

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Hamilton City Council
Contact person (if follow-up is required)	Grant Kettle
	Planning Guidance Unit Manager
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	Peachgrove Mixed Use Precinct
General comment – potential benefits	<p>Hamilton City Council (HCC) welcomes the opportunity to comment on the referral application by Hamilton Campground Limited (HCL) to an expert consenting panel for fast-track consenting under the Covid-19 Recovery (Fast-track consenting) Act 2020 (FTCA).</p> <p>HCC has experienced strong growth over the past 10 years. The Draft Urban Growth Strategy identified over the next 50 years, Hamilton will accommodate a population of 310,000 people. With the increase of approximately 2600 people per year, this requires between 870 to 1000 new houses to be constructed per year. The proposal seeks to develop up to 170 residential units comprised of a mix of housing typologies, including apartments and terraced homes, providing a range of accommodation options from 2-beds, 3-beds, as well as 4-beds. This proposal alone would achieve nearly 20% of the yearly housing target for Hamilton and create a positive impact towards providing quality housing stock in an area that is within close proximity to the CBD and surrounding facilities.</p> <p>The development is supported as a key development as commercial accommodation within Hamilton, and also the role it will plan in servicing the rapid expansion of economic drivers in the eastern side of the city.</p> <p>A letter from HCC supporting the application, dated 02 December 2022 further details the potential benefits of the development in terms of accommodation and was provided as part of the material submitted in support of the application by the applicant.</p> <p>HCC Position</p> <p>In respect of the referral application HCC:</p>

- supports in principle the proposed Peachgrove Mixed Use development on Peachgrove and Ruakura Roads, Hamilton subject to further technical refinements including planning, urban design and engineering matters;
- supports the FTCA as an appropriate mechanism for consideration of the proposed development;
- seeks to engage collaboratively with the applicant team on the shape and form, including agreement to a draft set of consent conditions prior to lodgement; and
- requires agreement between the parties regarding the proposed wastewater solution. This could include, but not limited to, detailed design, technical specification, technical expertise and funding.

Specific comment

HCC has engaged with the applicant prior to the referral application and provided general planning and engineering comment as part of a pre application in February 2022. HCC also sought advice of the Hamilton Urban Design Panel - an external panel of professionals – who provided specific comment and recommendations on the application. The Panel's comments were provided as part of the material submitted by the applicant. The record of consultation with HCC provided as Appendix B to the application is considered an accurate record of engagement to date.

In making comment on the referral application, HCC has not undertaken a detailed assessment of the proposal or undertaken a comprehensive assessment of the effects. Comments on the application are general in nature and provide a basis for further discussion with the applicant. Comments are provided under the following subject areas: Planning, urban design/architecture, transport and three waters. Geotechnical and economic consideration have not been reviewed.

Planning

A high-level review planning review from a regulatory and policy planning perspective has been undertaken. This review supports the overall development concept in principal but noted the potential overall status under the Hamilton City Council Operative District Plan triggers a non-complying resource consent. In addition, the proposed building bulk (height) of the hotel complex is also likely to be contrary to the objectives and policies of the underlying zoning within the operative policy framework.

The planning review is provided as **Attachment One** to this report.

Urban design/architecture

A high-level review of the urban design, landscape statement and architecture master plan has been undertaken. This review supports the overall development concept and provides a number of recommendations for consideration.

The design review is provided as **Attachment Two** to this report.

Stormwater

The proposed development is within an identified flood hazard. Possible engineered mitigation for this and the increased impervious surface areas identified in early 2022 included on-site storage and attenuation into the stormwater network.

	<p>Since then, the following interventions have been identified:</p> <ul style="list-style-type: none"> • Suitable technical evidence to support engineering plans is provided and approved prior to construction. An overflow path is formed to connect the development site to the roading network. • Increased flood storage is provided on site to improve the ponding area in the wider depression area • Freeboard levels are applied above flood and depression levels • A primary network with suitable capacity is constructed • Water quality is provided to a suitable standard • At source measures are required to address retention, soakage and initial abstraction requirements through reuse, soakage and bioretention, based on soil tests • Appropriate Waikato Regional Council consents are obtained <p><u>Water</u></p> <p>HCC considers that depending on the ownership model of the proposed development, a high-water user agreement may be required.</p> <p>Optioneering will be required to assess potential upgrade options to remediate the head loss issues, improve connectivity, and provide for Fire Water required beyond FW3. The recommended network upgrades will need to be implemented. Local upsize of the local mains and implementation of reuse will likely be required.</p> <p><u>Wastewater</u></p> <p>Refer to comment below in significant issues section in regard to wastewater.</p> <p><u>Roading</u></p> <p>The proposed development is at the intersection of two minor arterial roads which require limited (in number) and specific access points type to the development. These limitations were identified and accepted by the developer. The internal roading network would remain as privately owned but meet the minimum requirements for onsite access, parking, and manoeuvring.</p> <p><u>Engineering summary</u></p> <p>Overall, some issues with the three waters and roading have been identified, including strategic wastewater network capacity constraints. Except for the wastewater catchment constraint, the other engineering elements are not considered insurmountable to the development as proposed, although developer investment in these other services will be required to maintain the necessary levels of service and design standards.</p>
<p>General comment – significant issues</p>	<p><u>Significant issue - Wastewater</u></p> <p>HCC has identified that there are strategic wastewater capacity constraints within the catchment of the proposed development.</p> <p>The wastewater network that services the site has existing capacity constraints. Infrastructure upgrades at a local and strategic level will be needed to address these existing capacity constraints and to cater for the new demand. HCC has some strategic network capacity improvements programmed in the 2021-2031 LTP, however these are currently not programmed to be in place for 3 – 6 years.</p>

