

**SCHEDULE OF AMENDMENTS
TO WAIPA DISTRICT PLAN**

1. Delete Objective IN7 and the Explanation that follows on page 1-74.
2. Delete Policy IN4 and the Explanation that follows on page 1-75.
3. Add the following new section after Industrial Policies on page 1-78.

“4A Airport Business Activities.**4A.1 OVERVIEW**

This part of the District Plan deals with activities around Hamilton International Airport.

The airport is a valuable asset for the Waikato Region and a critical hub in the region’s transport infrastructure. The airport was established on its current site in Rukuhia in 1935 and was operated as an airforce station during World War II. In 1946 the airforce operation ended and Waikato Aero Club began flying from the airport.

Since then it has developed firstly into a regional airport with scheduled domestic passenger services, and in the mid 1990’s became an international airport. The airport has few operational constraints as it has good clear approaches over open land.

It is ideally situated in the heart of the Waikato Region, with access to the state highway system and thereby good connections to urban centres and major ports. Hamilton International Airport enjoys direct access to State Highway 21, State Highway 3 and Raynes Rd. State Highway 21 in turn provides good access to State Highway 1 and to future strategic road corridors known as Southern Links. It is also situated close to the North Island Main Trunk Railway to the west of State Highway 3, which offers an additional option of a rail connection in the long term.

The land around the airport is a scarce and valuable resource. Land immediately adjacent to the operational area is called ‘airside’ land and is an essential location for certain types of businesses such as air freight or aircraft manufacturing as they have direct access to the runways. Land beyond this is also an unusual and scarce resource because it is part of the interface between the land transport network and the air transport network, and is needed to provide services and support to the airport and its users. This unique combination of factors leads to a need to efficiently and effectively use the land resource around the airport, while also creating an opportunity to establish a wider range of business activities that provide some local services and make use of the infrastructure. One of the keys to successful development of this land is the efficient integration of land use, air transport and various land transport modes. As most of the land adjacent to the airport is undeveloped there is an opportunity to implement the principles of good urban design in the development.

4A1.2 Objectives

Objective AB1

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

Explanation

Although most of the specialised activities presently located at Hamilton International Airport are of a commercial/service nature rather than industrial character, consideration needs to be given to other potential industrial activities that either need to or benefit from location in proximity to the airport.

Objective AB2

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.

Explanation

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 incorporating industrial activities.

Objective AB3

To effectively integrate land use, air transport and all modes of 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.

Explanation

Growth and development of Hamilton International Airport that minimises effects on the environment and maximises benefits for people and communities in the Waikato Region depends in part on integration of air transport activities with the surrounding road and state highway network and with land use activities in the business park around the airport. This objective is consistent with the Waikato Regional Land Transport Strategy 2006-2016 which includes provisions “to protect and promote Hamilton International Airport as a primary regional transportation hub and to promote the development of a reliable multi-modal transport connection between the airport and Hamilton”.

4A.3 POLICIES

Policy AB1

To identify a special Airport Business Zone at Hamilton International Airport to accommodate industrial and service activities associated with the airport as well as other compatible business activities in order to provide for development of an integrated business park.

Explanation

The Airport Business Zone includes provision for integrated industrial, service and commercial development on land around the airport. It provides for activities that have a functional need to be near the airport as well as other compatible business activities that support the airport and some other business activities, including limited retailing, that provide services to the local community as well as airport patrons. The District Plan is flexible about allocation of activities within the zone. Sufficient land is zoned to provide for development of a business park large enough to support high quality infrastructure and other services.

Policy AB2

To enable development of a business park around Hamilton International Airport, including integration of development with the airports 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 2006-2016 promotes improved public transport connections from Hamilton to the airport.) All of these elements have been incorporated into a structure plan to guide development.

Policy AB3

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

Explanation

The airport benefits from unique characteristics because of its location at the heart of a strategic roading network, its proximity to Hamilton and its accessibility to the Port of Tauranga. With frontage to State Highways 3 and 21, the airport also has a highly visible profile that requires careful management to maintain the business park and the airports' integrity. In the interests of being the gateway of the Waikato region for air travellers and attracting compatible, high calibre businesses, it is necessary to create a corresponding high-quality environment, of which high quality urban design, landscape and environmentally sensitive design are key elements. The site lends itself to a quality business park environment.

Policy AB4

To provide for some limited convenience retail activity within the Airport Business Zone as a means of providing the service expected by airport and business park users and helping to serve the immediate neighbourhood of rural and rural residential residents.

Explanation

Hamilton International Airport presents unique opportunities for limited convenience retail development to complement the expected industrial, commercial and service growth generated by the business park, and the ongoing growth of the airport. It will become an employment centre, will provide accommodation for visitors and will also function to provide some retail services for the surrounding catchment of households. This limited retailing will help underpin the future development of the airport.”

Policy AB5

To ensure that the cost of any infrastructural services or upgrades needed to avoid, remedy or mitigate adverse effects on the environment arising from activities in the Airport Business Zone are met by those parties that create the need for such services or upgrades.

Explanation

The infrastructural services and upgrades required to service the area will predominantly ~~only~~ benefit those within the proposed Airport Business Zone. It is important that the costs associated with these extensions or upgrades are not borne by ratepayers not benefiting from such developments. The Development Agreement between ~~the~~ Waikato Regional Airport Ltd and the Waipa District Council with regard to infrastructure provision to the site is intended to form the basis for achieving this Policy.

Policy AB6

To ensure that development in the Airport Business Zone is ‘contained’ by creating a visually defined edge where the zone adjoins State Highway 3, State Highway 21 and Raynes Rd.

Explanation

The main roads around the Airport Business Zone create well-defined boundaries but they also form an interface with rural land. In order to integrate buildings into the landscape, areas of structural planting will create a strong and consistent edge while softening the appearance of built forms.

