

Appendix L – Hamilton City District Plan Rule Assessment



Table No. L1

| Hamilton City District Plan Rule Assessment | | |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rule | Rule Provision | Comment |
| Chapter 4 – Residential Zone | | |
| 4.3.1 Activity Status Tables | h) Integrated Residential Development: Restricted Discretionary | The initial activity status for the land use component of the development is Restricted Discretionary. The activity status is hereon determined by the proposal's level of compliance with the District Plan performance standards. These are assessed throughout this table as follows. |
| 4.4.1 Density | a) The minimum or maximum area of land (net site area) required in respect of each residential unit shall be: i. Integrated residential development: - 300m ² per single dwelling unit - 400m ² per duplex (200m ² per unit) - Apartments – 150m ² per residential unit. | Each of the single dwelling units have a lot size of at least 300m ² , and each duplex has lot areas of at least 400m ² , with at least 200m ² allocated to each unit. The apartment buildings are located on lots that are a sufficient size to provide at least 150m ² per residential unit. Lot 17 allows for approximately 218m ² per apartment and Lot 29 allows for approximately 193m ² per apartment. Refer Drawing RC01-31 in Appendix C . The proposal complies with this rule. |
| 4.4.2 Site Coverage | a) Site coverage: Maximum 40% | All lots have less than 40% site coverage. Refer Drawing RC01-32 in Appendix C . The proposal complies with this rule. |
| 4.4.3 Permeable Surface | c) Front sites, corner sites, through sites only: front setback (required by Rule 4.4.6) be planted in grass, shrubs or trees: Minimum 50% d) Permeability across the entire site (can include area required by Rule 4.4.3(a) above): Minimum 30% | Lots 1-6, 9-16, 17 (in relation to the eastern boundary adjoining the internal loop road) and Lot 37 does not provide at least 50% of the front yard as permeable surfaces, therefore does not comply with this rule. Refer to plan RC 01-34 for more detail. All other lots will retain at least 50% of the front setback as permeable surfaces. All lots comply with the minimum 30% permeability required across each lot Refer Drawing RC 01-34 and RC 01-35 in Appendix C . The proposal does not comply with this rule. |



| | | |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.4.4 Building Height | a) Maximum 10m | No buildings on the site will exceed 10m. The apartments will be 10m high at their highest point. The proposal complies with this rule. |
| 4.4.5 Height in Relation to Boundary | b) No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees), and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries (see Figure 4.4.5e below). Except that: vi. Where buildings are attached, no height control plane is required between those buildings. vii. Where a boundary adjoins a transport corridor, the 45-degree angle applies to that boundary, measured 3m above the boundary viii. Where there are two or more dwellings on the same site, the plane shall be measured at a line midway between the two dwellings rising at an angle of 45 degrees and with this angle measured from 3m above ground level at the midway line or the indicative subdivision boundary. ix. Where the boundary subject to measurement adjoins a legal right of way, access lot or entrance strip, the standard applies from the farthest boundary of that legal right of way, access lot or entrance strip. x. The height in relation to boundary control may be reduced where the written consent of owners adjoining the height in relation to boundary infringement is obtained. This does not apply to public boundaries. | The apartment buildings on Lot 17 adjoining Endeavour Avenue will exceed the height control plane. The dwelling on Lot 39 adjoining the playcentre will not comply with the height control plane on its southern boundary. The dwelling on Lot 9 adjoining the local purpose reserve (pathway) does not comply with the height control plane on its southern boundary. All other height in relation to boundary non-compliances are internal. Refer Appendix C for detailed height in relation to boundary plans. The proposal does not comply with this rule. |
| 4.4.6 Setbacks | b) Transport Corridor boundary – local and collector transport corridor: 3m, except where a garage or carport faces to transport corridor, it shall be setback 5m. e) Internal vehicle access serving up to three residential units on a site: No part of a building (including eaves) | Lots 1-17 and Lot 29 do not comply with the 3m setback required from the internal road (local road). All other lots comply with the transport corridor setback rule. The window shrouds on the proposed buildings on Lots 17, 18-22 and 30-37 also |



| | | |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>shall not extend over or encroach into an internal vehicle access.</p> <p>h) Any other boundary: 1.5m or setbacks may be reduced where:</p> <p>iii. Buildings on adjoining sites are attached, no setback is required along that part of the boundary covered by such a wall; or</p> <p>iv. The written consent of the owners adjoining the relevant setback or setbacks is obtained</p> | <p>infringe the 3m setback required from the internal road by 300mm.</p> <p>No part of the residential units encroach into an internal vehicle access and all units comply with the 1.5m setback required from all other boundaries.</p> <p>The proposal does not comply with this rule.</p> |
| 4.4.7 Interface between public and private | <p>a) These standards only apply to residential units and accessory buildings on front, corner and through sites that have unit site areas that directly front onto a transport corridor.</p> <p>c) At least one habitable room of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building. For corner and through sites this shall be required only on the frontage from which vehicular access is provided.</p> | <p>All residential units will have a clear glazed window facing the adjoining transport corridors.</p> <p>The proposal complies with this rule.</p> |
| 4.4.8 Fences and Walls | <p>a) Fences and/or walls shall have a maximum height of 1.8m.</p> <p>b) The height of any fence and/or wall shall be measured in terms of natural ground level.</p> | <p>The maximum height of any fence to be erected on the site is 1.8m.</p> <p>The proposal complies with this rule.</p> |
| 4.4.9 Residential Buildings – Separation and Privacy | <p>d) Residential buildings shall be set back at least 3m from the nearest part of any other residential building on the same site, except</p> <p>i. No separation is required between buildings that are attached</p> <p>ii. Where windows are located and designed (including by glazing) to avoid views between rooms in different buildings on the same site, separation distance is a minimum of 1.5m.</p> <p>b) A balcony at upper-floor level shall be set back at least 5m from all boundaries (see Figure 4.4.9c). This does not apply to a boundary along a transport corridor, access way, right-of-way, private way, access lot, or entrance strip, less than 6m wide.</p> | <p>All residential buildings will be set back at least 3m from other residential buildings except for where they are attached (duplex dwellings and apartment units).</p> <p>All balconies will achieve a minimum 5m setback from boundaries.</p> <p>The proposal complies with this rule.</p> |



