

**Planning Summary for a referral application under the
COVID-19 Recovery (Fast-track Consenting) Act 2020**

At:

Land on the corner of Ruakura Road and Peachgrove Road, Hamilton.

For:

Hamilton Campground Limited

February 2023



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APPLICATION SUMMARY

APPLICANT	Hamilton Campground Limited	
SITES	104/104A/106/106a Peachgrove Rd, Hamilton East, Hamilton	1/2 share in Lot 4 Deposited Plan South Auckland 63009 and Flat A Deposited Plan South Auckland 63515 and Shed C Deposited Plan South Auckland 63515 (RT:SA51B/546) AND 1/2 share in Lot 4 Deposited Plan South Auckland 63009 and Flat B Deposited Plan South Auckland 63515 and Shed D Deposited Plan South Auckland 63515 (RT:SA51B/547)
	Owner: Hamilton Campground Limited	
	108/108A/110/110A Peachgrove Rd, Hamilton East, Hamilton	½ share in Lot 3 Deposited Plan South Auckland 63009 and Flat A Deposited Plan South Auckland 63514 and Shed C Deposited Plan South Auckland 63514 (RT:SA51B/544) AND ½ share in Lot 3 Deposited Plan South Auckland 63009 and Flat B Deposited Plan South Auckland 63514 and Shed D Deposited Plan South Auckland 63514 (RT:SA51B/545)
	Owner: Hamilton Campground Limited	
	112/112A/114/114A Peachgrove Rd, Hamilton East, Hamilton	½ share in Lot 2 Deposited Plan South Auckland 63009 and Flat A Deposited Plan South Auckland 63513 and Shed C Deposited Plan South Auckland 63513 (RT:SA51B/542) AND ½ share in Lot 2 Deposited Plan South Auckland 63009 and Flat B Deposited Plan South Auckland 63513 and Shed D Deposited Plan South Auckland 63513 (RT:SA51B/543)
	Owner: Hamilton Campground Limited	
	116/118 Peachgrove Rd, Hamilton East, Hamilton	Lot 1 DPS 63009 and Flat A Deposited Plan South Auckland 63512 and Shed C Deposited Plan South Auckland 63512 and Flat B Deposited Plan South Auckland 63512 and Shed D Deposited Plan South Auckland 63512 (RT: 1095499)
	Owner: Hamilton Campground Limited	
	14 Ruakura Road, Hamilton East, Hamilton	Section 4 SO 434674 (RT:625451)
	Owner: Hamilton Campground Limited	
	1-16 Emmadale Lane, Hamilton East, Hamilton	Lots 1-16 DPS 540395 and Lot 100 DPS 574415 (RT:1059026 -1059041)
	Owner: CB Trustees 2010 Limited and Jones Family Trustees Limited	
LAND AREA	2.79ha	
TERRITORIAL AUTHORITIES	Hamilton City Council	



	Waikato Regional Council
RELEVANT PLANS	Hamilton City Operative District Plan Waikato Regional Plan
ZONING	General Residential Zone
POLICY OVERLAYS (ODP)	Sub-Catchment for Flood Hazard Modelling Areas Overland Flowpath and Ponding Flood Hazard Areas (Low) Three Significant Trees (T19.7, T19.8, T19.9)
PROPOSAL	<ul style="list-style-type: none">• Construct approximately 170 residential units comprising a mix of freehold terraced houses and unit-title apartments;• Construct an approximately 150-key hotel complex;• Construct commercial activities (a gymnasium and a convenience store);• Construct a new private road to service the development;• Install all infrastructure as necessary to service the development;• Install all hard and soft landscaping on site;• Undertake subdivision to hold each residential unit and commercial tenancy in its own Title and as necessary to create auxiliary or commonly owned carparking units and common areas.

1. Site Description

1.1 General Description

The subject site is a rectangular shape, running north-south with frontage to Peachgrove Road and Ruakura Road. It is relatively flat. The site is occupied by two pre-existing activities, each accommodating approximately half the site: residential development is situated on the western half and the Hamilton campground on the eastern half.

A parcel of land owned by Hamilton City Council is located at the north-western tip of the site and does not form part of this application.

Refer to [Image 1](#) below.



Image 1 – Pre-Existing Site Activities

1.2 Existing dwellings: The Artillery Flats

There are four single-storey residential buildings known as the Artillery Flats, built circa 1940 all of which face and have access from Peachgrove Road and are internally divided in to form a combination of duplex and quadplex dwellings. These buildings are not currently identified on the Hamilton City Heritage Register are not included in the proposed Heritage Register, for which Hamilton City Council has prepared Plan Change 9 – Historic Heritage and Natural Environment.

