

Meridian 37 Ltd

Request For A Plan Change To The Waipa
District Plan

Prepared For:

Meridian 37 Ltd
400 Raynes Road
RD2 Hamilton

MAY 2009

FINAL



ENVIRONMENTAL MANAGEMENT SERVICES
Limited



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REPORT INFORMATION		
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Status of Report	Final	
File Location	C:\Users\lan\Desktop\Documents-Ian\H480 Raynes Rd Private Plan Change\draft reports\Final report and appendices\Final report 130509.doc	
Our Ref	H480	
		Signatures
Author(s)	Ian Johnson	
Reviewer	Mark Chrisp	
Revision Dates	Authorised by:	



1 INTRODUCTION

1.1 BACKGROUND

This Plan Change provides for the safeguarding of two of the most significant elements of the Region's future infrastructure and provides a planning framework to enable the productive use of residual land affected by these proposals.

It provides for a corridor of land and appropriate controls to enable the construction of new state highway links between State Highways 1, 3 and 21. This corridor forms part of the New Zealand Transport Agency's (NZTA) Southern Links Project.

It also responds to proposals by the Waikato Regional Airport Limited (WRAL) for a runway extension by identifying and including specific planning controls relating to a Runway Protection Area that will ensure the operational safety and efficiency of the Airport.

Both sets of proposals are important to the long term economic development of the region and their integration with the national transport network. Both proposals will significantly affect the future productive use land in the ownership of Meridian 37 Ltd. The residual landholding is a strategic asset in its own right. It comprises land that is being restored following sand extraction and is situated adjacent to land that is identified, either through existing zoning or the District Growth Strategy, for industrial development.

This Plan Change provides for the zoning of the land to enable future development that will contribute towards wider strategic economic objectives and help to secure strategically important infrastructure. As such it represents an entirely sustainable package of measures that will contribute significantly to the regional economy.

The proposed changes to the District Plan are set out in Section 8 of this report. They are supported by amendments to the Planning Maps which are set out in Appendix A.

1.2 LOCATION

The Plan Change area is situated between Hamilton City, and the towns of Cambridge and Te Awamutu situated in Waipa District. It is connected to each these settlements via state highway 21 which crosses the Waikato River via Airport Road and connects State Highways 1 and 3. Local road access provides alternative and additional connections to Hamilton City (via Raynes Road and Peacockes Road) and Cambridge (via Mystery Creek Road). Appendix B shows the Plan Change area on an aerial photograph base.

Further along Airport Road, and adjacent to the site, is land owned and operated by WRAL as the Hamilton International Airport. Non-operational land is now being prepared for industrial development under the name of Titanium Park.

These proposals are the latest in a series of changes that reflect the growing significance of the locality as a strategic business location. Such changes have already affected part of the subject site; in 1999 the Narrows Landing boutique hotel and restaurant was opened, in 2002 resource consent was granted for the Caroline Eve office and warehousing facility and in 2005 resource consent was granted for the establishment of a 96 unit residential accommodation development to support pilot students attending the CTC Aviation Group Aviation School. In 2007 resource consent was granted for an expansion of this facility to accommodate 144 bedspaces and that project is now complete.



In the wider area proposals have been made for hotel development adjacent to the Lochiel Golf Club (awaiting determination) and there is pressure for the further development on former quarry sites to the south of Airport Road.

Further afield, Stage 1 of the development of the Peacocke growth cell within Hamilton City to the north will provide an additional 500 lots. Longer term this growth cell will accommodate a population in excess of 20,000. Adjoining this but within Waipa District is a growing rural residential community situated on Peacocke Road, Faiping Road and Lowe Road. Proposals for a further rural-residential policy area to the west of Ohaupo Road are currently under appeal but form part of the district growth strategy. Opposite the site, within Waikato District, the Country Living Zone and Tamahere Structure Plan has capacity for an additional 500 lots that will ultimately establish a significant new neighbourhood on the City's southern boundary.

Hamilton City CBD is situated 10km to the north, the Waikato Hospital is 8km distant and the Mystery Creek Events Centre is 2km to the south.



2 PROPOSED DEVELOPMENT CONCEPT

The proposed Plan Change area recognises and responds to strategically significant changes that are underway that will affect the character of the area and the contribution that it could make to the regional economy.

Proposals by WRAL for expansion of industrial and commercial development at the Airport are intended to establish the Airport as a hub for new business activity servicing the Waikato region. Proposals by the NZTA for additional state highway corridors connecting the state highway network with the southern and central parts of Hamilton City will improve network efficiency and effectiveness but also enable and provide for development to be served by the local road network. The Government commitment to the construction of the Waikato Expressway within 10 years will emphasise the role of Airport Road as the strategic road connection between State Highways 1 and 3 and the linking of the Taranaki economy with the “Golden Triangle” based on Auckland/Hamilton/Tauranga .

The Mystery Creek Events Centre is growing in significance as a national events centre hosting business, cultural, recreational and sporting events throughout the year. Local businesses, such as the Mystery Creek vineyard are diversifying to meet the demands of a growing customer base attracted by facilities within the area.

The site is therefore central to a rapidly evolving growth cell with a thriving business community, increasing visitor numbers and a growing resident population. In this regard the proposal aims to optimise the distinctive locational advantages that the area offers by providing opportunities for further development in a landscaped setting, well served by the strategic highway network and close to amenities that will support a modern residential and business community.

The proposal consists of three principal elements extending to around 98ha in total; a “business park” area of approximately 65ha providing opportunities for a wide range of new businesses in an environment shaped by rigorous environmental controls, a 12.7ha “rural residential” environment situated where it can optimise its northerly aspect, its relationship to the Waikato River and the Country Living Zone situated on the opposite bank, and a “visitor accommodation” area of approximately 20.2ha providing opportunities for travelling accommodation and ancillary facilities seeking a high quality landscaped environment.

The concept anticipates the establishment of a new state highway corridor on an alignment advised by the NZTA as being the only feasible option across the Plan Change area. Whilst no specific proposals have been made by the NZTA the identification of areas for particular activities recognises that the construction of this strategic route will alter the physical environment and connectivity to the road network. The proposal responds to these changes by promoting a new arrangement for access to affected land blocks and promotes a land use plan that will sit comfortably with the eventual changes to the road network. The precise alignment of the road within the corridor is yet to be determined by NZTA but substantial flexibility exists within the identified corridor to enable route efficiency and effectiveness to be optimised. The eventual construction will redefine the boundary between the business park and the rural residential area. Consequently the area capable of permanent built development within the Industrial Zone will be less than the extent of the Zone implies.

Similarly, the Visitor Accommodation area is also bisected by the proposed State Highway corridor and land that will be needed for construction of the road will clearly not be available for permanent built development. Moreover, a large part of the proposed area is already developed as accommodation supporting the Pilot Training facility at the Airport and a further significant area of mature oak trees is proposed to be retained as a landscape feature.



Accordingly the extent of new built development will be significantly less than the extent of the zoning implies.

The concept also responds directly to emerging proposals for the long term extension of the airport runway. The runway extension itself will remain entirely on the western side of Raynes Road but, through a cooperative working relationship with WRAL, proposals have been developed for a Runway Protection Area as part of the Plan Change proposals. Within this area, which has been defined by WRAL, development proposals will be assessed to ensure that they will not compromise the operational efficiency of the Airport, or be at risk from the Airport itself.

The Runway Extension Project itself is being developed by WRAL for public notification in the near future. They are expected to include proposals for a Notice of Requirement for land to enable the positioning of runway approach lights and Plan Change provisions that will replace current provisions relating to the Obstacle Limitation Surface. Both elements will affect the Plan Change area. The effect is that the narrow corridor of land required for runway approach lighting will effectively sever land on its southern side from the main body of the proposed Business Park. This area of land sits opposite the existing Caroline Eve distribution warehouse and it is proposed that access to this particular site will be taken from Meridian Drive. The changes to the Obstacle Limitation Surface will impose height restrictions on future development but will not frustrate it. The approach lighting corridor will largely be situated within the Runway Protection Area and the Notice of Requirement that will provide for it will have effect from the date of its lodgement. In that regard the Plan Change proposals fully anticipate the proposals by WRAL and respond directly to the issues that they raise.

The proposed Runway Protection Area relates directly to the proposed northern extension of the runway and would not be needed if this project was not to proceed. Accordingly the proposals provide for these restrictions to become operative only when a Notice of Requirement is lodged for the northwards extension of the runway.

The combination of the Southern Links Project and the Runway Extension Project will reduce the developable area of the Business Park. The precise effects will not be known until designations are in place for these infrastructure projects but it can be expected that the developable area of the proposed Business Park will reduce to around 55ha – 60ha. Both the WRAL and NZTA proposals will be pursued through the designation process in due course. The development concept and proposed provisions will provide an easier route for the delivery of these major infrastructure projects.

2.1 SUPPORTING TECHNICAL ASSESSMENTS

Development of the Plan Change proposals has been an iterative process drawing on the findings of technical assessment and consultation inputs. The supporting technical assessments are set out as Appendices to the proposal. They have been prepared at different stages in the development of the proposals and some, for instance the archaeological and ecological assessments, include preliminary versions of the Structure Plan that have since been revised. The written assessments clearly relate to these earlier versions and it is therefore appropriate to retain them within their respective reports.

Whilst there are some differences between these and the final version there is no discrepancy between each assessment and the final proposal and, moreover, no difference in terms of the nature or extent of the environmental effects that the proposal will generate. In fact, as a consequence of providing for both the Southern Links project and the Runway Protection Area,



and recognising that WRAL will lodge a Notice of Requirement to secure land needed for runway approach lighting, the intensity of development is likely to be much less than has been anticipated in the technical assessments.

Accordingly, the conclusions and recommendations of the original assessments remain valid.



3 EXISTING ENVIRONMENT

3.1 PRESENT LAND USE AND TOPOGRAHY

Much of the proposed Plan Change area has been the subject of a sand winning operation that has progressively been restored to agricultural use, largely for maize production. As such the area is largely devoid of natural landcover, with the exception of trees and other vegetation alongside the river and a stand of oak trees extending from the river into the site on its northern boundary. Much of the remainder, including small ponds and surrounding planting has been created as part of recent development and, in fact, provides for stormwater management and wastewater irrigation fields.

In terms of landform the sand winning and restoration operation has resulted in the removal of any pre-existing features and the gradual grading of the restored ground to present a site of gently rolling contour. None of the variations in slope or aspect present any particular features of distinction in an aesthetic sense, or challenge to development. The most elevated part of the site is situated directly opposite the Airport and this is subject to the Runway Protection Area provisions. Consequently it is likely that development will be of a lower intensity in this area.

Views of the site from Raynes Road are of agricultural land with occasional buildings situated in and around it. The only buildings within the site that are visible from Raynes Road consist of the former goat farm sheds, cow sheds and farm workers dwellings. The former goat sheds may have potential for conversion to productive use as part of an early stage of development but they are situated within the Runway Protection Area and will require resource consent approval. The remaining farm buildings will be removed as part of the development. Adjoining the site is the Caroline Eve building that provides an example of the style and effect of development that the applicants wish to promote for the eventual development, being low rise, low density, generously landscaped and being set into the landform. Also visible from Raynes Road, but outside of the Plan Change area are other rural and residential buildings of various styles and sizes, including the Narrows Landing and industrial sized sheds associated with neighbouring dwellings. The general absence of built development reflects the fact that the site represents one of the few remaining large land blocks in single ownership in the area. Most blocks in the vicinity have seen some degree of subdivision, most of which has occurred to enable residential development.

Views from the eastern side of the river are only obtainable from the northern side of Airport Road and are essentially of an open agricultural landscape. Airport Road itself drops steeply to the Narrows Bridge and views of the site are only glimpsed. Rural residential development within the Tamahere Country Living Zone has occurred along large parts of the riverside. Whilst views across to the site are generally from private property the extent of the Tamahere neighbourhood is such that the amenity value of the proposed site to this residential community needs to be considered. In this regard these views are essentially of the vegetated river bank with open agricultural land situated above it. An existing dwelling situated on a lower river terrace provides an exception to this and the house is of a size, design and position that it is a prominent feature in local views from across the river. The dwelling forms part of the Plan Change area but is to be retained.

Situated within the Plan Change area but largely screened from external views is the CTC accommodation facility. The facility has been expanded to provide accommodation for up to 144 student pilots. The ability of the site to accommodate such a sizeable development in a landscaped setting is illustrative of the capacity of the area and the intentions of the landowners to develop a high quality landscaped environment. Access to this facility is provided by



Meridian Drive, an 8m wide private road built to full urban standards and being of a higher specification than Raynes Road itself.

3.2 LEGAL DESCRIPTIONS

The legal descriptions of the property subject to the Plan Change request are as follows:

Lot 1 DP 357645 (29.113ha)
Part Lot 2 DP 357645 (Approx 68.1ha)
Part Lot 4 DP 357645 (Approx 0.75ha)
Allot 487 Te Rapa Parish (0.00183ha)

The Certificates of Title for these properties are attached as Appendix C.

These titles are the subject of a restrictive covenant in favour of WRAL, that ensures that existing and future occupiers will not raise complaint or take any action to limit the operation, in terms of noise, or expansion of the Airport for normal airport activities, providing that such activities are undertaken in accordance with the District Plan or any other authorisation granted by the Resource Management Act.

3.3 LAND USE CAPABILITY

A detailed Land Use Capability Assessment of the Plan Change area has been undertaken by Mr Gary Orbell and is attached as Appendix D.

The Assessment is based on a field survey using the principles of the Land Use Capability Survey Handbook. It therefore represents a more accurate assessment of the soils and their land use capability than reliance on the NZ Land Inventory Resource Worksheets. The assessment recognises that large parts of the site comprise restored soils following former and ongoing sand winning operations and other parts have been developed, including the CTC Pilot Accommodation facility. Restoration of the former sand winning area has generally been to a good standard although this is inconsistent across the site.

Mapping of the soils indicates a complex pattern of soils, the majority of which are classified as Class II or III and therefore defined as prime agricultural land in the Waipa District Plan. However, given the extent of restoration they are described as having a propensity towards droughtiness and exhibit other characteristics that will impose moderate to severe limitations on agricultural practices.

3.4 SITE SUITABILITY

3.4.1 GEOTECHNICAL ASSESSMENT

A preliminary geotechnical and river bank stability assessment by Tonkin and Taylor has been undertaken and is attached as Appendix E. The report was prepared on the basis of a site walkover by an engineering geologist, Cone Penetrometer testing, boreholes, test pits and Scala Penetrometer testing. Laser range finding was used to define a river bank profile.

The Assessment concludes that the Plan Change area is suitable for rezoning, subject to controls over the development of structures, soakage holes and effluent disposal fields in the river bank margin and recognising that further site specific investigations would be needed to



determine the appropriateness of specific engineering and foundation design at the subdivision and development stage.

3.4.2 CONTAMINATION ASSESSMENT

As with all sites previously used for agricultural activities there is always a risk of residual contamination from previous land management practices and built development. A desktop assessment of the extent of any risk relating to the Plan Change area was undertaken by Tonkin and Taylor and is attached as Appendix F. The report recognises the history of past activity and the siting of buildings. It concludes that the risk of contamination and the effects on future residents and workers is very low and can be appropriately managed through the adoption of standard working practises during the construction phase.



4 ENVIRONMENTAL EFFECTS

4.1 SOCIAL AND ECONOMIC

The Plan Change recognises and responds to the significant land use change that is already occurring in the area, stimulated largely by the economic and physical growth of Hamilton City and its immediate environs including the Hamilton International Airport. Land use change in recent years has seen the establishment and consolidation of a distinct residential neighbourhood in Tamahere and smaller enclaves around the periphery of Hamilton City. Hamilton International Airport has been the subject of considerable expansion and investment and the effects of this are being reflected in the growth of activity in the locality. The development of Titanium Park is an initial step in developing a significant economic node based around the Airport. The draft District Growth Strategy indicates that future industrial development is anticipated on the remainder of the Airport's non-operational landholding, including land to the north of the Airport, on the opposite side of Raynes Road from this proposed Plan Change. Submissions have been made to the District Growth Strategy seeking that the Plan Change area also be identified as a Growth Cell.