| | | |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>4.4.10 Outdoor Living Area</p> | <p>e) Each residential unit, except for when a communal area is provided, shall be provided with an outdoor living area that is:</p> <ul style="list-style-type: none"> iv. For the exclusive use of each residential unit. v. Readily accessible from a living area inside the residential unit. vi. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas. <p>f) Communal open space for 4 or more residential units and apartment buildings shall comply with 4.4.10b) iii) as well as being:</p> <ul style="list-style-type: none"> iii. For the shared use of all residents on site, and iv. Readily accessible from all residential units on site. <p>g) Outdoor living areas shall have areas and dimensions as follows:</p> <ul style="list-style-type: none"> iii. Single residential dwellings and duplex dwellings: <ul style="list-style-type: none"> - Up to 2 bedrooms: 35m², an additional 10m² for each additional bedroom over 2. - Shape is either no width contributing to the complying area of less than 4m, or capable of containing a 6m diameter circle with no dimension less than 2.5m. iv. Communal open space for 4 or more residential units for the exclusive use of the residential units: <ul style="list-style-type: none"> - 12m² - Capable of containing an 8m diameter circle and no dimension less than 4m. <p>g) In the General Residential Zone, any communal open space shall be optional but cannot contribute more than 50% of the above provisions.</p> <p>h) Communal open space is an alternative to, and not in addition to, individual outdoor living areas for each residential unit</p> | <p>Each residential unit has an outdoor living area that is for the exclusive use of each residential unit, is readily accessible from the living area, is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas and is located to the north, east of western of the residential unit. For the single residential dwellings and duplexes, each outdoor living area consists of an area of 45m² for 3-bedrooms, 55m² for 4-bedrooms and 65m² for 5-bedrooms. All outdoor living areas do not have a dimension less than 4m.</p> <p>A communal open space is provided for each of the apartment blocks located above ground floor. The communal space on Lot 17 (southern apartment block) consists of 483m², totalling 80.5m² per unit. This space is shaped to allow for an 8m diameter circle and no dimension is less than 4m. Lot 29 has communal space of 283m², totalling 71m² per unit. This communal space has no dimension less than 4m, however does not contain an 8m diameter circle and no dimension is less than 4m.</p> <p>In addition to the communal spaces, each apartment unit has the following private outdoor living areas:</p> <ul style="list-style-type: none"> • Lot 17: <ul style="list-style-type: none"> - Southern ground floor apartments have 34m² outdoor living areas, including 10m² covered. - Central ground floor apartment has 34m² outdoor living area, including 10m² covered. - First floor apartment have 10m² covered balcony. • Lot 29: <ul style="list-style-type: none"> - Ground floor apartments have a 30m² outdoor living area, including 10m² covered. - First floor apartments have 10m² outdoor living area as a balcony. <p>The proposal does not comply with this rule.</p> |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



| | | |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>4.4.11 Service Areas</p> | <p>a) These standards do not apply to managed care facilities or rest homes</p> <p>b) Every site, including first single dwelling but excluding 4.4.11(d) – (f)</p> <p>i. At least 15m² and may be made up of two separate areas incorporating</p> <ul style="list-style-type: none"> - 10m² for clothes drying (e.g. foldable clothes line) - 5m² for rubbish/recycling storage. <p>ii. Minimum dimension of 1.5m.</p> <p>c) Second and subsequent residential units, including duplex dwellings.</p> <p>i. Additional 15m², and may be made up of two separate areas incorporating</p> <ul style="list-style-type: none"> - 10m² for clothes drying (e.g. foldable clothes line) - 5m² for rubbish/recycling storage <p>ii. Minimum dimension 1.5m</p> <p>e) Apartments</p> <p>i. Individual or communal:</p> <ul style="list-style-type: none"> - 10m² - Minimum dimension 1.5m <p>i) All service areas:</p> <p>i. clothes drying areas shall be readily accessible from each residential unit</p> <p>ii. Not visible from a public place unless screened from view by vegetation or fencing in accordance with Section 25.5</p> <p>iii. Rubbish and recycling areas required for each residential unit shall be located where bins can be moved for roadside collection without requirement for them to be moved though the residential unit (excluding garages).</p> <p>iv. Service areas may be located within garages where it is demonstrated that there is sufficient room to accommodate the minimum area without impeding parking.</p> | <p>All lots are provided with a 15m² service area with no dimension less than 1.5m.</p> <p>All apartment buildings on Lot 29 have access to a 10m² communal service area, and are provided with a clothesline within their balcony or terrace area.</p> <p>Apartment buildings on Lot 17 have access to one of two communal service areas (one 8m² outside building 17.1 and the other 7m² outside building 17.2 and 17.3). These service areas both have dimensions of more than 1.5m. Clotheslines are provided within each apartment unit's balcony or terrace area.</p> <p>All service areas are readily accessible from each residential unit and will be screened appropriately to ensure they are not visible from a public place.</p> <p>All service areas have ready access to the road for rubbish collection without travelling through the residential dwelling.</p> <p>The proposal complies with this rule.</p> |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



