

Hamilton City Operative District Plan October 2017 Proposed Plan Change 2 –Te Awa Lakes Private Plan Change

(Form 5 - Submission on a Publicly Notified Plan Change Under Clause 6 of the First Schedule to the Resource Management Act 1991)

Send completed submission forms to:

Address: Submissions Proposed Plan Change 2- Te Awa Lakes Private Plan Change
Economic Growth and Planning Unit
Hamilton City Council
Private Bag 3010
Hamilton 3240

Email: districtplan@hcc.govt.nz

IMPORTANT REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 4.30PM, 29 NOVEMBER 2017

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To: Hamilton City Council

Submission on: Hamilton City Operative District Plan October 2017 Proposed Plan Change 2-Te Awa Lakes Private Plan Change

Your full name: Richard Briggs, Chief Executive

Company name: Hamilton City Council

Your postal address: Private Bag 3010, Hamilton 3240

Your email address: districtplan@hcc.govt.nz

Contact name and address for service of person making the submission:

This is the person and address to which all communications from the Council about the submission will be sent. You do not need to fill this in if the details are the same as the above

Telephone number: 07 838 6810

1. The specific provisions of the Proposed Plan Change that my submission relates to are as follows:
[Please refer to the specific section or part]

Refer to the attached document

2. My submission is that:
[State in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons]

Hamilton City Council opposes Proposed Plan Change 2 to the Hamilton City Operative District Plan: Te Awa Lakes Private Plan Change. Refer to the attached document for details.

3. I seek the following decision from the Hamilton City Council:
[Give precise details]

Refer to the attached document

4. ~~I do~~/~~do not~~ wish to be heard in support of my submission.
[Please cross out the part of the statement that does not apply to you]

5. If others make a similar submission ~~I would~~/~~would not~~ be prepared to consider presenting a joint case with them at any hearing.
[Please cross out the part of the statement that does not apply to you]



29/11/2017

[Your signature or that of the person authorised to sign on behalf of the person making this submission]

[Date]

IMPORTANT REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 4.30PM, 29 NOVEMBER 2017

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Submission by

Hamilton City Council

Hamilton City Operative District Plan October 2017 Proposed Plan Change 2 – Te Awa Lakes Private Plan Change

29 November 2017

1.0 EXECUTIVE SUMMARY

- (1) Hamilton City Council (HCC) opposes Proposed Plan Change 2 to the Hamilton City Operative District Plan: Te Awa Lakes Private Plan Change (PPC2).
- (2) HCC's opposition to PPC2 is conditional on the matters which are set out in this submission remaining unsatisfactorily unresolved from HCC's perspective.
- (3) If the matters identified in this submission can be resolved to HCC's satisfaction, its position may become one of neutrality, or support. Until HCC confirms that the matters set out in this submission are resolved to its satisfaction, it remains opposed to PPC2.
- (4) Set out at Appendix B are specific changes HCC seeks in respect of the notified text of PPC2. These changes identify drafting and technical planning issues which HCC requires be addressed. HCC requires that if PPC2 is granted, as a bare minimum, these changes be incorporated. However, even if these changes are made, HCC does not support PPC2 unless the more fundamental matters set out in sections 4 through 10 are also addressed to HCC's satisfaction and reflected in appropriate amendments to the objectives, policies, rules and methods set out in PPC2.

2.0 INTRODUCTION

- 2.1. This submission and its appendices supplement the attached, completed submission form¹.
- 2.2. A glossary of abbreviations used in the Submission is included in Appendix A.

3.0 SCOPE OF SUBMISSION

- 3.1. HCC has an interest in PPC2 in its entirety.

¹ Clause 6 of First Schedule, RMA

4.0 OVERVIEW OF SUBMISSION

4.1. HCC is opposed to PPC2 because the information supporting the plan change, including the section 32 analysis fails to adequately address:

- (1) The effect of PPC2 on the strategic land use settlement pattern prescribed in the Waikato Regional Policy Statement (RPS);
- (2) The effect of PPC2 on the optimisation of land use activities and associated infrastructure within the Te Rapa North Industrial Zone;
- (3) The cumulative reverse sensitivity effects arising from PPC2 and how those effects on surrounding land uses can be adequately avoided, remedied or mitigated;
- (4) The assertion that the land which is the subject of PPC2 cannot be efficiently developed for industrial purposes;
- (5) That assertion that HCC has presided over a shortfall in housing supply;
- (6) The risks associated with the large linear lake within the plan change area and how those risks are managed in the context of the lake being classified as a large dam within the Building Act 2004; and
- (7) The feasibility of the large lake being “swimmable” and the long term operational requirements including implications on HCC.

5.0 STRATEGIC ISSUES

5.1. A district plan must give effect to any national policy statement and any regional policy statement².

5.2. Hamilton City has recently³ gone through a District Plan Review process that confirmed TALPC area for future industrial use. The Operative District Plan (ODP) section 32 analysis supported this use, and the use gives effect to the Waikato Regional Policy Statement (the RPS) which was also reviewed recently and became operative in 2016.

Regional Policy Statement

5.3. The provisions contained in the RPS, the way in which those provisions have been given effect to by HCC through its recent Operative District Plan, and the corresponding infrastructure investment to match the planned land use for the Te Rapa and Horotiu area have been the subject of collaborative and detailed planning processes for over a decade. While the potential to change land use is contemplated in the RPS, given the significance of the location, it is incumbent that sufficiently robust technical evidence be made available to support such a change in strategic land use.

5.4. The RPS aims to achieve planned and co-ordinated subdivision, land use and development and adopts the land use pattern set out in Future Proof's *Growth Strategy and Implementation Plan 2009*. Future Proof identified TALPC area as a strategic industrial node and so too, subsequently, did the RPS – see its Policies 6.13 and 6.14.

² s.67(3) of the RMA

³ Between 2010 and 2017

- 5.5. The RPS⁴ includes industrial land allocations and staging for Te Rapa North: up to 14ha of development between 2010 and 2021, a further 46ha of development between 2021 and 2041, and a further 25ha between 2041 and 2061. It clearly identifies that new industrial development should predominantly be in the strategic industrial nodes in Table 6-2 (section 6D) and in accordance with the indicative timings in that table, except where alternative land release and timing is demonstrated to meet the criteria in Method 6.14.3.

Fonterra

- 5.6. Fonterra has a nationally and regionally important strategic facility near TALPC area, namely, Te Rapa Dairy Manufacturing Site. The RPS⁵ and section 32 analysis for the ODP⁶ outline the importance of retaining opportunities for this site's continued use and its future intensification and expansion within its locality. Fonterra's plans for future development are unknown, therefore it is unknown whether PPC2 will compromise Fonterra's investment.

Departure from RPS and ODP

- 5.7. PPC2 departs from the land use settlement pattern provided for in the RPS and ODP. It proposes to provide for Medium Residential Density Zoning (approximately 80% of TALPC area), a Business Zone, and a Major Facilities Zone to provide for an adventure park and visitor accommodation. To the extent that PPC2 is inconsistent with and does not give effect to the RPS, HCC opposes PPC2.

National Policy Statement on Urban Development Capacity 2016

- 5.8. The *National Policy Statement on Urban Development Capacity 2016* (the NPS-UDC) has introduced new planning requirements which may require the land-use pattern prescribed in the RPS and the ODP to be amended.
- 5.9. The NPS-UDC came into effect on 1 December 2016. Its overarching purpose is to ensure that planning enables development through providing sufficient development capacity for housing and businesses over the next 10-30 years to meet demand for work and business places and dwellings⁷.
- 5.10. Areas administered by Hamilton City Council, Waikato District Council, Waipa District Council and WRC fall within the definition of a "high-growth urban area" in the NPS-UDC⁸. The NPS-UDC refers to these areas collectively as "the Hamilton High-Growth Urban Area".
- 5.11. For high-growth urban areas the NPS-UDC requires the local authorities to provide an additional margin of feasible development capacity over and above projected demand of at least 20% in the short and medium term, and 15% in the long term.⁹ Furthermore, these local authorities are required to consider all practicable options for providing sufficient, feasible development capacity and enabling development to meet demand.¹⁰
- 5.12. To meet these requirements, the NPS-UDC requires housing and business development capacity assessments to be completed for the high-growth urban areas.
- 5.13. Future proof is undertaking this work in relation to the Hamilton High-Growth Urban Area, but its capacity assessments will not be completed until early 2018.
- 5.14. Consequently, until then, it won't be known whether there is any existing or predicted future shortage or oversupply of housing or industrial development capacity.

⁴ See Table 6-2 (p.6-33).

⁵ See p.6-33.

⁶ See p.12-18 of

⁷ See Objective OA2 and Policy PA1 on p10 and p11 of NPS-UDC.

⁸ See p.7 of the NPS-UDC and *Summary of the National Policy Statement on Urban Development Capacity* (2016, p.2).

⁹ Policy PC1 of NPS-UDC (2016, p.13)

¹⁰ Policy PC4 of NPS-UDC (2016, p.14)

- 5.15. If necessary, the RPS will be required to be amended to give effect to the capacity assessments. It is unknown at this stage whether Te Rapa North will remain as a “strategic industrial node” and whether the release of industrial land to business, major facilities and predominantly a residential zone will be consistent with the NPS-UDC.
- 5.16. To the extent that PPC2 is inconsistent with the outcomes of the NPS-UDC, HCC opposes PPC2.

Infrastructure Provision

- 5.17. HCC’s LTP 2015-2025 and its 30 Year Infrastructure plan do not provide for infrastructure within TALPC area. It is therefore critical that provisions are included in PPC2 requiring the developer to ensure all infrastructure is put in place, should PPC2 proceed. Unless PPC2 makes express provision for the developer to ensure that all necessary infrastructure is in place, HCC opposes PPC2.

Summary of Strategic Issues

- 5.18. In summary, HCC’s submission seeks to ensure that:
- (1) A strategic industrial node is not lost to, or compromised by, residential development, unless this is consistent with the NPS-UDC and an amended RPS;
 - (2) A need for additional residential zoned land within the City is confirmed, before PPC2 is approved; and
 - (3) Appropriate provisions are included in PPC2 to ensure the developer provides the full cost of the infrastructure needed to service the development.
- 5.18 Unless and until PPC2 addresses these strategic issues, HCC opposes PPC2.

6.0 SECTION 32 ANALYSIS

- 6.1. Section 32 of the RMA requires a plan change to identify and be assessed in terms of benefits and costs, the opportunities for economic growth and employment, and the risk of acting or not acting.
- 6.2. PPC2 claims it is more economic to develop the site for residential use rather than for industrial use. However, no information is provided to justify this. Paragraph 2.12 of the s32 report records that the site, as a former sand quarry, has been left with significant constraints for industrial development. Those constraints include geotechnical issues, and the large remnant waterbodies. The s32 analysis contains insufficient analysis to justify these assertions and fails to adequately assess the status quo option in terms of costs and benefits.
- 6.3. HCC is not convinced that the benefits of PPC2 outweigh its costs and considers the following questions must be addressed to enable a full assessment of the proposal.
- (1) What are the costs, benefits and alternatives to the land use pattern set out in the RPS?
 - (2) The RPS identifies Te Rapa North and Horotiu as strategic industrial nodes.
 - (a) What is the effect of PPC2 on these Regionally Significant Industrial Areas?
 - (b) What are the potential agglomeration and co-location costs and benefits for the TAL site as industrial? While it is acknowledged that some attempt has been made by the applicant to address these issues, HCC remains of the view that further detail and investigation is required to satisfactorily assess these issues in conjunction with final NPS-UDC results.

- (3) Is the release of industrial land to business, major facilities and predominantly a residential zone consistent with the NPS-UDC?¹¹
- (4) The ODP identifies land for residential development in Rototuna, Ruakura, Rotokauri and Peacockes, along with infill development. Future Urban areas are also identified.
 - (a) How does the residential development not undermine these areas that have already been planned?
 - (b) Do these areas provide enough residential capacity to meet the demands as identified with the NPS-UDC?
- (5) The PPC2 area is a former quarry site with hazard areas. PPC2 states¹² a purpose of PPC2 is: *“To implement a more appropriate economic set of alternative uses for a site that has been found to have significant geotechnical and physical constraints”*. It also identifies¹³: *“... issues associated with the limitations of uses enabled by the existing zoning, the ample supply of industrial land, and the geotechnical and physical constraints on economic industrial development caused by the previous sand quarrying activities”*. What are the costs and benefits, in monetary terms, of developing the land for industrial use compared with those for developing it for residential purposes?
- (6) What alternative industrial uses could be developed on the site?
- (7) If industrial development were not achievable, what would be the costs and benefits of leaving the land undeveloped?
- (8) PPC2 states¹⁴: *“Small lightweight residential building footprints on raft foundations are better suited to situations where uncontrolled fill remains on site...”* What are the costs for residential development within TALPC area compared with the costs for such development within other future residential areas recognised within the ODP?
- (9) Compare for industrial and residential development of the TALPC area the risks and potential effects of liquefaction and the likely costs of managing those effects.
- (10) What are the effects, costs and benefits of a TAL hotel on the City’s visitor accommodation objectives, policies and overlay, the business hierarchy and particularly the Central City as reflected in the ODP?
- (11) The Neighbourhood Centre is of such a scale as to be a suburban centre in terms of the ODP Business Hierarchy. What are the costs and benefits of such a proposal?