	<p>Interim wastewater servicing solutions may be available ahead of the strategic network improvements being in place but these would need to be tested and a range of critical factors satisfied. Local network upgrades may also be required to address local network constraints. Further detail on the capacity constraint and potential interim solutions is provide as Attachment Three to this report.</p> <p>HCC considers that this issue needs to be resolved and agreement between the parties in terms proposed wastewater solution. HCC considers that it is not efficient nor desirable for the expert consenting panel to be determine a wastewater solution for Hamilton City. HCC welcomes engagement with the applicant in regard to detailed design, technical specifications, maintenance and funding.</p>
Is Fast-track appropriate?	<p>HCC confirms support for the fast-track consenting process as an appropriate mechanism for consideration of the proposed development. HCC has supported the FTCA process in advice to the applicant due to a potential notification risk if processed under the Operative District Plan (ODP). In addition, support for the FTCA process is also predicated on the parties successful resolution of the wastewater capacity constraints.</p> <p>HCC support for the FTCA process is subject to ongoing engagement prior to lodgement of any application, and to the extent possible, agreement to a draft condition set. We are of the view this will ensure an efficient process and assist any expert consenting panel in deciding on the application.</p>
Environmental compliance history	There is no recorded Environment Compliance history in relation to applicant [or relevant to this application]
Reports and assessments normally required	<p>The list of reports and assessments normally required by HCC for a project in this location and of this scale would include (but not limited to):</p> <ul style="list-style-type: none"> • Planning Assessment (AEE) • Engineering Assessment (Three waters, capacity modelling) • Urban Design Site and context analysis and assessment • Visual Impact Assessment • Shading analysis of over height areas • Earthworks report • Geotechnical report • Economic Assessment • Integrated Transport Assessment • A record of consultation with relevant iwi authorities
Iwi and iwi authorities	<p>The parties that HCC may with engage as iwi authorities for RMA purposes, include:</p> <ul style="list-style-type: none"> • Waikato-Tainui – relevant iwi authority within which the project falls. • Ngaati Wairere – mandated mana whenua for resource management purposes • Te Haa o te whenua o Kirikiri (THaWK) – recognised group representing Ngait Mahanga, Ngati Tamainupo, Ngati Haua, Ngati Koroki Kahukura • Ngati Haua Iwi Trust – recognised iwi authority and part of THaWK. <p>HCC engagement with the above parties would be considered on an application by application basis having regard to the effects of the proposal on the values and interest of Maori.</p>

<p>Relationship agreements under the RMA</p>	<p>HCC has a Joint Management Agreement (JMA) with Waikato-Tainui developed under the Waikato - Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The Joint Management Agreement provides for an enduring relationship through a shared exercise of functions, duties and powers that give effect to the overarching purpose to restore and protect the health and wellbeing of the Waikato River for future generations.</p> <p>The JMA includes agreed process relating to resource consents, specifically those that are for the use of, or activities on, the surface of the water in the Waikato River.</p> <p><u>Other relevant considerations - Te Ture Whaimana o Te Awa o Waikato</u></p> <p>The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 gives effect to the Deed of Settlement signed by the Crown and Waikato-Tainui on 17 December 2009. The Settlement Act has an overarching purpose to restore and protect the health and wellbeing of the Waikato River for future generations. Section 9(2) of the Settlement Act confirms that the vision and strategy for Waikato River (Te Ture Whaimana o Te Awa o Waikato) applies to the Waikato River and activities within its catchment affecting the Waikato River. As well as being deemed part of the RPS in its entirety pursuant to Section 11(1) of the Settlement Act, the vision and strategy prevails over any inconsistent provision in a national policy statement and Sections 11 to 15 of the Settlement Act prevail over Sections 59 to 77 of the RMA and is a relevant consideration in respect of this application.</p> <p>Te Ture Whaimana is also a qualifying matter in respect to Resource Management (Enabling Housing Supply and Other matters) Amendment Act 2021 and underpins HCC's response to the Medium Density Residential Standards (MDRS) as part of Plan Change 12 to the ODP.</p>
<p>Insert responses to other specific requests in the Minister's letter (if applicable)</p>	<p>In relation to the specific questions, HCC has no objection or substantive reason to consider that the application should proceed through the existing RMA processes rather than the FTCA. One consideration the Minister may wish to consider is the whether the scale of the development may give rise to potential adverse effects on the neighbouring community or the public generally. In this situation the existing processing track might be considered more appropriate.</p> <p>HCC can confirm that the applicant, or a company owned by the applicant, have not had any environmental regulatory compliance history in the City.</p> <p>The applicant will require s176 approval from HCC as Requiring Authority for A101. The applicant has not sought approval at this time. A proper assessment will be necessary before a s176 decision is provided. The s176 process is administered by separate parts of Council and is separate to, and not determined by, the Resource Consent process.</p> <p>Without pre-empting a proper assessment and subsequent decision we do not foresee any significant issues with gaining approval because HCC as the Requiring Authority would likely impose terms with the approval to satisfy any concerns it has between the proposal and designation. There is the potential that s176 terms set by HCC as the Requiring Authority will require the applicant to alter its proposal.</p>
<p>Other considerations</p>	<p>Click or tap here to insert any other responses you consider relevant for the Minister to be aware of.</p>

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Planning Guidance Unit

To:	Grant Kettle		
From:	Mel Chow		
Subject:	High Level Planning Memo - Peachgrove Mixed-Use Precinct development		
Date:	19 April 2023	File:	Fasttrack-2023/04

1.0 Introduction

Thank you for the opportunity to review the proposal for the Peachgrove Mixed-Use Precinct development located at 14 Ruakura Road and associated sites in Hamilton East. This memo is a high-level review planning review from a regulatory and policy planning perspective.

In the preparation of this memo, I have reviewed:

- Consultation Letter titled: Covid-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Peachgrove Mixed-use Precinct Project from Rebecca Perrett, Manager, Fast-track Consenting Team – Ministry for the Environment
- Pre-Application Meeting minutes for 14 Ruakura Road, Hamilton dated 22 February 2022 – Hamilton City Council
- Hamilton Urban Design Advisory Panel for Peachgrove Road, Hamilton dated 3 March 2022 – Hamilton City Council
- Application material Appendix C – location and extent of site prepared by the applicant
- Application material Appendix F – architect master plan prepared by the applicant
- Application material Appendix G – urban design assessment prepared by the applicant
- Application material Appendix I – landscape assessment prepared by the applicant
- Application material Appendix L – planning assessment prepared by the applicant

My review mainly relies on the findings from the applicant's planning assessment and is not a comprehensive nor independent review of the proposal. As the application is only at high level, concept level stage, more planning issues may arise once the proposal has been confirmed. It should be noted that I have not conducted a site visit as part of the preparation of this memo.

