27th November 2008

Appendix A:

Rule Section 9.0

ROTOKAURI STRUCTURE PLAN 2007

Rule Statement

The Rotokauri area was brought into the City in 1989 to provide part of a larger land bank to facilitate city expansion. The Hamilton Urban Growth Strategy (1991) identified Structure Plans as the tool to be used to determine the development potential of the City's growth areas. The Rotokauri Structure Plan provides a resource management framework to guide future use and development within the Rotokauri growth area.

Development of the Structure Plan has been guided by the following Vision:

> "The sustainable expansion of the City into Rotokauri, through a coherent, integrated and people focused mixed use development based on best practice urban design principles."

The Structure Plan consists of:

- ***A*** *Structure Plan Statement* ***that describes the*** *context* ***and*** *guiding principles****, the*** *specific proposals****, the*** *zoning provisions* ***and their associated controls with an amplification and explanation of how these controls should be applied. Illustrations are provided of proposed*** *roading designs* ***for particular environments.***
- ***A*** *Structure Plan Map* ***indicating the eventual pattern of development within Rotokauri.***
- ***Individual*** *Structure Plan Maps* ***indicating:***
  - ***The nature and extent of the proposed transportation hierarchy intended to serve Rotokauri.***
  - ***The extent and nature of the proposed reserve and open space network intended to serve Rotokauri.***
  - ***The extent of land to be released in Stage 1.***
- ***A*** *Concept Plan illustrating the relationship between land uses within the first of two proposed ~~that will fulfill the role of a~~ Neighbourhood Centres. ~~to serve Stage 1.~~*
- ***Consequential changes to reflect this are shown on*** *Planning Maps 5, 6, 9 and 10* ***indicating zoning provisions and Environmental Protection Overlays***
- ***Replacement*** *Planning Map 19* ***indicating a revised road hierarchy consequential upon the land releases in Rotokauri.***

All of these elements must be read and interpreted together to give full understanding and effect to Council's vision for the sustainable management of the natural and physical resources of Rotokauri.

1.1 STRUCTURE PLAN STATEMENT

Strategic Overview

In summary, the Structure Plan provides for the following:

1. An area based, strategic context for urban growth in Rotokauri over the next 20-30 years;

2. Infrastructure provision and proposals for community facilities to support and serve a population of between 16,000-20,000 people, and for population base of 3,000 residents during the first ten years;
3. The establishment of a 280 hectare expansion of the City's industrial land supply as an extension of the City's western industrial corridor, with 70 hectares being immediately zoned for this purpose;
4. Employment areas that are accessible to a wider regional catchment based around direct access from the SH1 interchange to the Waikato Expressway, connections to the North Island Main Trunk Railway, and strong east-west arterial roading connections to the eastern suburbs of Hamilton;
5. A comprehensive approach to the staged development of a Neighbourhood Centre in Stage 1 that will act as the principal community focal point based around a suburban shopping centre.
6. Choice and variety in its residential neighbourhoods through four distinct residential environments based on enhanced design controls for:
    - Lake Waiwhakereke Landscape Character Area, which seeks to retain existing landform and create a strong relationship between residences, the lake and to the Heritage Park;
    - The Ridgeline Character Area, which seeks to retain legibility of these locally important landforms in a suburban context;
    - High Density and High Density Interface Areas, for localities within walking distance of the suburban centre; and
    - Generally, residential development that fronts public spaces being oriented to these spaces, with low fencing and visible entrances aimed at achieving improved security and public surveillance of these spaces.
7. The recognition and protection of locally important landscapes, natural features, and historically important cultural values.
8. A reduced need to travel by providing for local needs to be met largely within Rotokauri.
9. A transportation network and hierarchy that serves long term sub-regional growth and supports a variety of travel modes
10. The promotion of community well being, health and recreation through provision of a network of open spaces, active reserves, footpath links and cycleways.
11. The promotion of public safety by design principles and controls that focus on people and public places.
12. The provision of opportunity for the market to develop creative and innovative design solutions.
13. The coordination of development with the availability of new infrastructure and network capacity.

Context

City growth, infrastructure provision and proposals for community facilities all assume an eventual population of between 16,000-20,000 people in Rotokauri, and a population base of around 3,000 within the first 10 years of development.

Guiding Principles

The following Guiding Principles are aimed at meeting the Structure Plan Vision:

Guiding Principle 1 Meeting Local Need

Providing for local needs within the area is critical to ensuring that Rotokauri develops as a viable and sustainable community and does not place unnecessary pressure on the transport network to access facilities elsewhere. Proposals for a new Neighbourhood Centre to serve Stage 1 are a key element in this strategy. Based upon a suburban shopping facility, they provide for a range of activities but are subject to controls to ensure that they provide for a staged development with a distinct focus on people

and the public realm and are not seen simply as a development opportunity to meet needs arising elsewhere. Ensuring public safety and convenience in the use of public places is a key focus of the Plan.

