BEFORE THE INDEPENDENT HEARINGS PANEL
OF HAMILTON CITY COUNCIL

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Private Plan Change 17 to the Hamilton City Operative District Plan ("**PC17**")

SUMMARY STATEMENT OF EXPERT EVIDENCE OF NICHOLAS COLYN GRALA ON BEHALF OF FONTERRA LIMITED

PLANNING

2 DECEMBER 2025

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1. INTRODUCTION

1.1 My name is Nicholas Colyn Grala. I am a planning expert engaged by Fonterra Limited in relation to Private Plan Change 17 ("**PC17**"). My qualifications and experience are set out in my Primary Statement of Evidence.

1.2 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearings Commissioners. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

1.3 PC17 proposes to rezone approximately 91 hectares around the Te Rapa Dairy Manufacturing Site ("**Manufacturing Site**") ("**Plan Change Area**") to the Te Rapa North Industrial Zone ("**TRNIZ**") by uplifting the Deferred Industrial Zone ("**DIZ**") area / overlay.

1.4 This Summary Statement draws only on my primary evidence (7 October 2025) and rebuttal evidence (20 November 2025) that has already been filed for PC17. Its purpose is to give the Panel a clear, decision-focused overview of my conclusions, highlight the matters that determine planning appropriateness, and summarise my responses to other experts' evidence.

2. SCOPE OF MY EVIDENCE

2.1 My evidence addresses the planning rationale, framework, and provisions for PC17. It explains how the Te Rapa North Industrial Structure Plan ("**Structure Plan**") enables integrated land release, infrastructure staging, and protection of strategically important assets, including the Manufacturing Site and the North Island Main Trunk Line rail corridor. It sets out how the Strategic Infrastructure Table and Infrastructure Plan requirements work together, how the Transport Upgrade Framework enables development to be co-ordinated with network capacity, and how the blue-green corridor approach will be embedded through plan provisions and subsequent approvals.

2.2 Within this context, my evidence has addressed the following matters:

(a) Land release and zoning efficiency within the Structure Plan.

(b) Protection of the Manufacturing Site's ongoing operation and future-proofing rail access.

(c) Transport effects, thresholds, and triggers, including the Transport Upgrade Framework and the relationship with the future Northern River Crossing ("**NRC**").

(d) Stormwater management, including sub-catchment solutions, the blue-green corridor, and consistency with the draft Te Rapa Integrated Catchment Management Plan ("**Te Rapa ICMP**").

(e) Interface and urban form controls at the Plan Change Area edges, including the boundary with Horotiu East South ("**HES**") in the neighbouring Te Awa Lakes development ("**TAL**").

(f) Submissions seeking to include additional land within the Plan Change Area and whether that would be appropriate at this time.

3. SUMMARY OF KEY FINDINGS

Overall planning intent and approach

3.1 PC17 provides a fit-for-purpose planning framework to release industrial land in a manner that is co-ordinated with transport and three waters infrastructure, is effects-based, proportionate, and adaptable to change. It protects the Manufacturing Site, safeguards options for rail, and embeds an infrastructure-led approach so that development only proceeds when network capacity and environmental outcomes are assured. The PC17 provisions provide certainty (through clear thresholds, requirements, and outcomes) while retaining appropriate flexibility in sequencing and recognising multiple external dependencies.

Structure Plan and Infrastructure Plan requirements

3.2 The Structure Plan establishes a coherent internal network and logical connections to surrounding areas and the existing networks. The Infrastructure Plan mechanism requires applicants to show how each stage will be serviced, with targeted measures that reflect actual network capacity and effects at that location and time. This ensures that solutions will be delivered when and where they are needed.

Transport: effects management and staging

3.3 The Transport Upgrade Framework is central to PC17. It ties land release and / or trip generation to specific upgrades, with clear triggers for when those upgrades must be in place. Where subdivision is involved, upgrades are required ahead of s224(c); and in situations where land use occurs without subdivision, it applies equivalent trip-based triggers. Simple ITA's are required to assess the transport effects of not meeting specified upgrades while a Broad ITA is required for the final stages of the Plan Change Area where there are uncertainties (including timing of the NRC and the Ruffell Road level crossing).

Stormwater and the blue-green corridor

3.4 PC17 supports a blue-green network that integrates hydrology, ecology, and amenity:

(a) In the West Block, offline stormwater management devices such as wetlands are anticipated to manage flows and quality effects before discharge to the Te Rapa Stream.

(b) In the North and South-East Blocks, direct discharge to the Waikato River is available with appropriate treatment and hydrological controls.

(c) Proportionately is a key consideration for stages that will discharge to the Te Rapa Stream. The Te Rapa ICMP identifies that the increased volumes that have been and will be caused by urban development is catchment wide issue. My primary evidence supports defining proportionate contributions through the Infrastructure Plan process rather than fixing unfunded downstream works as plan triggers. Following informal conferencing and further testing, my rebuttal supports securing the "Area 1" stream resilience package for stages that discharge to the Te Rapa Stream. Stages that discharge directly to the Waikato River would not be required to contribute to that package.

Protection of the Manufacturing Site and Future Rail Connections

3.5 PC17's provisions protect the Manufacturing Site's ongoing operation, acknowledging its importance to the region. They also future-proof opportunities for rail access and avoid sensitive activities that could compromise industrial activities through introducing sensitive activities.

Extent of PC17 and integration with surrounding land

3.6 My evidence supports the Plan Change Area as proposed. The Structure Plan was developed to integrate logically with land that remains under the DIZ area / overlay. This means subsequent plan changes by others or Council can proceed with their own technical assessments while still connecting coherently to PC17's network and open space framework. PC17 is therefore complete and workable on its own terms, without needing to include additional land to enable a well-functioning urban environment to be achieved.

Interfaces and amenity at edges

3.7 At sensitive edges, the Structure Plan retains appropriate interface tools, including a landscape buffer and dense planting requirements while neighbouring areas remain under the DIZ area / overlay deferred status. I will cover the additional bulk and location controls sought by TAL in greater detail later in my statement, but in summary I do not consider these are necessary because the HES Block is clearly zoned and anticipated for long term industrial development and no resource consents or fast track approvals have been granted that enables otherwise.

The Benefits of PC17

3.8 PC17 brings forward a strategically located industrial growth node that is well served by an established road network (State Highway 1 and State Highway 1C and Te Rapa Road) and the North Island Main Trunk Line that support efficient freight movements. Nearby established residential areas in Rototuna and Pukete provide an available labour market and employment accessibility to achieve a well-balanced urban form.

3.9 It provides a medium-term supply of serviced industrial land, strengthens Hamilton's economic base, and enables coordinated, staged delivery of three-waters and transport infrastructure through the Structure Plan and strategic infrastructure provisions.

3.10 Environmental betterment is achieved via riparian margins and stormwater wetlands that improve water quality, manage hydrology and reduce erosion risk along sensitive reaches of the Te Rapa Stream, all of which are delivered in step with urban development.

3.11 PC17 also protects the Manufacturing Site from reverse sensitivity effects, future proofs rail access, and supports opportunities for long term mode shift initiatives that are planned by Council.

3.12 Overall, PC17 enables industrial growth where it is long signalled to occur, links land release to infrastructure availability, and improves certainty for both the Council and landowners within the Plan Change Area and TRNIZ.

The Waikato Regional Policy Statement

3.13 The Waikato Regional Policy Statement ("**WRPS**") identifies Te Rapa North for long-term industrial development and manages the timing of land release through Table 35 and Map 43.

3.14 Because PC17 advances approximately 91 hectares earlier than the long-term horizon, it has been assessed against the responsive planning criteria in Appendix 13. Those criteria require infrastructure to be available or able to be made available; the integration and efficiency of development; avoiding compromises to significant existing or planned infrastructure; and the maintenance or enhancement of environmental outcomes. PC17 meets these criteria by demonstrating confirmed public network pathways for water and wastewater, a stormwater approach aligned with the draft Te Rapa ICMP, and a transport framework with clear staging thresholds and triggers. The Structure Plan provides coherent internal networks and logical connections to the wider TRNIZ so later plan changes by Council others can effectively plug in without fragmentation or frustration. PC17 therefore gives effect to the WRPS urban form and development policies while managing the out-of-sequence aspect through the Appendix 13 lens.

Te Ture Whaimana o Te Awa o Waikato (Vision and Strategy)

3.15 Te Ture Whaimana o Te Awa o Waikato (Vision and Strategy) is given effect to by PC17's blue-green corridor approach. The provisions require wetlands, riparian margins and hydrological controls that improve the quality of water discharged, manage flow regimes and reduce erosion risk in sensitive locations, with delivery staged alongside development. This proportionate approach is reinforced in rebuttal through the "Area 1" stream resilience package for stages that discharge to the Te Rapa Stream. These measures contribute to restoring and protecting the health and wellbeing of the Waikato River over time.

National Policy Statements

3.16 The National Policy Statement on Urban Development seeks sufficient business land capacity and integration of land use and infrastructure. PC17 gives effect to these directions by unlocking deferred industrial capacity and sequencing development with servicing, locating industry close to freight

networks and labour markets to reduce inefficient travel, and supporting a competitive industrial land market. These outcomes contribute to a well-functioning urban environment.

3.17 To the extent that the National Policy Statement for Freshwater Management is relevant at the plan change stage, PC17's stormwater and riparian provisions are designed to protect water quality and the life-supporting capacity of waterways in line with the District Plan's implementation of Te Ture Whaimana.

Part 2 of the Act

3.18 PC17 promotes sustainable management by enabling industrial use of land long identified for that purpose. It integrates land release with infrastructure delivery, protects regionally significant industry from reverse sensitivity, and manages environmental effects through best practice design and targeted ecological management plans.

3.19 PC17 provides for the social and economic wellbeing of the community by delivering serviced industrial land in a strategic location; maintaining and enhances environmental quality via riparian protection and stormwater management. It does not compromise the reasonably foreseeable needs of future generations because development is staged with servicing and importantly it avoids predetermining regionally significant infrastructure such as the NRC.

3.20 On this basis, PC17 is efficient and effective and, in my view:

(i) The objectives of the proposal are the most appropriate way to achieve the purpose of the Act.

(ii) The provisions are the most appropriate way to achieve the relevant objectives and are preferred to alternative options.

(iii) The overall benefits of the proposal outweigh the costs on the community, the economy and the environment; and

(iv) The provisions are an efficient and effective way of achieving the objectives.

4. RESPONSE TO SUBMITTER EVIDENCE

Transport modelling scope

4.1 The TAL evidence sought to model hypothetical full build-out of TAL and to ascribe related upgrades to PC17. My position is that modelling should reflect development that is reasonably certain (ielive zonings and granted resource consents) and not fanciful. Including speculative growth or upgrades would distort the baseline and risk allocating responsibility for external effects to PC17. The Transport Upgrade Framework and ITA requirements already ensure that PC17's actual traffic effects are identified and addressed at the right time.

North Block / HES interface

4.2 The TAL submission and supporting evidence sought for additional bulk and location controls at the shared boundary with HES.

4.3 The interface north of the Plan Change Area is between two industrially signalled areas and not an industrial edge to a future residential neighbourhood as the TAL evidence suggests.

4.4 Within the TRNIZ, land outside the Structure Plan remains under the DIZ overlay that applies the Future Urban Zone provisions as a holding mechanism until servicing and staging are confirmed; noting it is still anticipated for industrial use. On the TAL side, the HES Block is not incorporated into the Operative District Plan as a live urban zoning and has no resource consent authorising redevelopment. In this context, imposing additional bulk and location controls inside PC17 to meet higher amenity aspirations for HES is not necessary or appropriate. If a lighter, mixed or higher-amenity outcome is later advanced on the TAL / HES land, the appropriate place to locate additional interface mitigation is within that landholding, rather than constraining PC17's industrial capacity and form.

NRC and uncertainty

4.5 Submitters pointed to uncertainty around the NRC. PC17 avoided including land on the eastern side of Te Rapa Road for this reason and has also included additional setbacks within the Plan Change Area to ensure that enabled industrial development does not compromise or constrain the ability for the NRC to be designated or constructed in the future.

Inclusion of Porters' land

4.6 The request to add Porters' land to PC17 is not supported by an equivalent level of evidence that was prepared for PC17. In my opinion, the Panel does not have sufficient information to conclude whether its inclusion would give effect to higher order policy. I also note that the Structure Plan already allows coherent integration when that land is advanced through a separate plan change or District Plan review that would need to be supported by a full suite of evidence.

Inclusion of Meadowview Lane land

4.7 Similar evidence gaps exist for the Meadowview Lane Submitters, compounded by uncertainty around the future NRC corridor. Rezoning that land through PC17 would risk predetermining regionally significant infrastructure or constraining future alignment options. A more appropriate approach is for that land to be considered separately when the necessary technical assessments are available and strategic transport uncertainties have narrowed.

Stormwater mitigation and "Area 1" package

4.8 There is broad agreement that stormwater should follow an integrated, effects based approach. My primary evidence supports proportional contributions, implemented through the Infrastructure Plan to match staging and receiving environments. My rebuttal aligns the rules with the "Area 1" stream resilience works for stages that discharge to the Te Rapa Stream, providing a clear, deliverable pathway. Conversely, stages that discharge directly to the Waikato River should not contribute to Te Rapa Stream works because they do not discharge into the stream.

4.9 This is a targeted, pragmatic solution that improves certainty for landowners and Council. It supports the integrated catchment management planning without shifting broader catchment issues and obligations onto PC17 alone.

5. S42A ADDENDUM

5.1 Mr McGahan provided the Panel with an Addendum Section 42A Hearing Report on 27 November 2025. The addendum now provides a recommendation to approve PC17 after remaining neutral in the original s42A Report (dated 11 September 2025) and recommends further changes to the PC17 provisions.

5.2 The changes fall into two categories: The first are amendments for readability and consistency that align wording with the ODP style and approach. I support these because they generally improve and refine the PC17 provisions that I included in my rebuttal statement. The second are more material changes that have been informed by the Councils subject matter experts that I will cover in turn below.

Chapter 3: Figure 3.9.2.5e (Old Ruffell Road cross-section)

5.3 I do not support replacing the indicative Old Ruffell Road cross-section with a new cross section comprising of a 10 m carriageway (two 4 m lanes with a 2 m flush median) and reduced berms. The cross section prepared by Mr Inder remains the appropriate response for this corridor because, based on the advice from Mr Inder:

(v) it reflects the recent kerb and channel works and avoids removing and repouring assets for negligible benefit;

(vi) it avoids the disruption and cost associated with relocating significant power infrastructure located beneath the footpath; and

(vii) the corridor width is insufficient to accommodate a 2 m flush median in this section of road.

5.4 For these reasons I support retaining Mr Inder's version of the Old Ruffell Road cross section.

Chapter 3: Rule 3.9.3.2 (Transport Upgrade Framework)

5.5 Two new items are added at the front of the table in the left-hand column both of which are unsupported by Mr Inder.

5.6 The design and construction of the McKee Street / Te Rapa Road signalised intersection is already required by Te Awa Lakes as a condition of its consent and, in my view, forms part of the existing environment. There is no additional effect from PC17 that warrants requiring PC17 to deliver this upgrade as well and the duplication is inefficient and fails to improve the provisions effectiveness.

5.7 The addendum would require a Broad ITA to support all resource consents beyond 20ha.[1] The provisions that were appended to my rebuttal statement require a Simple ITA for any application that does not propose one or more of

[1] Under Rule 3.9.3.2(b)

the required upgrades and a Broad ITA is only required for the final stages that exceed a cumulative 42 hectare of developable area to address the uncertainty around the Ruffell Road level crossing.

5.8 Based on the evidence of Mr Inder, and my understanding of the existing environment, I do not consider there to be sufficient uncertainty to warrant a Broad ITA being required beyond the first 20 hectare. I also note that no section 32AA evaluation has been included within the s42A Addendum that demonstrates why this is the most efficient and effective approach.

Chapter 3: Rule 3.9.3.3 (Strategic Three Waters Infrastructure)

5.9 The purpose of the table within this rule is to ensure urban development is co-ordinated and integrated with appropriate three waters infrastructure by providing plan users with a clear, stage by stage view of what specific upgrades are needed across the Plan Change Area.

5.10 The proposed additions (including confirmation of water allocation and availability for all stages and confirmation of wastewater treatment plant capacity for all stages) are process steps that are already required by the District Plan under the information requirements in Volume 2, Appendix 1.2 clause 1.2.2.5 Water Impact Assessments. This requires:

(viii) Demonstration of consistency with any relevant Integrated Catchment Management Plan, including how the proposal meets its recommendations, measures, and targets.

(ix) An assessment of potential effects on the catchment, including cumulative effects.

(x) Water sensitive design: the techniques proposed and how they follow the drainage hierarchy, including whether soakage is viable.

(xi) The expected water efficiency benefits of the proposed techniques compared with the same development without those techniques.

(xii) Operation and maintenance arrangements to ensure ongoing water efficiency benefits.

(xiii) Where no water sensitive techniques are proposed, an assessment with reasons and justification, having particular regard to Volume 1, Chapter 25.13: City-wide – Three Waters.

(xiv) Confirmation of the availability and capacity of Three Waters infrastructure to appropriately service the proposal.

(xv) Water supply details, including demand (flow and pressure) and water sources.

(xvi) Where water demand exceeds 15 m^3/day, a programme showing how consumption will be reduced to 15 m^3/day.

(xvii) How wastewater (including trade waste) will be managed to minimise impacts on the reticulated network.

(xviii) A list of measurable targets and performance indicators to enable efficient and effective monitoring of compliance with any Water Impact Assessment conditions.

5.11 Within the same appendix of the District Plan, Clause 1.2.2.5a also requires Three Waters Infrastructure Capacity Assessments as part of an assessment of environmental effects that:

(i) Quantifies water demand for potable and firefighting purposes

(ii) Quantifies wastewater demand including trade waste where relevant.

(iii) States the New Zealand Fire Service fire risk classification.

(iv) Details of the stormwater approach & downstream implications

(v) Describes proposed on site stormwater management techniques and the resulting demands (or relief) on downstream infrastructure.

(vi) If network capacity is insufficient;

- summarises consultation outcomes with the Council (as asset owner).
- Identifies works to increase capacity and / or mitigation measures, both on-site and within the surrounding network.
- Considers reducing or staging the development to align with available capacity.
- Indicates any Private Development Agreements contributing to infrastructure upgrades.

- Include water-demand reduction measures and strategies to limit wastewater outflows.
- Specifies any measures needed to remedy firefighting water supply deficiencies.

5.12 Further, the Infrastructure Plan requirement within Rule 3.9.3.4 (referenced through to Information Requirement 1.2.2.30(i)) already requires evidence of consultation with Waikato Regional Council, Waikato District Council, IAWAI – Flowing Waters, Mana Whenua and FirstGas along with how any feedback from these organisations has been addressed.

5.13 Aside from the fact that these are already required by the District Plan, I do not support mixing process, engagement and methodology considerations into the table. In developing the PC17 provisions, I deliberately used the Infrastructure Plan as a way to set out an appropriate process, engagement, capacity checking and methodology requirements. This then meant the infrastructure table could clearly list the physical upgrades required by each stage.

5.14 My preference is therefore to rely on the information requirements of the District Plan (both existing and what is proposed to be included through PC17) to set out what any application must contain and the process it should follow in assessing environmental effects.

5.15 I do not support the proposed stormwater amendments that removes the specific mitigation previously identified for stages that discharge to the Te Rapa Stream (being the "Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP") and replaces it with "Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan." In my opinion, the new description is too general and does not have the clarity a District Plan rule should provide. It does not identify the location or extent of the required mitigation and leaves it open to interpretation and subjectivity.

5.16 My preference is to retain an explicit reference to Area 1 because it is already defined in the Te Rapa ICMP and gives plan users certainty on the location and extent of works. I understand that Mr King and Mr Smith remain aligned that the Area 1 package is the most appropriate; and while Mr Smith has suggested more general wording, I consider the specific reference will be more effective and efficient at securing appropriate mitigation for PC17.

Chapter 12 – objectives and policies.

5.17 The addendum has proposed including a new objective and policies and

modifying an existing objective and supporting this with new policies so that three waters infrastructure is separated from transport infrastructure (rather than combining the two as I had proposed previously).

5.18 Although no section 32AA accompanies these changes, I am generally supportive of the intent. Some clauses could be tightened so they read more effectively as policies, and I would support minor wording refinements to improve clarity without changing the policy intent.

5.19 I have included an updated PC17 provision set as **Attachment 1** to my summary statement. This is based on the latest version that was included within the s42A addendum and shows additional changes in blue font.

6. CLOSING STATEMENT

6.1 In my professional opinion, PC17 offers a robust, effects based and proportionate planning framework. It enables industrial land in a strategically important location while protecting the Manufacturing Site, future proofing rail, and ensuring transport and stormwater effects are managed in step with development.

6.2 The Structure Plan and Infrastructure Plan mechanisms provide clarity without unnecessary rigidity; the Transport Upgrade Framework ensure safe and efficient operation of the network; and the targeted stormwater approach (including the "Area 1" stream resilience package where discharges affect the Te Rapa Stream) delivers practical, measurable outcomes that are entirely consistent with the Te Rapa ICMP.

6.3 Overall, PC17 is an appropriate planning response that integrates land use and infrastructure, responds to uncertainties, and focuses mitigation where it is needed. I consider that the Commissioners have sufficient information to decide on PC17 and it is appropriate for the request to be approved.

Nicholas Grala
2 December 2025

Attachment 1

3.9 Te Rapa North Industrial

The Te Rapa North Industrial Zone applies to approximately 230ha of land to the north of Hamilton. It is a strategic industrial growth node identified by the Waikato Regional Policy Statement that is essential to Hamilton and the Waikato Region's future supply of industrial land.

A Deferred Industrial Zone overlay applies over all parts of the zone outside of the Te Rapa North Industrial Structure Plan area. This overlay applies the Future Urban Zone provisions, maintaining rural activities in these areas, with an anticipation for industrial development in the future.

The Te Rapa North Industrial Structure Plan applies to 91ha of the zone. The Structure Plan will further guide the development of the area to coordinate infrastructure upgrades and achieve good urban design outcomes.

Vision

a. The development of the Te Rapa North Industrial Structure Plan has been guided by the following vision:

   "To deliver a well-functioning industrial and logistics hub at Te Rapa North that achieves environmental protection while providing economic benefits and productivity gains to the Waikato Region. Central to this will be enabling industrial uses that compliment and protect the ongoing operation of the Te Rapa Dairy Manufacturing Site."

3.9.1 Objectives and Policies

a. The objectives and policies of Chapter 12 -Te Rapa North Industrial Zone provide ~~bespoke~~ guidance for the use and development of this area. The Chapter 12 objectives and policies were developed with specific consideration of the Te Rapa North Industrial Structure Plan area and its surrounds.

b. Refer to Chapter 12 and other relevant district plan chapters for the objectives and policies to guide development in accordance with the Structure Plan.

3.9.2 Components of the Structure Plan

This section provides an explanation of the main land use elements to achieve the vision described in 3.9 a. These elements are incorporated in land use zones and overlays as shown on the Planning Maps and Appendix 2 - Figure 2-22.

3.9.2.1 Overall

a. A 91 ha area centering around the Te Rapa Dairy Manufacturing Site on either side of Te Rapa Road to the north of the Te Rapa suburb of Hamilton City.

b. It is bounded by the Waikato River, the Waikato Expressway (SH1), the NIMT and private property boundaries.

c. It will provide for approximately 53ha of (net developable) employment land, that is to be developed as a high-quality industrial precinct and future rail siding for the NIMT.

d. The land surrounding the Structure Plan area that is zoned Te Rapa North Industrial, will remain subject to the Deferred Industrial Zone overlay, with the expectation that future plan change processes

will live-zone these areas, and update the Structure Plan accordingly.

3.9.2.2 Industrial Precinct

The Te Rapa North Industrial Structure Plan will guide the development of a high-quality industrial and logistics precinct surrounding the Te Rapa Dairy Manufacturing site.

a. The industrial uses sought are to be complementary and not sensitive to the Te Rapa Dairy Manufacturing site.

b. Activities associated with industry that are not sought to be enabled within the zone include: Car or boat sale yards/display suites and wet industry.

c. Only offices and retail spaces that are ancillary to industrial activities are sought within the zone.

d. A limited floor area for office and retail activities is permitted in the zone to enable the spaces that are essential to the function of industrial and logistics activities. Floor area limitations apply to avoid the risk of reverse sensitivity and detracting from existing commercial centres.

e. Food and beverage outlets are limited to the Focal Area and within a gfa cap, to meet workers' daily needs in the Southern part of the Structure Plan area.

f. The Structure Plan area is an industrial precinct and as such, the road reserve and boundary treatments have the greatest opportunity for visual amenity outcomes. However, provisions apply which support positive development design outcomes including setbacks and landscaping.

3.9.2.3 Focal Area

a. An approximately 2ha Focal Area is identified in the Structure Plan (Figure 2-22), which is dedicated to meeting the daily needs of people working within the industrial precinct.

b. Food and beverage outlets and gymnasiums that are not sensitive to the industrial nature of the area are sought to be enabled.

c. Connection with the Riparian and Stormwater Reserve Area to provide access to and/or an outlook over green space.

d. It is located within the southern part of the Structure Plan area to provide for the needs of employees in Southern Part of the Structure Plan area and the parts of the TRNIZ that are subject to Deferred Industrial Zone overlay, once developed in future. The Te Awa Lakes Commercial precinct to the north of the Structure Plan Area will meet the needs of workers in this location.

3.9.2.4 Te Rapa Dairy Manufacturing Site

a. The Te Rapa Dairy Manufacturing Site is a regionally significant industrial activity, that employs a significant number of people and is integral to the operation of the dairy industry in the Waikato.

b. The existing Te Rapa Dairy Manufacturing Site operations are to remain unchanged and unaffected by the future development guided by the Structure Plan.

c. Any development and changes to access and circulation shall not impact the long-term function of the Te Rapa Dairy Manufacturing Site.

3.9.2.5 Movement Network

The Te Rapa Industrial Structure Plan has been master planned to deliver a functional and efficient multi-modal movement network. The network and road designs support the larger vehicles associated with industrial activities by providing for their safe, efficient and convenient access to Te Rapa Road and the Waikato Expressway, whilst development triggers and setbacks protect the functionality and future upgrades of these corridors. The proposed network supports walking and cycling, with dedicated cycle lanes provided for in Arterial and Collector Road designs (see Figure 3.9.2.5a-c) and footpaths provided across all road designs. Development controls protect the ability of corridors to be upgraded as dedicated rapid transit routes to promote an interconnected network that enables the Structure Plan area to be readily serviced by public transport.

The Structure Plan (Appendix 2 Figure 2-22) indicates the location of the Local, Collector, Major Arterial, State Highway transport corridors and the NIMT. These transport corridors are either existing, designated or yet to be upgraded/constructed.

Timing of Upgrades

a. The timing of subdivision and development is coordinated with transport network upgrades, as set out in Rule 3.9.3.2.

Inter-Regional Connectivity

b. The transportation network is based on a hierarchy where State Highways and Rail Corridors are at the top and prioritise high volume inter-regional traffic and freight movements. This includes SH1 and the NIMT. These two regionally significant corridors are not within the Structure Plan area, however the future development guided by the Structure Plan will influence the traffic volumes they experience.

c. The connection to SH1 via the extension of Koura Drive is indicated by the Structure Plan to ~~demonstrate the~~ protect the future Northern River Crossing (future Major Arterial) between Te Rapa Road and Koura Drive. The intent is for the East-West Road to eventually form part of the Northern River Crossing. The connection to Koura Drive is not required for the Structure Plan area to function in a way that supports the safe and efficient movement of people and goods.

Rail Siding

d. The Structure Plan indicates a future rail siding for the NIMT Rail sidings are a form of rail infrastructure that act as a holding location for locomotives to support the efficient distribution of goods and product. The location of the rail siding in Figure 2-22 is indicative, with the preferred location within the Structure Plan area being along the eastern edge of the NIMT.

Arterial

e. The Arterial transport corridor networks are designed to cater for high-volume traffic and provide the key connections with the wider City and regional network:

    1. Te Rapa Road passes through the Te Rapa North Industrial Structure Plan area. It is anticipated to be upgraded in the long term to include a rapid transit route from the city centre to Te Awa Lakes development. Upgraded infrastructure on Te Rapa Road to support the Te Rapa North Industrial zone includes:

        i. Access 2: A new four-way signalised intersection south of Hutchinson Road, providing access to Fonterra North and to the west of Te Rapa Road

within the Te Rapa North Industrial Structure Plan area.

ii. Four-laning of Te Rapa Road between the Hutchinson Road roundabout and Access 2 intersection

iii. New Bus Stops on Te Rapa Road south of the Access 2 intersection

iv. A shared walking and cycling path on the eastern side of Te Rapa Road between Hutchinson Road and the Access 2 intersection.

Note

1. *The Te Rapa Road and Mckee Street intersection will be upgraded to a signalised intersection as part of the Te Awa Lakes development in accordance with 3.8 Te Awa Lakes.*

2. *A potential new intersection (by Hamilton City Council) is anticipated to connect Te Rapa Road with the Koura Drive Extension section of the proposed Northern River Crossing arterial, near the existing Pukete Road intersection.*

2. The East-West Road in the Te Rapa North Industrial Structure Plan area is designed to be upgraded in future by Hamilton City Council to a Major Arterial, when the Koura Drive Extension section of the Northern River Crossing is constructed. To service development associated with the Te Rapa North Industrial Structure Plan area, the initial East-West Road shall be constructed in accordance with the future-proofed cross-section depicted in Figure 3.9.2.5a. Rule 12.4.1 applies setbacks to this interim design to futureproof the corridor for an Arterial Road, like that depicted in Figure 3.9.2.5b.

3. It is anticipated that Hamilton City Council will use the notice of requirement process to designate the corridors once the precise alignment and design of the new and upgraded Arterial Roads have been determined, including Te Rapa Road and the Northern River Crossing.

Collector

f. A central spine Collector Road runs north-south through the Te Rapa North Industrial Structure plan area to the west of Te Rapa Road. It will be designed to accommodate stormwater swales, and watercourse crossings where required. An illustration of the possible cross-section for this road is provided in Figure 3.9.2.5c.

g. The Structure Plan anticipates that Old Ruffell Road will be upgraded to a Collector cross-section standard between the central spine Collector Road and Ruffell Road. It will be designed to include provision for a walking and cycling connection between the Plan Change area (along Old Ruffell Road) and bus stops located on Te Rapa Road ~~and the Old Ruffell Road stub opposite~~ north of the Te Rapa Road / McKee Street Intersection.

h. Some flexibility is afforded in the alignment of the central spine Collector Road, as it will have a key role in accommodating public transport and active and micro-mobility transport routes. As such, the Structure Plan connectivity is an important design element to facilitate the safety of users and provide convenient mode choice options whilst ensuring long-term efficient access for freight to the strategic road network.

Local Roads

i. Local Roads will provide access to future land use activities within the Te Rapa North Industrial Structure Plan area. These roads will support the movement of freight vehicles at a low speed (40km/h) and will also accommodate stormwater swales, and watercourse

crossings where required. An illustration of a typical cross-section for the Structure Plan area's local roads is shown in Figure 3.9.2.5d. Local Roads depicted on the Structure Plan are indicative only.

Vehicle Access Restriction

j. An access restriction, applying to ~~heavy motorized vehicles~~ all heavy vehicles to the Fonterra South and Meadow View East Block is to apply to Meadow View Lane until the Deferred Industrial Overlay is lifted from the properties along this road. This is to prevent noise and traffic impacts along this residential lane.

k. The restriction will require heavy vehicles associated with industrial activities in the Fonterra South and Meadow View East Block to access Te Rapa Road via the Te Rapa Dairy Manufacturing Site.

Public Transport

l. The Structure Plan area is to facilitate the provision of public transport services so employees, visitors and those travelling through the area have a variety of transport options.

m. The road network set out in Figure 2-22 either holds space for the upgrade of existing transport corridors (Te Rapa Road) or will deliver roads that are supportive of public transport services (East-West Road and its upgrade as the Northern River Crossing and central spine Collector Road).

n. Bus stop facilities will be provided along Te Rapa Road (both sides), on the north side of Te Rapa Road / Mckee Street intersection, near the centre of the Structure Plan area (approximately at the Te Rapa Dairy Manufacturing Site access) and on the south side of the Access 2 intersection.

Walking and Cycling

o. Walking and cycling infrastructure will be provided along new roads to meet the needs of future employees as well as those visiting or passing through the area, with the intention of reducing reliance on motor vehicles through improved access to active travel modes and public transport.

p. The ~~central spine Collector Road,~~ East-West Road ~~and the~~ (future ~~Northern River Crossing~~ Major Arterial) includes separated footpaths and bi-directional cycle path~~s~~, as depicted in Figures 3.9.2.5 a-b~~c~~. The central spine Collector Road and Old Ruffell Road collector upgrade includes a shared walking and cycling path on one berm and a footpath on the opposite berm. Local Roads ~~are to~~ have dedicated footpaths on both sides and a traffic environment ~~but will have a~~ (low operating speed and traffic volumes) that enable cyclists to safely share the road carriageway.

q. The setbacks required from Te Rapa Road will maintain space for the future upgrade of this corridor, to deliver walking and cycling facilities.