7.0 GEOTECHNICAL ISSUES

7.1. The RMA requires, as a matter of national importance, recognition of, and provision for, the management of significant risks from natural hazards. HCC’s is not satisfied that PPC2 explains how the effects of multiple hazards, including their cumulative effects, will be managed, including managing the risks associated with:

- (1) The large dams that will be formed on the site; and

¹¹ This will depend on the findings of the NPS-UDC Capacity Report, which is due to be completed in December 2017.

¹² S.1.3.1, p.6

¹³ S.2.4.1, p.25

¹⁴ S2.1.2, third bullet point, p.12

- (2) Liquefaction, and including its implications for development, development density and foundation design.

8.0 MANAGEMENT OF STORMWATER AND FRESHWATER QUALITY

- 8.1. It has been identified that, without further treatment, the recreational lake will not achieve the objective of being swimmable. NIWA (2017) has assessed the trophic state of the recreational lake to be formed within TALPC area. NIWA (pp.7-9) concluded the lake would likely be eutrophic without significant reductions in phosphorus (principally) and/or nitrogen. The degree of reduction depends upon the desired attribute state of the lake. NIWA (p.11) also estimated a 94% reduction of suspended solids would be necessary to achieve the average clarity of 1.6m required for bathing, and 75% reduction in E-coli to achieve a B grade lake (suitable for contact recreation).
- 8.2. NIWA concluded the recreational lake is likely to experience algal blooms and that toxic cyanobacterial blooms may also occur (p.9). The NIWA report infers that the planned wetlands will not be sufficient to meet the water quality targets.
- 8.3. NIWA recommended the lakes should be managed through on-going monitoring and undertaking rapid mitigation actions. Treatment options NIWA discussed include the following (p.10):
 - (1) The addition of alum or Aqual-P™ (an aluminised zeolite) by continuous dosing to reduce availability of phosphorus by locking it in the sediment;
 - (2) Aeration (p.6);
 - (3) Applications of polyacrylamide to settle sediment and reduce turbidity; and
 - (4) Minimising internal sediment sources from bank erosion and wind-driven re-suspension of bed sediments.
- 8.4. NIWA also identified: “Construction of wetlands of sufficient size and appropriate design will help to attenuate nutrient inputs, in particular nitrogen”. However, NIWA did not identify what would constitute “sufficient size” or “appropriate design”. Nor did it identify whether such wetlands could be accommodated within the area proposed for them in PPC2, or whether a larger area would be needed. The wetland design requirements need to be clarified.
- 8.5. NIWA states it did not assess maintenance of water quality in the Adventure Lake, because that lake “receives all its water from roof supply” (2017, p.11). However, elsewhere in its report (p.8), NIWA acknowledged that it did not know to what extent summer drawdown of the main linear lake would occur to maintain water levels in the Adventure Lake. NIWA recommended the use of treated groundwater (filtered and UV-sterilised) be considered for use as top-up water for the Adventure lake, rather than by transferring water from the Recreational Lake (that is, the main linear lake).
- 8.6. It is unclear whether this proposal to use groundwater for topping up the Adventure Lake has considered the “legacy load of nutrients” in the groundwater (p.9). A workable proposal for maintaining water levels and water quality in the Adventure Lake needs to be confirmed.
- 8.7. PPC2 and its supporting documents include no estimate of the likely on-going costs involved in maintaining the lakes as swimmable.
- 8.8. Similarly, the documents are silent on the matter of who will bear the responsibility for monitoring water quality in the lakes and undertaking whatever measures are necessary to ensure the lakes remain swimmable. It is unreasonable and unacceptable to expect HCC to shoulder this responsibility. Hamilton City rate payers should not be expected to pick up the cost of maintaining the lakes in a swimmable state.

- 8.9. Te Awa Lakes is being marketed as having swimmable lakes¹⁵. It would be unreasonable and unfair to potential purchasers of Te Awa Lakes residential properties, if PPC2 were approved without an appropriate mechanism for ensuring the lakes could be maintained in a swimmable state.
- 8.10. An enduring legal entity, other than HCC, needs to be established to own and maintain the lakes in perpetuity. HCC seeks for this to be a requirement of PPC2.
- 8.11. While HCC recognises the objective of making the main linear lake swimmable is consistent with the Vision and Strategy for the Waikato River, it is not appropriate that this burden be placed on HCC ratepayers.
- 8.12. HCC is not willing to accept vesting in Council ownership of roads, open space areas and stormwater treatment wetland areas, when those publicly owned areas would discharge to a privately-owned water body. The water within, and discharged from, the stormwater treatment wetlands may not, itself, be of a swimmable standard. HCC foresees the potential for on-going disputes with the private owner of the linear lake about the quality of discharges to the lake from the public areas.
- 8.13. HCC's general practice is to avoid creating situations where stormwater from the public domain (publicly owned roads and open space, for example) is discharged into privately owned stormwater treatment devices or water bodies. Such situations, if allowed to occur, expose HCC to the risk of a device's or water body's private owner claiming that he or she is unable to achieve required water quality for the treatment device discharge or water body, because of the quality of the stormwater these features receive from the public domain. Water from the public domain could also affect the Adventure Lake, if this lake were topped up with water from the Main Linear Lake¹⁶.
- 8.14. This issue would be avoided, if stormwater from the public domain were discharged directly to the Waikato River, and not via a privately-owned lake or stormwater treatment device. This could be engineered, but may not be appropriate, because the proposed lake will rely on the regular recharge and flushing that occurs from catchment drainage.
- 8.15. In summary, HCC will not accept responsibility for, and the associated risks of, maintaining the lakes in a swimmable state. Nor will it accept the situation where stormwater from areas it manages is discharged to a private stormwater treatment device or lake.
- 8.16. PPC2 lacks sufficiently robust technical evidence to support the feasibility of swimmable water bodies within the PPC2 area. Unless and until that sufficiently robust technical evidence establishes its feasibility to HCC's satisfaction, and ownership and maintenance issues are resolved to HCC's satisfaction, HCC is opposed to this element of PPC2.
- 8.17. While not supporting this element of PPC2 until these requirements are met, HCC has identified within Appendix B amendments to PPC2 it seeks, if the proposal to form swimmable lakes at the site were to proceed.

9.0 WASTEWATER ISSUES

- 9.1. The plan change process does not address issues regarding the ownership and type of wastewater system to be provided. Assessments and modelling have been completed assuming a gravity system, however HCC understands the Perry Group prefers to service the PPC2 area using a low-pressure wastewater system. HCC has yet to adopt a policy on the extensive use of such systems within Hamilton City. Such a policy would confirm circumstances under which a low-pressure wastewater

¹⁵ See under the heading "Will there be actual lakes" at: <http://teawalakes.co.nz/simon-perry-development/>

¹⁶ See paragraph 8.5 above.

system would be acceptable and identify, for example, which parts of that network would be privately owned and which would be owned and managed by HCC. These remain outstanding issues to be resolved through a separate process.

10.0 SPECIAL HOUSING AREA

10.1. Perry Group Limited has also applied for a Special Housing Areas (SHA) that includes residential development within the Major Facilities Zone that is not provided for in PPC2. The mapped residential areas in PPC2 do not align with those identified in the SHA application. That misalignment is required to be addressed either through adjustment to the SHA or to PPC2.

11.0 ADDITIONAL DETAILED SUBMISSION POINTS

11.1. In addition to the matters raised above, which HCC seeks to be resolved, HCC also seeks:

- (1) The detailed relief, including changes to District Plan provisions, set out in Appendices B and C; and
- (2) Any other similar, alternative or consequential relief which will address the reasons for the submission outlined in this submission.

11.2. Wherever this submission indicates support for PPC2 or any of its provisions, that support is on the basis that all the strategic matters identified above are resolved to HCC's satisfaction.

11.3. In Appendices B and C, changes to the ODP included in PPC2 are shown in black as follows:

- Additions: underlined; and
- Deletions: ~~strikethrough~~.

11.4. The changes sought by this submission are presented in red in Appendix B and C as follows:

- Additions: underlined; and
- Deletions: ~~strikethrough~~
- Additions in PPC2 that HCC seeks to be deleted: ~~underlined and strikethrough~~.

12.0 FURTHER INFORMATION

12.1. Should HCC wish to discuss the points raised by HCC, please contact Paul Ryan (Principal Planner, Economic Growth and Planning) on 07 838 6478, or email Paul.Ryan@hcc.govt.nz, in the first instance.

13.0 RELIEF SOUGHT

13.1 HCC opposes PPC2 and seeks that it be declined in the form as notified.

13.2 Despite this opposition HCC remains committed to working with the proponent of PPC2 to resolve the matters set out in this submission.

13.3 If these matters can be satisfactorily resolved, and the objectives, policies, rules and methods of PPC2 amended to HCC's satisfaction, satisfaction, so that they satisfy all aspects of the s32 requirements, HCC may move from a position of opposition to a position of neutrality or support.

13.4 In addition to the resolution of the matters set out in this submission, HCC also seeks the amendments to PPC2 as set out in Appendices B and C.



Richard Briggs
CHIEF EXECUTIVE

Appendices

Appendix A: Glossary of Abbreviations Used in this Submission

Appendix B: Detailed Submission Points

Appendix C: Amendments Sought to Assessment Criteria Appendix 1.3.3 N

Appendix D: References

APPENDIX A: GLOSSARY OF ABBREVIATIONS USED IN THIS SUBMISSION

GFA	Gross Floor Area
HCC	Hamilton City Council
NPS-UDC	<i>National Policy Statement on Urban Development Capacity 2016</i>
ODP	<i>Hamilton City Operative District Plan (22 September 2017)</i>
RMA	<i>Resource Management Act 1991</i>
RPS	<i>Waikato Regional Policy Statement (2016)</i>
s	Section of a statute (such as the RMA), or section of the PPC2, or section of this submission
TAL	Te Awa Lakes
TALPC	Te Awa Lakes Plan Change
WRC	Waikato Regional Council

APPENDIX B: DETAILED SUBMISSION POINTS

Provision	Support/Oppose	Submission	Decision sought
Chapter 3.8 Te Awa Lakes			
Objective 3.8.1.1	Oppose in part	The objective is to develop a tourist and recreational attraction, not merely to enable its development. For the City and region to realise the benefits of such an attraction, it must be established.	Amend as follows: Enable <u>Development of a tourist and recreational attraction in a regionally strategic location.</u>
	Support policy set with amendment	HCC would wish for the attraction to be established earlier, rather than later, in the development of TAL Structure Plan Area. A staging rule which would require development of the attraction is a way to achieve the objective.	Add the following new policy: <u>3.8.1.1d</u> <u>Staging and sequencing will ensure the tourist and recreational attraction is established.</u>
Objective 3.8.1.3	Oppose	The meaning of the objective is unclear. To what does “additional” refer, and what does “in a timely manner” mean? The objective could never be achieved, because it would always require provision of more residential capacity and for this to be done in a timely manner.	Delete Objective 3.8.1.3
Policy 3.8.1.3a	Oppose	The meanings of “short timeframe” and “Hamiltons short term housing needs” are unclear. Also, policies regarding efficient use of infrastructure already exist in the ODP, so do not need to be repeated. Relevant policies include, for example: 3.3.2a, 3.3.2b, 3.3.2c, 3.3.2d, 3.3.4, 3.3.4f, 25.13.2.3, 25.14.2.1, 25.14.2.1b.	Delete Policy 3.8.1.3a
Policy 3.8.1.3b	Support in part	This policy has merit, but should be included as a policy under Objective 3.8.1.2.	Amend as follows: 3.8.1.3b2e <u>Provide a range of housing choices to support a diverse and active community.</u>
3.8.1 Objectives and Polices	Support policy set with amendment	TAL is being marketed as having swimmable lakes. It would be unreasonable and unfair to potential purchasers of TAL residential properties, if PPC2 were approved without appropriate mechanisms for ensuring the lakes could be maintained in a swimmable state.	Add a new objective as follows: <u>3.8.1.3</u> <u>The lakes within Te Awa Lakes Structure Plan area will be maintained to a swimmable standard.</u>
			Add a new policy as follows: <u>3.8.1.3a</u> <u>Require preparation and implementation of Management Plans for the Main Linear Lake and the lakes within the Major Facilities Zone.</u>