4. Amend the note in brackets at the end of the explanation to Policy TR11 on page 1-99 to read as follows:

“(Refer to Objectives TR1, TR6, AB1, AB2, and AB3, Rules 2.4.18, 2.4.24, Planning Maps, Appendices 5, 15 and 28, Designations 39, 71, 130)”
5. Delete Rule Noise 7.4.13.3 on page 2-102, the ‘Airport Industrial Zone’.
6. Delete the following paragraph from Rule 7.4.19 Utility Services on page 2-104:

“Notwithstanding the above, the activities permitted within the Industrial Zone at Hamilton Airport (which is not fully serviced) may be established without consent from the District Council provided evidence is provided to show that the requirements of the Regional Council for discharges have been met.”
7. Delete Rule 7.4.22 ‘Special Provisions, Location Within the Hamilton Airport Industrial Zones’ on pages 2-104 and 2-105.

8. Delete Rule 7.6.17 'Location within Hamilton Airport Industrial Zones' on page 2-108.
9. Add the following new Chapter 7A after Chapter 7 in Part 2, Rules;

“7A. AIRPORT BUSINESS ZONE

7A.1 ZONE STATEMENT

This zone is designed to encourage and support the development of land around Hamilton International Airport for a range of business activities. The operational area of the airport is designated elsewhere in the District Plan as a public work (DN71, DN150 and DN151) and the airports operation will continue in accordance with those designations.

The airport is a major regional transport hub and as a result provides a focal point for a range of developments including accommodation, aviation services, aircraft manufacturing, educational facilities, commercial services, tourism, food and beverage outlets and some retailing. The land adjacent to the airport is subject to unique constraints and opportunities that require a specifically designed zone, including objectives, policies and rules. The land is located adjacent to the International Airport with extensive 'airside' land. Airside land is land that directly abuts runway and taxiway areas that is valuable to aviation-related business for their operations. The airport is also located strategically at the junction of State Highways 3 and 21 and a short distance from State Highway 1 and the future Southern Links strategic road corridors, meaning that it is attractive to activities that rely on good access to strategic highways. Because of the noise and safety effects of the airport the land around the airport is not closely settled for residential use meaning that there are few reverse sensitivity effects from development of a business zone around the airport. However, there are a few existing dwellings within the Airport Business zone that may be affected by development close by.

The Airport Business Zone is intended to be an important industrial and business hub within the Waipa District. The activities within it also need to be managed to minimise conflict with the adverse effects of the airports operations, particularly aircraft noise and aircraft safety.

In order to manage these effects and to guide development of the land with sufficient certainty, a structure plan applies to all of the land zoned Airport Business. The Structure Plan is included in the District Plan as Appendix 28.

The Airport Business zone extends generally across the land ~~between~~ adjacent to State Highway 3 and State Highway 21 and to Raynes Rd in the north. It includes (as an underlying zone) ~~all~~ some of the land that is designated for airport operational purposes. The airport company owns a significant part of the Airport Business zoned land adjacent to the airport and proposes to develop a business park on it. The Airport Business zone is designed to facilitate development of this business park.

7A.2 ANTICIPATED ENVIRONMENTAL RESULTS

1. Development of high quality buildings and infrastructure.
2. High noise levels received within the zone from aircraft noise, and high noise levels generated from the zone from activities such as aircraft engine testing.
3. Relatively high levels of traffic generation to and from the Airport Business zone via two purpose built controlled intersections on State Highways 3 and 21.
4. An internal [public](#) road network within the zone that avoids individual accesses onto the State Highways and provides for all modes of transport.
5. High standards of visual amenity and landscaping within the zone and at the zone boundaries where it adjoins Rural zoned land and existing dwellings
6. Management of any hazardous substances used or stored in the Airport Business Zone to ensure they do not have an adverse effect on ground or surface waters, or are a safety hazard.
7. Avoidance or appropriate protection of new activities sensitive to aircraft noise within the Airport Business zone.
8. Efficient and effective use of under utilised land.
9. Development of a business park that:
 - Articulates a clear integrated design concept particularly through a consistent internal road design.
 - Includes buildings and public spaces with scale and proportions that recognise and respond to the surrounding open spaces.
 - Recognises its importance as a 'gateway' to the region and district, presenting an appropriate sense of arrival, and clearly identifiable access from State Highway 21 to the terminal.
 - Is visually contained within a defined edge strengthened by landscape structure planting.

7A.3 ACTIVITIES

7A.3.1 Rule – Categories of Activities

The following are the categories of activities allowed in the Airport Business zone;

- a) The following activities shall be **Permitted Activities** provided they comply with all of the Conditions for Permitted Activities.
 1. Commercial and general aviation including buildings and facilities for aircraft maintenance, servicing, administration, restoration and testing, cabin services, catering, aviation industries such as topdressing and aero surveying, and airline and military force depots and offices and warehouses ancillary to airport operations and activities.

2. Any industry (see definition in Section 13, Definitions).
 3. Transport and freight depots, bus depots, vehicle rental and valet services, vehicle parking and storage, hire pools (see definition in Section 13, Definitions) and storage warehouses and building supply outlets.
 4. Emergency services.
 5. Helicopter pads and facilities for servicing and management.
 6. Utility services, and utility structures, including navigational aids and control towers.
 7. Storage and sale of aircraft fuel and lubricants.
 8. Service stations and commercial garages.
 9. Cafes, restaurants, takeaway food outlets and licensed premises.
 10. Travellers accommodation, conference facilities, health care, childcare facilities and places of assembly (see definition in Section 13, Definitions).
 11. Offices, laboratories, research establishments.
 12. Education and training facilities.
 13. Retail activities, subject to Rule [7A.4.14](#) [7A.4.15](#), and wholesale shops (see definition in Section 13, Definitions), excluding supermarkets.
- b) The following shall be **Restricted Discretionary Activities**:
1. Any activity otherwise permitted that does not comply with any one or more of the Conditions for Permitted Activities, except for Rule 7A.4.7, ~~6~~ ~~and~~ ~~7A.4.1.4~~ [7A.4.1](#), [7A.4.12](#) and [7A.4.15](#).
- c) The following shall be **Discretionary Activities**:
1. Any activity not provided for in Rule 7A.3.1 that is a **Permitted Activity** in the Industrial zone.
 2. Any subdivision or development that does not comply with the Structure Plan at Appendix ~~28-29~~
~~Any activity that does not comply with the total maximum floorspace for Retail Activities in Rule 7A.4.14.~~
- d) The following shall be **Non-Complying Activities**
- ~~1. Any activity that does not comply with Rule 7A.4.6.~~
1. Supermarkets.