Figure 3.9.2.5.a: Indicative Typical Cross-Section for the East-West Road (Local Road)

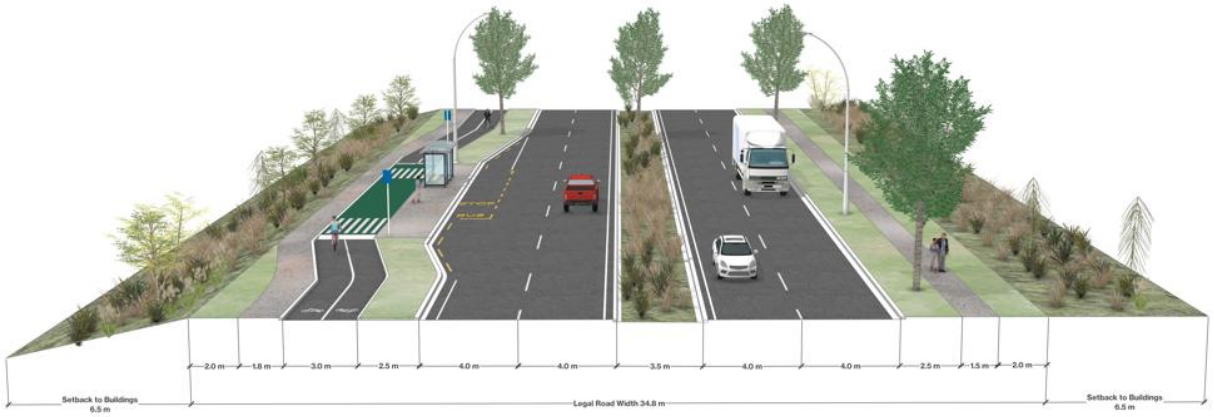


Figure 3.9.2.5.b: Indicative Typical Cross Section of the ultimate Northern River Crossing (Arterial), following upgrade of East-West Road

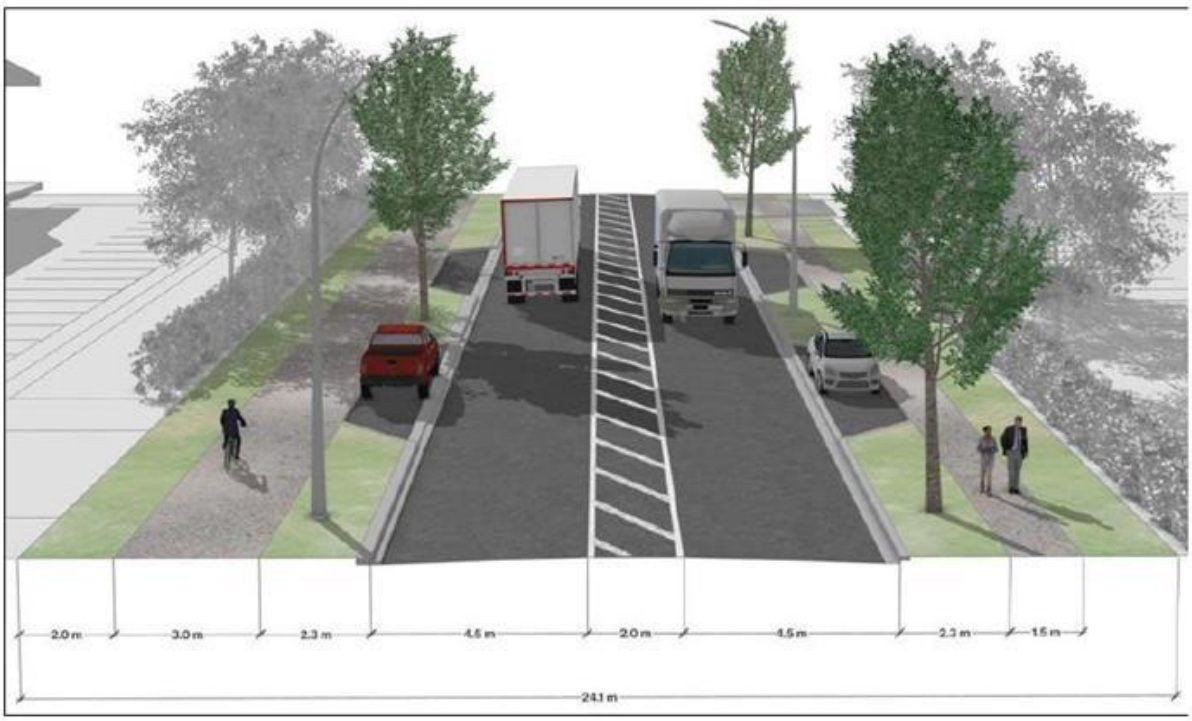


Figure 3.9.2.5.c: Indicative Typical Cross-Section of the Te Rapa Structure Plan Spine Road (Collector)

Figure 3.9.2.5.d: Indicative Typical Cross-Section for Local Roads

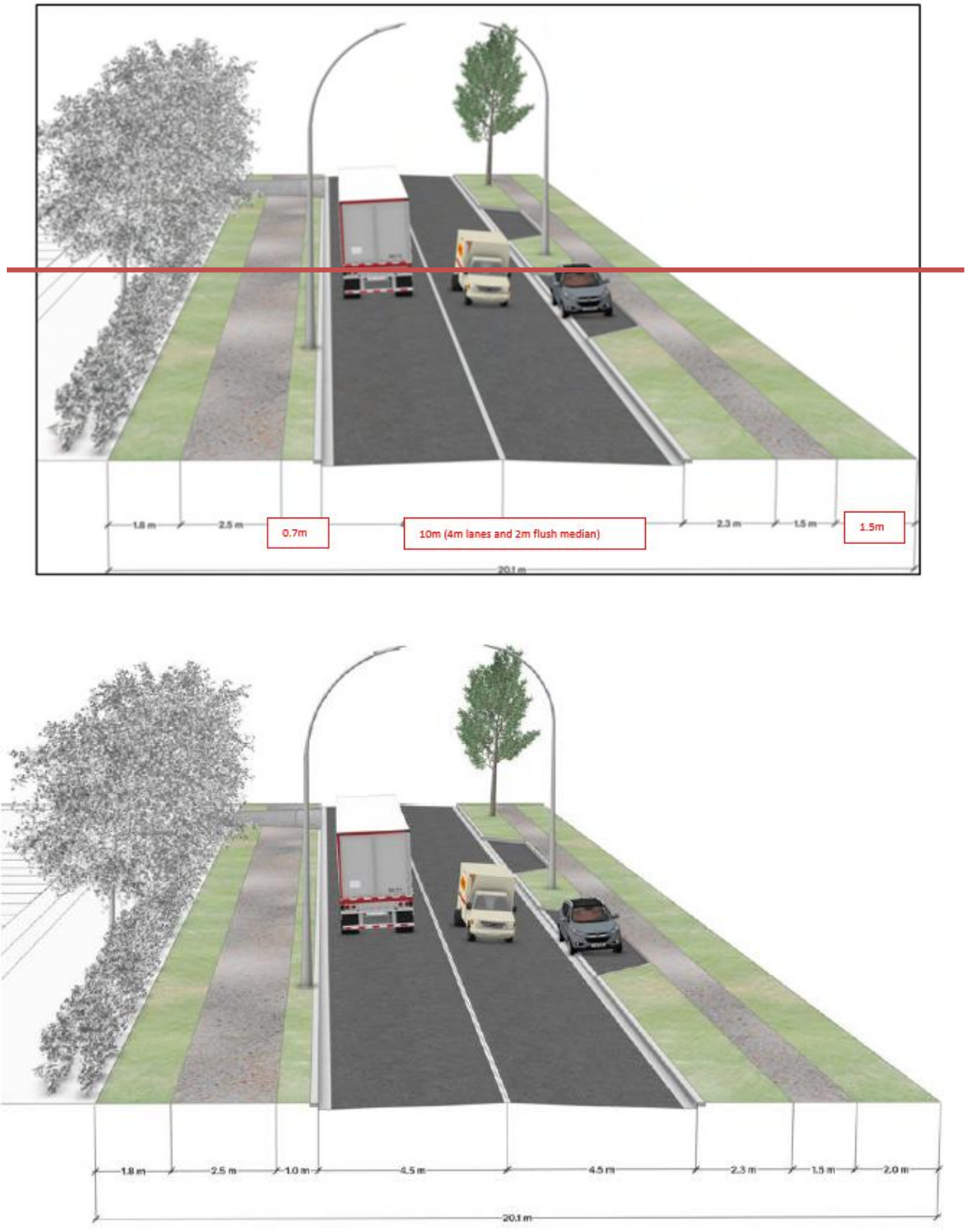


Figure 3.9.2.5.e: Indicative Old Ruffell Road upgrade cross section (Collector)

3.9.2.6 Wastewater and Water Networks

a. Development of the Te Rapa North Industrial Structure Plan area will be progressively enabled based on the capacity of the public network.

b. The first ~~land use or subdivision consent~~ application for resource consent for land use, subdivision, or development for the Structure Plan area will be accompanied by an Infrastructure Plan that considers water availability and allocation, details the methods of water supply and conveyance as well as wastewater treatment capacity and management, including any upgrades or new infrastructure that may be required to the public network. ~~The first Infrastructure Plan must consider the full development scenario for the Structure Plan area.~~

c. All subsequent ~~development~~ applications for resource consent for land use, subdivision, or development, including for later stages, will be accompanied by an Infrastructure Plan that covers the matters as set out in 3.9.2.6.b. Subsequent Infrastructure Plans will refer to the Infrastructure Plan required under Section 3.9.2.6.b ~~this plan~~ and contribute to the completion of its proposed network, in a manner that is coordinated and does not compromise the capacity of existing service users.

d. Early interaction with Hamilton City Council by developers is encouraged to coordinate the construction of these assets with the sequencing of urban development and to enable any assets that are private initially, to be vested in future.

3.9.2.7 Blue-Green Corridor (Ecology and Stormwater Management)

a. Te Ture Whaimana o Te Awa o Waikato (Te Ture Whaimana) sets the vision for the Waikato Region, in relation to the Waikato River, seeking a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.

b. The Waikato Regional Policy Statement, through its endorsement of the Future Proof Strategy, along with Te Ture Whaimana seeks the creation of a regional Blue-Green network, with the Waikato River at its heart.

c. A blue-green network is a system of waterways (blue) and open spaces or reserves (green) that gives stormwater space to flow while contributing to the ecology, amenity and sometimes, recreation values of an area. Section B5 of the 2024 Future Proof Strategy directs:

The blue-green network includes regional and local scale landscape features, open space, rivers, gullies and their margins and areas of ecological and conservation value…The networks extend beyond the [Waikato] river itself to include all water bodies within the catchment.

d. The Te Rapa North Industrial Structure Plan blue-green network comprises:

i. The Waikato River, its tributaries, all vegetation within the Waikato River riparian setback as well as the Open Space zone and the Significant Natural Areas along this corridor.

ii. Te Rapa Stream, its tributaries and associated riparian margins; and

iii. Riparian and Stormwater Reserve areas along the Te Rapa Stream corridor.

These features are identified in the Structure Plan (Appendix 2, Figure 2-22)

e. The blue-green network's ecological and amenity values will be maintained and/or enhanced through setback and landscaping provisions. All landscaping required within the identified riparian setbacks are to be indigenous species.

f. No development is to occur within the setbacks from identified watercourses, other than within the setback from Te Rapa Stream for activities supporting informal recreation activities, as set out under Rule 12.4.6. Informal recreation areas for local employees to rest are desirable along the riparian

setback from the Te Rapa Stream. The Open Space Zone and Significant Natural Area overlays that apply along the Waikato River corridor include consenting pathways for informal recreation facilities in recognition of the benefits these facilities will provide in these locations.

g. The Focal Area is intentionally located adjacent to the riparian and stormwater reserve identified in the Structure Plan (Figure 2-22), to increase the amenity provided by this location.

h. The protection and enhancement of the ecological values of the Waikato River Corridor recognizes its value as habitat for a range of indigenous flora and fauna, notably the critically endangered pekapeka (New Zealand long-tailed bat). This corridor is known as a roosting, foraging and commuting habitat for pekapeka in other parts of Hamilton. This potential is sought to be protected and enhanced in this part of the Structure Plan area, opposed to areas of industrial development.

i. Water sensitive design has been applied across the Structure Plan area to manage stormwater, that further expand upon the ecological and hydrological values to increase biodiversity and protect water quality.

3.9.2.8 Cultural

a. The Te Rapa North area is significant to mana whenua, with a history of occupation by a number of iwi as well as confiscation by the Crown in the years preceding and following the Land Wars, resulting in loss of access to significant sites, traditional food sources and the ability to practice rangatiratanga (chieftainship) and kaitiakitanga (guardianship) over the whenua.

b. The Waikato River defines the eastern edge of the Structure Plan Area which is considered by Waikato-Tainui “as a tuupuna (ancestor) which has mana (spiritual authority and power) and in turn represents the mana and mauri (life force) of Waikato-Tainui".

c. Development sought within the Structure Plan area shall be informed by engagement with tangata whenua, and where appropriate and supported by rangatira, should incorporate cultural narratives and symbolism.

d. The ecological and freshwater values associated with the Waikato River as well as the Te Rapa Stream and its tributaries should be protected through the planting riparian areas with indigenous vegetation to enhance biodiversity and filter water. The mauri, mana and quality of these waterways should be enhanced to give effect to Te Ture Whaimana o te Awa o Waikato.

e. The Paa site identified as A32 (S14/17) which is associated with nearby Mangaharakeke Pa site A33 (S14/18), are to be undisturbed by any development occurring within the Structure Plan area and their values protected.

f. The interface between the TRNIZ area and the Waikato River will be screened and softened through the planting of indigenous vegetation.

3.9.2.9 Landscape Values – Interface with Deferred Industrial Zone overlay

a. Landscaping required along the interface between the Structure Plan area and the parts of the TRNIZ that remain subject to the Deferred Industrial Zone overlay is to be dense, 5m in width and at least 10m in height within 5 years of planting. The landscaping can be treated as temporary (until such time as the adjacent properties are also rezoned industrial) and use any mixture of non-pest species.

3.9.3 Rules

3.9.3.1 Te Rapa North Industrial Structure Plan Area

a. All land use and development within the Te Rapa North Industrial Structure Plan area shall be in accordance with:

i. The Te Rapa North Industrial Structure Plan as set out by this chapter;

ii. Te Rapa North Industrial Structure Plan in Volume 2, Appendix 2, Figure 2-22, and

iii. Indicative Transport Upgrade Location and Extent Volume 2, Appendix 2, Figure 2-23, and

iv. Indicative three waters network in Volume 2, Appendix 2, Figures 2-24~~Aa~~, 2-24~~Bb~~, 2-24~~Cc~~, and

v. Chapter 12 - Te Rapa North Industrial Zone and any other zone or district plan provisions that apply.

3.9.3.2 Transport Upgrade Framework

All land use and subdivision consent applications for development in the Te Rapa North Industrial Zone shall include provision for, and staging of, the relevant transportation infrastructure improvements as follows.

Table 3.9.3.2.a

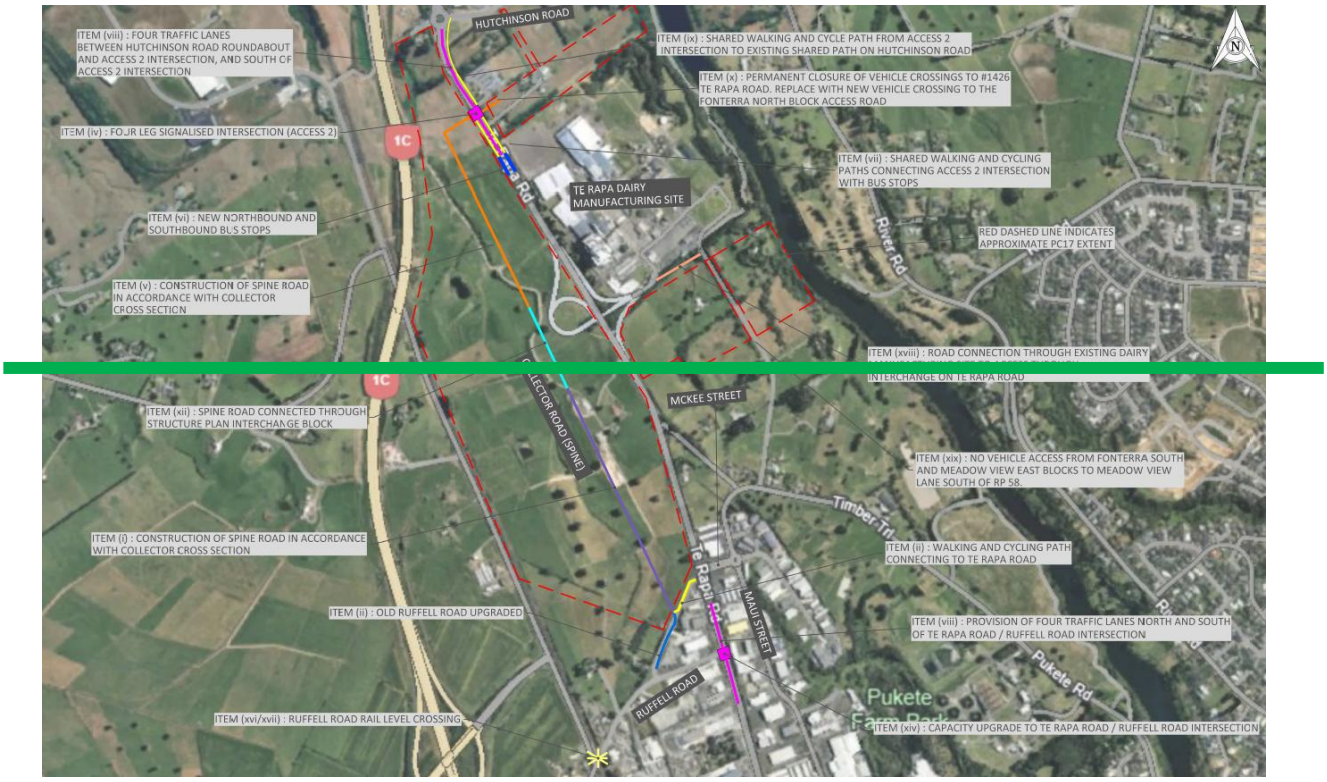
Minimum Infrastructure Requirement	Implementation Trigger
~~Design and construction of the Old Ruffell Road/ Ruffell Road intersection upgrade to a roundabout.~~	To be completed prior to: i. Any section 224c certificate for subdivision under the Resource Management Act 1991 ('RMA') being issued that takes the cumulative net developable area ~~to no more than~~ up to and including 20 ha to the west of Te Rapa Road within the Structure Plan area: or, ii. Any industrial / commercial activity to the west of Te Rapa Road within the Structure Plan area generating a cumulative average weekday pm peak traffic volume up to 325 vehicles per hour (two-way), accessing via Old Ruffell Road (Access 1).
~~Design and construction of the McKee Street/Te Rapa Road to a signalised intersection including a signalised pedestrian crossing of Te Rapa Road.~~	
i. The Collector Road (Structure Plan Spine Road) is designed and constructed in general accordance with the Structure Plan and typical cross-section shown in Figure 3.9.2.5.c, including providing: • A continuous connection to Old Ruffell Road (Access 1) including a Tee- intersection between the Spine Road and the remaining Old Ruffell Road stub, and • Future proofing for a four-leg intersection between the Spine Road and the future Northern River Crossing arterial.	
ii. Upgrade of Old Ruffell Road to Collector cross-section standard between the Collector Road (Structure Plan Spine Road) and Ruffell Road as shown in Figure 3.9.2.5.e. including provision for a walking and cycling connection between Te	

	Rapa Road and Old Ruffell Road stub opposite the Te Rapa Road / McKee Street intersection.	
iv.	Upgrade of Old Ruffell Road to Collector standard in accordance with the typical cross-section shown in Figure 3.9.2.5.e, between the Structure Plan Spine Road (Access 1) and Ruffell Road. The upgrade shall include provision for a walking and cycling connection between the Structure Plan Spine Road and the existing bus stops north of McKee Street on both sides of Te Rapa Road.	
~~v. Completion of items i – ii, above.~~		To be completed prior to: i. Any section 224c certificate for subdivision under the Resource Management Act 1991('RMA') being issued that takes the cumulative net developable area in Fonterra North and to the west of Te Rapa Road within the Structure Plan area to between 20.1 ha and 35 ha: or, ii. Any industrial / commercial activity in Fonterra North and/or to the west of Te Rapa Road within the Structure Plan area that generates a cumulative average weekday pm peak traffic volume exceeding 325 vehicles per hour (two-way), accessing via Old Ruffell Road (Access 1).
v.	Completion of items i – iv, above.	
vi.	Design and construction of Access 2 on Te Rapa Road as a new four-leg signalised intersection.	
vii.	The Collector Road (Structure Plan Spine Road) from Access 2 is designed and constructed in general accordance with the Structure Plan and typical cross-section shown in Figure 3.9.2.5.c.	
viii.	New northbound and southbound bus stops located on the Te Rapa Road south leg of the Access 2 intersection	
ix.	Shared walking and cycling paths on both sides of Te Rapa Road connecting Access 2 intersection to the new bus stops	
x.	Provision of four continuous traffic lanes on Te Rapa Road between the Hutchinson Road roundabout and the Access 2 intersection	
xi.	A shared walking and cycling path on the eastern side of Te Rapa Road connecting to the existing shared path from Hutchinson Rd	
xii.	Permanent closure of two existing vehicle crossings to #1426 Te Rapa Road and provision of one new commercial vehicle crossing to the same property from the new eastern leg of the Access 2 intersection	
	~~The Collector (Spine) Road is connected through the Structure Plan West Block between the Access 2 Intersection and the Old Ruffell Road intersection (Access 1).~~	

~~xi. Completion of items i – x, above.~~ xiii. Completion of items i – xii~~i~~, above.	To be completed prior to: i. Any section 224c certificate for subdivision under the Resource Management Act 1991('RMA') being issued that takes the cumulative net developable area in Fonterra North and to the west of Te Rapa Road within the Structure Plan area over 35 ~~up to 42~~ ha: or, ii. Any industrial / commercial activity in Fonterra North and to the west of Te Rapa Road within the Structure Plan area that generates a cumulative average weekday pm peak traffic volume exceeding 570 vehicles per hour (two-way)
xiv. The Collector Road (Structure Plan Spine Road) is connected through the Interchange Block between the Access 2 Intersection and Old Ruffell Road intersection. ~~Design and construction of a capacity upgrade to Te Rapa Road / Ruffell Road intersection (additional northbound and southbound through movement lanes).~~	
xv. Completion of items i – xiv ~~i~~, above. xvi. Design and construction of a capacity upgrade to Te Rapa Road / Ruffell Road intersection (additional northbound and southbound through movement lanes).	To be completed prior to: i. Any section 224c certificate for subdivision under the Resource Management Act 1991('RMA') being issued that takes the cumulative net developable area in Te Rapa North Structure Plan area up to 42 ha: or, ii. Any industrial / commercial activity in the Te Rapa North Structure Plan area that generates a cumulative average weekday pm peak traffic volume up to 685 vehicles per hour (two-way)
~~Completion of items i – xiv, above.~~ xvii. Completion of items i – xv~~i~~, above.	To be completed prior to: i. Any section 224c certificate for subdivision under the Resource Management Act 1991('RMA') being issued that takes the cumulative net developable area in Te Rapa North Structure Plan above 42 ha; or
xviii. A Level Crossing Safety Impact Assessment (LCSIA) for the Ruffell Road level crossing that demonstrates the further upgrades (if any) required to safely reopen the temporary closure of the level crossing. xix. Completion of the identified safety upgrades to the satisfaction of KiwiRail and Hamilton City Council, and the reopening of level crossing to traffic in both directions	ii. Any industrial / commercial activity in the Te Rapa North Structure Plan area that generates a cumulative average weekday pm peak traffic volume ~~exceeding~~ up to 685 vehicles per hour (two-way), and iii. The average weekday am peak hour traffic volume on Te Kowhai Road eastbound approach entering the Te Rapa Road / Te Kowhai Road roundabout exceeds 790 vehicles per hour.
xx. A road connection being provided through the existing Dairy Manufacturing Site from the Fonterra South and Meadow View East stages to	To be completed prior to: i. Any section 224c certificate for subdivision under the Resource

	access through the interchange on Te Rapa Road.	Management Act 1991 ('RMA') being issued for development within the Fonterra South stage.
xxi.	No vehicle access is provided from any Industrial activity in the Fonterra South and Meadow View East stages to Meadow View Lane south of RP 58.	

Note: Refer to Figure ~~3.9.3.2.a~~ 2-23 containing the indicative location and extent of the minimum infrastructure requirements set out in Table 3.9.3.2.a



~~Figure 3.9.3.2.a Indicative Transport Upgrade Location and Extent~~

~~a. All applications that fail to meet Rule 3.9.3.2.j. xiv. shall be supported by a Simple ITA that meets the requirements of section 15-2 of the District Plan.~~

b. All applications for resource consent for land use, subdivision, or development in the Te Rapa North Industrial Structure Plan subject to Rule 3.9.3.2~~. xvi. xivii~~ ~~v.~~ xvii - xix. shall be supported by a Broad ITA that meets the requirements of section 15-2 of the District Plan, that:

i. Identifies and evaluates the effects of all cumulative development in the Structure Plan area on the infrastructure identified for improvements in the Table ~~included in Section~~ 3.9.3.2.a.

~~• Assesses the capacity and safety of the adjoining road network being undertaken, including SH1C Horotiu Interchange roundabouts;~~

ii. Assesses the capacity and safety of the adjoining road network being undertaken, including the:

- SH1C Horotiu Interchange roundabouts;
- Te Rapa Road / McKee Street signalised intersection;
- Te Rapa Road / Ruffell Road signalised intersection;
- Te Rapa Road / Kapuni Street intersection; ~~Te Rapa Road / Te Kowhai Road / Church Road intersection; and~~
- Te Rapa Road / Te Kowhai Road / Church Road intersection;
- Old Ruffell Road / Ruffell Road intersection~~.~~; and

- ~~Te Rapa Road corridor (between Access 2 and Church Road)~~

iii. Evaluates the feasibility of completing any LCSIA identified safety upgrades.
iv. Includes evidence of consultation with Waka Kotahi NZ Transport Agency, KiwiRail (where relevant), Fonterra Limited and the Waikato Regional Council and how any feedback from these organisations has been addressed.
v. Provides recommendations for any further infrastructure upgrades to be undertaken to adequately mitigate the assessed cumulative effects of the proposed development in the Structure Plan area.

c. The recommended infrastructure upgrades in the Simple ITA and Broad ITA, or such alternatives accepted by Hamilton City Council, Kiwi Rail and NZTA (the latter two where approval is legally required), are completed prior to the section 224c certificate for subdivision under the Resource Management Act 1991('RMA') is issued.

3.9.3.3 Strategic Three Waters Infrastructure

~~A staging programme~~ An Indicative staging framework ~~has~~ has been developed for the Te Rapa North Industrial Zone to ensure that urbanisation does not occur ~~without considering water availability and allocation, wastewater treatment capacity and~~ ahead of the delivery of key strategic infrastructure. The ~~programme provides a~~ framework ~~to sequence~~ provides for the flexible sequencing development with water availability, wastewater capacity, and the availability of water, wastewater and stormwater networks.

~~Where proposals deviate from the infrastructure sequencing set out in the table, they will need to demonstrate that appropriate infrastructure is provided for and that servicing of the land can occur without compromising the efficiency or effectiveness of existing and planned networks. This requirement ensures that development remains coordinated and that individual stages do not place undue pressure on citywide infrastructure systems.~~

Please note that once the enabling work has been completed, the remaining stages can occur in any order provided the preceding stages have been completed ~~and subject to the necessary capacity considerations and infrastructure requirements for each of the remaining stages being confirmed and implemented in accordance with the Infrastructure Plan~~.

Refer to Figures ~~3.9.3.3(a), 3.9.3.3(b) and 3.9.3.3(c)~~ Appendix 2, Figures 2-24A, 2-24B, and 2-24C for the locations of strategic infrastructure and the information requirements for Water Impact Assessments and Three Waters Infrastructure Capacity Assessments in Appendix 1 (sections 1.2.2.5 and 1.2.2.5a).

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Stage /Sub-Block[2]	Preceding stage(s) /Sub-Block(s)[2] required (*Wastewater, **Water)	Strategic Infrastructure Required ~~and Capacity/Allocation Requirements~~		
		Wastewater[1]	Water[1]	Stormwater
Enabling Work (to precede stages below).	-	Pukete Road Gravity Network (1B, 1C) ~~Pump Station and Rising Main or an interim solution to be agreed with Hamilton City Council~~ Pumping Station PS5 and Rising Main (1D, 1E) ~~Confirmed availability of wastewater treatment plant capacity~~	~~Confirmed water allocation and availability~~	~~Te Rapa Stream erosion resilience works or to a level mutually agreed upon by Hamilton City Council and Waikato Regional Council~~

Ruffell Block	Pukete Block* Interchange Block*	Gravity Main 4 ~~Confirmed availability of wastewater treatment plant capacity~~	Pipe upgrade on Old Ruffell Rd (W3) ~~Confirmed water allocation and availability~~	Wetland B & C Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~ Culvert 3[3]
Onion South	Onion North* Interchange Block* Ruffell Block**	Gravity Main 3 ~~Confirmed availability of wastewater treatment plant capacity~~	Southern Te Rapa upgrade (W4) ~~Confirmed water allocation and availability~~	Wetlands C & D Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~ Culvert 2[3]
Onion North	Interchange Block* Ruffell Block** Onion South** or Pukete Block** Interchange Block**	Gravity Main 3 ~~Confirmed availability of wastewater treatment plant capacity~~	~~Confirmed water allocation and availability~~	Wetland E Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~ Culvert 2[3]
Pukete Block	Interchange Block*	Gravity Main 2 ~~Confirmed availability of wastewater treatment plant capacity~~	Connection to Southern Te Rapa upgrade (W4) ~~Confirmed water allocation and availability~~	Wetland B Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~ Culvert 2[3]
Fonterra South	Meadowview East*	~~Confirmed availability of wastewater treatment plant capacity~~	Upgrade of Meadowview Water network (W1) ~~Confirmed water allocation and availability~~	New South River Outlet ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~
Meadow View East	-	Pumping Station PS4 Meadowview Rising Main (14, 15)	Upgrade of Meadowview Water network (W1)	New South River Outlet ~~Te Rapa Stream erosion resilience works in~~

		~~Confirmed availability of wastewater treatment plant capacity~~	~~Confirmed water allocation and availability~~	~~accordance with the Infrastructure Plan~~
Interchange Block	Pukete Block** Or Onion North Block** Onion South Block** Ruffell Block**	Pumping Station PS3 Rising Main 1A ~~Confirmed availability of wastewater treatment plant capacity~~	~~Confirmed water allocation and availability~~	Wetland B Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~
Te Rapa North	Interchange Block* Pukete Block** Interchange Block** Or Onion North Block** Onion South Block** Ruffell Block**	Pumping Station PS2 Rising Main 6 ~~Confirmed availability of wastewater treatment plant capacity~~	~~Confirmed water allocation and availability~~	Wetland A Rip Rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa ICMP ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~ Culvert 1 & 2[3]
Fonterra North	Te Rapa North* Interchange Block*	Pumping Station PS1 Rising Main (12) ~~Confirmed availability of wastewater treatment plant capacity~~	~~Confirmed water allocation and availability~~	North River Outlet ~~Te Rapa Stream erosion resilience works in accordance with the Infrastructure Plan~~

Note:

1. *All Stages/Sub-Blocks will be subject to allocation and capacity assessment, in accordance with the requirements of an Infrastructure Plan, required under Rule 3.9.3.4.*
2. *Refer to Appendix 2, Figure 2-22 for Stage/Sub-block locations.*
3. *The need for these culverts must be demonstrated by detailed flood modelling.*

~~*Water upgrades for network efficiency and resilience (W8, W10, W2) will be determined based on overall development and current HCC network performance.*~~

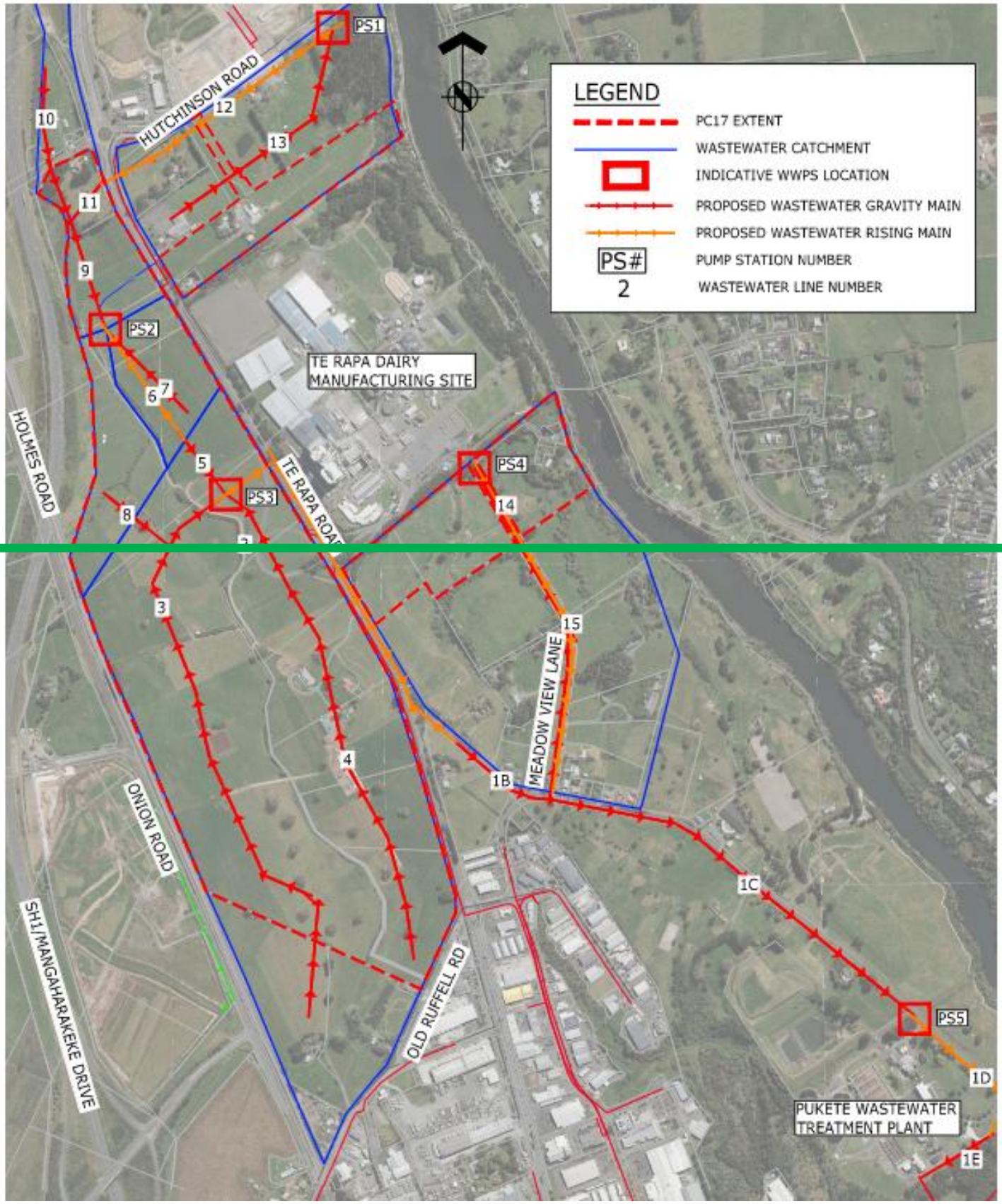
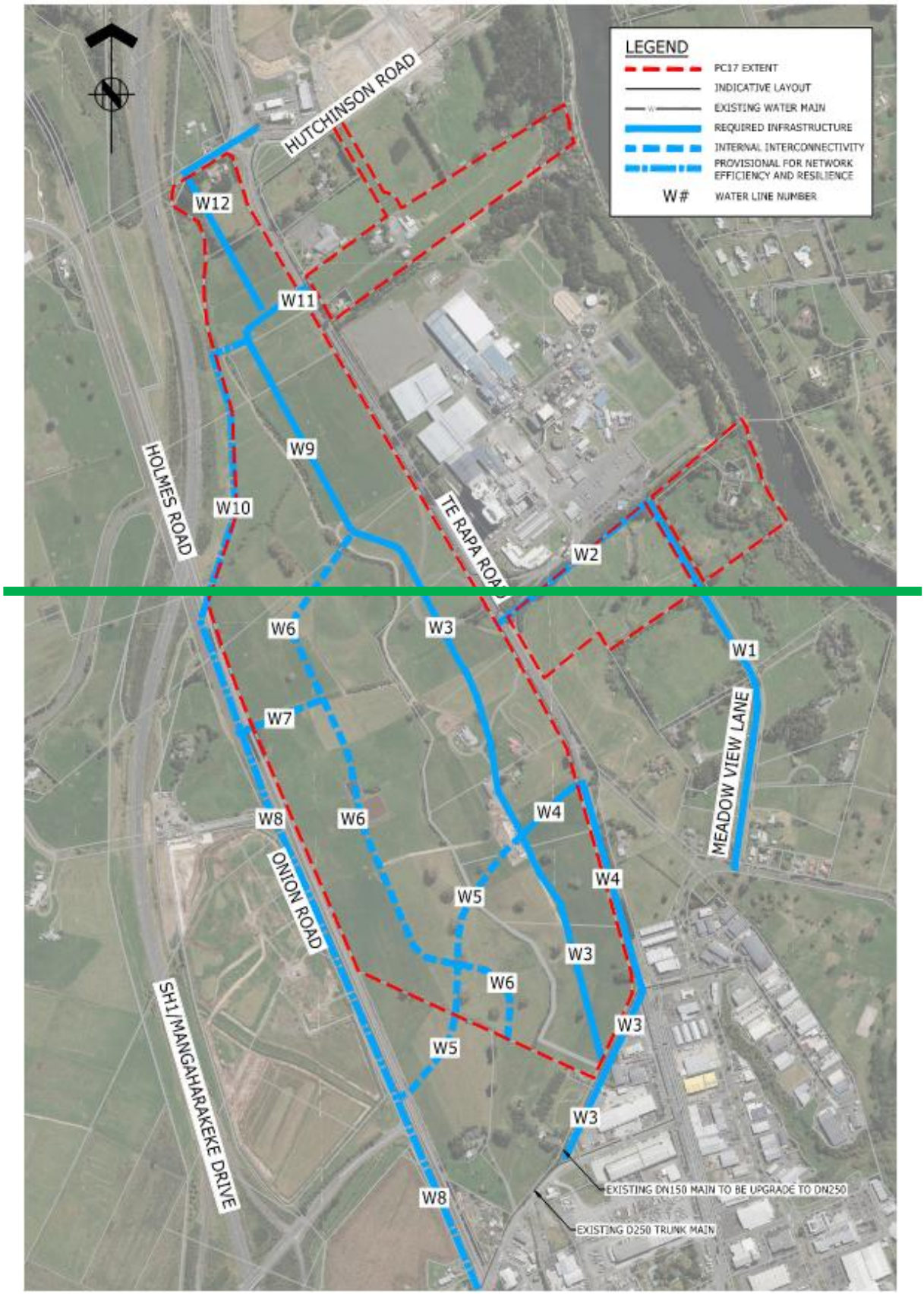


Figure 3.9.3.3.a: Indicative Wastewater Network



~~Figure 3.9.3.3.b:~~ ~~Indicative Water Network~~

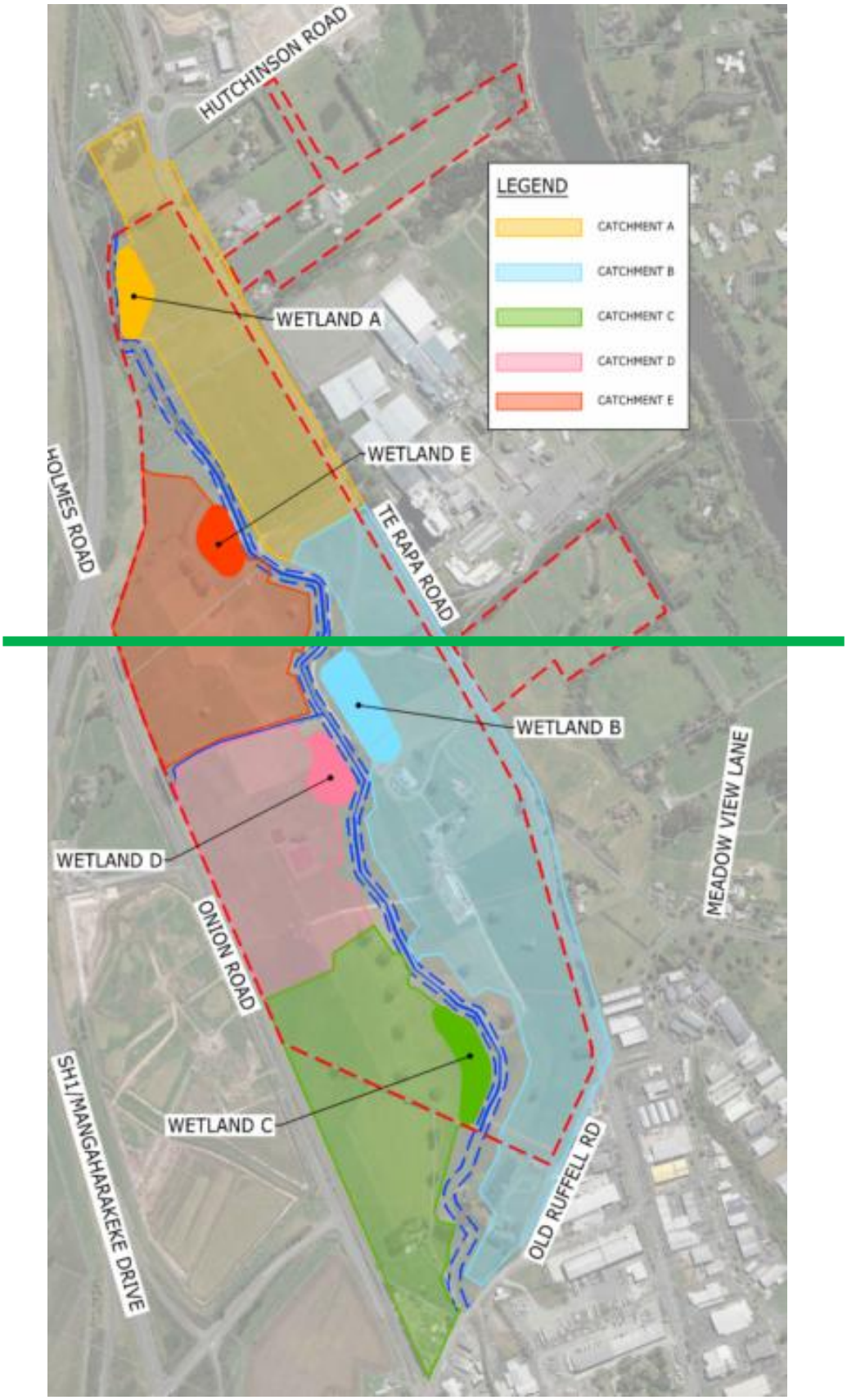


Figure 3.9.3.3.c: Indicative Stormwater Network

3.9.3.4 Information Requirements

a. Infrastructure Plan

i. The first ~~subdivision or land use consent within~~ resource consent for land use, subdivision, or development for each stage of the Te Rapa North Industrial Zone (including sub-blocks identified in Rule 3.9.3.3) must ~~include~~ be accompanied by an Infrastructure Plan ~~for three waters as set out in Information Requirements 1.2.2.31~~ that provides the information set out in 1.2.2.30. ~~The first Infrastructure Plan must consider the full development scenario for the Structure Plan area.~~

ii. All subsequent ~~land use and/or subdivision consent~~ applications for resource consent for land use, subdivision, or development within the stage shall demonstrate their consistency with the outcomes of the Infrastructure Plan that was approved as part of the first land use or subdivision resource consent within the relevant stage in accordance with ~~Rule 3.9.3.4.b.i~~ Rule 3.9.3.4.a.i, or any variation thereof approved by way of a subsequent resource consent (including current applications).

iii. Where there is an inconsistency with the Infrastructure Plan required under 3.9.3.4.a.i, the application must demonstrate how it meets the requirements set out in 1.2.2.30.

b. Ecological Management Plan

i. The first ~~subdivision or land use consent within~~ resource consent for land use, subdivision, or development for each stage of the Te Rapa North Industrial ~~Structure Plan area~~ Zone must be accompanied by an Ecological Management Plan that provides the information set out in Information Requirements ~~1.2.2.30~~ 1.2.2.31.

ii. All subsequent ~~land use and/or subdivision consent~~ applications for resource consent for land use, subdivision, or development within the stage shall demonstrate their consistency with the Ecological Management Plan that was approved as part of the first land use or subdivision resource consent within the relevant stage in accordance with ~~Rule 3.9.3.4.a.i.~~ Rule 3.9.3.4.b.i, or any variation thereof approved by way of a subsequent resource consent (including current applications).

iii. Where there is an inconsistency with the Ecological Management Plan required under 3.9.3.4.b.i, the application must demonstrate how it meets the requirements set out in 1.2.2.31.