The Plan Change will contribute to that positive social and economic change. It anticipates the further change that is likely to occur in terms of major infrastructure works and the effect that is likely to have on future land use. In particular it recognises that rural activity is likely to find it increasingly difficult to operate efficiently within the area as a consequence of changing land use activity in the area, increased traffic growth and the land severances that will inevitably arise from future state highway construction and increased activity associated with the Airport.

The proposals provide certainty regarding the potential for longer term land use change that will benefit people and communities in terms of their expectations and investment decisions. It will enable public organisations to plan more confidently for the needs of residential and business communities and will expand and strengthen the economic growth capacity of the Hamilton International Airport that will be of benefit to the wider regional community. In doing so it does not impinge on the continuation of activities by others on their own landholdings in the area.

4.2 NOISE

All activities provided for through the Plan Change proposals will be subject to the relevant noise provisions of the Waipa District Plan. An assessment of the adequacy of these provisions and the extent to which they will affect future development is provided in the report by Design Acoustics included in Appendix G to this report.

The Plan Change area is already the subject of a covenant on the respective titles in favour of WRAL, the effect of which is to prevent future complaints against the Airport, its activities and any extension of the Airport. As such, in relation to potential sensitivity to noise effects arising from the Airport, there are no effects to be considered.

The only issue to address, therefore, is the effect of the proposals on the surrounding area that is largely zoned as Rural.

In this regard, the assessment concludes that the effects of the proposed zoning provisions on the surrounding area will be no more than minor. Moreover, specific measures that form part of the proposals such as landscaping strips and building setbacks will ensure that there will be flexibility for the introduction of noise attenuation measures if they are required in relation to a particular activity at the development stage.



As such, the proposals are considered acceptable in terms of the current noise environment and related Plan provisions, and are future proofed against the changes that will arise from the proposed runway extension.

4.3 LANDSCAPE AND VISUAL EFFECTS

Implementation of the Plan Change proposals will change the visual landscape in terms of buildings and infrastructure provision although the effects of this will vary around the site, reflecting variations in zoning provisions and the diversity of the surrounding landscape. The proposals have been shaped by input from Landscape Architects Isthmus Group and their assessment of the final proposals is included in Appendix H of this report.

In terms of the proposed Rural-Residential area, this area forms a north facing enclave of development that will have a strong association with the River and residential development on the opposite bank, within the Tamahere area. Landscaping proposals described in the Structure Plan forming part of the Plan Change proposals will aim to re-contour land from the top of the river bank up to the line of the proposed Southern Links route and to establish a substantial planted landscape buffer along this margin. External views of the development within this re-contoured area will only be available from a limited number of dwellings within the Tamahere development. These views will be at a distance, across the river and its planted margins and against a backdrop of landscaping to the Southern Links corridor.

The Plan Change proposes that development of this area should recognise that it will be situated between a business park (and ultimately a state highway) and the river and will have no physical or visual association with the former quarry site adjoining the northern boundary of the Plan Change area as a consequence of the significant height differential between the two areas. As such there is no particular reason for the Plan provisions to control lot size with the aim of establishing an artificial "rural" character to the area. Accordingly the Plan Change promotes greater flexibility than would ordinarily apply to a rural-residential development situated within open countryside. Some controls do exist, in terms of site servicing and infrastructure and the approach taken by the Plan Change is to provide for a maximum of 50 lots within the zoned area, reflecting a minimum lot size of 2,500m².

In terms of the change in views for Tamahere residents, therefore, their outlook across the river will change from views of an open landscape that is being restored following sand extraction to one of low density residential development with a landscaped backdrop to a future road. The arrangement of the eventual development however, is a matter that will be determined through the subdivision resource consent process. The landscape assessment describes these effects as being no more than minor and that the proposed zoning provisions are appropriate.

The Southern Links Road is anticipated by but not proposed by the Plan Change itself. It may be a considerable period before the corridor is either designated or constructed. Until it is needed, the land is to be zoned for business activity in a manner that will not frustrate its eventual development as road. This is achieved through proposed Plan provisions but also through control over ownership of the corridor. The land is to be retained by Meridian 37 Ltd and future development will be on leasehold terms that will ensure that it will not compromise the road corridor. Consequently it is probable that this area will remain free of substantial buildings and, in conjunction with the re-contouring and planting described above, development of the Industrial zoned area will not impact on views from Tamahere.

Views of this portion of the site will be more evident from the west, south and east.

Here, rather than attempting to hide or disguise buildings, the proposals recognise that the character of the surrounding area is changing. The emphasis of the Plan Change is therefore



on facilitating the creation of a visually pleasing environment with an attractive interface with surrounding development and the road network. In this regard the design expectations of future development, as described in the Design Concept forming part of the Plan Change proposals, are that buildings will be sited to take advantage of the rolling topography, using landform to help “nestle” development into the landform. Landscaping requirements place an emphasis on the creation of a high quality low density Business Park environment where the spaces between buildings and the treatment of them are a critical element in the overall design. The existing Caroline Eve building situated outside but on the eastern boundary of the Plan Change area typifies the design expectations of the development of the wider area.

Thus, the visual character of the area is already changing. Existing activities and the development of Titanium Park will establish a distinctly urban character. The proposed Plan Change will complement those changes but, through specific Plan provisions that include structural perimeter planting as well as design controls over development, it will ensure that the resultant effect will be positive.

The proposed Visitor Accommodation area already includes the substantial CTC Pilot Accommodation Facility which has recently been extended. This development is situated to the east of the alignment of the Southern Links route and it is likely that the only scope for further development of this area will be in association with the CTC facility. Whilst the roofline of this development is glimpsed in views from the eastern approach of Airport Road it sits comfortably in the landscape and there are no adverse effects on the surrounding area.

The remainder of the Visitor Accommodation area is indicated on the Structure Plan as having potential for development as a Hotel/Motel. The indicative siting is deliberately chosen to take advantage of its riverside setting. The existing dwelling situated within this area demonstrates that whilst new development will alter the character of the landscape, it can be achieved in a manner that recognises a strong interface with the river without resulting in adverse visual effects.

4.4 WATER SUPPLY

An assessment of options for the provision of an adequate water supply has been undertaken by Tonkin and Taylor and is included in the Water Services report attached as Appendix I. The assessment considers the need for a potable supply and the need for fire fighting capacity particularly in relation to the proposed Business Park. In terms of quantifying requirements the assessment has assumed development across the entirety of the Plan Change area, notwithstanding that some parts of the area will not be available for development or will be subject to development constraints i.e. a “worse case scenario” approach has been adopted in terms of assessing the need for water supply.

The purpose of the assessment is to demonstrate that eventual development can be serviced rather than to propose a specific solution at this stage. A decision regarding the preferred solution is a matter to be considered at the time of a specific development proposal and it may not be limited to the options considered in the Tonkin and Taylor assessment.

Several options exist that will ensure that the eventual development is adequately served in terms of both volume and quality. These include:

- the provision of a trickle feed supply to complement roof water harvesting in the rural residential zone
- utilisation of the existing on site bores
- additional bores to provide adequate volumes
- on site storage in tanks and ponds
- reticulation of total on site capacity



- requirements for facilities to enable roof water harvesting

The assessment demonstrates the feasibility of providing an adequate water supply for both daily use and fire fighting capacity.

4.5 SEWAGE DISPOSAL

Tonkin and Taylor have prepared an assessment of future sewage treatment and disposal options arising from the completed development on the same “worse case scenario” basis outlined above. Their assessment forms part of the Water Services report attached as Appendix I. As with water supply, it is not the purpose of the Plan Change to determine the preferred solution; that is a matter that will be addressed in the context of a specific development proposal.

In terms of proposals for the Rural Residential area the assessment is based on a maximum yield of 50 lots reflecting the Regional Plan requirements for a minimum lot size of 2,500m². The assessment also recognises the need to avoid use of the river bank margin for the construction of effluent disposal fields as this could exacerbate river bank instability. These matters are included within the Plan Change proposals as specific matters that will be taken into account at the subdivision stage.

The existing CTC Pilot Accommodation facility (and indeed the Narrows Landing restaurant and hotel) is already serviced by its own “Devan Blue” sewage package plant with on site wastewater irrigation. This has been proved to function well and provides irrigation for the extensive areas of landscaping. Such a system could be expected to operate efficiently and effectively in relation to the proposed hotel/motel development or other development within the Visitor Accommodation area.

Future requirements for the Business Park will depend on the nature of the activities that are developed and the intensity of occupation but as these cannot be predicted with any degree of certainty, the assessment has been prepared on the basis of domestic waste and at a generation rate derived from an average occupancy of 30 employees/ha. Options exist for these needs to be met either by a single package plant serving the entirety of the area or for individual developments to provide for their own requirements. For the purposes of the Plan Change it is sufficient to demonstrate that such options are viable and for the Plan Change to ensure that development could not proceed until appropriate facilities are in place. The assessment confirms that to be the case.

4.6 STORMWATER DISPOSAL

As with sewage disposal and water supply the same principle of the “worse case scenario” has been modelled and assessed in terms of stormwater discharges. Controls over the extent of zoning, site coverage and impermeable surfaces provide confidence in the reliability of the assessment prepared by Tonkin and Taylor and described in the Water Services report included as Appendix I.

The assessment recognises the need to avoid stormwater discharges through the river bank in order to protect against river bank instability. It also recognises the existence of ponds servicing the CTC Pilot Accommodation facility and the stream network currently draining the area. The assessment demonstrates that, in conjunction with groundwater soakage, on site detention and flow attenuation features, stormwater discharges can be managed through the existing discharges through streams, to the river.

Moreover, as the Plan Change proposes specific design solutions such as significant areas of landscaping and planting, swales and temporary ponding areas as part of the overall design concept, any stormwater that does not soak to the ground will receive treatment before



discharge from the Plan Change area. The design proposals included within the Structure Plan recognise that areas used for stormwater management also have the potential to contribute significantly to the overall landscaping and aesthetic treatment of the Business Park. The intention is to provide for an integrated approach to such matters. In doing so, the provisions recognise that the creation of large areas of permanent water that might attract birdlife could pose a risk to aircraft on their approach to the runway and should be avoided.

The assessment concludes that appropriate provision can be made for stormwater disposal in a manner that would not create adverse effects on the environment.

4.7 TRAFFIC

An assessment of potential traffic generation arising from the implementation of the Plan Change has been prepared by the Traffic Design Group and is attached as Appendix J.

The assessment uses the same “worse case scenario” outlined above in terms of maximum development potential and has then applied appropriate trip generation rates to this development footprint.

The Plan Change Area is to be serviced by two internal roads. The first is an extension of the existing Meridian Drive to provide access to the Visitor Accommodation and Rural-Residential Areas and a limited area of land that is on the south side of the Runway Protection Area that, whilst being zoned as part of the Business Park, would be better accessed from the south. This road currently provides access to the CTC Pilot Accommodation facility, Caroline Eve building and a private dwelling and connects to Raynes Road approximately 350m from its intersection with Airport Road. The road is constructed to a full urban standard, of a higher specification than Raynes Road itself and is capable of servicing the increased trip generation from this part of the Plan Change area without requiring further works other than minor improvement of its intersection with Raynes Road. The Plan Change provisions will ensure that this improvement is made.

The major part of the Business Park is proposed to be serviced by a new internal road connecting with Raynes Road via a new roundabout. The Plan Change does not seek to determine the precise location of this roundabout as that is a matter that is more appropriately addressed at the time of a specific development. The Plan Change provisions describe a design concept for this road, illustrating its relationship to stormwater design measures. This road is an important element in the overall design concept for the area.

Footpath and cycleway connections are proposed throughout the proposed road network and between the residential area and surrounding land use and the Business Park to optimise the co-location of these activities and ensure that opportunities are available for non-motorised trips. Modelling of trip generation and traffic flow demonstrates that the eventual development of the Plan Change proposals has identified specific improvements that will ensure that future development of the scale anticipated will not have a significant effect on the wider network. Indeed, to the extent that the proposals make provision (in the absence of a designation) for the eventual construction of the Southern Links route, they safeguard opportunities to ensure that the wider network will have adequate capacity to service long term development. The Plan provisions incorporate measures to ensure that the key improvements are made at the most appropriate stage of development.

Outside of the Plan Change area, the applicants have a degree of control over additional land that will enable the creation of additional pedestrian and cycle connections between the site and Titanium Park that would complement those forming part of the design of the Meridian Drive/Raynes Road intersection.



4.8 HERITAGE AND CULTURAL ISSUES

An archaeological assessment of the Plan Change area was prepared by Simmons and Associates Ltd, a copy of which is attached as Appendix K.

The assessment was undertaken by way of a literature search, desk top analysis and site survey. It concludes that the area does not include any recorded archaeological sites, buildings or structures and that the probability of unrecorded deposits or features is very low given the extent of land modification. However, a recommendation is made that future development activity should be conditioned to include provision for actions to be taken in the event of accidental discovery during the construction phase. Such conditions are not unusual and it is expected that they would be imposed on future resource consents.

Consultation has been undertaken with both Nga Iwi Toopu O Waipa and Nga Mana Toopu O Kirikiriroa. Nga Mana Toopu O Kirikiriroa has provided a cultural assessment of the area which is included in Appendix L. This confirms their support for the Plan Change proposals subject to recommendations regarding the observance of protocols in the event of accidental discovery of remains or artefacts and the possibility of erecting a Pou to commemorate the historical crossing of the Waikato River by famed ancestors. As with the approach that is outlined above in relation to heritage matters, it is expected that both recommendations would be addressed at the subdivision and development stage.

4.9 ECOLOGICAL EFFECTS

The Plan Change area was the subject of an ecological survey and assessment by Kessels and Associates Ltd, the results of which are attached as Appendix M. The assessment concluded that there were no ecological features that would be adversely affected by the proposed rezoning. The assessment also identified opportunities for enhancement that have been taken into account in determining the overall design concept, landscaping proposals and stormwater management measures for the Plan Change.



5 CONSULTATION

5.1 APPROACH TAKEN

The Plan Change has been developed through a three stage process;

- Immediate landowners that could potentially be included in the Plan Change
- Consultation with statutory bodies and Utility providers
- Consultation with the wider community

Given the requirement to provide sufficient technical information to demonstrate the suitability of the Plan Change area for rezoning, the definition of an outer boundary is an important element. The potential existed for the Plan Change to incorporate the entirety of the neighbouring land situated between Meridian Drive and Airport Road, subject to the agreement of the affected landowners. Consultation with the owners of the remaining area did not generate opposition to the proposals but it did reveal mixed opinions on the merits of being included within the Plan Change.

The decision was taken to exclude these areas from the technical assessment that would be needed to support the Plan Change and allow proposals for these additional areas to be advanced on a site by site basis on the initiative of the individual landowners.

The residual land area does not form part of this Plan Change and is proposed to remain as Rural Zone. However, given the existing mixed use nature of development within this area, including business activity, commercial scaled buildings and the intensity of activity associated with the Narrows Landing Hotel and restaurant, the Plan Change proposals will sit comfortably alongside this area.

5.2 STATUTORY BODIES AND UTILITY PROVIDERS

5.2.1 CONSULTATION MATERIAL

Discussions with statutory bodies has been held throughout the development of the project to inform its scope and content. However, through a consultation letter sent out in December 2008, a more comprehensive package of material was provided to consultees to help them in making constructive input. The letter and attachments is included in Appendix N. A number of consultees did not respond to the original letter and a follow up was sent on 21st April 2009 enclosing an updated version of the Structure Plan. Copies of all written responses to consultation are included in Appendix O.

