

This chapter is subject to the following plan change-

- [Proposed Plan Change 7 – Rotokauri North Private Plan Change](#)
- [Proposed Plan Change 6 – Regulatory Efficiency and Effectiveness Plan Change](#)

25.13 Three Waters

25.13.1 Purpose

- a) This section contains objectives and policies that focus on the impact of subdivision, use and development on water resources, and on the need for an integrated provision of sustainable Three Waters infrastructure in conjunction with development. Land-use planning is critical in minimising conflicts and sustaining water quality and quantity for future generations.
- b) Pressure on water resources in the region is increasing due to a growing population and the associated concentration of activities. This affects demand for water resources and Three Waters infrastructure (drinking water, wastewater and stormwater) which is managed by Council.
- c) Water quality of the Waikato River has declined over time. Although point-source pollutants have reduced since the 1970s, non-point sources now comprise the majority of nutrient and sediment inputs into the Waikato River and its tributaries. Water quality in Lake Rotoroa has improved over time; however it still suffers from algal blooms attributed to high nutrient levels and from time to time is closed to contact recreation.
- d) As a municipal water provider, Council has three significant resource consents for the taking of water for municipal purposes and discharging of wastewater and stormwater. In complying with these consent conditions, and as a responsible water manager, Council must impose standards and conditions on development within the City.
- e) As part of the Waikato River Settlement between the Crown and Waikato-Tainui, Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River has been developed and must be given effect to. It is the primary direction-setting document for the Waikato River and its catchments, which include the lower reaches of the Waipa River, and outlines the vision for the Waikato River as:

“Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri

The river of life, each curve more beautiful than the last

Our vision is for a future where 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.”

25.13.2 Objectives and Policies: Three Waters

Objective	Policies
<p>25.13.2.1 Water resources are protected from the adverse effects of</p>	<p>25.13.2.1a Subdivision and development is located and designed to minimise adverse effects on ground and surface water resources, particularly the life-</p>

subdivision and development.	<p>supporting capacity of water bodies and their riparian margins.</p> <p>25.13.2.1b Subdivision and development on the margins of natural watercourses and wetlands should be located and designed to maintain, and where possible enhance:</p> <ol style="list-style-type: none"> i. Riparian margins. ii. Water quality. iii. Water resources. iv. Aquatic habitats.
Explanation	
<i>This objective and policies focus on the effects subdivision and development can have on water resources, and seeks that these effects be minimised. Land-use activities can impact on water resources, for example, by increasing stormwater flows over or into land, by increasing sediment loads, and increasing the demand for water-related infrastructure.</i>	
Objective	Policies
25.13.2.2 Measures to facilitate the efficient use of water resources are incorporated into new subdivision and development.	25.13.2.2a Water-sensitive techniques are incorporated into new subdivision and development to reduce demand on water supplies, wastewater disposal and to manage stormwater.
Explanation	
<i>This objective and policy focuses on water conservation and efficiency, and in particular the incorporation of water-sensitive techniques into new subdivision and development to improve the level of water efficiency.</i>	
Objective	Policies
<p>25.13.2.3 Three Waters infrastructure is provided as part of subdivision and development, and in a way that is:</p> <ul style="list-style-type: none"> • Integrated • Effective • Efficient • Functional • Safe • Sustainable 	25.13.2.3a All subdivision and development provides integrated Three Waters infrastructure and services to a level that is appropriate to their location and intended use.
	25.13.2.3b Subdivision and development shall not occur unless the required infrastructure is available to service it.
	25.13.2.3c Three Waters infrastructure is to be designed and constructed in accordance with any existing Structure Plan and relevant Integrated Catchment