Guiding Principle 2 Community Facilities

Community facilities will take time to establish but need to be anticipated at an early stage. The Neighbourhood Centre identifies suitable opportunities to accommodate the needs of the new industrial and residential community as well as improving services to existing catchment populations such as the Wintec campus. Education provision is a critical component in achieving sustainable City growth. Proposals for schools recognise their critical need for convenient access from the road network and their proximity to sports parks. They are sited where these aspects can be combined with providing support for other community facilities taking into account landscape features. The distribution of new reserves reflects an intention to provide facilities to all parts of Rotokauri. Where possible these facilities relate to existing landscape features but, in terms of sports parks, they need to take account also of the extent and orientation of flat land to enable the establishment of suitable playing surfaces.

Guiding Principle 3 Employment

Projections of the City's need for industrial land range between 170ha and 300ha over a 10 year period. Rotokauri forms part of the City's industrial western corridor and could contribute up to 280 ha of that requirement. However, its accessibility to a wide regional catchment via existing and proposed arterial road links make it equally attractive for non industrial uses. Controls are necessary to protect the employment potential of this land supply for industrial purposes. The location of employment opportunities close to a residential community increases accessibility from a potential labour supply and reduces travel distances but also necessitates controls at the interface of these activities to ensure that they do not undermine residential amenity values.

Guiding Principle 4 Landscape and Urban Form

The Rotokauri area consists of a contrasting landscape of flat land edged by small but prominent hills and ridgelines. The contrast accentuates the significance of the ridgelines in terms of their contribution to local character and identity. The relationship of the elevated areas to the flat land containing Lake Waiwhakereke is particularly strong and provides a distinct setting within which Council is already developing a Heritage Park. The flat land is currently crossed with numerous agricultural drains, few of which exhibit any aesthetic value but they do hold some significance in terms of local fish populations. The extent of artificial drainage is indicative of a high water table throughout the lower lying areas which will need careful and comprehensive management through the urbanisation process. The structure of the proposed urban area therefore relates strongly to a proposed central Green Corridor that will function as the principal stormwater drainage channel and have value as a recreational and transportation corridor connecting a wider network of open spaces and natural features. Controls on development are necessary to ensure that new development reinforces these landscape characteristics and features.

Guiding Principle 5 Connectivity

Functionality within Rotokauri depends on the development of a new transportation network based upon both roading and off-road options. A key focus is on ensuring the ability of the entire Rotokauri area to be fully integrated with the City’s public transport system and to safeguard longer term opportunities to

enhance this system as the City expands. Roading options provide for an extension of the City's arterial road network and its integration with the wider regional and national network. At the local level collector and local streets provide connectivity between all principal development areas and have been sited to provide definition to existing or proposed landscape elements and features. Off road options provide opportunities for pedestrian and cycle connections to make use of the stormwater corridors to connect residential neighbourhoods and the open space network. Through subdivision, additional pedestrian and cycle connections will be made that will improve connectivity between the higher ground and the flat land that might otherwise be difficult to achieve through roading construction.

Guiding Principle 6 Staged Infrastructure Provision

Development of the Rotokauri area requires major new infrastructure services and arterial roading. Provision has been made for this through Council's Long Term Council and Community Plan and through the programmes of other agencies such as Transit New Zealand. Controls on the release of land are necessary to ensure that development can be adequately serviced and will not have an adverse effect on network services and capacity servicing the remainder of the City.

Specific Proposals

The specific land use proposals consist of:

- 2 Neighbourhood Centres
- 3 school sites
- A reserves network
- A transportation network
- A public transport facility

Neighbourhood Centres

Analysis of the shopping needs of the future population indicate a need for two modest sized retail facilities situated where they can serve both the residential neighbourhoods and employment areas. The southernmost facility, situated to serve Stage 1, benefits from an existing day time population on the Wintec campus and is close to a key east-west arterial connection on the City's road network. As such it is anticipated that the retail component of this should be planned to expand from an initial 2ha to an eventual 6ha. Complementing and supporting this would be additional facilities provided ~~either~~ through direct Council investment, such as in the establishment of adjacent arterial roading, the Green Corridor and proposed reserve, and ~~or~~ by other providers using the flexibility afforded by the general zoning provisions for adjoining land. Arterial roading will be a key feature in providing accessibility and convenience of the Neighbourhood Centre to its catchment population as well as defining the edges to the respective stages of development. Whilst the required corridors would be established early in the development process it is unlikely that the roads would be constructed to their full arterial 4-lane standard from the outset as traffic volumes are likely to remain low for some period of time. The likelihood is that the corridors will initially be constructed to a 2 lane standard, thus providing opportunities for the residual land to be landscaped or otherwise managed as an interim measure to ensure that it makes a useful and attractive contribution to the development of activities around it that will form the Neighbourhood Centre.

The Concept Plan set out as part of this Structure Plan illustrates the relationship between the key land use components that, together, will provide a distinct and vibrant community focal point. The proposed Green Corridor provides convenient access by way of cycle and pedestrian routes into both the residential and employment areas, as an alternative to road connections. Surplus land within the Wintec campus provides the opportunity to locate community and health facilities and visitor accommodation where it can serve the needs of both Wintec and the growing residential and employment population. Zoning of the adjoining employment land, and its access onto the arterial roading network, would enable the establishment of a site for emergency services, although early indications are that a site for a fire station may well be better located within the general industrial area to the east of the Te Rapa Bypass where it would have easier access to the Te Rapa industrial corridor.