| | | |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>4.4.12 Residential Unit Size – Residential Zones</p> | <p>a) The minimum floor area required in respect of each residential unit (excluding ancillary residential units) in the Residential Intensification Zone and the General Residential Zone shall be:</p> <ul style="list-style-type: none"> ii. Studio unit: Min 35m² iii. 1 Bedroom: Min 45m² iv. 2 Bedroom: Min 55m² v. 3 Bedroom: Min 90m² | <p>The following floor areas are proposed for each unit proposed with 3 bedrooms or less:</p> <p>2-bedroom apartment: 74m² 3-bedroom duplex: 116m² (per unit) 4-bedroom dwelling: 136m² 5-bedroom dwelling: 158m²</p> <p>There are no one bedroom or studio units proposed through this development.</p> <p>The proposal complies with this rule.</p> |
| <p>4.7.11 Integrated Residential Development</p> | <ul style="list-style-type: none"> d) Minimum site area of 2000m². e) No more than 20% of residential units shall be in the form of apartments. f) Required to undertake a Water Impact Assessment, as described in Volume 2, Appendix 1.2.2.5 | <p>The site has an area of 1.9495ha therefore complies with the minimum site area required (2000m²). A Water Impact Assessment has been prepared, refer to Appendix J.</p> <p>However more than 20% of residential units on the site will be in the form of apartments. A total of 32% of the housing yield will be apartments.</p> <p>The proposal does not comply with this rule.</p> |
| <p>4.11 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria</p> | <p>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters which Council has restricted the exercise of its discretion.</p> <p>Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies.</p> <p>xiv. Integrated Residential Development</p> <ul style="list-style-type: none"> - B: Design and Layout - C: Character and Amenity | <p>For Integrated Residential Developments, Council has restricted its discretion to Design and Layout (B) and Character and Amenity (C). Regard has been given to these matters alongside other relevant matters in this application.</p> |
| <p>Chapter 23 – Subdivision</p> | | |
| <p>23.3 Activity Status Tables</p> | <ul style="list-style-type: none"> vi. Fee simple subdivision: Restricted Discretionary ix. Unit Title Subdivision: Restricted Discretionary | <p>The proposal includes fee simple subdivision around the standalone residential dwellings and the duplex dwellings. A unit title subdivision is also proposed for the apartment buildings.</p> <p>Fee simple and unit title subdivision in the Residential Zone are both listed as a Restricted Discretionary Activity.</p> <p>The proposal triggers a Restricted Discretionary resource consent in accordance with this rule.</p> |



| | | |
|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>23.5.1 Telecommunication, Electricity, Gas and Computer Media</p> | <p>a) Telecommunication, electricity, gas and ducting for computer media shall be provided at the time of subdivision, in accordance with the requirements of the relevant network utility operator and the relevant standards of the applicable zone.</p> <p>b) Telecommunication, electricity, gas and ducting for computer media shall be underground where possible.</p> | <p>Telecommunication, electricity, gas and ducting for computer media will be provided underground.</p> <p>The proposal therefore complies with this rule.</p> |
| <p>23.6.2 Company Leases and Unit Title Subdivision</p> | <p>a) Where an allotment is subject to an application for subdivision consent by way of company lease or unit title subdivision the following rules shall apply.</p> <p>b) All areas to be set aside for the exclusive use of each building or unit shall be shown on the survey plan, in addition to any areas to be used for common access or parking or such other purpose.</p> <p>c) In all staged subdivisions, provision shall be made for servicing the building or buildings and all proposed future buildings on the allotment.</p> <p>d) Where subdivision consent has been approved, no alterations shall be made to the position of the boundary lines delineated on the survey plan, or otherwise defined, without further subdivision consent.</p> <p>e) A design report shall be submitted detailing the effects of the proposed subdivision on the existing buildings pursuant to Section 116A of the Building Act 2004.</p> <p>f) If alterations to buildings are necessary to fulfil the requirements of the Building Act or conditions of subdivision consent, they shall be undertaken in terms of a building consent and completed before the issue of a certificate under Section 224 of the Resource Management Act 1991. Such alterations shall comply with the relevant standards of the relevant zone and this chapter.</p> | <p>In relation to the unit title subdivision of the apartment buildings, all areas that are set aside for the exclusive use of each building/unit and any common areas/parking areas are shown on the scheme plan (refer Appendix D) and will be shown on the survey plan. The boundaries shown on the approved resource consent plans will be shown on the survey plan and will not be changed unless approved under a further subdivision.</p> <p>All units will be dependently serviced.</p> <p>If any alterations to buildings are necessary to fulfil the requirements of the Building Act or conditions of subdivision consent, they will be undertaken in terms of a building consent and completed before the issue of a certificate under Section 224 to ensure compliance with this rule.</p> <p>The proposal complies with this rule.</p> |
| <p>23.7.1 Allotment Size and Shape</p> | <p>c) General Residential Zone:</p> <ul style="list-style-type: none"> - Minimum Site Area: 400m² - Minimum shape factor: 15m diameter circle <p>d) Each allotment shall be of a shape that can accommodate a shape factor circle</p> | <p>The site area of all lots (apart from Lots 8, 7, 17 and 29) will be less than 400m² and will be unable to contain a 15m diameter circle.</p> |