5.2.2 WAIPA DISTRICT COUNCIL

Preliminary consultation with Council was undertaken via its appointed Consultants Beca Carter who advised, by letter of 23rd August 2007, the matters that the respective Council departments wished to be addressed in the Plan Change proposals. That letter is included in Appendix O. The matters raised were the subject of further discussions as the Plan Change proposals was being developed and are addressed in the Plan Change provisions.

5.2.3 ENVIRONMENT WAIKATO

The written response from Environment Waikato dated 20th January 2009 explains the principal concern as being riverbank stability. Whilst Environment Waikato has not undertaken a site specific survey of the riverbank adjoining the Plan Change area, the letter notes that the area generally displays characteristics that have been the subject of survey elsewhere along the



river. On the basis of these findings the letter describes characteristics of the river bed and riparian margins and identifies some matters that are likely to be of interest to the Council at the development stage.

The letter identifies the collapse of eucalyptus tress from riverside plantations as being an existing problem. An existing stand of eucalyptus trees is situated at the extreme northern end of the proposed rural residential area. These are progressively being removed as sand winning continues and do not form part of the landscaping proposals for future development.

In relation to stormwater and wastewater management, the letter describes the relevant Regional Plan provisions relating to permitted activities and advises on the need for discussion with Council staff for those aspects that will require resource consent.

The consultation response is included in Appendix O.

5.2.4 TANGATA WHENUA

No response has been received from Nga Mana Toopu o Waipa to the consultation material sent in December 2008, or again in April 2009. Nga Mana Toopu o Kirikiriroa has provided a cultural assessment included as Appendix L that provides support for the plan Change proposals subject to the observance of protocols for the accidental discovery of remains or artefacts. They also indicate the possibility of erecting a Pou to overlook the Waikato River crossing in commemoration of the historic crossing of the river by famed ancestors. Both matters are capable of being addressed at the subsequent subdivision and development stage.

5.2.5 NEW ZEALAND HISTORIC PLACES TRUST

The NZHPT were provided with a copy of the Archaeological Assessment (included as Appendix K to this report) on its completion. The Trust concurred with the findings of the Assessment and endorsed its recommendations. A copy of their response is included in Appendix O.

5.2.6 WEL NETWORKS LTD

WEL Networks have indicated support for the Plan Change proposals and confirmed that services can be made available. A copy of their response letter dated 28th April 2009 is included in Appendix O.

5.2.7 TELECOM NZ LTD

No response has been received from Telecom NZ Ltd to the consultation material sent in December 2008 or April 2009.

5.2.8 VECTOR

Vector confirmed by letter dated 22nd April 2009 that gas services could be extended to serve the site, potentially at the developer's expense. The letter is included in Appendix O.

5.2.9 WAIKATO REGIONAL AIRPORT LIMITED (WRAL)

Discussions with WRAL regarding the relationship of the Plan Change area to the Airport have been ongoing for a number of years and there is clear evidence of a combined vision for the future use and development of the area. In 2007 the applicants instituted a restrictive covenant on the land and additional areas that will ensure that future occupants will not object to noise from the Airport even if it is extended. The development of the CTC Pilot Training Accommodation facility, situated within the proposed Visitor Accommodation area directly supports the Pilot Training School at the Airport, and the Narrows Landing Hotel situated adjacent to the Plan Change Area, provides accommodation and conference facilities that have a strong relationship with travellers using the Airport. The developer and owner of the Narrows Hotel is also a Director of Meridian 37 Ltd.



Consultation with WRAL in the context of the proposed Plan Change has provided further strengthening of the relationship of the site to the Airport. WRAL is developing proposals for a runway extension that will be the subject of a designation application in due course. The entirety of the runway will remain on land currently owned by the Airport but it will have an effect on land beyond its boundaries including the Plan Change area in terms of height limitations and noise controls. Neither of these will affect the principle of development on the Plan Change area. In addition to these “normal” effects based measures, WRAL also intend to seek amendments to the District Plan to create a Runway Protection Area at either end of the runway. Such a measure is not a requirement of New Zealand legislation or standards but represents an international “best practise” measure that will enable the Airport to compete for international business.

The effect of these initiatives on the Plan Change area has been considered and the proposed plan provisions anticipate and provide for their implementation at the northern end of the runway. A Runway Protection Area is identified on the Structure Plan diagram within which development could still occur but would be subject to consideration of the effects that the development may have on the operational aspects of the Airport, and the risks that the Airport may pose to on-site activities. This is achieved through the prohibition of certain activities and the introduction of a requirement for a restricted discretionary resource consent for other activities within the defined Area.

As they will only have relevance if WRAL progresses its intended runway extension project, the proposed provisions will only become operative when a Notice of Requirement is lodged for the runway extension. This is expected to be in the near future.

5.2.10 HAMILTON CITY COUNCIL

A staff level response was received from Hamilton City Council dated 22nd January 2008 setting out concerns that the Plan Change would provide for urban development. The letter is included in Appendix O. It states Council’s intention to establish a defined edge to the City and expresses opposition to the establishment of urban settlements where there is no need and where they would be to the detriment and vitality of existing urban settlements.

By way of explanation the letter suggests that decisions regarding the strategic direction of the area should be determined through the emerging sub-regional growth strategy.

Particular concern is raised in respect of the industrial land component of the proposals, stating a view that the Council is opposed to the development of industrial land in this location as it would result in pressure for other urban services and facilities to be provided.

The letter states Council’s opposition to the principle of rural residential development as this would frustrate its future conversion to urban use but also states that any form of residential development is inappropriate within the airport noise contour.

In respect of the proposed Visitor Accommodation area the letter repeats the view that development within the airport noise contour is inappropriate. It continues with a view that the size of the area would result in urbanisation that would create pressure for further residential use. In the Council’s opinion, large scale visitor accommodation should be located within Hamilton CBD where it is supported by ancillary facilities and entertainment.

These matters are addressed in detail in Section 6 of this report but in summary, the response to each of the matters raised is as follows:

- The Plan Change does not provide for the establishment of a new settlement, nor does it provide for interim development. It responds directly to the need that has been



identified through sub regional planning studies for additional land for employment development. It does this in a manner that complements proposals for development in the immediate vicinity of the Airport, and provides for visitor accommodation that will support the development of a vibrant business community, support the development of events at Mystery Creek and relate to recreational facilities in the local area. As such it will complement rather than compete with the supply of visitor accommodation that is provided for in the CBD, at the Airport itself and in the wider area.

- In relation to rural residential development the enclave that is proposed is the product of land severance that will occur as a consequence of the establishment of the Southern Links corridor on an alignment provided by NZTA. The Plan Change anticipates that future situation and provides an appropriate response ahead of it becoming a potential constraint on the Southern Links Project. The site is directly opposite the Tamahere Country Living Zone where capacity remains for further development and is similarly exposed to the same noise contour from the Airport as the Plan Change area. Unlike this area, however, the Plan Change area is subject to a restrictive covenant in favour of WRAL that will ensure that future occupiers will not object to noise from the Airport.
- The rural residential area does not form part of a wider area such that it will create pressure for residential development and service provision. Neither will it compromise the future development of other land in the area. The only part of the rural residential area that adjoins land not forming part of the Plan Change area is to the west but the Plan Change area is physically separate from that site as the adjoining land is a former quarry basin that is situated at a much lower elevation with a near vertical quarry face defining the boundary between the two. Moreover, in terms of service provision the Plan Change has demonstrated that this can be achieved without reliance on public services.

5.2.11 WAIKATO DISTRICT COUNCIL

No written response has been received from the Council but the nature of the Plan Change proposals and the potential effects on the District were the subject of discussions with Council staff in late 2008. Those discussions identified two matters of concern to the District; first the need to consider the visual effects on rural residential properties on the opposite side of the River, and second, for the transport assessment to consider the traffic effects on the Tamahere interchange of State Highway 1. This latter issue was also of interest to NZTA.

Both matters have been addressed. Section 4 of this report describes in detail the character of the existing and proposed environments and the extent to which they will affect property within Waikato District, concluding that the effects will be no more than minor. The Transport Assessment has considered the traffic effects on the wider network and has found that there will be no significant effect on the Tamahere Interchange.

5.2.12 NEW ZEALAND TRANSPORT AGENCY

Whilst informal discussion of the Plan Change proposals has taken place for some time, a specific meeting was held with NZTA on 23rd October 2008, the purpose of which was to establish and agree a baseline and assumptions for modelling and assessing the traffic effects of the proposal. The area is to be affected by proposals for additional State Highways and arterial routes in the future and these will significantly alter the configuration of the network and its hierarchy.

Agreement was reached that the principle focus of NZTA concern was the State Highway 3/Raynes Road intersection and the State Highway 21/Raynes Road intersection. The Agency indicated an expectation that the resultant development of the Plan change proposals would be provide appropriate mitigation of its effects on these intersections, recognising that the eventual network arising from Southern Links might be in place or at least under construction before completion of the planned development. As such, any required improvements of the State



Highway 3/Raynes Road intersection would recognise and seek to avoid investment in structures that would be rendered redundant.

NZTA indicated their interest in the potential effects of traffic growth on the State Highway 1/ 21 intersection (Tamahere) and the State Highway 3/21 intersection for the purpose of helping the Agency determine the timing and design of anticipated improvements to this route which is expected to form a strategic route from the Hamilton Bypass to Taranaki. Whatever the outcome, however, NZTA confirmed that the development would not be expected to contribute to such improvements as they neither cause it nor would be the prime beneficiary of such works.

These matters have been addressed in the technical assessment prepared by the Traffic Design Group set out in Appendix L.

In addition to these matters, NZTA has, through consultants, provided a written response to consultation on the draft Structure Plan. The letter is included in Appendix O and sets out a series of policy related matters, some of which have been addressed by the traffic assessment. In particular NZTA requests that the Plan Change proposals should explain the extent to which they relate to emerging district and sub-regional growth strategies and studies of the need for further industrial and commercial land. NZTA suggests that the Plan Change should include measures to ensure that it will not adversely affect the proposed Southern Links corridor.

The relationship to emerging growth strategies is explained in more detail at section 6 of this report. Future Proof and its background technical reports clearly document a need to extend the industrial land supply. The assessment undertaken by Covec in respect of the Plan Change concurs with that finding and provides a comparative assessment of available industrial land in the sub region. That assessment is included as Appendix P and is discussed more fully in Section 7 of this report.

In terms of the potential effect on Southern Links the responsibility for progressing that project rests with NZTA itself. The project has been signalled for some years and was the subject of a detailed appraisal of route options in 2004. The eventual network architecture is known but no start has been made on the preparation of Notices of Requirement for the route and there is no indication of a likely construction date. Nevertheless, the project has established sufficient certainty regarding corridor options, including the location of a river crossing, that NZTA has been able to advise on how these matters will affect the Plan Change area. The extent of the corridor and its alignment within the Plan Change proposals has been determined in conjunction with NZTA and NZTA confirmed to the hearing of submissions to Future Proof that the proposed corridor is the only feasible option for crossing the Plan Change area.

Whilst there is no designation in place or Notice of Requirement in draft or final form, the Plan Change recognises and provides for the corridor and includes measures and controls that will significantly assist in its eventual designation, land assembly and construction. The entirety of the corridor is to remain in the ownership of the applicants until acquired by the Crown. New provisions will ensure that any new land titles created as a result of subdivision of land within the corridor will still enable a compliant lot to be established even if the entirety of the land within the corridor is subsequently required by NZTA. They will ensure that the placement of any new buildings within any part of the corridor will not foreclose options for route alignment and they will ensure the provision of a substantial landscape buffer to the rural residential area that will also mitigate any potential future effects of the road on that area and the Tamahere Country Living Zone.

5.3 LANDOWNERS AND THE WIDER COMMUNITY

Consultation with the wider community was undertaken via a letter and attachments which included a draft of the Structure Plan provisions and a copy of the draft Structure Plan diagram.



A copy of that material and the written responses is included as Appendix Q. Telephone discussions have been held with a number of parties that were seeking additional information and this process is continuing. In terms of the specific matters raised in the written responses it is clear that the main areas of concern relate to the principle of changing from the current Rural Zoning and more specifically, the potential effects of the future Southern Links road.

Whilst the full Plan Change documentation responds the principle of whether the zoning should be changed, the Southern Links route is not a specific Plan Change proposal. That project will be advanced by NZTA through the designation process in due course. However, as NZTA has confirmed, the identified corridor is the only feasible option for crossing the Plan Change area and that has implications for property owners beyond the area. As far as the Plan Change has been able, it has provided the opportunity for NZTA to develop its proposals with sufficient flexibility to address issues of route alignment, and the provisions will ensure that future development will not foreclose those options. The effects of the road beyond the Plan Change area are beyond the scope of the Plan Change and will be addressed by NZTA in developing its proposals.



6 STATUTORY PLANS

6.1 WAIPA DISTRICT PLAN

Rural Objectives

Objective RU1

To manage the rural environment so that changes induced by humankind do not significantly affect the ability of the land and water to sustain activities of human, animal and plant communities.

Comment

The proposals respond to the significant changes that have occurred and will continue to occur to the rural land resource in the locality. The Plan Change area itself has been the subject of development in the form of residential development, sand winning and the construction of the CTC Pilot Accommodation facility. Further changes are planned in the form of major new infrastructure projects that will fragment the landholding and severely restrict its capability of supporting traditional rural activities. The Plan Change takes a positive and comprehensive approach to these matters and, rather than allow change to be incremental and ad hoc, it plans deliberately for future development to occur in a manner that will ensure that the land resource will be used to make a significant contribution to the regional economy. As such, whilst the proposals intend for the environment to be changed, the nature of the change is beneficial and will be achieved without harm to the wider rural environment.

The proposals are consistent with the above objective.

Rural Policies

Natural Character of Wetlands, Rivers and Lakes

Policy RU18

To preserve the natural character of wetlands, lakes and rivers and their margins and to protect them from inappropriate subdivision, use and development.

Policy RU19

To require good riparian management in the margins of wetlands, lakes and rivers.

Public Access to Rivers and Lakes

Policy RU23

To secure, where necessary, public rights of access to, and use of, the margins of lakes and rivers and to other topographical features and places of interest.

Policy RU24

To obtain land for reserves alongside rivers and lakes for public access in areas of intensive development including rural settlements.

Comment

The proposals provide for the establishment of a riverside esplanade reserve, with the potential that this could be extended southwards to connect with the existing Acacia Reserve, south of Narrows Bridge. Retention of the existing stand of oaks, whilst not being native species, emphasises the natural character of the riverside margin and helps to assimilate development into the landscape.



The proposal is consistent with the above policies.

Protection of Prime Agricultural Land

Policy RU39

To ensure that prime agricultural land remains available for future primary productive use.

Policy RU40

To encourage activities which would compromise the future use and availability of prime agricultural land to locate in alternative rural or urban locations.

Comment

Although the site contains soils that are defined as Prime Agricultural Land in the District Plan, an extensive proportion of this has been the subject of recent and ongoing sand winning and as such, whilst the land is being restored, its intrinsic quality and productive capacity has been permanently altered and present moderate to severe limitations on agricultural practises. Parts of the site are currently used for maize growing but this is small scale and does not function as a viable economic unit. As such the land is unable to be managed as a primary productive unit and does not warrant protection as a specific and essential component of the wider agricultural land resource.

Moreover, the land itself is fundamentally affected by proposals for major infrastructure provisions that will further compromise its ability to support rural activity. The Plan Change anticipates these changes and plans strategically for the future use and management of the area to support its growing significance as a business node and transport corridor.

Therefore, whilst the Plan Change Area contains a proportion of prime agricultural land, the significance of this needs to be considered in the context of the much more extensive availability of such land elsewhere across the district, and the extent to which the Plan Change area has been and will continue to be subject to changes away from primary production. The effect on the land supply needs to be balanced against the benefits that the Plan Change provides in terms of planning positively for the future management of the area and the contribution that it will make to the economic growth of the District.