	Management Plan.
	<p>25.13.2.3d Large scale subdivision and development proposals are to prepare an Integrated Catchment Management Plan (where one does not already exist) or a Water Impact Assessment.</p>
Explanation	
<p><i>There are servicing constraints within the City. Early discussions with Council on the serviceability of development are necessary.</i></p> <p><i>Integrated Catchment Management Plans will be used as a tool to help manage the form and function of Three Waters infrastructure in an integrated, effective, efficient, functional, safe and sustainable manner.</i></p> <p><i>Over time Integrated Catchment Management Plans will be developed for existing urban areas. Structure Plans and large scale activities will require an Integrated Catchment Management Plan (as outlined in Volume 2, Appendix 1.2.2.6). Until this occurs, stormwater, water and wastewater infrastructure must continue to be provided and managed. Water Impact Assessments are another complementary tool that will be used to assess and ensure Three Waters integration at a more detailed level.</i></p> <p><i>Council maintains a register of all full ICMPs and can advise of any relevant to a particular development proposal and site.</i></p> <p><i>Where there is conflict between a Structure Plan and an ICMP, the latter will prevail.</i></p> <p><i>Water-sensitive techniques to sustainably manage stormwater, water and wastewater are included as well as minimum permeable surfaces standards, which are provided in most Zone Chapters of the District Plan.</i></p>	

In areas where a full Integrated Catchment Management Plan does not exist the following policies also apply:

Design

25.13.2.3e

Three Waters infrastructure is designed and constructed to:

- i. Minimise the effects of urban development on downstream receiving waters and groundwater.
- ii. Ensure that the capacity, efficiency and sustainability of upstream and downstream infrastructure will not be compromised.
- iii. Facilitate access, maintenance and operational requirements.
- iv. Cater for the potential effects of climate change.
- v. Ensure appropriate standards of public health, safety and amenity.
- vi. Ensure that surface water runoff is appropriately managed in accordance with the following drainage hierarchy.
 1. Retention for reuse.
 2. Soakage techniques.
 3. Detention and gradual release to a watercourse.
 4. Detention and gradual release to stormwater reticulation.

Stormwater

25.13.2.3f

Stormwater management techniques are designed and constructed to:

- i. Maintain or improve the quality of stormwater entering the receiving environment.
- ii. Avoid or mitigate off-site effects from surface water runoff.
- iii. Sustainably manage the volume and rate of discharge of stormwater to the receiving environment.

Water Supply

25.13.2.3g

Water supply infrastructure is designed and constructed to meet consumption, hygiene, water-sensitive design and firefighting requirements.

Wastewater

25.13.2.3h

Wastewater is treated and disposed of in a way that minimises effects on public health, the environment, and cultural values.

Explanation

Three Waters infrastructure is a key component of subdivision, use and development. It needs to be developed sustainably and agreed upon at the planning stage of the development. All new greenfield areas must have a Structure Plan and an Integrated Catchment Management Plan in place before development begins. Integrated catchment management planning is a process whereby the effects of development on all Three Waters infrastructure capacity and the appropriateness and integrity of

proposed treatments and reticulation systems and networks are designed to manage the change or intensification and assessed and used to help guide decisions. This objective and policies provide support to the direction in Chapter 2: Strategic Framework and Chapter 3: Structure Plans to avoid a situation where Three Waters planning occurs independent to land-use planning.

The objective and policies also provide direction for minimum requirements for the design of Three Waters infrastructure and services in the absence of an Integrated Catchment Management Plan.

Climate change may impact on the frequency and intensity of storm events and other weather extremes such as droughts. The impact of these changes needs to be considered as part of the long term management of the Three Waters.

25.13.3 Rules – Activity Status Table

Activity	Status
a) Any activity required to prepare a Water Impact Assessment by rule 25.13.4.6	RD*
b) Any activity required to prepare an Integrated Catchment Management Plan by rule 25.13.4.1(b)	RD*