| | | |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | of the specified diameter in a position which does not infringe any required front yard requirements of the respective zone. | The proposal does not comply with this rule. |
| 23.7.2 Subdivision Suitability | <p>a) All subdivisions creating fee simple allotments shall ensure that new allotments (excluding any utility, road or reserve allotment, or allotment subject to amalgamation) are of a size and shape to enable activities anticipated in the zone</p> <p>c) Where allotments are proposed that contain development that has been approved under separate land use consent, compliance with the approved layout shall be achieved as part of the subdivision.</p> <p>d) Where b) or c) is not complied with, a concurrent application for land use consent for the identified areas of non-compliance with the applicable general and specific standards, or the approved layout shall be made.</p> | <p>Each of the additional allotments being created are of a size and shape that enables activities anticipated in the zone. A concurrent land use consent forms part of this application which demonstrates site suitability of each lot.</p> <p>The proposal complies with this rule.</p> |
| 23.7.3 General Residential Zone | <p>c) Minimum Transport corridor boundary length of a front site: 15m</p> <p>d) N/A</p> <p>k) Minimum rear boundary length of a front site: 10m</p> <p>l) Maximum number of allotments served by a single private way: 6</p> <p>m) Minimum private way width serving 1-6 allotments: 3.6m</p> <p>n) N/A</p> <p>o) Minimum width of vehicle access (to be formed and vested as public road) serving 7 – 20 fee simple lots: 16m</p> <p>p) Minimum width of vehicle access to be formed and vested as public road: <ul style="list-style-type: none"> ii. Serving more than 20 allotments (Local Road): 20m </p> <p>q) Maximum private way gradient: 1:5</p> <p>r) Maximum private way length: 100m (with passing every 50m).</p> <p>n) Maximum pedestrian accessway length through a block – 80m</p> <p>o) Maximum pedestrian access way width through a block: 6m wide when 40m or less</p> | <p>The proposed lots that will front Endeavour Avenue will have a front boundary length greater than 15m and rear boundary length that are greater than 10m.</p> <p>Internal lots 1-6, 9-16, 18-28 and 31-36, which are front lots adjoining the proposed new road, have a front boundary that will be less than 15m and a rear boundary length less than 10m in length.</p> <p>The proposal therefore does not comply with clause 'a' or 'c'.</p> <p>The maximum number of lots served by a right of way is 4 and the width of the private ways are 3.6m. The gradient of the private way access legs will not exceed a gradient of 1:5 and the maximum length is 33m.</p> <p>The proposed road will serve all 43 lots and will have a minimum width of 16.1m. The proposal therefore does not comply with clause 'h'. The width of the proposed road has been previously discussed with Hamilton City Council staff who are in agreement.</p> |



| | | |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>The pedestrian accessway from the western side of the proposed road to the adjoining reserve is less than 80m long, however is only 3m wide. The proposal therefore does not comply with clause 'o'.</p> <p>The proposal does not comply with this rule.</p> |
| 23.8 Restricted Discretionary Activities: Matters of Discretion & Assessment Criteria | <p>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters which Council has restricted the exercise of its discretion.</p> <p>Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies.</p> <p>vii. Fee simple subdivision - C: Character and Amenity</p> <p>viii. Unit-Title Subdivision - C: Character and Amenity</p> | <p>For fee simple subdivisions and unit title subdivisions, Council has restricted its discretion to Character and Amenity (C). Regard has been given to these matters alongside other relevant matters in this application.</p> |
| Chapter 25.2 – Earthworks and Vegetation Removal | | |
| 25.2.3 Activity Status Table | a) Earthworks (excluding earthworks covered by Rule 25.2.3 b) and i)) – Permitted | Earthworks are permitted. |
| 25.2.4.1 Earthworks in all zones | <p>Earthworks in all zones – General Standards</p> <p>a) Where fill material is used it is required to be clean fill.</p> <p>b) All earthworks or areas of bare earth not being worked for three months or more shall be stabilised and sown with ground cover.</p> <p>c) All earthworks shall retain sediment on site through implementation and maintenance of sediment controls. This standard does not apply to the transportation of material off site.</p> <p>d) all earthworks activities shall be managed to avoid material deposits on public roads from any vehicles operating on site.</p> <p>e) Earthworks shall not obstruct or divert any stormwater overland flow path or result in changed stormwater drainage patterns on adjacent land in different ownership.</p> <p>f) Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where the land disturbance occurs.</p> | <p>All fill material used will be clean fill. Any earthworks and areas of bare earth not being worked for more than 3 months will be stabilised as required. Appropriate erosion and sediment controls will be established for any required earthworks to ensure that sediment is retained on the site and managed appropriately. No material will be deposited on public roads during earthworks. Earthworks will not obstruct or divert any stormwater overland flow paths or affect stormwater management on adjacent land.</p> <p>Maximum volume in a single activity or cumulative activities in any 12 month period will not exceed the permitted volume of 500m³ within the building footprint (building footprints will be identified on a building consent that is obtained prior to earthworks commencing), 500m³ associated with the subdivision and 100m³ of material in any other location.</p> |



| | | |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>g) Earthworks must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.</p> <p>h) Earthworks volumes must not exceed the following maximums in any single activity or cumulative activities in any calendar year following commencement of earthworks activities:</p> <ul style="list-style-type: none"> - EWs associated with any activity requiring buildings consent: 500m³ - Earthworks associated with subdivision: 500m³ - All other earthworks: 100m³ | <p>The proposal complies with this rule.</p> |
| Chapter 25.5 – Landscaping and Screening | | |
| <p>25.5.3.1 Landscaping</p> | <p>Landscaping shall be provided in accordance with the following standards:</p> <p>g) Ground-level parking spaces, loading spaces and vehicle storage areas adjacent to a transport corridor:</p> <p>ii. Where ground-level parking spaces associated with residential units are provided within 3m of a boundary of a transport corridor, a 1m wide planting strip shall be required between that area and the transport corridor boundary.</p> <p>h) External ground-level parking spaces in all Zones</p> <p>i. Parking areas of more than 10 parking spaces shall be landscaped with tree planting and ground cover planting at a rate consistent with Rule 25.5.4.6</p> <p>iii. Parking areas of five or more parking spaces shall have either: A 1.8m high close-boarded or similar solid fence or wall, and a minimum 1m wide buffer strip, or a 2m wide buffer strip when along the site boundary, between the parking spaces and any Residential or Special Character Zone.</p> <p>i) Service areas in all Zones</p> <p>i. Where service areas are visible from a transport corridor, any other public</p> | <p>There is a designated parking area for the southern apartment block which will contain 15 parking spaces and a designated parking area for the northern apartment block which will contain 12 parking spaces.</p> <p>Landscaping will be provided in both parking areas, however will not comply with the 1m width between the parking and the transport corridor in some areas, as required by clause 'g' or at a rate consistent with Rule 25.5.4.6. A comprehensive landscaping plan has been prepared for the site however which provides appropriate ground cover plantings, tree plantings, fencing and other screening.</p> <p>There are no parking areas which contain 20 car parks therefore 25.5.4.6 is not relevant. However landscaping will be provided in the vicinity of parking areas, as set out on the landscape plans in Appendix E.</p> <p>All service areas are proposed at the rear of the dwellings or will otherwise be screened to be out of sight from any public road as set out on the Proposed fences and furniture plan in the Landscape Plan package attached as Appendix E.</p> |