The second Neighbourhood Centre is similarly to be situated on an east-west arterial road axis at the interface of the residential and employment areas. In this location it benefits from being situated on a key public transport corridor and has surrounding flat land that can accommodate a wide range of activities. The detailed nature of this centre and its relationship to adjoining uses will need to be determined at the time of preparing the next stage of land release to ensure that it is responsive to the emerging development pattern and is complementary in function to the centre planned in Stage 1. A second Concept Plan will be prepared for this centre as part of any Variation to rezone additional land.

School Sites

Schools provision will be made in response to a growing local catchment population. The completion of Stage 1 will likely generate a need for a new Primary school and a site has been identified where it can meet this need in an accessible and convenient location. Longer term a second Primary school will be needed to meet the needs of the northern part of Rotokauri. The second Neighbourhood Centre will provide a focal point that will help to determine the local road network and thereby assist in the determination of a suitable site for a new school.

Secondary schooling serves a wider catchment area and a new school is likely to be needed to serve the eventual population. Accessibility to the catchment area is a critical requirement and therefore a position at the hub of the roading network is ideal. To reduce reliance on car travel the location also needs to be well connected by opportunities for walking and cycling and public transport. The identified site meets these locational criteria and relates well to the growth of the southern Neighbourhood Centre.

It is anticipated that the Ministry of Education will use the designation process to determine precise site boundaries and to fix the location of school buildings.

Reserves Network

The reserve network responds to opportunities created by existing natural features and seeks to develop and connect these through recreational corridors and new provision within the residential neighbourhoods themselves. Controls at the subdivision stage are intended to enhance this network through the provision of additional public space and pedestrian and cycle connections. As well as helping to define local character, the reserves network and its design aims to provide opportunities for physical recreation and active travel modes in a safe environment, promoting community well being, health and reducing levels of traffic congestion.

The Rotokauri reserves network comprises:

- Waiwhakareke Natural Heritage Park – This park will re-create a range of eco-systems characteristic of the Waikato before human intervention. It will be of city wide significance accommodating habitat creation, research, and providing for public access to a natural environment. It will contribute to the character and amenity of the area and complement the activities at the adjacent Hamilton Zoo. The majority of the Park is subject to specific zoning proposals affecting land in Council ownership. Opportunities will be taken to soften the Park's lineal edges by incorporating additional land to be secured through the subdivision consent process.
- Sports parks – These are required to provide for formal active recreation at a level to meet the current standard of provision within the city. Each will provide sports fields suitable for senior grade play, junior fields and training areas, and an area that serves a Neighbourhood Park function. Whilst they will primarily serve the local population, they will also form part of the city wide network of sporting facilities. They are located so as to be accessible to their catchment and contribute to the legibility and amenity of the area. It is anticipated that Council will use the designation process to determine precise boundaries to proposed sports parks.
- Neighbourhood reserves – These provide a range of informal recreation facilities, including children's play areas and will be required as part of the subdivision and establishment of residential neighbourhoods. As such they are not indicated specifically on the Structure Plan map. Neighbourhood reserves complement the range of facilities provided by the Sports Parks and provide a smaller scale focal point for the local community. They serve a catchment area of approximately 500m radius and have a role as a local amenity for passive recreation such as view points. Where possible controls over subdivision will aim to ensure that they incorporate existing natural features.
- Neighbourhood Centre Green – This will provide one of the key community focal points and a distinctive landmark for the Neighbourhood Centre. It will provide for a range of informal leisure and recreational activities and provide the commercial centre and the high density residential areas around it with access to amenity open space. It is anticipated that Council will use the designation process to determine precise boundaries to this reserve, which will be influenced by the detailed positioning and form of the adjacent minor arterial road.

Connectivity between these recreational nodes will be provided by a network that will also serve as stormwater drainage routes. These reserves and corridors will include amenity planting and walking and cycling routes that will offer a high level of amenity value. The central green corridor, based on the general alignment of the existing main drain will be a major feature within the Rotokauri environment, with an average width of 50m. Modification of this watercourse, and the watercourses draining to it, will be necessary to establish improved aesthetic and ecological values. A Catchment Management Plan for Rotokauri will provide a strategic approach to stormwater management throughout the area to ensure that individual stormwater discharge proposals will not adversely affect the ecological values of the receiving water courses and lakes. It is anticipated that Council will use the designation process to determine the land requirements for the Green Corridor and its associated recreational infrastructure. Regardless, Council will ensure that individual landowners/businesses affected by the proposed green corridors will be consulted on the impacts so their individual interests can be considered.

Transportation Network

The Transportation Network provides for the efficient, effective and safe movement of people and traffic in a way that offers transport choice, provides good passenger transport options, promotes walking and

cycling, reduces travel barriers and enhances land use potential. It is based on a hierarchy at the top of which are State Highways and the rail corridor providing for high volume inter-regional traffic and freight movements.

Beneath this, arterial roading is designed to cater for high volume traffic and provides the key connections with the wider city and regional network, including the proposed Te Rapa Bypass. Their alignment, connectivity and access controls are determined by expectations of their strategic performance but in key locations, such as in the vicinity of the proposed Neighbourhood Centres or at intersections, their design and management will also recognise the need to respond to adjacent land use activity and prioritise pedestrian movement and public transport services. Development of the arterial network is likely to be staged, reflecting the growth in traffic volumes as development occurs. In this regard, whilst the necessary roading corridors will be secured at the outset, the design and construction of roads within them will be timed to coincide with demand and, until required, roading corridors will be managed to ensure that they contribute to amenity values in the surrounding area.