Location of New Settlements

Policy RU52

To establish appropriate locations for new village settlements including settlements for “rural-residential” development.

Form of Urban and Rural Settlements

Policy RU53

To identify significant landscape features at the fringe of urban areas and village settlements which should be used to limit the spread of urban development into the rural areas and to preserve the rural and urban character of the District.

Comment

The proposals recognise that the wider area is undergoing change through new development or the introduction of new infrastructure. The opposite side of the Waikato River is identified by Waikato District Council as a Country Living Zone and a Structure Plan has been prepared which is guiding the conversion of land into a sizeable community of rural-residential development. To the west, individual enclaves of rural-residential development extend from the Hamilton City boundary. The character of the remaining rural area is already changing.



However, unlike other rural residential areas in the vicinity, the area identified through the Plan Change forms an enclave of land that will be severed from the main holding by the proposed Southern Links corridor and will not be capable of development in conjunction with neighbouring land to the west as a consequence of the significant height differential that exists between the Plan Change area and the former quarry basin to the north.

Whilst the Plan Change provides for residential development of the site, the provisions recognise that its severance from adjoining land, its direct relationship and north facing aspect to the Waikato River and the existence of the stand of oak trees provides an opportunity to define a specific cell within which design controls can promote a unique form of development without adversely affecting the character of the surrounding rural area.

The proposed Rural Residential Area is therefore consistent with the above policies.

Other Land Uses (Except Farming or Forestry, or as otherwise specified)

Policy RU54

To ensure that other land uses in rural areas do not adversely affect the rural environment or the sustainable use of any resource to any significant extent either separately or in aggregation.

Matters to be Considered in Relation to Rural Activities which could have an Adverse Effect on the Environment

Policy RU63

To ensure for any land use activity in rural areas that adequate consideration is given to matters which could adversely or beneficially affect the environment or the sustainability of natural and physical resources.

Comment

The proposals provide for a Visitor Accommodation Area within the Rural Zone. The inclusion of the existing CTC pilot accommodation facility within this area, and other similar activities adjoining the Plan Change area demonstrates that such activity is already an established feature of the existing environment and is appropriate in principle within a rural environment. The proposals provide a clear indication of the intended future use and include specific controls that recognise and provide protection for the riverbank, safeguard the desired level of flexibility for accommodating the Southern Links route, protect existing landscape features and control any potential effects on residential property on the opposite side of the river.

The proposed Visitor Accommodation Area is therefore consistent with the above policies.

Residential Objectives

Objective RS1

To manage the development of residential activities in urban and rural areas in order to:-

- i) minimise any adverse effects on the natural and physical resources of the District;**
- ii) avoid as far as possible and practicable any significant adverse effects on the qualities of the environment; and**



iii) maintain the social and physical well-being and health of the residents of the District.

Residential Policies

Policy RS60

To allow for new rural residential areas (large-lot residential development).

Policy RS61

To allow for a wide range of rural activities in “village settlements” (and) rural-residential areas. (word in parenthesis added)

Policy RS63

To exclude from “village settlements” and rural residential areas those uses or activities which will have adverse effects on existing residential uses or the amenity values which cannot be avoided, remedied or mitigated by performance standards.

Policy RS64

To allow in “village settlements” and rural-residential areas those uses other than dwellings which have no adverse effects or adverse effects which can be avoided or mitigated by the application of performance standards or by other means.

Comment

The proposals provide for the establishment of rural residential development on a north facing enclave of land that is defined by existing and proposed landscape features, is physically detached from neighbouring land, has a distinct relationship with the Waikato River and is directly opposite similar development in the Waikato District Council area. The Structure Plan provides for additional landscape planting that will provide an amenity resource for the area and requires pedestrian and cycle linkages to be made through the site to enable integration with the proposed Business Park and to provide access to the riverside esplanade. Development of the area will not create any adverse effects on the environment but will add choice and variety to the housing market. The degree and nature of the separation of the site from existing rural land to the north and proposed development to the east and south will ensure that there is no risk of reverse sensitivity issues arising with existing or proposed activities.

The proposals are consistent with the above policies and objectives.

Policy RS65

To ensure that all uses of land in “village settlements” and a rural residential area have a satisfactory potable water supply and a sewage and stormwater disposal system.

Comment

It is proposed that potable water be provided to future dwellings via roof supply as generally occurs in other rural residential areas.

As has been discussed elsewhere in this document, it is proposed that sewage will be disposed of by way of septic tanks and effluent disposal fields. Stormwater will be discharged to ground via soakage pits. In both cases, site investigations at the time of development will determine the design details to ensure that on-site disposal is suited to the soil properties of a particular lot.

The proposal is consistent with the above policies.

Policy RS67



To use the following criteria for assessing the location of additional rural-residential areas proposed by means of an application for a Change to the District Plan made under Section 73 of the Act.

a) New areas should be sited adjoining or in the vicinity of existing small settlements or existing Rural Residential Areas or urban areas (provided that future urban growth is not compromised) in order to assist in providing better community services and containing rural fragmentation.

Comment

The proposal is in an area characterised by existing rural-residential development policy areas and individual, non-rural developments allowed through resource consent approvals. The wider area, including land on the opposite side of the river but situated in Waikato District Council area, is undergoing significant change and developing a distinct peri-urban character. The development of the Southern Links State Highway route and industrial development at Titanium Park will reinforce this character.

The site is separate and distinct from adjoining land to the north and could not be developed in conjunction with that land. The consultation input from Hamilton City Council strongly suggests that the City Council has no aspirations for urban development that would be compromised by the proposals.

The proposal is therefore consistent with the intent of this policy.

b) Avoidance of prime agricultural land in order to ensure it can be sustained for use by future generations.

Comment

Part of the proposed Rural Residential area comprises prime agricultural land as defined in the Waipa District Plan and would be lost to primary production. However, the entirety of this area has been the subject of recent and ongoing sand winning operations and consists of restored soils that present moderate to severe limitations on agricultural practises.

Additionally, the area is affected by longstanding proposals for major road construction that will sever the site from the parent title and further reduce its capability of supporting viable farming operations. The significant height differential between the site and adjoining land to the north is such that it could not be farmed in association with that land. The potential for the proposed Rural Residential area to function as a productive agricultural unit is therefore significantly compromised.

The proposal is therefore consistent with the above policy.

c) Avoidance of Special Landscape Character Areas which would be adversely affected by residential development.

Comment

There are no Special Landscape Character Areas which would be adversely affected by this development.

d) Avoidance of further development in any area which may require public and community services to be uneconomically extended to service these areas.

Comment



The proposed development is intended to be self-sufficient in terms of infrastructure provision and will not be of a scale that will generate demand for additional community facilities.

The proposal is consistent with the above policy.

e) Avoidance of frontage development to Primary Roads for traffic safety reasons and to ensure maintenance of a free flow of traffic along the road without interference from adjoining land uses.

Comment

The subject land will not have frontage to any existing Primary Road. Whilst it will have an interface with the proposed Southern Links State Highway route it is expected that this route would be subject to access controls. Access is therefore to be taken from Meridian Drive and the interface with the proposed State Highway is the subject of landscaping requirements to establish permanent physical and visual segregation between built development and the road. NZTA will have the ability to reinforce this through its Notice of Requirement and eventual construction of the road.

The proposal is consistent with the above policy.

f) Avoidance of areas which are physically unsuitable for development.

Comment

As has been confirmed by the site suitability study, the site is physically suitable for rural residential development, and will be able to accommodate the lot sizes indicated in the subdivision concept plan.

g) Avoidance of locations close to activities which may have an adverse effect on the rural-residential area or where the existence of rural residences may have a reverse effect on the operation of that activity (airport, rural industries, quarries, apiaries, factory farms, agricultural research centres etc).

Comment

The matter of reverse sensitivity is addressed in Section 5.11 of this document, which discusses the relative proximity of the Airport and the proposed industrial zone forming part of the Plan Change. As noted in that section, the entirety of the Plan change area is in single ownership and the landowner therefore has the ability to ensure that future land disposals are subject to measures that will protect against the possibility of reverse sensitivity concerns arising. In relation to the Airport, the proposed Rural-Residential area is the subject of restrictive covenants in favour of the Airport that will ensure that future occupants do not object to noise generated by the Airport. In any event the area is outside of the Air Noise Boundary indicated on the Planning Maps and will be subject to existing Plan provisions (Rule 2.4.24.2) to ensure that new dwellings are acoustically insulated.

In relation to proposed industrial activity the proposed area is to be separated from such activity by substantial landscape planting that will reinforce the southern boundary. Grading of the land will establish a north facing enclave for the rural residential area with land beyond the southern boundary being graded to present an aspect towards the Airport. The southern boundary coincides with the Southern Links corridor. The construction of the new State Highway within that corridor will enable a new zone boundary to be defined in the long term with land on the northern side of the route likely to be rezoned out of industrial activity. Consequently the corridor width and the eventual road itself will provide substantial separation between rural residential and industrial activity.



The proposal is consistent with the above policy.

h) Avoidance of areas close to rivers or lakes and special topographical features to which access should be safeguarded and in order to prevent possible contamination of water areas.

Comment

The proposals provide for the establishment of riverside esplanade reserve, potentially linking up with the Acacia Reserve situated to the south of Narrows Bridge.

As concluded in the site suitability report, the soil types and proposed lot sizes are appropriate for on-site stormwater and wastewater effluent disposal. Proposed Plan provisions will ensure that there will be no contamination of the River. Stormwater from any future lots, and road runoff will be disposed of via soakholes or via other methods as determined by the site permeability. Lot sizes will comply with the standards for permitted activities set out in the Regional Plan.

The proposal is consistent with this policy.

i) Avoidance of any adverse effect on historical and cultural areas including Maori ancestral lands, water sites, waahi tapu and other taonga.

Comment

There are no sites or features of archaeological significance within the Plan Change area.

Comment on Policy RS67 as a whole

Policy RS67 provides a number of matters for Council's consideration when assessing the suitability of an area for a new Rural Residential Policy Area. The Plan explains that, whilst there are a number of matters to consider:

"Each of the matters are considered to be important and an overall judgement will be made by the Council as to the suitability and desirability of a Proposed Rural Residential Area having regard to the criteria listed. However, failure to comply with every single criteria will not necessarily mean that a particular proposal will be refused by Council. Each factor will be given weight appropriate to the circumstances and Council will take an overall judgement approach when making its decision."

In taking a broad judgement on the proposal, it can be concluded that the Proposed Rural Residential Policy Area is consistent with the overall intent of Policy RS67. The proposal is in an area of considerable change where recent and ongoing development is seeing the locality transition to a distinct peri-urban character. Proposals for the further development of the Airport and the construction of major new State Highway infrastructure will reinforce this change.

The proposed area recognises and anticipates the effect that future infrastructure will have on land parcels, both in terms of the fragmenting effect and the definition of new boundaries. The proposals provide an early positive response to these issues and will provide the opportunity to meet increasing demand for sections close to the river, and close to new employment opportunities.

It will have no adverse effects on known cultural or heritage areas, and has no Special Landscape Character Areas.



The engineering assessment indicates that the properties can accommodate on-site servicing which will ensure that there will be no contamination of the River.

The proposed development would constitute a loss of prime agricultural soils, however the extent of these soils, together with the fact that they have been disturbed and restored following sand winning, means that they would not be capable of supporting primary production. In any case the effect on the soils resource is one of a series of factors that need to be considered and in this case, the loss is significantly outweighed by other factors.

Overall, the proposal is suitable and desirable, and so Council is able to make a favourable consideration against Policy RS67.

Industrial Objectives

Objective IN1

To provide for the continuing development of industry in the District.

Objective IN2

To provide areas suitable for all types of industrial activities and effects (except for the most noxious, which are provided for in a special zone in Hamilton).

Objective IN4

To promote efficient use of the natural and physical resources (including energy) required to provide, operate and maintain industrial areas.

Objective IN5

To identify areas where industry can operate with the benefit of necessary services, and without interference from incompatible adjoining activities.

Objective IN6

To provide a framework of performance standards for industrial activities in the locality which allows normal industrial development to proceed without the need for resource consent, constrained by only the minimum standards necessary to:

- a) provide a reasonable working environment for other industries;
- b) provide reasonable protection for other activities in the locality, particularly residential; and
- c) prevent any unsustainable use of the wider environment such as incremental pollution.

Objective AB1 (Plan Change 57)

To provide for industrial activities, service activities and other business activities that benefit from association with the airport to cluster around it.

Objective AB2 (Plan Change 57)

To provide for the future development of Hamilton International Airport and its surrounding land as a transport hub and business location, taking advantage of its strategic location and infrastructure.

Objective AB3 (Plan Change 57)

To effectively integrate land use, air transport and land transport to ensure the safe and sustainable development of Hamilton International Airport as a means of supporting the social and economic well-being of the Waikato region.



Comment

The proposal shares all of the attributes of the Airport Business Zone in terms of its ability to promote development of the area as an economic growth node of regional significance whilst safeguarding the operational requirements of the Airport and the character and amenity of the surrounding rural area. The proposed provisions will enable the development of a wide range of activities that will complement the Airport and related activities and will provide choice and variety that will ensure that opportunities for securing economic investment are optimised. The proposal utilises the existing framework of performance standards but expands on this to promote higher quality design outcomes that are desirable in attracting new investment and creating a high quality working environment. Eventual development will sit comfortably alongside existing development in the Rural Zone and will be contained by significant landscape planting that will provide definition to the built environment.

The proposals are consistent with the above Objectives.

Industrial Policies

Policy AB2 (Plan Change 57)

To enable development of a business park around Hamilton International Airport, including integration of development with the airport's operational requirements, integration with the state highway network, and provision for safe and sustainable road access from the road network.

Policy AB3 (Plan Change 57)

To facilitate development of a high quality business park by recognising the Airport Business Zone as a strategically important, self contained, visually attractive and fully integrated multi-use facility.

Comment

The proposed Industrial Zone shares all the same attributes of the Airport Business Zone in terms of its integration with the Airport and surrounding road network but goes further in terms of specific controls that will ensure a visually attractive and integrated development. Moreover, the proposals provide the opportunity to integrate existing activities such as the CTC Accommodation facility, the Caroline Eve Building and the Narrows Landing Hotel into a more comprehensively planned and functionally efficient business environment that relates directly to planned business expansion at the Airport. As such the eventual development will make a significant contribution to the strategic role of the area in the Regional economy.

The proposal is consistent with the above policies.

Policy IN6

To define "baseline" performance standards so as to mitigate or avoid adverse environmental effects and secure desired environmental results.

Comment

The proposed Industrial Zone adopts the existing Plan provisions as a baseline and includes additional specific controls that will establish a low density business park characterised by significant open space and with a strong relationship between buildings and the street. As such the provisions go considerably further than any existing industrial zoned land within the district to ensure a high quality design outcome.

The proposal is consistent with the above policy.

Policy IN11

To regulate retailing activity (sales to the general public) within Industrial Zones.



Comment

The proposed Industrial Zone adopts the existing Plan provisions (Rule 7.3.1.1b) in respect of controls over retail development.

The proposal is consistent with the above policy.

Transport Objectives

Objective TR4

To minimise the adverse effects of the use and development of the District's transport facilities and networks on people and the environment.

Objective TR5

To minimise the need for travel and goods transport, to the extent that this is compatible with retaining access to the District's resources.

Transport Policies

Policy TR7

To design new roads to visually compliment or improve the locality concerned and to incorporate landscape planting where appropriate.

Policy TR8

To encourage the use of public transport, bicycles and walking as alternatives to private cars.

Policy TR11

To recognise the importance of Hamilton Airport for the District and the Region and to provide for the efficient and safe operation of Hamilton Airport.

Comment

The Plan Change area adjoins the strategically important state highway corridor connecting the Taranaki economy with the Auckland/Hamilton/Tauranga economy. The clustering of economic activity around the Airport in this manner will enable activity to be supported by adequate and safe network capacity and will promote more efficient transport services for goods and people.