| | | |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>space, Residential or Special Character Zones (except where provided by ii below) they shall be screened from view with either: A 1.8m high close-boarded or similar solid fence or wall, and a minimum 1m wide buffer strip, or a 2m wide buffer strip.</p> <p>ii. Service areas associated with residential units shall not be required to be screened from view from other Residential or Special Character zoned land.</p> <p>(j) Outdoor Storage areas in all Zones</p> <p>i. Where outdoor storage areas are visible from a transport corridor, any other public space, Residential or Special Character Zone they shall be screened from view with either: A 1.8m high close-boarded or similar solid fence or wall, and a minimum 1m wide buffer strip, or a 2m wide buffer strip.</p> | <p>The proposal does not comply with this rule.</p> |
| <p>25.5.3.2 Implementation</p> | <p>All planting shall be implemented within the first planting season after any buildings and other site works are completed.</p> | <p>All planting will be implemented within the first planting season after any buildings and other site works are completed.</p> <p>The proposal complies with this rule.</p> |
| <p>25.5.3.5 Maintenance</p> | <p>All fences and planting required by 25.5.3.1 shall be maintained in a manner to ensure ongoing compliance with relevant standards in this chapter. This will require regular care of planted areas, the timely repair or replacement of damaged fences, and the replacement of dead, dying or diseased planting.</p> | <p>All fencing and planting will be maintained accordingly.</p> <p>The proposal complies with this rule.</p> |
| <p>25.5.4.1 All fences and walls</p> | <p>a) Any fence or wall adjoining a buffer strip or planting strip required by this plan which is adjacent to a transport corridor or other public space shall be either:</p> <p>i. located so that the buffer or planting strip is between the fence and the external site boundary, and shall be designed to enable access to plantings for maintenance purposes; or</p> <p>ii. Be permeable in accordance with Rule 25.5.4.2 below.</p> | <p>Where any fence or wall adjoins a buffer or planting strip, the fence will be constructed to ensure that the buffer or planting strip is located between the fence and the external plant boundary and will be accessible to maintenance purposes. All planting and buffer strips will be permeable.</p> <p>The proposal complies with this rule.</p> |



| <p>25.5.4.2 Permeable fences</p> | <p>a) The following design and dimensions shall apply to permeable fences.</p> <ul style="list-style-type: none"> i. Materials with 50% or more see-through visibility in a consistent manner along the entire length of the fence, or ii. Materials with 50% or more see-through visibility | <p>Permeable fences are not proposed, therefore this rule is not relevant.</p> | | | | | | |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------|---|-----------------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>25.5.4.3 Buffer Strips</p> | <p>a) Buffer strips shall be of a permeable nature for stormwater purposes.</p> <p>b) Buffer strips shall consist of shrub or hedge planting (hedges are recommended where buffer strip widths are less than 2m) selected and maintained in a manner to ensure a mature height of at least 1.8m and shall be at least 0.5m in height at the time of planting.</p> <p>c) Shrub or hedge planting shall be selected, located, provided at a density, and maintained in a manner to ensure that, when mature, a visually impermeable screen of planting is achieved (refer Figure 25.5.4b):</p> <ul style="list-style-type: none"> i. Along the length of the buffer strip, and ii. To a height of at least 1.8m. <p>d) Buffer strips shall include specimen trees at the following minimum rates:</p> <table border="1" data-bbox="376 1155 887 1379"> <thead> <tr> <th>Length of the buffer strip</th> <th>Number of specimen trees</th> </tr> </thead> <tbody> <tr> <td>Up to 10m</td> <td>1</td> </tr> <tr> <td>For each additional 10m or part thereof</td> <td>An additional 1</td> </tr> </tbody> </table> <p>Except where frangible vegetation is required by Rule 25.5.3.4, in which case frangible trees shall be required instead of specimen trees.</p> <p>e) Trees required by 25.5.4.3(d) shall be selected to ensure they are capable of growing to a mature height of more than 4m and shall be at least 1.8m in height at the time of planting.</p> <p>f) Where two or more trees are required by 25.5.4.3d) they shall be spaced along the length of the buffer strip to ensure they are no more than 15m or less than 5m apart (refer Figure 25.5.4c).</p> | Length of the buffer strip | Number of specimen trees | Up to 10m | 1 | For each additional 10m or part thereof | An additional 1 | <p>Buffer strips are required by Rule 25.5.4.1 between the parking areas on Lot 17 and 29 and the surrounding residential properties and between the service areas on residential lots and public spaces where the service area is visible from those public spaces.</p> <p>While specific buffer strips are not proposed, a comprehensive landscaping plan has been prepared to achieve the screening and outcomes intended by this rule.</p> <p>The proposal does not technically comply with all aspects of the landscaping provisions.</p> <p>The proposal does not comply with this rule.</p> |
| Length of the buffer strip | Number of specimen trees | | | | | | | |
| Up to 10m | 1 | | | | | | | |
| For each additional 10m or part thereof | An additional 1 | | | | | | | |
| <p>25.5.4.4 Planting Strips</p> | <p>a) Planting strips shall be of a permeable nature for stormwater purposes.</p> | <p>Planting strips are required by Rule 25.5.4.1 between the parking areas within Lot 17 and 29 and the road corridor.</p> | | | | | | |



- b) Planting strips shall consist of a combination of groundcover and shrub planting, with shrub planting selected to ensure they are capable of achieving a maximum mature height of 0.8m, and are least 0.4m in height at the time of planting.
- c) Groundcover and shrub planting shall be maintained to ensure they do not exceed a height of 0.8m (refer Figure 25.5.4d).
- d) Groundcover and shrub planting shall be selected, located and provided at a density to ensure that a minimum of 50% of the surface of the planting strip is covered from the time of planting.
- e) Planting strips shall include specimen trees at the following minimum rates.