The proposed arterial roads anticipate there being a northern connection to the Te Rapa Bypass to the north of Ruffell Road, providing the opportunity for an east/west link across the river to Rototuna. Further south a realignment of Te Kowhai Road provides a key connection between the residential and employment areas and through to Te Rapa. A realignment of Gilchrist Street provides a further arterial connection between Rotokauri and the east of the river via Avalon Drive and Wairere Drive. It is anticipated that Council will use the designation process to determine the precise alignment and design of new arterial corridors. Illustrations of the possible road cross-sections in the vicinity of the suburban centre are provided in Figures 1 and 2.

Collector streets are designed to collect traffic from local streets for distribution onto the arterial network. Some flexibility is afforded in their alignment but as they have a key role in providing for bus route services, directness will be an important design element to ensure their convenience for bus services. Where possible, use is made of the existing ridgeline roads as future collectors as they provide good connectivity within the area and will help to define local neighbourhoods.

A north-south Collector street through the Residential zone will link the new neighbourhoods and give access to key commercial and community nodes. This will be designed to accommodate stormwater swales on the lower lying areas and significant landscaping to help legibility and make a positive contribution to the amenity value of public space. An illustration of the possible cross-section for this street is provided in Figure 3.

A north-south Collector street through the centre of the Industrial zone will provide access and connectivity from this area to the arterial network and a Collector street connection through the Te Rapa Bypass embankment will help to link industrial activities together on either side of the Bypass and provide a direct link to the Neighbourhood Centre.

Outside of the Rotokauri development area the Structure Plan proposes additional collector street connections to facilitate an integrated network, a higher degree of connectivity and increased opportunities for public transport. An indicative alignment for Collector Streets is shown on the Structure Plan map.

Collector streets are the responsibility of developers to provide, usually at the time of subdivision or major development and details on their specification and performance standards are set out in Council's Development Manual.

Local streets will form an interconnected series of finer grain streets giving direct property access. These are an important part of the public realm and have a significant role in achieving urban design outcomes through their alignment and scope to achieve active frontages. Local streets are provided by developers and are subject to specifications and performance standards set out in Council's Development Manual. Alongside the Green Corridor however, there will be a need for consistency in the edge treatment of this important structural element. As such a design solution for this interface is provided in Figure 4.

The entirety of the roading network will support public transport services, cycle and pedestrian facilities. Although the population base needed to support comprehensive public transport services will take time to develop, Council intends that new infrastructure provision will be designed to support such services from the outset of development.

Public Transport Facility

The prospect of a passenger rail facility exists adjacent to Tasman Road. Whilst unlikely to be needed as a result of the Stage 1 land release, wider and longer term City growth suggests that the opportunity to secure a rail connection should not be foreclosed. In the short to medium term the location provides an opportunity to establish a bus based facility on the road corridor, in the heart of the Industrial zone, providing for Tasman Road to be closed to through traffic and reinforcing the transport hierarchy by directing such traffic to the higher order roads.

It is anticipated that Council will use the designation process, and associated road closure process to secure the land needed to establish this facility.

Zoning Provisions

Residential

The Structure Plan introduces a Rotokauri Residential Zone (Rule 4.1A) which recognises and defines four distinct residential environments:

- A General residential area being essentially the lower lying areas;
- A Lake Waiwhakareke Landscape Character Area
- A Ridgeline Character Area
- A High Density Area based on a walking distance from the suburban centre.

Throughout Rotokauri, and including the **General** residential area, the Plan introduces provisions intended to ensure that all new residential development achieves more positive relationships with the public realm by requiring buildings to properly front onto public spaces (these include roads, parks and drainage corridors) and avoid the development of structures within the front yard setback that would prevent intervisibility between public and private space.

The **Lake Waiwhakareke Landscape Character Area** represents a distinctive landscape unit with strong visual, heritage, cultural and ecological associations with the Lake. The Lake itself is the focal point of an initiative to establish a Natural Heritage Park with connections to the Hamilton Zoo in the west and the proposed Green Corridor in the east.

Controls have been developed to ensure that development of the neighbouring residential area complements this public park through the orientation of buildings towards it, maximizing lot yield along

the Park edge and ensuring that the form of development along this edge enhances public safety for users through passive surveillance. Subdivisional controls will ensure that there is little modification of the landform through earthworks and that roads are provided along the Park edge to give an active frontage to the Park and a slow speed environment. The possible cross-section of this road is indicated in Figure 5. Within the development area itself, existing features such as drains, springs, ponds and vegetation provide the opportunity to establish a strong sense of local identity and linkage with the Park through management measures that would connect them to the Park's ecological systems.