Note

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

25.13.4 Rules – General Standards

25.13.4.1 Integrated Catchment Management Plan

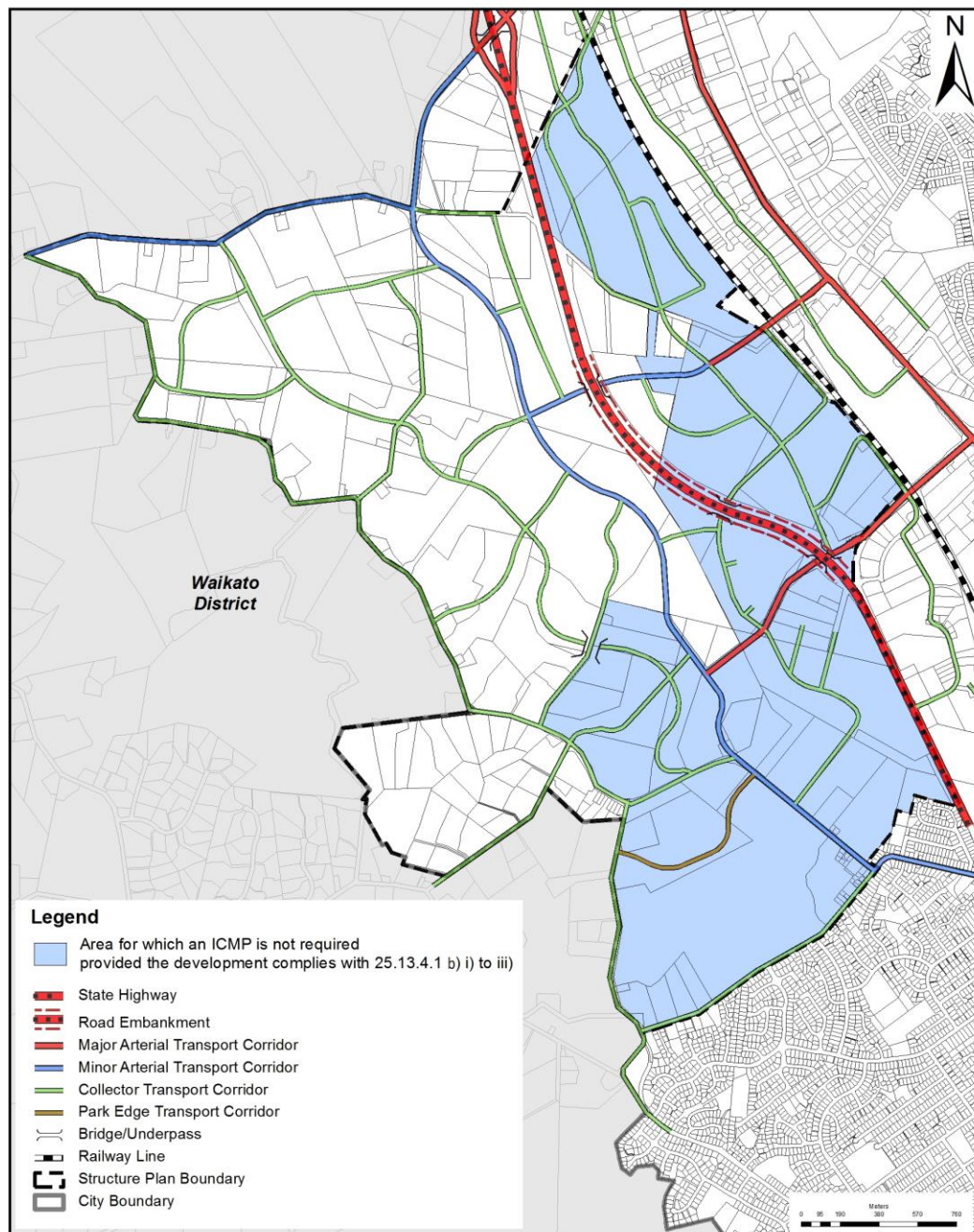
- a) Where a full ICMP already applies to an area, development of Three Waters infrastructure shall be undertaken in accordance with it. This will be considered a means to achieve compliance with the standards in Rules 25.13.4.1(b) and 25.13.4.2 to 25.13.4.4.
- b) In areas where an ICMP does not exist an ICMP as described in Volume 2, Appendix 1.2.2.6 shall be prepared for development or subdivision:
 - i. Creating more than 40 additional residential units on any site.
 - ii. Creating more than 40 additional allotments.
 - iii. Of any land involving more than 3ha.
 - iv. For development of Stage 1 of the Rotokauri Structure Plan beyond the area identified in Figure 25.13.4a). Preparation of this ICMP shall, where relevant to the particular catchment, take into account the entire area of Stage 1 of the Rotokauri Structure Plan, including the area identified in Figure 25.13.4a).