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

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

- f) Trees required by 25.5.4.4e) shall be selected to ensure they are capable of growing to a mature height of more than 4m and shall be at least 1.8m in height at the time of planting.
- g) Where two or more trees are required by 25.5.4.4e) they shall be spaced along the length of the strip to ensure they are no more than 15m, or less than 5m apart (refer Figure 25.5.4c).
- h) All trees shall be maintained to ensure that a clear distance of 2m is achieved between ground level and the tree canopy (refer Figure 25.5.4d). This standard shall not apply until a specimen tree reaches at least 4m high.
- i) Trees within the planting strip shall be selected, located and maintained in a manner so as not to:
 - i. Create traffic safety problems by obscuring visibility for road users or train drivers.
 - ii. Obstruct traffic, official road, or hazard signage.

While specific planting strips are not proposed, a comprehensive landscaping plan has been prepared to achieve the screening and outcomes intended by this rule. Refer to **Appendix E** for a detailed landscaping plan for the site.

The proposal does not technically comply with all aspects on this landscaping provisions.

The proposal **does not comply** with this rule.



| | <p>iii. Interfere with transport infrastructure or network utilities.</p> | | | | | | | |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-----------|---|-----------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>25.5.4.5 Planting Area</p> | <p>a) Where a planting area is required, the area shall:</p> <ul style="list-style-type: none"> i. Be of a permeable nature for stormwater purposes ii. Consist of a combination of ground covers and shrubs or hedges. iii. Include specimen trees at the following minimum rates: <table border="1" data-bbox="375 582 893 817"> <thead> <tr> <th>Length of front boundary</th> <th>Number of specimen trees</th> </tr> </thead> <tbody> <tr> <td>Up to 10m</td> <td>1</td> </tr> <tr> <td>For each additional 10m or part thereof</td> <td>An additional 1</td> </tr> </tbody> </table> <ul style="list-style-type: none"> iv. Be located in the front setback between the non-residential activity and the adjoining transport corridor boundary. v. Include groundcover, shrub or hedge planting that has been selected, located and provided at a density to ensure that a minimum of 30% of the area of the front setback requirement of the relevant zone is covered from the time of planting. | Length of front boundary | Number of specimen trees | Up to 10m | 1 | For each additional 10m or part thereof | An additional 1 | <p>No 'planting areas' are proposed. Refer to Appendix E for a detailed landscaping plan for the site.</p> <p>The proposal complies with this rule.</p> |
| Length of front boundary | Number of specimen trees | | | | | | | |
| Up to 10m | 1 | | | | | | | |
| For each additional 10m or part thereof | An additional 1 | | | | | | | |
| <p>25.5.4.6 Internal Planting</p> | <p>a) Internal planting shall be located within the sealed area to break up the impermeable expanse of paving and hard surfaces while ensuring pedestrian and vehicle safety. For large areas this will require the internal planting requirements to be split into more than one location.</p> <p>b) Internal planting shall consist of a combination of groundcovers and shrubs.</p> <p>c) Internal planting shall include specimen trees at the following minimum rates:</p> <table border="1" data-bbox="375 1702 893 1937"> <thead> <tr> <th>Number of parking spaces</th> <th>Number of specimen trees</th> </tr> </thead> <tbody> <tr> <td>Up to 20</td> <td>1</td> </tr> <tr> <td>For each additional 10 spaces or part thereof</td> <td>An additional 1</td> </tr> </tbody> </table> <p>d) Groundcover and shrub planting shall be selected, located and provided at a</p> | Number of parking spaces | Number of specimen trees | Up to 20 | 1 | For each additional 10 spaces or part thereof | An additional 1 | <p>Refer to Appendix E for a detailed landscaping plan for the site.</p> |
| Number of parking spaces | Number of specimen trees | | | | | | | |
| Up to 20 | 1 | | | | | | | |
| For each additional 10 spaces or part thereof | An additional 1 | | | | | | | |



| | | |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>density to ensure that a minimum of 50% of the surface of the internal planting area is covered from the time of planting (refer Figure 25.5.4e).</p> <p>e) Shrub planting shall be selected to ensure it is capable of growing to a mature height of at least 0.5m and shall be at least 0.3m in height at the time of planting.</p> <p>f) Trees required by 25.5.4.6c) shall be selected to ensure they are capable of growing to a mature height of more than 4m and shall be at least 1.8m in height at the time of planting.</p> <p>g) Trees shall be located within a planting space free from impermeable surfaces with a minimum dimension or diameter of 1.5m diameter.</p> <p>h) All planting shall be protected from potential pedestrian and vehicle damage.</p> | |
| Chapter 25.12 – Solid Waste | | |
| 25.12.3.1 Solid Waste Storage Areas | <p>a) All activities shall provide appropriate, on-site storage areas for recycling and litter bins that are accessible for waste collection services.</p> | <p>Accessible waste collection areas are proposed.</p> <p>The proposal complies with this rule.</p> |
| Chapter 25.13 – Three Waters | | |
| 25.13.3 Activity Status Table | <p>a) any activity required to prepare a Water Impact Assessment by rule 25.13.4.6 – Restricted discretionary activity</p> <p>b) Any activity required to prepare an Integrated Catchment Management Plan by rule 25.13.4.1(b) – Restricted discretionary activity.</p> | <p>The proposal requires a water impact assessment in accordance with rule 25.13.4.6 and an integrated catchment management plan in accordance with rule 25.13.4.1(b).</p> <p>The proposal triggers a restricted discretionary resource consent.</p> |
| 25.13.4.1 Integrated Catchment Management Plan | <p>c) Where a full ICMP already applies to an area, development of Three Waters infrastructure shall be undertaken in accordance with it. This will be considered a means to achieve compliance with the standards in Rules 25.13.4.1(b) and 25.13.4.2 to 25.13.4.4.</p> <p>d) In areas where an ICMP does not exist an ICMP as described in Volume 2, Appendix 1.2.2.6 shall be prepared for development or subdivision:</p> <ol style="list-style-type: none"> i. Creating more than 40 residential units on a site ii. Creating more than 40 additional allotments iii. Of any land involving more than 3ha. iv. N/A | <p>An ICMP is technically required as the proposal will result in more than 40 residential units on the site and will involve subdivision creating more than 40 lots. However, it is noted that pre application advice from Council staff confirmed that an ICMP was not required to support this application.</p> <p>The proposal does not comply with this rule.</p> |