The Lake Waiwhakareke Landscape Character Area derives its character from the combination of natural, cultural and recreational values present in Waiwhakareke (Horseshoe) Lake, the surrounding Natural Heritage Park, ridgelines, and the way in which they all relate to each other. These fundamentals help to identify the design theme and are essential in maintaining the character of the area. Each set of values is explained in more detail below:

Natural character:

- The sharply undulating topography of the area and the orientation of its prominent ridgelines towards the lake and the north; and the way in which they provide a point of difference in the landscape. The ridgelines give detail to the area, acting as landmarks and providing views to Waiwhakareke.
- The green nature/native landscape of the Natural Heritage Park, including its role as an ecological base for indigenous species and its pleasantness and aesthetic coherence as an environment.
- The lake as part of the landscape unit helps to create an engaging attractive natural environment. Although eventually it will be surrounded by vegetation, it has a strong role in acting as the focal point of the area.
- The gullies and natural ponding areas at the feet of the ridgelines which provide opportunities for stormwater mitigation and restoration planting with strong amenity values.
- The opportunity to preserve views of the lake from Baverstock Road with careful consideration to plantings within the Natural Heritage Park.

Cultural character:

- The Te Tongahuanui Walking Track. This ran from Hamilton City past Te Uhi Pa and on to Whatawhata. The Exelby-Rotokauri Roads are now built over the top of this track.
- The indigenous vegetation still evident in certain places was once used as a resource and served as an attraction for birds and other fauna.
- The opportunity to extend cultural representations beyond the boundaries of the Natural Heritage Park such as a Manuka fence and plantings of Kawakawa around the main entrance Pou and bi-lingual educational panels.
- The springs at the top of the gullies below the ridgelines had both spiritual and ceremonial significance. Taonga, wooden carvings or agricultural implements were often hidden in the springs during times of warfare or invasion.

Recreational character:

- All of the Landscape Character Area is within 5 minutes walking distance to the Natural Heritage Park
- An integrated network of open spaces
- The opportunity for further enhancement of pedestrian and cycle linkages extending from the Natural Heritage Park
- Green landscapes contributing to the enjoyment of recreational activities

The **Ridgeline Character Area** is based upon the system of primary and secondary ridge lines located within the western portion of the Structure Plan area. The primary ridgeline runs in a generally north-south direction and roughly follows the alignment of Exelby Road. It is complemented by a series of east-west orientated secondary ridgelines. Taken together, they constitute a coherent and discrete topographical feature.

The relative slope and elevation of this rolling landform, whilst modest in elevation, is of sufficient height and topographical variation to be clearly differentiated from the surrounding low lying land in the eastern part of the Structure Plan area. As a landscape feature they are therefore significant in a local context as they help to physically and visually define the overall landscape character of much of the Rotokauri area.

Controls aim to maintain a sense of legibility of this landform by ensuring a greater degree of separation between buildings than exists elsewhere, providing for viewing opportunities both of and from the ridgelines. Complementing this, controls over site size, coverage and building height all intend to provide for a less intensive urban form, where the underlying landscape assumes a particular significance.

Within a 400m walking distance of the suburban centre, the **High Density** area anticipates a more intensive pattern of development where a concentration of people can add vitality to the retail centre itself and provide an immediate catchment to support key facilities such as public transport. In addition, on defined **High Density Interface Areas** there is a need to ensure that private development enhances the setting for adjacent public spaces and provides for increased safety through passive surveillance. The Plan therefore encourages smaller section sizes with higher site coverage. In particular, building height and set back controls will be used to bring development closer to public spaces and establish a strong visual connection. Lower density development could create a loose urban form with more fragmentation of frontages. Controls and performance outcomes sought by the Plan are therefore aimed at ensuring there will be no weakening of the visual relationship between the public and private realm.

Suburban Centre

Zoning provisions for the suburban centre itself provide for a wide range of activities but with an emphasis on retailing and the creation of activity and visual interest at the ground floor level. Controls over Stage 1 development aim to maintain a pedestrian-friendly, human scale of development which is not parking dominated, rather than a "Big Box" mall. A fine grain built form is to be achieved through controls over height and width to avoid individual tenancies dominating the shopping street. Shopper interest and convenience is maintained by controls over ground floor activities and requirements for clear glazing, continuous verandahs and pedestrian connections through the eventual development. Public safety is enhanced through provisions that will enable mixed use activities, including residential at upper floor levels, to increase the degree of passive surveillance. The requirement for proposals to be subject to a Comprehensive Development Plan will ensure that the eventual development is fully integrated and will not create areas or features that might present a threat to public safety.

~~It is anticipated that~~ Notwithstanding the time difference between the likely development of Stages 1 and 2, it is essential to ensure that a high level of integration is achieved between them. In this regard, Plan provisions are included that will apply to any interim development to ensure that it complements Stage 1 and contributes to the development of a vibrant Neighbourhood Centre. These draw heavily on the design matters that will shape Stage 1. Stage 2 of the suburban centre will include similar provisions to

those in Stage 1, particularly where its frontage would be directly opposite Stage 1, but given the larger area of Stage 2 and the growing population base that will justify its release, it is anticipated that it will also provide for an element of large format retailing.

Industrial

The Structure Plan provides for two distinct areas of industrial activity separated by the Te Rapa Bypass. To the east of the Bypass the area is separated from sensitive uses and relates strongly to the existing industrial zone in the Te Rapa/Avalon Drive corridor. The area can accommodate a wide range of activities without risk of significant adverse effects on the environment but, given the City's shortage of industrial land and the extent of non-industrial activity in the vicinity, controls aim to limit scope for the introduction of further non-industrial activity. This will ensure efficient use of the land resource and safeguard the City's economic growth potential.