~~**b. Infrastructure Plan**~~

~~i. The first subdivision or land use consent within each stage identified in Rule 3.9.3.3 must include an Infrastructure Plan for three waters as set out in Information Requirements 1.2.2.31.~~

~~ii. All subsequent land use and/or subdivision consent applications within the stage shall demonstrate their consistency with the Infrastructure Plan that was approved as part of the first land use or subdivision resource consent within the relevant stage in accordance with Rule 3.9.3.4.b.i, or any variation thereof approved by way of a subsequent resource consent (including current applications).~~

c. Landscape Concept Plans

i. The first ~~application for land use or subdivision~~ resource consent for land use, subdivision, or development lodged for land within each stage of the Te Rapa North Industrial ~~Structure Plan area~~ Zone must be accompanied by a Landscape Concept Plan covering the spatial extent of the stage within which the site is located and including the Information Requirements set out in 1.2.2.32.

ii. All subsequent applications for resource consent for land use, subdivision, or development within the stage shall demonstrate their consistency with the Landscape Concept Plan required under 3.9.3.4.i, approved as part of the first land use or subdivision resource consent within the relevant

stage, or any variation thereof approved by way of a subsequent resource consent (including current applications).

iii. Where there is an inconsistency with the Landscape Concept Plan required under 3.9.3.4.c.i, the application must demonstrate how it meets the requirements set out in 1.2.2.32.

3.9.3.5 Activity Status

i. Any ~~land use or subdivision consent~~ application for resource consent in the Te Rapa North Industrial zone not in accordance with Rules ~~3.9.3.1i~~ 3.9.3.1.a, 3.9.3.2 or 3.9.3.3 is a Non Complying activity

ii. Any application for resource consent that does not provide the information specified in Rules 3.9.3.4 or is sought without this information having been provided by a previous consent, is a Non Complying activity.

~~3.9.3.6 Assessment Matters~~

~~a. The Council's discretion shall include, but not be limited to, the following assessment criteria:~~

~~i. When assessing a resource consent under Rule 3.9.3.2, the criteria set out in Appendix 1.3.3 Q5 Transport Upgrades in the Te Rapa North Industrial Structure Plan.~~

~~ii. When assessing a resource consent under Rule 3.9.3.3, the criteria set out in Appendix 1.3.3 Q6 Strategic Three Waters Infrastructure in the Te Rapa North Industrial Structure Plan.~~

~~iii. In respect of Rule 3.9.3.4.a, the criteria set out in Appendix 1.3.3 Q7 Ecological Management Plans in the Te Rapa North Industrial Structure Plan.~~

~~3.9.7~~ 3.9.4 Provisions in Other Chapters

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

- Chapter 2: Strategic Framework
- Chapter 12: Te Rapa North Industrial Zone
- Chapter 14: Future Urban Zone
- Chapter 15: Open Space Zones
- Chapter 19: Historic Heritage
- Chapter 21: Waikato River Corridor and Gully Systems
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide
- ~~Chapter 26: Designations~~
- Volume 2, Appendix 1: District Plan Administration
- Volume 2, Appendix 2: Structure Plans

12 Te Rapa North Industrial Zone

12.1 Purpose

a. Industrial development in Te Rapa North has the potential to support regionally important infrastructure and industries. The existing Te Rapa Dairy Manufacturing Site, access to regionally significant transport infrastructure including the Waikato Expressway and North Island Main Truck Line as well as its location at the interface of commercial industrial activities in the north of Hamilton and the rural surrounding area, provides opportunity for industrial activity to develop in an integrated, efficient and co-ordinated manner. A Structure Plan contained within Chapter 3.9 guides the development of the first 91 hectares of the zone to support the delivery of a well-functioning urban environment coordinated with the delivery of efficient infrastructure.

Note

1. *The areas of the zone where the Deferred Industrial Zone area applies are subject to the provisions of Chapter 14 Future Urban Zone. This is because of the deferred industrial status of the land and a future urban zoning being applicable for deferred industrial.*

12.2 Objectives and Policies: Te Rapa North Industrial Zone

Objective	Policies
12.2.1 Industrial land uses are able to establish and operate within the zone in an efficient and effective manner.	**12.2.1a** Require the Te Rapa North Industrial Zone to be used for industrial uses.
	12.2.1b Non-industrial uses establish and operate only where they are ancillary to or supportive of industrial activities.
	12.2.1c Non-industrial uses do not adversely affect the industrial use of the Te Rapa North Industrial Zone, nor impact adversely on the strategic role of the Central City as the primary office, retail, and entertainment centre.
	12.2.1d Development is undertaken in general accordance with the Te Rapa North Industrial Structure Plan.
	12.2.1e Prevent new direct access to or from Te Rapa Road.
	12.2.1f Prevent direct access to the East-West Road (future Northen River Crossing)
Explanation	
Activities that are non-industrial and that are provided for in other parts of the City should in general not be carried out within industrial locations. The District Plan sets as the key principle in this regard that industrial land should be preserved for industrial activities. Nevertheless, there is the need for the provision of a range of non-industrial uses, ancillary to and supporting industrial	

activities, or specific forms of commercial activity acceptable within industrial environments due to their characteristics.

This means those businesses that attract a great deal of traffic are directed towards the Central City and commercial centres, where they will be more accessible, and where significant public investment has been made in providing amenities and facilities capable of supporting such activities.

Objective	Policies
~~12.2.6~~ 12.2.2 Industrial ~~development is~~ land uses are integrated with water allocation, wastewater capacity, and result in the efficient provision of infrastructure.	~~12.2.6a~~ 12.2.2a ~~Require development to be co-ordinated with the provision of suitable transport and three waters infrastructure.~~ Require t~~T~~hree Waters infrastructure is to be designed and constructed in accordance with Te Rapa North Industrial Structure Plan and Te Rapa Integrated Catchment Management Plan.
	12.2.2b Ensure that i~~I~~ndustrial land use ~~is to~~ occurs in an integrated and coordinated manner through the provision of suitable reticulated infrastructure (water and wastewater), and which aligns with current water and wastewater capacity allocations or capacity improvements.
	12.2.2c Avoid development where the direct or cumulative effects on the three waters infrastructure network or water and wastewater capacity allocations cannot be mitigated to an acceptable level.
	12.2.2d Require that ~~A~~an Infrastructure Plan~~will be~~ is provided as part of each stage of development or subdivision, which responds to three waters infrastructure, water allocation and wastewater capacity requirements.
12.2.3 Industrial land uses are integrated with the efficient provision of transportation infrastructure.	12.2.3a Ensure that i~~I~~ndustrial land use ~~is to~~ occurs in an integrated and coordinated manner through the provision of suitable transportation infrastructure. Transportation infrastructure is to be designed and constructed in accordance with Te Rapa North Industrial Structure Plan.
	~~12.2.6b~~ 12.2.3b Ensure that development does not compromise the ability for Hamilton City Council to construct the Northern River Crossing
	12.2.3c Ensure that development does not compromise the ability for Hamilton City Council to construct Te Rapa Road Bus Rapid Transit.

	~~12.2.6c~~ 12.2.3d Enable a Rail Siding to be established alongside the North Island Main Trunk Line.

Explanation
The Te Rapa North Zone forms part of the medium to long term industrial land supply for Hamilton and the Future Proof area. It is important that the supply is used in a sustainable and efficient manner. Accordingly, the enablement of development will be subject to the availability of infrastructure and water and wastewater allocation and treatment capacity. This is to ensure the efficient development of the zone, functionality of existing infrastructure services and the avoidance of unnecessary financial burdens being placed on the community as a whole.

Objective	Policies
~~12.2.2~~ 12.2.4 A high-quality Industrial area is achieved within the Te Rapa North Industrial Zone.	~~12.2.2a~~ 12.2.4a Require industrial development to incorporate landscaping, screening and setbacks within the interfaces between the zone, the Deferred Industrial Zone areas and the Waikato Expressway and Te Rapa Road.
~~12.2.3~~ 12.2.5 The amenity levels of the existing Te Rapa Dairy Manufacturing Site are to be maintained.	~~12.2.3b~~ 12.2.5a Amenity levels within the Dairy Manufacturing Site will continue to reflect the existing activity on site.

Explanation
Although lower standards of amenity are often characteristic of industrial locations, Plan provisions aim to enable a general improvement in the amenity of the City's industrial locations. The Te Rapa North Industrial Zone incorporates greenfield, industrial activities and the existing Dairy Manufacturing Site, and managing the amenity values of the parts of the zone that remain deferred is important to consider. The purpose of this is to create functional and attractive industrial precinct that reflects positively on Hamilton.

Objective	Policies
~~12.2.4~~ 12.2.6 Investment in the Te Rapa Dairy Manufacturing Site as a national and regionally important strategic facility is supported.	~~12.2.4a~~ 12.2.6a The Dairy Manufacturing Site should be recognised for the important benefits it contributes to the community and dairy industrial base for the Waikato.
	~~12.2.4b~~ 12.2.6b Subdivision, use and development shall not compromise the ongoing and efficient operation of the Dairy Manufacturing Site.
	~~12.2.4c~~ 12.2.6c The Dairy Manufacturing Site, as an integral facility to the agricultural sector of Waikato, shall retain its opportunities for continued use, intensification and expansion.
	~~12.2.4d~~ 12.2.6d The ongoing development and use of the Dairy Manufacturing Site shall be supported through the application of specific provisions to enable buildings and structures, noise emissions and

	heavy vehicle movements occur in a manner to ensure the efficient operation of the Dairy Manufacturing Site.

Explanation
The Dairy Manufacturing Site confers large benefits in terms of economic and community wellbeing at both the local, regional and national level. Therefore, due to its size and importance to the national economy the Dairy Manufacturing Site warrants special consideration in the District Plan through sustainable management practices while enabling *opportunities for its continued use, intensification and expansion.* *The establishment of incompatible uses nearby is a significant risk to its ongoing viability. Accordingly, it is important to consider the zoning around the Dairy Manufacturing Site. It is considered a zone with specific noise and air quality controls to assist with maintaining the viability of the Dairy Manufacturing Site.* *The relevant activity statuses in 12.3.1 and general standards in 12.4 apply to the Dairy Manufacturing Site.* *Nevertheless, it is important to note that whilst the ongoing operation and development of the Dairy Manufacturing Site is key, these will not occur as of right and in such cases resource consent will be required.*

Objective.	**Policies**
~~12.2.5~~ 12.2.7 Ecological values are maintained, and where possible, enhanced, as part of industrial use and development.	~~4.2.1a~~ 12.2.7a Contribute to ecosystem connectivity by requiring setbacks and landscape requirements along the boundaries with: i. The Te Rapa Stream ii. The Waikato River; and iii. Significant Natural Areas.
	~~12.2.5b~~ 12.2.7b Prevent development, other than that which provides for walking and cycling access, within setbacks from watercourses to avoid and mitigate adverse effects on freshwater values.
	~~12.2.5c~~ 12.2.7c Require buildings to be setback from Significant Natural Areas and the Waikato River.
	~~12.2.5d~~ 12.2.7d Minimise the risk of harm to long-tailed bats during any removal of confirmed or potential bat roost trees.
	~~12.2.5e~~ 12.2.7e Require any removal of confirmed or potential bat roost trees to be undertaken in accordance with an approved Ecological Management Plan.
	~~12.2.5f~~ 12.2.7f Avoid, remedy, or mitigate adverse effects on indigenous fauna and habitats, including those of long-tailed bats. Where residual effects

	remain, offset or compensate in line with best-practice ecological principles and the effects management hierarchy.
	~~12.2.5g~~ 12.2.7g Subdivision, use, and development shall require an assessment of potential effects on long-tailed bats and their habitats, applying the mitigation hierarchy in general accordance with Appendix 3 and Appendix 4 of the National Policy Statement for Indigenous Biodiversity (NPSIB), which outline principles for biodiversity offsetting and compensation.
Explanation	
The development of the Te Rapa North Industrial Zone has the potential to impact freshwater and terrestrial ecological values, particularly those associated with Te Rapa Stream and the Waikato River. *The chapter provisions and Te Rapa North Structure Plan seek to create ecological corridors along the Te Rapa Stream and Waikato River corridors to enhance water quality and biodiversity values, including through the protection of potential pekapeka (New Zealand long-tailed bat) habitat. These corridors have the additional benefits of stormwater management and amenity value.* *The first land use and subdivision consent application will provide a bespoke detailed Ecological Management for the Te North Industrial Structure Plan area.*	

12.3 Rules

12.3.1 Activity Status Table — Te Rapa North Industrial Zone

Activity	Status
Deferred Industrial Zone	
a. Any activity proposed within the Deferred Industrial Zone	Subject to the activity status within Chapter 14 - Future Urban Zone
Development activities	
b. Any activity in the Te Rapa North Industrial zone not in accordance with Rule 3.9.3.1	NC
c. any activity in the Te Rapa North Industrial zone not in accordance with Rule 3.9.3.2	NC
d. Any activity in the Te Rapa North Industrial zone not in accordance	NC

	with Rule 3.9.3.3	
e.	Any land use or subdivision in the Te Rapa North Industrial Zone not in accordance with Rule 3.9.3.4.	NC
f.	Direct vehicle access to Te Rapa Road that is not via either a public or private road	NC
g.	Direct vehicle access to the East-West Road (future Northern River Crossing)	NC
h.	Development within the Te Rapa Dairy Manufacturing Site	In accordance with the activity status provided below.
Buildings		
i.	Any activity lawfully existing prior to 13 November 2012	P
j.	New buildings and alterations and additions to existing buildings	P
k.	Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
l.	Maintenance or repair of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
m.	Minor works	P
Activities		
n.	Collection, storage and processing of raw milk; Manufacture of dairy products from the processed raw milk; and associated dairy activities contained within the extent of the Te Rapa Dairy Manufacturing Site	P
o.	Industrial activity	P
p.	Logistics and freight-handling activities including rail infrastructure and sidings	P
q.	Light industrial activity that generates <250 vehicle movements per day	P
r.	Service industrial activity that generates <250 vehicle movements per day	P
s.	Ancillary Offices	P
t.	Ancillary Offices that do not comply with Rule 12.5.2	D
u.	Ancillary Retail	P
v.	Ancillary Retail that do not comply with Rule 12.5.3	NC
w.	Trade and industry training facilities	P
x.	Food and beverage outlets no greater than 250m^2 gross floor area per site within the Te Rapa North Industrial Focal Area	P
y.	Food and beverage outlets no greater than 250m^2 gross floor area per site outside the Te Rapa North Industrial Focal Area	RD

z.	Food and beverage outlets greater than 250m² gross floor area per site	NC
aa.	Wholesale retail and trade supplies	P
bb.	Yard-based retail (excluding car and boat sales)	P
cc.	Yard-based retail on sites (excluding car and boat sales) fronting Te Rapa Road	RD
dd.	Yard-based retail for car or boat sales	NC
ee.	Passenger transport facilities	P
ff.	Transport depot	P
gg.	Accessory buildings	P
hh.	Gymnasiums within the Te Rapa North Industrial Focal Area	P
ii.	Emergency service facilities	RD
jj.	Drive-through services within the Te Rapa North Industrial Focal Area	RD
kk.	Supermarkets	NC
ll.	Ancillary residential unit	NC
mm.	Places of worship	NC
nn.	Managed care facilities; retirement villages and rest homes	NC
oo.	Visitor accommodation	NC
pp.	Noxious or offensive activities	NC
qq.	Wet Industry	RD
rr.	Activities not provided for in this table	NC
ss.	Activities that fail to meet one or more of the General Standards in Rule 12.4	D

Note

1. *For activity status of subdivision activities, see Chapter 23 Subdivision*
2. *For any activity not identified above, see Section 1.1.8.1.*

12.4 Rules – General Standards

All activities listed as a permitted, controlled or restricted discretionary activities in Table 12.3.1 must comply with the following standards.

12.4.1 Building Setbacks

Building setback (minimum distance)	
i. Transport corridor boundary — local and collector transport corridors	3m
ii. Transport corridor boundary —	5m

arterial transport corridors	
iii. Te Rapa Road	10m from the western side of Te Rapa Road 5m from the eastern side of Te Rapa Road
vii. Waikato Expressway (Designation E99 and E99a)	i. 5m from designation boundary
v. East — West Road (as shown on the Te Rapa North Industrial Structure Plan)	i. 6.5m on the northern side; and ii. ~~A~~ 18.5m setback from the legal road corridor from the southern side of the East-West Road, which shall apply in addition to the above until such time as the Northern River Crossing is constructed.[2]
vi. Any boundary adjoining any Open Space Zones	8m
vii. From the bank of the Waikato River	30m Despite the above, a public amenity of up to 25m^2 on an esplanade reserve, a public walkway, a water take or discharge structure, or a pump shed are not subject to this rule
viii. From the banks of the Te Rapa Stream (Riparian Setback)	10m
ix. From the banks of any other watercourses (Riparian Setback)	5m
x. Adjoining any Significant Natural Area	5m
xi. Other boundaries	0m
xii. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)

Note

1. *Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.*
2. *The intent is to achieve the 34.8m legal road width for the Northern River Crossing (refer Figure 3.9.2.5.a 3.9.2.5b) ~~plus the 6.5m setbacks.~~ The 6.5m setback indicates that buildings are required to be 6.5m from the road boundary.*

12.4.2 Building Height

a. Maximum building height	20m
b. Maximum container stacking height	25m
c. Height of lighting towers, poles, aerials, loading ramps, link spans, flagpoles, machinery rooms and cranes and other lifting or stacking	35m

equipment	

12.4.3 Height in Relation to Boundary

a. No part of a building may penetrate a height control plane rising at an angle of 45 degrees (except for the southern boundary where it is measured at 28 degrees) starting at:
   i. an elevation of 3m above the boundary of any adjoining Open Space Zones (refer to Figure 12.4.3a); and/or
   ii. an elevation of 5m above the boundary adjoining any arterial transport corridor (refer to Figure 12.4.3b).

Figure 12.4.3a: Height Control Plane for Boundaries adjoining Open Space Zones

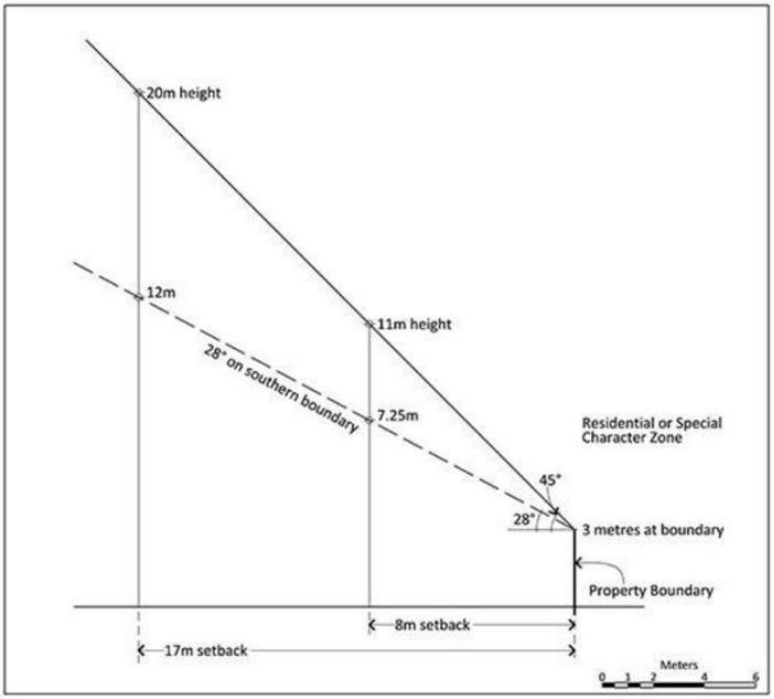
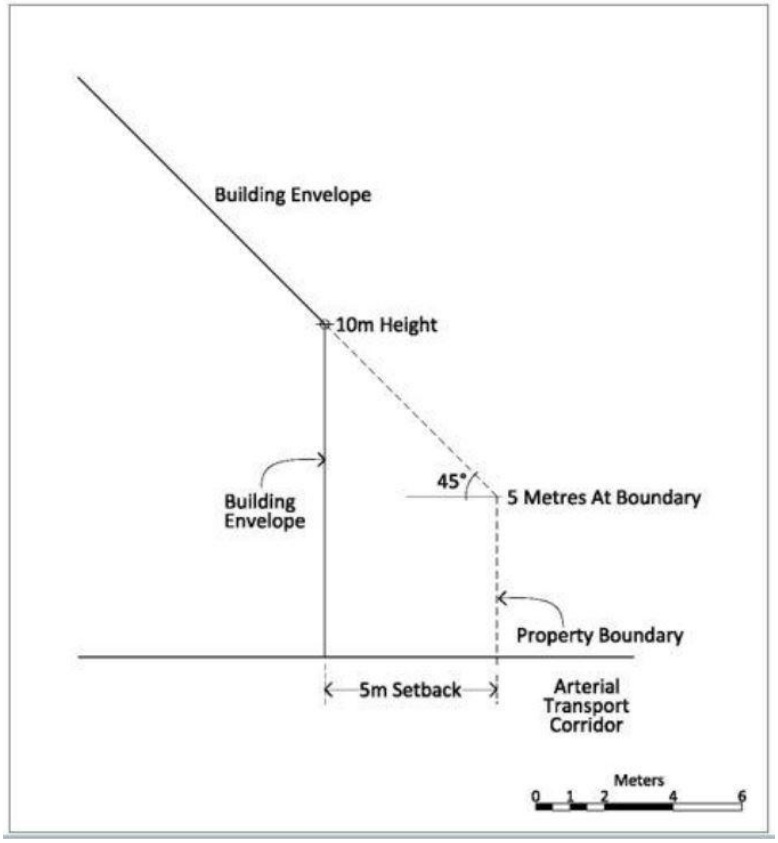
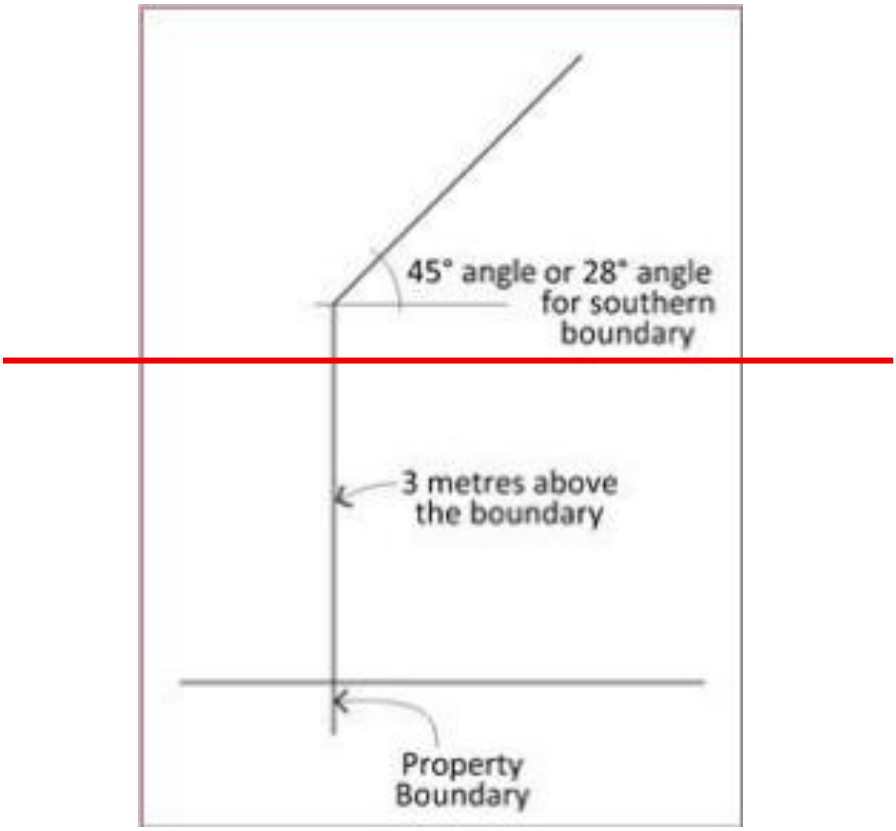


Figure 12.4.3b: Building envelope for buildings located on an Arterial Transport Corridor



~~Figure 12.4.3C:~~ ~~Building envelope for building~~s



12.4.4 Site Coverage

a. No maximum.

12.4.5 Permeable Surfaces

Permeability across the entire site	Minimum 10%

12.4.6 Landscaping

Notwithstanding the provisions in Chapter 25.5: City-wide — Landscaping and Screening, within the Te Rapa North Industrial Zone.

Area to be planted	**Extent**	**Height at maturity (minimum)**	**Density**
i. Between Parking areas and storage areas and road frontage	2m depth along whole road frontage	-	Buffer Strip
ii. Within 15m of the bank of the Waikato River where the land is not subject to an esplanade reserve	Full extent	-	Sufficient to visually screen the activity from the river (except for areas used for water take and discharge structures and associated infrastructure, and access to these.)
iii. Adjacent to Te Rapa Road	2m	At least 2 metres	1. Boundaries where no vehicle access is obtained: Buffer Strip 2. Within 5m of a vehicle access: Planting Strip
iv. Land adjacent to the Te Rapa section of the Waikato Expressway	5m depth along whole road frontage	-	-
v. Boundary of Te Rapa North Industrial Zone and any land subject to the Deferred Industrial Zone	5m depth along whole boundary	10m (within 5 years of planting)	Buffer Strip
vi. Within a riparian setback	Entire extent	-	-

b. The landscaping requirements set out in above are to be planted in any combination of lawn and indigenous groundcover, shrubs and trees, so long as they achieve the dimensions and density requirements.
    i. Landscape buffers required under a. v. can be a mixture of exotic and indigenous species but must be evergreen and exclude pest species.

    ii. Landscape required under a. vi. take precedent over any other landscape standards that may apply and are to be planted in only indigenous vegetation

c. The landscaping requirement for riparian setbacks do not apply to areas used for pedestrian accessways and amenities associated with public access.

12.4.7 Site Layout

a. No plant or machinery shall be placed in the front of the building or within any building setback (with the exception of machinery displayed for sale, hire, or plant associated with on-site security).

12.4.8 Provisions in Other Chapters

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

- Chapter 2: Strategic Framework
- Chapter 3: Structure Plans
- Chapter 14: Future Urban Zone
- Chapter 15: Open Space Zones
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

12.5 Rules— Specific Standards

12.5.1 Vehicle Access Restriction

a. Lot 1 DPS 85687, Lot 1 DPS61136, Lot 3 DPS 61136 and Lot 5 DPS 18043 shall achieve heavy vehicle access via the Te Rapa Dairy Manufacturing Site onto Te Rapa Road and shall be restricted from achieving heavy vehicle access onto Meadow View Lane. This rule shall not apply once the Deferred Industrial Zone overlay is removed from all properties along Meadow View Lane.

12.5.2 Ancillary Offices

a. The total ancillary office activity shall not occupy more than 50% of the gross floor space all buildings on the site.

b. Offices ancillary to industrial buildings shall be located at the front of building and facing the road. On corner sites, offices are only required to face one road.

12.5.3 Ancillary Retail

a. The total ancillary retail shall not occupy more than the equivalent of 10% of the gross floor area of all buildings on the site or 250m^2, whichever is the lesser.

12.5.4 Food and Beverage within the Focal Area

a. The total gross floor area for all food and beverage activities within the focal area of the Te Rapa North Industrial zone shall (cumulatively) not exceed 800m^2.

~~12.6 Controlled Activities: Matters of Control~~

~~a. In determining any application for resource consent for a controlled activity in addition to the relevant standards within Rules 12.4 and 12.5, the Council shall have control over the following matters referenced below:~~

~~12.7~~ 12.6 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

a. In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion.

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number
a. Any activity that infringes Rules 12.4.1 Building Setbacks, 12.4.2 Height, 12.4.3 Height In Relation to Boundary, 12.4.4 Site Coverage, 12.4.5 Permeable Surfaces, 12.4.6 Landscaping, 12.4.7 Site Layout	• A — General Criteria • B — Design and Layout • C — Character and Amenity
b. Any activity requiring an air discharge permit under the Waikato Regional Plan within 100m of any Residential Zone	• C — Character and Amenity • F — Hazards and Safety
c. Yard-based retail (excluding car and boat sales) fronting Te Rapa Road	• C — Character and Amenity • F — Hazards and Safety
d. Emergency service facilities	• C — Character and Amenity • F — Hazards and Safety
e. Drive-through services within the Te Rapa North Industrial Focal Area	• M — Drive-through services • C — Character and Amenity • F — Hazards and Safety • Q — Te Rapa North Industrial
f. Wet Industry	• F — Hazards and Safety • J — Three Waters Technique

~~12.8~~ 12.7 Other Resource Consent Information

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

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

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

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

23 Subdivision

23.1 Purpose

a. Subdivision is essentially the process of dividing a parcel of land or a building into one or more further parcels, or changing an existing boundary location. Subdivision by itself is not a use of land, however it often sets the platform for future development and land use.

b. The development and use of land and buildings can be facilitated by subdivision. As such, the purpose of this chapter is to ensure that subdivision activities within the City are undertaken in a manner that supports the outcomes sought in the underlying zone. It is also to ensure the integrated management of the effects of the use, development or protection of land and associated natural and physical resources.

c. For subdivision within the Peacocke Precinct refer to Chapter 23A.

23.2 Objectives and Policies: Subdivision

Objective	Policies
23.2.1 **To ensure that risk to people, the environment and property is not exacerbated by subdivision.**	**23.2.1a** **Subdivision:** **i. Does not result in increased risk of erosion, subsidence, slippage or inundation.** **ii. Minimises any adverse effects on water quality.** **iii. Ensures that a building platform can be accommodated within the subdivided allotment clear of any areas subject to natural hazards.** **iv. Ensures that any risks associated with soil contamination are appropriately remedied as part of the subdivision process.** **v. Ensures reverse sensitivity mitigation measures avoid or minimise effects such as noise associated from an arterial transport corridor or State Highway.**
Explanation	
The policies ensure that land is suitable for subdivision and will not increase risks to people, the environment and property.	
Objective	**Policies**
23.2.2 **Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well designed environments.**	**23.2.2a** **Subdivision:** **i. Is in general accordance with Subdivision Design Assessment Criteria to achieve good amenity and design outcomes.**

	ii. Is in general accordance with any relevant Structure Plan. **iii. Is in general accordance with any relevant Integrated Catchment Management Plan.** **iv. Promotes energy, water and resource efficiency.** **v. Provides for the recreational needs of the community.** **vi. Discourages cross-lease land ownership.** **vii. Ensures that any allotment is suitable for activities anticipated for the zone in which the subdivision is occurring.** **viii. Contributes to future residential development being able to achieve densities that are consistent with the growth management policies of the Waikato Regional Policy Statement and Future Proof.** **ix. Avoids or minimises adverse effects on the safe and efficient operation, maintenance of and access to network utilities and the transport network.** **x. Is avoided where significant adverse effects on established network utilities or the transport network are likely to occur.** **xi. Promotes connectivity and the integration of transport networks.** **xii. Provides appropriate facilities for walking, cycling and passenger transport usage.** **xiii. Provides and enhances public access to and along the margins of the Waikato River and the City's lakes, gullies and rivers.** **xiv. Facilitates good amenity and urban design outcomes by taking existing electricity transmission infrastructure into account in subdivision design, and where possible locating compatible activities such as infrastructure, roads or open space under or in close proximity to electricity transmission infrastructure.** **xv. Ensures that a compliant building platform can be accommodated within the subdivided allotment outside of the National Grid Yard.**
Explanation	
Subdivision has a lasting impact on the built form and function of a city. These policies require that the subdivision process respond to the range of form and function matters, such as urban design and resource efficiency, identified in the policy in order to achieve good environmental and built form outcomes in Hamilton City.	

Objective	Policies
23.2.3 **High and Medium-Density Residential Zones (excluding Rotokauri North) and Rototuna Town Centre Zone areas are developed comprehensively.**	**23.2.3a** **Subdivision that creates additional allotments in the Ruakura and Te Awa Lakes Residential Precincts or the Rototuna Town Centre Zone does not occur without an approved land use consent. For the Ruakura and Te Awa Lakes Residential Precincts, the land use consent is for development activities.**
	23.2.3b **Ensure the development of Medium and High Density Residential Zones occur in a comprehensive and integrated manner by requiring subdivision to:** **i. Integrate and connect with existing development.** **ii. Provide opportunities for connection into adjacent sites in locations that are feasible and support the creation of a well-connected and integrated urban environment.**
Explanation	
Concept Plans and Master Plans are useful tools to ensure a comprehensive approach to the layout and design of high and medium-density development	

Objective	Policies
23.2.4 **To ensure the provision of infrastructure services as part of the subdivision process.**	**23.2.4a** **Subdivision:** **i. Provides an adequate level of infrastructure and services appropriate for the proposed development.** **ii. Takes into account and shall not compromise the infrastructural needs of anticipated future development.** **iii. Does not occur unless appropriate infrastructure and/or infrastructure capacity is available to service the proposed development.** **iv. Ensures that the capacity, efficiency, performance and sustainability of the wider infrastructure network is not compromised.** **v. Uses public infrastructure ahead of private infrastructure where appropriate.**
Explanation	
Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Regional Infrastructure Technical Specification. The Ruakura Structure Plan area includes two areas of Large Lot Residential Zones which are not anticipated to be serviced with Three Waters infrastructure, and should accommodate on-site servicing. Parts of the Future Urban Zone, where rural uses are to predominate, will also contain on-site servicing.	