2.0 Proposal

The applicant is proposing approximately 170 residential units in the form of terraces, apartment building style, and a key 150 room hotel complex along with associated retail, gym on the subject site. Overall, the total site area involves 2.79 hectares of land over 16 properties. It is understood an overall **discretionary** activity resource consent is required for this development, however, further analysis is provided in section 4.

The subject site is zoned **General Residential** zone under the Operative District Plan (ODP), and under the Proposed Plan Change 12 (PC12), the site remains as General Residential zone, with an Infrastructure Capacity Overlay. In terms of site constraints, the site is also within the overland flowpath and ponding flood hazard areas. The applicant's assessment also identified three significant trees along the property frontage.

3.0 Site and Context

The site is located within a relatively large block (see Figure 1), with two main street frontages. Ruakura Road abut the site's northern boundary (33m long), and Peachgrove Road adjoin its western boundary (approximately 155m long). Whilst this is a corner site, I note that Hamilton City Council owns a residue parcel along the corner of Ruakura Road and Peachgrove Road, which provides a frontage of nearly 50m onto Ruakura Road.

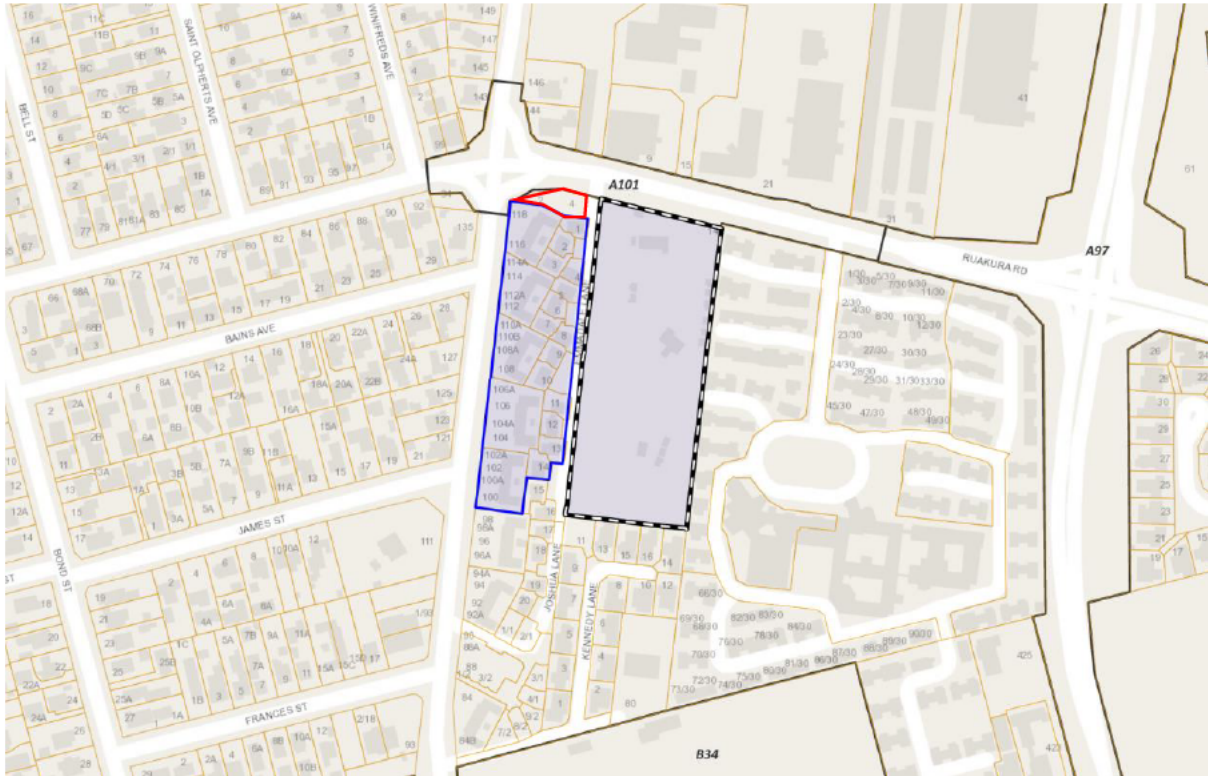


Figure 1: Hamilton City Council Base Map, with subject sites outlined in blue and black dotted line (Hamilton Camp Ground), and the residue parcel in red.

Within its immediate surrounding, the site is considered to be within a mixed-environment including the Green Forest Chinese Medical Centre located at the corner of Te Aroha Street and Peachgrove Road, a range of commercial activities including a Countdown supermarket with attached pharmacy, Activate Church Hamilton, Vision College, Mitre 10 Mega Ruakura, a home improvement store further north of the site. Of note is that apart from the Chinese Medical Centre, which is also within the General Residential Zone, the commercial activity towards the north is inline with the underlying zoning envisaged within the district plan.

In the wider context, the applicant site is within close proximity to Peachgrove Intermediate School, Hamilton Boys High School, the Waikato University (a major education anchor within Hamilton), AG Research, as well as Knowledge Zone at Ruakura Superhub (a 108ha Waikato Innovation Park and commercial hub where business and research organisations collaborate to drive commercial growth).