To the west of the Bypass, in the Employment Area, the physical environment includes the Green Corridor stormwater and recreational corridor linking Lake Waiwhakareke and Lake Rotokauri. Large parts of the area adjoin the residential zone and have a direct interface with it. In places, notably on the ridgelines, the future residential area will look opposite and over the proposed employment area. In these circumstances the area fulfils a transitional role in stepping down the effects of industrial activity to ensure that adverse effects on the residential area can be properly managed. The majority of this western area is flanked by arterial roading. As such it will have a prominent role in shaping perceptions of the area. Similarly it has a strong relationship to public places such as the Green Corridor and the Neighbourhood Centres. It is essential that its development will achieve good urban design outcomes. Controls aim to ensure that new activity will essentially be inside buildings rather than external activity, that such buildings are designed to present an attractive face to the street with an emphasis on frontage landscaping, and that where external storage is necessary, it is attractively screened to ensure that it is the buildings and their landscaping that are the dominant feature in the street scene.

Recreation Major

The Lake Waiwhakareke Natural Heritage park is zoned Recreation Major in anticipation of the significant role that the Park will have as a city wide or regional facility. Together with the Management Plan for the Park, controls will ensure that its principal role will be that of a Park but will provide scope for the introduction of facilities that will enable the Park to cater for the demands that will be placed upon it by significant visitor numbers.

Future Urban Area

Constraints on the availability of infrastructure and network capacity limit the extent to which land can be released for development. A Stage 1 area defines the extent that can be released pending the completion of the Te Rapa Bypass which is anticipated in 2015/16. Until capacity and services are available, it is essential that the development potential of the remaining Rotokauri area is not compromised by interim development. Controls over lot size and activities, and a requirement to have regard to the provisions of the Structure Plan will ensure that the future development potential of the Rotokauri area is not compromised.

27th November 2008

Appendix B:

Rule Section 4.11

2 RULE 4.11 FUTURE URBAN ZONE

Rule Statement

The Future Urban Zone applies to the majority of rural land within the city. The purpose of the zone is to protect land which is intended for future city growth from inappropriate subdivision, use and development to ensure an efficient and logical pattern of future urban development is not compromised. At the same time, the zone seeks to accommodate a range of rural activities in an environmentally acceptable manner. The provisions are designed to manage the transition from rural to urban to ensure compatibility with existing rural amenity values and potential urban development.

Expected Outcome

Farming and other rural activities are continued provided that the opportunities for future urban development are not compromised by inappropriate subdivision and incompatible uses and development, while the existing rural and future urban environment is enhanced and adequately protected from adverse effects.

Means of Compliance

The following rules shall be read in conjunction with all other rules in the plan and in particular:

- The activity status and standards for this zone may be modified in accordance with the rules in Rule Section 2.0 where the land is within an Overlay.
- The rules for city-wide activities in Rule Section 3.0 apply in parallel to these rules.
- Any activity involving the subdivision and development of land shall be subject to the rules in Rule Section 6.0.
- Any structure plan set out in Rule Section 9.0.

The activity status of a Permitted or Controlled Activity may be altered from the activity list below where the activity cannot meet one or more of the standards specified in this rule or the city-wide standards in Rule Section 5.0. For clarification of activity status see Rule 4.11.4 - Failure to Meet Standards.

Regard must be had to all Objectives and Policies which may be relevant to any proposed activity subject to this Rule. This includes, but shall not be limited to, Policy Sections 4.1 Future Urban and 4.4 Subdivision and Development of Land.

4.11.1 ACTIVITIES

a) Permitted Activities

The following are Permitted Activities provided they comply with the standards in Rules 4.11.2 and the relevant standards in Rule 4.11.3.

- Any Farming Activity except Factory Farming
- Detached Dwellings
- Ancillary Flats
- Home Occupations
- Accessory Buildings
- Informal Recreation and Ancillary Buildings
- Places of Assembly, Restaurants, Licensed Premises, Recreation Grounds but only on Lot 1 DPS 12490 (the Glenview Club 217 Peacocke Road) *(in accordance with Rule 4.11.3 d).)*

b) Controlled Activities

The following are Controlled Activities provided they comply with the standards in Rules 4.11.2 and the relevant standards in Rule 4.11.3, and will be controlled in respect of the matters identified.

- Produce Stalls
  - with respect to site layout, vehicular provision.
- Relocated Buildings
  - with respect to the reinstatement of the building.

c) Discretionary Activities

The following are Discretionary Activities.

- Factory Farming
- Rural Industry
- Forestry
- Community Centres
- Places of Assembly
- Marae
- Residential Centres
- Education and Training Facilities

- General Recreation
- Any activity specified as Permitted, Controlled or Discretionary in Rule 4.1 Residential Zone and not otherwise provided for but subject to Rule 6.3.3.
- Any activity specified as Permitted, Controlled or Restricted Discretionary or Discretionary in Rule 4.5.1 Industrial Zone but subject to Rule 6.3.3 and only on land identified as Industrial Area on the Rotokauri Structure Plan (Rule 9.0)

d) Non-Complying Activities

The following are Non-Complying Activities.