Provision	Support/Oppose	Submission	Decision sought
		<p>It would also be unreasonable and unfair to the first TAL residents, if establishment of the swimmable Main Linear Lake were delayed. It needs to be established and ready for use as a swimmable lake before the first TAL resident occupies the site. The availability of a swimmable Main Linear Lake will help ensure TAL is a quality urban residential environment.</p>	<p>Add a new policy as follows: <u>3.8.1.2f</u> <u>Staging and sequencing will ensure all residents of Te Awa Lakes Structure Plan area will always have access to the Main Linear Lake.</u></p>
		<p>A rule is required that will elevate the activity status to “discretionary” if the staging rules are not met, and these need to have applicable assessment criteria.</p>	<p>Add a new rule as follows: <u>3.8.5.5 Staging Activity Status</u> <u>a) Any application for resource consent not in accordance with Rules 3.8.5.2 and 3.8.5.3 is a discretionary activity.</u> <u>b) The Council’s discretion shall include, but not be limited to, the following assessment criteria:</u> <u>i. Consistency with the Industrial Land Allocation or alternative land release criteria specified in any operative or proposed Regional Policy Statement, including any approved alternative land release provided for.</u> <u>ii. Mitigation works to ensure development does not result in long term adverse effects on the efficiency, safety and functioning of the transport network or three waters infrastructure.</u> <u>iii. The timing of any other planned local infrastructure network upgrades that would contribute to offsetting the effects of the development.</u> <u>iv. The ITA matters for discretion set out in Appendix 1.3.3N Ruakura and Te Awa Lakes¹⁷</u> <u>v. Where the boundaries of a Land Development Plan Area in an application for Land Development Consent differ from those shown on Figure 2-20, the extent of the Land Development Plan Area shall be developed in an integrated manner. This shall include the provision for and connectivity to infrastructure, and ensure that key transport infrastructure such as the Collector Roads are developed in a manner that provides at least the same</u></p>

¹⁷ See Appendix C

Provision	Support/Oppose	Submission	Decision sought
			<p><i>levels of efficiency, effectiveness and safety anticipated through a land development consent in accordance with Figure 2-20. Where an application includes part of a Land Development Plan Area in Figure 2-20 it shall be demonstrated that granting consent to that part will not prevent the integrated development of the balance of that Area.</i></p> <p>Add a new assessment criterion N12 b to Appendix 1.3.3 N – see Appendix C.</p>
3.8.2.2 Adventure Park Visitor Accommodation	Support in part	Amend to provide consistency throughout PPC2	Amend to read: The Adventure Park Visitor Accommodation precinct-Overlay is also located
3.8.2.3 Mixed Use	Oppose in part	It is not clear what is meant by the second paragraph, which includes: “ <i>Vehicular traffic will be encouraged to utilise the existing service centre and the mixed use block will serve the Te Awa Lakes community’s needs</i> ”. Both visitors and TAL residents would use vehicles to access this area. In addition, it is not clear how the stated encouragement will be achieved. Furthermore, it is likely that TAL residents will wish to access the existing service centre to refuel their vehicles.	Clarify the meaning of this section.
Chapter 4 – Residential Zones			
4.5.6e) Land Development Plan Rules in Te Awa lakes Medium Residential Density Zone	Support in part	Reword to clearly identify when non-notification doesn’t occur rather than rely on sections of the RMA which has recently changed.	Amend as follows: <i>e) Except as provided for by sections 95A(2), 95C and 95B(2) to (4) of the Act applications for any Restricted Discretionary Activity identified with an asterisk (*) in the relevant zone chapter shall be considered without notification or the need to obtain approval from affected persons. Applications for any restricted discretionary activity identified with an asterisk (*) in the relevant zone chapter shall be processed without notification or the need to obtain approval from affected persons.</i>
4.6.2b) Table	Support in part	It is not clear to what “Residential Unit total ” refers. In needs to be amended to ensure clarity and certainty.	Amend the table title as follows: <i>b) Land Development Plan applications in Land Development Plan Areas (see Figure 2-20, Appendix 2), for the Te Awa Lakes</i>

Provision	Support/Oppose	Submission	Decision sought						
			<i>Medium Density Residential Zone shall demonstrate that the yield for each Land Development Plan Area achieves within 10% of the residential unit total yield identified below.</i>						
		Amend to provided consistency throughout the private plan change	Amend the heading of the left-hand column as follows: <i>Land Development Plan Areas on Figure 2-212-20</i>						
4.8.7 River Interface Overlay in Te Awa Lakes Medium Density Residential Zone	Support in part	Amend to make it clear which general rules in 4.8 do not apply to this overlay	Add the following: d) <u>The following rules do not apply to this overlay: 4.8.2, 4.8.3, 4.8.4, 4.8.5 and 4.8.6.</u>						
4.11a) Restricted Discretionary Activities: Matters of Discretion	Support in part	<p>The assessment criteria proposed in PPC2 at 4.11 a) xviii are inappropriate for TAL. Specific Assessment Criteria are needed for Land Development Plans.</p> <p>For efficiency, it is submitted that Appendix 1.3.3 N Ruakura be used for TAL subject to amendment where necessary to cater for TAL as well as Ruakura. See Appendix C.</p> <p>Provide assessment criteria for Duplex Dwellings and Papakainga as these are provided for as activities</p>	<p>Amend 4.11a) to read:</p> <table border="1"> <tbody> <tr> <td><i>xviii. Land Development Activities</i></td> <td> <ul style="list-style-type: none"> • B – Design and layout • C – Character and Amenity • G – Transportation • I – Network Utilities and Transmission • J – Three Waters Capacity and Techniques • <i>N - Ruakura and Te Awa Lakes</i> </td> </tr> <tr> <td><i>xix. Duplex dwellings (other than provided for in 4.5.4b) above) and apartments*</i></td> <td> <ul style="list-style-type: none"> • <i>B – Design and Layout</i> • <i>N – Ruakura and Te Awa Lakes</i> </td> </tr> <tr> <td><i>xx. Papakainga*</i></td> <td> <ul style="list-style-type: none"> • <i>B- Design and Layout</i> • <i>N- Ruakura and Te Awa Lakes</i> </td> </tr> </tbody> </table> <p>See Appendix C attached for amendments sought to Volume 2 – Appendix 1.3.3.N – Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria</p>	<i>xviii. Land Development Activities</i>	<ul style="list-style-type: none"> • B – Design and layout • C – Character and Amenity • G – Transportation • I – Network Utilities and Transmission • J – Three Waters Capacity and Techniques • <i>N - Ruakura and Te Awa Lakes</i> 	<i>xix. Duplex dwellings (other than provided for in 4.5.4b) above) and apartments*</i>	<ul style="list-style-type: none"> • <i>B – Design and Layout</i> • <i>N – Ruakura and Te Awa Lakes</i> 	<i>xx. Papakainga*</i>	<ul style="list-style-type: none"> • <i>B- Design and Layout</i> • <i>N- Ruakura and Te Awa Lakes</i>
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Provision	Support/Oppose	Submission	Decision sought												
Chapter 6 – Business Zone															
6.3 u) ii. Activity Status Table	Oppose in part		Amend as follows: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th></th> <th>Character (for information only)</th> </tr> <tr> <th>Neighbourhood Centre</th> <td></td> </tr> </thead> <tbody> <tr> <td><i>Business Zone</i></td> <td>6</td> </tr> <tr> <td>u) Retail</td> <td>...</td> </tr> <tr> <td>ii. 150m² – 399m² GFA per tenancy Except for Lot 1 DPS 86312, Lot 1 DPS 1751 and Pt Lot 8 DP1233 <u>And</u> <u>Except for Te Awa Lakes Business Zone....</u></td> <td>D NC</td> </tr> </tbody> </table>		Character (for information only)	Neighbourhood Centre		<i>Business Zone</i>	6	u) Retail	ii. 150m ² – 399m ² GFA per tenancy Except for Lot 1 DPS 86312, Lot 1 DPS 1751 and Pt Lot 8 DP1233 <u>And</u> <u>Except for Te Awa Lakes Business Zone....</u>	D NC		
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6.3v) Activity Status Table	Oppose in part	HCC seeks a maximum of 1,500m ² of retail, rather than the 2,500m ² proposed. HCC considers the lesser area, including existing buildings, is sufficient to provide for TAL residents and the potential profile of the area as a regional recreation destination. Restaurants, cafes and licensed premises (Activity Category “ff”), and food and beverage outlets (Activity Category “gg”) with GFA less than 200m ² are permitted activities in Business 6 Zones. These need to be included in the calculation of the total retail floorspace for this rule. If this were not done, there would be a risk the neighbourhood centre would fill up with these activities.	Amend as follows: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th></th> <th>Character (for information only)</th> </tr> <tr> <th>Neighbourhood Centre</th> <td></td> </tr> </thead> <tbody> <tr> <td><i>Business Zone</i></td> <td>6</td> </tr> <tr> <td>v) Total retail floorspace in categories t), u) i. – iv. and bb) to dd)</td> <td>....</td> </tr> <tr> <td>iii. <u>Up to 2,500m²-1,500m² GFA on land in the Te Awa Lakes Business 6 Zone (inclusive of existing buildings as at 1 November 2017 and categories ff and gg)</u></td> <td><u>P</u></td> </tr> <tr> <td>iv. > 2,500m² GFA, on land in the Te Awa Lakes Business 6 Zone</td> <td>D</td> </tr> </tbody> </table>		Character (for information only)	Neighbourhood Centre		<i>Business Zone</i>	6	v) Total retail floorspace in categories t), u) i. – iv. and bb) to dd)	iii. <u>Up to 2,500m²-1,500m² GFA on land in the Te Awa Lakes Business 6 Zone (inclusive of existing buildings as at 1 November 2017 and categories ff and gg)</u>	<u>P</u>	iv. > 2,500m² GFA, on land in the Te Awa Lakes Business 6 Zone	D
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iv. > 2,500m² GFA, on land in the Te Awa Lakes Business 6 Zone	D														
6.3 ii) iii. Activity	Oppose in part	Add to ii) iii to identify that drive-through services	Amend as follows:												

Provision	Support/Oppose	Submission	Decision sought						
Table Status		are a permitted activity for those activities that are existing in the Te Awa Lakes Business Zone iii. <i>In the Te Awa Lakes Business 6 Zone (existing as at 1 November 2017)....</i>						
6.6a) Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria	Support in part	Add to provide assessment criteria for Commercial Places of Assembly for the Te Awa Lakes Business 6 Zone	Add the following: <table border="1" style="margin-left: 20px;"> <tr> <td style="padding: 2px;"><i>xv. Commercial Places of Assembly</i></td> <td style="padding: 2px;"> <ul style="list-style-type: none"> • <i>B - Design and Layout</i> • <i>C - Character and Amenity</i> </td> </tr> </table>	<i>xv. Commercial Places of Assembly</i>	<ul style="list-style-type: none"> • <i>B - Design and Layout</i> • <i>C - Character and Amenity</i> 				
<i>xv. Commercial Places of Assembly</i>	<ul style="list-style-type: none"> • <i>B - Design and Layout</i> • <i>C - Character and Amenity</i> 								
Chapter 12 Te Rapa North Industrial Zone									
12.3.1a Te Rapa North	Support in part	Amend to provide consistency throughout PPC2.	Amend as follows: <i>The Te Rapa North Industrial Zone includes a is divided into two Concept Development Consent (CDC) areas; Stage 1A and Stage 1B (see Volume 2, Appendix 17, Features Maps s 1B, 2B and 6B).“</i>						
12.3.1b Te Rapa North	Support in part	Amend to provide consistency throughout PPC2.	Amend as follows: <i>Unless otherwise stated, a CDC for the entire CDC area as identified on Planning Maps 1B, 2B and 6B</i>						
12.6.1b)ii) and c)i) Te Rapa North Land Release Staging	Support in part	Amend to provide consistency throughout PPC2.	Amend 12.6.1 b) ii as follows: ii) <i>A maximum total of 630ha equally divided between Stages 1A and 1B (being a total of 30ha per stage) inclusive of the 7ha per stage provided for in 12.6.1eb)i) above.</i> Amend 12.6.1 c) i) as follows: i) <i>A maximum of 2346ha equally divided between in Stages 1A and 1B (being a total of 23ha per stage), in addition to the 7ha per stage provided for in 12.6.1eb)i) above.</i>						
Chapter 17 Major Facilities Zone									
Volume 2, Appendix 1.3.2 Controlled Activities – Matters of Control	Oppose in part	The three types of motorised activities (recreation, vehicle and water) could generate significant noise effects on other activities and sites. These effects need to be assessed and managed.	Amend as follows: <table border="1" style="margin-left: 20px;"> <tr> <th style="text-align: center;">K.</th> <th style="text-align: center;">Knowledge Zone and Major Facilities Zone</th> </tr> <tr> <td style="text-align: center;">....</td> <td style="text-align: center;">....</td> </tr> <tr> <td style="text-align: center;"><i>K17</i></td> <td style="text-align: center;"><i>The extent to which the noise effects of activities are avoided, remedied or mitigated, including through:</i></td> </tr> </table>	K.	Knowledge Zone and Major Facilities Zone	<i>K17</i>	<i>The extent to which the noise effects of activities are avoided, remedied or mitigated, including through:</i>
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<i>K17</i>	<i>The extent to which the noise effects of activities are avoided, remedied or mitigated, including through:</i>								