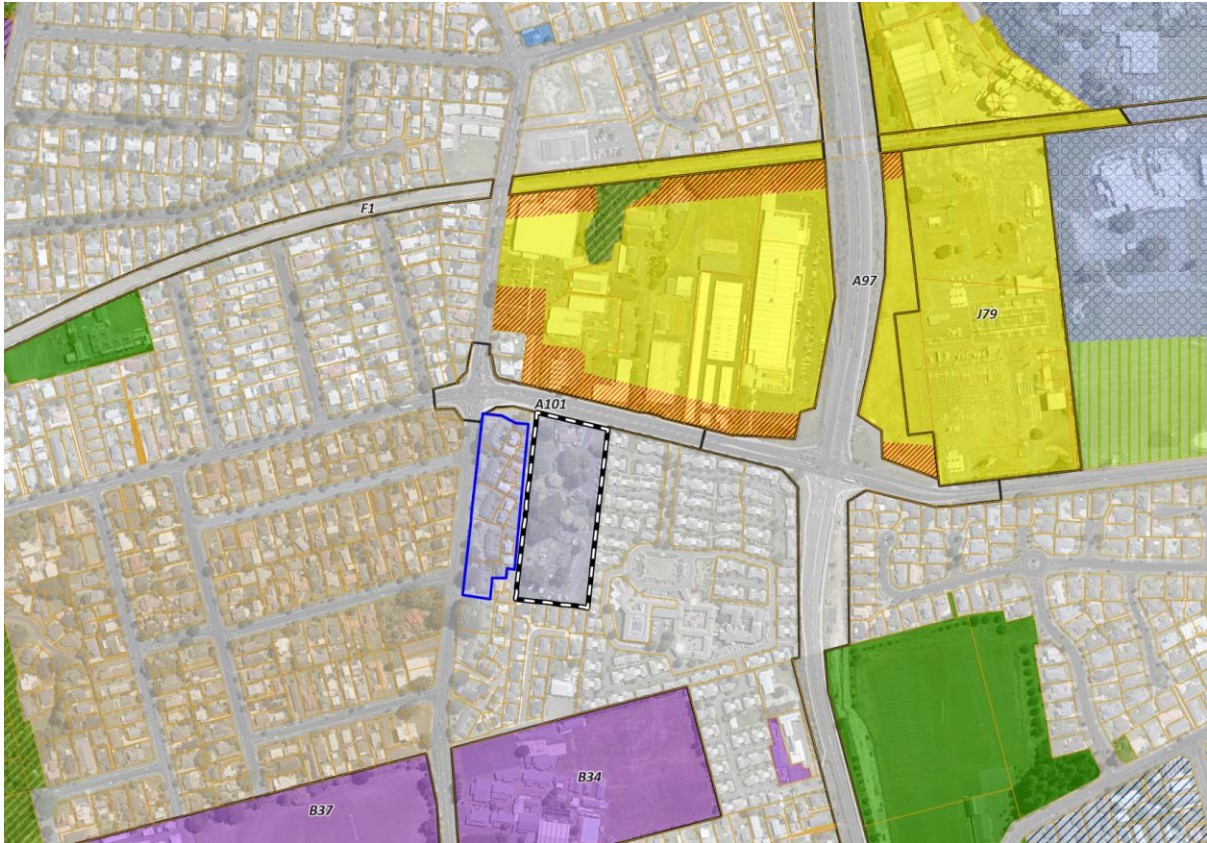


Figure 2: Hamilton City Council District Plan Zoning Map, with subject sites outlined in blue and black dotted line (Hamilton Camp Ground).

In terms of accessibility, the site is serviced by 6 bus stops within a 5-minute walkable catchment, including:

- A bus stop located in front of 108A Peachgrove Road – Stop ID 4264;
- A bus stop located in front of 127 Peachgrove Road (Dental Practice) – Stop ID 7089;
- A bus stop located at 1A St Winifreds Avenue – Stop ID 1464;
- A bus stop located at 92 Te Aroha Street – Stop ID 1739;
- A bus stop located at 14 Ruakura Road (outside the subject site of the Hamilton City Holiday Park) – Stop ID 3978; and
- A bus stop located at 23 Ruakura Road (near Vision college) – Stop ID: 7777.

Please refer to my urban design memo which addresses how far the site could travel within a 10-20 mins walk, and 10-20 mins cycle trip.

Within the wider context, the anchor for the area would be the Claudelands Event centre, various schools and the Waikato University, which is located within a 20min walk to the subject site. The area is also serviced by 3 centres including Hamilton East area, the minor 4-way intersection at Te Aroha and Grey Street, as well as the Five Crossroads retail hub around the 5-way roundabout bounded by Boundary Road, Brooklyn Road, Peachgrove Road and Fifth Ave. The area is also well serviced by open space.

4.0 Planning

The applicant's planning summary provided a high-level activity status review of the consents requirements which will not be repeated here. A policy assessment was also carried out by the applicant which reviewed the relevance of the Medium Density Residential Standards (MDRS). A development control assessment was not carried out, as the proposal is still in concept stage.

4.1 Operative District Plan (ODP)

Further to the applicant's assessment, I note that the associated hotel activities may trigger a non-complying activity if any rooms within the complex are used as a seminar room/conference facility. In addition, a restaurant (what the applicant has identified as 245.17m² for Food and Beverage) also triggers a non-complying activity. Gym and retail are not activities provided for within the General Residential zone, hence pursuant to 1.1.8 of the ODP, a **Non-Complying Activity** is triggered.