2. Retail floorspace that exceeds the Total Floorspace for Retail Activities of 5,300m² specified in Rule 7A.4.14 15

3. Retail shops with an individual floor area of more than 450m², excluding one retail shop with a floor area of more than 450m² and less than 1,000m² as specified in Rule 7A.4.14. 15

4. Activities specified as Non-Complying Activities in Rule 7A.4.12.

For the avoidance of doubt the following additional definitions apply to activities referred to in Section 7A:

Supermarket – A retail activity over ~~1500~~ 1,000m² floor area, primarily selling pre-prepared fresh food/groceries and beverages, as well as other non food goods in an ancillary capacity, with 10 or more persons employed.

~~Building Supply Outlet – A retail activity primarily engaged in providing building hardware, materials and products to either the general public or trade businesses.~~

Landscaping – In the Airport Business zone ‘Landscaping’ means the planting and maintenance of trees, shrubs and groundcover so as to enhance the amenities of the site and the surrounding area.

7A.4 CONDITIONS FOR PERMITTED ACTIVITIES

Note: In addition to the following standards, special restrictions apply to particular sites identified on the Planning Maps, such as historic sites. Attention is also drawn to known physical hazards which are recorded on separate feature maps maintained by the Council. Note also that airports are included on the Ministry for the Environment’s ‘Hazardous Activities and Industries List’ which indicates potential for land contamination. Site specific investigations may be required on some sites prior to development.

(Refer to Objectives AB1-AB3 and Policies AB1-AB4 and TR11)

7A.4.1 Rule – Compliance with Structure Plan

- a) All subdivision and development in the Airport Business Zone shall comply with the Structure Plan at Appendix ~~28~~29. Strict compliance in terms of the internal road location is not required as the roads are indicative only, provided the roads efficiently perform their functions and provide an efficient and integrated network of corridors for infrastructure. Strict compliance is required however in relation to the location and form of access points to State Highway 3, State Highway 21 and Raynes Road.

Subdivision and development that does not comply with this rule shall be a **Discretionary Activity**.

- b) Notwithstanding Rule ~~7A.3.2(a)~~ 7A.4.1(a), prior to the construction and completion of the new State highway 21 intersection near Lochiel Road, and any necessary intersection upgrade at SH3/SH21, an initial area of land of no more than 8 hectares excluding road reserve, as identified on the Structure Plan at Appendix 29 may be subdivided and

developed (but not for retail purposes) in accordance with these rules and accessed from the existing Airport Terminal access from State Highway 21 or the new Lochiel Road / SH21 intersection if constructed, ~~without the new State Highway 21 intersection at Lochiel Rd having been established~~, provided that any traffic movement at the existing Airport Terminal access operates consistently at a Level of Service no worse than D.

Subdivision and development that does not comply with this rule shall be a **Controlled Activity**.

Applications for a controlled activity under this rule will be controlled only with respect to the effects on the State highway network and need not be publicly notified. If traffic effects warrant it, conditions may be imposed requiring construction of the new intersection near Lochiel Road shown on the Structure Plan and / or an intersection upgrade at SH3/21.

The applicant for resource consent shall consult with the Road Controlling Authority ~~for~~ with regards to the SH21 entrance and the SH3/SH21 intersection and shall lodge with the consent application evidence of consultation and a record of the outcomes confirmed by the Road Controlling Authority.

- c) Prior to the development of land fronting State Highway 3 within the Airport Business Zone, the following works shall be completed;
- i) A new seagull intersection shall be constructed in the approximate location shown on the Structure Plan.
 - ii) Closure of Ingram Road, No Exit Road and private accesses to SH3 within the Airport Business Zone except for those residential properties within the Special Amenity Area on Planning Map 23 and the Structure Plan within Appendix 29.
 - iii) ~~Closure of Ingram Road, No Exit Road and private accesses to SH3 for Lots ?????[WRAL Land description]~~

Note: 'Level of Service' is a measure of intersection capacity defined in 'Austroads Guide to Traffic Engineering Practice, Part 2 - Roadway Capacity'.

7A.4.2 Rule - Building Setback from Road Boundaries

Buildings shall be set back a minimum of 3.0 metres from internal road boundaries except that where the site is adjacent to a landscaped drainage swale within the road (as indicated on the road cross sections provided within Appendix 29) the setback may be reduced to zero. For sites fronting State Highways ~~and Raynes Road~~ 21 (except where indicated on the Structure Plan) the setback shall be a minimum of ~~5.0~~ 15.0 ~~5.0~~ metres from the road boundary. For all, other sites fronting either a State Highway or Raynes Road the set back shall be a minimum of 15 metres from the road` boundary.

Activities that do not comply with Rule 7A.4.2 shall be Restricted Discretionary Activities and shall be considered under Rule 7A.5 and Rule 7A.6.2.

7A.4.23 Rule – Building Setback from Internal Boundaries

- a) Buildings may be built up to internal site boundaries except for sites where one of the activities, either existing or proposed, on the sites, is travellers accommodation, conference facilities, healthcare, childcare facilities or places of assembly, in which case the minimum setback is 1.2m, and except as set out in (b) below. The setback may be reduced to zero if the adjacent owner and occupier provide their written approval.
- b) For any site adjoining the properties east of State Highway 3 and identified as ‘existing dwellings’ within the Special Amenity Area on Planning Map 23 and the Structure Plan within Appendix 29, buildings shall be set back a minimum of 5.0 metres. The setback may be reduced to zero if the adjacent owner and occupiers provide their written approval.

Activities that do not comply with Rule 7A.4.3 shall be Restricted Discretionary Activities and shall be considered under rule 7A.5.