Each of the Artillery Flats are subdivided into two cross-leases and are tenanted. The dwellings sit on large sites and are considered to be an inefficient use of residential zoned land.

Certificates of Compliance, or resource consent have been obtained to demolish the buildings, where the approvals expire between November 2026 and May 2027 unless given effect to prior.

1.3 Significant Trees

There are three Significant Trees along the property frontage as follows:

HCC Ref	Common Name	Location	Health
T19.7	Scarlet Oak	104-106 Peachgrove Road	Described by Tree Menders in their report dated 27/10/21 as having good form and good vigour.
T19.8	Tulip Poplar		Described by Tree Menders in their report dated 27/10/21 as having poor form and average vigour.
T19.9	Red Oak	112-114 Peachgrove Road	Described by Tree Menders in their report dated 4/11/21 as having good form and good vigour.



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Resource Consent has been obtained to undertake earthworks under the Root Protection Zone of the Significant Tree (T19.9) at 112-114 Peachgrove Road, which is required to demolish the building on 116 Peachgrove Road. This consent expires May 2027 unless given effect to prior.

1.4 Residential Townhouses

To the east of the Artillery Flats, a residential development was undertaken in 1997. This development created 20 two-storey standalone residential townhouses, with access via Emmadale Lane, which is a private road, accessed off Ruakura Road. Emmadale Lane connects to Joshua Lane, another private road, which has access to Peachgrove Road.

A recent subdivision has severed Emmadale Lane into two, in the vicinity of Lot 16 / Unit 16, so that Units 1-16 use Emmadale Lane to access Ruakura Road and Units 17-22 utilise Emmadale Lane/Joshua lane to access Peachgrove Road. This subdivision was undertaken to enable the proposed access for the new development to access Peachgrove Road directly. This consent has been given effect to.

1.5 Campground

The campground was established in approximately 1978 and has been operated as a campground and motorcamp by Hamilton City Council for over 40 years. It was purchased by the Applicant in 2020 and continues to be operated as a campground.

Access to the campground is via Ruakura Road. The site is treed and well maintained. There is no protection status over these trees. To the east of the campground and along its entire eastern boundary is the Hilda Ross Retirement Village.

2. Required Resource Consents

2.1 Activity Status

Based on review of the proposal, the works are likely to trigger resource consent for the following activities.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("NESCS")	Regulation 11	Disturbance of soil where there is no detailed site investigation	Discretionary
Hamilton City Operative District Plan			
Chapter 4: Residential	4.3.1b	Apartment Building	Discretionary
	4.3.1v	Dairy	Restricted Discretionary
	4.3.1bb	Place Of Assembly / Gym	Discretionary
	4.3.1gg	Visitor Accommodation	Restricted Discretionary



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Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status
	1.1.8.2c)	<p>the following General Standards (in Rule 4.4) of the ODP are likely to be infringed by the proposed buildings and/or any accessory buildings and/or ancillary residential structures (e.g retaining walls, bike storage sheds etc):</p> <ul style="list-style-type: none"> • Rule 4.4.1 Density • Rule 4.4.2 Site Coverage • Rule 4.4.3 Permeable Surface • Rule 4.4.4 Building Height • Rule 4.4.5 Height to Boundary. • Rule 4.4.6 Building setbacks • Rule 4.4.7 interface between public and private • Rule 4.4.8 fences and Walls • Rule 4.4.9 Separation and Privacy • Rule 4.4.10 Outdoor living area • Rule 4.4.11 Service Areas • Rule 4.4.12 Residential Unit Size 	Restricted Discretionary
	1.1.8.2c)	<p>the following Specific Standards (in Rule 4.7) of the ODP are likely to be infringed:</p> <ul style="list-style-type: none"> • Rule 4.7.4 Dairies • Rule 4.7.8 Show Homes • Rule 4.7.10 Visitor Accommodation 	Restricted Discretionary
Chapter 18: Transport Corridor Zone	18.4	Any new works not in accordance with the function of the Transport Corridor	Discretionary
Chapter 20: Natural Environments	20.3j	<p>The following works within the Root Protection Zone ('RPZ') of any scheduled tree:</p> <ul style="list-style-type: none"> i. Earthworks ii. The laying or forming of any impervious surface iii. Additions to, or the replacement of, any existing building or structure that is proposed to exceed the envelope or footprint of the existing building(s) or structure(s) iv. The placement and/or construction of any building or structure v. Directional drilling or boring vi. The storage of chemicals or other toxic substances 	Restricted Discretionary
	20.3k	Non-emergency works to, removal of, or transplanting of a scheduled tree	Discretionary
Chapter 22 Natural Hazards (pertaining to Low Flood Hazard)	22.3p	Earthworks not otherwise identified	Discretionary
	1.1.8.2c)	<p>the following standards are likely to be infringed:</p> <ul style="list-style-type: none"> • 22.4.1 Impermeable surfaces • 22.5.2 Earthworks ancillary to a Permitted Activity • 22.5.6 New Buildings (pertaining to displacement of flood water and minimum floor heights/freeboards) • 22.5.7 Vulnerable activities 	Restricted Discretionary