MASTERPLAN: PROPOSED MASTERPLAN
1:1000 @ A3

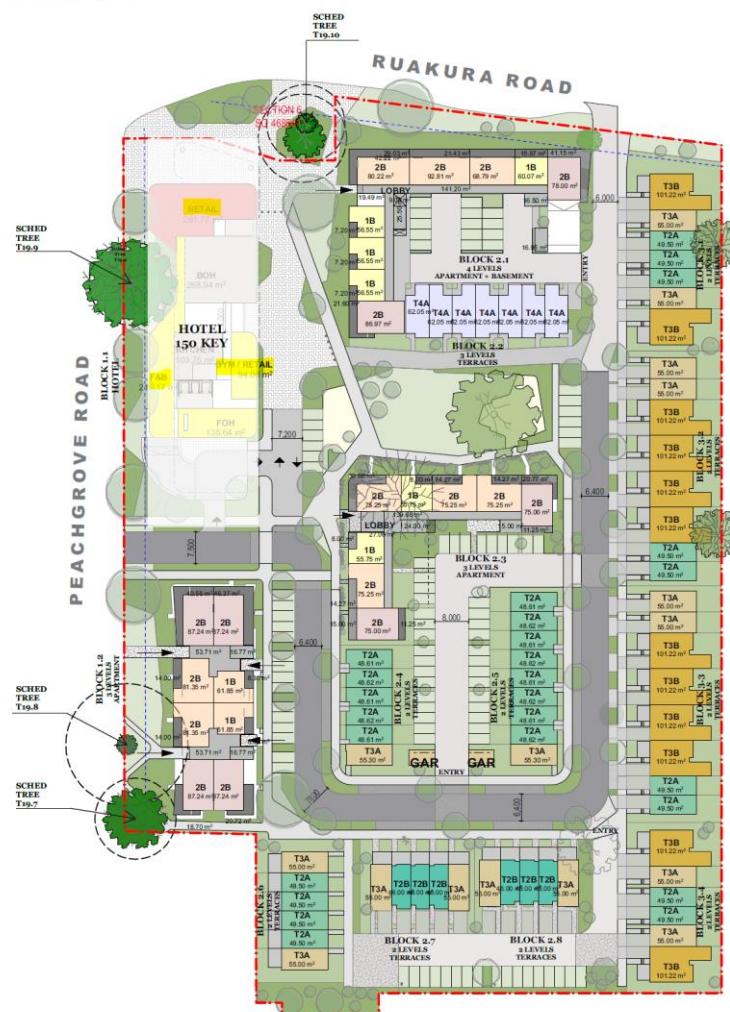


Figure 3: The applicant's proposed Master Plan, with the proposed retail, F&B, Gym and Retail highlighted in yellow.

I also want to acknowledge the main development controls/general standards within the General Residential Zone within the operative plan. Specifically, I notice there's a significant diversion of what is anticipated by the ODP in terms of building bulk (height), and that part of the proposal would result significant infringements in terms of the anticipated building envelope.

For ease of viewing the controls are as follow:

- Density

Activity	Net site area (minimums unless otherwise stated)
General Residential Zone	
i. Single dwellings (per residential unit)	400m ² per residential unit 1000m ² per residential unit for lots adjoining Waikato Expressway (Designation E90 and E90a)
ii. Duplex dwellings	400m ² per duplex (200m ² per unit)
iii. Apartment building	-
iv. Single dwellings with an ancillary residential unit	600m ² total for both dwelling and ancillary residential unit
v. Integrated Residential Development	300m ² per single dwelling unit 400m ² per duplex (200m ² per unit) Apartments ~150m ² per residential unit
vi. Relocated dwellings	400m ² per residential unit
vii. Residential centres	75m ² per resident
viii. Rest homes	75m ² per resident
ix. Managed care facilities	100m ² per resident

- Site Coverage – Maximum 40%
- Permeable Surface - Minimum 30%, along with front setback required by Rule 4.4.6 to be planted (minimum 50%)
- Building Height – Maximum 10m
- HIRB - No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees) and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries (see Figure 4.4.5e)
- No minimum parking requirements

Pursuant to 1.1.8.2 of ODP, infringement of any standards will be assessed as a Restricted Discretionary Activity unless specifically stated otherwise in the relevant Activity Status Table. Although, I note the proposed hotel complex will well infringe the 10m anticipated height within the General Residential Zone.

I agree with most of the comments made by the applicant's planner relating to the objectives and policies, but disagree that part of the application proposal would meet the specific objectives of the General Residential Zone. Specifically, 4.4.1 identifies the purpose of the General Residential zone:

- a. *The General Residential Zone provides for most of the traditional housing areas. The zone includes established residential suburbs and some greenfield areas.*

- b. *This zone is intended to be primarily for residential buildings and activities.*
- c. *The building form is likely to be low (one or two-storey) single dwellings with a high ratio of on-site open space to building. There is an expectation of a high level of private, on-site amenity. Duplex dwellings are a higher density form of development but are acceptable so long as they maintain a sense of open space and private, on-site amenity.*
- d. *Larger sites will be able to accommodate an ancillary, self-contained residential unit.*

The General Residential zone is the lowest density housing development within the Hamilton City Council area, and it's preserved for areas with traditional housing. The hotel development component would not be in line of what is anticipated within the zone, especially with the height and bulk proposed. While the development concept is supported in principle, parts of the development will not align with the current regulatory and policy framework and will not be consistent specifically with Objective 4.2.4 and Policies 4.2.4a and 4.2.4e.

Strategically speaking, a land use review is likely to be triggered in the wider catchment as effectively the combination of activities would redesign this 4-way intersection into a mini local centre. In turn, it's a larger replication of the 4-way intersection further west of the area (Te Aroha Street and Grey Street 4-way intersection).

5.0 Summary

From a city's perspective, I believe the development will no doubt contribute to the economic prosperity as well as significantly assist to address the housing shortages in Hamilton. However, the detail issues identified in section 4 of my report needs further considerations. As a summary recap these are:

- a. The activity status of the overall application may trigger a **non-complying** activity given retail/gym/food and beverage (i.e. restaurant) is proposed.
- b. The proposed hotel complex is not within the anticipated building envelope within the General Residential Zone (significant height infringement).
- c. Part of the proposal will not be consistent with the objectives and policies within the General Residential Zone.

From a strategic planning perspective the draft Urban Growth Strategy identifies the location as a key interchange where intensification and mixed use is encouraged. This is useful as this high-level document supports a mixed-use development, which aligns with what the applicant is proposing.

In the micro context, the area is within an Infrastructure Capacity Overlay, and this is subject to Council's Strategic Development Units (SDU) independent review on the infrastructure availability. In addition, my experience with mixed use developments is that an integrated transport assessment should be prepared, rather than a traditional traffic assessment. This is particularly relevant, as the hotel is likely to generate more traffic than what is anticipated within the General Residential Zone.

Should you wish to discuss anything further regarding this application or memo, please don't hesitate to contact me.

Best regards,



Mel Chow MNZPI(Overseas), UDF, MPlan(Hons), BPlan(Hons), Cert.IntDes
Planning Team Leader
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Planning Guidance Unit

To:	Grant Kettle		
From:	Mel Chow		
Subject:	High Level Design Memo - Peachgrove Mixed-Use Precinct development		
Date:	19 April 2023	File:	Fasttrack-2023/04

1.0 Introduction

Thank you for the opportunity to review the proposal for the Peachgrove Mixed-Use Precinct development located at 14 Ruakura Road, Hamilton East. This memo is a high-level review of the urban design, landscape statement and the architecture master plan.

