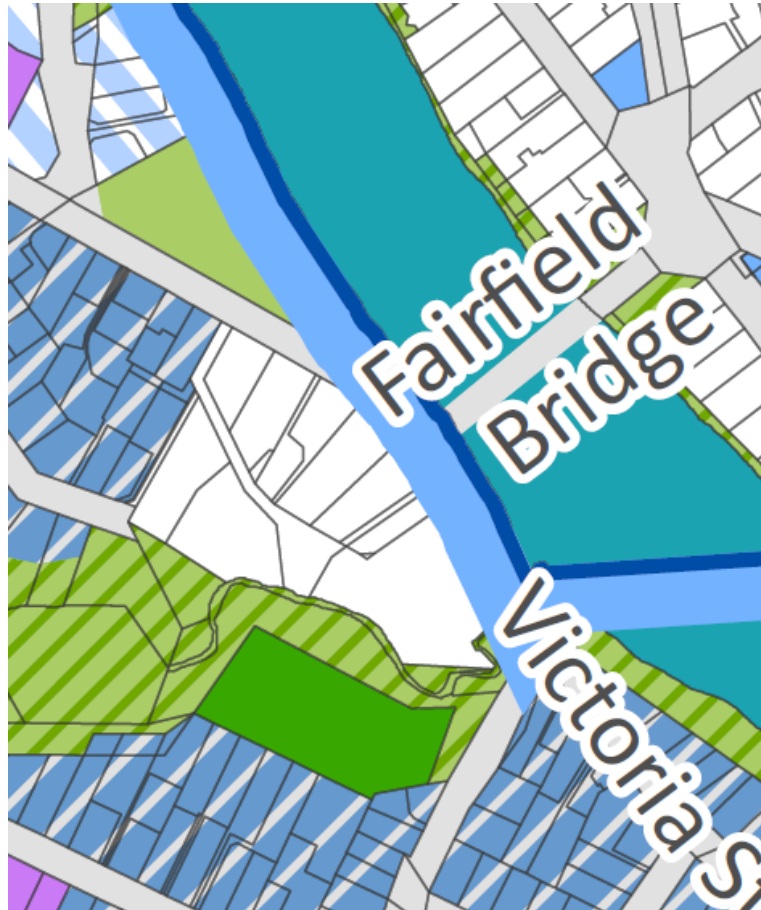


Amend the planning maps so that the high density residential zone within the HHA over Anglesea Street is changed to general residential zoning.

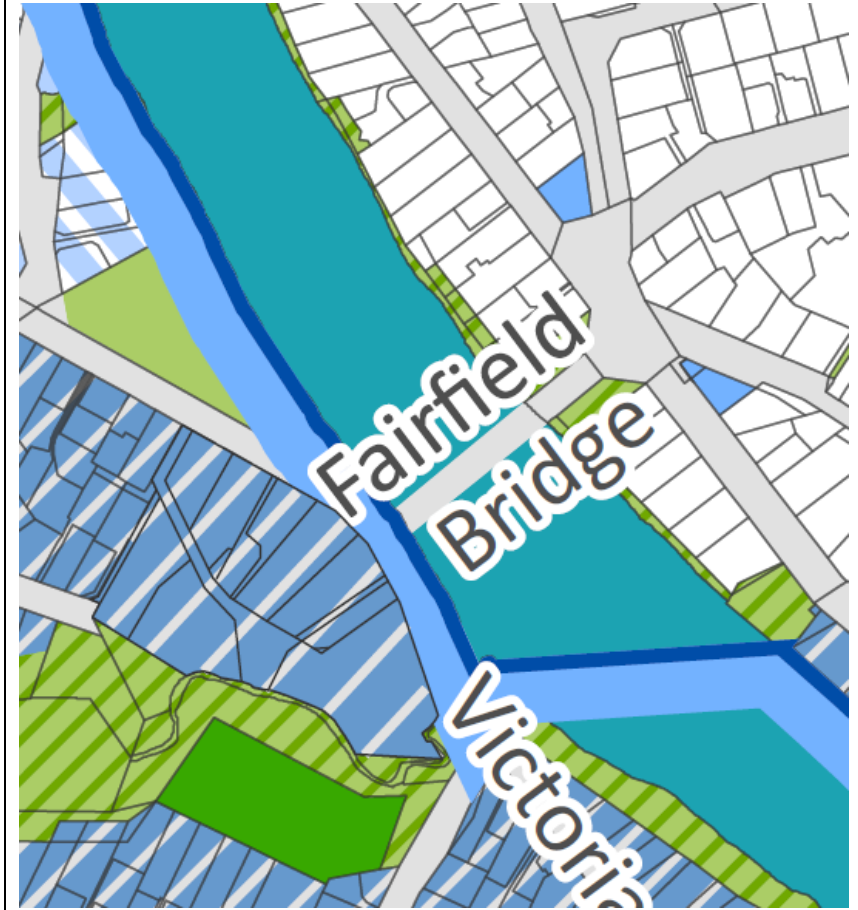


Residential zones – Parts of Victoria Street and Kotahi Ave

Plan Change 12 has erroneously notified the residential area on Victoria Street and Kotahi Avenue as general residential rather than high density residential zone. The area contains some built heritage items, an archaeological site, flood hazard and significant natural area. Nonetheless, supporting documentation to the plan change recommends that this area should be zoned high density residential.



Amend the general residential zone of the Victoria Street and Kotahi Avenue area to high density residential zoning.



