

**APPENDIX 8.5: EVALUATION OF PROPOSED RULES AND METHODS**

Appendix 8.5A: Proposed provisions to cover 14ha of land following boundary adjustment between Hamilton and Waipa.

Appendix 8.5B: Proposed provisions (amendments to policies, methods and rules) to remove “comprehensive development plans” as a planning tool within the temple view zone to ensure rules are *vires*.

Appendix 8.5C: Proposed provisions (amendments to policies, methods and rules) to correctly identify and map a Significant Natural Area within the Temple View zone.

Appendix 8.5D: Proposed provisions (amendments to policies, methods and rules) to identify the “community focal point” as a notation.

Appendix 8.5E: Proposed provisions (amendments to policies, methods and rules) to address plan administration issues (minor corrections and amendments).

**APPENDIX 8.5A: PROPOSED PROVISIONS TO COVER 14HA OF LAND FOLLOWING BOUNDARY ADJUSTMENT BETWEEN HAMILTON AND WAIPA.**

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE:	EFFECTIVENESS AND EFFICIENCY	
Purpose of The Plan Change	BENEFITS	COSTS
<p>Appendix 17: Planning Maps: Zone Map 51A – Identify Temple View zoning for the 14ha area; modify the extent of the Natural Open Space zoning.</p> <p>Zone Map 60A – Identify Temple View Zoning for the 14ha area; modify the extent of the Natural Open Space zoning.</p> <p>Features Map 51B – Identify Temple View Character Area for the 14ha area; modify extent of Significant Natural Area. (Note that amendment to SNA is also addressed in table below.)</p> <p>Features Map 60B – Identify Temple View Character Area for the 14ha area; modify extent of Significant Natural Area. (Again, note that amendment to SNA is also addressed in table below.)</p> <p>Amend relevant figures to show overlay of new Precinct over the 14ha to ensure cohesive development across the existing precinct areas within the Temple View Zone.</p>	<b>Environmental:</b>	<b>Environmental:</b>
	<p>Council compliance with statutory requirement to cover area brought into Hamilton City as a result of the boundary adjustment with Waipa District in 2014.</p> <p>Ensures integration and aligns planning provisions with the existing Temple View Zone. Establishes planning framework for future development of the area.</p>	<p>Neutral.</p> <p>Removes the ability to undertake agricultural activities on the 14ha area.</p>
	<b>Economic:</b>	<b>Economic:</b>
	<p>Clear planning framework for area which provides certainty for development.</p> <p>Allows the owners to develop the land for urban purposes.</p>	<p>Neutral.</p> <p>Ability for the 14ha to be used for agricultural gain will be removed.</p>
	<b>Social:</b>	<b>Social:</b>
<p>Consistency in planning framework within the Temple View area will provide certainty to the community.</p> <p>Provide the ability to provide social and community facilities for the surrounding</p>	<p>Neutral.</p>	

<p>Activity status table, 5.3.4.3a) to bg): Add new precinct to apply to the 14ha of land acquired through boundary adjustment;</p>	<p>communities.</p>	
<p>Volume 2, Appendix 1.4.9.2 Background – amend to include information relating to the development of Temple View as a consequence of the boundary adjustment to include additional 14ha of land within Hamilton City boundary.</p> <p>Update figure 1.4.9a) to include additional 14ha</p> <p>Volume 2, Appendix 1.4.9, figure 1.4.9e and f: amendments to include additional 14ha and identify and delineate the 5 Precincts (note Precinct amendments are replicated in relation to the CDP issue in table below).</p>	<p><b>Cultural:</b></p>	<p><b>Cultural:</b></p>
	<p>Consistency in planning framework within the Temple View area will provide certainty to the community. Integrated approach will ensure that the heritage and cultural values associated with the Temple View area will be addressed in a manner which is consistent with that in the existing Temple View Zone.</p>	<p>Neutral.</p>
<p><b>Opportunities for economic growth and employment</b></p>		
<p>Anticipated that LDS will continue with development plans within the Temple View area including the 14ha area and this will generate some growth.</p>		
<p><b>Options less or not as appropriate to achieve the objective</b></p>		
<p>The following options were considered (Refer to options assessment in Appendix 3):</p> <ol style="list-style-type: none"> <li>1. Retain existing Waipa District Rural Zoning</li> <li>2. Zone area as Future Urban</li> <li>3. Zone area as General Residential</li> <li>4. Zone area Temple View Zone without identifying new Precincts</li> <li>5. Zone Temple View Zone with New Precincts</li> </ol> <p>Amendment to the SNA and Natural Open Space Zoning</p> <ol style="list-style-type: none"> <li>1. Retain existing boundaries of the SNA's</li> <li>2. Amend the boundaries to reflect the correct area of significant vegetation.</li> </ol>		
<p><b>Risk of acting or not acting</b></p>		