In the preparation of this memo, I have reviewed:

- Consultation Letter titled: Covid-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Peachgrove Mixed-use Precinct Project from Rebecca Perrett, Manager, Fast-track Consenting Team – Ministry for the Environment
- Pre-Application Meeting minutes for 14 Ruakura Road, Hamilton dated 22 February 2022 – Hamilton City Council
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- Application material Appendix L – planning assessment prepared by the applicant

It should be noted that I have not conducted a site visit as part of the preparation of this memo. Overall, the total site area involves 2.79 hectares of land over 16 properties. The applicant is proposing approximately 170 residential units in the form of terraces, apartment building style, and a key 150 room hotel complex along with associated retail, gym on the subject site. It is understood an overall discretionary activity resource consent is required for this development.

2.0 Urban Design

The following section provides an analysis of the urban design merits of the application with regard to urban design principles, the New Zealand Urban Design Protocol (2005).

2.1 Urban Design Panel

This proposal was reviewed by the Hamilton Urban Design Advisory Panel on 3 March 2022. The panel acknowledged that the development aspiration is to provide a liveable precinct development, and concurred that a mixed use development is supported for this site.

Specific comments and recommendation also included:

- Consideration to micro transport modes such as bikes, e-bike and scooter users, particularly around integrating good storage and recharging station provision;
- A careful staging of development – i.e. if the commercial component not progress, what would the design response to be this key gateway corner;
- Ensuring accessible car parks are provided to support the accessibility of the apartments, as well as accessible apartments (15% as a rule of thumb), ramps and other accessible design features;
- The use of rain garden (this was presented by the applicant verbally and not on plans);
- The consideration of the development towards the Peachgrove Road access works of the walking/cycle corridor improvements planned;
- Access from Ruakura Road that needs some refinement;
- Suggestion to reconsider the relationship between the 5 storey Block A and the width of the green link from Ruakura Road;
- Inclusion of mature trees into the development; and
- Reconsideration towards the necessity of the small length one way road that appears to bisect two green spaces, and if a more continuous shared green space could be provided.

2.1 Urban Design Assessment

The New Zealand Urban Design Protocol (2005) is a central government initiative to improve the quality of the urban environment. Hamilton City Council is a signatory to the protocol, hence regards should be given to the protocol for all proposals within the Hamilton City Council's boundary. Urban design discipline involves all aspects of towns and cities, ranging in scale from region to towns, individual streets, public spaces and buildings. Urban design reviews not only the environmental effects, but also the economic and social cultural consequence of design decisions (Ministry of Environment, 2005). The Ministry of Environment sets out seven essential urban design qualities, known as the '7 Cs.' These 7 Cs consists of:

Context - The contribution individual buildings, places and spaces make to towns and cities

Character - Enhancing distinctive character, heritage and identity for urban environments

Choice - Ensuring diversity and choice for people

Connections - Enhancing a variety of networks to link people together

Creativity - Encouraging innovative and imaginative solutions

Custodianship - Ensuring design is environmentally sustainable, safe and healthy

Collaboration - Sharing knowledge across sectors, professions and with communities.

In relation to the above, I make the following comments:

Context: The site is part of an emerging area where more density is likely to occur in the near future. A brief diagram of the walkable catchment of 20 mins and 10 mins are provided below, which indicate the subject site is just outside of a 20-min actual distance walkable catchment to the CBD. Nonetheless, the development site can reach the CBD within a 10 min bike ride, and a 20 min bike ride serves nearly all the key facilities within Hamilton. It is therefore reasonable to plan for how future hotel users will be accessing the site. The integration of bike facilities is really important to encourage sustainable transport modes are used to access the CBD, especially the site is bonded by the cycle network.

Having consider the strategic location of the site, and the relatively flat topography, I consider the mixed-use nature is appropriate for its context, given that this 4way intersection gateway can absorb greater built form scale and bulk, and it would not be considered out of the ordinary as the opposite block already consists of a number of non-residential/community/commercial activity. However, the treatment of the northwestern corner requires further design consideration as the hotel use would create a more defined gateway into both Ruakura Road and Peachgrove Road. Specifically, as the building stands, this key corner did not consider a 'wrap around' corner which provides improved legibility to the area. The plans on page 8 and page 9 also shows discrepancy for the proposed built form for Block 1.1.

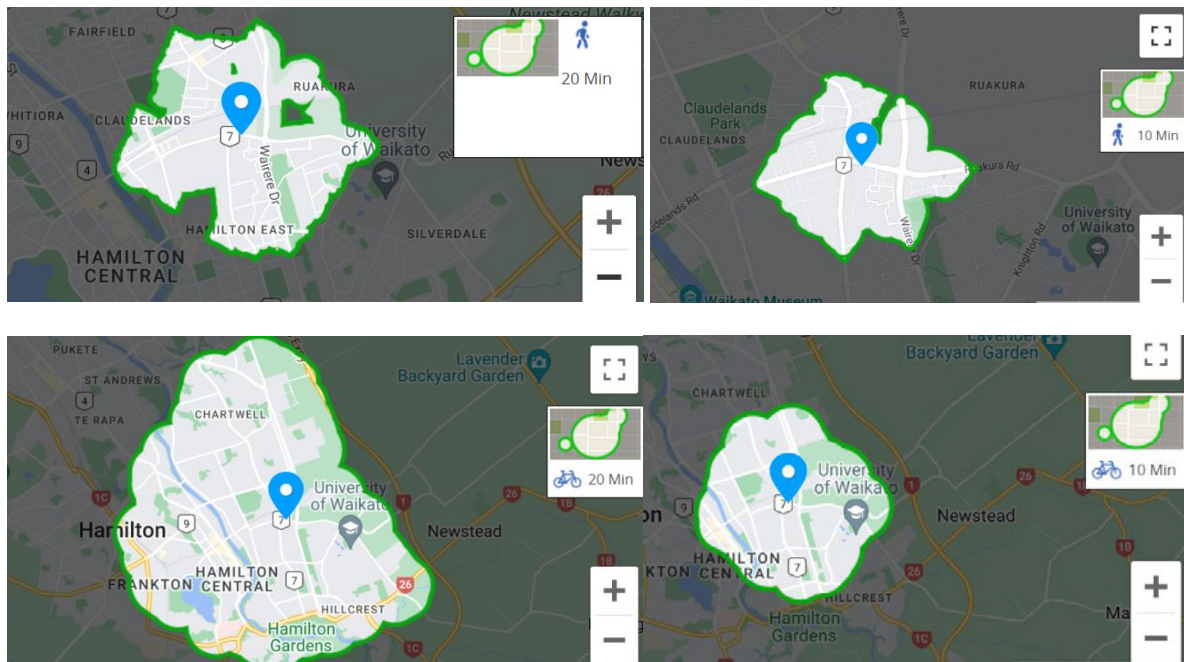


Figure 1: Catchment study of how far the subject site can reach by foot and bike in both a 20 min and 10min timeframe.