Provision	Support/Oppose	Submission	Decision sought		
			<ul style="list-style-type: none"> • <u>Management practices</u> • <u>Site layout (location and orientation)</u> • <u>Design of buildings and screening</u> • <u>Hours of operation</u> • <u>Lower noise producing equipment and methods have been investigated and incorporated.</u> 		
17.8a) Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria	Support in part	Amend to provide consistency throughout the private plan change.	Add the following: <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>v. Visitor Accommodation where any part of the building is within the Visitor Accommodation Overlay</u> </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> • <u>B - Design and Layout</u> • <u>C - Character and Amenity</u> </td> </tr> </table>	<u>v. Visitor Accommodation where any part of the building is within the Visitor Accommodation Overlay</u>	<ul style="list-style-type: none"> • <u>B - Design and Layout</u> • <u>C - Character and Amenity</u>
<u>v. Visitor Accommodation where any part of the building is within the Visitor Accommodation Overlay</u>	<ul style="list-style-type: none"> • <u>B - Design and Layout</u> • <u>C - Character and Amenity</u> 				
Chapter 23 Subdivision					
23.7.1 Allotment Size and Shape	Support in part	Amend to provide consistency throughout the private plan change.	Renumber the paragraphs currently numbered from “y)” to “bb)” so that they will be numbered from “z)” to “cc)”. In the currently numbered 23.7.1aa change “23.7.1y)” to “23.7.1z)”. In the table, change all references to “23.7.1(z)” to be references to “23.7.1(aa)”. Make any other amendments required to provide consistency.		
23.7.7	Support in part	Amend to ensure good urban design is provided for single dwellings.	Amend heading as follows: <i>Ruakura <u>and Te Awa Lakes</u> Medium Density Residential Zone</i>		
Chapter 25.8 Noise					
25.8.3.7d)	Support in part	Amend to provide consistency throughout PPC2	Amend the table heading to read: “ <i>Limit L_{Aeq} [15 min]</i> ”		
25.8.3.7(d)	Support in part	As recommended in Malcolm Hunt’s acoustic review, the existing insulation standard included under Rule	Amend as follows:		

Provision	Support/Oppose	Submission	Decision sought																
		<p>25.8.3.10 is sufficient, and the alternative standards proposed in PPC2 are not required.</p> <p>In addition, the insulation standards from 25.8.3.7d don't align with 25.8.3.10.</p>	<p><i>Activities in the Te Awa Lakes Business 6 Zone shall not exceed the following levels within any other <u>Te Awa Lakes</u> Business 6 zoned site:</i></p> <p>....</p> <p><i>In situations where common building elements such as floors and walls connect two units under different ownership in Te Awa Lakes Business Zones, the noise (rating) level arising from any activity measured in any unit under different ownership or occupancy must not exceed the following levels:</i></p> <table border="1" data-bbox="1319 630 2096 1152"> <thead> <tr> <th data-bbox="1319 630 1525 719"><u>Unit Affected</u></th> <th data-bbox="1525 630 1695 719"><u>Rooms</u></th> <th data-bbox="1695 630 1865 719"><u>0700 — 2300 hours</u></th> <th data-bbox="1865 630 2096 719"><u>2300-0700 hours</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1319 719 1525 863"><i>In all units except those containing activities sensitive to noise</i></td> <td data-bbox="1525 719 1695 863"><i>All Rooms</i></td> <td data-bbox="1695 719 1865 863"><i>50 dB LAeq</i></td> <td data-bbox="1865 719 2096 863"><i>50 dB LAeq</i></td> </tr> <tr> <td data-bbox="1319 863 1525 1007"><i>In units containing noise sensitive activities</i></td> <td data-bbox="1525 863 1695 1007"><i>Bedrooms</i></td> <td data-bbox="1695 863 1865 1007"><i>40 dB LAeq</i></td> <td data-bbox="1865 863 2096 1007"><i>35 dB LAeq 45 dB at 63 Hz Leq 40 dB at 125 Hz Leq</i></td> </tr> <tr> <td data-bbox="1319 1007 1525 1152"><i>In units containing noise sensitive activities</i></td> <td data-bbox="1525 1007 1695 1152"><i>All other habitable rooms</i></td> <td data-bbox="1695 1007 1865 1152"><i>40 dB LAeq</i></td> <td data-bbox="1865 1007 2096 1152"><i>40 dB LAeq</i></td> </tr> </tbody> </table> <ul data-bbox="1332 1212 2096 1468" style="list-style-type: none"> <i>The 63Hz and 125Hz octave band limits shall not apply to fixed mechanical plant.</i> <i>Adjustments for noise containing Special Audible Characteristics in accordance with New Zealand Standards NZS 6802:2008 "Acoustics – Environmental Noise" will only apply to A-weighted levels.</i> <i>A noise sensitive space means any indoor space within a unit,</i> 	<u>Unit Affected</u>	<u>Rooms</u>	<u>0700 — 2300 hours</u>	<u>2300-0700 hours</u>	<i>In all units except those containing activities sensitive to noise</i>	<i>All Rooms</i>	<i>50 dB LAeq</i>	<i>50 dB LAeq</i>	<i>In units containing noise sensitive activities</i>	<i>Bedrooms</i>	<i>40 dB LAeq</i>	<i>35 dB LAeq 45 dB at 63 Hz Leq 40 dB at 125 Hz Leq</i>	<i>In units containing noise sensitive activities</i>	<i>All other habitable rooms</i>	<i>40 dB LAeq</i>	<i>40 dB LAeq</i>
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<i>In units containing noise sensitive activities</i>	<i>All other habitable rooms</i>	<i>40 dB LAeq</i>	<i>40 dB LAeq</i>																

Provision	Support/Oppose	Submission	Decision sought
			<p>sensitive to noise excluding any bathroom, water closet, laundry, pantry, walk in wardrobe, corridor, hallway, lobby, stairwell, clothes drying area, kitchens not part of a dwelling, garage or other space of a specialised nature occupied neither frequently nor for extended periods.</p> <ul style="list-style-type: none"> • A unit means a defined part of a building under different ownership, including apartments and separate leased areas within a building. • These minimum sound insulation performance standards apply in addition to the requirements of the NZ Building Code G6.
25.8.3.9 a) viii Noise Performance Standards for Activities in the Major Facilities Zone ...	Oppose in part	<p>Reference to “any other site” is unclear.</p> <p>Reference to “noise (rating) level” is inconsistent with the rest of chapter 25.8.</p> <p>To be consistent with the rest of chapter 25.8, the noise level limit should be expressed in terms of $L_{Aeq [15 min]}$”</p>	<p>Amend as follows:</p> <p><u>The noise (rating) level from any other site Activities on any site within Te Awa Lakes Major Facilities Zone must not exceed $L_{Aeq[15min]}$ 65 dB L_{Aeq} at any point within the boundary of the any other site within Te Awa Lakes Major Facilities Zone.</u></p>
Chapter 25.10 Signage			
25.10.5.4 f) iii	Support in part	Amend to provide for signage not facing the residential zone and provide signage on buildings where they are directed primarily at patrons.	<p>Amend as follows:</p> <p><u>Signs shall not exceed 6m² on any building facing and visible from the Te Awa Lakes Medium Density Residential Zone. Signs must be directed primarily at patrons on the site.</u></p>
25.10.5.4 f) ii	Oppose in part	This rule duplicates Rule 25.10.4 a, so is unnecessary.	Delete Rule 25.10.5.4 f) ii.
Geotechnical Issues			
The entire PPC2	Oppose in part	<p>Large dams</p> <p>Establishing the proposed main linear lake approximately parallel to the Waikato River will require the existing stream outlet to be properly</p>	Ensure the zoning, its associated rules and other plan requirements will not allow any activities on any areas of the land between the main linear lake and the Waikato River where the formation of this lake would elevate above acceptable levels the risks to people undertaking those activities on

Provision	Support/Oppose	Submission	Decision sought
		<p>dammed. This dam will meet the Building Act’s definition of a “large dam”¹⁸. Furthermore, forming the lake means the existing ground between it and the Waikato River will also act as a “dam”.</p> <p><i>Risk of Piping failure</i> There is a risk of piping failure, particularly at the southern end of the site where the width of in-situ ground between the proposed lake and the Waikato River is smaller. The risk to any development on land between the lake and the Waikato River needs to be understood at the time of authorising the plan change.</p> <p>A piping failure could involve a sudden and catastrophic collapse and erosion of one or more sections of land between the lake and the river. Such a failure could result from seepage through the soil strata from the lake towards the river, which is at a lower level. Such seepage could erode materials from the ground strata through which it flows and form a “pipe” through the strata. Such a pipe may attract increasing volumes of water moving at increasing velocities, which erode increasing volumes of material from the surrounding strata. Eventually the pipe may become so large that it undermines the overlying strata and results in its collapse and possibly a breach in the “dam” wall. Any development, including any houses, on the collapsed section of riverbank would be destroyed and washed away, and the Waikato River would be damaged by the deposition of material into it.</p> <p>At present, the risks of a piping failure on the site is not fully understood.</p>	<p>that land.</p>

¹⁸ “Large dam means a dam that has a height of 4 or more metres and holds 20 000 or more cubic metres volume of water or other fluid”.

Provision	Support/Oppose	Submission	Decision sought
		<p>Earthquake risk</p> <p>Because of the TALPC area’s past use as a sand quarry, it is a very modified site with multiple geotechnical risks and challenges. Before the site is developed, detailed investigations and assessment modelling will be required to fully understand the ground and ground water conditions. The developer will need to employ a significant amount of foundation design effort, regardless of whether the intended end use is industrial or residential.</p> <p>While it will be appropriate and acceptable to defer much of this further investigation until the consenting stage, HCC considers that further assessment is required of the risk of soil foundations being damaged during earthquakes.</p> <p>It is noted that lateral spreading can occur when soil strength and stiffness degrades sufficiently due to cyclic softening during an earthquake and not necessarily due to full liquefaction.</p>	<p>Prior to deciding whether to approve PPC2, require further information to be provided regarding:</p> <ol style="list-style-type: none"> (1) The potential for cyclic softening of the soils; (2) The assessed slope stability under SLS (Serviceability Limit State) and ULS (Ultimate Limit State) conditions accounting for cyclic softening; and (3) The implications of this information for the need to include any additional provisions in the District Plan to manage these natural hazards.
Planning Maps 1B and 2B	Oppose in Part	<p>From information provided by CMW Geosciences, it appears they may be unaware of the existence of the Waikato River and Gully Hazard Area and the Waikato River Bank Stability Area on TALPC area. These areas are shown on Maps 1B and 2B in Schedule One of PPC2.</p>	<p>Prior to deciding whether to approve PPC2, require further information to be provided regarding:</p> <ol style="list-style-type: none"> (1) The implications of the Waikato River and Gully Hazard Area and the Waikato River Bank Stability Area for PPC2.
Management of Freshwater Quality			
3.8.2.1	Oppose in part	<p>As discussed in paragraph 8.8 above, Hamilton City rate payers should not be expected to pick up the cost of maintaining the lakes in a swimmable state.</p>	<p>Amend 3.8.2.1 by adding the following:</p> <p><i><u>The cable ski lake and adjoining aqua park will be privately owned.</u></i></p>
3.8.2.7	Oppose in part	<p>As discussed in paragraphs 8.8 through 8.10 above, an enduring legal entity, other than HCC, needs to be established to own and maintain the lakes in a swimmable state in perpetuity.</p>	<p>Amend 3.8.2.7 by adding the following:</p> <p><i><u>The main linear lake will be privately owned, but accessible to the public. Its owner will be responsible for its maintenance, including maintenance of its water quality in a state suitable for swimming.</u></i></p>

Provision	Support/Oppose	Submission	Decision sought
<p>4.5.6: Land Development Plan Rules in Te Awa Lakes Medium Density Residential Zone</p>	<p>Support in part</p>	<p>The proposed main linear lake lies within the Te Awa Lakes Medium Density Residential Zone – see proposed amended Planning Map 1A. Proposed Figure 2-20 in Appendix 2 distinguishes between “Indicative Open Space Network” and “Indicative Lake Location”. HCC supports this distinction, because it does not want the main linear lake identified as Open Space Network. This is because HCC does not want the risks and obligations associated with maintaining the lake in a swimmable state.</p> <p>Rule 4.5.6 needs to be amended:</p> <p>a) To make it consistent with the distinction between “Indicative Open Space Network” and “Indicative Lake Location”; and</p> <p>b) To ensure establishment of the main linear lake is subject to a resource consent.</p> <p>(See related amendments sought to Appendix 1.2.2.28f set out below under the heading “Open Space Provision”).</p>	<p>Amend 4.5.6 a) iv as follows:</p> <p>a) <i>A resource consent for a restricted discretionary activity is required for the following activities in the Te Awa Lakes Medium Density Residential Zone:</i></p> <p>iv. <i>Works related to the establishment of open space areas <u>and the main linear lake.</u></i></p>
<p>Appendix 1.1.2 Definitions Used in the District Plan</p>	<p>Oppose in part</p>	<p>To achieve proposed Objective 3.8.1.4, the water quality in the main linear lake will need to be maintained to a swimmable standard. To help ensure this standard is achieved, the following are needed:</p> <p>a) A definition of “swimmable standard”;</p>	<p>Add a new definition as follows:</p> <p><u>Swimmable standard: Means:</u></p> <p>a) <i>the water quality meets the standards set out for:</i></p> <p>i. <i>human health for recreation for Attribute B as defined in Appendix 2 of the National Policy Statement for Freshwater Management 2014 (Updated August 2017); and</i></p> <p>ii. <i>Ecosystem Health (Lakes) for Attribute B as defined in Appendix 2 of the National Policy Statement for Freshwater Management 2014 (Updated August 2017); and</i></p>

