

17 December 2015

Chief Executive
Hamilton City Council
Private Bag 3010
Hamilton 3240

Dear Sir

**Hamilton Proposes District Plan
Proposed Ruakura Variation**

Please find attached submissions by Innovation Waikato Limited (IWL) in regard to the Proposed Ruakura Variation.

The address for service for these submissions is the writer at the above noted address.

Please contact the writer in the first instance regarding any matters pertaining to the submissions lodged

Letter text

Yours faithfully



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encl: Submissions by IWL
cc: Simon Travaglia by email

Submissions on Proposed Ruakura Variation by Innovation Waikato Ltd (IWL)

REF	PAGE NO.	PROVISION	SUPPORT/OPOSE	COMMENTS	CHANGES SOUGHT
1	8-8	Rules 8.3.1(e) & 8.3.1(f)	Oppose	<p>Rule 8.3.1(e) provides for the following as a permitted activity within AgResearch (Precinct A) and Waikato Innovation Park (Precinct B):</p> <p><i>Alterations and additions to existing buildings (no greater than 250m² gross floor area) without an approved Concept Plan.</i></p> <p>Otherwise, a restricted discretionary activity resource consent is required under Rule 8.3.1(f).</p> <p>It is considered that such an approach is unnecessary and overly restrictive for alterations and additions to existing buildings, and inconsistent with that taken for the University of Waikato Precinct where Rule 8.3.1(bb) provides for the following as a permitted activity:</p> <p><i>New buildings, alterations or additions to where there is no approved Concept Plan and which are not located within the Interface Area.</i></p>	<p>Amend Rule 8.3.1(e) by deleting the strike-out words:</p> <p><i>Alterations and additions to existing buildings (no greater than 250m² gross floor area)</i></p> <p>Delete Rule 8.3.1(f).</p>
2	8-8	Rule 8.3.1(g)	Oppose	<p>Rule 8.3.1(g) provides for the following as a restricted discretionary activity within AgResearch (Precinct A) and Waikato Innovation Park (Precinct B):</p> <p><i>Any new buildings without or not in accordance with an approved Concept Plan.</i></p> <p>This is considered to be unduly onerous and unnecessary where small areas of new build are proposed.</p> <p>Further, this approach is inconsistent with that taken for the University of Waikato Precinct where Rule 8.3.1(bb) provides for the following as a permitted activity:</p> <p><i>New buildings, alterations or additions to where there is</i></p>	<p>Amend Rule 8.3.1(g) by adding the following words in bold:</p> <p><i>Any new buildings without or not in accordance with an approved Concept Plan greater than 250 m² gross floor area.</i></p> <p>And</p> <p>Add a new Rule 8.3.1.(g a) to make the following a Permitted Activity</p> <p>Any new building without or not in accordance with an approved Concept Plan with a gross floor</p>

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3	8-8	Rule 8.3.1(j)	Support in part	<p><i>no approved Concept Plan and which are not located within the Interface Area.</i></p> <p>This rule relates to provision for education activities in the zone. Provision for education activities was subject of AgResearch submission on the Ruakura Development Plan Change. The outcome agreed at the BOI hearing and included in the Plan Change was to recognise that a wide range of education activities are conducted at AgResearch and the Innovation Park.</p> <p>Rule 8.3.1(j) should be changed to match the wording continued at the BOI hearing for the Knowledge Area.</p>	<p>area less than 250m²</p> <p>Amend Rule 8.3.1(j) by adding the words in bold: Tertiary education and other education specialised training facilities.</p>
4	8-13	Rule 8.4.1(h)	Oppose	<p>Rule 8.4.1(h) states:</p> <p><i>Where any development or activity is not in accordance with the provisions of the Concept Plan then separate resource consent will be required for that development or activity.</i></p> <p>This rule is unnecessary and contradicts the permitted activity rules included in Rule 8.3.1.</p>	Delete Rule 8.4.1(h).
5	25-31	Rule 25.5.3.1(iii)	Oppose?	<p>IWL opposed this rule in its submission on the Proposed Plan, but the rule does not include a "deferred" note despite there being no Decision to date.</p> <p>Rule 25.5.3.1(iii) requires the following landscaping for activities in the Knowledge Zone:</p> <p>(i) A 2 metre wide planting strip along the boundary of a site adjacent to any Residential, Special Character or Open Space Zone; and</p> <p>(ii) When adjoining a transport corridor, a 30% planting area for the front setback.</p> <p>The definition of "site" is an area of land comprised in a</p>	<p>Amend Rule 25.5.3.1 (iii) by deleting the strike-out words and adding the words in bold:</p> <p>(i) A 2 metre wide planting strip along the boundary of a site adjacent to any Residential or Special Character or Open-Space Zone.</p> <p>Amend the definition of "transport corridor" as requested in submission reference 8 below.</p>