- Any other activity not provided for.

4.11.2 GENERAL STANDARDS

The following general standards apply to all Permitted and Controlled Activities.

a) Development Intensity

i) Maximum Site Coverage

- 8% up to a maximum of 1200m^2 gross floor area where the net site area is greater than 5000m^2.
- 25% up to a maximum of 500m^2 gross floor area where the net site area is 5000m^2 or less.

b) Building Height

i) Maximum Building Height: - 10m.

ii) Height Control Plane: - No part of a building shall penetrate a Height Control Plane rising at an angle of 45^0 commencing at an elevation of 3m above the boundary provided that where in accordance with the Height Control Plane in Figure 4.1 – 2a and 4.1 – 2b, such a plane rises in a direction between northwest (315^0) and northeast (45^0), the angle shall be 28^0.

c) Building Setback

i) Minimum Setback

- 10m from any boundary where any building involves the housing of farm animals or the operation of agricultural machinery.
- 5m from the front boundary.

- 5m from any other boundary but reduced to 1.5m for any detached dwelling, ancillary flat and associated accessory buildings.

d) Effluent Disposal

i) Areas for the on-site disposal of sewage and the disposal of other farm effluent shall not be located within the Environmental Protection Overlay.

ii) Facilities for the treatment and disposal of effluent other than from a complying domestic septic tank shall be sited at least 25m away from any residential building.

iii) Facilities for the treatment and disposal of sewage and other farm effluent shall be sited not closer than 25m from any natural or artificial water course or any lake.

ADVISORY NOTE:

For any activity, the on-site disposal of sewage and the disposal of other farm effluent is subject to the provisions of the Regional Plan.

e) Noise

Activities shall comply with Rule 5.1.

f) Parking, Loading, and Access

Activities shall comply with Rule 5.2.

g) Planting and Screening

Activities shall comply with Rule 5.3.

h) Lighting and Glare

Activities shall comply with Rule 5.4.

i) Smoke, Fumes, Dust and Odour

Activities shall comply with Rule 5.5.

j) Building Restrictions along Roads

Activities shall comply with Rule 5.6.

4.11.3 SPECIFIC STANDARDS

The following standards apply to the activities specified below.

a) Restriction on Buildings

i) One Detached dwelling may be established on a site.

ii) One Ancillary flat may be established on a site.

iii) The maximum floor area of any Ancillary flat shall be $60m^2$ gross floor area.

iv) The total area of accessory buildings on a site where the net site area is 2ha or less, shall not exceed $100m^2$ gross floor area and the maximum height of such buildings shall not exceed 5m.

v) The siting of any detached dwelling, ancillary flat or accessory building shall comply with any requirements specified as part of any subdivision consent in accordance with Rule 6.3.3 so as not to compromise subsequent urban development.

b) Produce Stalls

i) Produce stalls shall not exceed $16m^2$ gross floor area.

ii) Only goods produced on the site may be retailed.

iii) Produce stalls may not be established on any site having vehicular access to a major arterial road.

c) Home Occupations

Any home occupation shall comply with the standards specified in Rule 4.1.

d) The Glenview Club

For any activity on Lot 1 DPS 12490, no additional buildings or extensions to existing buildings are permitted.

e) Relocated Buildings

External reinstatement of any relocated building shall be carried out and completed within six months of the date of placement of the relocated building on its new site.

4.11.4 FAILURE TO MEET STANDARDS

a) Activities which do not comply with one or two of the standards in Rule 4.11.2 except Rule 4.11.2 d), are **Restricted Discretionary Activities** with discretion restricted to the subject matter of the standard that can not be met.

b) Activities which do not comply with the standard in Rule 4.11.3 d) are **Restricted Discretionary Activities** with discretion restricted to the extent and siting of new buildings and additions.

c) Activities which do not comply with any three or more standards in Rule 4.11.2 are **Discretionary Activities**.

d) Activities which do not comply with any standard in Rule 4.11.2 d) or in Rule 4.11.3 except Rule 4.11.3 d) are **Discretionary Activities**.

Performance Assessment

In determining any resource consent, Council shall have regard to the expected outcome for this rule, to any related objectives and policies, and to the following.

4.11.5 PERFORMANCE OUTCOMES - CONTROLLED ACTIVITIES

In assessing a resource consent for a Controlled Activity, Council can impose conditions on the following matters.

a) Site Layout

i) Buildings and access should be sited so as to avoid any unnecessary alteration to landform or removal of vegetation with respect to land in the Environmental Protection Overlay.

ii) Buildings, particularly those accessory to farming should be sufficiently distanced and orientated away from boundaries and residential buildings to minimise any adverse effect that vehicle movement, noise, effluent disposal and other objectionable elements arising from the building and associated activities may have on the environment and existing rural and potential urban amenity values.

iii) Buildings should be sited to avoid prejudicing the subsequent implementation of any proposals shown on the relevant structure plan for the area.

iv) Regard will be had to Rule 6.3.4 in the placement and arrangement of buildings on a site in relation to future urban development.

b) Vehicular Provision

i) Access to and from sites should be located and designed to avoid or mitigate any adverse effects on traffic safety and efficiency with particular regard to the actual traffic speed, traffic volumes and anticipated intensity of use of the access point.

ii) Vehicular entrances should be located and designed to minimise adverse effects on traffic flows and safety taking into account the number of traffic movements likely to be generated by the activity.

iii) Where heavy vehicles normally visit the site then adequate provision should be made for on site manoeuvring.

iv) Produce stalls should be sufficiently set back from front boundaries to allow room for access, manoeuvring and parking on the front of the property.

v) Parking areas should be located so as to be readily visible to drivers and conveniently accessible to minimise disruption of traffic flows.

c) Relocated Buildings

The reinstated exterior of any relocated building shall be such that it is not likely to detract from the amenity of the existing or future residential neighbourhood.