7A.4.4 Rule – Landscaping

Site boundaries adjacent to either a Rural zone, State Highway 3, State Highway 21, Raynes Road, or and adjacent to the residential properties east of State Highway 3 and identified as ‘existing dwellings’ within the Special Amenity Area on Planning Map 23 and the Structure Plan within Appendix 29, shall be landscaped to a minimum depth of ~~3.0~~ 5.0 metres except for any required access points. Street boundaries on internal streets shall be landscaped to a minimum depth of 2.0 metres except for required access points and except where the site is adjacent to a landscaped drainage swale within the road. A landscaping plan prepared by a suitably qualified person shall be lodged for approval with any land use consent or building consent application for a building in this zone and shall be implemented. The landscape plan shall: ~~include appropriate planting to mitigate the visual effects of the building and to integrate it into its surroundings.~~

- a) Include plant species that complement the landscape character of the area but do not conflict with airport operational requirements in terms of height, nesting birds and leaf litter;
- b) On internal road boundaries, include planting to complement the landscape framework of the street planting and assist in creating a consistent and legible landscape framework throughout the site.
- c) Include appropriate landscaping to the Entrance/Open Space areas shown on the Structure Plan.

Planting of the 5m landscape structure planting area shall be in accordance with the approved landscape plan approved at subdivision in accordance with Rule 10.6.9.

Note: See definition of ‘Landscaped’ in Section 13, Definitions ‘Landscaping’ in Rule 7A.3

Activities that do not comply with Rule 7A.4.4 shall be Restricted Discretionary Activities and shall be considered under Rules 7A.5 and 7A.6.3.

7A.4.5 Rule - Security Fencing

Security fences over 2.0 metres high shall be set back a minimum of 2.0 metres from road boundaries and the road boundaries landscaped so as to substantially screen the security fences.

Activities that do not comply with Rule 7A.4.5 shall be Restricted Discretionary Activities and shall be considered under Rules 7A.5 and 7A.6.4.

7A.4.6 Rule – Off Street Parking and Loading

1. General

Where any change of use or intensification of activity on a site occurs, off-street parking and loading facilities shall be provided.

2. Trade Vehicles

Off-street parking and loading facilities shall be provided for trade vehicles associated with the activities carried out on each site. Parking and loading facilities for trade vehicles shall be designed to accommodate the 99 percentile two-axled truck as shown in Appendix 7 or any other vehicle required for the operation of the activity and designed so that vehicles are not required to reverse on or off roads.

3. Car Parking

Off-street car parking shall be provided sufficient to meet the 90 percentile peak hourly demand for parking generated by the activities carried out on each site.

The 90 percentile peak hourly demand shall be measured by recording the number of vehicles on the site and in the vicinity which are associated with the site activities at hourly intervals for a period to fairly represent total 7 day, 24 hour parking demand. The 90 percentile is the number exceeded for only 10 percent of the hourly records.

When development or redevelopment is being undertaken parking shall be provided at no less than the following rates for the intended activities:

Industries including buildings and facilities for aircraft maintenance, servicing, restoration and testing, cabin services, catering and airline and military force depots, transport and freight depots, bus depots.	1 space per 100m ² <u>gross floor area</u>
Offices	1 space per 33m ² <u>gross floor area</u> floor space
Places of assembly	1 space per 10m ² <u>gross floor area</u> floor space
Other activities	1 space per 33m ² <u>gross floor area</u> floor space

4. Engineering Standards

Off-street car parking and vehicle circulation areas shall be designed to ~~no lesser standard than the examples in Appendix 8 and designed so that vehicles are not required to reverse on or off any street.~~ and constructed in compliance with the Waipa District Council Code of Practice for Land Development and Subdivision and in particular:

- a) Shall be designed so that vehicles are not required to reverse on or off any street; and;
- b) ~~Off street parking and loading areas~~ Shall be constructed so they are sealed, drained and marked out.

Activities that do not comply with Rule 7A.4.6 shall be Restricted Discretionary Activities and shall be considered under Rules 7A.5 and 7A.6.5.

Note: Attention is drawn to the requirements of the Disabled Persons Community Welfare Act 1975.

7A.4.7 Rule – Vehicle Access to State Highways and Raynes Rd

There shall be no direct access to State Highways or to Raynes Rd, except as shown on the Airport Business Zone Structure Plan at Appendix ~~28~~ 29 except for:

- a) The residential properties east of State Highway 3 and identified ~~as ‘existing dwellings’~~ within the Special Amenity Area on Planning Map 23 and Appendix 29, provided that the properties continue to be used for residential purposes;
- b) As provided for by Rule ~~7A.3.2~~ 7A.4.1(b) and (c)

Activities that do not comply with Rule 7A.4.7 shall be ~~Restricted~~ Discretionary Activities and shall be considered under Rule 7A.6.1.

7A.4.8 Rule – Vehicle Access to Sites

Vehicle access by way of vehicle crossing from the carriageway to the property boundary shall be provided to each site, to the standards of the Waipa District Council Code of Practice for Land Development and Subdivision: May 1995 and amendments and the RTS Standard No. 6 ‘Guidelines for Visibility at Driveways’.

~~Vehicle crossings shall be a maximum of 7.5 metres wide excluding splays and the kerb.~~

Where a site has frontage to a road one vehicle crossing will be allowed to that site provided that for sites with a road frontage greater than 50 metres, one vehicle crossing shall be allowed for every 50 metres of site frontage to that road.

Where a site is a corner site and does not have frontage to a State Highway one vehicle crossing per frontage is permitted for every 50 metres of site frontage to that road and

this shall be situated as far as practical from the intersection, and with no part of a crossing closer than 15.0 metres from the corner of the site.

There shall be no restriction on the number, length or location of vehicle crossings to public or private service lanes.

Activities that do not comply with Rule 7A.4.8 shall be Restricted Discretionary Activities and shall be considered under Rules 7A.5 and 7A.6.6.