Provision	Support/Oppose	Submission	Decision sought
4.5.6: Land Development Plan Rules in Te Awa Lakes Medium Density Residential Zone		b) A rule requiring maintenance of lake water quality at a swimmable standard;	b) <u>black disk clarity is not less than 1.6 m.</u> Add a new rule as follows: f) <u>The water quality in the main linear lake shall be maintained to a swimmable standard.</u>
4.11 a) xviii - Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria		c) Council needs to reserve discretion over the management plan for the main linear lake, which is required under Appendix 1.2.2.28 n); and	The decisions sought above (see page 16) to amend 4.11 a) xviii will address this submission point.
Appendix 1.3.3 Restricted Discretionary, Discretionary and Non-Complying Assessment Criteria		d) An appropriate assessment criterion needs to be included in Appendix 1.3.3.	A new Matter of Discretion and Assessment Criterion, N12. (See Appendix C).
Appendix 1.2.2.28 n) Land Development Consent – Te Awa Lakes Medium Density Residential Zone (Information Requirements)	Oppose in part	To achieve proposed Objective 3.8.1.4, the water quality in the main linear lake will need to be maintained to a swimmable standard, as defined above. As the proposed definition of “swimmable standard” (see pp.24-25) includes a definition of the required trophic state, the words “and trophic state” can be deleted from the rule. In addition to monitoring stormwater inflows, the lake, itself, needs to be monitored to ensure it is maintained to a swimmable standard. The management plan should also identify who will be responsible for undertaking the monitoring and any actions.	Amend Rule 1.2.2.28 as follows: <u>An application under Rule 4.5.6 c) shall be accompanied by a Land Development Plan including the following information. All information shall demonstrate consistency with the Te Awa Lakes Structure Plan.</u> <u>n) A management plan for the main linear lake that includes:</u> <ul style="list-style-type: none"> <u>a monitoring plan of A plan for monitoring stormwater inflows and lake water quality to provide sufficient data to adaptively manage the lake to meet a swimmable standard and trophic state.</u> <u>a series of triggers and actions to maintain the lake to a swimmable standard and trophic state.</u> <u>Details of who will be responsible for undertaking the monitoring and any actions to maintain the lake and its water quality.</u>
Appendix 2: Figure 2-20: Land Development Plan	Oppose in part	Currently, Figure 2-20 shows the main linear lake being subdivided into 12 LDP areas. Similarly, the southern wetland falls within three LDP Areas (A, B	Figure 2-20 is amended as follows: a) Include the main linear lake and the Northern Wetland within a single

Provision	Support/Oppose	Submission	Decision sought
Areas		<p>and C), and the northern wetland falls within 2 LDP areas (H and I – see also the Preliminary Wetland Layout Schematic, CKL drawing U3454-450-00 in Appendix B (Development Plan Drawings) to Appendix 5 (Stormwater Management Strategy) to Appendix 3 (Sub-catchment ICMP) of Volume 1 of PPC2). The Eastern Dry Detention Basin is wholly contained within LDP Area N.</p> <p>The sub-division of the lake, wetlands and detention basin into multiple LDP areas is likely to compromise the ability to achieve sustainable management of these features and the TAL development.</p> <p>Given the technical complexity and challenges associated with maintaining the water quality of the main linear lake at a swimmable standard, it is submitted that the main linear lake and the Northern Wetland should be contained within a single and separate Land Development Plan (LDP) Area.</p> <p>Similarly, it is submitted that the southern wetland should be contained entirely within Land Development Area A.</p>	<p>LDP Area separate from other LDP Areas; and</p> <p>b) Include the Southern Wetland entirely within LDP Area A.</p>
3.9 Rules	Oppose in part	See below (pp.32-34) for submission points regarding the staging of development of the main linear lake.	See proposed Rule 3.8.5.2 b) (pp.33-34)
17.6.8 Te Awa Lakes Adventure Park	Oppose in part	To achieve proposed Objective 3.8.1.4, the water quality in the cable ski lake and adjoining aqua park will need to be maintained to a swimmable standard. To help ensure this standard is achieved, the following are needed:	Add a new rule as follows: <i>17.6.8.2 The water quality in the cable ski lake and aqua park lakes shall be maintained to a swimmable standard.</i>
Appendix 1.2.2.16: Concept Development Consents for Major Facilities and	Oppose in part	<p>a) A definition of “swimmable standard” (see above);</p> <p>b) A rule requiring maintenance of these water</p>	Add a new information requirement as follows: <i>h) A management plan for the cable ski lake and aqua park lakes that includes:</i> <ul style="list-style-type: none"> <i>A plan for monitoring water inflows and lake and aqua park water quality to provide sufficient data to adaptively</i>

Provision	Support/Oppose	Submission	Decision sought
Provision of Concept Plans		bodies at a swimmable standard; c) A new information requirement; d) A new matter of discretion and assessment criterion in Appendix 1.3.3.	<p><u>manage the lake and aqua park to meet a swimmable standard;</u></p> <ul style="list-style-type: none"> • <u>A series of triggers and actions to maintain the lake and aqua park to a swimmable standard; and</u> • <u>Details of who will be responsible for undertaking the monitoring and any actions to maintain the water quality of the lake and aqua park.</u>
Appendix 1.3.3: K Major Facility Concept Development Consent Consistency	Oppose in part		<p>Add a new matter of discretion and assessment criterion as follows:</p> <p><u>Te Awa Lakes</u></p> <p><u>K16 The extent to which implementation of the management plan required under Appendix 1.2.2.16 h will maintain the water quality in the cable ski lake and aqua park at a swimmable standard.</u></p>
Management of Stormwater			
Appendix 1.2.2.28: Land Development Consent – Te Awa Lakes Medium Density Residential Zone	Oppose in part	<p>HCC either accepts that a sub-catchment ICMP satisfies the relevant information requirements of Appendix 1.2.2.6, or seeks further information to fill the gaps. Accordingly, it is inappropriate to refer in the District Plan to an “approved” ICMP.</p> <p>The term “Integrated Catchment Management Plan” may be abbreviated in the ODP to “ICMP” as this acronym is defined in ODP Appendix 1.1.1.</p>	<p>Amend Appendix 1.2.2.28 as follows:</p> <p><u>An application under Rule 4.5.6 c) shall be accompanied by a Land Development Plan including the following information. All information shall demonstrate consistency with the Te Awa Lakes Structure Plan.</u></p> <p>h) <u>Existing and proposed Three Waters infrastructure necessary to service the Land Development Plan Area and in accordance with any approved relevant Integrated Catchment Management Plan Full ICMP or Sub-catchment Integrated Catchment Management Plan, or, if there is none, prepare a Sub-catchment ICMP in accordance with Appendix 1.2.2.6 and submit it with the application under Rule 4.5.6c.</u></p>
Water Supply			
3.8.4 Proposed	Oppose in part	While water supply network modelling has	Amend 3.8.4 as follows:

Provision	Support/Oppose	Submission	Decision sought
Infrastructure		<p>confirmed there is sufficient capacity in the existing reticulation to supply TAL in 2021¹⁹, it shows that this will not be the case in 2061. This is because of a possible lack of connectivity at that time, that is, the lack of an extensive, interconnected pipe network. An assessment has not been undertaken of when (in which year) the water supply level of service would fall below minimum acceptable values, if only the existing reticulation supplies TAL. It is possible that additional water reticulation networks built to service other future development near TAL might create the connectivity needed to maintain Level of Service for TAL, but this is not yet certain.</p> <p>The limited capacity of the current water supply reticulation to supply TAL in the future should be recognised in s.3.8.4. The various ODP and PPC2 rules requiring preparation of a Sub-catchment ICMP and Water Impact Assessments will ensure there is appropriate consideration of water supply capacity. These will require assessment, and result in control, of development uptake over time to ensure the Level of Service is maintained for TAL and the surrounding network. For example, the adequacy of the water supply will need to be checked as part of the consenting of each Land Development Plan area.</p>	<p>.... <u>Capacity is available in the short to medium term for the required water flows with residual pressures exceeding the minimum requirements. Within this period, the development is not expected to affect the water network within the City and existing water reticulation to the site is large enough to supply the development in the 2021 models with capacity left over. In the long term, by 2061, the water reticulation to the site will need to be augmented to ensure minimum pressure requirements are met. This may occur from the creation, extension and connection of other water reticulation provided as part of development of the surrounding greenfield areas.</u></p>
Wastewater			
3.8.4 Proposed Infrastructure	Oppose in part	<p>Currently, wastewater from the existing development on the TAL site is discharged via a rising main to gravity reticulation in Maui Street. This gravity reticulation connects to a pump station located at the intersection of Maui and McKee Streets, which pumps to 113 Maui Street from where the discharge gravitates to the trunk main at 53 Maui Street.</p>	<p>Amend 3.8.4 as follows:</p> <p>.... <u>Capacity is available for wastewater within the Far Western Interceptor for flows from the development. As the development progresses and flows increase a second wastewater rising main from the site to the Interceptor will be required, and one or more of the rising mains may need to connect directly to the Far Western Interceptor. The second main will be required once the existing</u></p>

¹⁹ See the second paragraph in 3.8.4 of Schedule One of PPC2.

Provision	Support/Oppose	Submission	Decision sought
		<p>The third paragraph in 3.8.4 implies Perry Group Limited is proposing to continue using the existing wastewater infrastructure servicing the TALPC area and to supplement this with a second wastewater rising main once the existing main reaches capacity, which is expected when the development reaches about 50% of the total development. However, an assessment has yet to be made of the capacity of the local wastewater reticulation to accommodate the discharge from TAL.</p> <p>HCC is unaware of any analysis that has confirmed the specific development trigger for the second wastewater rising main specified in 3.8.4 (namely, “a full time people equivalent of around 2,475; approximately 50% of the total development”). In the absence of this evidence, and particularly in view of the uncertainty regarding whether the trigger point is based on the rising mains connecting directly to the Far Western Interceptor, or to local reticulation, it is inappropriate to include a trigger in the District Plan.</p> <p>The various ODP and PPC2 rules requiring preparation of Water Impact Assessments or a Sub-catchment ICMP will ensure there is appropriate consideration of wastewater infrastructure capacity and servicing.</p>	<p><u>main reaches capacity which will be when the development reaches a full time people equivalent of around 2,475; approximately 50% of the total development.</u></p>
Transportation Issues			
<p>3.8.3 Proposed Movement Network</p>	<p>Oppose in part</p>	<p>TALPC relies on infrastructure improvements being provided, which are not currently planned or included in HCC’s <i>Long-Term Infrastructure Strategy (2015-2045)</i>. These include the following:</p> <ol style="list-style-type: none"> a) Installation of traffic signals at the McKee Road / Te Rapa Road intersection; b) Upgrade of the Hutchinson Road / Te Rapa 	<p>Amend s.3.8.3 as follows:</p> <p><u>... The roading network is capable of accommodating the effects except that:</u></p> <ul style="list-style-type: none"> • <u>Hutchinson Road will need to be upgraded to a minor arterial standard.</u> <p><u>In addition, the following will be required:</u></p>

Provision	Support/Oppose	Submission	Decision sought
		<p>Road roundabout;</p> <p>c) Facilities for passenger transport; and</p> <p>d) Urban standard shared use path and associated facilities (for example, road crossing facilities and lighting) between Hutchinson Road and existing shared use facilities on Te Rapa Road to the south.</p> <p>The Structure Plan should recognise the need for all these improvements. Only the first two are included in the proposed wording of s.3.8.3 included in Schedule One of PPC2.</p> <p>The walking, cycling and passenger transport facilities are required to satisfy the relevant objectives and policies in the RPS and the ODP.</p> <p>Each of the improvements is discussed below.</p> <p><i>McKee Road / Te Rapa Road Intersection traffic signals:</i></p> <p>The details regarding the upgrading of this intersection do not need to be resolved as part of PPC2; they can be addressed as part of the relevant subdivision application.</p> <p><i>Passenger Transport Facilities:</i></p> <p>Currently, the TAL site is served by Route 21: Northern Connector, which links Hamilton CBD, The Base, Ngaruawahia and Huntly. There are bus laybys on each side of Te Rapa Road immediately north of the Hutchinson Road / Te Rapa Road roundabout (see paragraphs 3.17 and 3.18 of Appendix 4 to PPC2 (TAL ITA)).</p> <p>These existing facilities will be inadequate, once development of TAL gets underway.</p> <p>The TAL ITA (para 4.5) identifies the collector road</p>	<ul style="list-style-type: none"> • <u><i>An urban standard shared use path (including road crossing facilities and lighting) along Te Rapa Road between Hutchinson Road and existing shared use paths to the south; and</i></u> • <u><i>Appropriate facilities for passenger transport.</i></u> <p><u><i>Upgrading of the Kapuni Street / Te Rapa Road and Ruffell Road / Te Rapa Road intersections may also be required.</i></u></p>