Objective	Policies

23.2.5 **Subdivision occurs in a manner that recognises historic heritage and natural environments.**	**23.2.5a** **Subdivision avoids, remedies or mitigates adverse effects on:** **i. Scheduled heritage items.** **ii. Scheduled archaeological and cultural sites.** **iii. Scheduled significant trees.** **iv. Scheduled significant natural areas.** **v. The Waikato River and gullies and river banks, lakes, rivers and streams.**
	23.2.5b **Subdivision enables development while managing effects on any:** **i. Landforms and natural features.** **ii. Vegetation.**
	23.2.5c **Subdivision of land which protects and enhances the riparian margins of the Waikato River and the City's lakes, gullies and rivers.**

Explanation

Subdivision and the associated development of land often involves modification and this has the potential to cause or exacerbate adverse effects. These effects should be managed through the location and design of subdivision.

Objective	Policies
23.2.6 **Subdivision of an existing, or an approved, development shall have suitable instruments in place to manage individual ownership, and any shared rights and interests in common.**	**23.2.6a** **To ensure that any subdivision is supported by management structures and legal mechanisms that provides certainty of, and enables effective ongoing, management, maintenance and operation of land, structures, services, apartment buildings, and common areas.**

Explanation

The objective and policy ensures that the type of land tenure proposed is the most appropriate to the nature and configuration of underlying development. In the case of fee simple subdivision of apartment buildings, the means by which shared and common components are to be managed by multiple parties is clearly demonstrated and established at the time of application for subdivision.

Objective	Policies
23.2.7 **Subdivision in the Rotokauri North Residential Precinct is designed comprehensively to ensure a medium-density environment with a high standard of urban design quality.**	**23.2.7a** **Enable subdivision in the Rotokauri North Residential Precinct that:** **i. Creates lots that are generally rectangular in shape with a greater depth than width;**

	ii. Provides lots of a suitable shape and size for apartment and terrace housing developments; **iii. Forms a well-connected block structure that avoids:** • **Rear lots wherever possible; and** • **Cul-de-sac, except where there is no practical alternative (e.g., adjoining the green spine) and pedestrian connectivity can still be achieved;** **iv. Maximises street or pedestrian frontage to public spaces, including at least one side of streams or drainage reserves that are longer than 250m;** **v. Maximises land efficiency to promote affordable housing while achieving clauses iii and iv above;** **vi. Can accommodate a permitted activity duplex dwelling.**
Explanation	

The objective reflects the overall design approach for Rotokauri North, which is to create a well-planned medium-density living environment that enables a variety of lifestyle and housing choices (and therefore a range of price points and provision of affordable housing). It recognises that the environment must create liveable and useable spaces. The policies require the development of urban blocks and interconnected roading networks at the time of subdivision, and for dwellings to create public fronts which address the street and encourage interaction, whilst generally ensuring that back yards are provided for private outdoor living spaces.

Achieving the Rotokauri North subdivision pattern of development through lot and urban block layout is important to establishing a high-quality medium-density living environment, and ensuring the integration of subdivision and land use outcomes, particularly where these relate to the creation of vacant fee simple lots and their subsequent development with individual houses.

23.3 Rules – Activity Status Tables

Table 23.3a: General Residential, Medium Density Residential (Excluding the Rotokauri North and Peacocke Residentials Precincts), High Density Residential, Large Lot Residential, Central City, Business 1 to 7, Industrial, Knowledge, Ruakura Logistics, Ruakura Industrial Park, Future Urban (including Deferred Industrial overlay), All Open Space, Major Facilities, Community Facilities and Transport Corridor Zones and All Hazard Areas.

Activity	General Residential, Medium Density Residential and High Density Residential	Large Lot Residential, Central City, Business 1 — 7, Industrial, Knowledge, Ruakura Logistics	Future Urban Zone (including Deferred Industrial overlay)	All Open Space Zones, Major Facilities, Community Facilities, Transport Corridor Zones	All Hazard Areas

		and Ruakura Industrial Park Zones			
For Rotokauri North Residential Precinct see Table 23.3c, Rototuna Town Centre Zone and Te Rapa North Industrial Zone see Table 23.3b below. For the Peacocke Residential Precinct see Chapter 23A.					
i. Boundary adjustments	P	P	RD	P	RD
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	P	P	P	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor	RD	RD	RD	RD	D
v. Fee simple subdivision (Excluding subdivision provided in vi, xi, xii and xiii).	RD*	RD*	RD*	RD*	D
vi. Fee simple subdivision that complies with Rule 23.7.1 f. within the General, Medium Density and High Density Residential Zones (Excluding subdivision provided in xi,xii and xiii).*	C	-	-	-	-
vii. Cross-lease subdivision	NC	NC	NC	NC	NC
viii. Company-lease subdivision*	RD*	RD*	RD*	RD*	D
ix. Unit-title subdivision*	C*	RD*	RD*	RD*	D
x. Leasehold subdivision	RD	RD	RD	RD	D
xi. Subdivision involving any allotment within the Electricity National Grid Corridor	RD	RD	RD	RD	D
xii. Any subdivision of an allotment within a Historic Heritage Area or containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedules 8A,8B, 8C and 8D	D	D	D	D	D
xiii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	D	D	D	D	D

Table 23.3b: Rototuna Town Centre Zones, and Te Rapa North Industrial Zone

Activity	Rototuna Town Centre Zone		Te Rapa North Industrial Zone*	Te Rapa Dairy Manufacturing Site
	Without an approved land use consent for a Development Area	As part of or after a land use consent for a Development Area has been approved		
For General Residential, Medium Density Residential, High Density Residential, Large Lot Residential, Central City, Business 1 to 7, Industrial, Knowledge, Ruakura Logistics and Ruakura Industrial Park, Future Urban (including the Deferred Industrial overlay), all Open Space, Major Facilities, Community Facilities and Transport Corridor Zones, and all Hazard Areas see Table 23.3a above.				
i. Boundary adjustments	P	P	P	P
ii. Amendments to cross-lease, unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	P	P	P	P
iii. Conversion of cross-lease titles into fee simple titles	P	P	P	P
iv. Subdivision to accommodate a network utility service or transport corridor	RD	RD	RD	RD
v. Fee simple subdivision	NC	RD*	RD*	RD*
vi. Cross-lease subdivision*	NC	NC	NC	NC
vii. Company-lease subdivision	NC	RD	RD	RD
viii. Unit-title subdivision*	NC	RD*	RD*	RD*
ix. Leasehold subdivision	NC	RD	RD	RD
x. Subdivision involving any allotment within the	NC	RD	RD	RD

Electricity National Grid Corridor				
xi. Any subdivision of an allotment containing a Scheduled Historic Heritage Site identified in Volume 2, Appendix 8, Schedules 8A and 8B	NC	D	D	D
xii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	NC	D	RD	RD
xiii. Any subdivision in the Te Rapa North Industrial Zone in accordance Rule 3.9.3.3, outside of the Te Rapa Dairy Manufacturing Site	-	-	C	-
xiv. Any subdivision in the Te Rapa North Industrial Zone not in accordance Rule 3.9.3.2	-	-	D	-
xv. Any subdivision in the Te Rapa North Industrial Zone not in accordance with Rule 3.9.3.3	-	-	Pr	-

*Subdivision activity status is subject to compliance with ~~the rules within Chapter 3 Te Rapa North Structure Plan~~ Rule 3.9.3.5

Table 23.3c: All zones in the Rotokauri North Residential Precinct

Activity	Activity Status
i. Boundary adjustments	P
ii. Amendments to unit-titles and company lease plans for the purpose of showing alterations to existing buildings or additional lawfully established buildings	P
iii. Subdivision to accommodate a network utility service or transport corridor	RD

iv. Cross-lease subdivision	NC
v. Company-lease subdivision*	RD*
vi. Unit-title Subdivision*	C*
vii. Leasehold Subdivision	RD
viii. Any subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C	RD
ix. Fee simple subdivision that creates vacant lots*	RD*
a. Any subdivision not in accordance with the Rotokauri North Structure Plan (Figure 2-8A)	D
b. Any fee simple subdivision which creates a rear lot	NC
c. Creation of any vacant lots not meeting the minimum lot size specified in Rule 23.7.1 below	NC
d. Creation of any vacant lots not meeting the minimum lot dimensions specified in Rule 23.7.8 below	D
e. Any subdivision not meeting the block layout dimensions or minimum specified in Rule 23.7.8 below	D
f. Any subdivision with access not meeting Rule 23.7.8 below	D
g. Any subdivision to create road to vest that does not meet the minimum widths in 23.7.8	D
x. Any subdivision which results in a permanent cul-de sac	D
xi. Subdivision in accordance with a land use consent	C
xii. Subdivision of a existing duplex which meets 23.7 b to create fee simple titles	C
xiii. Subdivision of existing apartments and or terrace housing to create fee simple or unit titles.	C

Note

1. *Refer to Chapter 1.1.9 for activities marked with an asterisk (*).*
2. *For any activity not identified above, see Section 1.1.8.1.*

23.4 Rules – Application of the Transport Corridor Zone

a. After 13 November 2012 land that is vested in the Council or the Crown as road pursuant to any enactment or provision in this plan, and has been formed as road to Council's required standards, then from the date of formation of the road, the land shall be subject to the rules in the Transport Corridor Zone but shall retain its current zoning.

23.5 Rules – General Standards

23.5.1 Telecommunication, Electricity, Gas and Computer Media

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.

b. Telecommunication, electricity, gas and ducting for computer media shall be underground where possible.

Note

1. *Acceptable means of compliance for the provision, design and construction of infrastructure is contained within the Regional Infrastructure Technical Specification.*

23.5.2 Provision of Esplanade Reserves and Strips

a. An Esplanade Reserve or Esplanade Strip of not less than 20m measured from the edge of any river or lake shall be set aside and vested in Council in accordance with section 231 of the Act where any subdivision of land results in the creation of an allotment that adjoins the banks of:

i. The Waikato River.

ii. The margins of Lake Rotoroa (Hamilton Lake).

iii. Any watercourse where the average width of the bed is 3m or more where the river flows through or adjoins an allotment.

iv. Where a reserve or road of less than 20m width already exists along the edge of any river or lake, then additional land shall be vested to increase the minimum width to 20m.

23.5.3 Provisions in Other Chapters

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

- Chapter 3: Structure Plans
- Chapter 25: City-wide

23.6 Rules – Specific Standards

a. The standards of Rule 23.6 shall not apply to the subdivision of land to accommodate a network utility service.

23.6.1 Subdivision in the Ruakura Structure Plan Area

a. Any subdivision which creates new allotments in the Ruakura Structure Plan area cannot initiate land use or development which is contrary to Rules 3.7.4.1 to 3.7.4.5 and Rule 3.7.5 of Chapter 3: Structure Plans, except as provided for within the Large Lot Residential Zone.

b. A consent notice may be registered against the title of any new allotment to ensure compliance with the Ruakura Structure Plan area rules in Rules 3.7.4.1 to 3.7.4.5 and Rule

3.7.5 of Chapter 3: Structure Plans.

c. Any subdivision which creates new allotments, and is in accordance with (a) and (b) above where applicable, shall be in accordance with the zoning of the land as identified on the Planning Maps and in accordance with Rule 3.7.4.1.

23.6.2 Company Leases and Unit Title Subdivision

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.

    i. All existing buildings to which the subdivision relates shall have:

    - Existing use rights.
    - Been erected in accordance with a resource consent or certificate of compliance and building consent has been issued.
    - Comply with any relevant standards.

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.

c. In all staged subdivisions, provision shall be made for servicing the building or buildings and all proposed future buildings on the allotment.

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.

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.

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.

23.6.3 Amendments to a Cross-lease, Company Lease or Unit Title Plan

a. The amendments shall be for the purpose of showing alterations to existing buildings or additional lawfully established buildings.

b. The alteration shall be either permitted or otherwise lawfully established.

23.6.4 Cross-lease to Fee Simple Subdivision

a. The proposed boundaries shall align with those exclusive use area boundaries on the cross-lease plan. Where no exclusive use areas are shown on the cross lease plan the boundaries shall align with the exclusive and established pattern of occupation associated with the existing underlying development.

b. Where required to protect services, easements shall be provided.

c. Rule 23.7 — Subdivision Design Standards shall not apply to subdivisions under this rule.

d. The relevant land use rules in the respective zones (excluding Chapter 25.13 Three Waters) shall not apply to existing legally established buildings.

23.6.5 Leasehold Subdivision

Where an allotment is subject to an application for subdivision consent by way of leasehold subdivision the following rules shall apply where relevant.

a. Section 23.4 Application of the Transport Corridor

b. Section 23.5 Rules - General Standards

c. Section 23.6 Rules - Specific Standards

d. Section 23.7 Subdivision Design Standards

23.6.6 Boundary Adjustments

a. Any boundary adjustment shall not result in the creation of additional allotments, except in circumstances where a boundary adjustment creates an additional allotment or allotments which are required to be held together with another allotment or allotments by way of compulsory amalgamation condition.

b. Any boundary adjustment shall not alter the size of an existing allotment by greater than 10% of the registered allotment size.

c. Any allotment subject to a boundary adjustment shall comply with all relevant development and performance standards.

d. Where required to protect services, easements shall be provided.

23.6.7 Subdivision Activities within the Electricity National Grid Corridor

a. Any subdivision which creates new allotments within the Electricity National Grid Corridor shall identify a building envelope, compliant with the relevant zone standards and the standards of this Chapter and clear of the National Grid Yard.

b. Failure to comply with the above standard will result in the proposal being assessed as a non-complying activity.

23.6.8 Subdivision in the Rototuna Town Centre Zone

a. Subdivision shall only take place in conjunction with, or following approval of, a land use consent for the applicable Development Area.

b. Allotment area and configuration shall conform to the allotment areas approved as part of the land-use consent.

c. A consent notice shall be registered against the title of each allotment to ensure compliance with the terms of the land-use consent.

d. The standards in Rule 23.6.8.a & c. do not apply to subdivision to accommodate a network utility service or transport corridor.

23.6.9 Subdivision in the Te Rapa North Industrial Zone

a. Subdivision

i. activity status is subject to compliance with ~~the rules within Chapter 3 Te Rapa North Industrial Structure Plan~~ Rule 3.9.3.5.

ii. For those parts of the Zone subject to the 'Deferred Industrial Area,' are subject to the Future Urban Zone subdivision provisions.

23.6.10 Subdivision in the Rototuna North East Residential Precinct

a. The provision of a neighbourhood park area:

i. The first subdivision of land adjoining the Waikato Expressway designation (Designation E90) shall submit for approval as part of the subdivision, a neighbourhood park concept plan, consisting of detailed plans and supporting documentation for the entire future reserve area as located on the Rototuna Structure Plan.

ii. The neighbourhood park shall:

- Ensure varied widths no less than 20m.
- Address and accommodate topographical constraints to ensure usability of the area for informal recreation.
- Include flat open spaces for informal recreational.
- Include one area of between 300m^2 and 800m^2 for the provision of a children's play area. The location and design of this plan area shall ensure the safe operation of the playground and shall have regard to any stormwater attenuation areas and the roading and cycling network. Where necessary, additional safety measures will be taken, such as fencing.
- Include landscaping areas to provide an interesting and varied visual amenity for the area. These areas are to include varied vegetated areas (with the exception of the proposed Cycle and Walking access point across the Waikato Expressway, stormwater attenuation areas and identified viewing areas shown on the Rototuna Structure Plan) having a minimum planting width of 2m when parallel to the boundary of the Waikato Expressway, and consisting of native vegetation capable of reaching heights of at least 8m at maturity.
- Reflect the principles of Crime Prevention Through Environmental Design (CPTED).

- Include both a walking and cycling network in accordance with the Rototuna Structure Plan.
- Show how the area will relate to its surrounding area, including the Waikato Expressway.

iii. Any subdivision of land adjoining the Waikato Expressway (Designation E90) shall have regard to and implement the portion of the approved neighbourhood concept plan over the land area the subdivision is for at the time of subdivision.

b. At the time of subdivision of land the following shall be identified on the subdivision plan to be submitted for consent:

i. A 55dB$_{LAeq(24hr)}$ contour line from the Waikato Expressway carriageway boundary utilising the following criteria:

- Traffic flow of 12700 vpd
- 10%HCV
- Vehicle speed of 100km/hr (or the posted speed limit if that is lower)
- Noise mitigation as confirmed by an approved Outline Plan of Works for Designation E90
- Finished ground levels based on the proposed subdivision design

ii. Identification of all lots where any boundary is intersected by the 55 dB$_{LAeq(24hr)}$ contour line.

23.6.11 All Subdivision in the Te Awa Lakes Structure Plan area

a. A consent notice shall be registered against the title of each allotment to ensure compliance with the terms of the land use consent relating to the management and eradication of alligator weed.

b. Subdivision shall only take place in conjunction with a land use consent for development activities within a Development Area or after a land use consent has been granted.

c. Subdivision in Development Areas Q and R and Area X in the Business 6 Zone, shown on Figure 2-21 in Appendix 2 Structure Plans, that does not comply with b. above is a prohibited activity.

23.7 Subdivision Design Standards

23.7.1 Subdivision Suitability

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 and the applicable overlays.

b. Where allotments are proposed that contain existing development on the existing title,

i. The applicable general and specific standards for the zone and activity under consideration shall be complied with for each allotment; and

ii. The applicable standards in Chapter 25 — City Wide shall be complied with for each allotment.

Note
For the avoidance of doubt, Rule 23.7.2.b does not apply to an infringement that has existing use rights or was approved under a Land Use Resource Consent.

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.

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.

e. The standards of Rule 23.7. shall not apply to the subdivision of land to accommodate a network utility service.

f. The standards of Rule 23.7.2, Rule 23.7.3 a. b and c, Rule 23.7.4 a, b, c, d and e, and Rule 23.7.5 a and b shall not apply to:

1. The unit title of existing lawfully established buildings; or

2. The fee simple subdivision of an existing lawfully established residential unit where no vacant allotments are created, if—

    i. Either the subdivision is in accordance with an approved land use consent and is compliant with the approved layout, or

    ii. Where all relevant rules are met in relation to the proposed boundaries around the residential unit;

3. The fee simple subdivision of any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application for residential unit/s that will be determined concurrently; and the subdivision is consistent with the proposed land use layout.

23.7.2 Allotment Size and Shape

Zone	Minimum Net Site Area	Max Net Site Area	Min Shape Factor

a. Vacant lot - General Residential Zone (unless otherwise stated, and except within Historic Heritage Area)	300m^2	-	12.5m-diameter circle
b. Vacant Lot - Medium Density Residential Zone (Except within the Rotokauri North Residential Precinct then Rule 23.7.2 o. applies) and except within the Ruakura and Te Awa Lakes Residential Precincts)	1200m^2		Contain a rectangle of 15 metres by 20 metres
c. Vacant Lot - General Residential Zone (adjoining the Waikato Expressway except within the Rototuna North East Residential Precinct)	1000m^2	-	-
d. Vacant Lot - High Density Residential Zone	1200m^2	-	Contain a rectangle of 15 metres by 20 metres
e. Large Lot Residential — SH26, Ruakura Structure Plan area	2500m^2	-	15m-diameter circle
f. Large Lot Residential — Percival/Ryburn Rd, Ruakura Structure Plan area	2ha Except for Lot 8 DP 9210 - 5000m^2	-	Rule 23.7.1.n. applies
g. Central City Zone, Knowledge Zone, Business 1 to 7 Zones	1,000m^2	-	20m-diameter circle
h. Industrial Zone, Rotokauri Employment Area and Riverlea Industrial Area	Front, corner or through site — 1,000m^2	-	Rule 23.7.2.q. applies
	Rear sites — 500m^2	-	Rule 23.7.2.q. applies
i. Te Rapa North Industrial Zone	500m^2	-	Rule 23.7.2.q. applies
j. Ruakura Logistics Zone	3000m^2	-	Rule 23.7.2.q. applies
k. Ruakura Industrial Park Zone	3000m^2 Except up to a maximum of 20% of sites for each subdivision stage shall have a minimum net site area of 1000m^2 for front sites and 500m^2 for rear sites.	-	Rule 23.7.2.q. applies
l. Ruakura Industrial Park Zone Development Areas T & G	Front, corner or through site- 1000m^2	-	Rule 23.7.2.q. applies

	Rear Sites — 500m^2	-	Rule 23.7.2.q. applies
m. Future Urban Zone	10ha	-	-
n. Te Awa Lakes Residential Precinct lots that adjoin any existing or proposed esplanade reserve adjacent to the Waikato River (River Interface Overlay)	1000m^2	-	15m diameter circle
o. Rotokauri North Residential Precinct - applies to vacant lots only	280m^2		
p. Te Rapa North Industrial Zone	500m^2	-	Rule 23.7.2.r. applies

q. Where the shape factor circle standard applies to any subdivision, unless otherwise specified, each allotment shall be of a shape that can accommodate a circle of the specified diameter in a position which does not infringe any required front yard requirements of the respective zone.

r. Allotments in the Industrial, Te Rapa North Industrial, Ruakura Logistics and Ruakura Industrial Park Zones shall be of such a shape as to contain a 20 meter diameter circle. The circle shall not infringe any required front setback or any setback adjoining a residential, special character or open space zone.

s. Allotments in the Rototuna North East Residential Precinct, the location of the shape factor circle for each allotment shall not infringe the habitable building setback from the 55dB$_{LAeq(24hr)}$ contour line from the Waikato Expressway carriageway boundary determined in accordance with Rule 23.6.10 b.

Note

1. *Future Urban Zone provisions apply to the Deferred Industrial Area.*

23.7.3 General Residential Zone

a. Minimum transport corridor boundary length for a front site	12.5m
b. Minimum rear boundary length of a front site	10m

The following will apply to all subdivisions

c. Maximum number of allotments or residential units served by a single private way	20
d. Minimum private way width serving 1-6 allotments or residential units	4m
e. Minimum private way width serving 7 — 20 residential units where access forms common property under a unit title arrangement, or 7-9 units where access is part of a fee simple subdivision	6m
f. Minimum width of vehicle access (to be formed and vested as public road) serving 10-20 fee simple lots or residential units	16.8m
g. Maximum private way and rear lane gradient	1:5m
h. Maximum private way length	100m

ha. Minimum number of passing bays on private ways:	
i. Private way length of 50m or less	0
ii. Private way length of 51 to 100m	1
i. Minimum legal width of a rear lane	7m
j. Maximum length of a rear lane	250m
k. Each rear lane shall: i. Be connected by unrestricted access to a transport corridor at least two locations. ii. Have a legal mechanism for ownership and ongoing maintenance of the lane. iii. Have a minimum unobstructed width at vehicle entrances and between buildings or structures of no less than 3.5m. iv. Not be used for carparking or storage of materials, landscaping, fencing or other obstructions that would restrict access by emergency vehicles. v. Have a minimum height clear of buildings and other obstructions of 4.0m.	
l. Minimum width of vehicle access to be formed and vested as public road: i. Serving more than 20 allotments or residential units (Local Road) ii. Serving more than 20 allotments or residential units (Collector Road — Non-PT Route on Structure Plan) iii. Serving more than 20 allotments or residential units (Collector Road — PT Route on Structure Plan)	20m 24.2m 24.6m
m. Maximum cul-de-sac length, including private way	150m
n. Maximum number of private ways accessing directly on to a cul-de-sac turning head	1
o. Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0
p. Maximum shared pedestrian/cyclist accessway length through a block	80m
q. Minimum shared pedestrian/cyclist accessway width through a block	40m or less in length: 6m wide 41m — 60m in length: 9m wide 61m — 80m in length: 12m wide
r. Maximum block length	250m
s. Maximum block perimeter	750m
t. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

Note

For clarity, measurements of block length and block perimeter may be curvilinear and include frontage to a green linkage/ corridor, accessway or reserve. Measurements will be taken from the relevant transport corridor boundary of the proposed lots.

23.7.4 Medium Density Residential Zone (Excluding Peacocke Residential Precinct)

	Medium Density Residential (Excluding Rotokauri North and Peacocke Residential Precincts)	Rotokauri North Residential Precinct
The following will apply to the creation of vacant lots		
a. Minimum transport corridor boundary length for a front site (except within the Ruakura and Te Awa Lakes Residential Precincts.	20m	12.5m
b. Minimum transport corridor boundary length in the Rotokauri North Residential Precinct if: i. A legal mechanism (consent notice) restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width up to 3.2m; or ii. A rear lane provides legal vehicle access	-	10m
c. Within the Ruakura and Te Awa Lakes Residential Precincts: Minimum lot width of front and rear boundary for front sites; except up to a maximum of 10% of sites for each subdivision stage shall be no less than 10m.	12m	-
d. Minimum rear boundary length (except within the Ruakura and Te Awa Lakes Residential Precincts)	10m	-
e. Minimum lot depth (except within the Ruakura and Te Awa Lakes Residential Precincts)	28m	28m
f. Maximum urban block length	250m	250m
g. Maximum urban block perimeter	750m	750m
The following will apply to all subdivisions		
h. Maximum number of allotments served by a single private way	20	-
i. Minimum private way width serving 1-6 allotments or residential units	4m	4m
j. Minimum private way width serving 7-20 allotments where access forms common property under a unit title arrangement of 7-9 units where access is part of a fee simple subdivision	7m	7m

k. Maximum private way and rear lane gradient	1:5	1:5
l. Maximum private way length	100m	100m
m. Minimum number of passing bays on private ways:		
n. Private way length of 50m or less	0	0
o. Private way length of 51 to 100m	1	1
p. Maximum cul-de-sac length	150m	-
q. Maximum number of private ways accessing directly on to a cul-de-sac turning head	0	-
r. Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0	-
s. Maximum shared pedestrian/cyclist accessway length through a block	80m	80m
t. Minimum shared pedestrian/cyclist accessway width through a block	40m or less in length: 6m wide 41m — 60m in length: 9m wide 61m — 80m in length: 12m wide	40m or less in length: 6m wide 41m — 60m in length: 9m wide 61m — 80m in length: 12m wide
u. Minimum paved width for shared pedestrian/cyclist path through a block.	3m	3m
v. Vehicle crossing	The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1a and 25.15.4.1c shall be demonstrated.	The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1a and 25.15.4.1c shall be demonstrated.

All rear lanes and roads:

w. Minimum legal width of a rear lane	7m	7m
x. Maximum length of a rear lane	250m	-
y. Each rear lane shall: i. Be connected by unrestricted access to a transport corridor at least two locations. ii. Have a legal mechanism for ownership and ongoing maintenance of the lane. iii. Have a minimum unobstructed width at vehicle entrances and between buildings or structures of no less than 3.5m. iv. Not be used for carparking or storage of materials, landscaping, fencing or other obstructions that would restrict access by emergency vehicles.		

v. Have a minimum height clear of buildings and other obstructions of 4.0m.		
z. Public road serving 10— 20 units (to be vested)	16.8m	16.6m
aa. Public Road serving more than 20 units (to be vested)	20m	16.6m
bb. Collector Road — no public transport - minimum legal width (to be vested)	24.2m	20.8m
cc. Collector Road - Public transport route - minimum legal width (to be vested)	24.6m	20.8m

Note

1. *For corner lots only one transport corridor boundary needs to meet the minimum length and the minimum depth needs only be achieved along one side boundary..*
2. *This width does not provide for swales or stormwater management. Additional width may be required for these features, if present, and may be required to accommodate any other features or activities.*
3. *For clarity, measurements of block length and block perimeter may be curvilinear and include frontage to a green linkage/ corridor, accessway or reserve. Measurements will be taken from the relevant transport corridor boundary of the proposed lots.*

23.7.5 High Density Residential Zone

The following will apply to the creation of vacant lots

a. Minimum transport corridor boundary length for a front site	20m
b. Minimum rear boundary width of a front site	10m

The following will apply to all subdivisions

c. Minimum private way width serving 1-4 allotments or residential units	4m
d. Minimum private way width serving 7 — 20 residential units where access forms common property under a unit title arrangement or 7-9 units where access is part of a fee simple subdivision	7m
e. Minimum width of vehicle access (to be formed and vested as public road) serving 10-20 fee simple lots or residential units	16.8m
f. Minimum width of vehicle access to be formed and vested as public road i. Serving more than 20 allotments (Local Road) ii. Serving more than 20 allotments (Collector Road — no public transport route) iii. Serving more than 20 allotments (Collector Road — public transport route)	20m 24.2m 24.6m
g. Maximum private way gradient	1:5
h. Maximum private way length	100m
i. Minimum number of passing bays on private ways:	
j. Private way length of 50m or less	0
k. Private way length of 51m to 100m	1
l. Maximum pedestrian accessway length through a block	80m

m. Minimum pedestrian accessway width through a block	40m or less in length: 6m wide 41m — 60m in length: 9m wide 61m — 80m in length: 12m wide
n. Maximum number of private ways accessing directly on to a cul-de-sac turning head	0
o. Maximum urban block length	250m
p. Maximum urban block perimeter	750m
q. Minimum legal width of a rear lane	7m
r. Each rear lane shall: i. Be connected by unrestricted access to a transport corridor at least two locations. ii. Have a legal mechanism for ownership and ongoing maintenance of the lane. iii. Have a minimum unobstructed width at vehicle entrances and between buildings or structures of no less than 3.5m. iv. Not be used for carparking or storage of materials, landscaping, fencing or other obstructions that would restrict access by emergency vehicles. v. Have a minimum height clear of buildings and other obstructions of 4.0m.	

Notes:

1. *For clarity, measurements of block length and block perimeter may be curvilinear and include frontage to a green linkage/ corridor, accessway or reserve. Measurements will be taken from the relevant transport corridor boundary of the proposed lots.*

23.7.6 Business 1 to 7 Zones, Te Rapa North Industrial Zone, Ruakura Industrial Park Zone, Ruakura Logistics Zone and Industrial Zone

a. Minimum transport corridor boundary length	8m
b. Minimum transport corridor boundary length adjoining a major arterial transport corridor	20m
c. Minimum access or private way width serving an allotment with a net site area of less than 2000m^2	8m
d. Minimum access or private way width serving an allotment with a net site area of 2000m^2—5000m^2	10m
e. Minimum access or private way width serving an allotment with direct access to a major arterial transport corridor	10m
f. Minimum private way width serving 1-5 allotments	10m
g. Maximum private way gradient	1:8
h. Maximum private way length	100m

i. Maximum pedestrian accessway length	80m
j. Minimum pedestrian accessway width	40m or less in length: 6m wide 41m — 60m in length: 9m wide 61m — 80m in length: 12m wide
k. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

23.7.7 Large Lot Residential Zone

a. Minimum transport corridor boundary length for a front site	40m
b. Minimum rear boundary length of a front site	10m
c. Maximum number of allotments served by a single private way	6
d. Minimum private way width serving 1-6 allotments	3.6m
e. Public road serving 7 — 20 allotments	16m
f. Public road serving more than 20 allotments (Local Road)	20m
g. Public road serving more than 20 allotments (Collector Road)	23m
h. Maximum private way gradient	1:5m
i. Maximum private way length	100m with passing every 50m
j. Maximum cul-de-sac length	150m
k. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-
l. Maximum number of culs-de-sac accessing directly on to a cul-de-sac	0
m. Maximum shared pedestrian/cyclist accessway length through a block	80m
n. Minimum shared pedestrian/cyclist accessway width through a block	40m or less in length: 6m wide 41m — 60m in length: 9m wide 61m — 80m in length: 12m wide
o. The ability for any proposed lot in a subdivision to comply with the vehicle crossing separation distance requirements in Rule 25.14.4.1.a and 25.14.4.1.c shall be demonstrated.	-

23.8 Controlled Activities: Matters of Discretion and Assessment Criteria

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. Fee simple subdivision within the General, Medium Density and High Density Residential Zones that complies with Rule 23.7.1 f.	• G — Subdivision
i. Unit Title subdivision within the General, Medium Density and High Density Residential Zones	• G — Subdivision
iii. Subdivision in the Te Rapa North Industrial zone in accordance with Rule 3.9.3.3, outside of the Te Rapa Dairy Manufacturing Site	• D - Te Rapa North Industrial

23.9 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

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

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. Boundary adjustments	• C — Character and Amenity
ii. Subdivision involving any allotment within the Electricity National Grid Corridor	• I — Network Utilities and Transmission • N — Ruakura
iii. Subdivision in a Hazard Area	• F — Hazards and Safety
iv. Subdivision that may require the provision of Esplanade Reserves and Strips	• C — Character and Amenity • D — Natural Character and Open Space
v. Subdivision to accommodate a network utility service or transport corridor	• C — Character and Amenity • I — Network Utilities and Transmission • N — Ruakura
vi. Fee simple subdivision (Except within the General, Medium Density and High Density Residential Zones that complies with Rule 23.7.1 f).*	• C — Character and Amenity
vii. Company-lease subdivision*	• C — Character and Amenity
viii. Unit-title subdivision* (except within General, Medium Density and High Density Residential Zones)	• C — Character and Amenity

ix. Leasehold Subdivision	• C — Character and Amenity
x. Subdivision of an allotment containing a Significant Natural Area identified in Volume 2, Appendix 9, Schedule 9C, in the Te Rapa North Industrial Zone	• D — Natural Character and Open Space • Q — Te Rapa North Industrial Structure Plan
xi. Any restricted discretionary activity subdivision in Rotokauri North (excluding subdivision of a duplex which meets Rule 4.7.12.a.	• C - Character and Amenity • O — Rotokauri North

Note

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

23.10 Other Resource Consent Information

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

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

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

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

1.2 Information Requirements

Where noted and relevant the following information may be required to be supplied with applications for resource consents and certificates of compliance.

Any information and plans provided must be in writing and in sufficient detail and accuracy to enable a full assessment of compliance with the District Plan and to evaluate any environmental effects of the proposal.

Note

1. *Wherever possible application material should also be provided in an electronic format. Checklists, forms, templates and guides are available from Council. Further general guidance on the Act and its processes is available from the Ministry for the Environment website: www.mfe.govt.nz/rma/index.html*

1.2.1 All Applications

….

~~1.2.2.31~~ 1.2.2.30 Te Rapa North Industrial Infrastructure Plan

The first ~~land use or subdivision consent~~ resource consent for land use, subdivision, or development within each stage identified in Rule 3.9.3.3.a must be accompanied by an Infrastructure Plan ~~that:~~. The Infrastructure Plan must demonstrate that subdivision or development can be serviced in accordance with the Strategic Three Waters Infrastructure table at Rule 3.9.3.3.

The Infrastructure Plan must:

a. ~~Must demonstrate that the subdivision or development can be serviced in accordance with the Strategic Three Waters Infrastructure Rule 3.9.3.3 and Figures 2-24 a, b and c~~.

a. Include the matters set out within Appendix 1, section 1.2.2.5 and 1.2.2.5a

b. Include details regarding corridor allowances for future strategic water and wastewater infrastructure.

c. Include details of water and wastewater network modelling and assessments and outcomes including permanent and interim infrastructure requirements.

d. Confirm the availability of water allocation and wastewater treatment plant capacity.

e. Consider long term strategic water and wastewater infrastructure requirements and integration with adjacent development.

f. Must demonstrate how it is consistent with the Te Rapa Integrated Catchment Management Plan, including:

   i. Identification of any long term stream resilience works for the preferred option and refining the resilience works based on which option is preferred.

   ii. Define extent of the rip rap stream bed works within Area 1 as identified in Appendix E of the Te Rapa Integrated Catchment Management Plan.

   iii. Provide developed design and costing of the rip rap stream bed works within Area 1 based on Appendix E of the Te Rapa Integrated Catchment Management Plan.

   iv. Implementation of a strategy and funding plan, referencing any Private Developers Agreement that may be in place.

   v. How development within the Te Rapa North Industrial Zone contributes to any identified stormwater management solutions for the relevant sub catchment.

g. Include details of strategic stormwater infrastructure, including:

i. Te Rapa Stream erosion resilience works (for Te Rapa North, Onion North, Onion South, Interchange Block, Pukete Block, Ruffell Block)
ii. River outlets with typical details (for Fonterra North, Fonterra South and Meadow View East sub-blocks)
iii. Culverts
iv. The extents of the flood management area along the Te Rapa Stream corridor in the 1% AEP (with climate change) storm under maximum development conditions as defined by flood modelling (for Te Rapa North, Onion North, Onion South, Interchange Block, Pukete Block, Ruffell Block)
v. Key overland flow paths
vi. Sub-catchment wetlands
vii. Catchment extents of each of the identified items of strategic infrastructure.

h. For land draining to the Te Rapa Stream (Te Rapa North, Onion North, Onion South, Interchange Block, Pukete Block, Ruffell Block), assess and identify the preferred Te Rapa Stream erosion resilience works addressing full catchment development, including:
   i. Preliminary designs and cost estimates of ICMP options to support confirmation of the preferred option.
   ii. How the preferred option will be staged with development and identify the different responsibilities of relevant parties including Waikato Regional Council, Waikato District Council, IAWAI – Flowing Waters, Mana Whenua, and relevant landowners for each stage.
   iii. An Implementation and Funding plan for the preferred option, including any ~~It must document~~ landowner agreements to have works undertaken on their property including rights of access for maintenance activities.
i. Where an interim arrangement is proposed, the Infrastructure Plan shall demonstrate that the:
   i. Performance outcomes are at least as environmentally protective as those expected under the strategic solution.
   ii. Risks are identified and managed through monitoring and defined response actions.
   iii. Arrangement can be connected to and replaced by the long-term public network without foreclosing the most efficient long-term solution.
j. Evidence of consultation with Waikato Regional Council, Waikato District Council, IAWAI – Flowing Waters, Mana Whenua and FirstGas along with how any feedback from these organisations has been addressed.
~~k. Evidence of engagement with mana whenua in preparation of the Infrastructure Plan, including how the any feedback received has been addressed.~~

~~1.2.2.30~~ 1.2.2.31 Te Rapa North Industrial Ecological Management Plan

The first ~~land use or subdivision consent~~ resource consent for land use, subdivision, or development lodged for land within each stage of the Te Rapa North Industrial ~~Structure Plan area~~ Zone must be accompanied by an Ecological Management Plan that includes:

a. A Bat Management Plan prepared by a suitably experienced bat ecologist that includes:
   i. Details of all the confirmed or potential bat roost trees within the TRNIZ based on the presence of roosting features and any other relevant information which is available;
   ii. An assessment of whether the retention of any tree or trees which are identified as being confirmed or potential bat roost trees is practicable and appropriate, having regard to:
      1. The assessed values, including whether the tree is a confirmed bat roost tree, and whether it is known to be a solitary or communal roost; and

2. Whether the tree is within 50m of the Waikato River and/or any Significant Natural Areas and could continue to be used as a bat roost within an otherwise urban context; and
3. Any earthworks that are required to enable industrial use and development;

iii. A proposed tree removal methodology and timing, with regard to the latest version of the Department of Conservation 'Protocols for Minimising the Risk of Felling Bat Roosts'; and

iv. Procedures for reviewing and amending (if necessary) the Bat Management Plan.

b. All measures necessary to avoid, remedy, mitigate, offset or compensate for any more than minor adverse effects on habitats of indigenous fauna including birds and lizards.

c. An assessment that demonstrates that riparian planting along Te Rapa Stream and any other watercourses within the Te Rapa North Industrial Structure Plan Area shall comprise of locally sourced indigenous vegetation.

d. Evidence of engagement with mana whenua in preparation of the Ecological Management Plan, including how any feedback received has been addressed.