The site is directly opposite a residential growth node at Tamahere where substantial development capacity still exists, is close to existing areas of rural residential development on the fringes of Hamilton City and is close to planned areas of major residential growth in the Peacocke area of Hamilton City itself. Specific provision is made for the development of a rural residential enclave as part of the Plan Change and the proposals provide for the creation of pedestrian and cycle linkages between the respective development areas and adjoining development such that they will reduce the need for travel and will promote active travel modes in preference to car use. New road construction provided as part of the development of the Business Park is subject to specific design requirements that will ensure that it will provide for all modes. Tree planting as part of the road design is intended to contribute to the significant proportion of landscaping that will characterise the Business Park but will also provide shade to pedestrians to improve comfort levels and promote walking as opposed to car use.

The proposals are consistent with the above objectives and policies.



Subdivision Objectives

Objective SU1

To facilitate the efficient subdivision of property including arrangements such as unit titles and long leases

Objective SU2

To ensure that subdivision takes into account the effects of consequent land development and use.

Objective SU3

To ensure that when land is subdivided or developed, effective, efficient and environmentally appropriate utility services are provided to meet the requirements of the proposed use of the land.

Comment

The primary purpose of the Plan Change is to provide for the efficient conversion of land to activities that will make a significant contribution to the Regional economy as well as respond directly to their immediate environment. In relation to the Business Park it is expected that the land will be retained in single ownership and leased for individual site development. The extent of the area, and thus the configuration of the land parcel, has been defined with regard to existing and proposed roads. Specific plan provisions will ensure that any land parcel that includes land within the proposed Southern Links road corridor will also include sufficient land to comprise a complying lot in the event that the entirety of the road corridor is required by NZTA. Furthermore, proposed plan provisions control the siting of built development to ensure that options for the future alignment of the road are not foreclosed.

The same approach is adopted in respect of the proposed road corridor through the Visitor Accommodation area. Part of this area is already developed as the CTC Pilot Accommodation facility.

The remainder has been defined with particular regard to landscape features and the relationship of the site to the Waikato River. The existing oak tree stand is a significant landscape feature and it is proposed that this will be retained and managed as part of development of the Visitor Accommodation area. The same tree stand defines the extent of the Rural Residential area and further definition of this enclave is to be provided through Plan requirements for land modelling and landscape planting to establish a strong landscaped southern boundary to the Rural Residential area.

Each area of development will have its own services tailored specifically to the nature and density of development within each area and accommodated in a manner that will not result in harm to the environment or require public investment.

The proposals are consistent with the above objectives.

Subdivision Policies

Policy SU3

To ensure as far as possible that land to be subdivided is physically suitable for subdivision and the accommodation of uses intended and for other uses which may subsequently be permitted.

Comment

The technical assessment of the Plan Change proposals is set out in the appendices to this report. They are based on assumptions regarding an intensity of development that could not be achieved once account is taken of the effect of other external matters such as the land required



for the Southern Links road and proposals for runway extension with its associated building restrictions, including the Runway Protection Area. As such the assessments are based on a “worse case” scenario but they still demonstrate the suitability of the site and its capability of supporting development.

The proposals are consistent with the above policy.

Policy SU5

To encourage innovative design of subdivision, particularly rural and residential subdivision.

Policy SU10

To control the minimum area and dimensions of lots created by subdivision.

Policy SU14

To provide for subdivision for rural-residential development in defined areas.

Comment

The Plan Change introduces new requirements into the Plan that will enable the development of a resort style development within the Rural Residential area as an alternative to the traditional development of individual detached dwellings on large lots. Zero setbacks will enable buildings to be joined and the clustering of development will provide opportunities for the undeveloped balance areas to make a more substantive contribution to the character of the development rather than being seen simply as a collection of individual gardens. The approach differs significantly from traditional rural residential development but is entirely appropriate given that the site will be situated in a strongly defined landscaped enclave with a focus on the northerly aspect to the Waikato River. It is physically separate from adjoining land and the wider rural landscape and it is appropriate that opportunities are available for optimising this distinctiveness.

Nevertheless the proposals still provide for a minimum lot size based upon the need to ensure adequate space for wastewater disposal to comply with the requirements of the Regional Plan. In relation to the Business Park, the provisions require any new lot that includes land within the proposed Southern Links corridor to be of a sufficient size and configuration to enable the creation of a complying Industrial lot in the event that the entirety of the corridor is eventually required by NZTA.

The proposals are consistent with the above policies.

Policy SU16A

To discourage the subdivision of any site within the Rural Zone which is likely to result in a dwelling being erected within the Outer Control Noise Boundary at Hamilton Airport, within a Special Landscape Character Area, within 500 metres of Industrial Zones, adjacent to a State Highway or a “Primary Road” (as shown on the District Plan Maps), within an Environmental lot buffer area and within 500 meters of a mineral extraction site.

Comment

The purpose of this policy is to address issues of reverse sensitivity. The supporting text explains that some effects can only be mitigated by the separation of activities from one another.

The entirety of the Plan Change area is the subject of a restrictive covenant on the title of the land in favour of WRAL. The effect of this is to ensure that existing and future occupiers will not raise objection to noise from the Airport, even if it is extended. There is therefore no prospect of



reverse sensitivity issues arising in relation to airport noise. This covenant will remain attached to future land disposals.

The proposed Rural Residential area will be separated from, will be situated at a lower level and will have an aspect that faces away from the proposed Southern Links corridor. Sufficient land has been identified within the road corridor to provide options to NZTA in terms of route alignment as well as any additional mitigation considered necessary at the time of designation but at this stage, there is no indication of when that might be.

When the route is constructed it will provide permanent physical separation of the Rural Residential area from the proposed Business Park. This separation will be reinforced by the landscape provisions required within the Rural Residential area. The relationship to the future state highway and the degree of separation between residential activity and industrial zones is consistent with the principle adopted elsewhere in Waipa District. Specifically in relation to Cambridge, the District Plan provides for residential development alongside the proposed Cambridge Bypass at both Cambridge North and St Kilda Waterways. The District Growth Strategy also indicates Council's support for the establishment of an industrial growth cell opposite Cambridge North, separated only by the proposed Bypass.

The Plan Change provisions demonstrate that reverse sensitivity effects are capable of being addressed through alternative means than through the simple separation of activities. The approach adopted is consistent with the approach adopted elsewhere in the District but is also reinforced by specific legal provisions affecting the land and proposed District Plan provisions.

With these provisions in place the proposals are consistent with the above policy.

Noise Objectives

Objective NS1

To avoid the adverse effects of noise on the health and wellbeing of people in the District.

Comment

Although the entirety of the Plan Change area is subject to restrictive covenants that will ensure that no complaint is raised against the continued and extended operation of the Airport it is still necessary to consider the effect of the proposals on peoples' health and well being. In terms of noise this is usually considered in terms of the potential for sleep disturbance. A large part of the Plan Change area, including both the Rural Residential and Visitor Accommodation areas is situated outside of the Air Noise Boundary but within the Outer Control Boundary where the District Plan requires the acoustic insulation of properties to achieve a maximum internal noise level. This approach applies to significant areas of rural residential development within the district and is the same approach adopted by Waikato District in relation to the Tamahere area which is directly under the approach to the Airport. Notwithstanding the existence of the restrictive covenant, the Plan Change adopts these same provisions in respect of the proposed Rural Residential and Visitor Accommodation areas.

The proposals are consistent with the above objective.

Objective NS2

To protect the amenity values of the District from the adverse effects of noise.

Comment

With regard to the potential effects of noise from the Business Park on adjoining Rural Zoned properties, the Plan Change adopts the existing District Plan provisions applying to industrial



Zoned land elsewhere in the district. It should be noted, however, that this is more restrictive than the provisions applying to other industrial land recently zoned around the Airport.

The proposals are consistent with this objective.

Noise Policies

Policy NS1

To define areas of the District in which particular performance standards for noise shall apply.

Policy NS2

To establish maximum permissible noise levels as a minimum standard for defined areas of the District.

Comment

The entirety of the Plan Change area is situated within the Outer Control Boundary of the Airport. This area, which extends well beyond the site boundaries, is described in the District Plan as a Special Noise Area within which the noise limits recognise the level of aircraft noise from the Airport. The proposals adopt the existing District Plan provisions regarding the need for acoustic insulation to ensure acceptable levels of internal noise are maintained within certain buildings (Rule 2.4.24.2). The Outer Control Boundary could change in time as the Airport develops its proposals for the runway extension but to ensure that the Plan Change proposals will not create any adverse effects in their own right, the specific activities are also subject to the relevant existing District Plan noise provisions for the respective zones. Moreover, the proposals are also subject to specific design requirements regarding landscaping and buffer strips that perform an essentially aesthetic function but also provide further opportunities for noise mitigation if the need arises.

The proposals are consistent with the above policies.

6.2 WAIKATO REGIONAL POLICY STATEMENT

The Waikato Regional Policy Statement (RPS) provides an overview of the resource management issues affecting the Region and provides high level objectives and policies that will achieve integrated management of natural and physical resources. Of particular relevance to the proposed Plan Change are provisions relating to Infrastructure and Soil Health and Versatility.

In terms of Infrastructure, Section 3.13.2 states the objective of maintaining or enhancing the operation of regionally significant infrastructure. Policy One seeks to avoid significant adverse effects on the safe and efficient operation of regionally significant infrastructure and where effects cannot be avoided they should be remedied or mitigated. Both the Airport and the State Highway network are regionally significant infrastructure.

The proposals address their likely effects on the state highway network by identifying works that will be required to ensure that capacity is provided for projected traffic growth. But more significantly they anticipate and make specific provision that will enable the future development of the state highway network through the Southern Links Project.

In relation to the Airport the land is already the subject of legal covenants that will ensure that future occupants will not object to the operation or expansion of the Airport. No other reverse sensitivity effects on the Airport are likely but, more significantly, the Plan Change provides specifically for a Runway Protection Area that will enable the Airport to satisfy international best



practise guidelines. Such a proposal could only be achieved through a Plan Change and the proposed approach will ensure that the instrument will provide an effective means of control to manage risk and ensure the safe and efficient operation of the Airport.

Section 3.3.9 states the objective of maintaining the versatility and productive capacity of the region's soil resource. Policy One states the intention that land use practises should occur in a manner designed to avoid degradation of soil versatility and productive capacity.

The Plan Change includes soils defined as high quality soils but assessment of the productive capacity of these recognises that they are essentially restored soils and their productive capacity is limited by virtue of recent sand winning operations. Moreover, the Plan Change area is uniquely affected by proposals for new major infrastructure provision that will result in a degree of severance and fragmentation that the land would not be capable of being farmed as an economic unit, either on its own or in conjunction with adjoining land.

In this regard the proposals provide for more efficient and effective use of the land and this represents a more sustainable use of the resource.

The proposal is consistent with the Waikato Regional Policy Statement.

6.3 WAIKATO PROPOSED REGIONAL PLAN

The proposed plan change requests a change to the Waipa District Plan, and does not involve the undertaking of any activities that would fall under the administration of the Waikato Proposed Regional Plan. Issues relating to sewage and stormwater disposal will be considered at the time of any future subdivision, and consent(s) from Environment Waikato if necessary.

However, for the purposes of demonstrating the effects of the proposal in terms of the matters addressed in the Regional Plan, the assessments included as Appendices I, J and K to this report describes the potential options for dealing with water supply and stormwater and wastewater disposal.

The extent to which the eventual development will comply with the permitted activity standards of the Regional Plan will clearly depend on the design options adopted at the time of development. The assessment identifies the potential for rainwater harvesting and storage for daily use and fire fighting which will contribute towards overall water supply requirements. It identifies the suitability of large parts of the site for ground soakage of stormwater and describes the potential for communal sewage treatment facilities for each of the development cells to reduce the likelihood of numerous individual systems, recognising that such systems are already operating effectively on parts of the site. The proposals provide for a low intensity of development and, in terms of the proposed rural-residential component, this is at a density that will enable compliance with the minimum lot size for on-site wastewater disposal.

The Plan Change takes a strategic approach to the relevant Regional Plan matters and the proposed provisions provide clear guidance and regulation on how these matters can be addressed through the design and layout of the development. Whilst some aspects of the development may ultimately require resource consent as discretionary activities, this is part of the process of ensuring that the eventual development will deliver the outcomes anticipated by the Structure Plan.

The proposals are consistent with the Regional Plan.



7 STATUTORY CONSIDERATIONS

7.1 SECTION 73

Section 73(2) of the RMA states that:

“Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Schedule 1.”

The proposed plan change has been prepared in accordance with Schedule 1.

7.2 SECTION 74

Section 74 of the RMA states the matters to be considered by Council when preparing a plan change. These matters include:

- Its functions under Section 31;
- The provisions of Part II;
- Its duties under Section 32; and
- Any regulations and other statutory documents.

Section 74(2)(b) and (c) also provide that Council shall have regard to, inter alia:

“(b) Any-

i) Management Plans and strategies prepared under other Acts

to the extent that their content has a bearing on resource management issues of the district; and

(c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.”

These matters are discussed in the following sub sections.

7.3 SECTION 31

Section 31(a) of the RMA gives Council the following function:

“The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.”

This proposed plan change has been prepared in accordance with that function.

7.4 PART II

Part II of the RMA contains reference to the purpose and principles of the Act, in particular to the concept of sustainable management, matters of national importance, other matters and the Treaty of Waitangi. This proposed plan change has been prepared within the framework of Part II. It is considered that the proposal is consistent with the purposes of the RMA in promoting the sustainable management of natural and physical resources. Approving the proposed plan change will recognise the extent to which the existing environment has already begun to transition away from primary production and towards a pattern of urban development but, rather



than allow the process to continue on an ad hoc incremental basis through individual resource consents, it is preferable to take a holistic approach and promote the integration of future development with existing and planned development in the area and local infrastructure capacity.

The proposals provide for that desired integration and they will enable positive and certain action to be taken in respect of a landholding that will be profoundly and uniquely affected by proposals for regionally significant future infrastructure projects. They provide specifically for the eventual development of those infrastructure projects in a manner that has been described by the organisations responsible for their delivery.

The majority of the land area is proposed for development as a Business Park that will complement the existing and planned supply of land in this strategically important location. It will ensure choice and variety in the market in terms of environment, activities and land tenure and is strongly related to existing and planned population growth nodes in Waipa District, Waikato District and Hamilton City. As such it will contribute significantly to the local and regional community's ability to provide for its economic well being.

The proposals are subject to more rigorous design controls than exist on any similarly zoned land in the district but these controls are aimed at ensuring improved environmental outcomes rather than being required to mitigate environmental effects. As such they will "raise the bar" in terms of the maintenance and enhancement of amenity values and the quality of the environment. These design matters include provisions that will enable access and connectivity between land uses without having to rely on car use; notwithstanding the significant severance effect that future infrastructure will have on land parcels. Access to the riverside will add significantly to the social well being of future residents and workers.

There will be no effect on any matters of significance to Maori, or any effect on areas of ecological, archaeological or heritage importance. In fact the proposals provide the opportunity to enhance access to the river margins, enable connectivity between existing riverside reserve areas and create new features of interest through landscape planting and management.

Technical assessment of the infrastructure requirements for servicing the proposed development has been undertaken on a "worse case scenario" basis and demonstrates the ability to service the development. But, in terms of providing for peoples' health and safety the proposals go much further than that. They anticipate the longer term expansion of the Airport runway and promote the concept of a Runway Protection Area in response to international best practise. This will ensure that as well as safeguarding the operational efficiency of the Airport, the proposals will provide protection for land based activities against the unlikely possibility of incident on the approach path to the runway.

The Plan Change therefore responds appropriately to the matters raised in Part II of the Act and establishes a new benchmark in terms of providing for the future management of resources in this locality. As such it will more than adequately fulfil the purpose of the Act.