| | | |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>25.13.4.2 Stormwater</p> | <p>(a) A stormwater reticulation and disposal system shall be provided that is adequate to safeguard people from injury or illness and protect property from damage caused by surface water.</p> <p>(b) Stormwater management measures shall be in place and operational upon the completion of subdivision and/or development to ensure that the rate of stormwater discharge offsite is at or below pre-development rates. Stormwater management measures shall be implemented, as appropriate, in accordance with the following drainage hierarchy:</p> <ul style="list-style-type: none"> i. Retention for reuse ii. Soakage techniques iii. Detention and gradual release to a watercourse iv. Detention and gradual release to a stormwater reticulation. | <p>An appropriate stormwater reticulation and disposal system is provided for the development which will safeguard people from injury, illness and protect property from damage.</p> <p>The stormwater management measures will be in place and operational when the subdivision and development is completed to ensure stormwater is discharged at pre-development levels.</p> <p>Stormwater management on the site is provided in accordance with the drainage hierarchy.</p> <p>The proposal complies with this rule.</p> |
| <p>25.13.4.3 Wastewater</p> | <p>a) An adequate, reliable, safe and efficient wastewater service shall be provided.</p> <p>b) Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for a wastewater system as follows.</p> <ul style="list-style-type: none"> i. The installation or upgrading of the wastewater network and/or wastewater pump stations to serve all proposed allotments and/or buildings, and ii. Connection to the wastewater network from each proposed allotment or building. | <p>A wastewater management system is provided that complies with this rule and all lots will connect to this system.</p> <p>The proposal complies with this rule.</p> |
| <p>25.13.4.4 Water</p> | <p>a) An adequate, reliable, safe and efficient supply of potable water shall be provided.</p> <p>b) Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for:</p> <ul style="list-style-type: none"> i. Water metering infrastructure, and either ii. A connection from the public water supply reticulation to each proposed residential allotment or existing building, or iii. A public water supply reticulation system extending from the main trunk water supply system (or from | <p>Water supply is provided to each of the units in this development which complies with this rule, including water for fire fighting purposes. The development does not result in a high use allocation.</p> <p>The proposal complies with this rule.</p> |



| | | |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>an existing water supply reticulation if appropriate) to allow a service to be connected from the transport corridor frontage of each non-residential allotment.</p> <p>d) A reticulation system shall be provided which is adequate for fire-fighting purposes and for estimated domestic and commercial consumption.</p> <p>e) Where a development results in high-use allocation from the water supply reticulation system, evidence of satisfactory water supply shall be provided.</p> | |
| 25.13.4.5 Water Efficiency measures | <p>(a) In addition to Low Flow Fixtures, at least one water sensitive technique for stormwater shall be incorporated, connected to, achieved or maintained as part of any new development as identified below:</p> <ul style="list-style-type: none"> - Detention of stormwater to 80% of pre-development runoff by an appropriate means - Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone - Rainwater tank for non-potable reuse system - Other equivalent feature | <p>In addition to low flow fixtures, the development proposes to provide detention of stormwater to 80% of pre-development runoff. If this is not achievable at building consent stage, an alternative water sensitive technique will be required.</p> <p>The proposal complies with this rule.</p> |
| 25.13.4.6 Water Impact Assessment | <p>a) A Water Impact Assessment, as described in Volume 2, Appendix 1.2.2.5, is required for any development or subdivision:</p> <ul style="list-style-type: none"> i. Creating four or more additional residential units on any site. ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors) iii. Involving more than 1ha of land. | <p>A water impact assessment is required for this development as the proposal creates more than four additional residential units and more than four allotments, additionally the site is greater than 1ha in area.</p> <p>Refer to Appendix J for the Water Impact Assessment.</p> <p>The proposal complies with this rule.</p> |
| 25.13.5 | Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria | <p>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters which Council has restricted the exercise of its discretion. For any activity which requires a Water Impact Assessment to be prepared, Council has restricted its discretion to Three Waters Capacity and Techniques (J). Regard has been given to these matters alongside other relevant matters in this application.to</p> |