Sufficient information available. Any risk would be associated with Council not fulfilling statutory obligation. The risk of not acting would be the impact on the owners to develop their land in accordance with the intent of the Operative District Plan.

**Efficiency and effectiveness**

The proposed zone and provisions are considered to be the most appropriate to achieve the purpose of the plan change. The zoning represents the most efficient and effective approach to ensure integration with the existing Temple View Zone and allowing for the sustainable use of the resource while protecting the identified character and heritage within the Temple View Area.

**APPENDIX 8.5B: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO REMOVE “COMPREHENSIVE DEVELOPMENT PLANS” AS A PLANNING TOOL WITHIN THE TEMPLE VIEW ZONE TO ENSURE RULES ARE VIRES**

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Purpose of The Plan Change:</p> <p><u>Chapter 5: Special Character Zones</u>            Objective 5.2.1 The Special Character Zones retain and enhance their identified values;            Objective 5.2.2 Residential development produces good on-site amenity;            Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;            Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p> <p><u>Chapter 23: Subdivision</u>            Objective 23.2.2 Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well-designed environments.            Objective 23.2.4 To ensure the provision of infrastructure services as part of the subdivision process.            Objective 23.2.5 Subdivision occurs in a manner that recognises historic heritage and natural environments.</p>		

<u>Chapter 5 – Special Character Zones</u>	Environmental:	Environmental:
<p>Temple View Heritage Area: Amendment to 5.1.4.1e), 5.1.4.2c) and 5.1.4.2h) to remove reference to “comprehensive development plan” to address potential issue concerning <i>vires</i> of provisions.</p> <p>5.3.4 Activity status table – Temple View Zone, 5.3.4.1 Comprehensive Development Plan – Process within the Temple View Zone: Amendments to text in 5.3.4.1, 5.3.4.1a), 5.3.4.1b), 5.3.4.1c), 5.3.4.1d), 5.3.4.1e), 5.3.4.1f), 5.3.4.2, 5.3.4.2a) to g) to remove reference to “comprehensive development plans” and/or delete references to the same.</p> <p>5.3.4.3a) to bg) Activity status table (rules): Amendments to the table format to remove references to CDP and to ensure that each activity is assigned a status within a particular Precinct and is not based on whether a CDP has previously been granted.</p> <p>Align activity status of activities for each Precinct.</p>	<p>Amending the existing provisions to remove CDP rules and replace with Precincts and associated rules will not have a material impact in relation to the environmental benefits of the Temple View Zoning and special character areas. However, the amendments to establish the Precincts and rules will provide certainty as to the environmental outcomes of development. It will remove any potential confusion regarding the CDP process and clarifies how the zone is intended to be management through the use of Precincts (which are essentially development areas).</p> <p>Overall, the amendments provide certainty in relation to the application and implementation of provisions controlling development within the Temple View Zone.</p> <p>This approach is considered to be the most appropriate to achieve the objectives in both chapter 5 (Special Character Zones) and chapter 23 (subdivision).</p>	<p>Neutral. Information added for explanation and accuracy purposes.</p>
<u>5.4 Rules – General Standards</u>	Economic:	Economic:
<p>5.4.1 Density: Amend titles in table to remove reference to CDP and insert Precinct references.</p>	<p>Some potential benefits arising from greater certainty regarding outcomes of development in light of potential uncertainty</p>	<p>Minimal/neutral costs.</p>
<u>5.4.2 Site Coverage:</u>		