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Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status
Chapter Subdivision	23.3av)	Fee simple subdivision* (includes fee simple subdivision of apartment buildings)	Restricted Discretionary
	23.3a iv)	Subdivision to accommodate a network utility service or transport corridor	Restricted Discretionary
	23.3a viii	Unit Title Subdivision	Restricted Discretionary
	1.1.8.2c)	the following subdivision standards are likely to be infringed: <ul style="list-style-type: none"> • 23.7.1 Allotment size and shape • 23.7.2 Subdivision Suitability • 23.7.3 General Residential Zone (transport and access standards) 	Restricted Discretionary
Chapter 25 City Wide			
25.2. Earthworks and vegetation removal	1.1.8.2c)	Earthworks which fail to comply with general standards 25.2.4.1	Restricted Discretionary
25.3. Temporary Activities	1.1.8.2c)	Temporary buildings and structures incidental to a building or construction project that fail standard 25.3.4 and/or 25.3.5.8	Restricted Discretionary
25.5. Landscaping and Screening	1.1.8.2c)	Any activity that fails to comply with the landscaping general standards 25.5.3: <ul style="list-style-type: none"> g. Landscaping pertaining to carparking and loading adjacent to a transport corridor h. Landscaping pertaining to external carparks i. Landscaping pertaining to service area screening. 	Restricted Discretionary
25.5 Landscaping and Screening	1.1.8.2 c)	Any activity that fails to comply with the landscaping specific standards 25.5.4: <ul style="list-style-type: none"> • 25.5.4.1 Fences and walls • 25.5.4.2 Permeable fences • 25.5.4.3 Buffer Strips • 25.5.4.4 Planting strips • 25.5.4.6 Internal planting 	Restricted Discretionary
25.6. Lighting and Glare	1.1.8.2 c)	Any activity that fails to comply with the General Standards 25.6.3 and 25.6.4	Restricted Discretionary
25.7 Network Utilities	25.7.3qq)	Stormwater detention, treatment and/or soakage facilities to service more than 1 site	Restricted discretionary
	1.1.8.2 c)	Any activity that fails to comply with General Standards 25.7.5	Restricted Discretionary
25.8. Noise and Vibration	1.1.8.2 c)	Any activity that fails to comply with the Specific Standards 25.8.3 including for construction noise and vibration and/or for noise sensitive activities	Restricted Discretionary
25.10. Signs	1.1.8.2 c)	Low Intensity signs ¹ failing to comply with the permitted standards	Restricted Discretionary
	25.10.3g	High intensity signs ²	Discretionary

¹ Means any painted or similar sign, device or symbol and includes statically illuminated signs.

² Means any flashing, moving or animated sign, or any other active sign including electronic signs.



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Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status
	1.1.8.2 c)	Any sign that fails the General Standards 25.10.4 and/or Specific Standards in 25.10.5	Restricted Discretionary
25.12 Solid Waste	1.1.8.2 c)	Any activity that fails the General Standard 25.12.3 pertaining to the provision of solid waste areas.	Restricted Discretionary
25.13. Three Waters	25.13.3a)	Any activity required to prepare a Water Impact Assessment	Restricted Discretionary
	25.1.3.3b)	Any activity required to prepare an Integrated Catchment Management Plan	Restricted Discretionary
25.14. Transportation	25.14.3a)	Any activity required to prepare a simple or broad Integrated Transport Assessment	Restricted Discretionary
	25.14.3 b)	New Transport Corridors	Restricted Discretionary
	1.1.8.2c)	Any vehicle crossing or internal access which is non-compliance with development standards listed in 25.14.4.1	Restricted discretionary

Waikato Regional Plan

3. Water Module	Rule 3.3.4.13	Groundwater diversion (de-watering during works)	Discretionary activity
5. Land and Soil Module	5.1.4.13	Soil disturbance not able to comply with the permitted activity standards of Rule 5.1.4.11 and conditions 5.1.5	Discretionary activity
	5.2.5.5	Large Scale Cleanfill Disposal outside High Risk Locations	Controlled
	Rule 5.3.4.8	Discharges from Remediation of Contaminated Land	Discretionary activity

Overall, consent is sought as a **discretionary** activity.