Provision	Support/Oppose	Submission	Decision sought
		<p>network will support public service provision into TAL. However, no information is included in PPC2 to confirm at what stage of TAL’s development such a service would become viable. Such details will be the subject of an ITA prepared in support of a resource consent application for development of TAL. Nevertheless, it is appropriate to identify in s.3.8.3 that passenger transport facilities will be required as part of TAL development.</p> <p><i>Te Rapa Road pedestrian and cycle facilities south of Hutchinson Road:</i> A shared use path and associated facilities are required alongside Te Rapa Road to connect TAL with the existing walking and cycling facilities on Te Rapa Road. This will be essential to provide practical, direct and safe connections for commuting and utility cyclists wishing to access employment areas and services within Te Rapa, the Base and destinations beyond.</p> <p>While the connections planned between TAL and Te Awa River Ride will provide excellent leisure and recreational walking and cycling opportunities, Te Awa River Ride will not provide a safe, direct and practical connection between TAL and Te Rapa Industrial Area. It would be unsafe for cyclists to use Te Awa River Ride in the hours of darkness. Commuting and utility cyclists often must cycle before or after daylight hours, particularly during winter.</p> <p>The walking and cycling facilities are required to satisfy relevant objectives and policies in the RPS and the ODP.</p> <p><i>Kapuni Street / Te Rapa Road intersection and</i></p>	

Provision	Support/Oppose	Submission	Decision sought
		<p><i>Ruffell Road / Te Rapa Road intersection:</i> Development of TAL is predicted to increase traffic volumes at these intersections. The effects of this on the intersections should be assessed as part of the relevant ITAs and any mitigation works identified.</p>	
		<p><i>Hutchinson Road / Te Rapa Road roundabout:</i> PPC2 includes a proposal to increase this roundabout’s capacity to accommodate the additional traffic TAL will generate.</p> <p>The <i>Hutchinson Road Roundabout Road Safety Audit</i> (that is, Appendix I to Appendix 4 (Integrated Transport Assessment) to PPC2) identifies several safety concerns about the proposed upgrade. These include “significant” concerns, which require changes to be made to the design to avoid serious safety consequences.</p> <p>It has yet to be demonstrated that the roundabout’s capacity can be increased within the available land and operate safely.</p>	<p>Safety concerns identified in Appendix I to Appendix 4 of PPC2 are required to be resolved.</p>
<p>3.8.3 Proposed Movement Network- Staging of transport infrastructure improvements</p>	<p>Oppose in part</p>	<p>PPC2 proposes the following trigger for the upgrading of the two intersections (Hutchinson Road / Te Rapa Road and McKee Road / Te Rapa Road): <i>when traffic generation for the Structure Plan area in either the AM or PM peak reaches 480 vehicles per hour.</i></p> <p>However, such a trigger is problematic for the following reasons:</p> <ol style="list-style-type: none"> a) The characteristics of the traffic (type, direction, etc.) are likely to vary for different activities; b) This leads to uncertainty for other assessments and infrastructure planning; and 	<p>Amend s.3.8.3 as follows:</p> <p><i>.... <u>The thresholds for upgrading of these two intersections are likely to be reached when traffic generation from the Structure Plan area in either the AM or PM peak reaches 480 vehicles per hour. The timing for implementation of the transportation infrastructure improvements will be determined in accordance with Rules 3.8.5.2 and 3.8.5.3. The development of the Structure Plan area will be subject to a series of Land Development Consents and Concept Development Consents, and these will require Integrated Transport Assessments that will enable assessment and implementation of the road and intersection upgrades transportation infrastructure improvements when this threshold is reached required.</u></i></p>

Provision	Support/Oppose	Submission	Decision sought
		<p>c) Uncertainty increases the risk of reduced levels of service for other users and inefficiency in development.</p> <p>To avoid these problems and to provide clarity and certainty regarding the timing and implementation of the upgrades, HCC seeks the triggers described below in relation to s.3.9 Rules.</p>	
<p>3.9 Rules</p>	<p>Oppose in part</p>	<p>To be consistent with the numbering format of other parts of Chapter 3, the numbering of the rules need to change.</p> <p>The staging order for TAL development, and hence the detail in Figure 3.8.5a, is to be agreed.</p> <p>The main linear lake is a vital element in the concept of Te Awa Lakes. It will be essential, therefore, that it is one of the first areas developed within TALPC area. To ensure this occurs, a staging rule for Te Awa Lakes Land Development Areas is required.</p> <p>Most of the area of TAL is devoted to residential development. If TALPC were approved, HCC would want to ensure the Adventure Park is constructed to ensure its related benefits to the City and region are realised. To this end, HCC considers a new rule should be added to limit the area of residential development undertaken before the Adventure Park is constructed.</p>	<p>Amend s.3.9 as follows:</p> <p><u>3.98.5 Rules</u></p> <p><u>3.98.5.1 Te Awa Lakes Structure Plan Area</u></p> <p><i>All land use and development within the Te Awa Lakes Structure Plan area shall be in accordance with:</i></p> <p><i>a) The Te Awa Lakes Structure Plan as set out in Section 3.8 of this Chapter; and</i></p> <p><i>b) Te Awa Lakes Structure Plan area figures in Volume 2, Appendix 2, Figures 2-19 and 2-20.</i></p> <p><u>3.8.5.2 Staging Rules for Development of Te Awa Lakes Structure Plan Area</u></p> <p><i>a) Development of Te Awa Lakes Structure Plan Area shall be staged in the order shown on Figure 3.8.5a.</i></p> <p><i>b) A resource consent for a Land Development Plan for the main linear lake shall be obtained before any other resource consents are granted for development of Te Awa Lakes Structure Plan area.</i></p> <p><i>c) Construction of the main linear lake, Stage 1, shall be completed before any Median Density Residential area within Te Awa Lakes Structure Plan Area is occupied.</i></p> <p><i>d) No more than X residential units shall be constructed within Te Awa Lakes Structure Plan area, before the cable ski lake, aqua park and Y visitor accommodation units are constructed within the Major Facilities Zone.</i></p>

Provision	Support/Oppose	Submission	Decision sought
		<p>Public Transport services are subject to change from time to time, for example, because of reviews of the Regional Public Transport Plan. Consequently, requirements for upgrading passenger transport facilities will be determined as part of consideration of the relevant ITAs submitted in support of subdivision consent applications.</p> <p>See below (pp.36-37) for submission points seeking inclusion of Open Space Network Rules. To be consistent with the numbering format of other parts of Chapter 3, the numbering of this rule needs to change.</p>	<p><u>Figure 3.8.5a Staging Order for Te Awa Lakes Development</u> [Agreed figure to be inserted]</p> <p><u>3.8.5.3 Staging Rules for transportation infrastructure improvements</u> <u>a) Development of Stage 3 shall not begin until The McKee Street / Te Rapa Road intersection has been signalised.</u> <u>b) Development of Stage 4 shall not begin until the Hutchinson Road / Te Rapa Road has been upgraded.</u> <u>b) Development of Stage Z shall not begin until the Te Rapa Road pedestrian and cycle facilities south of Hutchinson Road have been constructed.</u></p> <p><u>3.8.5.4 Open Space Network Rules</u></p> <p><u>3.-9.28.6 Provisions in Other Chapters</u></p>
Planning Map 1B – Designation E81A	Oppose in part	The TAL Structure Plan Area overlies the New Zealand Transport Agency’s (the NZTA) designation for the Waikato Expressway Te Rapa Section (E81a). HCC has yet to see any written evidence that the NZTA proposes to uplift its designation.	Require written evidence that the NZTA proposes to uplift the part of its designation (E81a) that the TAL Structure Plan overlies.
Update of traffic modelling	Not applicable	<p>HCC’s s.92 request for further information included a request for the modelling of the traffic effects of TALPC to be updated once the 2013 Waikato Regional Transportation Model has been updated.</p> <p>The updated modelling data is required to check the assessment of traffic effects remains applicable for changes in population projections, network commitments and land use changes, and provide a comparative base for future assessments.</p> <p>At the time of preparing this submission, the</p>	To ensure the most up-to-date information is used for assessment of the plan change.

Provision	Support/Oppose	Submission	Decision sought
		<p>updated 2013 Waikato Regional Transportation (WRTM) Model had yet to be accepted by the model's owners.</p> <p>The latest accepted version of the Waikato Regional Transportation Model should be used for traffic modelling for Integrated Transportation Assessments required in support of resource consents for TAL developments.</p>	
Open space provision			
Policy 3.8.1.2b	Support policy set with amendments	This policy is the only one specific to TAL that mentions the open space network. However, it refers only to the connectivity of open spaces and the provision of access to the Waikato River. It should also reference the multiple functions of the open space network.	<p>Amend as follows:</p> <p><u>Create a well-connected open space network that will perform multiple functions including recreation, stormwater management, cycleways, walkways, ecological and amenity with and provide public access to the Waikato River.</u></p>
3.8.2 Structure Plan Components	Oppose in part	<p>The introduction to s.3.8.2 states: "This section provides an explanation of the main land use elements". However, although s.3.8.2 mentions some functions of the open space network, it does not list them all. Furthermore, TAL Structure Plan does not identify the requirements for open space provision. Consequently, the functions of, and requirements for, open space provision are unclear and uncertain, and the Structure Plan lacks the detail necessary to inform the provision of a high-quality open space network.</p> <p>To correct these deficiencies, the following are need:</p> <p>a) A brief description of the main components of open space and their functions. These will provide necessary detail to enable assessment of Land Development Plan and Concept Development Consent applications; and</p>	<p>Add a new section as follows:</p> <p><u>3.8.2.8 Open Space Network</u></p> <p><u>The open space network is shown in Figure 2-19 and has the following components and functions:</u></p> <p>a) <u>The neighbourhood park will provide a basic informal recreation and socialising space within easy walking distance for residents of Te Awa Lakes Structure Plan Area.</u></p> <p>b) <u>Riverside Esplanade will provide for pedestrian and cycle access alongside the Waikato River.</u></p> <p>c) <u>River access locations will provide people with direct access to the Waikato River.</u></p> <p>d) <u>Off-road cycle and pedestrian connections form a network of routes for pedestrians and cyclists. These connections provide for informal recreation opportunities as well as utility and commuting trips.</u></p> <p>e) <u>The gully area located in the south-eastern part of Te Awa Lakes will be restored with native vegetation and function as part of the stormwater and pedestrian/cycleway networks.</u></p> <p>f) <u>Wetland and swale areas will accommodate</u></p>

Provision	Support/Oppose	Submission	Decision sought
			<p><u>stormwater management.</u></p> <p>g) <u>Open space areas and associated planting will provide visual amenity and a buffer between incompatible activities and different types of land uses.</u></p>
<p>3.9 Rules</p>	<p>Oppose in part</p>	<p>b) The requirements for various open space components. These are needed to ensure these facilities will function as intended.</p> <hr/> <p>River access locations: One or more rules may be required to control these features. The detail will depend on the type of facilities to be provided.</p> <hr/> <p>Western side of the linear lake: There is no clarity or certainty regarding the width of the open space corridor along the western side of the linear lake. It should be at least 20m wide to ensure it can accommodate a shared path and any change in lake level and provide a functional and maintainable corridor of open space. This minimum width is consistent with the esplanade reserve width required under the RMA.</p> <hr/> <p>Access connections between roads and the open space network: These should be at least 6m wide to ensure they can accommodate a 3m shared path and sufficient buffer space beside it to allow for planting and promote positive perceptions of safety for path users.</p>	<p>Add the following new rules:</p> <p>3.8.5.4 Open Space Network Rules</p> <p>a) <u>A neighbourhood park with an area of at least 5,000m², excluding the adjoining linear open space areas, shall be centrally located to serve, within a 500m walking catchment, Te Awa Lakes Structure Plan area.</u></p> <p>b) <u>The Riverside Esplanade shall be at least 20m wide, but shall be wider where necessary to include the existing cycleway and a buffer at least 3m wide between the near edge of the path and any boundary shared with adjacent residential properties on the western side.</u></p> <p>c) <u>River access locations: [detail to be added].</u></p> <p>d) <u>Linear open space along the edge of the main linear lake shall be at least 20m wide, including when the lake is at its maximum level.</u></p> <p>e) <u>Access connections between roads and linear open space shall be at least 6m wide.</u></p>