Character: The applicant has clearly considered the relationship of the site towards its historical, present, emerging and future trends which is commended. A key feature the applicant has proposed is the three distinct architectural style which compose the sites into three building blocks. The grove, orchard, and the ground design clearly define the area as three distinctive area which is suitable in my opinion as it aligns with the proposed built form and typology proposed on site. The applicant has commendably focused the denser area towards the corner of Peachgrove Road, and gradually reducing the scale of built form of the 3 level apartments towards the centre of the site, and use a 2 storey edge around the eastern and southern boundaries of the site so it is more sympathetic towards the adjoining neighbours. Having said this, it appears the proposed built form needs further work around the prominent corner of Peachgrove and Ruakura to represent more of the commercial nature of the proposed hotel. Furthermore, the bottom floor could benefit from additional height, to enhance the walkable experience, as well as the legibility of the pedestrian entrances and access.



Figure 2: Perspective from the application material of the proposed hotel development.



Figure 3: Perspective from the application material of the proposed townhouses

As shown above in Figure 3, additional façade modulation and treatments could also be explored for the internal townhouse block, along with more variety in building colours.

Connection: The focal point of the 5-storey hotel will provide a visual connection and wayfinding guide for the surrounding as well as the internal development. It is highly recommended that when the application is going through the detailed design stage, a way finding strategy be adopted and have specific considerations towards the pedestrian scale, the cyclist's perspective, as well as from an automobile perspective. Designing for these three scales would be critical towards achieving a successful mixed-use precinct. From a place making perspective, it is strongly encouraged that the applicant explores some sculpture designs around the development to create its own identity, as well as assisting with way-finding land marks for pedestrians.

Creativity: It is strongly encouraged that the applicant explores a landscape strategy that enables a consistent plant specimen around the accessway to clearly define its use. There are also potential to explore a partially covered pocket park area as a creative initiative which provides outdoor usable area for all weather conditions. Other ideas are covered outdoor areas to ensure the usability of these spaces, or elevated park elements which enhances the experience of the pocket park users.

3.0 Recommendations

In my view, the proposed development concept is supported, but the forementioned issues above needs to be addressed.

Further to the recommendations above, it is highly recommended that:

- 1) The gateway hotel building needs to read as a commercial building, along with additional height on ground floor. This building also needs to positive engage the street and corner location.
- 2) Universal design principles are adopted for this development. Particularly, recognising human diversity and design for all life scenarios such as pregnancy, childhood, injury, disability and old age.
- 3) Encouraging 'Play Space' within the pocket park and considers maximising its use from a recreational perspective.
- 4) Consider water sensitive design and how stormwater issues such as flow paths, flood plains can be integrated into the wider master plan, rather than just within the proposed 'slow, green' street as mentioned in the landscape assessment.
- 5) The movement networks and wayfinding principles should be considered in the detailed design phrase. Ensuring the movement network is clearly defined between the commercial aspect and residential aspect and limit movements after dark towards the corner component only.
- 6) Consider the use of more verandas for the commercial component to protect future users from different weather conditions.
- 7) Integrate wayfinding principles throughout the development which considers different users – i.e. from a pedestrian, cyclist and automobile perspective, and integrate commercial signage and wayfinding signage as part of the signage strategy.
- 8) Consider innovated design for place making and creating an identity to the surrounding, this can be done via sculpture designs, elevated park elements for the pocket park area, as well as covered/partially covered semi-public open space area for the hotel area.

Should you wish to discuss anything further regarding this application or memo, please don't hesitate to contact me.

Best regards,



Mel Chow MNZPI(Overseas), UDF, MPlan(Hons), BPlan(Hons), Cert.IntDes
Planning Team Leader
Planning Guidance Unit
s 9(2)(a) [REDACTED]
[REDACTED]

Development Engineering Unit: Memo**012.2020.00002844.001 - 14 Ruakura Road Hamilton East Hamilton****John van Rooy – 19 April 2023**

Engineering Comments to Ministry For the Environment**Overview**

This memo summarises the high-level comments on three waters servicing and transport for the proposed development of the property at 14 Ruakura Road. Since the initial 2022 initial letter of support was provided, revised details have been provided on the proposed development which increase demand on the waters' networks. This increase in demand exacerbates concerns City Development has over the existing capacity of the wastewater network in this location, such that infrastructure upgrades will be required at a local and strategic level.

Wastewater

The modelling submitted by the consultant in 2022 had identified some local and strategic (interceptor) capacity issues resulting in manhole overflows in the downstream catchment. At that time, onsite wastewater storage and splitting the wastewater flows into different sub catchments was identified as a potential interim solution to mitigate the adverse effects of the development on the network ahead of the necessary catchment upgrades. However, following the Government's push to increase dwelling densities under the NPS-UD which has resulted in Hamilton City Council's Plan Change 12, and HCC's response to that direction, the wastewater modelling is likely to show increased risk of overflow with the current infrastructure.

This proposed development is on the Eastern side of the network and is within a capacity constrained area of the network. Infrastructure upgrades at a local and strategic level are needed to address the existing capacity constraints. Some of these improvements are funded in the 2021-2031 LTP, other improvements are not funded. In line with the proposed revision for the Council connections approval process, these upgrades should be in place ahead of any significant new developments serviced through the constrained network.

If there is certainty of delivery of the strategic network upgrades and several other critical factors are satisfied, HCC may determine that interim solutions are able to support the development proceeding ahead of the strategic network upgrades. Previously identified interim wastewater servicing options include:

- On-lot storage and pump stations with emergency storage and off-peak release into the current catchment as a private temporary mitigation, to be removed following network improvement.
- On-lot storage and pump stations extended with emergency storage and pumped diversion of the wastewater stream into the far Eastern catchment as a private temporary mitigation to be removed following network improvement.