7A.4.9 Rule – Height of Buildings and Other Structures

1. Maximum height (see definition in Section 13, Definitions) of buildings and other structures shall not exceed 20.0m, subject to Rules 7A.4.9.2, 7A.4.9.3 and 7A.4.9.4 below.
2. No buildings and other structures shall penetrate a recession plane drawn at right angles to any road boundary inwards at an angle of 45° from a point 10m above the road boundary **except as provided for by 7A.4.9 (3) below.**
3. No buildings and other structures shall penetrate a recession plane drawn at right angles to any external boundary with State Highway 3, State Highway 21 and Raynes Road inwards at an angle of 45° from a point 7m above the road boundary.
4. No buildings and other structures shall penetrate a recession plane drawn at right angles to any external boundary of the residential properties east of State Highway 3 and identified as ‘existing dwellings’ within the Special Amenity Area on Planning Map 23 and the Structure Plan at Appendix 29 and the external boundaries with State highway 3, State highway 21 and Raynes Road, with the recession plane inclined inwards at an angle of 45° from commencing 2.7m above ground level at each point along such boundary. Buildings and structures may penetrate through this recession plane if the adjacent owner and occupier provide their written approval.
5. The following additional height requirements apply in the vicinity of Hamilton Airport:
 - a) No object including any part of a building, structure, tree, or other object or plant growth, shall penetrate any of the approach surfaces, transitional surfaces, horizontal surface, conical surface, as delineated on the District Planning Maps 2, 6, 10, 22, 23 and 25 for Hamilton Airport and also in Appendix 5.
 - b) No object including any part of a building, structure, tree, or other object or plant growth (other than wire fences less than 1.2 metres high) are permitted within 200 metres of the centre of the VOR facility (refer Appendix 5). Outside of a 200 metre radius from the facility, no object including any part of a building, structure, tree or other object or plant growth may be erected which will be above a conical surface centres at the centre of the VOR facility, originating at a level of 55.4 metres above Moturiki datum and rising at an angle of 3.5° above the horizontal.

Activities that do not comply with Rule 7A.4.9 shall be Restricted Discretionary Activities and shall be considered under Rules 7A.5 and 7A.6.7.

7A.4.10 Rule – Signs

Note: See definition of ‘sign’ in Section 13 Definitions.

The following signs are permitted:

1. Signs for the information and the direction and control of traffic and pedestrians.
2. Signs advertising that the land or premises are for sale or lease.
3. Signs erected on a construction site during actual construction giving details of the project.
4. **Temporary** signs giving information on forthcoming elections or cultural, religious, educational or sporting events. Maximum period of display 3 months, maximum size 3m², maximum total area of signs on one site 3m², provided that the aggregate time that one or more signs may be displayed on a site shall not exceed 3 months in any 12 month period.
5. Any other signs directly related to activities undertaken on the site provided that any such signs are oriented towards the road from which the site obtains its vehicular access.
6. One freestanding sign with a maximum height of 7.5m and maximum width of 2m at each road entrance to the Business Park.
- ~~7. Provided that all signage is non illuminated and located so that it is oriented towards the road from which the site obtains its vehicular access.~~
- ~~7. In addition to the above signs, one sign per site with a maximum surface area of 15m² may face towards State Highway 3, State Highway 21 or Raynes Road provided that it is affixed to, painted on or otherwise incorporated into the face of the building, and is located no closer than 1m to the top of that building face and is not internally illuminated.~~
8. No sign may be illuminated such that it involves any flashing or moving objects or its illumination is not constant.

Activities that do not comply with Rule 7A.4.10 shall be Restricted Discretionary Activities and shall be considered under Rules 7A.5 and 7A.6.10.

7A.4.11 Rule - Noise

- a) All activities within the Airport Business Zone, excluding engine testing, shall be conducted and buildings located, designed and used to ensure the noise levels do not exceed the following limits when measured in accordance with the requirements of

NZS 6801:1999 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound:

i) Within the boundary or notional boundary of any site zoned Rural and within the boundary of any of the residential properties east of State Highway 3 and identified as ~~‘existing dwellings’~~ ‘Special Amenity Area’ on Planning Map 23 and the Structure Plan at Appendix 29.

ii) Monday to Saturday
7.00am to 10.00pm 55dBA(L10)

At all other times including public holidays
45dBA(L10)

iii) Within the boundary of any site zoned Airport Business:
At all times 60dBA(L10)

No single event noise level L_{max} shall exceed 70dBA at night time (10.00pm to 7.00am) during the periods covered by ‘all other times’.

Note: The Rule does not include noise generated by aircraft in flight, taxiing or pre-flight checks.

b) Noise from the maintenance and testing of aircraft shall not exceed the following noise limits when measured in accordance with the requirements of NZS 6801:1999 Measurement of Sound:

Within the boundary or notional boundary of any site zoned Rural	L_{eqn} 45dBA	L_{max} 75dBA
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Within the boundary of any of the residential properties <u>east of State Highway 3 and identified as ‘existing dwellings’ within the Special Amenity Area on Planning Map 23 and the Structure Plan at Appendix 29.</u>	50dBA	80dBA
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L_{eqn} is defined as the logarithmic average of the hourly L_{eqn} values from 10.00pm to 7.00am the following day, calculated as a rolling average over the last seven nights. Noise from nighttime engine testing shall be monitored by the operator to determine the total noise dose from engine testing that has been generated over the last seven days. A summary of these results shall be provided to the Council once a year and be available to the Council for inspection at any reasonable time and upon reasonable notice.

Note: Monitoring may be undertaken by calculation based on field measurements.

c) Vibration emanating from a site shall meet the limits recommended in, and be measured and assessed in accordance with New Zealand Standard NZS 4403: 1976 Code of Practice for Storage, Handling, and Use of Explosives.

- d) Construction noise emanating from the site where construction is ancillary to the principal use shall meet the limits recommended in and be measured and assessed in accordance with New Zealand Standard NZS 6803: 1999 Acoustic – Construction Noise.

Prior to any activity being established or building consent being granted, evidence that these standards will be met may be required by Council.

Activities that do not comply with Rule 7A.4.11(a), (c) and (d) shall be Discretionary Activities and shall be considered under Rules 7A.6.1 and 7A.6.8.