1.2.2.32 Te Rapa North Industrial Landscape Concept Plans

The first application ~~for land use or subdivision~~ resource consent for land use, subdivision, or development lodged for land within each stage of the Te Rapa North Industrial ~~Structure Plan area~~ Zone must be accompanied by a Landscape Concept Plan covering the spatial extent of the stage within which the site is located.

a. The objectives of any required Landscape Concept Plan are to:
   i. Protect or enhance the natural character and cultural, heritage and amenity values of Te Rapa North Industrial Area;
   ii. Recognises and provide for tangata whenua values and relationships with Te Rapa North Industrial Structure Plan area, and their aspirations for the area; and
   iii. Reflect the area's character and heritage.

b. The required Landscape Concept Plan must include:
   i. A conceptual design for any areas of open space proposed within Te Rapa North Industrial Area, including details of landscape treatment for any neighbourhood reserves, esplanade reserves, special purpose reserves, streets, footpaths, cycleways, stormwater swales, wetlands, detention basins, streams, and riparian margins;
   ii. A list of plant types, species and sizes at the time of planting, to be used for planting within Te Rapa North Industrial Area, including species that reflect the history of the area, and which can be sourced as naturally occurring within the Waikato Region;
   iii. Use of indigenous species and landscape design that reflect mana whenua cultural perspectives, including species that are valued as customary food or for traditional uses, and those that support indigenous biodiversity and provide habitat for mahinga kai, native birds and lizards;
   iv. Details of ongoing maintenance to ensure the planting achieves the best possible growth rates;
   v. Details of any proposed sites for water-related activities and proposed public access to them and to and alongside waterways and wetlands;
   vi. Details of any sites of significance for mana whenua and how they will be protected, enhanced, or commemorated;
   vii. Details of any interpretation materials communicating the history and significance of places and resources and any mana whenua inspired artwork or structures, including where they are to installed or applied within Te Rapa North Industrial Area;

viii. A list of traditional names suggested by mana whenua for sites, developments, streets, neighbourhoods or sub-catchments in Te Rapa;

ix. Evidence of consistency with any relevant Ecological Management Plan approved under Rule ~~3.9.3.4.a~~ 3.9.3.4.b; and

x. Evidence of engagement with mana whenua in preparation of the Landscape Concept Plan, including how the plan responds to the matters discussed in that engagement.

1.3.3 Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria

N	**Ruakura and Te Awa Lakes**	
N1	**Development Activities**	
	…	
Q	**Te Rapa North Industrial Structure Plan**	
	In determining the application for resource consent for a restricted discretionary or discretionary activity, Council shall consider the following matters, where relevant.	
Q1	Development in the Te Rapa North Industrial Structure Plan Area:	
	a.	The extent to which the proposal is consistent with the Te Rapa North Industrial Zone objectives and policies and any relevant design guide.
	b.	The extent to which the proposed development is consistent with the Te Rapa North Industrial Structure Plan.
	c.	The extent to which the proposed development is consistent with~~: any approved infrastructure or ecological management plan.~~ i. The requirements set out under 1.2.2.30, 1.2.2.31, 1.2.2.32 ii. An approved Infrastructure Plan, Ecology Management Plan or Landscape Concept Plan
	d.	The development's ability to compliment or have neutral impact on the Te Rapa Dairy Manufacturing Site. • Refer to Policy 12.2.1c. • Refer to Policy ~~12.2.4a-d.~~ 12.2.6a-d.
	e.	The methods for protecting and enhancing the ecological values of Te Rapa Stream and the Waikato River Corridor. • Refer to Policies ~~12.2.5a-e.~~ 12.2.7a-e.
	f.	The extent to which a building frontage along Te Rapa Road, that is not dominated by ground level parking spaces, loading spaces and vehicle storage areas has been provided. • Refer to Policy 25.5.2.1a.
Q2	Development in the Focal Area:	
	a.	The extent to which the proposed development is consistent with the Te Rapa North Industrial Structure Plan. • Refer to Structure Plan Component ~~3.9.2.2.~~ 3.9.2.3
	b.	• Refer to Policy 12.2.1c. • Refer to Policy ~~12.2.4a-d.~~ 12.2.6a-d.
	c.	Supportive of walking and cycling modes.
Q3	A land use or subdivision consent application not in accordance with Rule 3.9.3.2 ~~Infrastructure Upgrade triggers~~ (Transport Upgrade Network) and Rule 3.9.3.3 (Strategic Three Waters Infrastructure):	

	a.	~~Consistency~~ The extent to which the proposal is consistent with the Te Rapa North Industrial Structure Plan.
	b.	Integration with and effects on transport and Three Waters infrastructure, including water allocation and wastewater treatment capacity.
	c.	The ~~ITA matters for assessment~~ Integrated Transport Assessment Criteria set out in Appendix 1.3.3 G.
	d.	Whether there is appropriate Three Waters infrastructure and capacity, existing and proposed, to appropriately service the proposed development.
	e.	The extent to which the proposal meets the requirements of and is consistent with the Infrastructure Plan required under 1.2.2.30.
	f.	The Three Waters Techniques Assessment Criteria set out at Appendix 1.3.3.J and Stormwater Quantity and Quality Assessment Criteria at Appendix 1.3.3.JJ
	g.	Achievement of matters under Q1.
Q4	Earthworks in the Te Rapa North Industrial Structure Plan:	
	a.	The extent to which earthworks facilitate outcomes that are consistent with the Te Rapa North Industrial Structure Plan.
	b.	The extent to which the proposed development is consistent with any approved infrastructure or ecological management plan;
	c.	Whether bulk earthworks are carried out in a comprehensive and integrated manner that minimises the need for secondary earthworks and retaining walls.
	d.	The extent to which the roading network has been designed to work with the topography and features of the site.

Q5	~~Transport Upgrades in the Te Rapa North Industrial Structure Plan:~~ When assessing a resource consent under Rule 3.9.3.2 the Council shall consider the following additional assessment criteria (in addition to those listed in Q3):	
	a.	Traffic Generation & Network Capacity i. The predicted trip generation from the proposal compared to thresholds set out within the Te Rapa North Industrial Structure Plan. ii. The ability of the existing transport network to safely and efficiently accommodate the additional traffic.
	b.	Committed and Programmed Upgrades i. The extent to which any necessary transport upgrades are committed, funded, and programmed for delivery within a timeframe that aligns with the development. ii. The relationship between required upgrades for the industrial area and upgrades committed for any adjoining urban growth node.
	c.	Effects on Surrounding Network i. Potential effects on nearby intersections, corridors, and the wider roading network, including travel time reliability and safety at: • SH1C Horotiu Interchange roundabouts • ~~Te Rapa Road / McKee Street signalized intersection~~ • Te Rapa Road / Ruffell Road signalized intersection

		• Te Rapa Road / Kapuni Street intersection • Te Rapa Road / Te Kowhai Road / Church Road intersection • Old Ruffell Road / Ruffell Road intersection • Te Rapa Road corridor (between Access 2 and Church Road) ii. Potential impacts on public transport, walking, ~~and~~ cycling networks, and future Bus Rapid Transit.
	d.	Integration with Surrounding Growth Nodes i. The progress of surrounding residential and industrial growth areas, and implications for network demand. ii. The staging and sequencing of development to ensure infrastructure delivery is coordinated.
	e.	Mode Shift and Demand Management i. Provision for safe and direct walking, cycling, and public transport connections. ii. Measures to encourage modal shift and reduce single-occupancy vehicle trips.
	f.	Access Arrangements i. Compliance with the requirement for Stage 1 access to be limited to Access 1 only. ii. Any potential safety or efficiency issues associated with access points.
	g.	Funding and Delivery i. The applicant's commitment to contribute to, or fully fund, required transport infrastructure to mitigate the effects of development. ii. Conditions or staging triggers to ensure infrastructure is operational before occupation.
	h.	Safety Considerations i. Maintaining or improving the safety of the transport network for all users.
	i.	East-West Road Corridor i. The extent to which the East-West Road has been designed and located to: • Take into account ~~feedback~~ information provided by ~~from~~ Hamilton City Council • Be consistent with Figure 3.9.2.5a allowing for the upgrade in Figure 3.9.2.5b • Avoid direct vehicle access

Q6	Strategic Three Waters Infrastructure in the Te Rapa North Industrial Structure Plan:	
	a.	An Infrastructure Plan demonstrating that the subdivision or development can be serviced in accordance with the Strategic Three Waters Infrastructure table in 3.9.3.3.
	b.	An Infrastructure Plan demonstrating how its consistent with the Te Rapa Integrated Catchment Management Plan, including: i. Review of ICMP options ii. Identification of long term stream reslience works for the preferred option iii. Refining of the resilience works based on which option is preferred iv. Defining the extent of Area 1 stream work v. Provision of developed design and costing of Area 1 based on Appendix C of

		the ICMP vi. Implementation strategy and funding plan – referencing any PDA vii. How development within the Te Rapa North Industrial zone contributes to any identified stormwater management solutions for the relevant sub catchment.
	c.	Where an interim arrangement is proposed, an Infrastructure Plan shall demonstrate that the: i. performance outcomes are at least as environmentally protective as those expected under the strategic solution. ii. risks are identified and managed through monitoring and defined response actions. iii. arrangement can be connected to and replaced by the long-term public network without foreclosing the most efficient long-term solution.
	d.	An Infrastructure Plan including evidence of consultation with Waikato Regional Council, Waikato District Council, IAWAI – Flowing Waters, Mana Whenua and FirstGas along with how any feedback from these organisations has been addressed.
Q7	Ecological Management Plans in the Te Rapa North Industrial Structure Plan:	
	a.	When assessing a resource consent under Rule 3.9.3.4(b) the Council's discretion shall include, but not be limited to, the following assessment criteria: i. Mitigation works to ensure development does not result in long-term adverse effects on the ecological values of the site, particularly in relation to pekapeka (New Zealand Long-Tail Bat) habitat and freshwater values.

Appendix 2: Structure Plans

Road Stopping

Plans in this appendix may show existing roads subject to road stopping (e.g., Figure 2-15A). Road stopping is a process that can be undertaken under the Local Government Act 1974 or the Public Works Act 1981. It is separate from Resource Management Act processes but may run concurrently with them. Following road stopping, the land will cease to be road as defined by the Local Government Act.
Any areas shown in this appendix as subject to road stopping are indicative only and not surveyed. The final extent of any stopping will be determined by the formal road stopping process.
The road stopping identified in these Structure Plans does not necessarily show all potential future road stopping within Hamilton. It is expected that, from time-to-time, road stopping will occur without amendments being made to this appendix.

Structure Plans Locality Guide

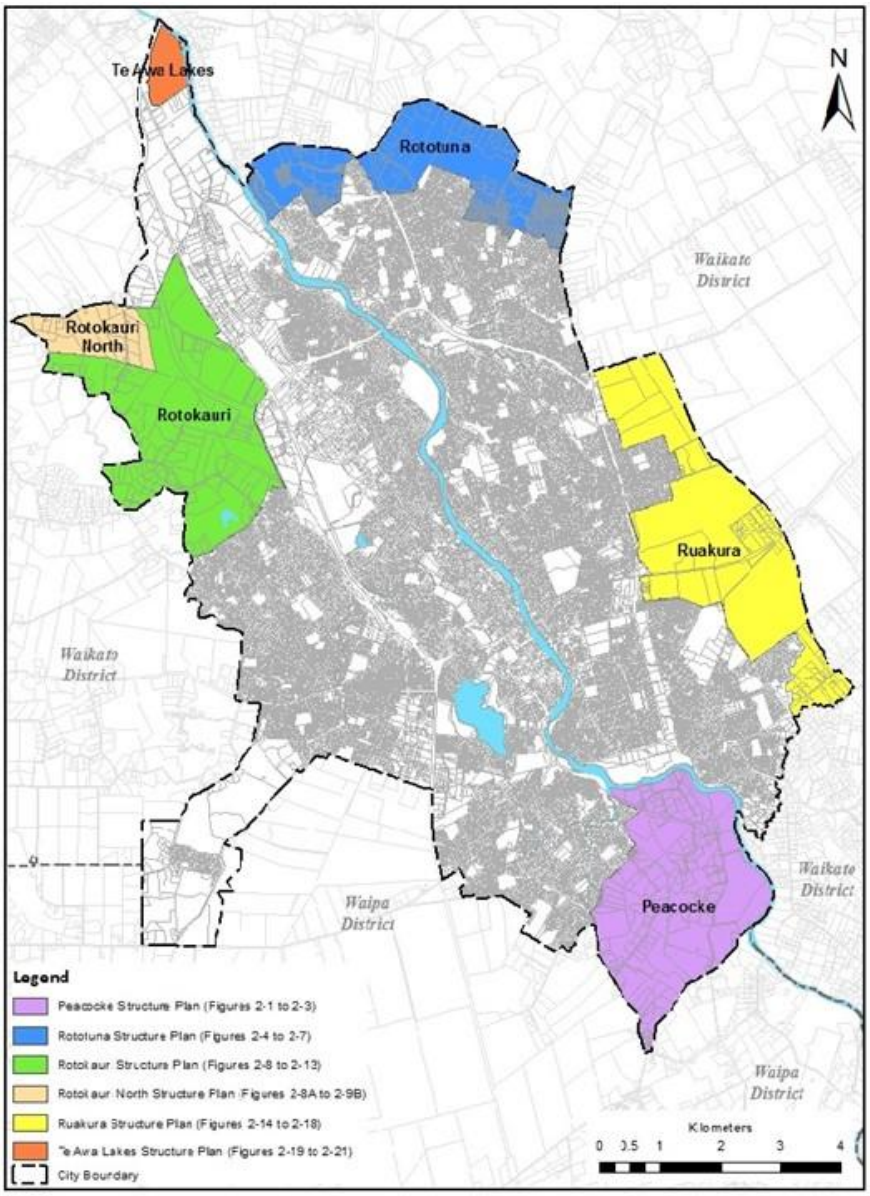


Figure 2-1: Peacocke Structure Plan — Land Use

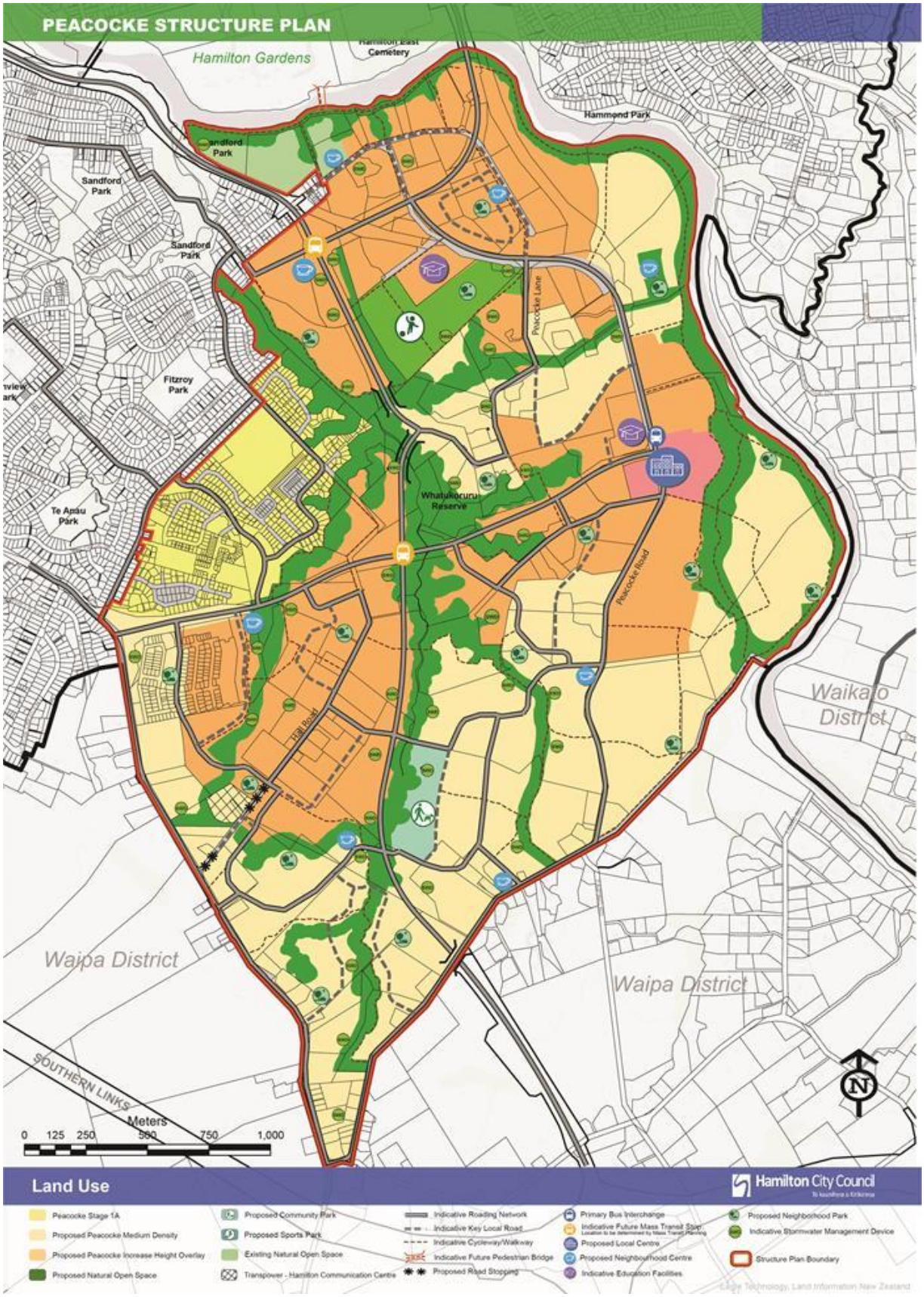


Figure 2-2: Peacocke Structure Plan — Transport Network

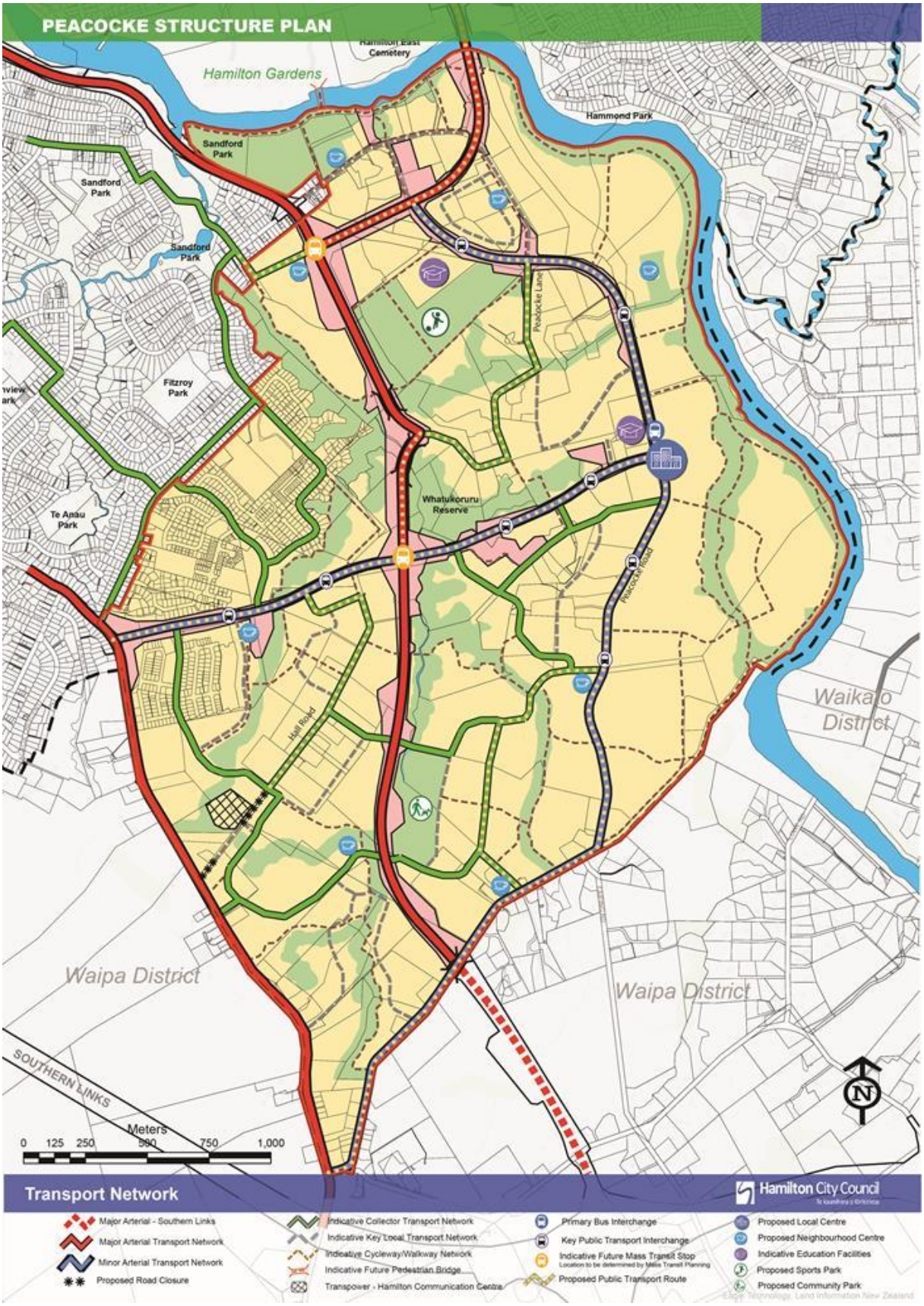


Figure 2-3: Peacocke Structure Plan — Natural Environment and Heritage

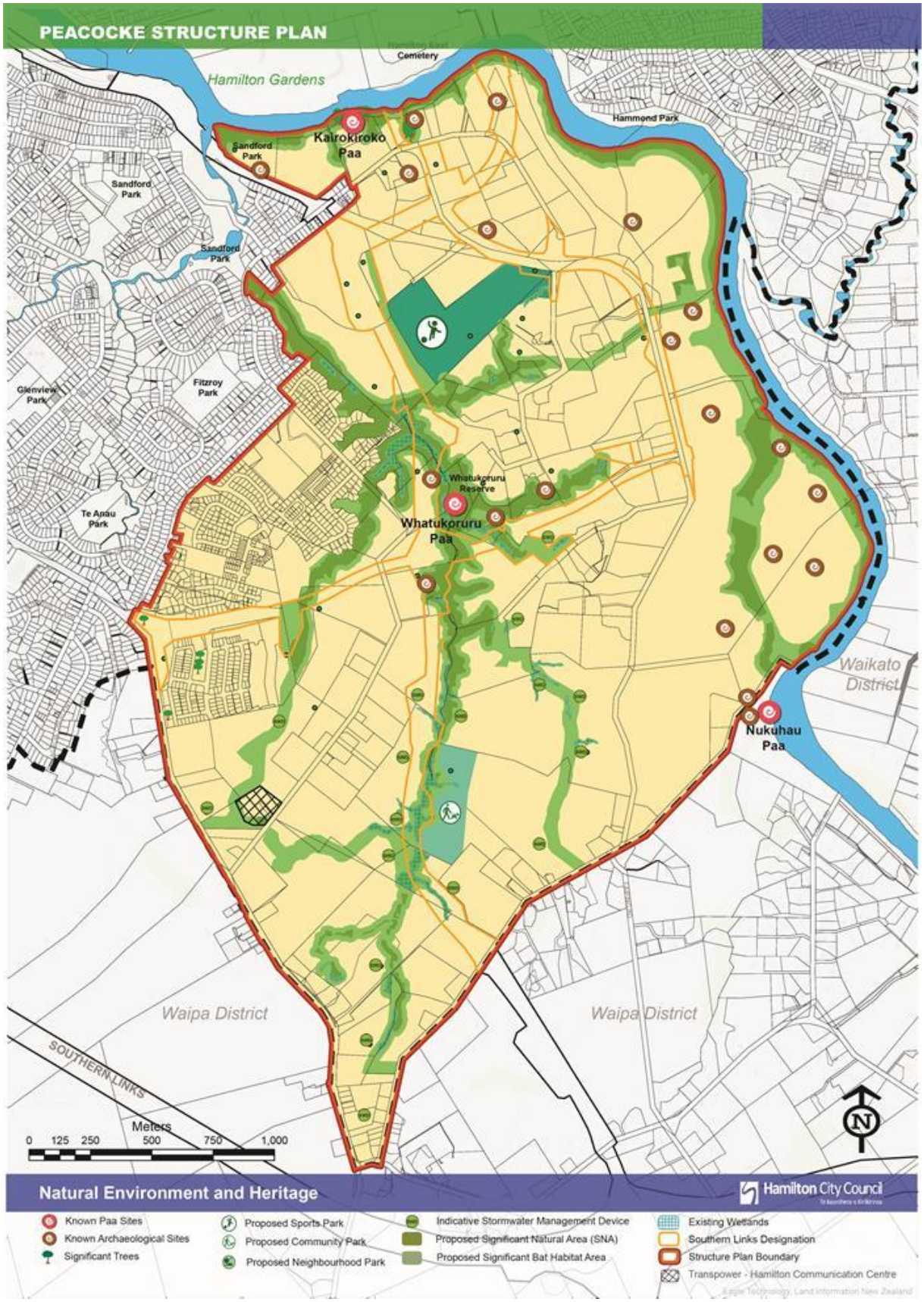


Figure 2-3a: Peacocke Structure Plan — Staging and Infrastructure

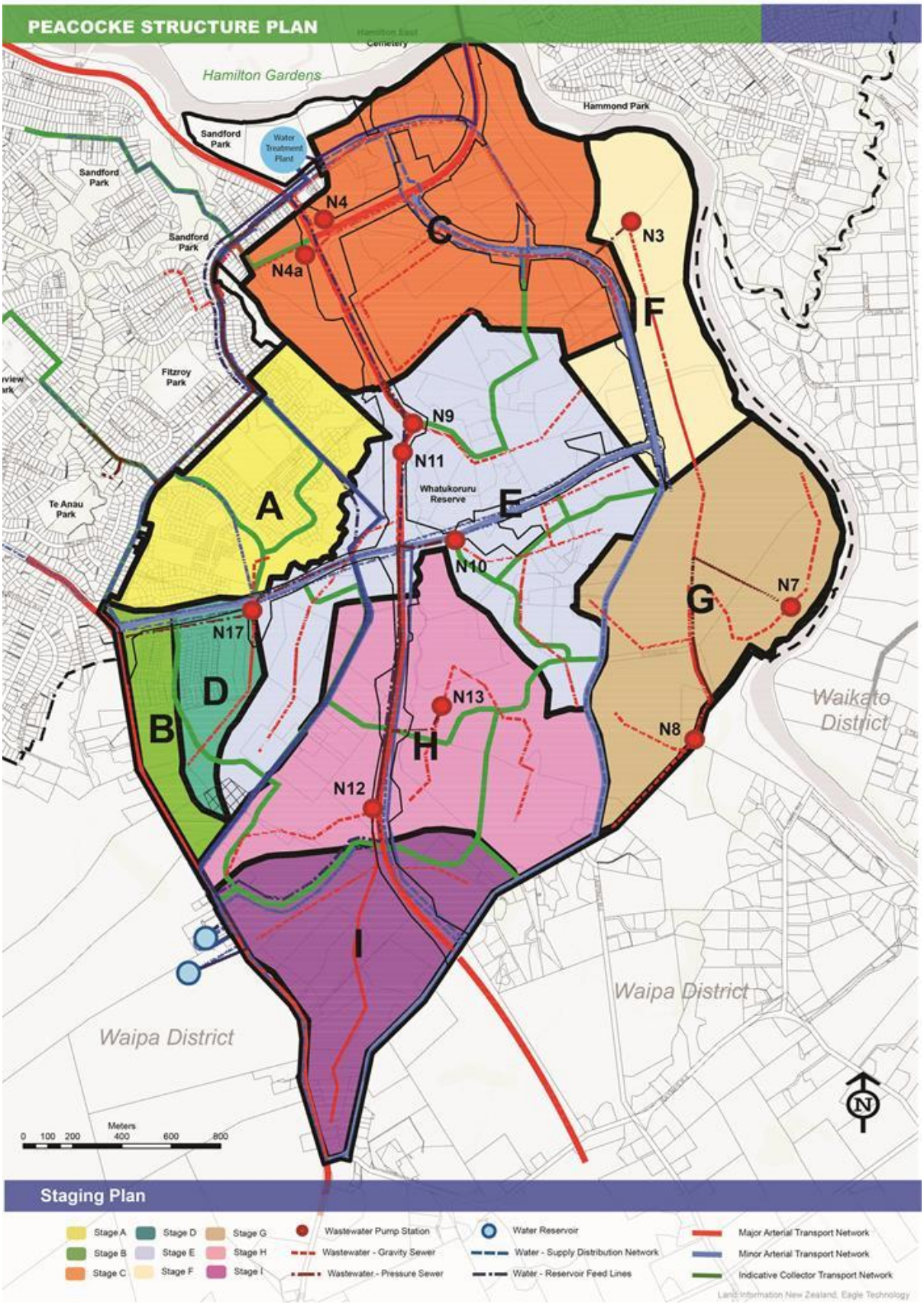
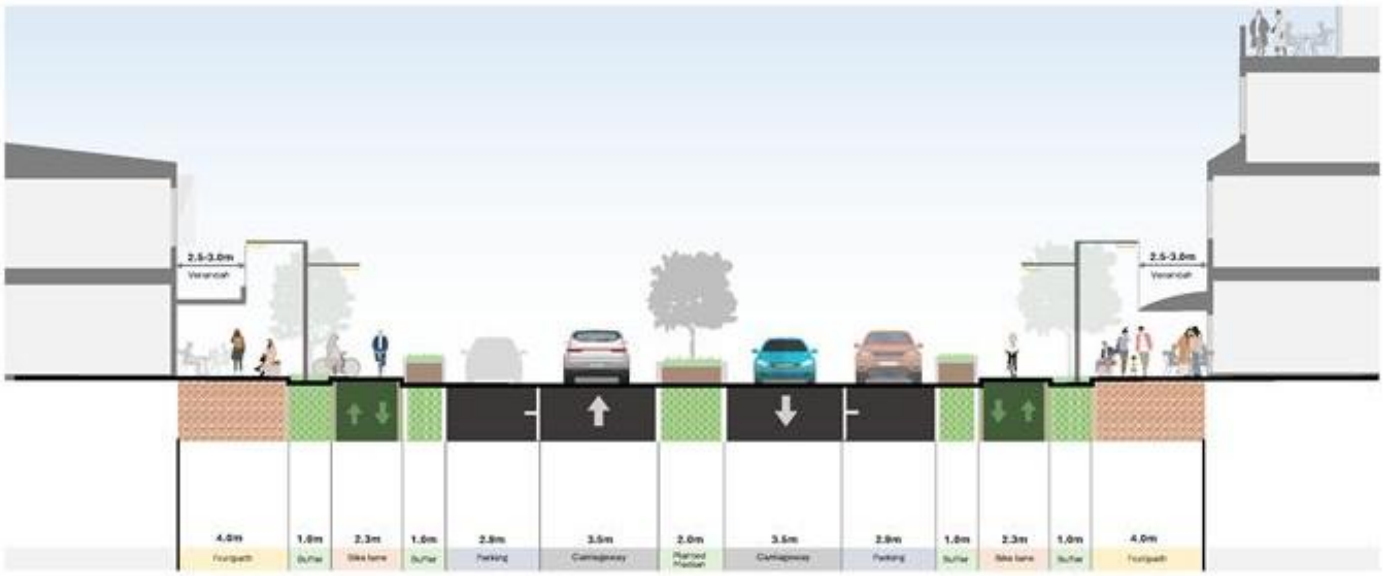


Figure 2-3b: Peacocke Structure Plan — Peacocke Local Centre Concept

Figure 2-3c: Peacocke Structure Plan — Main street conceptual cross section



INDICATIVE MAIN STREET CROSS SECTION
(31.4m width)