7.5 RELATED MANAGEMENT STRATEGIES

In 2007 the Regional, City and District Council's embarked on the preparation of a sub-regional growth strategy under the name of Future Proof. Future Proof takes a long term view, out to 2061, and is intended to provide a framework to enable growth management and infrastructure provision on a collaborative basis across the sub-region. Whilst Future Proof is intended to provide context for the development of growth strategies for the respective local authorities, the growth strategies for each authority area have been progressed either in advance of or in parallel with Future Proof. Consequently it is also necessary to consider the content of the draft growth strategy for Waipa District, and the adopted growth strategies for Hamilton City and



Waikato District to understand the effect that they will have on resource management issues within the locality.

7.5.1 FUTURE PROOF

A preliminary draft of Future Proof was released for public feedback in October 2008. At that time the strategy focussed specifically on the merits of 3 alternative scenarios for accommodating residential growth to meet projected population increases. It contained little substantive matter in relation to other land use activities although it was supported by background information that indicated a need for significant increases in the industrial land supply through District Plan zoning as a means of restoring the sub-region's lost competitiveness. That information acknowledged that proposals for the current Plan Change were in preparation at that time.

The draft strategy was published in March 2009 and promotes a prescriptive approach to the identification of growth cells for future development and identifies specific locations together with "allocations" and staging provisions in respect of industrial land. The Airport vicinity is identified as a Strategic Node for a 190ha development, 40ha of which will be available by 2021. The strategy also identifies a proposal for a comprehensive study of the area between Ruakura and Temple View within which the Plan Change area is situated. To put that into perspective, the extent of the area is larger than the area of Hamilton City itself. The study is intended to identify long term land use options for the area and is expected to be released in the form of a Report in April 2010.

Public submissions on the strategy have raised concern at the adequacy of the proposed land supply in terms of meeting projected increases in the labour force. Submissions were made by the applicant that drew attention to the need to extend the available land supply around the Hamilton Urban Area. Those submissions were underpinned by analysis of the land supply situation undertaken by economic analysts Covec. Their assessment of the land supply situation and the merits of the Plan Change proposal is included in Appendix R. As well as identifying the acute shortage of available land the assessment demonstrates the suitability of the Narrows Business Park by reference to a series of selection criteria.

Submissions to Future Proof also raised concern regarding the appropriateness of the prescriptive approach promoted to site identification and development, and the strongly opposing stance taken against proposals or sites that are not identified as specific growth cells. In relation to the proposed comprehensive study of the Ruakura – Temple View area, the submissions suggest that whilst the area presents a number of challenges that would benefit from a better understanding, insofar as the Plan Change area is concerned the current Plan Change proposals have already addressed the issues and options and promote the most appropriate solution. Unlike much of the wider area proposed for study, the scope and effects of infrastructure projects are well known and understood and the options for land use management and change are more clearly defined. Consequently there is no reason to defer consideration of the current Plan Change proposals, pending the outcome of that study.

Submissions on Future Proof were presented to the hearing on 7th May 2009.

7.5.2 WAIPA 2050

Preliminary consultation on the district growth strategy began in October 2008. Whilst it followed a similar approach of testing development scenarios for the district as a whole and for each of its settlements it also considered other related growth issues. The strategy identified the intended route of the Southern Links project and suggested that, under Scenario 1, the Plan Change area would be on the fringe of an area identified as having "mixed use development pressure". Scenarios 2 and 3 identified the Plan Change area specifically as a "possible mixed



use development". The concept of "mixed use" was not defined but the strategy indicated that, in terms of industrial development, the identification of land at Titanium Park and Hautapu would be sufficient for the next 50 years.

The strategy was released for formal submissions in March 2009. Whilst the strategy explains that it is based upon Scenarios 2 and 3 it has removed reference to the Plan Change area and opted for the identification of specific growth cells forming part of the Airport residual landholding on its northern side and a number of individual cells on the south side of State Highway 21. These latter cells are, seemingly, the landholdings of previous submitters to Plan Change 57 that sought the inclusion of their land within that proposal at that time. The merits of these additional sites are not known as the necessary technical assessments have yet to be undertaken. Nevertheless the approach overlooks the direct relationship that the Plan Change area has with the development of the Airport as a trade and passenger node and as an economic development node of regional significance. The technical analysis has been undertaken and demonstrates the appropriateness and robustness of the development proposals. Additionally it has demonstrated the need for additional land to be identified for industrial development.

Accordingly, submissions were presented to the hearing on 6th May 2009 that sought the identification of the Plan Change area as a specific growth cell that is capable of immediate development.

7.5.3 HAMILTON URBAN GROWTH STRATEGY

Hamilton City Council has been involved in urban growth planning since the early 1990's, recognising that it needed to develop a strategic approach to the release and development of its rural land banks that were transferred to the City in 1989. Early approaches were all based on the ability and affordability of extending infrastructure services into each of the areas in turn. Structure Plans have been prepared for each of the main growth areas and form part of the Proposed District Plan. The draft HUGS document signalled a shift in emphasis to recognise the social, economic and environmental benefits of each of the respective growth areas as well as the practicality and affordability of infrastructure provision. The strategy put forward 4 propositions:

- Increased intensification and infill development over the next 10-20 years,
- Completion of Rototuna and the release of Stage 1 development in the Peacocke and Rotokauri growth areas,
- The prioritisation of Stage 2 Peacocke development ahead of Stage 2 Rotokauri, and
- The development of a high technology innovation precinct at Ruakura from around 2016.

Following public consultation the strategy was confirmed and adopted in that form in December 2008. The effect of that is that further Greenfield housing development is to occur within the Peacockes growth area, only 4km to the north of the Plan Change area. The next major new release of Greenfield land within the City will be Stage 2 of the Peacocke Structure Plan with the potential for this area to accommodate over 20,000 people.

7.5.4 WAIKATO DISTRICT GROWTH STRATEGY

The draft Strategy, published in October 2008, signalled the need to take a more strategic approach to the development of land throughout the district to provide a more centres based focus and promote the revitalisation of town centres. Whilst Countryside Living (large lot development) had provided the mainstay of the district's growth in recent years, the implied consumption of agricultural land to accommodate the predicted level of population growth in this manner would have serious consequences in terms of the vitality and viability of the rural



economy and the costs of infrastructure services. The Strategy identified specific areas for development and indicated their expected level of growth. Of relevance to the Plan Change proposal is that the Tamahere/Matangi area, which is opposite and directly accessible to the Plan Change area, was proposed for significant population expansion. The Strategy was confirmed and adopted in that form in March 2008.

7.6 ADJOINING DISTRICT PLANS

The respective adjoining District Plans do not yet contain the necessary provisions to deliver the full thrust of the adopted growth strategies. Consequently, further variations, changes or new plans will be required to put them fully into effect.

Currently, the Hamilton City Proposed District Plan includes a Structure Plan that will enable the eventual development of the Peacocke growth cell. It identifies the extent of the Stage 1 area but does not yet contain the relevant zoning provisions to enable its development. The background documentation to this Structure Plan recognises that future employment opportunities to support growth of the population and labour market will be at the Airport, at the Waikato Hospital and in the CBD.

The Waikato District Proposed District Plan includes a Structure Plan and zoning provisions to enable the continued development of the Tamahere Country Living Zone. Significant capacity remains in that area. It takes a generally permissive approach to development with the Rural Zone, depending largely on the age of the parent title, but it does not yet include provisions that would enable the significant urban growth anticipated for the Matangi area.

7.7 SECTION 32 EVALUATION

Section 32 of the Act requires the promoter of a private Plan Change to prepare an evaluation of the alternatives, benefits and costs associated with the proposed change. Amongst other matters, the evaluation must have regard to the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act, whether they will assist the Council to carry out its functions in order to achieve the purpose of the Act and whether they are in accordance with Part II of the Act.

Policies, rules and other methods are to be evaluated to establish whether they are the most appropriate way to achieve the objectives of the Plan, whether they will assist the Council to carry out its functions in order to achieve the purpose of the Act, whether they are in accordance with Part II of the Act and, if they are a Rule, whether they will achieve the objectives and policies of the Plan.

Section 32(3)(a) The extent to which each objective is the most appropriate way to achieve the purpose of the Act.

The proposed Plan Change includes an amendment to the wording of the explanation to one Objective; Objective AB2, to enable the Objective to be capable of application to other potential business park sites outside of the Airport Business Zone. At the time of drafting, the original objective provided context for a proposal to broaden the economic development potential of land within the vicinity of the Airport. That context recognised that the Airport itself has a wider role to play in the regional economy than simply the conveyance of passengers, that it is situated on a strategic roading corridor that links regional economies and that new industrial and business development could function efficiently and effectively in proximity to the Airport without compromising its performance. Those same attributes apply equally to the Plan Change Area and potentially to other sites in the vicinity of the Airport. The Objective provides for that but its explanation implies a more restrictive approach. As the Act does not allow for the protection of individual trade competitors there is no basis for the Explanation to imply particular



support for a specific location to the exclusion of others when such others might offer equal or alternative benefit without giving rise to any significant adverse effects.

Accordingly the Plan Change proposes minor wording amendment to enable the Objective to have relevance to other potential business park locations. This will more closely and more appropriately reflect the purpose of the Act and will better enable people and communities to provide for their social and economic well being.

The remaining Objectives in the District Plan are considered appropriate to achieve the purpose of the Act and the proposal is consistent with these provisions. Accordingly, no further amendments relating to Objectives are proposed through this Plan Change.

Within the context of these Objectives, the Plan also provides Policy direction and specific Rules on a wide range of matters that are directly relevant to the Plan Change proposals and those provisions are incorporated into the proposals. On other matters, however, additional provisions are necessary to ensure that the Plan provides clear policy direction and has appropriate Rules to ensure that the intended outcomes will be achieved. The Plan Change adopts the existing format of the Plan insofar as it includes a Structure Plan to ensure that the Rules will be applied in a consistent, comprehensive and integrated manner across the Plan Change area.

Section 32(3)(b) Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

Within the context of the existing Objectives, other possible means for achieving the purpose of the Act are as follows:

- (i) Do Nothing;
- (ii) Rezone to enable development according to the existing Plan provisions; or
- (iii) Rezone to introduce specific plan provisions.

In undertaking assessment of these options it is necessary to address Section 32(4) as follows.

Section 32(4) For the purposes of this examination, an evaluation must take into account

- (a) The benefits and costs of policies, rules, or other methods; and**
- (b) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.**

Option 1 Do Nothing

In the context of the changes that have occurred and continue to occur in the locality, maintaining the status quo in terms of plan provisions does not provide any certainty to landowners, the market or the wider community regarding the future management of the area. Quite appropriately, resource consents have been granted for non rural activities, notwithstanding the underlying Rural zoning. The resultant effect is that the character of the area is changing and is being characterised by large scale buildings in a low density format that are essentially aimed at meeting demands arising from continued economic growth. This growth itself arises from the locational advantages of the area in relation to strategic transport corridors, constraints on the availability of land elsewhere in the area, and significant population and labour force growth in the area.

There is continued market pressure for development. However the Plan does not provide any degree of certainty and each potential project, whether it would be for industrial, rural-residential or visitor accommodation development, would involve costs to an applicant and the wider community of participation in an uncertain resource consent process. As such, landowners and the market are deterred from pursuing development proposals. Whilst productive use is being



made of the land, it is not fulfilling its potential in terms of contributing to economic growth, or providing choice and variety in the housing market.

Land is available at Titanium Park for a limited scale of industrial development but this land is clearly identifiable with the Airport itself and hence may not suit all sectors of the market. It is also subject to significant infrastructure constraints that will limit the extent of Stage 1 development to around 8ha. Consequently, business and local labour force growth is being forced to look further afield for development opportunities and the land supply elsewhere is severely restricted.

The District Plan makes no explicit provision for visitor accommodation. Consequently, that sector of the market that wishes to meet the need for such accommodation in a high quality setting, and close to potential markets has to take its chance as “non-rural activity” in the Rural zone. Such an approach offers little encouragement for such an important sector of the market and the area continues to face a clear shortfall in the availability of quality serviced accommodation to cater for business, tourism and a growing events sector.

Residential options in the locality, both within Waikato District and Waipa District are restricted to defined rural residential areas within which standard provisions apply. The result is a degree of uniformity in the regular arrangement of detached dwellings on large sections. Rather than maintaining the rural character of the area such an arrangement has suburbanised the landscape, albeit at a low density. The scope for variations in development patterns is limited. In the absence of the comprehensive approach taken through the Plan Change proposals it is unlikely that the existing District Plan provisions would offer any support for residential development on any part of the Plan Change area. Such proposals could only be pursued through an uncertain resource consent process that would entail costs on the applicant and the wider community. Consequently the opportunity would be lost to recognise and respond to the unique environment that is available on a north facing site directly overlooking the Waikato River.

Option 2 Rezone to enable development according to the existing Plan provisions

The existing Plan provides a comprehensive suite of provisions that could be adopted to provide for further industrial and rural residential development. However these provisions are targeted simply at ensuring that the effects of a particular activity do not spill out beyond a site or a zone. They are based on damage limitation, which is adequate but which does not respond to the opportunities that might present themselves on any given site. If the existing provisions were simply rolled out over the respective parts of the Plan Change area the resultant development would be indistinguishable from any other industrial or rural residential development in the district.

Moreover, such provisions do not recognise or provide adequately for all of the proposed activities. For instance, visitor accommodation is only provided for as one of a number of permitted activities within other more general zonings such as the Industrial Zone. To enable the development of visitor accommodation on the area that is currently proposed for it would therefore bring with it the risk that the area might be developed for other, less desirable forms of development.

The costs of promoting such development would be reduced by having such a permissive framework but it would produce an undesirable outcome. Such a risk could also have hidden costs in that a development specifically seeking such a high quality location for major investment may need to incorporate additional measures to safeguard itself against the prospect of a less benign activity in close proximity. There is therefore a significant cost to developers from having to address uncertainties regarding neighbouring development.



Perhaps most significantly though, is that the District Plan only recognises and provides for major infrastructure projects once they have been confirmed through the formal designation process. The Plan is reactive rather than proactive. In the context of the proposed Narrows Business Park being subject to the existing Industrial Zone provisions there is nothing currently in the Plan that would ensure that a development would anticipate and provide for the proposed Southern Links route. Even if a Notice of Requirement was lodged for the extension of the Airport runway, there is nothing in the existing plan provisions that would achieve the purpose of the Runway Protection Area. The existing Plan provisions would present a significant risk of foreclosing options for the delivery of these major infrastructure projects. The resultant costs to the community would be significant in financial terms but possibly incalculable in economic and social terms.

In terms of rural residential development the existing Plan provisions would require a minimum and average lot size that would result in a pattern of development best suited to an open expansive landscape where there is a need to ensure that buildings do not dominate the character of the area. The merits of this approach do not lend themselves so convincingly to that part of the Plan Change Area that is proposed for development. The site is a well defined enclave that will not share a boundary with the open countryside. To the north, land beyond the Plan Change area is situated at a much lower elevation as a consequence of being a former quarry that was never backfilled and restored. Within the Plan Change area the western boundary will eventually be the Southern Links route and in anticipation of that, significant landscaping is proposed that will emphasise the site's principal relationship with the Waikato River. To the south, the existing stand of mature oak trees completes the definition and containment of this distinct development cell. In this context there is no benefit in requiring excessive minimum or average site areas and such an approach would impose additional costs on the development. Neither is there a need to ensure separation between buildings as they would not be seen in the context of the wider landscape. Such an approach would stifle creativity and reduce opportunities to make more efficient use of land to complement the overall development.

Option 3 Rezone to introduce specific plan provisions

The proposed Plan Change provides for the inclusion of additional and amended policies, additional and amended rules and the inclusion of a Structure Plan as an Appendix to the District Plan. The comprehensive approach entails costs in the development of the Plan Change and the costs of community participation in promoting this through the statutory process. The nature of the new provisions also imposes costs on subsequent developers in terms of compliance with a more demanding suite of provisions but could potentially reduce hidden costs by providing certainty and clarity regarding the expected environmental outcomes.