2.2 Medium Density Residential Standards

The Hamilton City Council has notified its Plan Change to incorporate the Medium Density Residential Standards ('MDRS') introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (Plan Change 12). Should PC12 become operative prior to any decision on this application, the proposal will likely also trigger consents for:

- (a) Construction of more than four or more dwellings as a restricted discretionary activity.
- (b) The applicable development standard infringements would occur in reaction to the MDRS development standards as they replace the equivalent District Plan standard (or any replacement or equivalent rule for a restricted discretionary activity development standard infringement). These are:
 - Height
 - Height in relation to boundary
 - Setbacks (yards)
 - Building coverage
 - Impervious area
 - Outdoor living space
 - Outlook space
- (c) As the MDRS will also change applicable subdivision standards regarding lot size, the overall activity status may change to that identified in the District Plan in the above table.



However, as the proposal is for greater than four dwellings per site, the MDRS standards currently do not apply.

2.3 Prohibited Activities

Hamilton District Plan

The only prohibited activities in the ODP relate to the Te Awa Lakes Structure Plan area. As this is outside of the subject site areas, it is not relevant.

There are no prohibited activities that relate to the site or the proposal.

Waikato Regional Plan

On review of the relevant provisions of the Waikato Regional Plan ("WRP"), it is confirmed that the project would not trigger any prohibited activities under that plan. It is noted that prohibited activities under the WRP include:

- The discharge of untreated animal effluent (Rule 3.5.5.6).
- The discharge of untreated human effluent to water (Rule 3.5.7.8).
- Moorings – in certain circumstances (Rule 4.2.13.6).
- The introduction and planting of plant pests (Rule 4.3.8.2).
- Open burning of specific materials (Rule 6.1.13.4).
- The use and discharge of 2,4-D Butyl Ester to Air (Rule 6.2.4.12).
- Takes of geothermal water and energy - in certain circumstances (Rule 7.6.3.8 and 7.6.46).

The proposal does not include any of these activities. Or that reason, none of these prohibited activities are relevant to the project or site.

National Environmental Standards for Freshwater (NES-F)

It is acknowledged that under the NES-F, Regulation 53 outlines the relevant prohibited activities. These relate to activities which may result in the complete and/or partial drainage of a natural wetland. The site does not contain any natural wetlands and, for that reason, the proposal does not include any prohibited activities under the NES-F.

3. Objectives and Policies

The key Objectives and Policies of the Hamilton City Operative District Plan have been reviewed in relation to the proposal and a succinct assessment has been provided below.

- The proposed development is an integrated response to brownfield development, efficiently intensifying the land for housing and employment, in a location where infrastructure is available and in proximity to the CBD, education and recreation.
- The protected trees, will be retained and have been incorporated into the landscape plan. Arborist input will continue to ensure that the values of the trees are maintained.
- Urban Design is of a high calibre, creating high amenity areas, interactive streetscape and with consideration to crime prevention through passive surveillance and creation of a sense of community and belonging.
- Residential activity is by far the dominant activity on site and non-residential activities are small, supplying only convenience or health/recreation attributes for the site.
- The target yields are easily achieved and the development offers various different housing typologies and sizes, which will encourage a diverse community to establish.



- The site is well serviced with bus stops outside the site and its location on arterial roading allows for efficient travel to the CBD and areas of education, health, employment and recreation.
- Onsite amenity will be provided through extensive onsite landscaping, acoustic insulation as required and connectivity to local streets will encourage walking and cycling.
- The masterplanning of the site has taken account of the context and adjoining development, so that the scale, placement and design of the buildings will not dominate the adjacent or abutting properties.
- The development will be transformational and regenerative, turning this currently under-developed residential site into a highly functioning urban environment. Emphasis on aesthetic design, healthy homes, a sense of community and streetscape appeal will enhance the locality and the siting of the hotel on the corner will act as a landmark on the busy arterial corner.

In summary, my assessment is that the development is not contrary to the relevant objectives and policies of the District Plan.

4. Reasons for Utilising the Fast-Track Process

4.1 The project's economic benefits and costs for people affected by Covid-19

An economic cost/benefit analysis has been undertaken by Adam Thompson of Urban Economics, based on the current architectural drawings. Section 7 of Mr Thompson's analysis specifically discusses the project's economic benefits and costs for people or industries affected by COVID-19.