Figure 2-4: Rototuna Structure Plan — Land Use

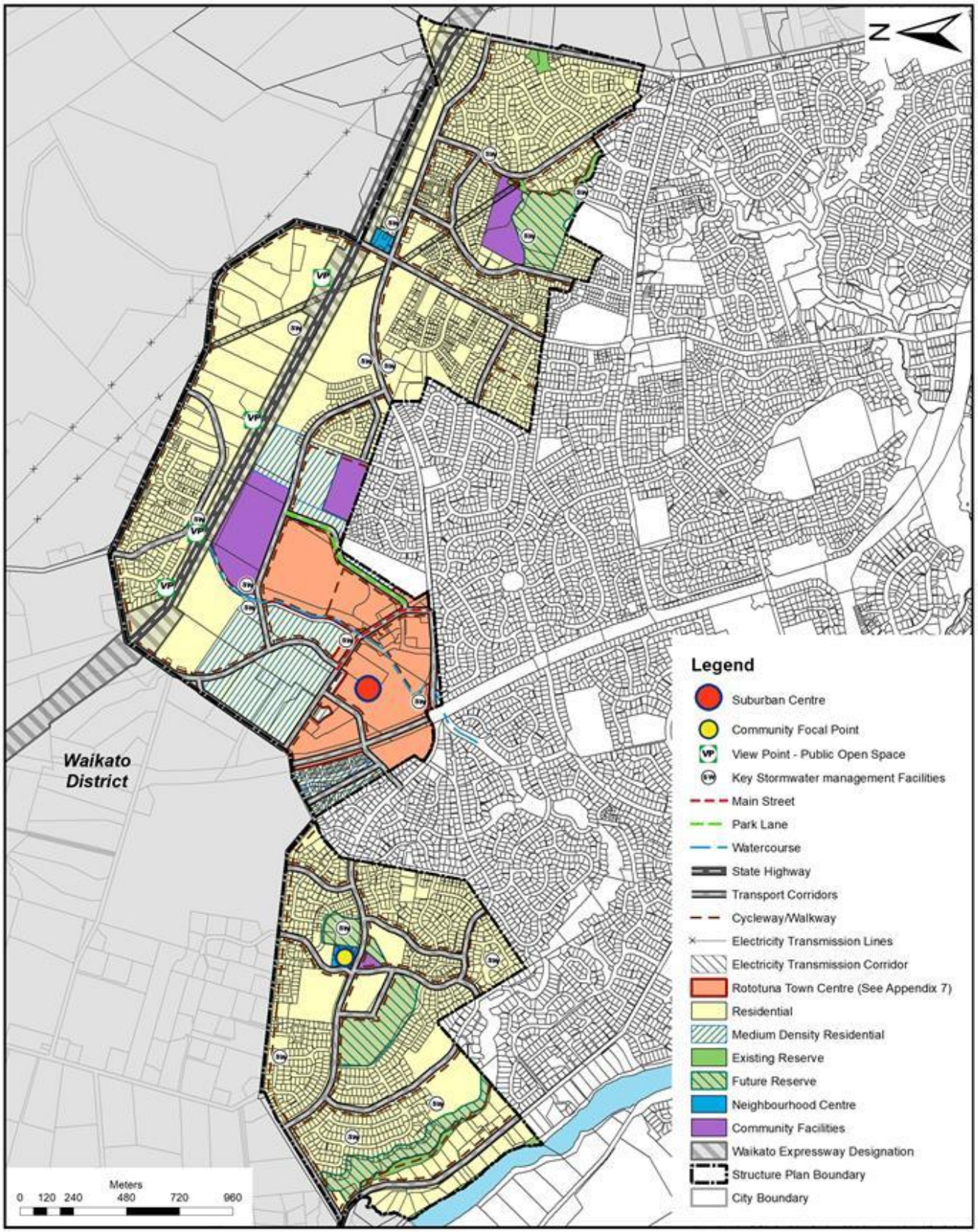


Figure 2-5: Rototuna Structure Plan — Transport Network

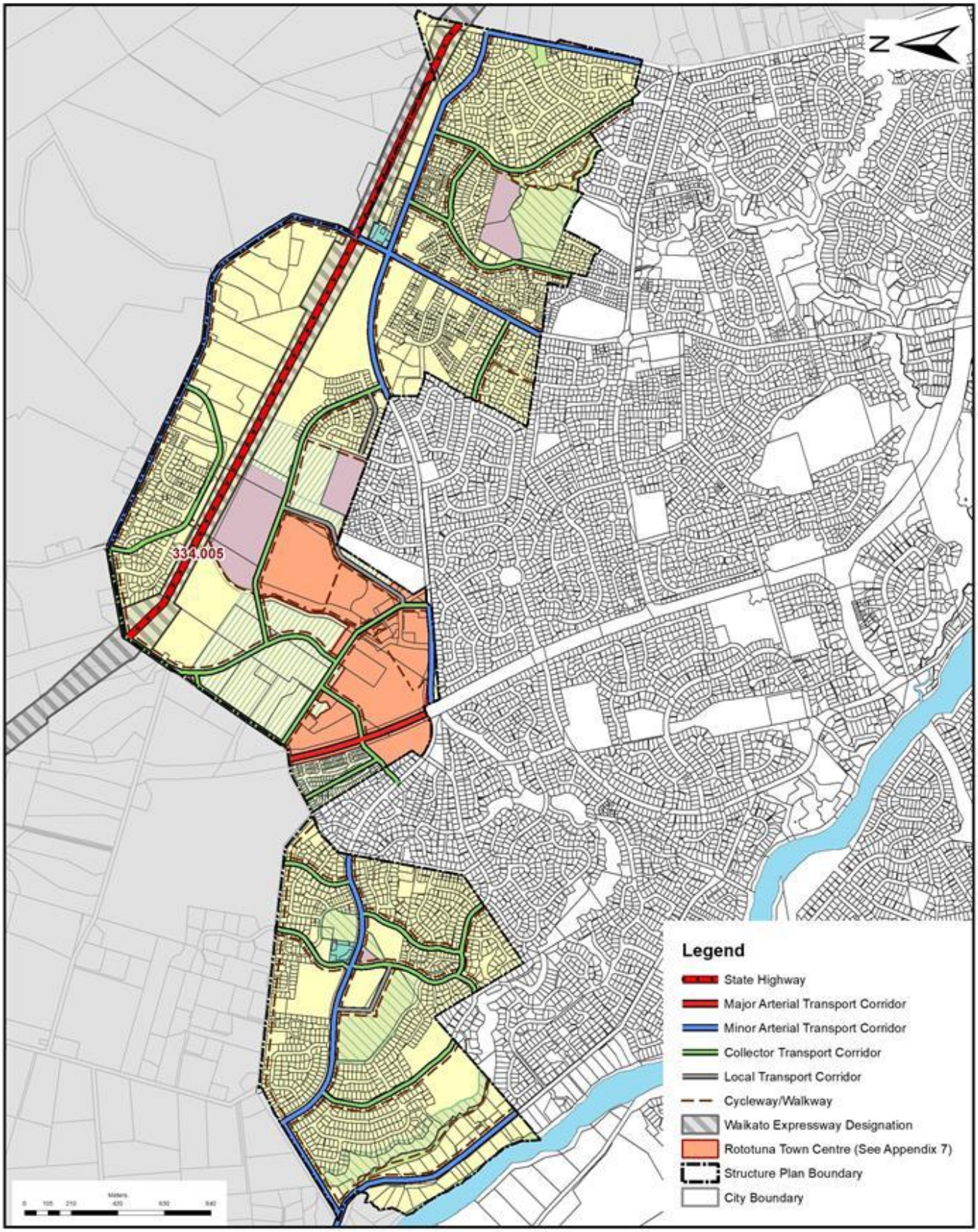


Figure 2-6: Rototuna Cycling and Walking Network

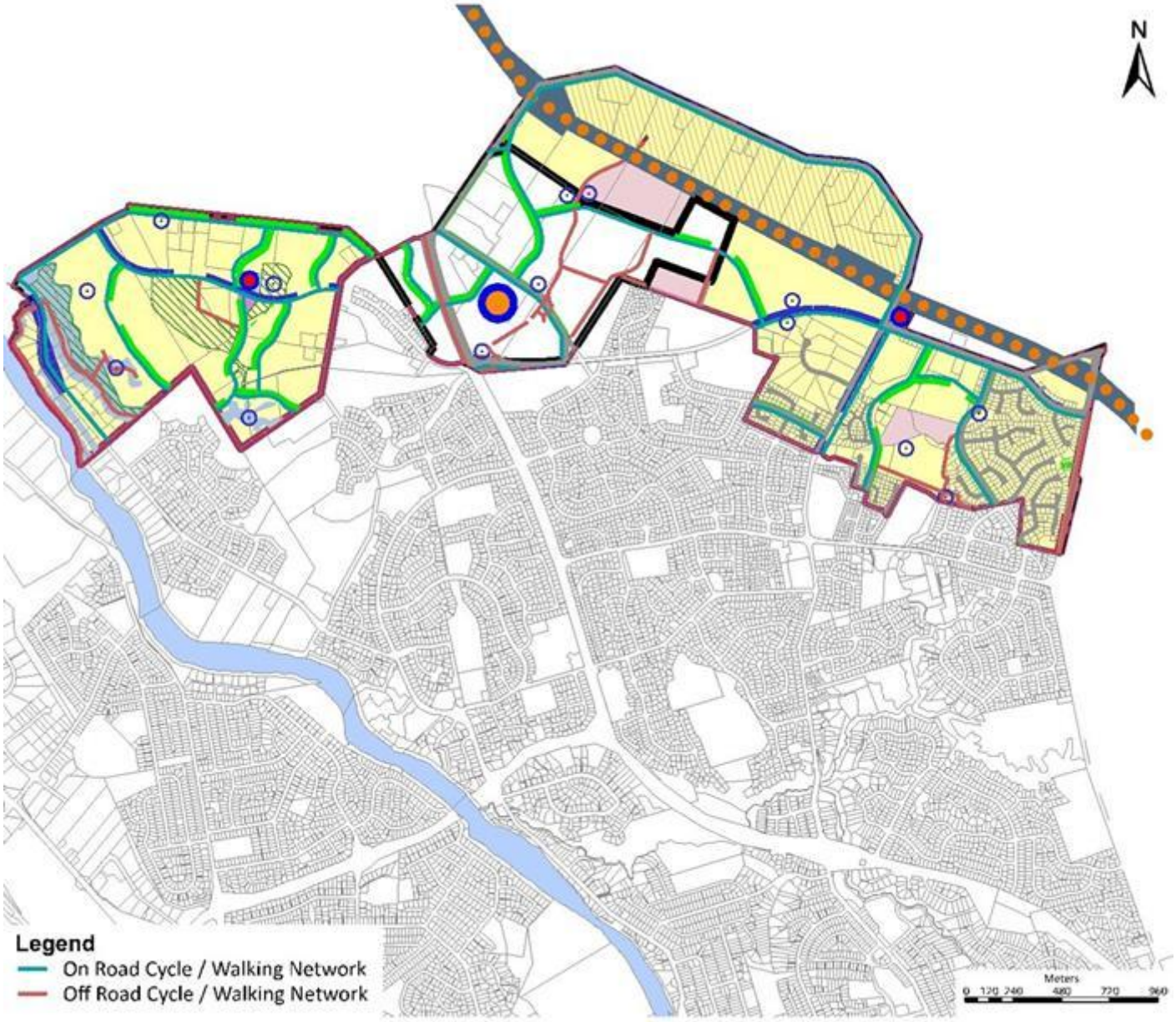


Figure 2-7: Rototuna Catchment Boundaries

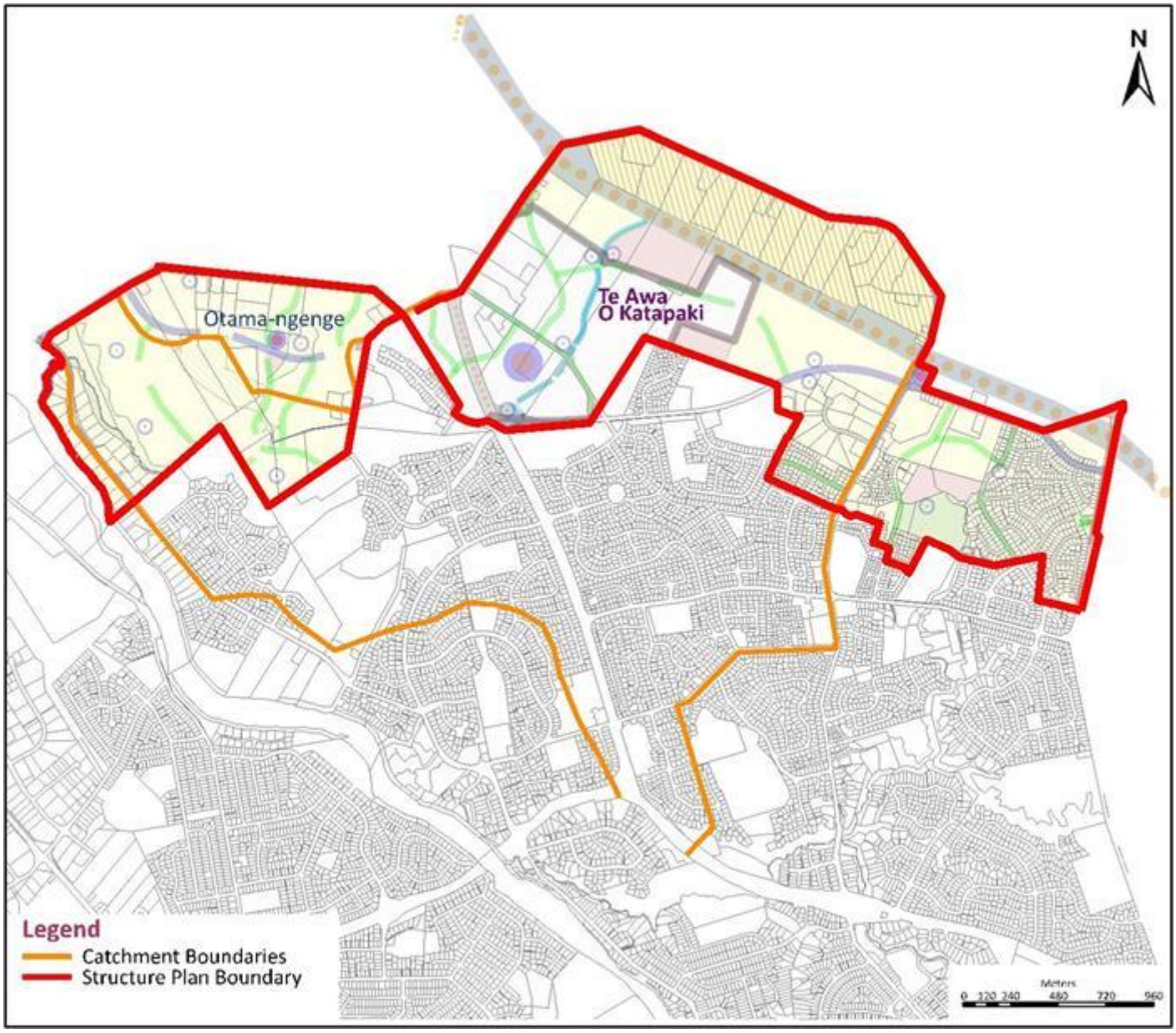


Figure 2-8: Rotokauri Structure Plan — Land Use

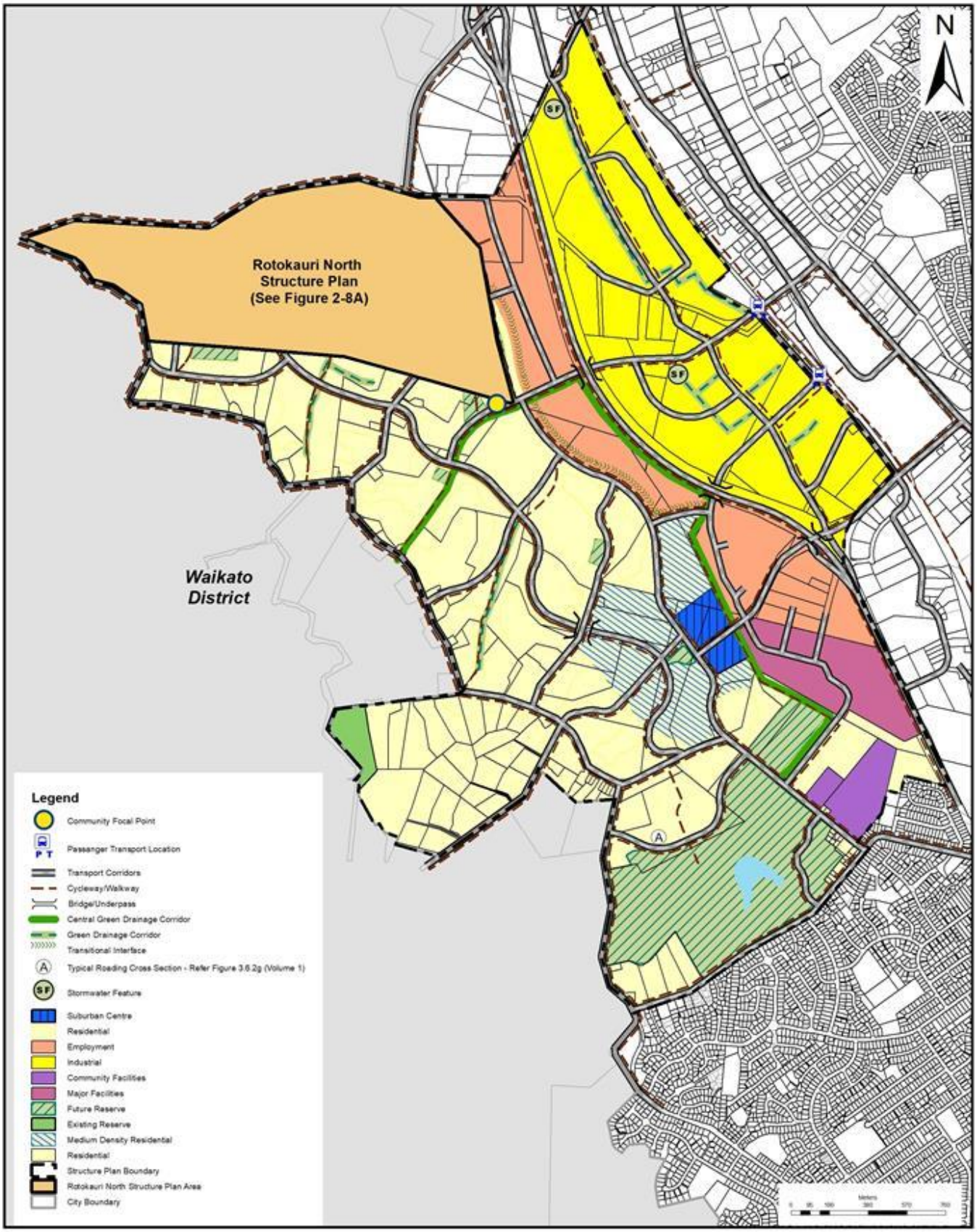


Figure 2-8A: Rotokauri North Structure Plan

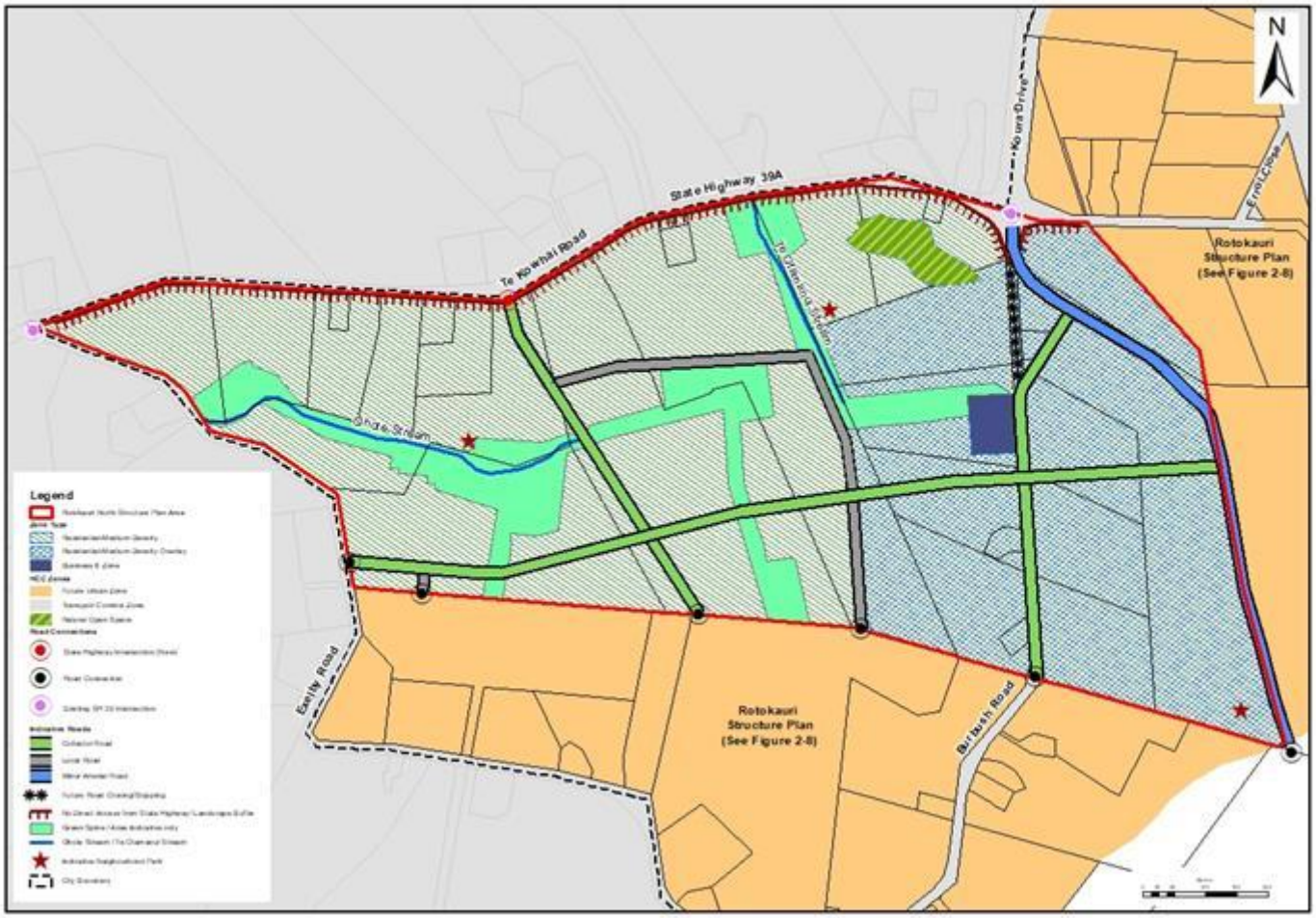


Figure 2-9: Rotokauri Structure Plan — Staging and Transport Network

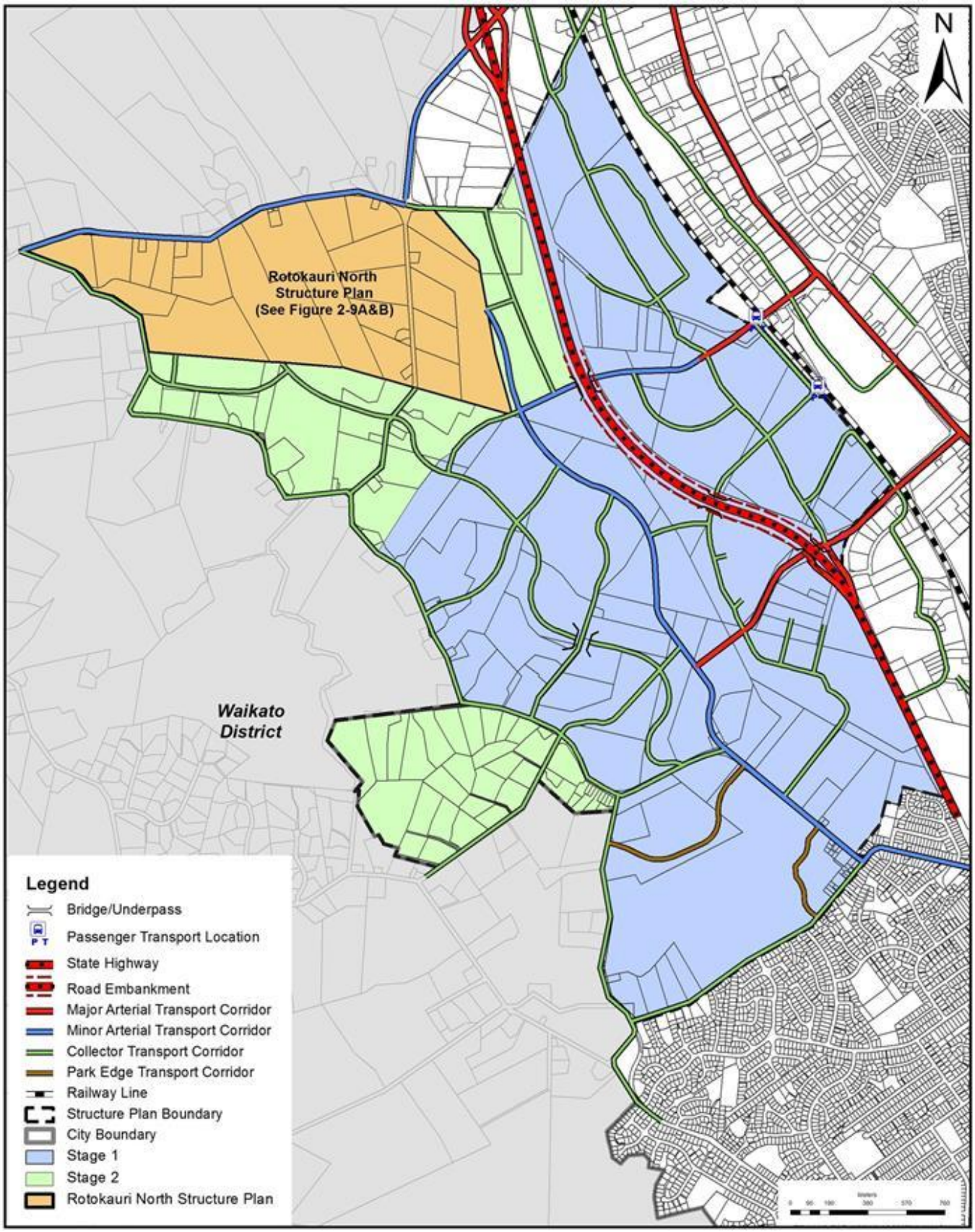


Figure 2-9A: Rotokauri North Strategic Infrastructure — Water and Waste Water

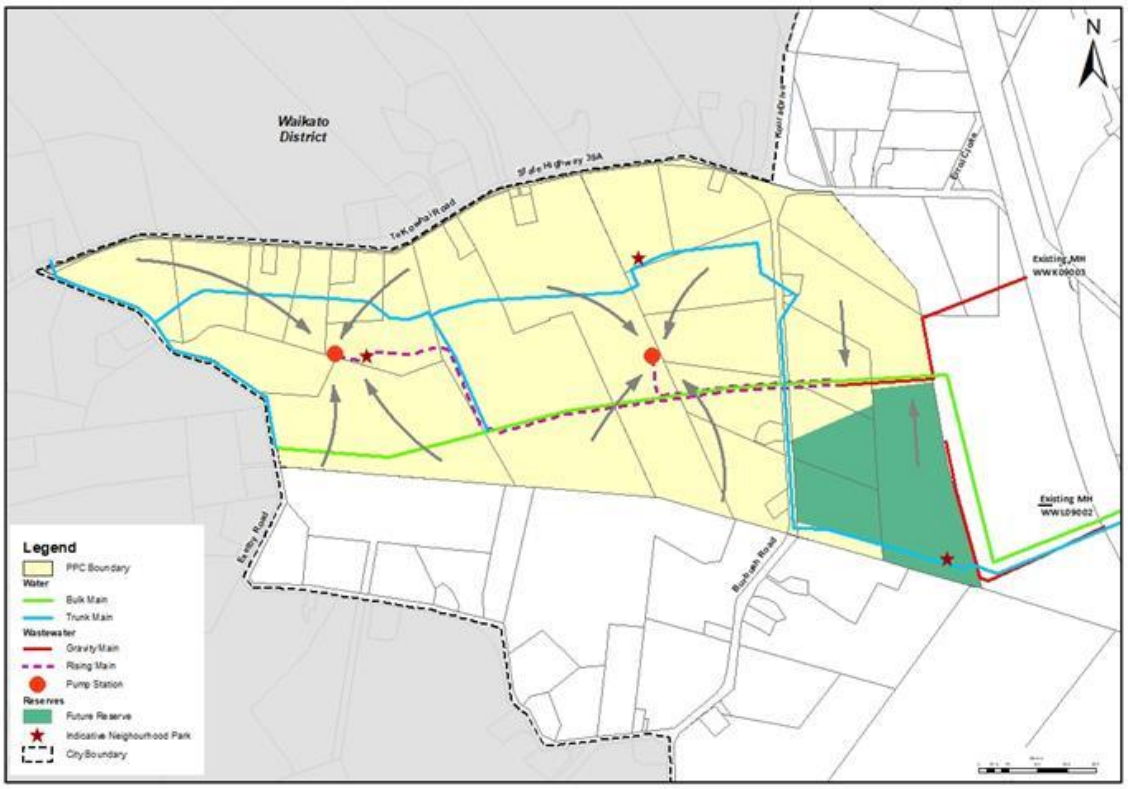


Figure 2-9B: Rotokauri North Strategic Infrastructure — Transport Network and Reserves

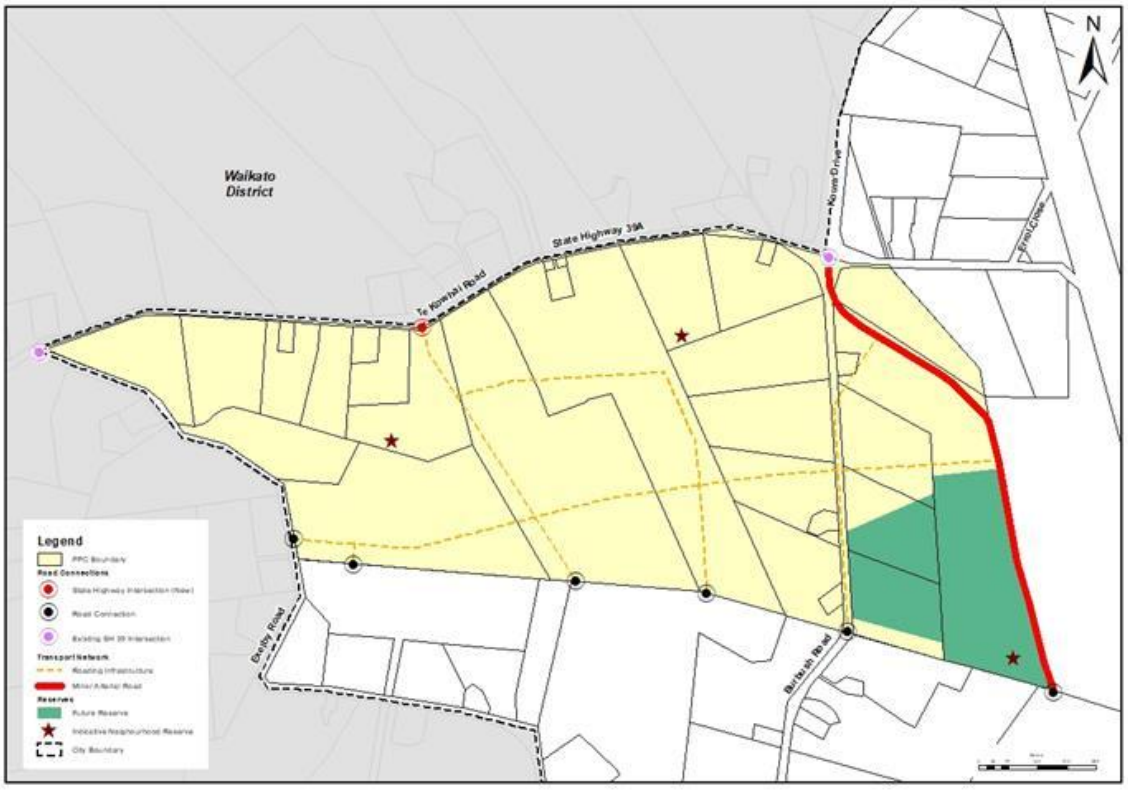


Figure 2-9C: Rotokauri North Indicative Waikato Regional Council Preferred Public Transport Route
(Note: this is not a Structure Plan Map but an information map only)