New and amended policies are provided to ensure that the Plan properly recognises and provides support for business park and visitor accommodation development in the vicinity of Hamilton Airport. The amendments have no effect on the current status and significance of the Titanium Park development but they are needed to ensure that the market is able to respond to other development opportunities in the area that may not be driven solely by the Airport itself. The cost implications will be reflected in the increased certainty that the Plan will provide in the event that resource consent applications are required on the Plan Change area or elsewhere. The costs to developers and the community can be expected to be lower as a consequence of this certainty. As such, the new and amended policies will be a more appropriate means of delivering the objectives of the Plan.

New and amended rules provide for the introduction of a specific rural residential area and a visitor accommodation area and the identification of an industrial zone.

With regard to the rural residential area, this is promoted within the context of the Rural zone objectives and policies which provide support for such activity. The site is consistent with this



policy framework and the specific rules guiding development of the site have been developed to enable an innovative and creative approach to subsequent development, without the need for additional resource consents and their associated costs. The approach taken will promote greater efficiency in the use of land and will provide greater flexibility for development to establish a strong relationship with the river. As well as being of benefit to developers the flexibility will be of wider benefit in enabling a greater degree of passive surveillance of pedestrian and cycle links through the area and along the riverside esplanade.

The rule is therefore the most appropriate means of achieving the objectives of the Plan.

The proposed Visitor Accommodation area is similarly promoted within the context of the Rural zone objectives and policies but because the District Plan is currently silent in respect of the need for such activity, it is proposed to provide clearer support through a new policy. The policy may be capable of application elsewhere in the district will provide increased certainty that will benefit landowners, the market and the wider community in the event that resource consents are required for a particular development. Such certainty can be expected to reduce compliance costs of any resource consent process.

Insofar as the policy provides increased support for the principle of development, the proposed rules address matters that are specifically tailored to the proposed Narrows Visitor Accommodation Area. As such the land use and sub-division rules would not be capable of general application. Within this area, a large part of the site is already developed as visitor accommodation. Further development is provided for but within strict parameters to ensure that the intrinsic qualities of the site and its distinctive relationship with the river will not be harmed. Importantly, the rules recognise and provide for the eventual construction of the Southern Links route. As such the rules provide increased certainty that will help to reduce compliance costs but also ensure that development within the area will be entirely consistent and complementary to visitor accommodation. This will avoid the need for developers to safeguard against the possibility of incompatible neighbouring activities and will promote more efficient use of the land.

The policy and rules are therefore the most appropriate means of achieving the objectives of the Plan.

The Plan Change provides for the amendments to the existing District Plan rules to enable their application to the proposed Narrows Business Park and to ensure that development within this area properly safeguards the future eventuality of the Southern Links route and anticipates and responds to the possibility of an extension to the Airport runway. The amended rules will provide more certainty to landowners, the market and the general community and will therefore reduce compliance costs but they also offer significant benefits. The zoning will enable productive use of land for activities that will add significantly to the local economy without being sensitive to Airport noise. It adjoins existing business activity on Meridian Drive and will complement future development at Titanium Park but is not subject to the same degree of infrastructure capacity constraints as that site. The zoning amendments will ensure that eventual development will provide a point of difference relative to other potential industrial locations which will provide increased certainty and promote more efficient use of land through not having to safeguard against potentially incompatible activities.

Uniquely within the district, the new provisions recognise a Runway Protection Area that will enable the Airport to meet international standards of best practise. It is unlikely that such a measure could be achieved other than through a formal Plan Change process. Whilst the effect of this will be to increase compliance costs for future development within this area, the benefits of this in terms of safeguarding public safety and the operational efficiency of the Airport outweigh the significance of these costs. However, such measures are only required if the Airport runway is extended. If that project does not proceed the measures would impose a significant and unnecessary compliance cost onto new development and could result in the



inefficient use of land. Accordingly, the specific measures will only become operative at the time of lodgement of proposals for a runway extension.

On this basis the proposed rules provide the most appropriate means of achieving the objectives of the District Plan.

The Plan Change proposals affect a significant landholding that is profoundly affected by proposals for major infrastructure provision. These proposals will fragment the land pattern and introduce elements that will permanently change the character of the area and its relationship to surrounding land. Nevertheless, it is preferable to adopt a comprehensive rather than piecemeal approach to these issues to provide a certain and appropriate response to the landowners, the market and to the wider community. The Plan Change promotes the use of a Structure Plan as a regulatory tool to ensure that the development potential of each cell is optimised and that the eventual pattern of development will achieve the objectives of the plan.

The Structure Plan includes measures that go well beyond those required to avoid, remedy or mitigate environmental effects and will thus impose costs on developers that might not apply elsewhere. However, these matters aim to provide certainty regarding the character and quality of eventual development and as such, they will be of benefit to investors and to the wider community and will promote more efficient use of land by avoiding the need to safeguard against potentially incompatible neighbours. In the absence of such a comprehensive approach it is unlikely that the rules in isolation would convey the same vision or achieve the same outcome.

As such the Structure Plan provides the most appropriate means for achieving the objectives of the District Plan.

8 AMENDMENTS TO THE WAIPA DISTRICT PLAN

8.1 PLANNING MAPS

Amend Planning Map 22 to indicate new zoning provisions in respect of Industrial Zone, Rural Residential Area and Visitor Accommodation Area as indicated on the Planning Maps presented in Appendix A.

8.2 AMENDMENTS TO OBJECTIVES AND POLICIES

8.2.1 RURAL POLICIES

Insert a new Policy RU54C to read:

Policy RU54C

To identify appropriate locations for the development of visitor accommodation to support key visitor attractions in locations where they will not adversely affect the surrounding environment and where subsequent development will not harm the intrinsic qualities and character of the attraction itself.

Explanation

The provision of visitor accommodation in suitable locations provides the opportunity to optimise the recreational and tourism potential of the District's environmental resources without the need to cater for significant pressure from the high traffic flows that might otherwise arise from day visitors. Providing such locations are carefully selected, are sensitive to their local environment and will not erode the point of attraction itself, visitor accommodation will help to diversify and sustain the District's economy.

(Refer to Objective RU1, Rule 2.6.1C)

8.2.2 INDUSTRIAL POLICIES

Insert a new Policy IN4 to read:

Policy IN4

To identify and provide opportunities for business park development in the vicinity of Hamilton Airport.

Explanation

Specific provision has been made for business and commercial development adjacent to the Airport. Further opportunities need to be provided for development that could support the vitality of the Airport as an economic and transport hub but which do not require or desire a location or immediately adjacent to the Airport.

(Refer to Objectives IN1, IN2, IN4, AB2, Rule 7.1.7)

8.2.3 AIRPORT BUSINESS OBJECTIVES

Amend Explanation to Objective AB2 to read:

The airport has a unique location and characteristics being at a junction of the strategic roading network with links to Hamilton and the Port of Tauranga and close to the North Island Main



Trunk Railway. In addition the sustainable development of the airport requires the support of industrial, commercial and retail services. As a result it is an appropriate location for a business park development, linked to air and land transport but also making efficient use of infrastructure to provide services to the local community. The location is particularly suitable because the airport has been protected from sensitive activities meaning that there are few reverse sensitivity issues associated with it now developing as an integrated business park location incorporating industrial activities.

(Deletions shown as strikethrough, additions shown as underlined)

8.2.4 AIRPORT BUSINESS POLICIES

Amend Policy AB2 to read:

To enable development of a business parks around Hamilton International Airport, including integration of development with the airport's operational requirements, integration with the state highway network, provision for public transport and other alternative transport modes such as walking and cycling and provision for safe and sustainable road access from the road network.

Explanation

Land around the airport has extensive frontage to State Highways 3 and 21. Multiple accesses need to be avoided and access rationalised for safety and efficiency reasons. Airport operations require clear approaches to the runways and height limitations on structures. The Waikato Regional Land Transport Strategy 2006-16 promotes improved public transport connections from Hamilton to the airport. All of these elements have been incorporated into a structure plans to guide development.

(Deletions shown as strikethrough, additions shown as underlined)

8.3 AMENDMENTS TO RULES

8.3.1 RURAL ZONE

Amend Note attached to Rule 2.3 Activities to read:

Note: Rural Residential Areas and Visitor Accommodation Areas are located in the Rural Zone and are subject to the provisions of the Rural Zone Rules.....

(Amendment shown as underlined)

Insert new Rule 2.6.1B to read:

Narrows Rural Residential Area

1. *Notwithstanding Rule 2.4, in the Narrows Rural Residential Area shown on Planning Map 22, all subdivision and development shall comply with the Narrows Structure Plan in Appendix 32 and the following performance standards and shall be a **Controlled Activity**.*
2. *The standards and terms for Controlled Activities in the Narrows Rural Residential Area are:*
 - a. *The conditions for Permitted Activities (Rule 2.4) are deemed to be the standards and terms for Controlled Activities within the Narrows Rural Residential Area, subject to Rule 2.6.1B (2) (b);*



- c. *The location and landscape treatment of external car parking areas;*
 - d. *The extent and location of external spaces used for entertainment, recreation or gathering;*
 - e. *The hours of use of any external amplified sound and lighting;*
 - f. *The nature and timing of planting to give effect to the concepts illustrated and described on the Structure Plan in Appendix 32, and any other landscape plans approved by Council as part of a subdivision consent under Rule 10.6.1.3C.*
 - g. *Provision for the ongoing maintenance of the existing Oak stand, riverside margin and proposed landscape planting.*
4. *Non-Notification- the written approval of affected persons will not be required in respect of applications under Rule 2.6.1C 1). Applications for a Controlled Activity will be considered without notification unless special circumstances exist.*
 5. *Subdivision and development that does not comply with this Rule shall be a **Discretionary** Activity.*

(Refer to Policies RU18-RU21, RU54B, RU63 -2.3.4.1)

8.3.2 INDUSTRIAL ZONE

Amend Rule 7.1 Zone Statement to include reference to the Narrows Business Park as follows:

7. *the Narrows Business Park.*

Insert a new Rule 7.3.1.2 a) to read:

*Subject to Rule 7.3.1.6b and c, any activity otherwise permitted shall be a **Restricted Discretionary Activity** if located within the Runway Protection Area identified in Appendix 32.*

Insert a new Rule 7.3.1.6b to read:

1. *Places of Assembly within the Runway Protection Area.*
2. *Residential Accommodation of any sort within the Runway Protection Area.*
3. *Service Stations within the Runway Protection Area.*

Advisory Note: Rules 7.3.1.2a) and 7.3.1.6b) shall only become operative upon the lodgement of a Notice of Requirement for the northwards extension of the runway at Hamilton Airport.

Insert a new Rule 7.4.23a to read:

Special Provisions, Narrows Business Park

In addition to the Rules applying to all Industrial Zones, the following special provisions apply to the Narrows Business Park:

1. *All subdivision and development shall comply with the Narrows Structure Plan in Appendix 32.*
2. *The **Permitted Activities** within the Narrows Business Park are:*



- a. Any industry
 - b. Transport and freight depots
 - c. Vehicle parking, storage, rental and valet services
 - d. Storage warehouses
 - e. Offices, laboratories and research establishments
 - f. Quarantine facilities and bonded warehousing
 - g. Retail activities, subject to Rule 7.3.1.1b)
 - h. Residential accommodation provided primarily for the security of the host premises or other premises within the Narrows Business Park.
3. Subdivision and development that does not comply with this Rule shall be a **Discretionary Activity**.

(Refer to Policy IN4)

Insert a new Section 7.5A to read:

7.5A RESTRICTED DISCRETIONARY ACTIVITIES – MATTERS OVER WHICH COUNCIL EXERCISES CONTROL

The Runway Protection Area is an area beyond the end of the main runway which is sensitive to development or activities that could interfere with aeronautical navigation aids. It is also an area where statistically there is a greater risk of aircraft related accidents and it is desirable that the public's exposure to such risks is reduced by careful consideration of any risks through a resource consent process.

(Refer to Policy AD4 (4))

7.5A.1 Rule – Activities within the Runway Protection Area

- a. Consent for activities within the Runway Protection Area will be granted provided that they will not affect the operational safety and performance of the Airport and its associated lighting and navigational facilities, or significantly increase the public's risk of exposure to aircraft related accidents, taking account of the potential for a runway extension to 2984m and the consequential repositioning of navigational and lighting equipment. In assessing the potential effects of an activity, particular regard will be given to the following matters:
 - i. Avoidance of the release of substances that might impair visibility or otherwise interfere with the operation of aircraft including the creation of smoke, dust and steam.
 - ii. The extent to which the use and concentration of dangerous substances might pose a risk of explosion or fire is avoided.
 - iii. The extent to which light beams or reflective glare which could interfere with pilot vision are avoided.
 - iv. The extent to which the production of radio or electrical interference that could affect aircraft communications or navigation equipment is avoided.
 - v. The design of landscaping or other activities so as to avoid attracting significant bird numbers.

(Refer to Policy AB2)

Advisory Note: Rule 7.5A.1 shall only become operative upon the lodgement of a Notice of Requirement for the northwards extension of the runway at Hamilton Airport



8.3.3 SUBDIVISION RULES

Amend Rule 10.3.2.1 to read:

1. *Subject to the following subclauses any subdivision in the Rural Zone, except for a boundary adjustment, creation of a 25ha lot, a subdivision within the Rural Residential Areas, a subdivision within the Visitor Accommodation Area, and a subdivision within the Lake Karapiro Rural Residential Area, shall be a **Discretionary Activity** and shall comply with the standards for lots set out in Rule 10.6.1. (Amendment shown as underlined)*

Insert new Rule 10.6.1.3B to read:

3B. Standards and Terms for Narrows Rural Residential Area

1. *All subdivision in the Narrows Rural Residential Area shall comply with the Narrows Structure Plan in Appendix 32 and the following performance standards shall be a **Controlled Activity**.*
2. *THE MINIMUM NET LOT AREA - 2500m²*

Provided that

The lot shall comply with any larger site area requirement of the Waikato Regional Council in relation to the size of a site or any appropriate legal instrument for the disposal of stormwater and sewage.

There is no requirement to achieve an average lot area.

3. *MINIMUM WIDTH OF VEHICULAR ACCESS OR PRIVATE WAY OR ACCESS LOT*

Access to each lot shall be as follows

- *Access to a maximum of 3 lots – width 6m;*
- *Access to 4-6 lots – width 9m;*
- *Access to 7 or more lots shall be a **Discretionary Activity**.*

NOTE: Reference should be made to Waipa District Council Code of Practice for Land development and Subdivision for formation requirements.

4. *MINIMUM SHAPE FACTOR CIRCLE*

Each Lot shall be capable of containing a 30m diameter circle in a position which is a suitable area for the erection of a building.

5. *VEHICULAR ACCESS shall be provided in accordance with Rule 10.6.1.5(e).*

6. *LANDSCAPING*

A continuous landscape strip with an average width of 30m and a minimum width of 10m shall, with the exception of areas needed to provide pedestrian/cycleways to the Business Park, be planted and maintained along the boundary with the Industrial Zone.



7 SERVICES

All telecommunications and electricity lines shall be placed underground.

- 8 *Subdivision which does not comply with this Rule shall be a **Discretionary Activity** and shall be considered in accordance with the assessment criteria in Rule 10.6.1.8.*

Insert new Rule 10.6.1.3C to read:

3C. Standards and Terms for Narrows Visitor Accommodation Area

1. *All subdivision in the Narrows Visitor Accommodation Area shall comply with the Narrows Structure Plan in Appendix 32 and shall be a **Controlled Activity**.*
2. *There are no subdivisional standards for allotments in the Visitor Accommodation Area other than those in Rule 10.5 and a requirement that all telecommunications and electricity lines be placed underground.*
3. *Subdivision which does not comply with this Rule shall be a **Discretionary Activity** and shall be considered in accordance with the assessment criteria in Rule 10.6.1.9.*

Insert new Assessment Criteria at Rule 10.6.1.8 to read:

Assessment Criteria for Subdivision in the Narrows Rural Residential Area.