As noted, the proposal will create a considerable number of jobs within the construction industry, with an estimated 439 Full-Time Equivalent (FTE) jobs created for the lifetime of the project. Additionally, it is noted that the project will contribute to the wider economy in that the construction industry has a value-added figure of \$133,000 per FTE employee, equating to a GDP contribution of \$58.9m.³ Not only that, but significant long-term employment opportunities arise from the proposed hotel, gym and dairy, indicated to provide approximately 114 FTE employees.⁴

As such, the proposal will provide employment opportunities to people working within an industry affected by the economic downturn as a result of COVID-19.

4.2 Whether the project may result in public benefit

As outlined above, the project will create an estimated 439 direct FTE jobs which will be within the construction, landscaping, planting, land surveying, administration and support services, and other related activities which is a notable economic benefit.

The project will increase housing by supplying approximately 170 dwellings to the market.

Additionally, the proposal achieves the objectives of the NPS-UD by facilitating an increase of the range of housing available to the market and contributing to well-functioning environments.

The development will provide approximately 150 high-quality visitor accommodation units. The provision of high-quality visitor accommodation provides a public benefit in contributing to well-functioning urban environments, in that it not only assists with the general shortage of visitor accommodation in Hamilton but also provides the public with greater choice of accommodation providers.

The proposal does not present any notable adverse environmental effects in terms of freshwater quality, air quality or indigenous biodiversity.

³ Appendix 1, Figure 14

⁴ Appendix 1, Figure 16.



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With regards to sustainability, climate change and a transition to a low-emissions economy, the following measures will be explored and implemented in the development:

- All contractors will minimise waste during construction and material will be recycled where possible.
- Earthworks will be designed to achieve a cut to fill balance where possible and will limit the amount of earthworks required.
- Engaging private waste collection for the development and, in choosing a suitable operator, the Applicant will take into consideration their commitment to sustainability and continuous improvement in outcomes to the environment.
- The provision of bicycle storage and personal mobility device parking and storage options throughout the site will assist to minimise reliance on cars.
- Electric vehicle charging ports may also be accommodated within garages and communal parking areas to support residents operating electric vehicles.
- Given the development has been designed to optimise intensity, a greater amount of housing can be provided for equivalent concrete and building materials. Furthermore, terrace housing is inherently more energy efficient than detached dwellings due to the houses insulating one another through party walls and reducing the external surface area available to heat loss. As such, on a per house basis, the proposed development will produce less greenhouse gas than a typical residential subdivision in the zone.
- The site is located within a well-connected, central Hamilton suburb which is well-served by access to public transport.

4.3 Efficiency of process under the C19RFTCA

In our experience with Hamilton City Council, a project of this scale, where bulk and density rules are being challenged, comes with an extremely high, if not certain, risk of public notification, hearings and appeals. Were the applicant to use the RMA consenting process this could take several years to complete, which is not desirable in terms of delivery both short-term and long-term employment, as well as housing to an urban context where demand is high. Rather, the Covid-19 Fast-Track process, can deliver approved consents within several months of an application to the Environmental Protection Authority, with employment due to construction works expected to occur immediately, while long-term employment opportunities will be created only 1-2 years following the grant of consent and completion of the works.

Given the above, we note that the statutory timeframe afforded for the EPA presents a far more efficient process and will expedite the consenting process, save unnecessary costs, and provide certainty of the process.

4.4 Rapidly Changing Urban Environment

The Hamilton City District Plan was made operative on 18 October 2017. It is now almost five years old and has been subject to three (now operative) plan changes, with a further six plan changes currently either being prepared, or in the process of notification or appeals. Four of these plan changes relate to rezoning of large tracts of land for urban development, specifically to ease pressures of housing shortages. The volume of Plan Changes to increase housing supply indicates that Hamilton is a significantly changing and growing urban environment, with not only housing burdens, but also where future urban land is being rapidly opened up to accommodate the growth that is occurring.



5. Summary and Conclusions

The site is located optimally for housing, given its location on arterial roading, proximity to the central city, proximity to education, recreation, employment zones and everyday amenities. It will aid in the city's tourism and economic activity with the provision of visitor accommodation, and will be developed in a manner that creates a highly functioning urban environment which has the potential to raise the bar of brownfields redevelopment in Hamilton. The project is supported by key stakeholders, including iwi and Hamilton City Council.

Based on my assessment above, the project is not contrary to the Objectives and Policies of the Hamilton District Plan and the actual and potential effects can be mitigated to a level where effects are less than minor. Overall, the project will provide immediate construction employment benefits to the city and will offer long-term employment through the mixed uses proposed.

Subject to detailed design and resolution of specialist inputs the consent is considered supportable.

Louise Feathers BRP (hons) – MNZPI