<p>Amend titles in table to remove reference to CDP and replace with reference to “Temple View Zone”.</p>	<p>regarding the use/status of CDPs.</p>	
<p><u>5.4.3 permeable Surface and Planting</u> 5.4.3a) to c), Figure 5.4.3a: Amend the title line in table 5.4.3 and replace with reference to “Precincts” and “character” or “heritage” areas, as relevant.</p>	<p><b>Social:</b> Removing uncertainty regarding use of CDPs is anticipated to have some benefits. Specific rules for Precincts protects character of the area.</p>	<p><b>Social:</b> Neutral.</p>
<p><u>5.4.4 Building Height</u> Table 5.4.4b: Amend title line and amend references to CDPs and replace with “Precincts” and “character” or “heritage” areas as relevant. Amend heights to reflect the anticipated activities in each precinct area; and to provide further clarity on location.</p>	<p><b>Cultural:</b> Specific rules for Precincts protects character of the area.</p>	<p><b>Cultural:</b> Neutral.</p>
<p><u>5.4.6 Building Setbacks</u> Table 5.4.6 a), b), d), e): Amend setbacks to reflect the anticipated activities in each Precinct area.</p>		
<p><u>Rule table 23.3.3c: Special Character Zones</u> Delete references to CDPs. Table 23.3ce) Delete in its entirety</p>		
<p><u>23.7 Subdivision Design Standards</u> 23.7.1 Allotment Size and Shape – 23.7.1 Amend to include new “p)” to refer to Precincts</p>		

in Temple View Zone and provide standards for minimum net site area

23.7.3 General Residential Zone, and All Special Character Zones

23.7.3a) delete reference to CDPs and insert “Character Area”.

Volume 2, Appendix 1: District Plan Administration – 1.2.2.8 Comprehensive Development Plan

1.2.2.8b) Delete reference to “Development Plan Area (Temple View)”

1.2.2.8c) and d) Delete the “Temple View Zone” column.

1.2.2.8e) Delete the column titled “Temple View Zone” and provisions that specifically refer to Temple View.

1.2.2.8f)-v) Delete “Temple View Zone” column.

1.2.2.8w) to x) Delete requirements relating to CDPs.

Insert New Provisions for Temple View Precincts as Section 1.2.2.8A “Temple View Precincts”:

Appendix 1.3.3 Restricted Discretionary, Discretionary and Non-Complying assessment criteria.

1.3.3A3.b)xi) – insert new reference “Temple View Precincts”

1.3.3E11 – amend to insert reference to relevant Precincts and add “Temple View” before words

<p>“Character Area”.</p> <p>1.3.3E17 – amend to delete reference to “CDPs”</p> <p><u>1.4.9 Temple View Zone Urban Design Guide</u></p> <p>1.4.9.1 Purpose of the Guide – replace all references to “CDP” with “Precinct(s)”.</p> <p>Volume 2, Appendix 1.4.9, figure 1.4.9f: amendments to identify and delineate the 5 Precincts.</p>		
<p><b>Opportunities for economic growth and employment</b></p>		
<p>Essentially remains unchanged. May be some benefits as a consequence of certainty regarding activities anticipated within Precincts. Not able to be quantified.</p>		
<p><b>Options less or not as appropriate to achieve the objective</b></p>		
<p>Refer to options assessment.</p> <p>Options considered include</p> <ol style="list-style-type: none"> <li>1. Retrain the existing provisions</li> <li>2. Amended provision to remove the use of Comprehensive Development Plan</li> </ol>		
<p><b>Risk of acting or not acting</b></p>		
<p>Sufficient information available. Any risk would be associated with not addressing potential issue with <i>vires</i> of CDP provisions.</p>		
<p><b>Efficiency and effectiveness</b></p>		
<p>The proposed precinct approach provides clear direction as to what activities can/should happen within each precinct and gives better certainty regarding scale and character of development which is anticipated in each precinct. The precinct approach provides for an integrated approach to development in the context of the Special Character of Temple View. This amended approach ensures that the relevant existing objectives are achieved.</p>		

**APPENDIX 8.5C: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO CORRECTLY IDENTIFY AND MAP A SIGNIFICANT NATURAL AREA WITHIN THE TEMPLE VIEW ZONE**