| Chapter 25.14 – Transportation | | |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 25.14.3 Activity Status Table | (a) Any activity required to prepare a simple or broad Integrated Transport Assessment by Rule 25.14.4.3 – Restricted discretionary activity (b) New transport corridors – Restricted discretionary activity | Any activity required to prepare an Integrated Transport Assessment is a restricted discretionary activity, further any new transport corridors are listed as a restricted discretionary activity. The proposal therefore requires resource consent as a Restricted Discretionary Activity. |
| 25.14.4.1 Vehicle Crossings and Internal Vehicle Access | a) Distance between vehicle crossings on the same transport corridor frontage: less than 2m or more than 7.5m. b) N/A c) Minimum distance between any vehicle crossing and a transport corridor intersection, posted speed limit 60km/h or less: <ul style="list-style-type: none"> • 20m from round about to the west and 15m from Endeavour Avenue/Woodland Drive intersection d) Minimum distance from a dedicated pedestrian crossing facility. The closest edge of the vehicle crossing shall be at least 7m from the centre of the pedestrian crossing facility measured in accordance with Figure 25.14.4.1b. e) Minimum sight distance: 60m on proposed local road, 70m on Endeavour Avenue. f) Maximum number of vehicle crossings for any site within a residential zone: one g) N/A h) Vehicle crossing widths and internal vehicle access widths <ul style="list-style-type: none"> • Vehicle crossing: Minimum 3m to maximum 5.5m. • Internal vehicle access widths: minimum 3m formation width and 3.6m legal width for 1-6 units ii. Be formed and drained with a permanent sealed or paved all weather, dust free surface and in a manner suitable for the type and quantity of vehicles using the site. iii. Be designed and configured to meet the relevant requirements of Table 15-6a in Appendix 15. iv. On fee simple subdivision any internal vehicle access serving 10 or more residential units will be required to | The proposed new vehicle crossings from the residential lots to the internal loop road will be separated from one another either less than 2m or more than 7.5m therefore complies with 'a'. Access to Lot 1 will not be separated from the new western intersection by more than 15m therefore does not comply with 'c'. Further the new intersections will not be separated from the existing vehicle accesses to 5 Endeavour Avenue (Playcentre), 8 Endeavour Avenue (directly opposite the western intersection) or 2 Endeavour Avenue (to the west) by more than 15m. Sight distances in all directions from the proposed new intersections exceed the 70m requirement of clause 'e'. One vehicle crossing to each lot containing a duplex or standalone is proposed. Two vehicle crossings are provided to each of the apartment blocks, therefore does not technically comply with clause 'f'. Vehicle access width to all lots will comply with minimum 3m and maximum 5.5m therefore complies with 'g'. The internal vehicle accesses (Lot 101 and Lot 102) have a width of at least 3.6m therefore complies with 'h'. The proposal does not comply with this rule. |



| | | |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | be formed and vested in Hamilton City Council as a public road. | |
| 25.14.4.2 | <p>Parking, Loading Spaces and manoeuvring Areas</p> <p>a) Parking facilities shall be provided on that site in accordance with the levels set out in Tables 15-1a to 15-1f of Volume 2, Appendix 15-1.</p> <p><i>Table 15-1a requires the following:</i></p> <ul style="list-style-type: none"> • <i>Apartment buildings – 1 space per unit and 1 visitor cycle space per 4 units</i> • <i>Community centre – 1 space per 30m² floor area and 1 loading space and 1 cycle space per 50m² gross floor area</i> • <i>Single dwellings and duplex dwellings – 2 per household</i> <p>b) N/A</p> <p>c) N/A</p> <p>d) N/A</p> <p>e) Where the assessment of the number of parking spaces (of any type) resulted in a fractional space, any fraction under one-half was disregarded and fractions of one-half or greater were considered as one space.</p> <p>f) Parking spaces, loading spaces and manoeuvring areas shall comply with the relevant dimensions and layouts in Table 15-1h of Volume 2, Appendix 15-1 and are suitably designed for the vehicles and their occupants. 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.</p> <p>g) No part of any parking space, cycle space, loading space or manoeuvring area shall be located on any outdoor living area or service area.</p> <p>h) Design and layout shall meet any requirements for landscaping and screening in the applicable zones and Chapter 25.5: City-wide – Landscaping and Screening.</p> | <p>A total of 104 car parking spaces are required across the development, broken down into 3 for the proposed community room, 19 for the apartments and 82 for the duplexes and standalones.</p> <p>Each duplex unit and standalone dwelling has two stacked car parking spaces within the lot (total 82 parks).</p> <p>There are 12 parking spaces provided to the northern apartment block, and 15 car parking spaces provided to the southern apartment block and community room.</p> <p>The proposal also includes 31 additional parking spaces on the new loop road (subject to detailed design).</p> <p>As such, a total of 140 parking spaces are provided within the development.</p> <p>Appropriate manoeuvring space is available from all parking spaces provided on the site.</p> <p>Landscaping of the parking areas on the site will be carried out in accordance with the landscape plans in Appendix E.</p> <p>The proposal complies with this rule.</p> |



| | | |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> i) All parking space, cycle space, loading spaces or manoeuvring areas, (excluding those for residential activities), which are used during the hours of darkness shall be illuminated in accordance with NZS1158.3.1 Lighting of Pedestrian Areas (P11), during the hours of operation of the activity that the areas serve. j) Sufficient on-site manoeuvring areas shall be provided to avoid the reversing of vehicles off a site: <ul style="list-style-type: none"> i. Where any car park has vehicle access to any arterial transport corridor. ii. Where any car parking areas with vehicle access to any transport corridor contains: <ul style="list-style-type: none"> A. More than five parking spaces, or B. Is located more than 30m from the boundary with the transport corridor. k) Vehicles occupying any parking or loading space shall have ready access to a transport corridor at all times, without needing to move any other vehicle occupying other parking or loading spaces. This rule does not apply to residential units, where instead only one car parking space per unit needs to have access at all times. l) N/A m) Sufficient on-site manoeuvring areas shall be provided for loading spaces to avoid: <ul style="list-style-type: none"> i. Vehicles needing to reverse off site on to an arterial transport corridor ii. Vehicles projecting on to the transport corridor whilst loading or unloading | |
| 25.14.4.3 | <p>Integrated Transport Assessment Requirements</p> <p>Trip generation triggers - A Simple or Broad Integrated Transport Assessment (ITA) shall be prepared for activities as required by this rule, in accordance with the following trigger thresholds.</p> | <p>An integrated transport assessment has been prepared for the development in accordance with this rule and pre-application advice of HCC.</p> |



| | | |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> - Any activity in the relevant zone (except the Central City Zone) where vehicle movements per day will be between 500-1499 vpd – A simple ITA is required. | |
| 25.14.6 | Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria | <p>In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters which Council has restricted the exercise of its discretion. For any activity which requires an Integrated Transport Assessment to be prepared, Council has restricted its discretion to Transportation (G). Regard has been given to these matters alongside other relevant matters in this application.</p> |