Except that a separate ICMP is not required when all the information that it would otherwise include is incorporated into an approved Concept Development Consent for a Major Facility prepared under Rule 17.4 and the Concept Development Consent is accepted as satisfying the requirements of this rule.

Note

1. The 3ha trigger in Rule 25.13.4.1b)iii relates to the footprint of the proposed development or subdivision.
2. A full ICMP should be prepared at the Structure Plan stage in accordance with Chapter 3.3.

Figure 25.13.4a: Area of development within Rotokauri which is excluded pursuant to Rule 25.13.4.1 b) iv



25.13.4.2 Stormwater

- a) A stormwater reticulation and disposal system shall be provided that is adequate to safeguard people from injury or illness and protect property from damage caused by surface water.
- b) Stormwater management measures shall be in place and operational upon the completion of subdivision and/or development to ensure that the rate of stormwater discharge offsite is at or below pre-development rates. Stormwater management measures shall be implemented, as appropriate, in accordance with the following drainage hierarchy:
 - i. Retention for reuse
 - ii. Soakage techniques
 - iii. Detention and gradual release to a watercourse
 - iv. Detention and gradual release to stormwater reticulation.

Note

1. Acceptable means of compliance for the provision, design and construction of stormwater infrastructure, and the drainage hierarchy, are contained within the Hamilton City Infrastructure Technical Specifications.
2. Bylaws may also impose additional controls or restrictions with regard to stormwater.
3. See Rule 25.2.4 regarding earthworks.

25.13.4.3 Wastewater

- a) An adequate, reliable, safe and efficient wastewater service shall be provided.
- b) Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for a wastewater system as follows.
 - i. The installation or upgrading of the wastewater network and/or wastewater pump stations to serve all proposed allotments and/or buildings, and
 - ii. Connection to the wastewater network from each proposed allotment or building.
- c) In the Future Urban Zone and Large Lot Residential Zone (Ruakura Structure Plan area only) where network utility services for wastewater treatment and disposal are not provided by Council, each site shall adequately provide for its own on-site treatment and disposal of wastewater and provide evidence of a satisfactory wastewater system to Council: no on-site wastewater treatment and disposal system shall be allowed that services more than one site and crosses any site boundary.
- d) Rule 25.13.4.3c) shall not apply to any wastewater system servicing the 7ha development within Te Rapa North Industrial Zone Stage 1A, provided for under Rule 12.6.1 c)i), and connected to the wastewater infrastructure on Te Rapa Dairy Manufacturing Site.

Note

1. Discharge of trade waste to the Council network will require approval from Council in accordance with the Trade Waste Bylaw.
2. Wastewater treatment systems may require approvals from the Regional Council.

3. Acceptable means of compliance for the provision, design and construction of wastewater infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.

25.13.4.4 Water

- a) An adequate, reliable, safe and efficient supply of potable water shall be provided.
- b) Where any subdivision or development results in additional allotments or buildings to be used for urban purposes, provision shall be made for:
 - i. Water metering infrastructure, and either
 - ii. A connection from the public water supply reticulation to each proposed residential allotment or existing building, or
 - iii. A public water supply reticulation system extending from the main trunk water supply system (or from an existing water supply reticulation if appropriate) to allow a service to be connected from the transport corridor frontage of each non-residential allotment.
- c) In the Future Urban Zone and Large Lot Residential Zone (Ruakura Structure Plan area only) where a water supply reticulation system is not provided, evidence of satisfactory water supply shall be provided as part of the consent application.
- d) A reticulation system shall be provided which is adequate for fire-fighting purposes and for estimated domestic and commercial consumption.
- e) Where a development results in high-use allocation from the water supply reticulation system, evidence of satisfactory water supply shall be provided.

Note

1. There are limitations on the City's municipal supply of potable water for industrial use other than human drinking and sanitation. Any industrial activity requiring more than 15m³ of water per day for purposes other than human drinking and sanitation is considered a high-use allocation and should consult Council's Infrastructure Department early in the planning process.
2. Acceptable means of compliance for the provision, design and construction of water infrastructure is contained within the Hamilton City Infrastructure Technical Specifications.
3. Bylaws may also impose additional controls or restrictions with regard to water supply.