The technical viability of such interim solutions to mitigate impacts on the network has not been assessed and needs to be tested. To evaluate the technical viability of temporary storage solutions to manage demand on the constrained network, the developer would need to demonstrate:

- that the solution meets the appropriate design levels of service and design standards.
- that the developer will have the infrastructure, capability, and capacity to take full financial, operational and maintenance responsibility of such a solution until the necessary network upgrades are in place
- that they will contribute to the cost of the network upgrades necessary to permanently service the development and decommission the temporary infrastructure.

Onsite storage solutions are not generally an acceptable permanent solution where network capacity constraints exist due to the risk they impose on the overall network operation, and the potential precedent that allowing such a solution would present for the wider catchment. The preferred solution is to address the public network constraints ahead of additional development pressure and to ensure that solutions are sustainable and resilient in the long term.

Stormwater

The area has an identified flood hazard. Possible engineered mitigation for this and the increased impervious surface areas identified in early 2022 included on-site storage and attenuation into the stormwater network.

Since then, the following interventions have been identified:

- Suitable technical evidence to support engineering plans is provided and approved prior to construction
- An overflow path is formed to connect the development site to the roading network
- Increased flood storage is provided on site to improve the ponding area in the wider depression area
- Freeboard levels are applied above flood and depression levels
- A primary network with suitable capacity is constructed
- Water quality is provided to a suitable standard
- At source measures on required to address retention, soakage and initial abstraction requirements through reuse, soakage and bioretention, based on soil tests
- Appropriate Waikato Regional Council consents are obtained

Water

Depending on the ownership model of the development, a high-water user agreement may be required. Optioneering will be required to assess potential upgrade options to remediate the head loss issues, improve connectivity, and provide for Fire Water required beyond FW3. The recommended network upgrades will need to be implemented. Local upsize of the local mains and implementation of reuse will likely be required.

Roading

The proposed development is at the intersection of two minor arterial roads which require limited (in number) and specific access points type to the development. These limitations were identified and accepted by the developer. The internal roading network would remain as privately owned but meet the minimum requirements for onsite access, parking, and manoeuvring.

Summary

Except for the wastewater catchment constraint, the other engineering elements are not considered insurmountable to the development as proposed, although investment in these services will be required. The wastewater catchment constraints will need to be addressed to support the proposed development. Council currently has some strategic network capacity improvements programmed in the 2021-2031 LTP, however these are currently not programmed to be in place for 3 – 6 years. If these investments can be accelerated, it is likely

that the wider wastewater network constraint will be removed, and the implementation of local remedies such as a wastewater main upsize can mitigate the local adverse effects and permit the development to proceed as proposed. Interim wastewater servicing solutions may be available but would need to be tested and a range of critical factors satisfied.

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Waikato Regional Council
Contact person (if follow-up is required)	Hannah Craven, Senior Policy Advisor s 9(2)(a)
	Amy Robinson, Manager – Regional Consents s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Peacocke Mixed-use precinct
General comment – potential benefits	<p>Transport:</p> <p>From a public transport perspective, the proposal has strong benefits, given it promotes higher intensity land-use activities near public transport interchange locations. The location of the proposed development is ideal for easy access to public transport services and provides the ability to connect to major employment and education centres in Hamilton City and to regional towns.</p> <p>The proposal also has potential to contribute to transport emissions reduction if mode shift is accomplished. The existing Hamilton City Council Eastern Pathways Te Ara o te Rawhiti project will support a safer environment for walking and cycling in this area. Improved walking and cycling infrastructure and facilities both on and off site encourages and supports the shift to modes of transport other than cars, thereby mitigating the impact of transport emissions.</p> <p>Overall, the transport benefits of the proposal are:</p> <ul style="list-style-type: none"> - Enabling growth with less reliance on private motor vehicles - Supporting compact urban form - Reducing emissions from transport, and - Leveraging public investment in infrastructure and services such as that provided through the Eastern Pathways Te Ara o te Rawhiti and School Link projects and public transport services. <p>Stormwater management:</p> <p>The proposal includes best practice stormwater management methods which support the direction of the Waikato Regional Policy Statement and Te Ture Whaimana – The Vision and Strategy for the Waikato River, including:</p> <ul style="list-style-type: none"> - Attenuation

	<ul style="list-style-type: none"> - Water quality treatments - Volume control methods.
General comment – significant issues	<p>There is a moderate overland flow path on the proposal site. Potential issues could arise depending on how this is managed and whether there is any displacement of this water.</p> <p>We consider any potential flooding issues can be resolved with appropriate flood modelling and engineering design.</p>
Is Fast-track appropriate?	No comment from Waikato Regional Council. However, we note that decisions on resource consents under the fast-track process should be cognisant of the ability of a local government authority to fund infrastructure needed to materialise benefits from the proposal under the long-term process pursuant to the Local Government Act 2002.
Environmental compliance history	No compliance history with Waikato Regional Council.
Reports and assessments normally required	<ul style="list-style-type: none"> - Site-specific flood assessment (to 100 year flood event) - Contaminated land PSI/DSI - Detailed stormwater management plan - Assessment against Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River. The proposal must give effect to Te Ture Whaimana as it is located within the catchment of the Waikato River. - Earthworks assessment – including information on cleanfill and an erosion sediment control plan. <p>Note all assessments should consider and incorporate climate change scenarios and projected impacts. Reports and assessments should be peer reviewed.</p>
Iwi and iwi authorities	<p>The application appropriately identifies the following iwi authorities as having interest in the development area:</p> <ul style="list-style-type: none"> - Waikato Tainui - Ngaati Wairere - Te Haa o te whenua o Kirikiriroa - Ngāti Hauā Iwi Trust.
Relationship agreements under the RMA	Waikato-Tainui Joint Management Agreement (JMA).
Insert responses to other specific requests in the Minister’s letter (if applicable)	Specific requests responded to above.
Other considerations	We note there is unlikely to be any impacts on Waikato Regional Council’s drainage schemes.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry’s proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.