In considering an application for subdivision consent to depart from the Narrows Structure Plan, Council shall have regard to the following matters:

- *The siting and orientation of building platforms to ensure the stability of the river bank*
- *The extent to which the layout will facilitate safe and convenient access to the riverside esplanade;*
- *The extent of earthworks required and proposals for rehabilitation and re-contouring of earthworked areas to natural grades;*
- *The extent to which landscaping proposals will establish the effective separation of the site from the Industrial Zone and provide an attractive setting for the development.*

(Refer to Policies RS2, RS60, RS65, Rule 10.1.6.1.3b)

Insert new Assessment Criteria at Rule 10.6.1.9 to read:

Assessment Criteria for subdivision in the Narrows Visitor Accommodation Area

In considering an application for subdivision consent to depart from the Narrows Structure Plan, Council shall have regard to the following matters:

- *The siting and orientation of building platforms to ensure the stability of the river bank;*



- *The siting of building platforms to ensure that options for securing the proposed Southern Links route within the indicated corridor are not foreclosed;*
- *The extent to which the layout will facilitate safe and convenient access to the riverside esplanade;*
- *The extent of earthworks required and proposals for rehabilitation and re-contouring of earthworked areas to natural grades.*

(Refer to Policies RU23, RU54C, Rule 10.6.1.3c)

Insert additional criterion to Rule 10.6.6 to read:

- 1.f) *NARROWS BUSINESS PARK – subdivision shall not create new allotments with roading frontage only to Raynes Road and shall ensure that any proposed lot that will include land within the Southern Links corridor indicated on the Narrows Structure Plan set out in Appendix 32, shall also provide for the balance area of that lot lying outside of that corridor to be a complying lot in terms of the standards set out in Rule 10.6.6..*

Insert additional assessment criteria to Rule 10.6.6.3.d) to read:

In considering an application for subdivision consent to depart from the Narrows Structure Plan, Council shall have regard to the following matter:

- *The creation of titles to ensure that options for securing the proposed Southern Links route within the indicated corridor are not foreclosed.*

(Refer to Policies SU3-SU6, SU9-SU11, SU17-SU21)

8.3.4 APPENDICES

Insert new Appendix 32 – Narrows Structure Plan to read:

APPENDIX 32- NARROWS STRUCTURE PLAN

1. General

The Narrows Structure Plan area consists of a strategically significant landholding in single ownership situated between Raynes Road, Airport Road and the Waikato River. The land is adjacent to Hamilton Airport and is affected by proposals for the extension of the runway and the consequential repositioning of lighting and navigational equipment. Non-operational Airport land is zoned for industrial development and additional land directly opposite the Plan Change area and within the ownership of the joint venture company managing the Airport's landholding is identified for longer term industrial development.

The land adjoins the only river crossing between Hamilton and Cambridge and connects the Auckland/Hamilton/Tauranga "golden triangle" with the Taranaki economy. The area is affected by long term proposals for new state highway routes known as Southern Links that will connect State Highways 1, 3 and 21 and provide improved arterial connections into Hamilton City.

The Structure Plan responds to these unique locational attributes and will ensure that eventual development optimises the potential of the Airport vicinity as an economic growth node,



safeguards opportunities for new strategic infrastructure and creates a development of distinction to reflect the important relationship of the site to the Waikato River.

Development of the entire site will take time and progress may vary between the land use elements. The Structure Plan provides context and reference points to ensure that the various land use elements will be compatible with each other and will be supported by adequate infrastructure capacity to meet their needs.

2 Principles

The route of the proposed Southern Links defines the extent of the proposed Business Park. The land underlying the route and all land south of it will be generally graded to present an aspect to Raynes Road and the Airport, the intention being to distinguish it from the rural residential area to the north, strengthen the visual relationship with the planned development of the Airport, and provide the opportunity for views across the development from the future road. These views will be important in reinforcing the identity of the area as a major economic growth node.

The development of this area will recognise and provide for the expansion and further development of the Airport by defining a Runway Protection Area within which additional controls will ensure the safety of ground level activities from risk of an air accident and that the operational safety and performance of the Airport will not be adversely affected. The Runway Protection Area will enable the Airport to meet international best practise guidelines relating to airport safety and adjacent development. Development within the Runway Protection Area will be the subject of additional scrutiny and these additional controls shall become operative upon the lodgement of a Notice of Requirement for the northwards extension of the runway at Hamilton Airport

Parts of the site will also be affected by other aspects of the proposed runway extension including changes relating to the Obstacle Limitation Surface which will affect the height of structures, the relocation of Airport lighting and potentially also, navigational equipment. These matters have been taken into account in determining the extent of plan provisions and the configuration of eventual development of the Plan Change area. The precise extent of these works will be determined through the preparation of a Notice of Requirement by the Airport company but sufficient certainty exists to enable the preparation of land use proposals that will integrate with the Airport and enable the development of a vibrant economic hub.

To the north of the Southern Links route the completion of sand winning activity will provide the opportunity to regrade the site to optimise its northerly aspect, strengthen its visual relationship to the Waikato River and create a distinctive rural residential environment.

To the east of this area the stand of oak trees is situated on top of a small hill that defines the boundary to the Visitor Accommodation area. The CTC pilot accommodation facility is a regionally important resource in terms of supporting the pilot training facility situated at the Airport. In the future this development will assume more visual prominence as the Southern Links route is developed. Land on the opposite side of the route provides opportunities to establish further accommodation and associated facilities capable of supporting the needs of a growing business community as well as events venues in the vicinity.

3 Access and Connectivity

The principal vehicular access to the Narrows Business Park will be provided by a new roundabout to be constructed on Raynes Road. The Structure Plan diagram indicates that this could be situated at the intersection of Raynes Road with Narrows Road but this is not the only suitable location. The future development of land on the northern side of the Airport (as indicated in the District Growth Strategy) may provide the opportunity for an alternative location



that will better serve the needs of land on both sides of Raynes Road and assist integration of land use activity and transport movements. There is therefore some flexibility in the precise location of the roundabout that will be determined through the provision of a Traffic Assessment at the time of subdivision or development. The roundabout will provide capacity for the full development of the Narrows Business Park.

Internal roading within the Narrows Business Park will be determined at the subdivision and development stage but will provide for use by pedestrians and cyclists and enable use by public transport services

Meridian Drive will provide access to the Rural Residential and Visitor Accommodation Areas and a limited part of the proposed Narrows Business Park that will be severed from the main body as a consequence of positioning of runway approach lighting associated with the runway extension. This will enable the development of business activity on both sides of Meridian Drive in the vicinity of the existing Caroline Eve distribution warehouse. Aside from that specific location there will be no other connection to the Narrows Business Park from Meridian Drive other than to provide pedestrian/cycleway connections.

A further pedestrian/cycleway connection is also proposed between the Narrows Business Park and the Rural Residential area. The positioning of these will be determined at the subdivision and development stage but in terms of the connection to the Rural Residential Area this should provide a route through the area to connect with the Riverside Esplanade reserve.

Development of the Riverside Esplanade shall provide for public access and be capable of connection via an extension to connect with the Acacia Reserve, south of Narrows Bridge.

4 Staging

The Rural Residential, Visitor Accommodation and Narrows Business Park areas will be capable of development independently of each other and will be separately serviced.

In terms of traffic generation, the availability of network capacity depends to an extent on whether all aspects of the Structure Plan are developed simultaneously or whether any part is developed in isolation. They also depend on the rate of traffic growth associated with other planned developments in the locality, and upon the timing and nature of planned improvements to the state highway network. In that regard, whilst staged development is highly likely, it is not necessary to stipulate precise limits on the extent of each Stage. The exception is Perry Lane where the capacity of that particular road is known. Accordingly, staging assumes that all parts of the Structure Plan area will be developed simultaneously and has been determined by the following broad principles:

Stage 1 *of the Narrows Business Park could provide for development being accessed from the existing Perry Lane. This lane would be improved to enable it to function either as an entranceway to a single lot or an access to a number of lots in accordance with District Plan standards. A decision as to whether Perry Lane will remain for the long term will be made by reference to the potential effects on the proposed relocation of runway lighting.*

Similarly, whilst Meridian Drive provides capacity to service development of the southern extreme of the Business Park, opposite the Caroline Eve distribution warehouse, the extent of this development will be determined by reference to the proposed relocation of runway lighting and any proposed height restrictions arising from the extension of the runway. The Raynes Road/Meridian Drive intersection will have capacity to accommodate all of the rural residential, visitor accommodation and 20% (13ha) of the Business Park traffic before needing upgrade to provide acceleration and deceleration lanes on Raynes Road and separate left and right turn lanes out of Meridian Drive.



*The provision of the roundabout access into the Narrows Business Park from Raynes Road and the construction of a channelised intersection at State Highway 3/Raynes Road would provide capacity for a **Stage 2** release of up to around 30% (20ha) of the Narrows Business Park development.*

*Beyond that, further intersection improvements would be required to enable completion of the **Stage 3** development. The nature of these improvements, and the responsibility for their construction, depends on the likelihood of the Southern Links route being constructed. With it in place the distribution of traffic would change significantly and a two lane roundabout with continuous slip lanes would be needed at the Raynes Road/Airport Road intersection. Without it, Raynes Road/Airport Road would not require slip lanes but an additional two lane roundabout would be needed at the State Highway 3/Raynes Road intersection.*

5 Servicing

The Rural Residential, Visitor Accommodation and Narrows Business Park areas will be separately serviced by on site facilities and all infrastructure will remain in private ownership.

The availability of adequate capacities for addressing water supply, wastewater and stormwater requirements may, in addition to the staging indicated above, influence the timing and extent of development that can be released.

Stormwater management will be an integral element of the overall Narrows Business Park layout and will be designed to ensure that low impact systems are adopted, that landscaping measures provide opportunities for stormwater treatment and that water is harvested for reticulation and storage around the site to supplement fire fighting capacity. Given the proximity of the proposed Airport runway extension and the potential risks that birdlife can pose to aircraft safety, it is proposed to avoid the creation of large areas of standing water that might attract significant bird populations.

6 Design Concept

Design solutions for the subsequent development of the Narrows Structure Plan area will be determined at the subdivision and development stage but will be expected to respond to the following standards and criteria:

Rural Residential Area

- Development of the area, either as individual lots or as a single, resort style of clustered development will be serviced via a single system in terms of wastewater and stormwater, ensuring that the effluent fields or soakage areas for these systems are situated at least 45m back from the top of the river bank.*
- Landscape planting along the southern boundary of the area will define a continuous strong but attractive landscape element along the boundary with the Industrial Zone to an average depth of 30m with a minimum depth of 10m.*
- Development of the area will ensure that buildings along the edge of the river bank will be oriented towards the river to optimise views and provide passive surveillance of users of any future Riverside Esplanade reserve.*
- The orientation of buildings to provide passive surveillance of the pedestrian/cycleway link to be constructed through the area to connect the Narrows Business Park with the Riverside Esplanade reserve.*



- *The height of any proposed structure or tree shall comply with the requirements of Rule 2.4.18.*

Visitor Accommodation Area

- *Effluent fields and stormwater soakage areas shall be situated at least 45m back from the top of the river bank.*
- *Development of the area shall incorporate and provide adequate protection and ongoing maintenance for the oak tree stand.*
- *Development should provide for public access to the Riverside Esplanade reserve.*
- *Outdoor areas intended for use as part of future visitor accommodation should ensure that they are planted to ensure that they are not entirely open to view from residential properties across the river.*
- *Proposed building platforms should be located outside of the Southern Links corridor as indicated on the Structure Plan diagram.*
- *Vehicular access and parking facilities shall be sealed/paved.*
- *The height of any proposed structure or tree shall comply with the requirements of Rule 2.4.18.*

Narrows Business Park

- *Overall building coverage shall not exceed 30% across the Zone.*
- *Soft landscaping, incorporating open stormwater drainage areas shall be no less than 30% across the Zone.*
- *Buildings should be oriented to provide their office/entrance to the street.*
- *Car parking areas should preferably be situated to the front of buildings and landscaped to integrate with the landscaping of the site as a whole.*
- *Buildings should be set back from the road frontage to create an open landscaped impression to the street.*
- *Frontage landscaping design should seek to incorporate low impact solutions for stormwater run off and treatment but should avoid the creation of permanent standing water areas.*
- *Tree species should be selected with their regard to their potential for stormwater soakage as well as aesthetic effect but, particularly within the Runway Protection Area, should also recognise the need to limit their height, the attraction of significant numbers of birds and the creation of leaf litter that might pose a risk to the operational safety of the Airport.*
- *Landscaping design should aim for continuity of theme, materials and plant species between individual adjoining developments.*



- *The access road from Raynes Road shall be planted as a tree lined boulevard to at least its first internal intersection to emphasise the entrance to the Narrows Business Park, contribute to lowering traffic speeds and provide shade for pedestrians and cyclists.*
- *All internal roads shall be sealed/paved and designed to accommodate a 99 percentile truck as described in Appendix 7;*
- *There shall be no roof top advertising or inflated blimps attached to buildings.*
- *Development adjacent to Raynes Road shall be designed to present an attractive elevation to that road as well as internal streets.*
- *Outdoor storage areas and loading yards will be screened from the street and fronted by landscape planting to soften their visual impact.*
- *The elevational design of new buildings fronting the street shall ensure that they incorporate variety in the use of materials, colour, texture, window openings and other techniques to create visual interest.*
- *The height of any proposed structure or tree shall comply with the requirements of Rule 7.4.11 and 2.4.18.2.*

7 *Structure Plan Diagram*

(As included in Appendix A to this report)



9 CONCLUSION

This proposed Plan Change provides for the rezoning and eventual development of land owned by Meridian 37 Ltd situated adjacent to Hamilton International Airport and within the strategic roading corridor connecting the regional economy of Taranaki with the “golden triangle” of Auckland, Hamilton and Tauranga. The land is profoundly and uniquely affected by proposals for major infrastructure provision but is also subject to significant development pressure. Major development has already taken place on parts of the Plan Change area and on adjoining land and the general area is no longer characterised as a productive agricultural landscape.

The Plan Change promotes a comprehensive, integrated approach to future land use and, in doing so, provides sufficient certainty to ensure the eventual development of the Southern Links on the route identified by NZTA. It also safeguards the opportunity for an extension to the Airport runway and introduces measures that will enable the Airport to meet international best practise standards in terms of public safety and the protection of operational performance. The commitment of the landowners towards development of the Airport is evident in the nature of existing activities within the Plan Change area and in the existence of restrictive covenants on the land title that will avoid future complaints in respect of Airport noise.

The proposed form of development will ensure that optimal use is made of sites that have a clear and distinctive relationship with the Waikato River, and the range of land uses will provide choice and variety that will help to sustain the local housing market, the local economy and local events facilities.

This report has set out the proposed changes to the District Plan, described the potential effects of the proposed changes and described the process of community and stakeholder consultation that has been undertaken and which continues. The proposal has been demonstrated to be consistent with the Regional Policy Statement, the Regional Plan, the Operative Waipa District Plan and the proposed District Plans of Hamilton City Council and Waikato District Council. Assessment has been made of the implications of emerging sub-regional and district growth strategies and the proposal has been demonstrated to be generally consistent with the broad principles set out in those documents, recognising that, in relation to Future Proof and Waipa 2050, final decisions have yet to be made on them.

The Section 32 analysis set out in Section 7 of this document concludes that the proposal is the most appropriate means of achieving the purpose of the Act. In this regard the Plan Change is in accordance with the relevant provisions of the First Schedule and is consistent with the purpose and principles of the Act.

Accordingly, Waipa District Council is able to advance the proposed Plan Change through the public process.