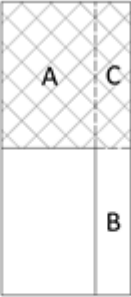
Residential zones – 362 River Road and 1 Oakley Avenue	<p>362 River Road and 1 Oakley Avenue are both partially affected by the Claudelands Historic Heritage Area (HHA). The driveway to 362 River Road and an access leg to 1 Oakley Avenue are located within the HHA as notified through Plan Change 9.</p> <p>As notified, Plan Change 12 has zoned the driveway and access leg as general residential where they overlap with the HHA and high density residential for the remainder of the property. To ensure that the provisions of the HHA can be applied effectively and as they are intended, the residential zoning should follow the boundaries of the HHA.</p>	<p>Amend the planning maps so that the driveway to 362 River Road and the access leg to 1 Oakley Avenue are zoned high density residential zone.</p> <p><i>(driveway map image edits too fine for display in submission)</i></p>
--	--	--

## Definitions

### 9. Definitions submission points, reasons and relief sought:

Provision	Commentary and Reasons	Relief Sought:
Key Public Transport Interchange	<p>The definition of Key Public Transport Interchange refers to Major Public Transport Interchange and Primary Public Transport Interchange but these are not defined.</p> <p>The definition refers to 'public transport service that operates at a frequency of no less than one service per 15 minutes' but does not specify the times of day that this service level should be met.</p>	<p>Include additional definitions of Major Public Transport Interchange and Primary Public Transport Interchange.</p> <p>Amend the definition to include the times of day the public transport service is required to meet the level of service to meet the definition.</p>
Passenger Transport Facility  And  Public Transport Facility	<p>Plan Change 12 uses the term "public transport facility", whereas the Operative District Plan uses the term "passenger transport facility". To avoid confusion, the definitions of these terms need to be the same.</p>	<p>Amend the definition of passenger transport facility as follows:  "Means land and buildings, used for scheduled passenger transport services. This may include bus bays, taxi ranks, drop-off and pick-up points, cycle parking, shelters, waiting rooms, ticket office, information centre, luggage lockers, public toilets, showers, changing rooms, <u>Key Public Transport Interchanges</u>, and ancillary activities."</p> <p>And amend the definition of public transport facility as follows:  "Means land and buildings, used for scheduled passenger transport services. This may include bus bays, taxi ranks, drop-off <u>and pick-up</u></p>

		points, cycle parking, shelters, waiting rooms, ticket office, information centre, luggage lockers, public toilets, showers, changing rooms, Key Public Transport Interchanges, and ancillary activities.”
Electric vehicle charging point	The definition references "Mode 2" and "Mode 3" electric vehicle chargers as defined in NZPAS 6011:2021, which is a publicly available specification entitled "Electric vehicle (EV) chargers for residential use". To provide clarity, additional text is needed to explain Mode 2 and Mode 3. Also, to make it easy for plan users to access this standard, Council seeks for a note to be added below the definition that includes a link to the standard.	Amend the definition of 'electric vehicle charging point' as follows: <u>“Means either a Mode 2 or Mode 3 electric vehicle charger as defined in NZS PAS 6011:2021. For Mode 2, the electric vehicle on-board charger is simply provided with Alternating Current power via an in-cable control and protection device, which is plugged into any single-phase, non-dedicated circuit socket outlet. Mode 3 uses single- or three-phase power, via a fixed and dedicated circuit or socket outlet and the electronics' on/off control function simply moves into a wall-mounted dedicated box.</u> <b>Note</b> <u>1. An electric vehicle charging point excludes the charging cable that connects between a residential unit’s electrical outlet and the electric vehicle. The owner or driver of the electric vehicle is expected to provide this.</u> <u>2. NZS PAS 6011:2021 is available for download at <a href="https://www.standards.govt.nz/shop/snz-pas-60112021/">https://www.standards.govt.nz/shop/snz-pas-60112021/</a>”</u>
Definitions relating to net site area	The ODP contains three definitions relating to net site area – “average net site area”, “net site area” and “net site area for duplex dwellings in the Residential Intensification Zone”. Amendments to these definitions are sought to improve the clarity and applicability of the definitions and improve the efficiency and effectiveness of the district plan.	Amend the definition of “Average Net Site Area” as follows: <u>Average Net Site Area: means the area of the site, including any internal vehicle access or private way, but excluding any entrance strip or private way to a rear site from any transport corridor, divided by the number of residential units.</u>

		 <p style="text-align: center;">Transport Corridor</p> <p>(A + C) ÷ number of units = Average Net Site Area  B = Entrance strip or private way  C = Internal vehicle access or private way</p>	
Water Conservation Measures		And delete the definitions “Net Site Area” and “Net Site Area for Duplex Dwellings in the Residential Intensification Zone”.	

## Further Information and Hearings

10. Should others make a similar submission, Hamilton City Council will not consider presenting a joint case.
11. Should Hamilton City Council require clarification of the points outlined in this submission, or additional information, please contact **Mark Davey** (City Planning Unit Manager) on 838 6995 or email [mark.davey@hcc.govt.nz](mailto:mark.davey@hcc.govt.nz) in the first instance.
12. Hamilton City Council representatives **do wish to speak** at the hearings in support of this submission.

Yours faithfully



**Lance Vervoort**  
**CHIEF EXECUTIVE**



Hamilton City Council  
Garden Place, Private Bag 3010, Hamilton

 /HamiltonCityCouncil

 @hamiltoncitycouncil

 07 838 6699

**hamilton.govt.nz**