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6	Vol 2 1-23	1.1.2 – Definitions Definition of “Interface Area”	Oppose	<p>single certificate of title. The WIP Campus adjoins the Ruakura Open Space Zone along its southern boundary and the railway line along its northern boundary. This would appear to result in extensive landscaping being required along the subject boundaries which is considered to be overly restrictive.</p> <p>The definition for “interface area” has been amended as follows to include the AgResearch, IWL and University Precincts A, B and D:</p> <p><i>Means land within the Major Facility Zone or Knowledge Zone Precincts A, B or D that is within 30m of any public space external to the zone. This excludes any land within the Major Facilities Zone or Knowledge Zone Precincts A, B or D that is positioned behind an existing building or landscaping so as to be screened from the adjoining public space.</i></p> <p>There do not appear to be any specific rules in the AgResearch and WIP Precincts A and B which relate to the “interface area”, so it’s not clear why the definition of has been amended to refer to both Precincts. The only relevant rules relate to the University of Waikato (Precinct D) (n.b. rules 8.3.1(bb), (ee) & (ff)).</p>	<p>Amend the definition for “interface area” by deleting the strike-out words:</p> <p><i>Means land within the Major Facility Zone or Knowledge Zone Precincts A, B or D that is within 30m of any public space external to the zone. This excludes any land within the Major Facilities Zone or Knowledge Zone Precincts A, B or D that is positioned behind an existing building or landscaping so as to be screened from the adjoining public space.</i></p>
7	Vol 2 1-32 1-33	1.1.2 – Definitions Definition of “Offices”	Support	<p>The definition for “offices” now includes the following: ...e) Within Chapter 8 Knowledge Zone ‘office’ shall include space used for desk based research and innovation, associated meeting and administration, conferencing and similar activities and excludes commercial offices and professional offices.</p> <p>Rule 8.3.1(k) provides for “Ancillary offices to permitted research, innovation, education and laboratory activities” as permitted in the AgResearch and WIP</p>	<p>Retain definition of “offices”.</p>

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8	Vol 2 1-48	1.1.2 – Definitions “Transport Corridor”	Support in part	<p>Precincts A and B.</p> <p>The definition for “Transport Corridor” is as follows: <i>Means the whole corridor that provides for carriageway, berms and any adjoining pedestrian or cycle paths, landscaping and lighting, and includes roads, but excludes private roads in the Ruakura Logistics Zone.</i></p> <p>Rule 25.5.3.1(iii) requires a 30% planting area for the front setback along a transport corridor in the Knowledge Zone.</p> <p>AgResearch and WIP seek amendments to ensure that landscaping is not unnecessarily required along private roads within their respective Campuses, and also along the adjacent railway corridor.</p>	<p>Amend the definition for “Transport Corridor” by adding the words in bold :</p> <p><i>Means the whole corridor that provides for carriageway, berms and any adjoining pedestrian or cycle paths, landscaping and lighting, and includes roads, but excludes railways and private roads in the Ruakura Logistics Zone, and the Knowledge Zone.</i></p>

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9	Vol 1 15-16	Rule 15.6.7-Open Space Zone Parking Lot in Ruakura Open Space Zone (Lot 3 DPS 66853)	Support in part	<p>IWL requested that parking be provided for in the Ruakura Open Space Zone applying to the area under the transmission lines at the Ruakura Rd site frontage.</p> <p>IWL is intending that the area under the transmission lines will accommodate significant parking as well as landscape planting, stormwater retention ponds etc.</p> <p>Parking lots in this location are provided for as a RD This is acceptable to IWL but the Standards applicable to the activity (Rule 15.6.7) are inappropriate.</p> <p>Standard 15.6.7 b) requires that the parking lot is not to be used for "commercial" purposes. Many people pay for a car park as part of their remuneration – such arrangements could be deemed to be a "commercial" Purpose.</p> <p>It is also noted that the parking areas at the Innovation Park are currently and will continue to be used for community purposes (e.g. Balloons Over Waikato) during out-of-hours times on a non-commercial basis.</p>	Amend Rule 15.6.7 b) to read as follows: b) parking lot is to be used for staff and visitor parking only.
10	Ch 25	Infrastructure and City wide	Oppose	<p>i) The Knowledge Zone incorporates the Concept Plan method as a means of managing the coordinated development of the key areas (AgResearch, Innovation Park, etc.) This approach is supported by AgResearch and Innovation Waikato Ltd. It is considered that the Concept Plan approach proposed here is very similar to the Concept Plan provision included in the Proposed District Plan for sites in the Major Facilities Zone. One issue regarding the latter has been whether, and the degree to which, some of the city-wide provisions are to apply where a Concept Plan is in place. For example, should a consent under the</p>	<p>3 Waters – ICMP</p> <p>Amend Rule 25.13.4.1 (c) by adding the wording in bold</p> <p>Except that a separate ICMP is not required when all the information that would otherwise be required is incorporated into an approved Concept Plan for a Major Facility under Rule 14.4 or under Rules 8.3 and 8.4 in the Knowledge Zone -----</p> <p>Earthworks Rule 25.2.4.1</p> <p>Amendments are now agreed in resolving appeals ENV 165 and ENV 168 whereby an exception to the</p>

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				<p>Three Waters or Earthworks provisions be required where a Concept Plan has been approved for a site? This issue has been addressed to a degree by provisions in the proposed District Plan which enable appropriate information regarding those matters to be included where a Concept Plan is applied for and if approved to overcome the need for separate consents. In addition, several appeals regarding these issues are close to resolution and more changes to the Proposed Plan provisions are close to agreement (ENV 165, ENV 168).</p> <p>There appears to be no sound reason why the concept plan provisions for the Knowledge Zone should not mirror those in the Major facilities Zone regarding infrastructure and City Wide matters.</p>	<p>Earthworks provisions is provided where a Concept Plan for a Major Facility is in place. These amendments are to be set out in Rule 25.2.4.1 b) ii. This submission seeks to have these exemptions extend to activities authorized by an approved Concept Plan within the Knowledge Zone.</p> <p>Final wording to be agreed when the appeals are formally resolved.</p>