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p><b>Purpose of The Plan Change:</b></p> <p><b>Objective 5.2.1 The Special Character Zones retain and enhance their identified values;</b></p> <p><b>Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;</b></p> <p><b>Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</b></p>		
<p>Features Map 51B – Modify extent of Significant Natural Area. (Note that amendment to SNA is also referenced in table above).</p> <p>Features Map 60B – Modify extent of Significant Natural Area. (Note that amendment to SNA is also referenced in table above.).</p>	<p><b>Environmental:</b></p> <p>Accurate identification will protect the feature. Remove the requirement for any RC or works within areas that are not naturally significant.</p>	<p><b>Environmental:</b></p> <p>Neutral.</p>
	<p><b>Economic:</b></p> <p>Applicants/plan users will have benefit of accurate mapping for potential future applications. Reduce the need to prepare technical reports regarding areas that have no natural significance.</p>	<p><b>Economic:</b></p> <p>Neutral.</p>
	<p><b>Social:</b></p>	<p><b>Social:</b></p>

	Neutral. However, may have some benefit as community will have certainty that the feature is identified correctly and will be protected.	Neutral.
	Cultural:	Cultural:
	Neutral. However, may have some benefit as community will have certainty that the feature is identified correctly and will be protected.	Neutral.
<b>Opportunities for economic growth and employment</b>		
Not relevant.		
<b>Options less or not as appropriate to achieve the objective</b>		
See option assessment. The options considered were: <ol style="list-style-type: none"> <li>1. Retain existing demarcation of the SNA and Natural Open Space</li> <li>2. Review the extent of the SNA and Natural Open space to correctly reflect the area of significance</li> </ol>		
<b>Risk of acting or not acting</b>		
Potential Resource Consent requirements for areas that are not naturally significant		
<b>Efficiency and effectiveness</b>		
Most appropriate to achieve objectives as accurate identification of the feature is considered necessary to do so.		

**APPENDIX 8.5D: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO IDENTIFY THE “COMMUNITY FOCAL POINT” AS A NOTATION**

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p><b>Objective 5.2.1</b> The Special Character Zones retain and enhance their identified values;</p> <p><b>Objective 5.2.2</b> Residential development produces good on-site amenity;</p> <p><b>Objective 5.2.6</b> To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;</p> <p><b>Objective 5.2.7</b> To ensure development within the Temple View Character Area maintains and enhances its special character.</p>		
<p>Appendix 4 – Special Character Zones, Figure 4-5 Temple View Precinct Areas.</p> <p>Modify Figure to include reference to community Focal Point as referenced in Chapter 5 Special Character Zones, Rule 5.5.11 Retail activities within the Peacocke Character Zone and Temple View Zone.</p>	Environmental:	Environmental:
	Greater certainty regarding the location of business land use within the character zone.	No cost to environment
	Provides clarity on how business activities within the area are to be administrated.	
	Economic:	Economic:
	Neutral	Limits the types of business activities that will be permitted within the Temple View Zone.
	Social:	Social:
Neutral	Neutral	

	Cultural: Neutral	Cultural: Neutral
<b>Opportunities for economic growth and employment</b>		
Provides certainty regarding the types of business activities that may occur in the Temple View Zone.		
<b>Options less or not as appropriate to achieve the objective</b>		
Rezone the land Business zone 6. Do not provide guidance on the location and types of retail activities within the Temple View Zone		
<b>Risk of acting or not acting</b>		
Allowing activities that are not appropriate for the location would have an impact on the special character of the area and impact on other larger retail centres within the area e.g. Dinsdale		
<b>Efficiency and effectiveness</b>		
Most appropriate way of ensuring the control of retail activities within the area while still having some flexibility on the final location of these activities.		