Consent applications for relocation of buildings as a controlled activity in the future urban zone shall be processed without public notification and without the need for consent of potentially affected persons or service of notice of the application on those persons.

4.11.6 ASSESSMENT CRITERIA - RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES

Restricted Discretionary Activities will be assessed only in respect of the subject matter of the standard with which the activity was unable to comply.

Discretionary Activities will be assessed against, but not limited to, the assessment criteria below.

a) General Criteria

i) Regard shall be had to any relevant performance assessment for a Controlled Activity and for general rules.

ii) The extent to which other relevant standards are complied with.

iii) The extent to which the activity may have adverse effects on the environment, including water discharges, air pollution, noise and other emissions.

iv) Whether any adverse effects or cumulative effects will occur from the activity or non-compliance and whether they can be avoided or mitigated.

v) Whether the site, given its size, shape, frontage, topography and existing development, can adequately accommodate the activity, plus off-street parking, landscaping and other requirements.

vi) The extent to which developments and activities could prejudice or foreclose options for future urban development and in particular with the proposals shown on the relevant Structure Plan for the area.

b) Specific Criteria

i) Whether activities could give rise to reverse sensitivity issues such as noise, odour and risks in relation to farming and other rural activities.

ii) The capacity of the site and adjacent roads to safely accommodate the vehicle traffic likely to be generated by the proposal.

iii) Whether the roading network giving access to the rural area is adequate to accommodate the increased traffic arising from any cumulative intensification of development having regard to the safety and amenity of adjoining urban areas.

iv) Whether the siting of treatment plants, ponds and effluent disposal systems for wastes will mitigate any adverse effects on surrounding properties and on water quality, taking into account prevailing and seasonal weather conditions, topography, type of treatment and quantity of effluent.

v) The extent to which areas used for the disposal of effluent are separated from any natural water body or open drainage system.

vi) The extent to which provision for effluent and stormwater disposal avoids adverse effects on water quality as it relates to ground water; the Waikato River; the ecology of Lake Rotokauri; Horseshoe Lake and their catchment areas; and gully ecosystems and minimises any risk of landslip and/or erosion.

vii) Where a significant concentration of people and/or the consumption of liquor is involved, whether any adverse effects on surrounding properties are minimised taking into account the nature and location of the premises, the hours of operation, and the nature of the activity .

c) Factory Farming

i) The extent to which adverse effects of noise, smell, vermin and other potential health hazards associated with factory farming are avoided or mitigated by management practices, site layout (placement and orientation), design of buildings, screening and landscaping.

ii) Whether the potential for buildings, feedlots and other areas associated with factory farms including areas for the treatment and/or disposal of wastes to detract from the amenities of adjoining properties is minimised.

d) Forestry

i) The extent to which adverse effects of forestry in respect of shading, road visibility, roading capacity and standards, fire hazards, erosion, and harvesting effects on natural watercourses and other features are avoided, remedied or mitigated.

ii) Whether, adequate measures are to be used to prevent erosion and protect water flow and quality of any body of water during harvesting.

iii) The extent of likely impacts on roading through transportation of harvested timber and the adequacy of any rehabilitation programme for the harvested area.

iv) Whether the activity will have any detrimental impact on the operation of Hamilton Airport.

e) Residential Development

i) The extent to which any residential and associated development can be provided with roading and infrastructural services of an urban standard.

ii) Whether any residential and associated development compromises proposals shown on the relevant Structure Plan for the area.

iii) The impact of any residential and associated development on the efficient and economic provision and use of infrastructural facilities for the entire city.

iv) Regard will be had to Rule 6.9.2b) with respect to out of sequence urban development.

v) The extent to which any residential and associated development could give rise to reverse sensitivity issues in relation to existing rural, industrial or other urban activities.

f) Rotokauri Industrial Development

i) Regard will be had to Rule 6.9.2 b) with respect to out of sequence urban development.

ii) Whether the development would compromise or restrict proposals shown on the Rotokauri Structure Plan, including the developability of the Stage 1 area.

iii) The extent to which the development makes provision for roading and infrastructure services of an urban standard.

iv) The extent to which the development makes provision for any proposals shown on the Rotokuri Structure Plan.

v) The extent to which a Traffic Assessment demonstrates that the activity would not adversely affect the safe and efficient functioning, particularly in the peak hours, of the local and arterial roading network, including the state highway.

vi) The availability and adequacy of interim access arrangements pending the completion of the planned Structure Plan roading network.

g) Stage 2 Rotokauri Suburban Centre

i) The extent to which the development complies with the assessment criteria set out in Rule 4.2A.6 and 4.2A.7

27th November 2008