Activities that do not comply with Rule 7A.4.11(b) shall be Restricted-Discretionary Non Complying Activities.

Note: For some common activities it will be sufficient to simply indicate the intended use (eg. Warehousing); for others, evidence from a suitably qualified person will be required.

7A.4.12 Rule – Activities in Special Noise Area

1. ~~The following new activities shall be prohibited inside the Air Noise Boundary (Ldn 65), shown on the Planning Maps:~~
 - a) ~~All residential activities;~~
 - b) ~~Travellers' accommodation; and~~
 - c) ~~Education facilities (except aviation education and training).~~

2. ~~The following activities are allowed inside the Outer Control Boundary (Ldn 55) shown on Planning Maps but outside the Air Noise Boundary (Ldn 65) **provided that the buildings incorporate appropriate acoustical treatment to ensure that indoor sound levels stated below are not exceeded.**~~
 - a) ~~All residential activities;~~
 - b) ~~Travellers' accommodation; and~~
 - c) ~~Education facilities.~~

~~A level of 45dBA (Ldn) shall be achieved in all habitable areas of new residential developments and travellers' accommodation and in any new libraries, study areas, teaching areas and indoor assembly areas of educational facilities.~~

~~The acoustic design requirements demonstrating that the above indoor noise levels will be achieved for any new development shall be approved by a suitably qualified acoustic engineer.~~

1. The following table specifies the status of noise sensitive activities provided for in Rule 7A.3.1 according to whether they are located inside the Air Noise Boundary (Ldn65) or between the Outer Control Boundary (Ldn 55) and the Air Noise Boundary as shown on Planning Map 23:

Table 7A.1: Activity Status of Noise Sensitive Activities

Activity	Status of Activity	
	Inside the AirNoise Boundary (Ldn65)	Between the Outer Control Boundary (Ldn55) and the Air Noise Boundary (Ldn65)
a) Residential Activities	Prohibited	Non-complying
b) Travellers Accommodation	Prohibited	Permitted
c) Education facilities (except aviation educational training)	Prohibited	Permitted
d) Caretakers accommodation ancillary to any other activity	Discretionary	Discretionary
e) Childcare Facilities	Discretionary	Restricted Discretionary
f) Healthcare Facilities	Discretionary	Restricted Discretionary
g) Conference Facilities	Permitted	Permitted
h) Places of Assembly	Permitted	Permitted
i) Offices	Permitted	Permitted
j) Laboratories	Permitted	Permitted
k) Research Establishments	Permitted	Permitted
l) Aviation Educational Training	Permitted	Permitted
<u>g) Conference Facilities</u>	<u>Permitted</u>	<u>Permitted</u>
<u>h) Places of Assembly</u>	<u>Permitted</u>	<u>Permitted</u>
<u>i) Offices</u>	<u>Permitted</u>	<u>Permitted</u>
<u>j) Laboratories</u>	<u>Permitted</u>	<u>Permitted</u>
<u>k) Research Establishments</u>	<u>Permitted</u>	<u>Permitted</u>
<u>l) Aviation Educational Training</u>	<u>Permitted</u>	<u>Permitted</u>

2. All ~~non industrial~~ activities in Table 7A.1 above shall incorporate appropriate acoustical treatment to ensure that a level not exceeding 45dBA(Ldn) is achieved inside the building. Where it is necessary to have windows closed to achieve the acoustic standard an alternative ventilation system shall be provided. Any such ventilation system shall be designed to satisfy the requirements of the Building Code in any habitable room.
3. Prior to issuing a building consent for a building incorporating ~~an activity in Table 7A.1 above~~ a noise sensitive activity in Table 7A.1 above non industrial activity a design certificate from a person experienced in the acoustic design of buildings shall be submitted to the Council to show that the buildings will comply with the requirements of (2) above.

Activities listed in Rule 7A.4.12(1) (Table 7A.1) as Discretionary or Restricted Discretionary Activities shall be considered under Rule 7A.6.9

Activities that do not comply with Rule 7A.4.12(2) or (3) shall be Non-Complying Activities.

7A.4.13 Rule – Odour

Activities shall not produce any odour discernible without instruments from a dwelling on land in the Rural zone, within any of the residential properties east of State Highway 3 and identified as Special Amenity Area on Planning Map 23.

Activities that do not comply with Rule 7A.4.13 shall be Restricted Discretionary Activities and shall be considered under Rule 7A.5.

7A.4.14 Rule – Smoke, Fumes and Dust

Note: No specific standards are included for this Zone. Attention is drawn to the obligation under Section 15 of the Resource Management Act to comply with any rules in the Regional Plan or Proposed Regional Council to discharge any 'contaminant' (as broadly defined in the Act) into air from industrial or trade premises.

7A.4.15 Rule – Floorspace for Retail Activities

The total ~~maximum~~ floor area of all Retail Activities located in the Airport Business Zone (excluding activities in the Hamilton International Airport Terminal building) shall be ~~14,600m²~~ not exceed 5,300m² gross floor area. ~~Not more than 4,300m² of this floor area shall be comprised of retail shops with a floor area of less than 450m² each. Not more than 10,300m² of this floor area shall be comprised of retail shops with a floor area of more than 450m² each.~~ This area shall be comprised of retail shops with a floor area of less than 450m² gross floor area each, except that one retail shop may have a floor area of more than 450m² gross floor area and less than 1,000m² gross floor area, provided that that retail shop shall primarily sell pre-prepared fresh food/groceries and beverages, together with other non-food goods in an ancillary capacity.

Activities that do not comply with Rule 7A.4.15 shall be Non-Complying Activities.

7A.4.16 Rule – Utility Services

Each site shall be served by reticulated sewerage, reticulated water, and authorised stormwater disposal system and a sealed road. Reticulated utility services will be established in a staged manner generally as subdivision and development takes place.

Activities may be established without reticulated sewerage and stormwater provided evidence is provided to show that the requirements of the Regional Council for discharges have been met.

Note: A *Development Agreement between Waipa District Council and the Waikato Regional Airport Ltd* is intended to outline the process for providing the Airport Business Zone with the required water and wastewater reticulation network.