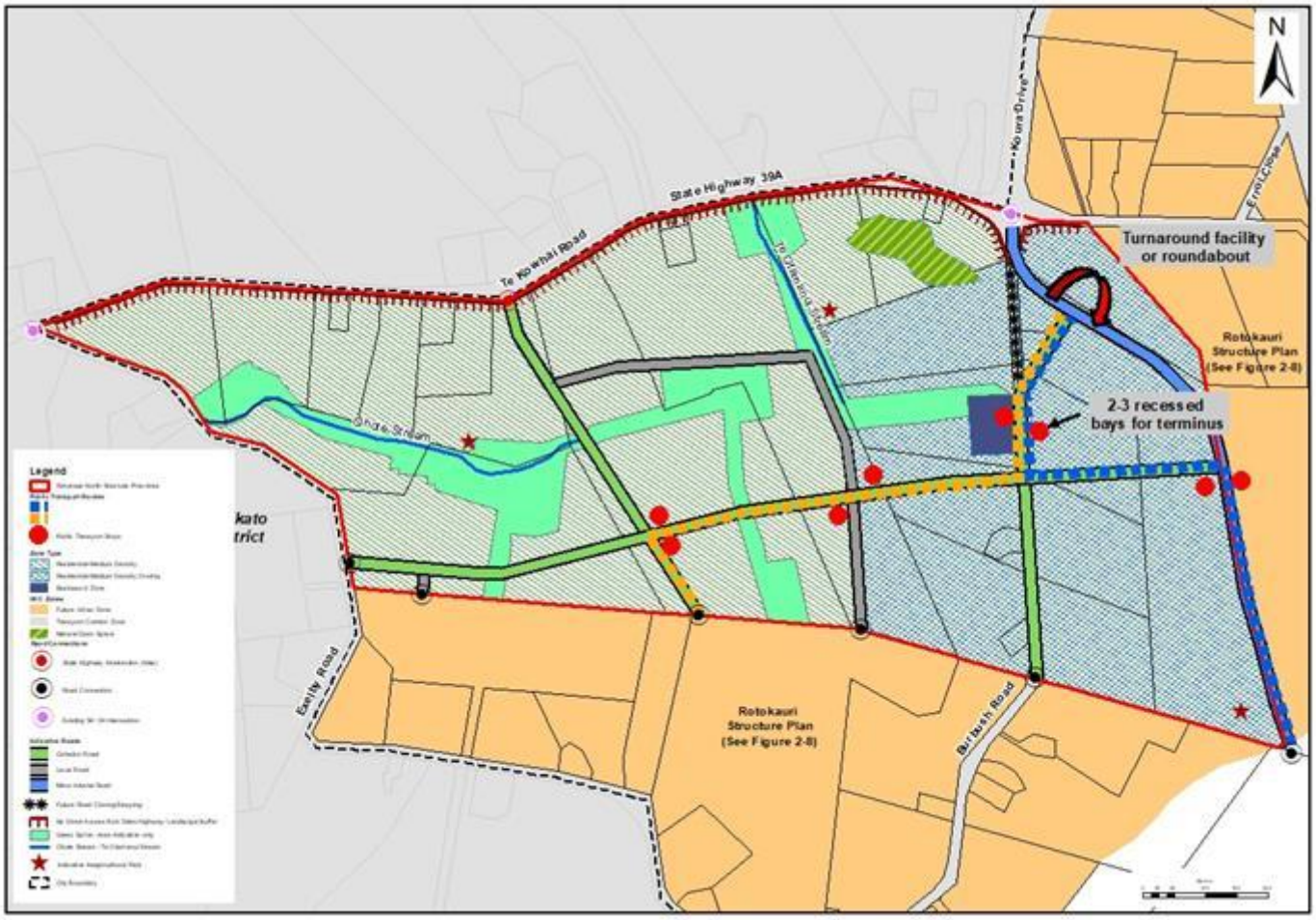


Figure 2-10: Rotokauri Structure Plan — Open Space Network

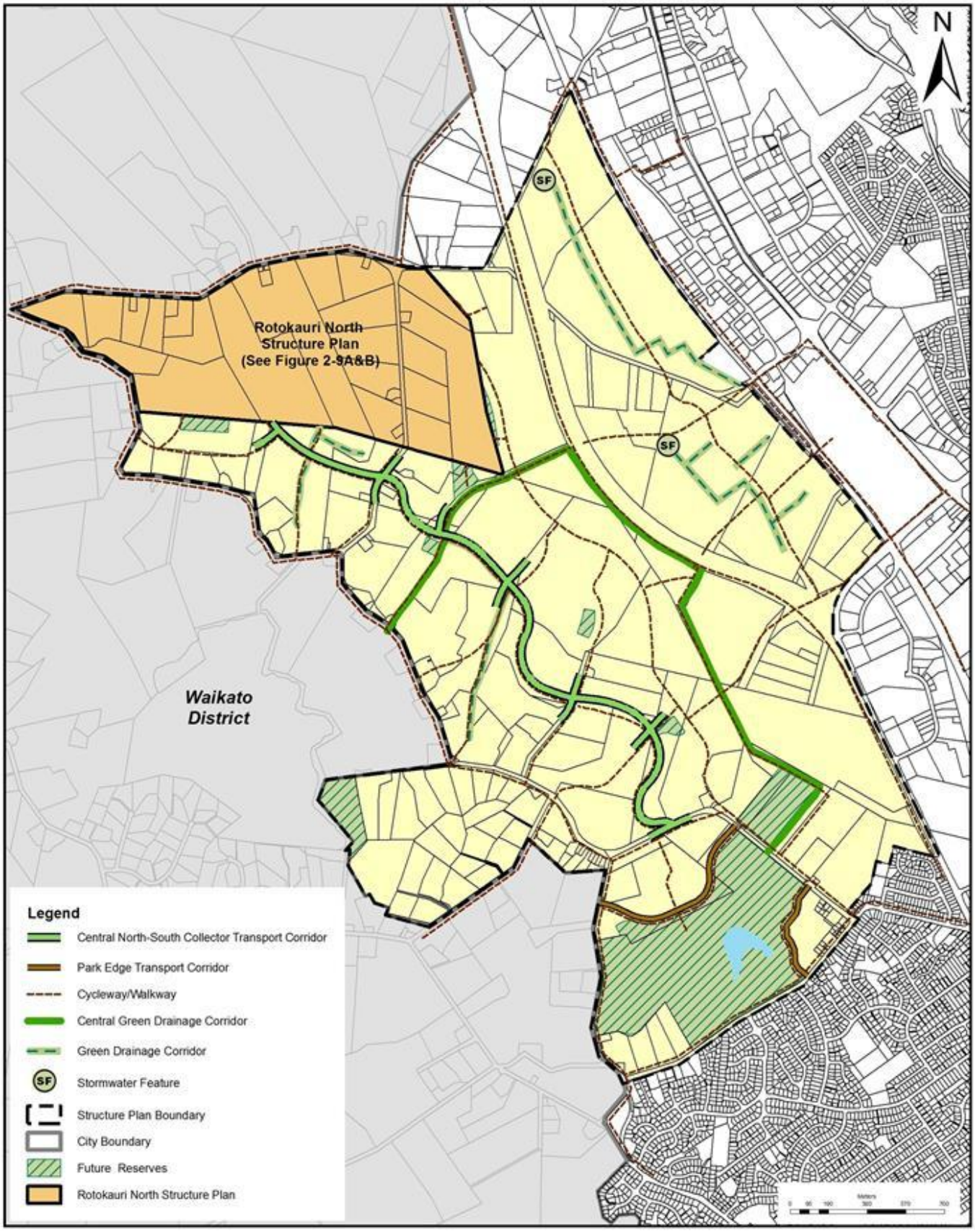


Figure 2-11: Rotokauri Neighbourhood Centre

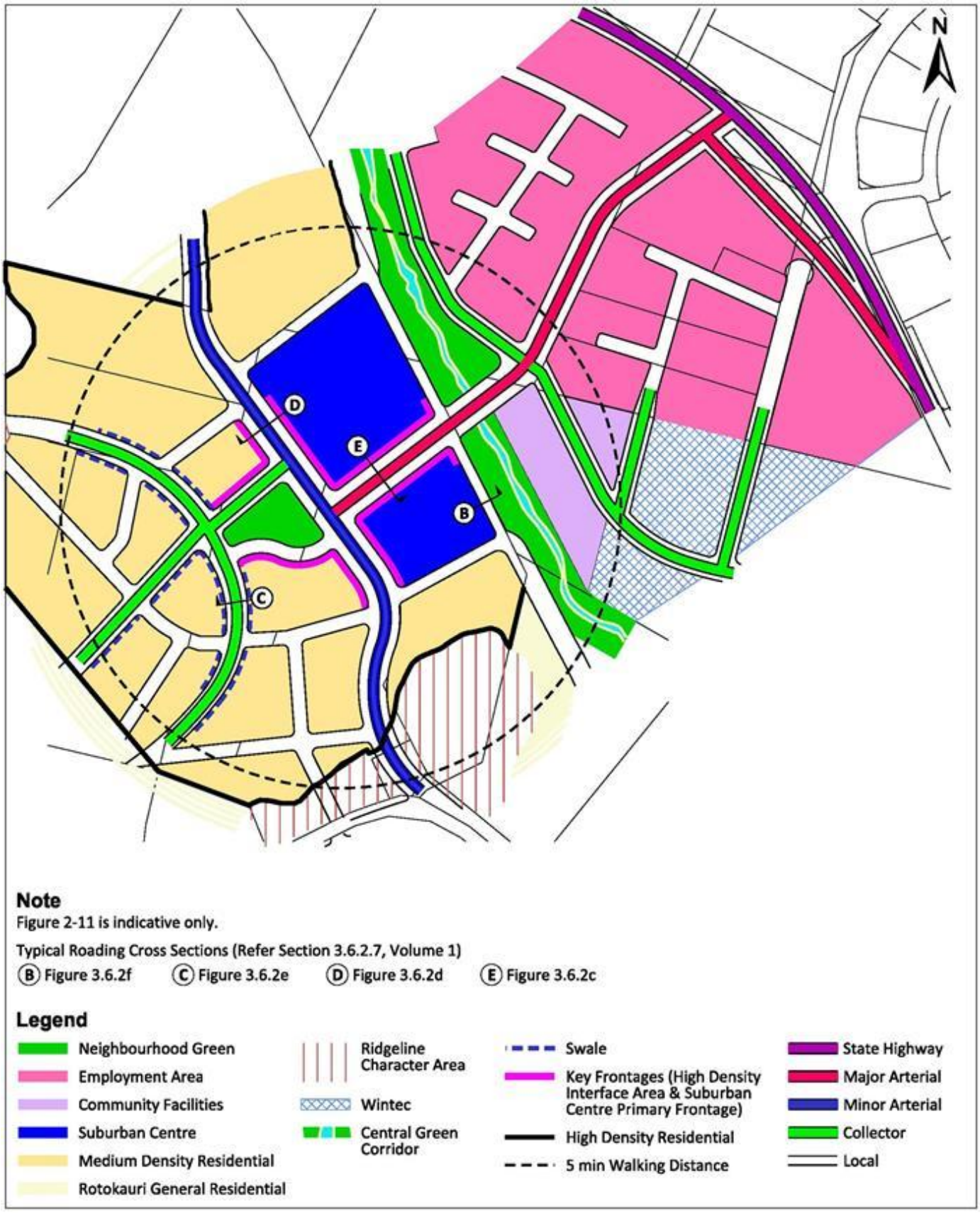


Figure 2-12: Rotokauri Interface Areas

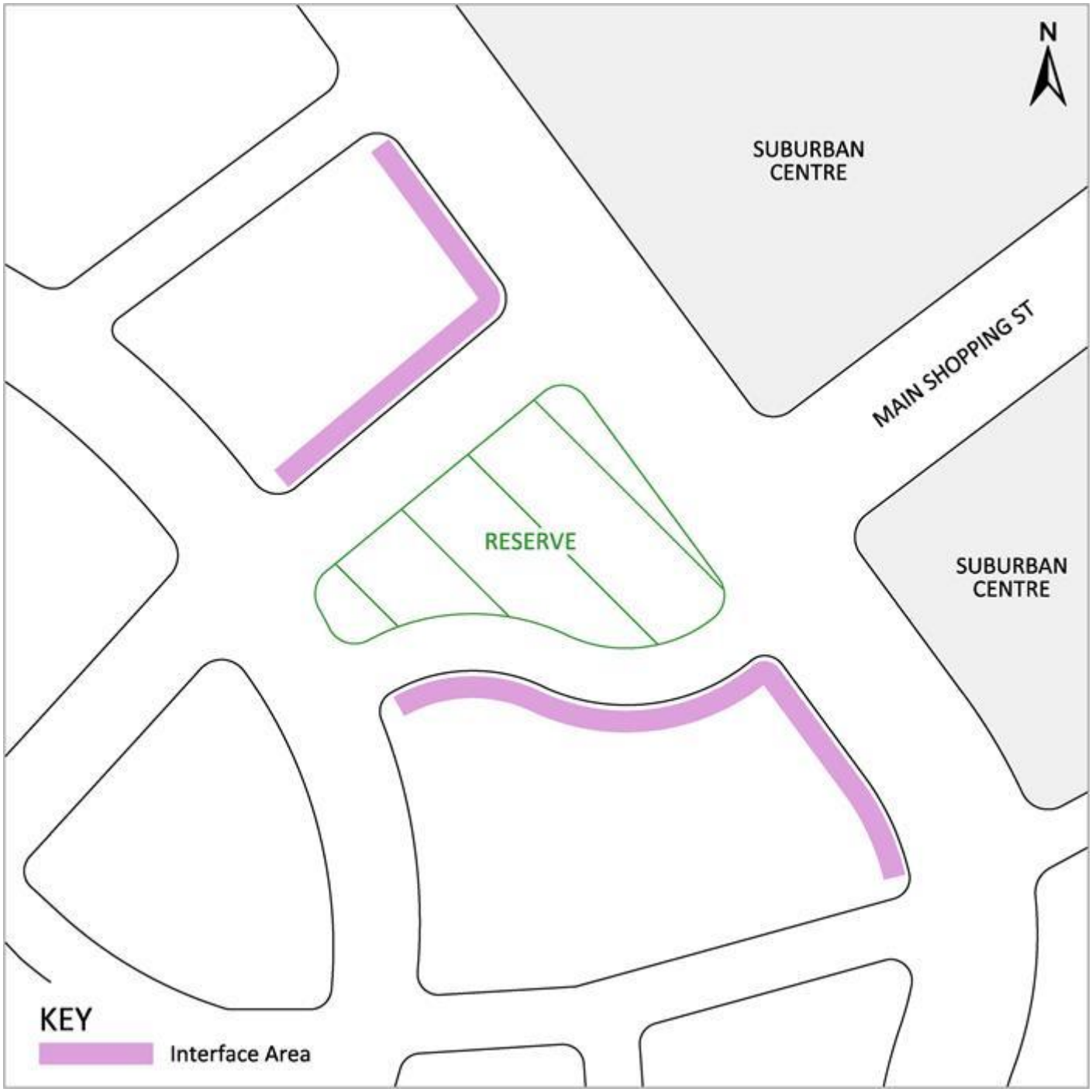


Figure 2-13: Rotokauri Suburban Centre Primary Frontages

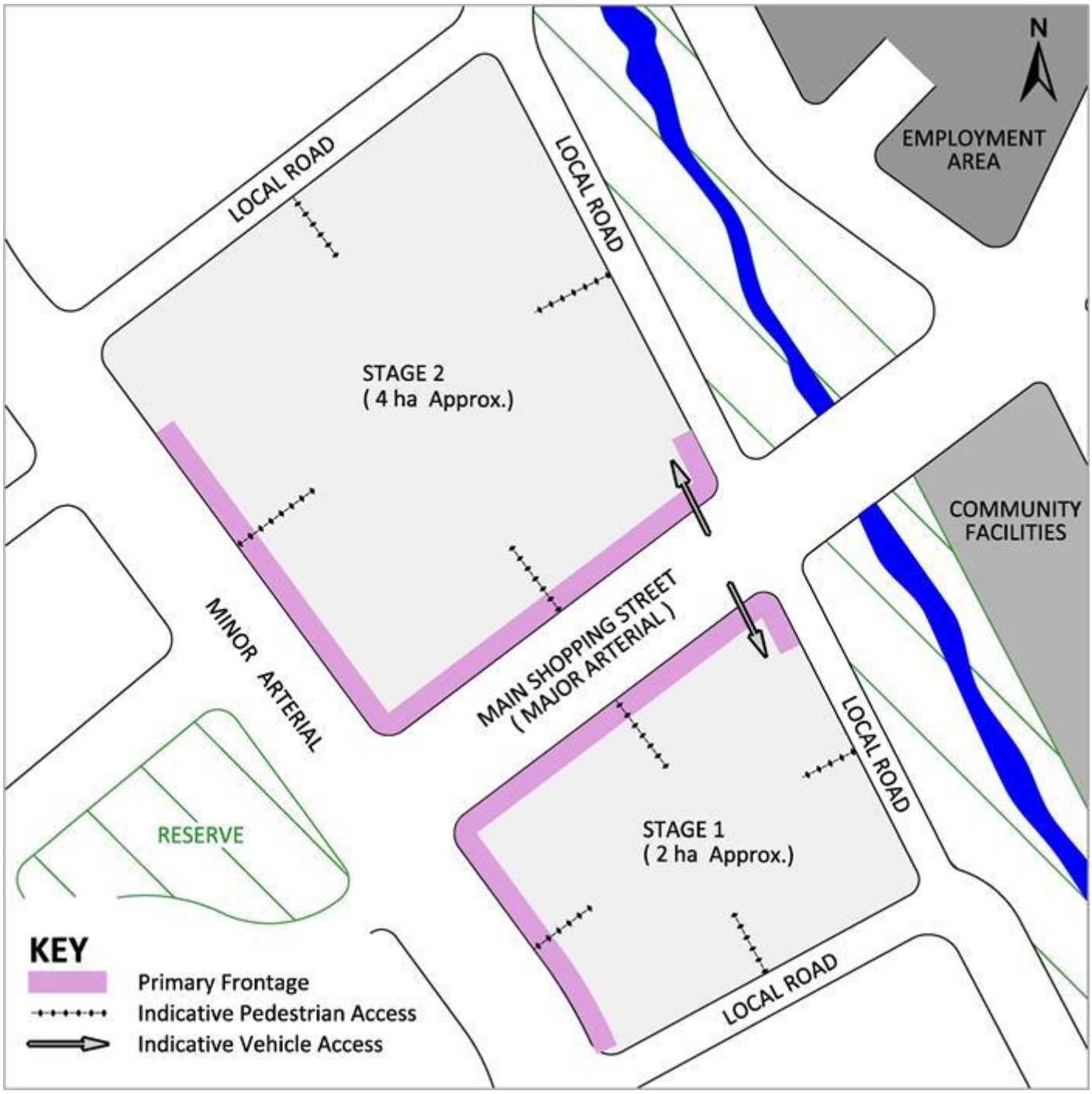


Figure 2-14: Ruakura Structure Plan — Land Use

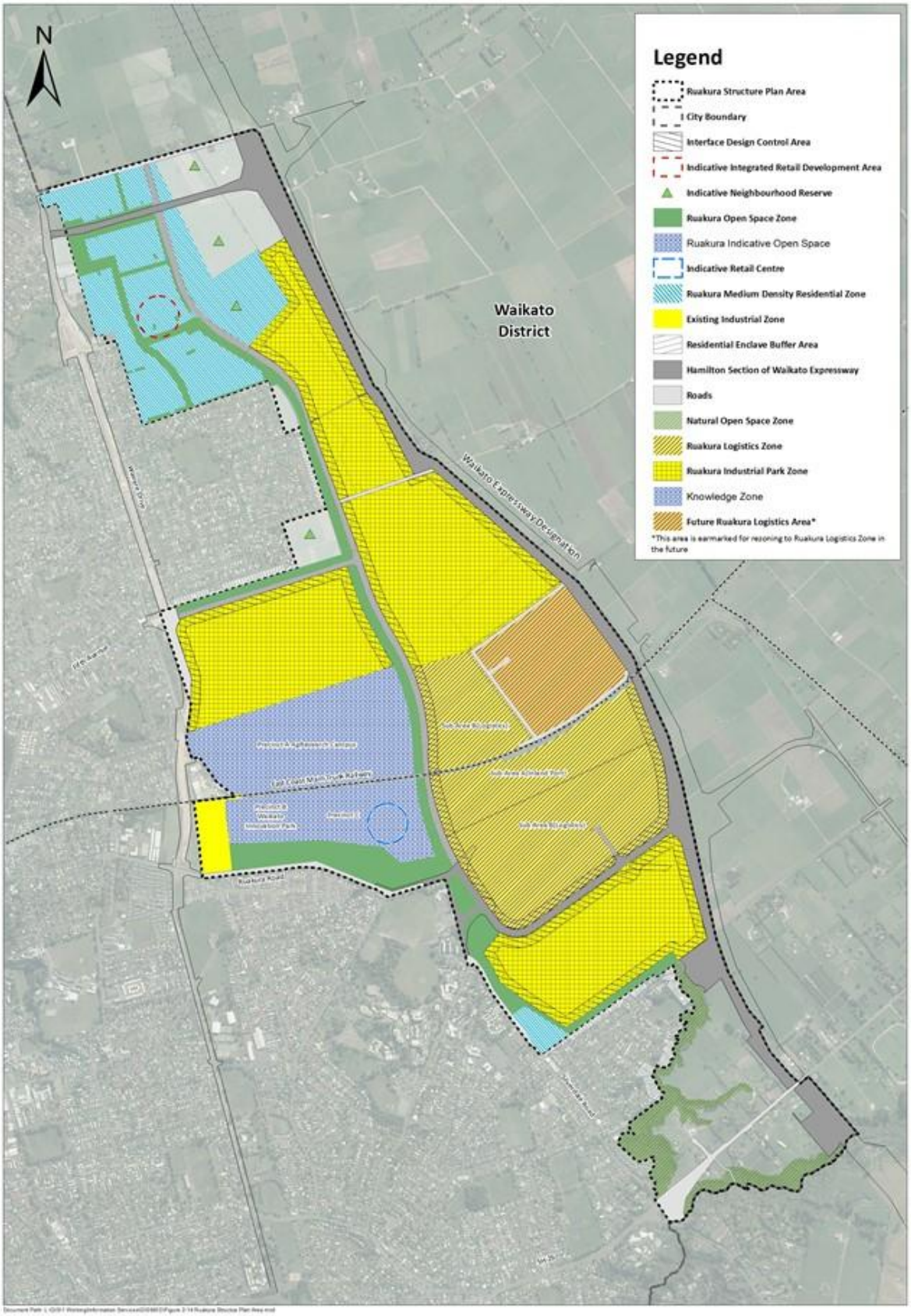


Figure 2-15A: Ruakura Strategic Infrastructure — Transport

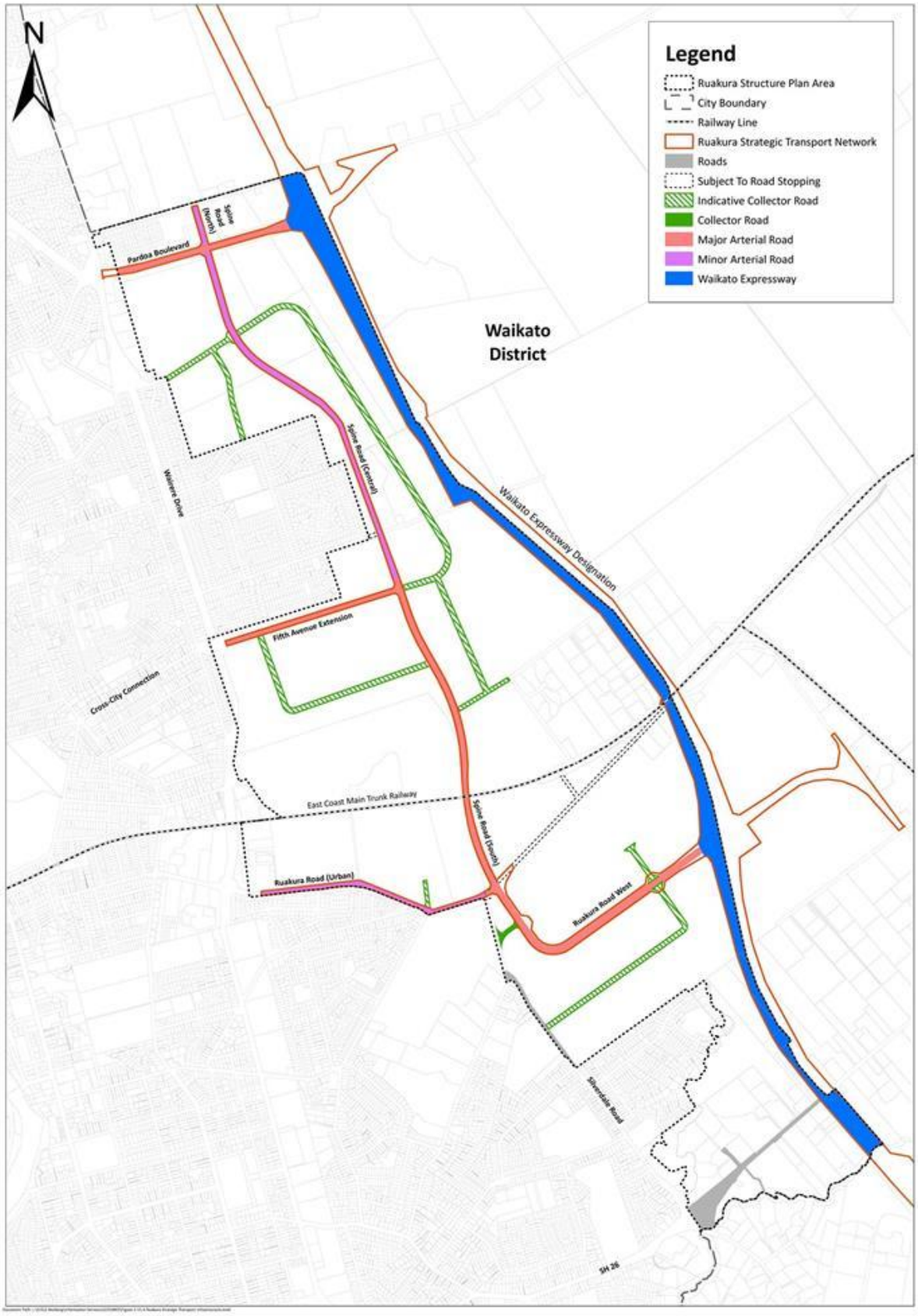


Figure 2-15B: Ruakura Strategic Infrastructure — Three Waters

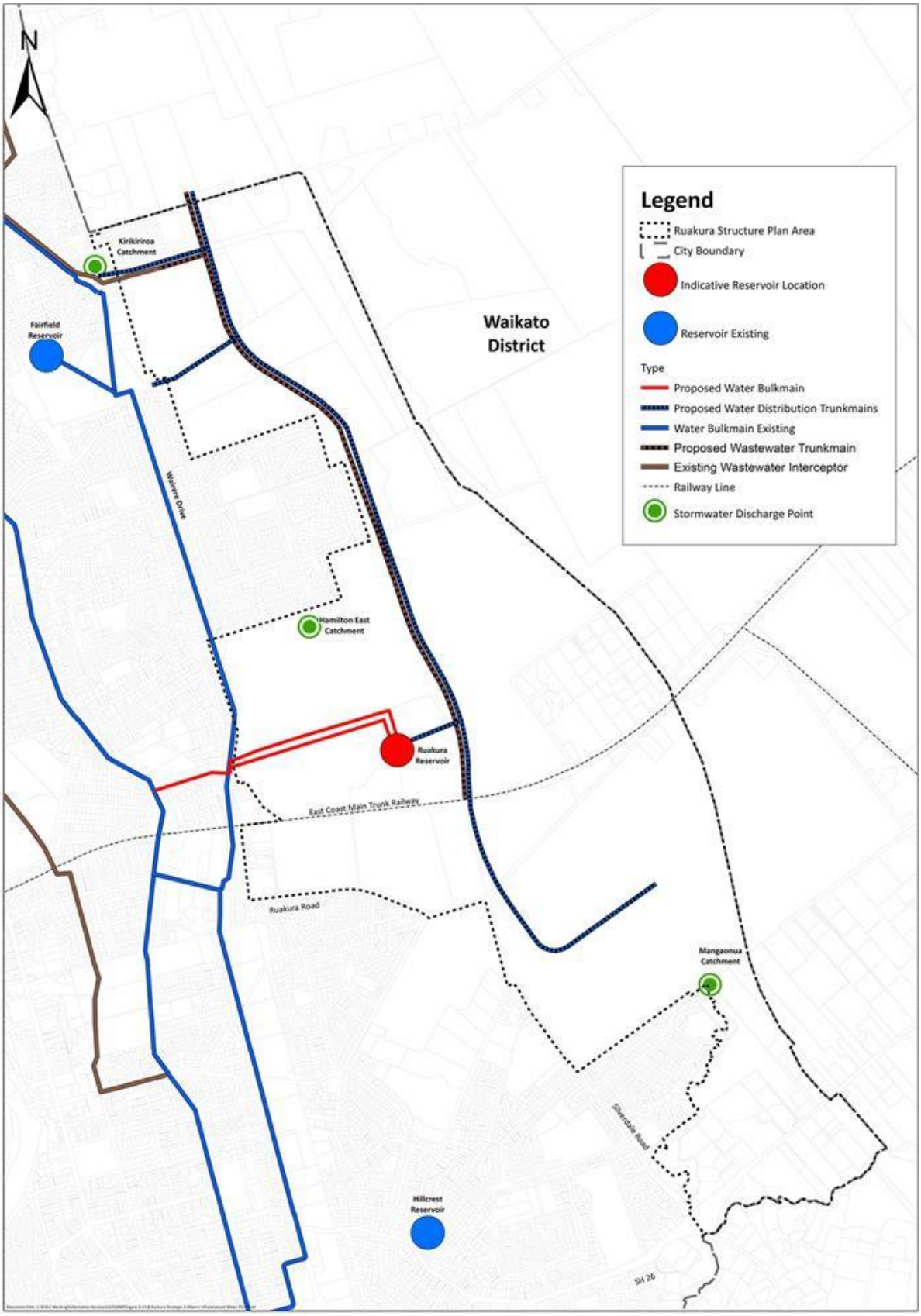


Figure 2-16: Ruakura Development Areas

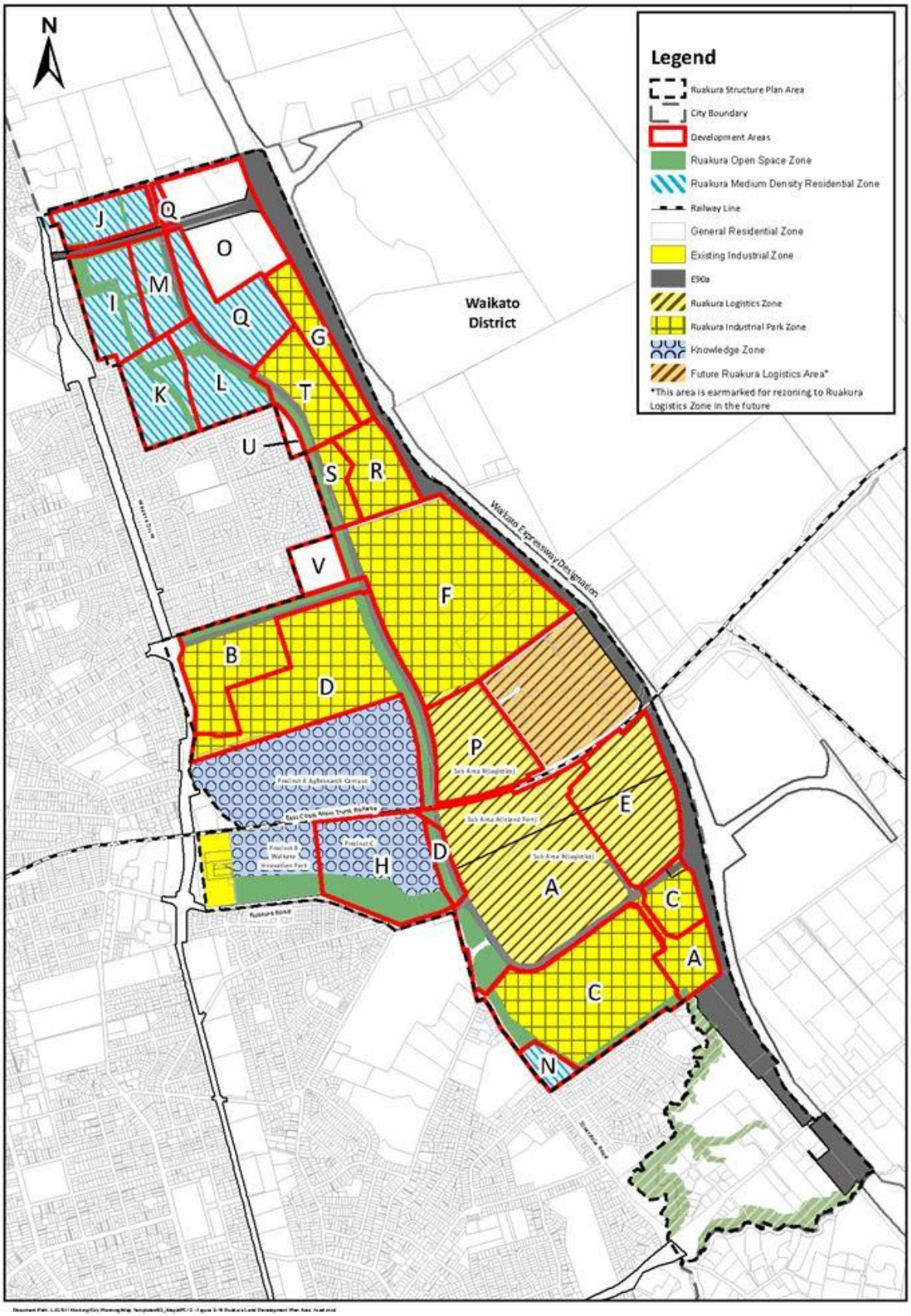
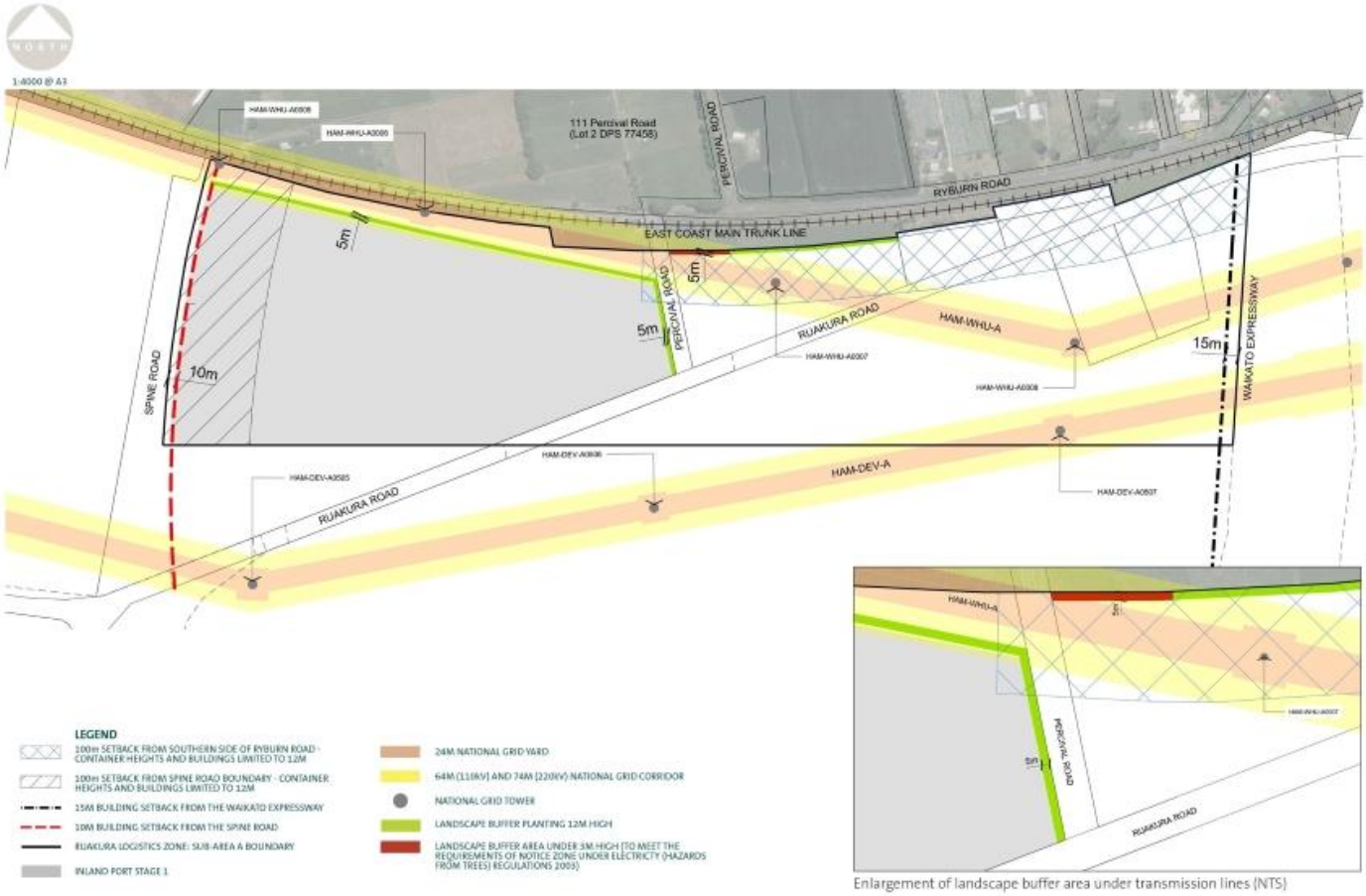


Figure 2-17/1: Inland Port Building Setbacks and Landscape Controls — Stage 1



Enlargement of landscape buffer area under transmission lines (NTS)

Figure 2-17/1 Inland Port Building Setbacks and Landscape Controls - Stage One

Drawing Number: SK_044c
Date: 24 June 2017
Revision: B

Figure 2-17/2: Inland Port Building Setbacks and Landscape Controls — Stage 2

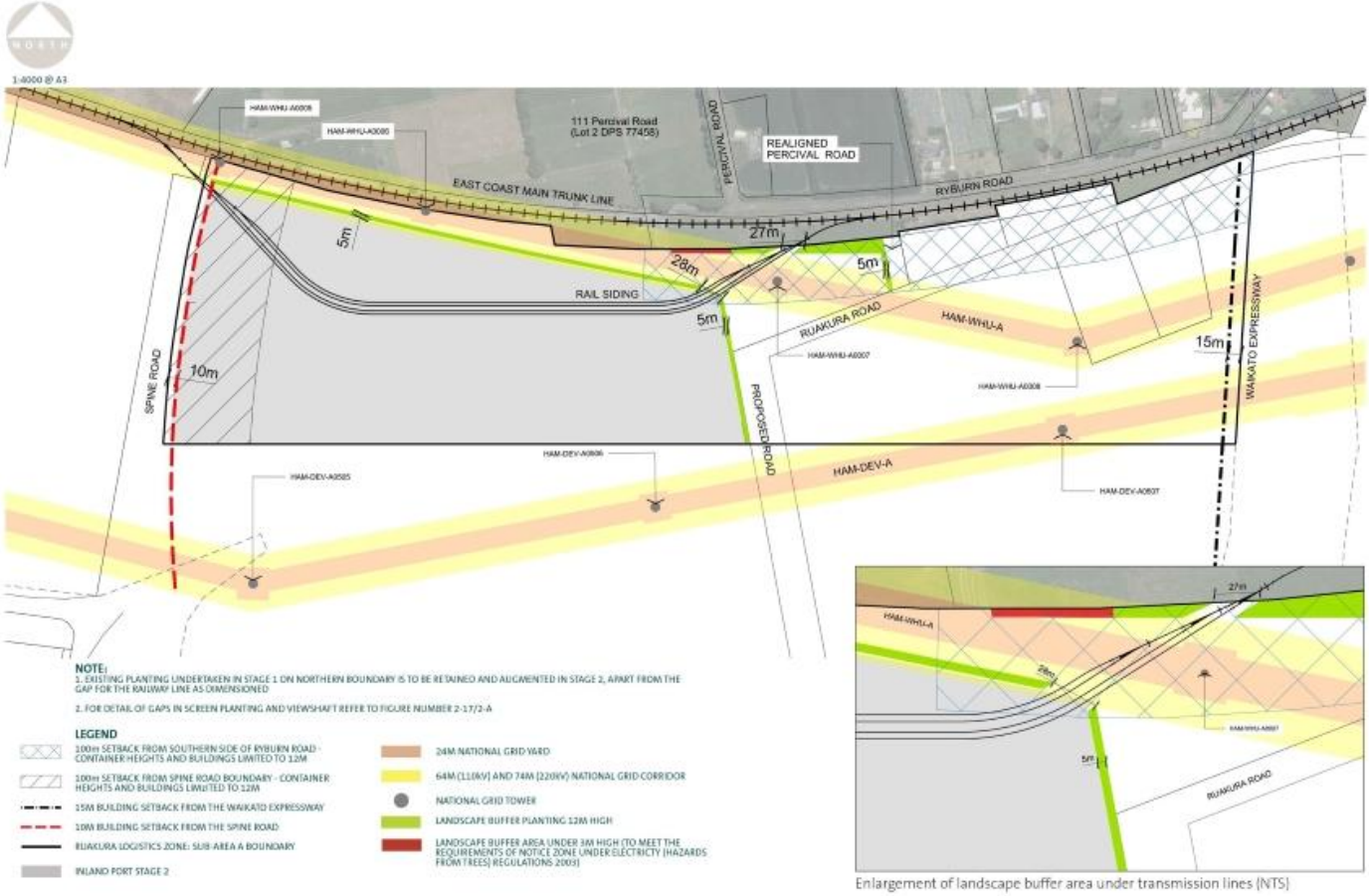


Figure 2-17/2 Inland Port Building Setbacks and Landscape Controls - Stage Two

Drawing Number: sk_0443
Date: 24 June 2017
Revision: D

Figure 2-17/3: Inland Port Building Setbacks and Landscape Controls — Stage 3

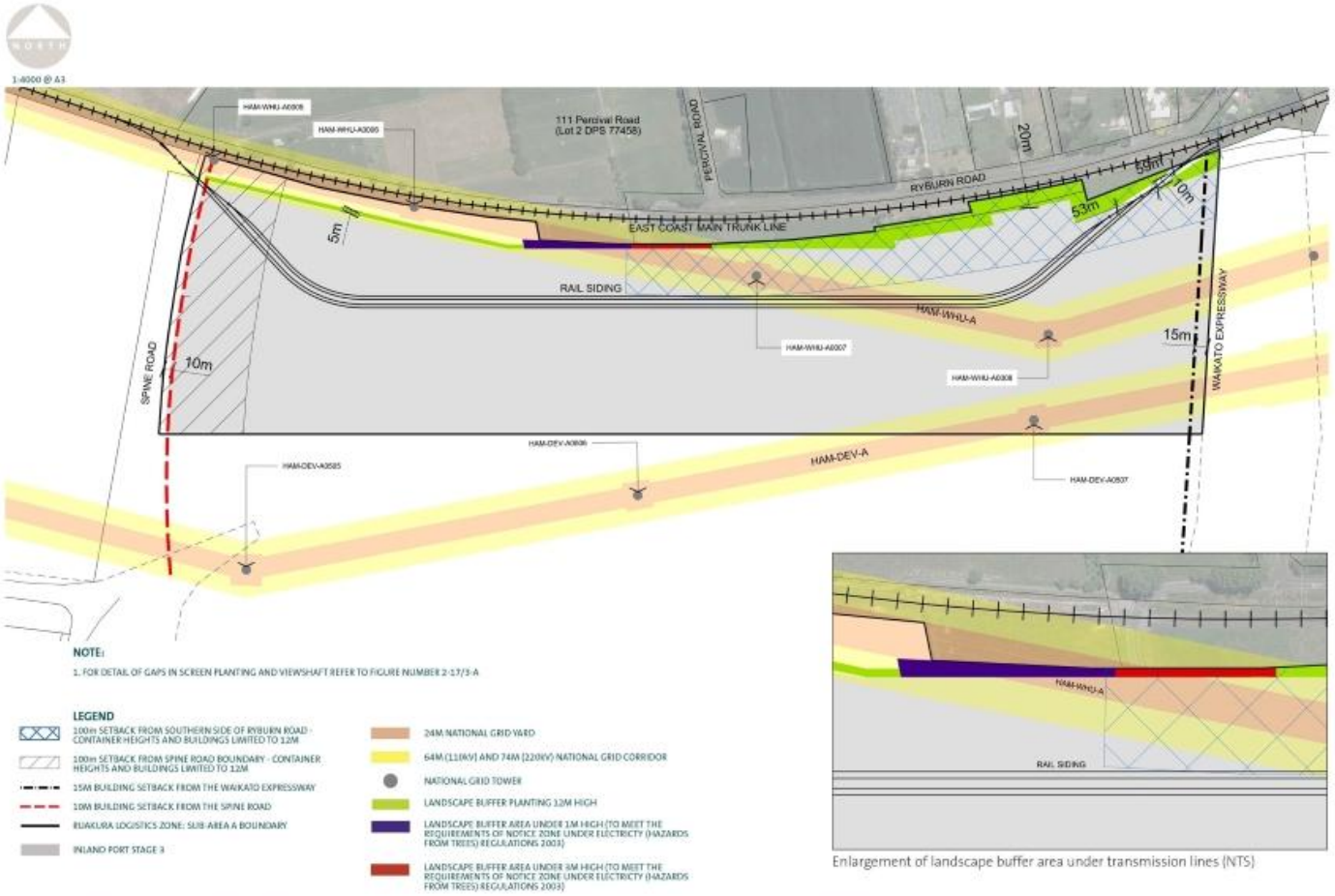


Figure 2-17/3 Inland Port Building Setbacks and Landscape Controls - Stage Three (Future Port Expansion)