Provision	Support/Oppose	Submission	Decision sought
			<p><i>f) <u>Open space areas shall provide effective buffers between different types of land uses.</u></i></p> <p><i>g) <u>The linear open space buffer adjoining the Waikato Expressway shall be at least 40m wide.</u></i></p>
Appendix 1.2.2.28 – Land Development Consent – Te Awa Lakes Medium Density Residential Zone	Oppose in part	To ensure the main linear lake and various components of the open space network are provided, and to allow them to be assessed against the requirements of the plan, relevant information requirements need to be included in the plan.	<p>Amend 1.2.2.28 as follows:</p> <p><u>1.2.2.28 Land Development Consent - Te Awa Lakes Medium Density Residential Zone and Open Space Network</u> <i>An application under Rule 4.5.6 c) shall be accompanied by a Land Development Plan including the following information. All information shall demonstrate consistency with the Te Awa Lakes Structure Plan.</i></p> <p><i>f) <u>The locations and dimensions of the main linear lake and any relevant components of open spaces described in s.3.8.2.8, including any neighbourhood reserves, and including esplanade reserves, in accordance with Figure 2-19 and Rule 3.8.5.3. consistent with the purposes of the Natural Open Space Zone and the Te Awa Lakes Structure Plan.</u></i></p>
4.5.6 Land Development Plan Rules in Te Awa Lakes Medium Density Residential Zone	Oppose in part	If the title of Appendix 1.2.2.28 is amended as sought above, the title of Rule 4.5.6 needs to change.	<p>Amend the title of Rule 4.5.6 as follows:</p> <p><u>4.5.6 Land Development Plan Rules in Te Awa Lakes Medium Density Residential Zone / Open Space Network</u></p>
Appendix 2, Figure 2-19: Framework Plan	Support in part	HCC supports in principle the provision of a well-connected open space network, as illustrated by Figure F-19 Framework Plan. The existing objectives and policies in 3.3.7 set a high-level expectation for open space provision, and PPC2 is generally consistent with them.	Retain the indicative open space network, except as modified by other submission points below.
	Oppose in part	Figure 2-19 provides no distinction between the various functions of the “indicative open space network”. In HCC’s experience, this lack of detail can have unintended consequences on the dominant use of land. For example, stormwater treatment taking	Identify on Figure 2-19 indicative stormwater management areas as shown in CKL drawing U3454-480-00, which is included in Appendix B (Development Plan Drawings) to Appendix 5 (Stormwater Management Strategy) to Appendix 3 (Sub-catchment ICMP) of Volume 1 of PPC2.

Provision	Support/Oppose	Submission	Decision sought
		precedence over anticipated recreation or visual amenity functions at the time of detailed design.	
	Oppose in part	Figure 2-19 shows a line indicating a 500m radial catchment for the Indicative Neighbourhood Reserve. This exceeds a practical 500m walking catchment for the reserve, as walking trips to and from it cannot be made in a straight line. Furthermore, it is not necessary to show the walking catchment on Figure 2-19, because the relevant requirement is included in proposed Rule 3.8.5.4(a).	Remove from Figure 2-19 the dashed line indicating a 500m radial catchment.
	Oppose in part	Figure 2-19 shows a narrow strip of “indicative open space network” along the eastern side of the main linear lake connecting between the “indicative collector road” in the north and the Indicative primary collector road to the south. The latter road will be carried on a bridge over the lake. It will be difficult to provide practical connection for cyclists and pedestrians (including wheeled pedestrians) between the “indicative open space network” along the lake edge and the elevated bridge. While the “indicative open space network” would provide access along the lake edge, if it were not providing practical connection to the bridge, it would provide only limited open space value for the public. It is likely to become a maintenance liability.	Remove from Figure 2-19 the narrow strip of “indicative open space network” along the eastern side of the main linear lake connecting between the “indicative collector road” in the north and the “Indicative primary collector road to the south”.
Appendix 2: Figure 2-19 Framework Plan and Figure 2-20 Land Development Plan Areas	Oppose in part	Indicative Bridge Crossing: These figures show an Indicative bridge crossing over the main linear lake. Along the indicative bridge alignment, the underlying lake is coloured light green for “indicative open space network”. The underlying lake should be identified as “indicative lake location” instead.	Remove from Figures 2-19 and 2-20 the “indicative open space network” layer from beneath the proposed bridge over the linear lake.
3.8 Te Awa Lakes and Appendix 2:	Oppose in part	Indicative River Access Locations: The Framework Plan (Figure 2-19) identifies Indicative River Access Locations, but they are not described anywhere else in PPC2. Any proposed modification to the future esplanade reserve will	Add to s.3.8.2.8 Open Space Network a description of the Indicative River Access Locations, including their purpose and function.

Provision	Support/Oppose	Submission	Decision sought
Figure 2-19 Framework Plan		require approval from Council prior to vesting in Council. A description of the purpose and function of the Indicative River Access Locations within the structure plan would provide necessary clarity, and support their inclusion on the Figure 2-19.	
Appendices 1.2.2.25 and 1.2.2.28		The information requirements for Land Development Plans are in two sections of the Plan, namely, s.1.2.2.25 and s.1.2.2.28 (Volume 2, Appendix 1). This makes it difficult and inefficient for plan users.	Integrate the requirements of s.1.2.2.25 and s.1.2.2.28 (Volume 2, Appendix 1) to improve the Plan’s readability and efficiency.

APPENDIX C: AMENDMENTS SOUGHT TO ASSESSMENT CRITERIA APPENDIX 1.3.3 N

N	<i>Ruakura and Te Awa Lakes</i>
N1	<i>Land Development Plans</i>
	<i>In determining the application for resource consent for a restricted discretionary activity, Council shall reserve its discretion to the following matters, where relevant.</i>
a)	<i>Integration with and effects on transport and Three Waters infrastructure.</i>
b)	<i>Consistency with any relevant Integrated Catchment Management Plan or regional discharge consent.</i>
c)	<i>Effects on significant habitats of indigenous fauna and habitat values of natural water courses.</i>
d)	<i>Open Space and road reserve design, layout and use.</i>
e)	<i>Consistency with the Ruakura Strategic Infrastructures network for the structure plan as shown on Figures 2-15A and B Ruakura Strategic Infrastructure (Appendix 2); <u>or consistency with the Te Awa Lakes Framework Plan Figure 2-19 (Appendix 2).</u></i>
f)	<i>Where staged development of any Land Development Area is sought then the following information for the balance area shall be provided:</i> <i>i. The indicative location and width of proposed roads and carriageways and their integration with the existing and future transport network;</i> <i>ii. The indicative location of proposed Ruakura Strategic Infrastructure to ensure connectivity across the entire structure plan and adjacent Land Development Plan Areas.</i>
g)	<i>Construction effects.</i>
h)	<i>Effects of new stormwater ponds and wetlands (excluding swales) on private property.</i>
	<i>In determining the application, the Council shall consider the following assessment criteria:</i>
i)	<i>Whether there is appropriate Three Waters infrastructure and capacity, existing and proposed, to appropriately service anticipated development in the Land Development Plan area. For new stormwater ponds and wetlands, the extent to which the following adverse effects of the works on adjacent private property are avoided:</i> <i>i. Flooding and adverse effects on ground water levels; and</i> <i>ii. Creating habitat for mosquitoes and other undesirable insects.</i>
j)	<i>Whether the proposal is consistent with, or otherwise complies with, the recommendations, measures and targets of any relevant Integrated Catchment Management Plan.</i>
k)	<i>Whether anticipated development in the Land Development Plan area integrates with, and minimises adverse effects on the safe and efficient functioning of the transport network and transport infrastructure, having regard to the cumulative traffic effects of other approved Land Development Plans. The extent to which the Land Development Plan provides for the sequential extension of the Spine Road <u>for Ruakura.</u></i>
l)	<i>Whether the Land Development Plan is consistent with the Figure 2-18 Cyclist and Pedestrian Network Plan (Appendix 2) <u>for Ruakura and Figure 2-19 Framework Plan for Te Awa Lakes.</u></i>
m)	<i>The ITA matters for assessment set out in Appendix 1.3.3 G.</i>

n)	Whether the Land Development Plan considers and responds to the recommendations and proposed conditions of the Integrated Transport Assessment and Water Impact Assessment prepared to accompany the application.
o)	The potential for cumulative construction noise effects to adversely affect individual residential properties, and the mitigation methods proposed to minimise such effects.
p)	Whether the Land Development Plan considers and responds to issues and outcomes arising from consultation with relevant road controlling agencies, the New Zealand Transport Agency and, where relevant, KiwiRail.
q)	Whether appropriate consideration has been given to electrical hazards and earthworks and ground level changes associated with the installation of underground Infrastructure within 12 metres of a National Grid support structure <u>for Ruakura and consideration of the gas line for Te Awa Lakes.</u>
r)	Where land development will cause loss of significant habitats of indigenous fauna (including but not limited to, black mudfish, shortfin eels and longfin eels), require that unavoidable adverse effects on such habitat are remedied or mitigated through: <ul style="list-style-type: none"> i. Replacing significant habitat; or ii. Creating new habitat; or iii. Enhancing areas of alternative habitat supporting similar ecological values and/or significance; and iv. Legal and physical protection.
s)	Whether land development will adversely affect the flooding, water quality and habitat values of adjoining natural water courses.
t)	Whether the Landscape Concept and Ecological Enhancement Plan provides for a comprehensive and connected section of Open Space and road reserves, which incorporates, as necessary: <ul style="list-style-type: none"> i. connectivity of open space and streets; ii. passive and active recreation opportunities; iii. Crime Prevention Through Environmental Design principles; iv. pedestrian and cycle paths forming a network with adjacent parts of the Open Space network; v. general amenity planting and amenity for adjoining properties, including use of specimen trees in roads; vi. street furniture; vii. provision for habitats; viii. lighting design that does not deter bat movement; and ix. stormwater management.
u)	Whether the Land Development Plan will appropriately provide for: <ul style="list-style-type: none"> i. <u>indigenous fish and lizards; and</u> ii. <u>bats for Te Awa Lakes.</u>
v)	Whether the Land Development Plan includes a greenway that provides for improved habitat and ecological benefits <u>for Ruakura.</u>

w)	<i>Whether the Landscape Concept and Ecological Enhancement Plan provides for a greenway to enhance long term ecological function.</i>
x)	<i>Where the boundaries of a Land Development Plan Area in application for Land Development Consent differ from those shown on Figure 2-16 for Ruakura or Figure 2-20 for Te Awa Lakes, the extent of the Land Development Plan Area shall be developed in an integrated manner. This shall include the provision for and connectivity to infrastructure, and ensure that key infrastructure such as the Spine Road for Ruakura is developed in a manner that provides at least the same levels of efficiency, effectiveness and safety anticipated through a land development consent in accordance with Figure 2-16. Where an application includes part of a Land Development Plan Area in Figure 2-16(Ruakura) or Figure 2-20 (Te Awa Lakes) it shall be demonstrated that granting consent to that part will not prevent the integrated development of the balance of that Area.</i>
Additional Matters for Open Space	
y)	<i>Whether the layout and design of Open Space:</i> <ul style="list-style-type: none"> <i>i. Creates an informal parkland character;</i> <i>ii. Integrates with the landscape design of roads within the Land Development Plan area;</i> <i>iii. Applies Crime Prevention Through Environmental Design principles;</i> <i>iv. Utilises planting to soften the views of industrial development;</i> <i>v. Contains pedestrian and cycle paths forming a network with adjacent parts of the Open Space Network;</i> <i>vi. Provides for the amenity of adjoining and adjacent activities;</i> <i>vii. Integrates linear wetlands and stormwater treatment devices.</i>
z)	<i>Whether provision has been made to ensure public access to and use of the Open Space, except as may need to be limited for safety reasons.</i>
aa)	<i>The extent to which the different functions of Open Space are clearly identified and provided for in the Land Development Plan application.</i>
Additional Matters for the Medium Density Residential Zone	
bb)	<i>The extent to which the street network promotes a high degree of connectivity and permeability through the following:</i> <ul style="list-style-type: none"> <i>i. A grid-like street layout.</i> <i>ii. Block sizes that promote permeability for pedestrians/cyclists as well as for vehicles.</i> <i>iii. Connections to the City-wide arterial networks.</i> <i>iv. Paths to the Open Space Network.</i>
cc)	<i>Street amenity shall be provided by the location of specimen trees and landscaped areas interspersed by kerb-side parking.</i>
dd)	<i>When assessing the suitability for residential buildings to be within the side yards, regard shall be given to the following:</i> <ul style="list-style-type: none"> <i>i. The extent to which reasonable sunlight and daylight access to adjacent dwellings and outdoor living areas will be affected.</i>