**APPENDIX 8.5E: PROPOSED PROVISIONS (AMENDMENTS TO POLICIES, METHODS AND RULES) TO ADDRESS PLAN ADMINISTRATION ISSUES (MINOR CORRECTIONS AND AMENDMENTS)**

PROVISIONS MOST APPROPRIATE TO ACHIEVE OBJECTIVE(S):	EFFECTIVENESS AND EFFICIENCY	
	BENEFITS	COSTS
<p>Objective 5.2.1 The Special Character Zones retain and enhance their identified values;</p> <p>Objective 5.2.2 Residential development produces good on-site amenity;</p> <p>Objective 5.2.6 To ensure that development within the Temple View Heritage Area maintains and enhances the special heritage characteristics of the area;</p> <p>Objective 5.2.7 To ensure development within the Temple View Character Area maintains and enhances its special character.</p> <p><u>Chapter 23: Subdivision</u></p> <p>Objective 23.2.2 Subdivision contributes to the achievement of functional, attractive, sustainable, safe and well-designed environments.</p> <p>Objective 23.2.4 To ensure the provision of infrastructure services as part of the subdivision process.</p>		

<p>Activity status table, 5.4.3a) to bg):</p> <p>Insert reference to privacy wall</p> <p>Update description of “teacher housing character corridor”</p> <p>Renumbering</p> <p>Temple View Zone: Amendment to 5.1.4a) to clarify the way the zone is managed;</p> <p>Temple View Heritage Area: Amendments to 5.1.4.1a), 5.1.4.1c), 5.1.4.1d), to clarify the way the zone is managed;</p> <p>Temple View Character Area Amendments to 5.1.4.2a), 5.1.4.2c), 5.1.4.2d), 5.4.1.2f) to clarify the way the zone is managed; Amendment to 5.1.4.2h), remove unnecessary duplication with revised wording of 5.1.4.1a).</p> <p>Amendments to policies 5.2.7c, 5.2.7e, 5.2.7g to add text to better reflect the location and spatial form of the teacher housing.</p> <p>Amendment to Explanation to the above policies to better reflect the location and spatial form of the teacher housing.</p>	<p>Environmental:</p>	<p>Environmental:</p>
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<p><u>5.4.9 Residential Buildings – Separation and Privacy</u></p> <p>5.4.9c): amend reference to “teacher housing area” and replace with “teacher housing character corridor”.</p> <p><u>5.4.10 Buildings and Activities within the Temple View Character Area and Temple View Heritage Area</u></p> <p>5.4.10 (Title) – amend title of heading only. 5.4.10c) Amend reference to “character area” by adding “s” to area.</p> <p><u>23.7 Subdivision Design Standards</u></p> <p>23.7.1 Allotment Size and Shape – 23.7.1p) amend to refer to “all character areas” and amend Minimum Net Site Area from 500m2 to 600m2.</p> <p>Volume 2, Appendix 1.3.3 Assessment Criteria 1.3.3E14 and E15 – amend to add “Temple View”</p> <p><u>1.4.9 Temple View Zone Urban Design Guide</u></p> <p>1.4.9.1 Purpose of the Guide – amendments to correct spelling of “Latter-day” Saints.</p> <p>Volume 2, Appendix 1.4.9, figure 1.4.9d) and e): editorial amendments to refer to redevelopment</p>	<p>Various amendments provide better certainty for development and therefore environmentally beneficial outcomes. Accurate depiction of existing/recent development will assist in any future development consent processes and their outcomes.</p> <p>Increase in net site area assists with retaining character of area.</p>	<p>Neutral.</p>
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in 2016	<b>Economic:</b>	<b>Economic:</b>
	Amendments provide better certainty for plan users/developers which in turn may mean less cost in any application process.	May have some minimal costs associated with increased net site area.
	<b>Social:</b>	<b>Social:</b>
	Certainty of plan provisions.	Neutral.
	<b>Cultural:</b>	<b>Cultural:</b>
	Certainty of plan provisions.	Neutral.
<b>Opportunities for economic growth and employment</b>		
Not relevant/neutral.		
<b>Options less or not as appropriate to achieve the objective</b>		
Retain current planning provisions		
<b>Risk of acting or not acting</b>		
Information is sufficient. Retaining current provision would make the administration of the plan unclear and not consistent with the objectives and policies of the Plan.		
<b>Efficiency and effectiveness</b>		
Accurate and consistent plan provisions are the most appropriate to achieve the objectives for the relevant zone.		