Drawing Number: sk_044c
Date: 24 June 2017
Revision: D

Figure 2-18: Ruakura Cyclist & Pedestrian Network Plan

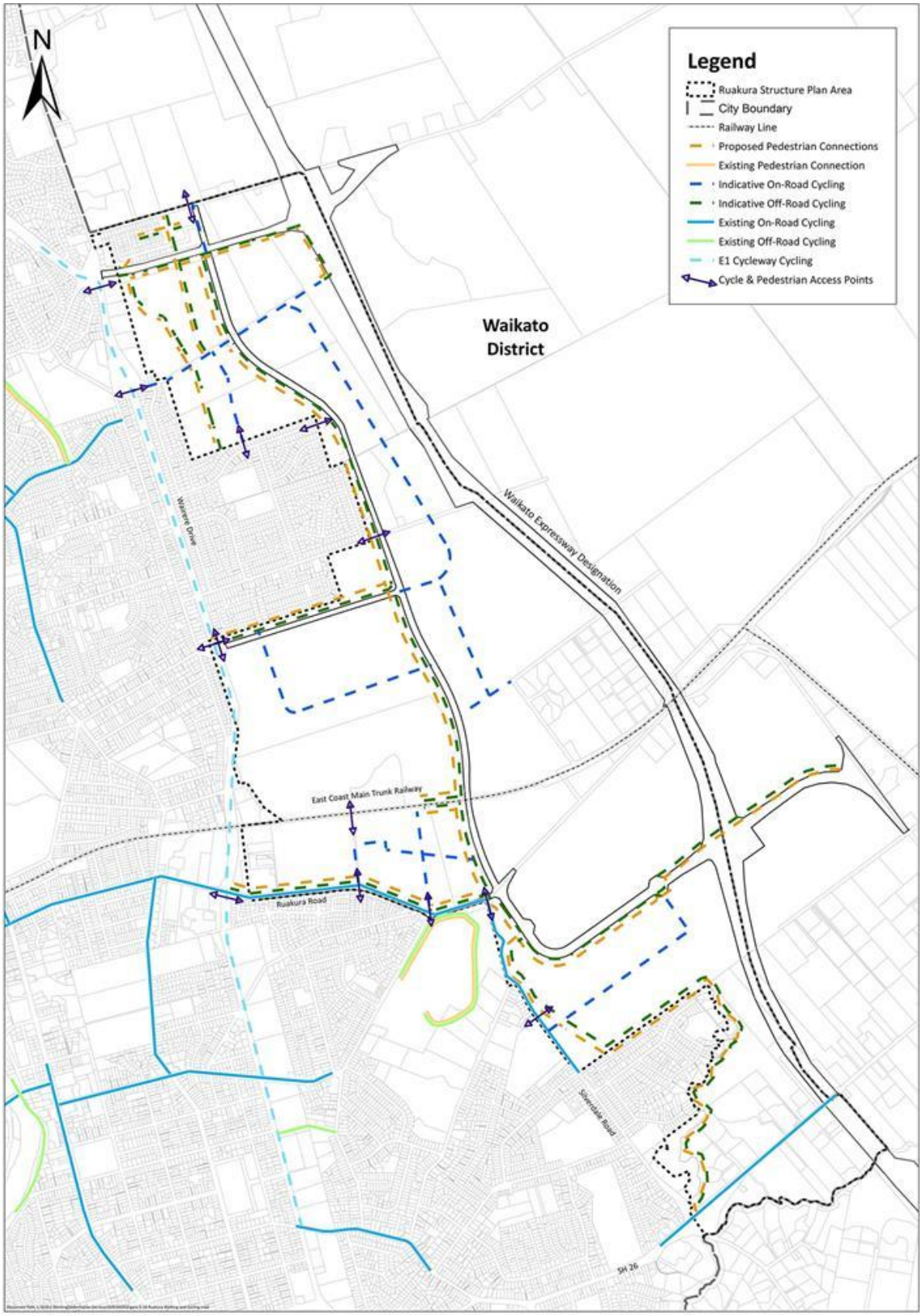


Figure 2-19: Te Awa Lakes Framework Plan

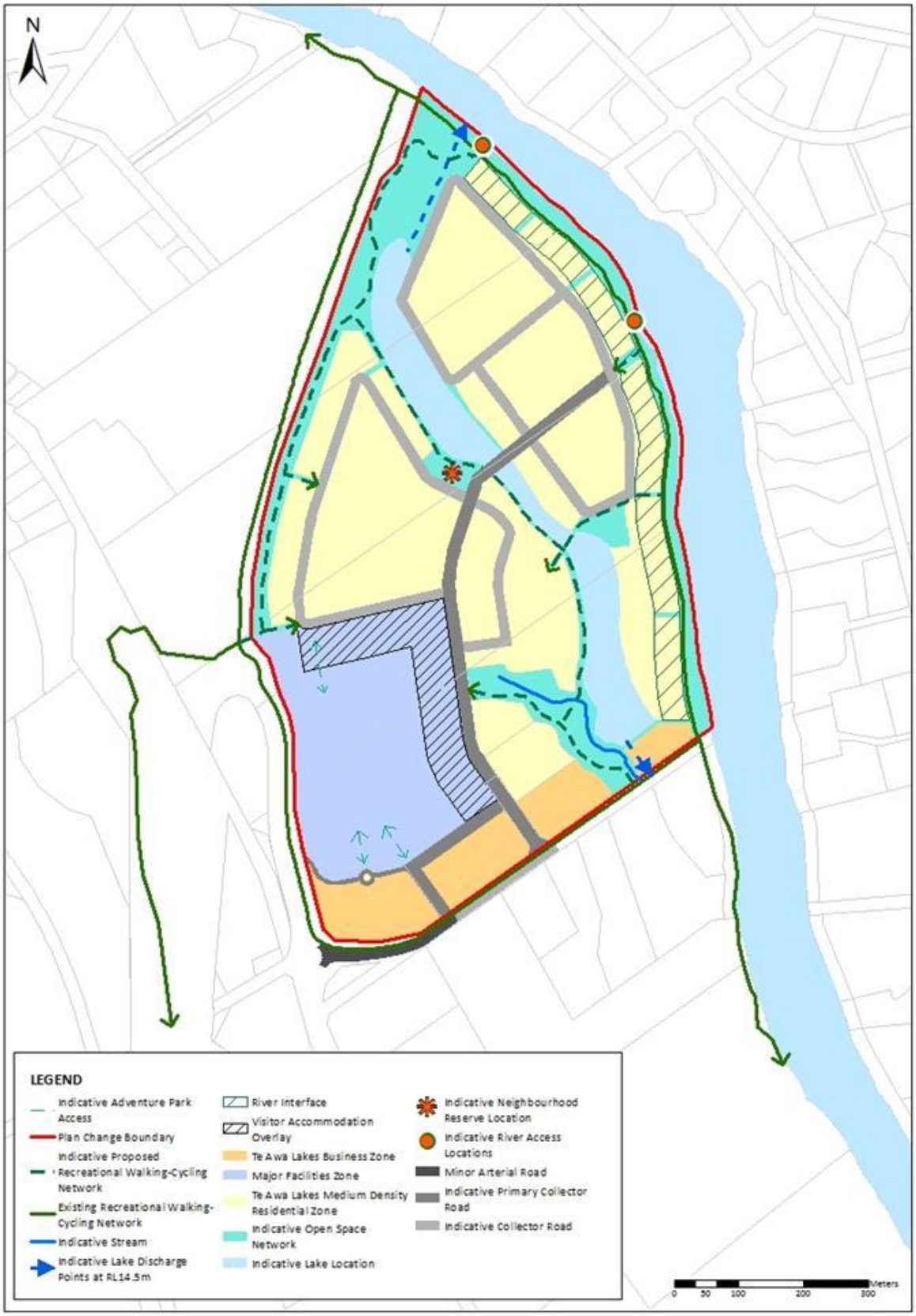


Figure 2-20: Te Awa Lakes Land Use

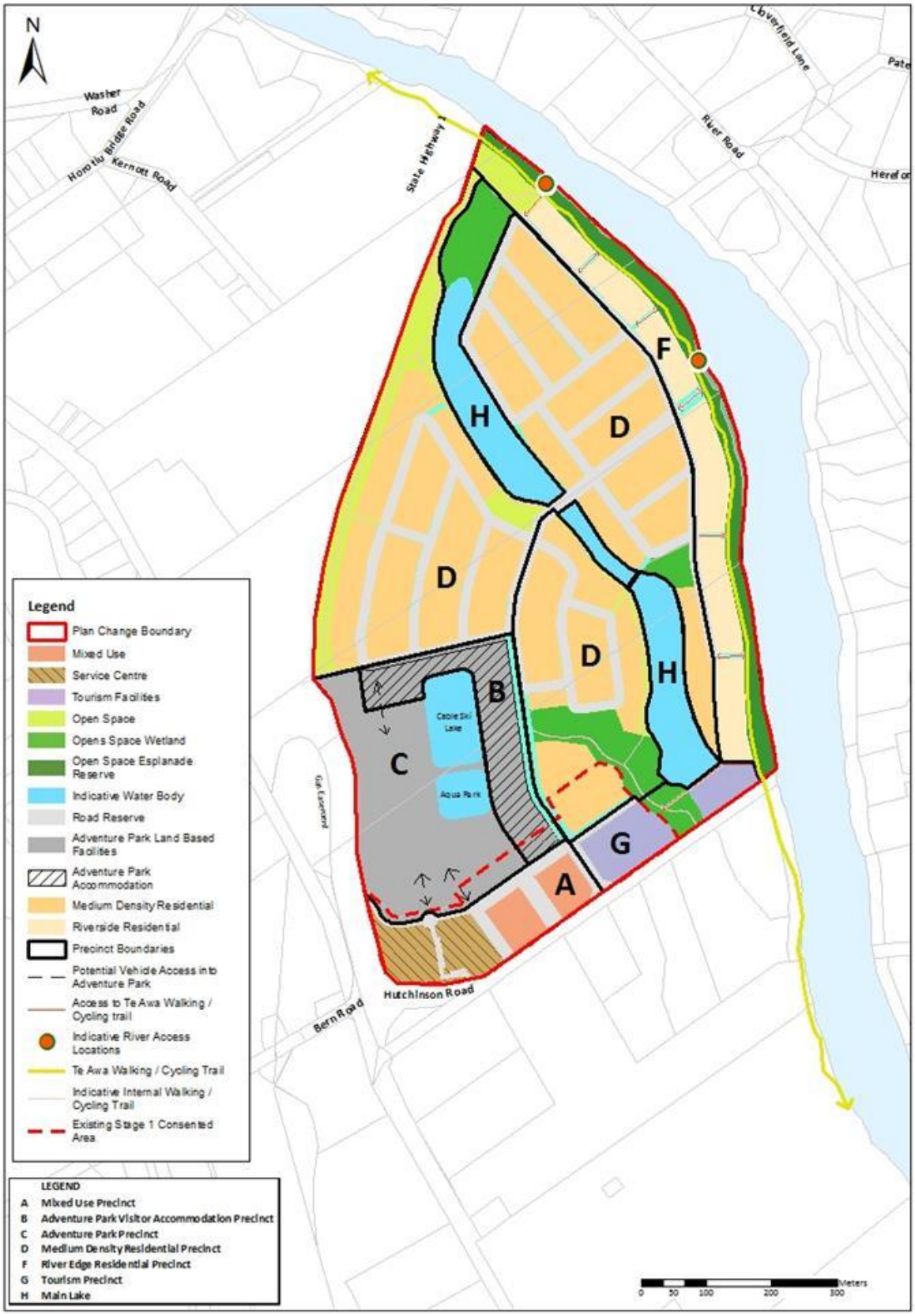
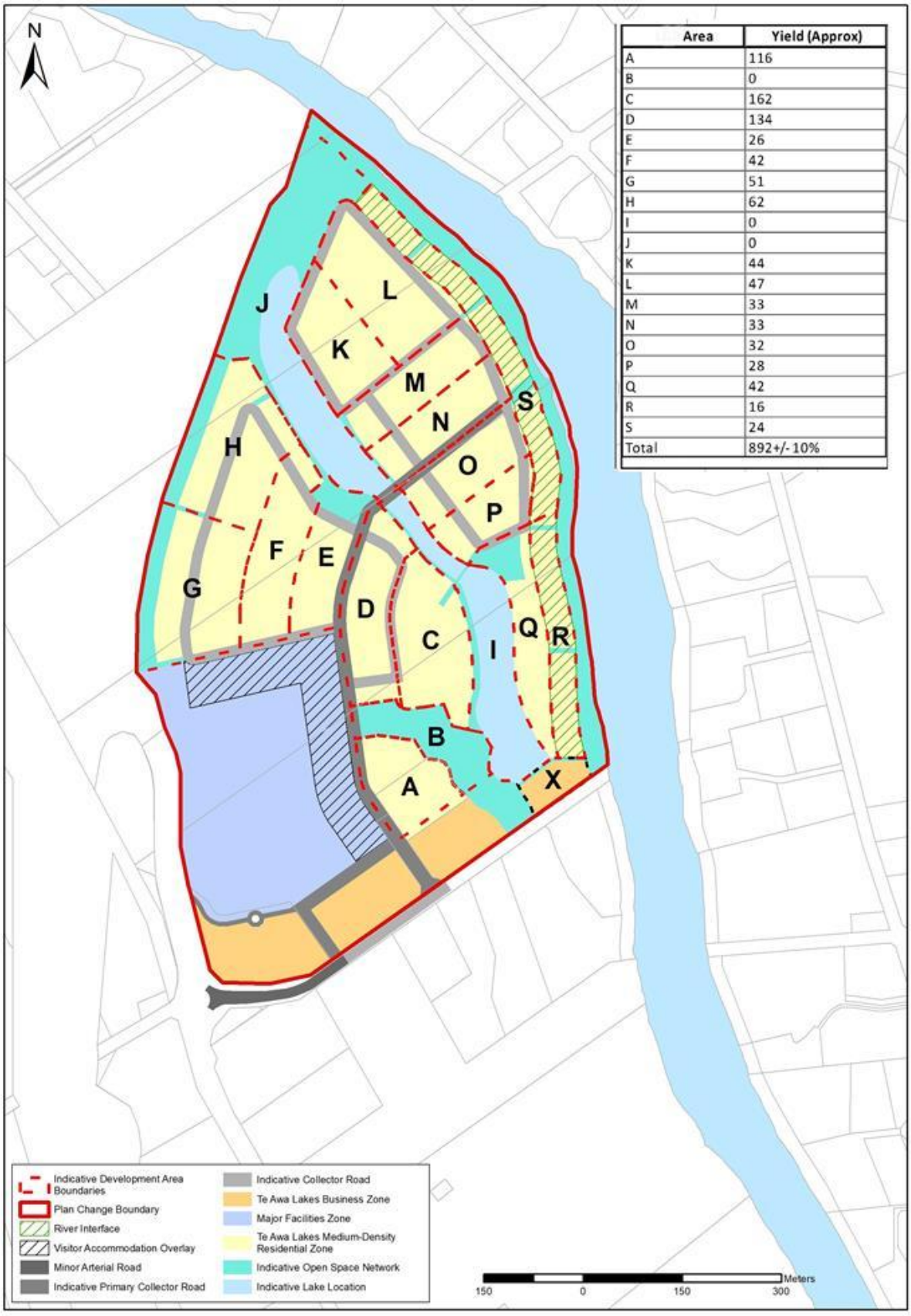


Figure 2-21: Te Awa Lakes Development Areas



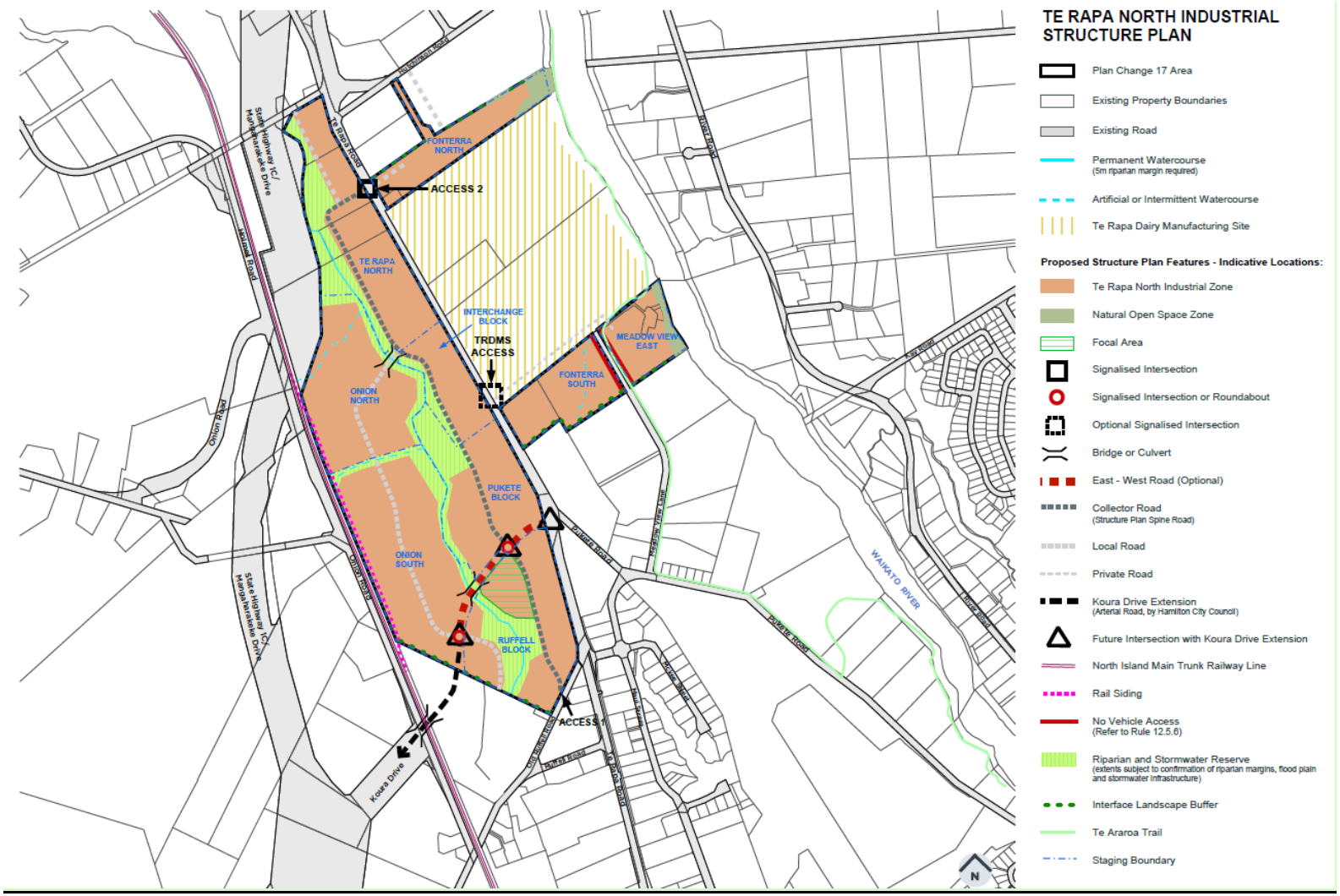


Figure 2-22: Te Rapa North Industrial Structure Plan

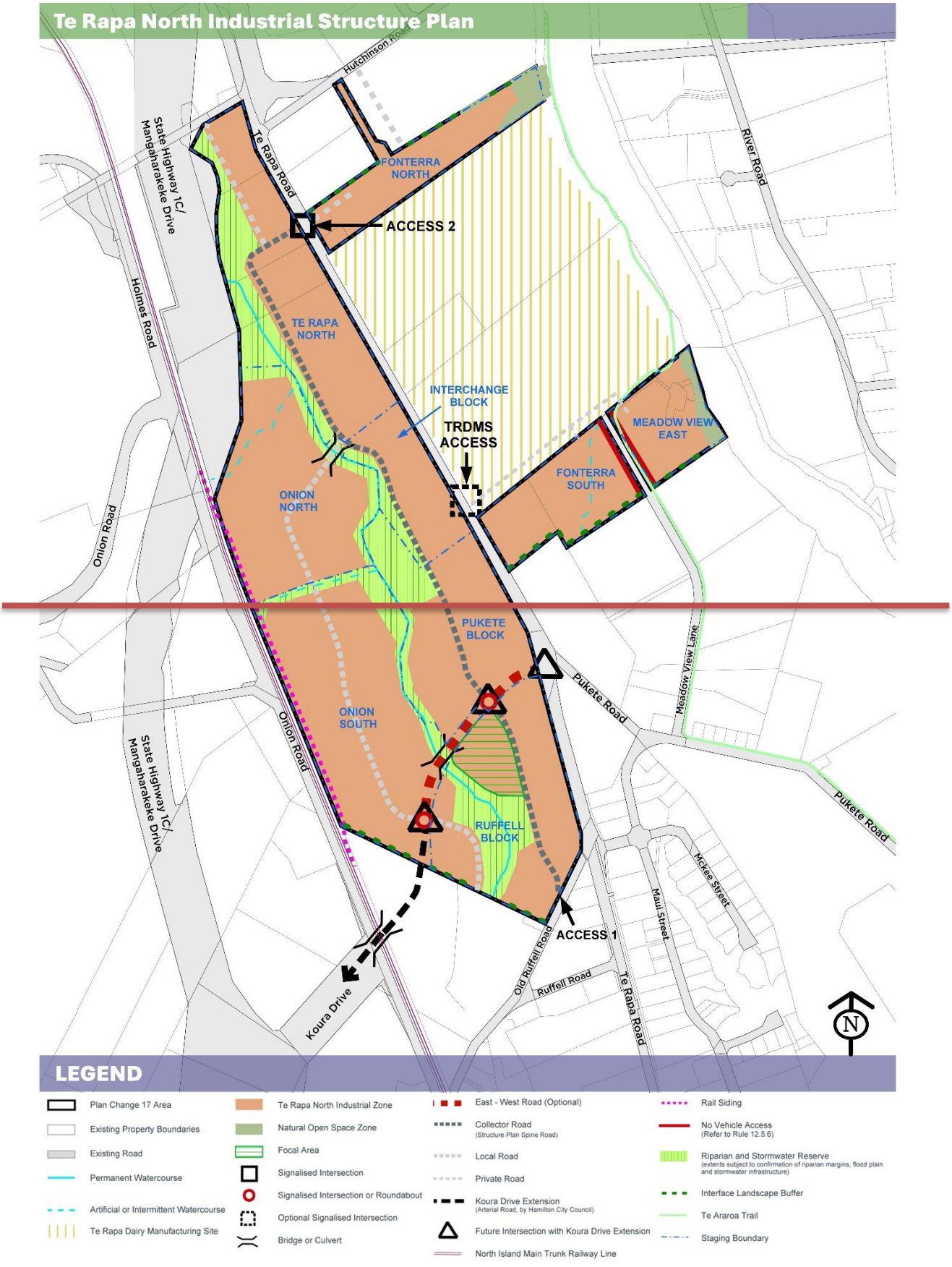

Te Rapa North Industrial Structure Plan
Hutchinson Road
State Highway 1C/ Mangaharakeke Drive
Te Rapa Road
River Road
FONTERRA NORTH
ACCESS 2
Holmes Road
TE RAPA NORTH
INTERCHANGE BLOCK
TRDMS ACCESS
MEADOW VIEW EAST
FONTERRA SOUTH
ONION NORTH
Onion Road
PUKETE BLOCK
Pukete Road
Meadow View Lane
ONION SOUTH
Onion Road
State Highway 1C/ Mangaharakeke Drive
RUFFELL BLOCK
Pukete Road
McKee Street
Maui Street
ACCESS 1
Old Ruffell Road
Ruffell Road
Te Rapa Road
Koura Drive
N
LEGEND
Plan Change 17 Area
Existing Property Boundaries
Existing Road
Permanent Watercourse
Artificial or Intermittent Watercourse
Te Rapa Dairy Manufacturing Site
Te Rapa North Industrial Zone
Natural Open Space Zone
Focal Area
Signalised Intersection
Signalised Intersection or Roundabout
Optional Signalised Intersection
Bridge or Culvert
East - West Road (Optional)
Collector Road
(Structure Plan Spine Road)
Local Road
Private Road
Koura Drive Extension
(Arterial Road, by Hamilton City Council)
Future Intersection with Koura Drive Extension
North Island Main Trunk Railway Line
Rail Siding
No Vehicle Access
(Refer to Rule 12.5.6)
Riparian and Stormwater Reserve
(extents subject to confirmation of riparian margins, flood plain and stormwater infrastructure)
Interface Landscape Buffer
Te Araroa Trail
Staging Boundary

Figure 2-23: Indicative Transport Upgrade Location and Extent

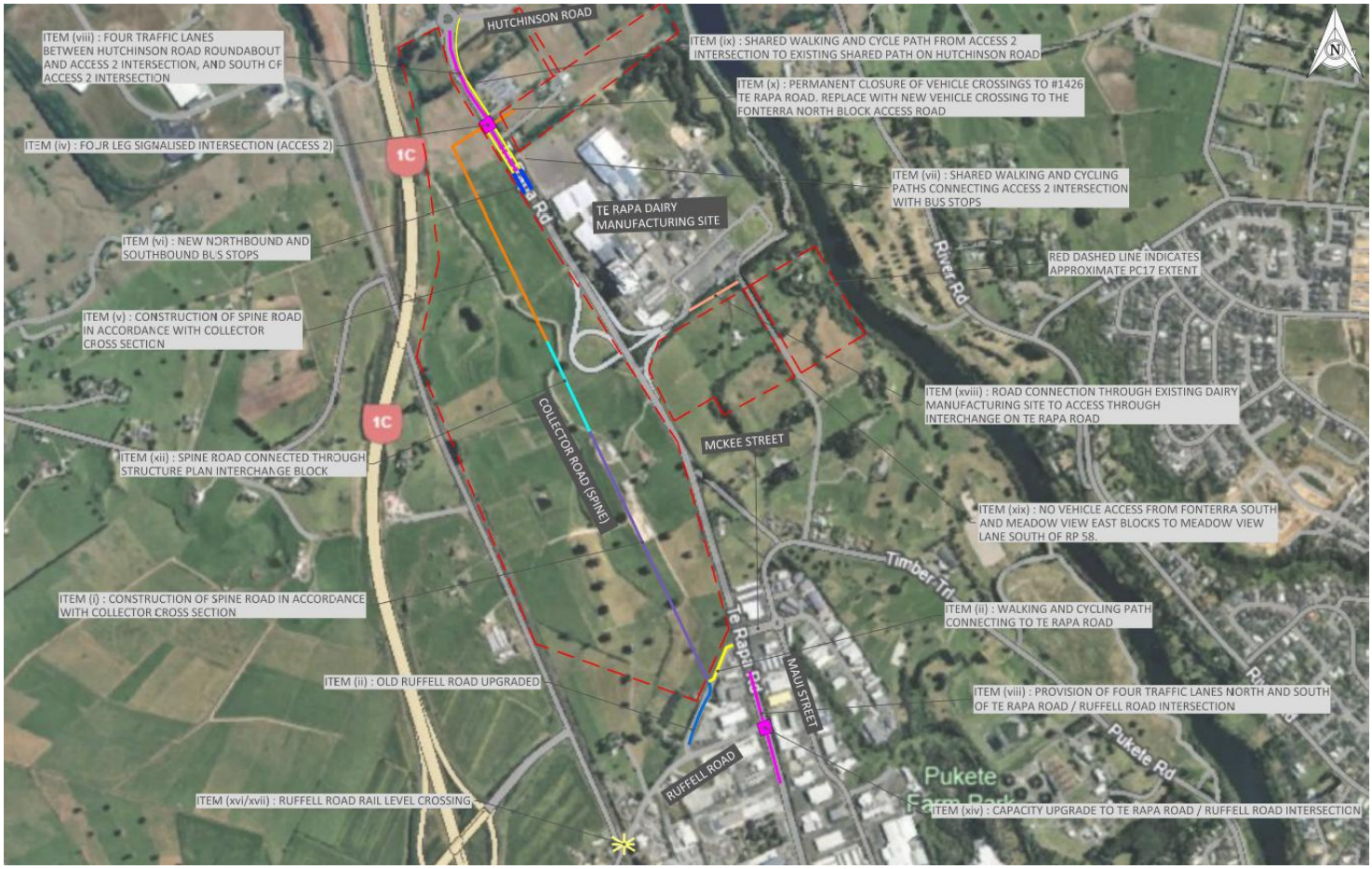


Figure 2-24A: Indicative Wastewater Network

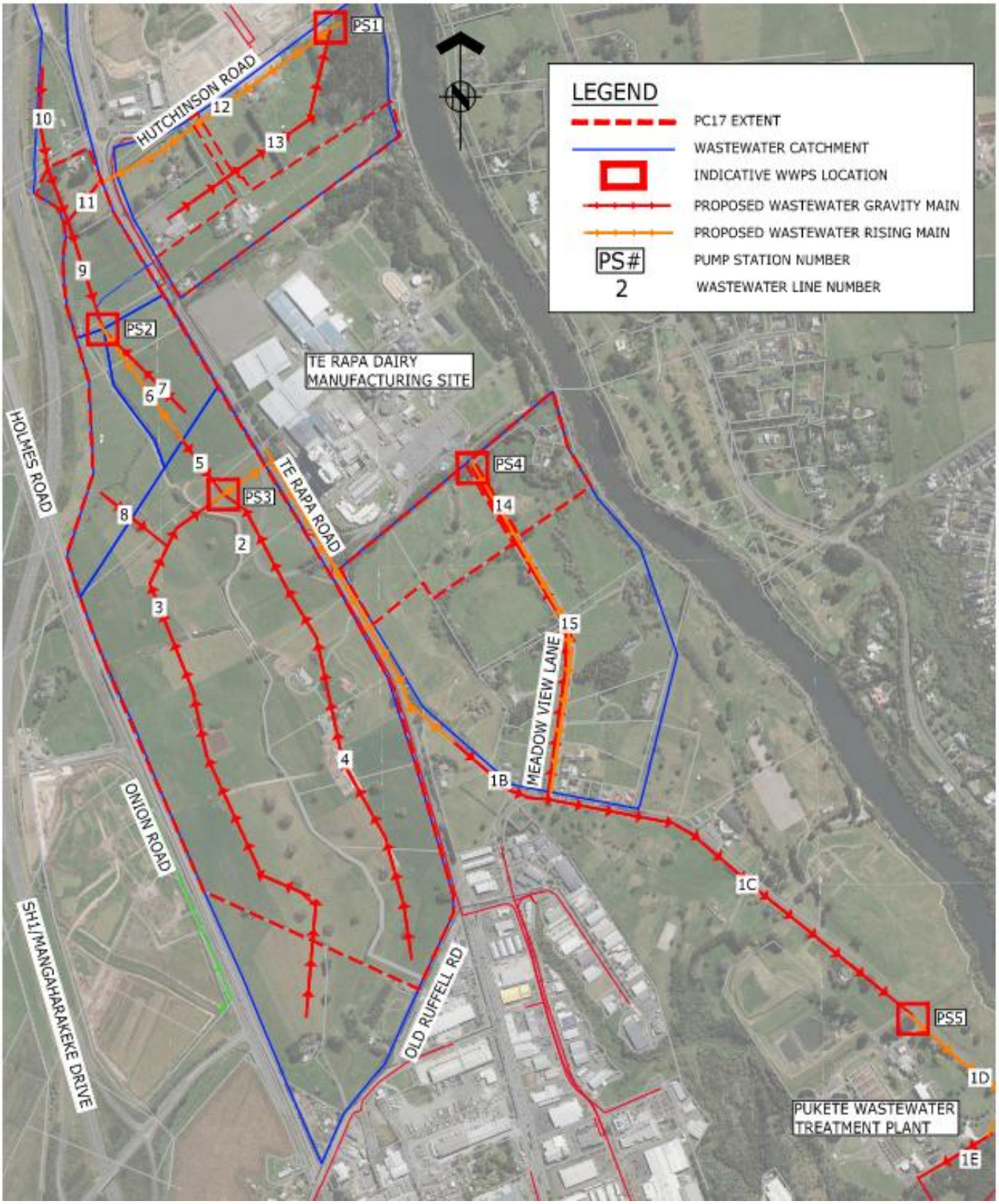
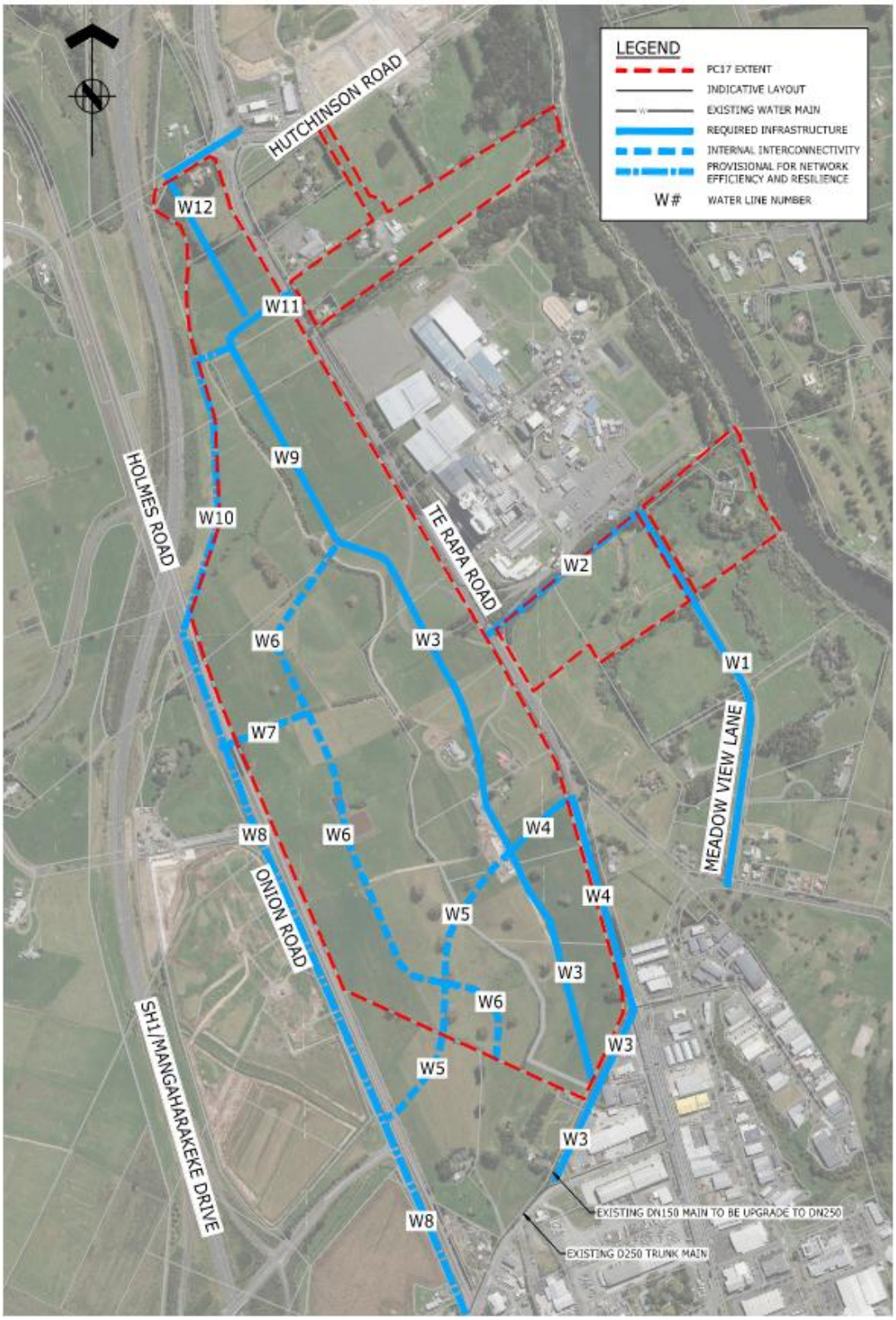


Figure 2-24B: Indicative Water Network



Note:

Water upgrades for network efficiency and resilience (W8, W10, W2) will be determined based on overall development and current Hamilton City Council network performance.

Figure 2-24C: Indicative Stormwater Network