Activities that do not comply with Rule 7A.4.16 shall be Restricted Discretionary Activities and shall be considered under Rule 7A.5.

7A.4.17 Rule – Roading

- a) All roads within the Airport Business Zone shall be constructed in **general** accordance with the road cross-sections contained in Appendix ~~28~~ 29; Airport Business Zone Structure Plan.
- b) All roads within the Airport Business Zone shall be constructed so as to avoid any disturbance or obstruction to any swale drain
- c) In all other respects roads shall comply with the **Waipa District Council Code of Practice**.

Activities that do not comply with Rule 7A.4.17 shall be Restricted Discretionary Activities and shall be considered under Rule 7A.5.

7A.4.18 Rule - Screening

Outdoor storage areas visible from any rural zone, road or public place, shall be screened by landscaping, and stored materials shall not exceed 3m in height.

Activities that do not comply with Rule 7A.4.18 shall be Restricted Discretionary Activities and shall be considered under Rule 7A.5.

7A.5 CRITERIA MATTERS FOR ASSESSING RESTRICTED DISCRETIONARY ACTIVITIES

When considering an application for a **Restricted Discretionary Activity** for non-compliance with a Condition for **Permitted Activities** the discretion shall be restricted to the subject of the condition not complied with.

7A.6 CRITERIA FOR ASSESSING RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES

7A.6.1 Rule – General

In addition to the provisions of Rule 1.6.2, the criteria to be used in considering an application for any **Discretionary Activity** shall include the following matters:

1. The Objectives, Policies, Structure Plan and Anticipated Environmental Outcomes for the Airport Business Zone.
2. Whether any adverse effects or cumulative effects will occur from non-compliance and whether they can be avoided or mitigated by conditions on any resource consent.

3. The site topography and location of existing buildings.
4. Adverse effects on the local road and state highway network, including access, traffic demand management, ~~and~~ public transport and any cumulative traffic effects.

7A.6.2 Rule – Reduction of Building Set-back from Road Boundaries

Consent for buildings to be set back less than the minimum standard from road boundaries may be granted where the particular circumstances of the site and/or the buildings and/or landscaping, or the circumstances of the surrounding land uses are such that the required set-back is not necessary.

7A.6.3 Rule – Reduction in Landscaping

Consent to dispense with or reduce the minimum depth of landscaping of site boundaries may be granted where an acceptable alternative method of protecting the amenities of the affected land is proposed, such as planting further back from the boundary or other suitable screening.

7A.6.4 Rule – Security Fencing

Consent to reduce or dispense with the boundary set-back and/or planting requirement in Rule 7A.4.4 may be granted where an acceptable alternative method of ensuring that a security fence does not detract from the amenities of the area is proposed.

7A.6.5 Rule – Off-street Parking and Loading

Consent to meet the off-street parking requirements of a site by providing parking on a site nearby may be granted where, because of its proximity, it could be expected to meet the parking demand generated.

Consent for a lesser standard of design of parking and loading facilities may be granted where, because of the circumstance of the site, it is impractical to meet the normal standards, or where the particular type of activities and/or type of vehicles associated with those activities are such that a lesser standard would not lead to inconvenience for visitors to the site or greater use of the street for parking (excluding a State Highway) than would otherwise be the case.

7A.6.6 Rule – Vehicle Access to Sites

Consent to the provision of a vehicle crossing less than 6.0 metres wide but no less than 3.6 metres wide excluding splays and the kerb may be granted where it is impractical to provide a wider crossing, where crossings are for one-way traffic or where the number of vehicle movements through the crossing is likely to be no more than 20 per day.

Consent may be granted for a site which has frontage to a road for one crossing additional to the crossing or crossings permitted by Rule 7A.4.8 providing this would not compromise traffic safety or the functioning of the roading system.

Where a site is at an intersection, consent may be granted for two vehicle crossings on one frontage where the length of frontage is not less than 50 metres provided there shall be no crossing on the other frontage.

Consent may be granted for crossings with the nearest part of the crossing between 8.0 and 15.0 metres from an intersection where this would not compromise traffic safety or the function of Primary Roads.

Consent may be granted for service stations and other 'drive-in' activities for a vehicle crossing or a crossing greater than 7.5 metres wide excluding splays and the kerb where this would not compromise traffic safety or the functioning of roads.

7A.6.7 Rule – Additional Height for Buildings and Other Structures

Consent may be granted for buildings and other structures to exceed the height limit by not more than 10.0 metres.

In considering applications the Council shall have regard to the potential visual impact of buildings exceeding the normal height limits and overshadowing effects, and effects on airport operations.

Note: The appropriate Air Traffic Service should be consulted as part of the preparation of any resource consent application to exceed the 20.0m height limit.

7A.6.8 Rule – Noise

In considering a resource consent application for an exemption from the maximum noise levels of Rule 7A.4.11, the Council shall have regard to the following matters:

- (a) The maximum noise levels of the proposed activity;
- (b) The frequency that the noisy activity takes place;
- (c) The length of time that the noise continues;
- (d) Special characteristics of the noise;
- (e) The likely adverse effects of noise on other activities in the locality (includes cumulative effects);
- (f) Any possible means of mitigating the effects of the noise; and
- (g) The objectives for noise control.

In granting any consent the Council may impose conditions including maximum noise levels and the days and the times during the day on which the noise may be created, and requirements for the mitigation of the effects of noise.

~~7A.6.9 Area of Retail Activities~~

7A.6.9 Noise Sensitive Activities

For any Discretionary or Restricted Discretionary activities in Table 7A.1:

- a) The potential for reverse sensitivity effects to arise from the proposed activity in relation to airport activities, give the size, scale and location of the proposed activity and having regard to any cumulative effects;
- b) Any remedial measures to avoid, remedy or mitigate potential conflict with the safe and efficient operation of the airport; and
- c) The outcomes of any consultation with the operators and any users of the airport

7A.6.10 Signage

- a) The extent to which the proposed sign visually integrates into the surroundings taking into account the scale and nature of buildings, the scale and nature of landscaping, its colour and design.
- b) The size, location and content of the sign and the extent to which it would affect traffic safety by distracting driver attention.