	<ul style="list-style-type: none"> ii. <i>The extent to which pedestrian access to the rear of the site will be hindered.</i> iii. <i>The extent to which on-site amenity is maintained.</i>
Additional Matters for Precinct C within the Knowledge Zone – Ruakura	
ee)	<p><i>The extent to which the street network is:</i></p> <ul style="list-style-type: none"> i. <i>Orientated toward the Ruakura Retail Centre.</i> ii. <i>Permeable for pedestrians/cyclists as well as for vehicles.</i> iii. <i>Legible with a simple and readily understood street pattern.</i> iv. <i>Provides a connected path network to the Ruakura Open Space Zone.</i>
ff)	<i>The extent to which blocks and lots are configured to facilitate walking and accommodate operational areas in rear yards.</i>
Additional Matters for the Logistics Zone (Inland Port) - Ruakura	
gg)	<i>Whether the planting of the Landscape Buffer Areas will achieve the purpose of screening the Inland Port (Sub Area A (Inland Port)) from Ryburn and Percival Roads.</i>
hh)	<i>The effects of the planting of the Landscape Buffer Areas on the operation, maintenance, upgrading and development of the National Grid transmission network and the requirements of the Growth Limit Zones Schedule of the Electricity (Hazards from Trees) Regulations 2003.</i>
ii)	<i>Whether Level of Service D will be achieved at the intersections of Silverdale Road and Knighton Road with Ruakura Road when Stage 1 of the Inland Port (Sub Area A (Inland Port)) is operational.</i>
Construction - Ruakura	
jj)	<p><i>Whether appropriate conditions can be placed on the resource consent to manage adverse effects associated with construction of the activities proposed in the Land Development Plan. This will be satisfied by a condition requiring the lodgement of a Construction Management Plan for Council approval, prior to the commencement of the works.</i></p> <p><i>The Construction Management Plan shall include at a minimum:</i></p> <ul style="list-style-type: none"> i. <i>Details of the works, their timing and duration.</i> ii. <i>Methods to control dust, debris on roads and silt laden runoff during construction.</i> iii. <i>Anticipated truck movements and routes to and from the site during construction.</i> iv. <i>Means to ensure compliance with the Construction Noise Standards in Rule 25.8.3.2 and Construction Vibration Standard in Rule 25.8.3.3.</i> v. <i>Contact details for the contractor, including a process for complaints and remedying concerns.</i> <p><i>The Construction Management Plan shall also ensure that:</i></p> <ul style="list-style-type: none"> vi. <i>Prior to the opening of the Waikato Expressway (Hamilton Section) and the realignment of Ruakura Road to traffic, construction traffic arising from the Land Development Plan area shall be managed to ensure that the capacity of local roads, as determined by normal Hamilton City Council traffic management design criteria, is not exceeded.</i> vii. <i>Once the Waikato Expressway (Hamilton Section) and realigned Ruakura Road are</i>

		<i>open for traffic, construction traffic arising from the Land Development Plan area shall, to the extent reasonable and practicable, be directed to use the Waikato Expressway (Hamilton Section) to minimise effects on local roads.</i>
N2	Construction Noise and Operation Noise of the Inland Port (Sub Area A) - Ruakura	
	a)	<i>The extent to which:</i> <ul style="list-style-type: none"> <i>i. The construction and operation of the Inland Port avoids or mitigates adverse noise and vibration effects on adjoining facilities, existing residential dwellings and/or Large Lot Residential zoned areas.</i> <i>ii. Measures to avoid where possible, and otherwise minimise sudden and/or loud noises at night have been incorporated.</i> <i>iii. Lower noise producing equipment and methods have been investigated and incorporated.</i> <i>iv. The location and orientation of refrigerated containers have been selected to minimise noise effects on residential properties.</i> <i>v. The accuracy of the noise model used for predicting noise levels in Stages 2 and 3 of the development of the Inland Port, taking into account recalibration based on monitoring of previous stages.</i>
	b)	<i>The adequacy of the consideration of alternative methods that would meet the night time noise limits set out in Rule 25.8.3.13 and their costs and benefits.</i>
	c)	<i>At individual residential properties where noise levels would exceed the night-times noise limits set out in Rule 25.8.3.13, the extent to which the ambient night-time noise levels at those properties exceed 40 dBL_{Aeq(15)} once the Waikato Expressway is operational.</i>
N3	Ruakura Retail Centre	
	a)	<i>Staged development should be in accordance with an overall master plan for the Ruakura Retail Centre which shall show the location of the Ruakura Retail Centre Mainstreet, building footprints, circulation network, public open space and provision for parking.</i>
	b)	<i>A Ruakura Retail Centre Mainstreet shall be provided and should be orientated towards and integrate with the location of the proposed transport interchange.</i>
	c)	<i>Buildings should directly align and address the street network and provide a constant and intact edge to streets and public places.</i>
	d)	<i>Buildings should be located and designed to avoid extensive or inactive edges with entrances designed to maximise pedestrian flow and to support active street frontages.</i>
	e)	<i>Building frontages to the Ruakura Retail Centre Mainstreet should incorporate a high proportion of glazing and provide veranda canopies over footpaths and a high level of ground floor architectural detail.</i>
	f)	<i>Building design should create a varied fine grained pattern of development through the modulation of height and roof form, façade depth and relief and variety in materials and colours.</i>
	g)	<i>Site Layout should provide options for pedestrian, cycling and vehicular circulation and permeability within and to adjoining areas.</i>
	h)	<i>Footpaths should be legible and be of a sufficient width with quality paving and detailing, including footpaths to and from the centre and Open Space Areas.</i>
	i)	<i>Where public open space is provided, it should be centrally located adjacent to main pedestrian flows and shall be highly visible.</i>
	j)	<i>Public outdoor spaces should be sheltered and sunny with provision for summer shade and shall be anchored by active building edges.</i>
	k)	<i>Carparks should be landscaped to define the street boundary and adjacent spaces.</i>

	l)	<i>Carparking should avoid interrupting active frontages and pedestrian circulation along the Ruakura Retail Centre Mainstreet.</i>
	m)	<i>Loading and service areas should not interrupt active edges and should be separated from public circulation where possible.</i>
N4	Concept Plan for Precincts A, B and D in the Knowledge Zone - <u>Ruakura</u>	
	a)	General
		<i>The extent to which the proposal is consistent with the approved Concept Plan for the Precinct within the Knowledge Zone.</i>
	b)	Concept Plan Development
	i.	<i>The extent to which the preparation of a Concept Plan or an update to an existing Concept Plan has given regard to the following.</i>
		<p>a) <i>The extent to which the precinct integrates with surrounding land uses and the transport network.</i></p> <p>b) <i>Whether the development has been designed to minimise any adverse effects on adjoining activities, particularly residential activities.</i></p> <p>c) <i>The degree to which any large façades (including side walls) that are visible from public places have been modulated, articulated, detailed or visually treated in a way that reduces the apparent bulk of the building or provides visual interest.</i></p> <p>d) <i>The extent to which the proximity of facilities intended to accommodate events are sited close to residential areas.</i></p> <p>e) <i>The extent to which the provision for vehicular and pedestrian access and circulation facilitates ready dispersal of vehicles and patrons from large events.</i></p> <p>f) <i>The extent to which provision for vehicular and pedestrian access and circulation prioritises pedestrian safety.</i></p> <p>g) <i>The extent to which appropriate, convenient provisions enable public transport to service the site, recognising the need for such services to directly access the Central City area.</i></p>
ii.	<i>The extent to which the following have been applied as part of a new Concept Plan, an update to an existing Concept Plan or in the absence of a Concept Plan within the Interface Areas of Precincts A, B and D.</i>	
	a) Built Form and Layout	
	<p>i. <i>The extent to which the external appearance, scale and design of buildings:</i></p> <ul style="list-style-type: none"> • <i>Contributes to compatibility between buildings and its integration with other development on the site, adjacent sites and surrounding public spaces;</i> • <i>Contributes to active frontage along public streets and open space, particularly for corner sites;</i> • <i>Minimises, as practicable, effects on adjacent public spaces (including footpaths) in terms of shading and daylight.</i> <p>ii. <i>The extent to which building design and development:</i></p> <ul style="list-style-type: none"> • <i>Makes a positive contribution to the local character of the site and</i> 	

		<p>surrounding areas;</p> <ul style="list-style-type: none"> • Ensure large facades are well designed to provide visual interest and reduce the apparent bulk of buildings within the Interface Area; • The extent to which crime prevention through environmental design principles have been incorporated.
		<p>b) Landscaping</p> <ol style="list-style-type: none"> Incorporation of landscaping within the site layout to reduce the bulk of new development and mitigate adverse visual effects of development within the Interface Area, particularly as they interact with public spaces. Incorporates landscaping to maintain and enhance the character and amenity of the site and surrounding areas.
N5	Ruakura Open Space Zone	
	a)	For new stormwater ponds and wetlands, the extent to which adverse effects of the works on adjacent private property are avoided in relation to:
		<ol style="list-style-type: none"> Flooding and adverse effects on groundwater levels; and Creating habitat for mosquitoes and other undesirable insects
N6	Development within a Greenfield Area - Ruakura	
	a)	The extent to which the proposal is consistent with an approved Land Development Plan or could prejudice or foreclose options for future urban development and in particular with the proposals shown on Figure 2-14, Ruakura Structure Plan – Land use (Appendix 2).
	National Grid Corridors - Ruakura	
N7	For crossing points for Mobile Plant that are a Restricted Discretionary Activity in Table 25.7.4, the matters to which the Council shall restrict its discretion are limited to the actual and potential effects of crossing points on the scale and efficient operation and maintenance of the National Grid.	
N8	In determining any application for resource consent for crossing points, the Council shall have regard to the following matters:	
	a)	Suitable mechanisms are in place to ensure that mobile plant and machinery moving in the National Grid Yard can not infringe safe clearance distances specified in NZECP:34. This may include physical, operational or electronic measures and will be deemed satisfied by overhead gate structures (e.g. hurdles) being erected no closer than 4.5 metres from the lowest sag of the line at maximum operating temperature.
	b)	Crossings are approximately perpendicular to the National Grid Yard.
	c)	Crossings and any associated traffic management structures are located no closer than 12 metres from the outer visible edge of a National Grid support structure.
	d)	Any overhead gate structure (e.g. hurdle) is constructed to a suitable engineering standard to withstand vehicle (including mobile plant transporting containers) impact travelling at normal operating speed.
	e)	Appropriate management and operational methods to ensure safe procedures are specified in the resource consent conditions and followed when crossing beneath the lines.
N9	For the unloading and loading of containers, stacking containers, container stacks, operation of mobile plant associated with these activities and Light Towers, noise walls and fences greater than 2.5 metres high, the matters to which the Council shall restrict its discretion are limited to the actual and potential effects of these structures, buildings and activities on the safe and efficient operation and maintenance of the National Grid. In determining any applications for resource consent for these structures, buildings and activities, the Council shall have regard to the following matters.	

	a)	<i>Any operational procedures and physical measures to ensure compliance with NZECP:34, including layout and allowable height limits for container stacking.</i>
	b)	<i>Light towers shall ensure sufficient clearances in accordance with NZECP:34 are provided including any setback requirements for mobile plant required for maintenance and lamp replacement.</i>
	c)	<i>Suitable mechanisms are in place to ensure that mobile plant and machinery moving in the National Grid Corridor can not infringe safe clearance distances specified in NZECP:34. This may include physical, operational or electronic measures.</i>
N10		<i>For earthworks that are a Restricted Discretionary Activity the matters to which the Council shall restrict its discretion are limited to:</i>
	a)	<i>The effects of the earthworks on the operation, maintenance, upgrading, and development of the National Grid transmission network.</i>
N11		<i>For Subdivision that is a Restricted Discretionary Activity the matters to which the Council shall restrict its discretion are limited to:</i>
	a)	<i>The extent to which the subdivision design, including the location of roads and reserves, landscaping and building platforms, allows for activities to be set back from National Grid transmission lines to ensure adverse effects on, and from, the National Grid and on public safety are appropriately avoided, remedied or mitigated.</i>
	b)	<i>The extent to which the subdivision design/layout and consequential development will minimise the potential reverse sensitivity on, and amenity and nuisance effects of, the National Grid.</i>
	c)	<i>The provision for on-going inspection, operation, maintenance and development of the National Grid, including continued reasonable access.</i>
	d)	<i>The extent to which the design and development will minimise the risk of injury and/or property damage from such lines.</i>
	e)	<i>Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 34).</i>
	f)	<i>Outcomes of any consultation with Transpower New Zealand Limited.</i>
<u>N12</u>		<u>Lake Management – Te Awa Lakes</u>
	<u>a)</u>	<u>The extent to which implementation of the management plan required under Appendix 1.2.2.28 n) will maintain the main linear lake to a swimmable standard.</u>
	<u>b)</u>	<u>The extent to which any delay in establishing a swimmable lake will affect residents’ and visitors’ ability to undertake recreational activities within or on the lake, considering possible changing seasonal demands for different types of activities.</u>

APPENDIX D: REFERENCES

Statutes

Resource Management Act 1991

Other References

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