25.13.4.5 Water Efficiency Measures

- a) In addition to Low Flow Fixtures, at least one water sensitive technique for stormwater shall be incorporated, connected to, achieved or maintained as part of any new development as identified below.

Where required	Water sensitive techniques
<ol style="list-style-type: none"> i. New residential units ii. Other new buildings containing a kitchen, laundry or bathroom 	<ul style="list-style-type: none"> • Detention of stormwater to 80% of pre-development runoff by an appropriate means • Permeable surfaces protected to achieve at least 20% above the minimum standard of the zone. For the purposes of this rule the permeable surfaces may include: <ul style="list-style-type: none"> - Permeable paving for parking, access and manoeuvring areas associated with residential units (excluding where used for shared vehicle access)

	<ul style="list-style-type: none"> - Uncovered decks which allow water to drain through to a surface which can absorb water. • Rainwater tank for non-potable reuse system • Other equivalent feature
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Note

1. An ICMP (relevant to the site) and the Hamilton City Infrastructure Technical Specifications can provide guidance on the above water sensitive techniques and other equivalent features.
 2. Council maintains a register of all full ICMPs and can advise of any relevant to a particular development proposal and site.
 3. Where the site is covered by an ICMP, the water sensitive techniques required by 25.13.4.5(a) above shall be consistent with the recommendations of that Plan.
 4. An ICMP may make recommendations identifying water sensitive techniques that are suitable (or unsuitable) for a particular catchment or specific Three Waters measures or targets that need to be achieved. In order for new development to comply with 25.13.4.5(a), the selection and implementation of water sensitive techniques must be consistent with any relevant recommendations.
 5. To be effective rainwater tanks for new buildings should have a capacity of at least 5,000 litres or should be appropriately designed considering the specific site constraints.
 6. Additional techniques are listed within the definition of “water-sensitive techniques” included in Section 1.1.2 of Volume 2 - Definitions Used in the District Plan.
- b) Rainwater tanks with a capacity of <10,500 litres are exempt from the following bulk and location provisions of the relevant zone.
- i. Site coverage.
 - ii. Permeable surfacing.
 - iii. Rear or side boundary setbacks.
- c) Low flow fixtures shall be incorporated in alterations or additions to any existing building that add an extra toilet, kitchen, laundry or bathroom.

25.13.4.6 Water Impact Assessments

- a) A Water Impact Assessment, as described in Volume 2, Appendix 1.2.2.5, is required for any development or subdivision:
- i. Creating four or more additional residential units on any site.
 - ii. Creating four or more additional allotments (excluding lots for the purposes of reserves, network utilities or transport corridors).
 - iii. Involving more than 1ha of land.
 - iv. Creating a new building for industrial activities with a gross floor area greater than 1000m².
 - v. Involving any new activity which will have a water requirement greater than 15m³ per day.
 - vi. Creating a new building for non-residential activities (other than industrial activities or as provided for in vii. below) with a gross floor area greater than 300m².
 - vii. Within the Major Facilities Zone:
 1. Creating a new building for non-residential activities (other than industrial activities) with a gross floor area greater than 3,000 m²; or

2. Providing residential accommodation for more than 13 additional people, not being accommodation for hospital patients.
- b) This Rule does not apply in areas where an ICMP exists and satisfies the information requirements for Water Impact Assessments in accordance with Table 1.2.2.5b of Volume 2, Appendix 1.2.2.5, or where all the information that a Water Impact Assessment would otherwise include, or the matters it would otherwise address, are incorporated in a Water Supply Agreement with Council or other documents, assessed and approved under any other provision of this District Plan or the Waikato Regional Plan.

Note

1. The 1ha trigger in Rule 25.13.4.6(a)iii) relates to the footprint of the proposed development or subdivision.

25.13.5 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 1.3.3)
i. Any activity required to prepare a Water Impact Assessment as by Rule 25.13.4.6*	• J – Three Waters Capacity and Techniques
ii. Any activity required to prepare an Integrated Catchment Management Plan as by Rule 25.13.4.1(b)*	• J – Three Waters Capacity and Techniques

25.13.6 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