10. Amend Rule 10.3.7 of the subdivision rules on page 2-123 to read:

“10.3.7 Industrial Zones and Airport Business Zone.

1. Subject to the following subclause any subdivision of land in any Industrial Zone and the Airport Business Zone shall be a **Controlled Activity** except that the creation of rear sites shall be a **Discretionary Activity** and will be assessed having regard to Rule 10.6.6.3, and except that any subdivision in the Airport Business Zone that does not comply with the Structure Plan as set out in Rule 7A.3.2.4.1, shall be a **Discretionary Activity**.

11. Add the following to Rule 10.6 SUBDIVISION STANDARDS FOR INDIVIDUAL ZONES.

“10.6.9 Airport Business Zone

For any subdivision of land in the Airport Business Zone adjoining State Highway 3, State Highway 21 or Raynes Road

- a) A landscape plan shall be prepared and submitted by a suitably qualified person for the 5m minimum landscape structure planting adjoining those roads. The landscape plan shall:

- i) Include plant species that complement the landscape character of the area but do not conflict with airport operational requirements in terms of height, nesting birds and leaf litter;
- ii) Provide for planting to visually ‘contain’ the development by establishing structural planting along the boundaries with State Highway 21, State Highway 3 and Raynes Road;
- iii) Include planting of sufficient scale to mitigate the visual effects of buildings and signage and integrate them into the surroundings, but recognising that built forms are also part of the edge treatments.”

12. Amend the heading of Rule 10.6.6 of the subdivision rules on page 2-144 to read:

“10.6.6 Industrial Zones and Airport Business Zone”.

13 Amend Rule 10.9.2 of the subdivision rules on page 2-154 to read:

“10.9.2 General, Industrial, Airport Business and Town Centre Zone.

A reserves contribution shall not be required for a subdivision of land in the General Zone, Industrial Zone, Airport Business Zone or Town Centres Zone.

Provided that where land is subdivided in such zones into allotments for dwelling houses the provisions of Rule 10.9.1 shall apply.”

14 Amend the heading of Section 10.3 in Part 3, Explanation and Justification of Rules on page 3-8 to read:

“10.3 General, Industrial, and Airport Business Zones”.

15 Add the following ‘Airport Business Zone Structure Plan’ as Appendix ~~28~~.29

16. Amend the zoning and designations on Planning Map 23 as set out on the Rezoning plan attached.

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APPENDIX 2829: AIRPORT BUSINESS ZONE STRUCTURE PLAN

1. General

The Airport Business Zone Structure Plan covers an area of some 117ha surrounding the airport operational area. It contains some existing industrial and service activities on the west side of the airport but the majority of the land is undeveloped. This provides the opportunity to apply quality urban design principles to the development.

It is proposed to adopt a **A master planning approach has been applied to underpin this structure plan which in turn is intended to assist in achieving** to the land to achieve a functional high quality business park which recognises the constraints imposed by an expanding airport and a rural surrounding. This approach is possible because the majority of the land is in one ownership.

2. Principles

- Clearly identifiable passenger vehicle access to and from State Highway 21 and the existing passenger terminal, ensuring it creates a sense of a ‘gateway’ to the District and Region.
- Separation of car and truck movements wherever possible.
- Rationalisation of the design and location of the site access points from the two adjacent State Highways.
- Direct access (wherever possible) for goods from “landside” buildings to “airside” freight transport areas.
- An internal road design strategy which deals with vehicle size ranges, limited on-street parking, precinct accessibility, **potential for passenger transport and passenger amenities**, stormwater swales and visual character.
- A high quality visual outcome, **including visual containment within defined edges and landscaping within the road reserves.**
- **Direct convenient access for public transport at State Highway 3, State Highway 21 and Raynes Road. A continuous cycle/walkway connection from all three access points in accordance with the structure plan.**
- **Provision for public transport infrastructure including bus stops and termini.**

On the westside the available land for **development** ~~master planning~~ is relatively small and therefore the **likely** development patterns are very much a product of maximised airside/landside access for small scale future buildings and a road profile which accommodates a reasonable mix of car and truck access demands.

The eastside strategy is more complex and the proposed pattern of precincts is largely determined by the need to relocate the access point from State Highway 21 well to the north of its existing location and thereby need to develop a major internal vehicle

access link from this new access point to the existing terminal and its expanded carparking and service areas. The access configuration leads to a linear form of business park centred on a spine road. An important objective was to ensure a strong visual and functional link from the new vehicle arrival point, at State Highway 21, to the existing terminal area.

3. Circulation and Access

On the east side a key constraint is to maintain ease of circulation for passenger vehicles to and from the terminal zone.

This also means large trucks are to be kept away from passenger vehicle traffic and generally contained north of the new State Highway 21 entrance point. Only low volumes of small trucks are expected in the area between the new entrance from State Highway 21 and the terminal precinct, and little or no need for trucks to cross through the terminal area to access the southern most precinct.

Road designs to be applied throughout the park will reflect these traffic management concepts and the carriageways, drainage swales, truck turning and kerb-side street parking requirements for each precinct are reflected in the road profiles proposed.

Areas of landscaped open space have been integrated into strategic points within the **development Masterplan** to take advantage of viewing areas of runways from proposed public roads on both the east and west side, as well as parks to maximise the quality of entrance boulevards from the two new entrance points from State Highway 21 and State Highway 3.

Intersection design for the access from State Highway 3 is expected to provide for safe turning from the State Highway without disruption to through traffic. The first stage of this would be a channelised 'Tee' ('Seagull') intersection built in conjunction with the first stage of development on the east side. This would be upgraded by grade separating the right turn out and closing the at grade right turn when demand required.

Intersection design for the access from State Highway 21 is intended to safely accommodate turning traffic by initially developing a limited stage 1 area with access through the existing Airport Terminal intersection. A roundabout intersection will be developed in the vicinity of Lochiel Road once the initial stage 1 area is exceeded and at that time the Airport Terminal intersection would be closed.