



To: RMA Hearings Panel

From: Nick Williamson, Consultant Planner, Align Ltd

Subject: **Section 42A Hearing Report on Proposed Private Plan Change 20, submissions and further submissions**

Hearing Date: 15 March 2023

EXECUTIVE SUMMARY

The Waipā District Council has received a private plan change request from Titanium Park Limited (TPL) and Rukuhia Properties Limited (RPL) (collectively referred to as ‘the applicant’) to the Waipā District Plan (WDP), identified as Private Plan Change 20 (PPC20). PPC20 seeks to extend the Airport Business Zone to enable the coordinated expansion of the Northern Precinct, within that zone.

PPC20 includes a revised structure plan for the entire Airport Business Zone and proposes several amendments to the objectives and supporting provisions of the WDP to facilitate its development.

Following the provision of further information by the applicant on 18 August 2022, in accordance with Schedule 1, Part 2, Clause 25 of the Resource Management Act (RMA) the Council decided to accept the private plan change request in whole, rather than in part or convert it to a resource consent.

PPC20 was publicly notified for submissions on 26 September 2022 with submissions closing on 28 October 2022, attracting 26 submissions. The summary of submissions was notified on 11 November 2022 with the period for further submissions closing on 25 November 2022. Thirteen further submissions were lodged, one of which was accepted one day late.

The submissions covered a range of sub-topics which have been arranged for reporting purposes into four higher level topics. The sub-topics of Bat Habitat & Ecology, Retailing Economics, and Transportation were the subject of pre-hearing conferencing between experts, with a Joint Witness Statement (JWS) being produced at the conclusion of each session.

Topic	Sub-topic
Topic 1: Nature and extent	1.1 Extent of Plan Change 1.2 Land Supply 1.3 Highly Productive Soils 1.4 Climate Change 1.5 Zone Additional Land
Topic 2: External effects	2.1 Retail Activities / Airside Activities 2.2 Bat Habitat & Biodiversity 2.3 Transportation 2.4 Traffic 2.5 Stormwater Management 2.6 Wastewater Disposal 2.7 Water Supply
Topic 3: Internal form & integration	3.1 Amenity / Landscape Planting 3.2 Lighting 3.3 Noise
Topic 4: Implementation	4.1 Timing & Sequencing 4.2 Funding

The Proposed Private Plan Change has been assessed in terms of background, the statutory framework of the Resource Management Act 1991, relevant policy considerations and submissions received.

Subject to contrary or additional information being presented at the Hearing, it is recommended that PPC20 be approved with modifications in accordance with revised provisions set out in Appendix 1 to this report.

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1. INTRODUCTION

- 1.1.1. My full name is Nicholas (Nick) Eyre Williamson, and I am a Senior Consultant at Align Limited. I am an Associate Member of the New Zealand Planning Institute. I hold a Bachelor of Science Degree in Land Planning and Development and a Postgraduate Diploma of Science in Spatial Information Studies, both from the University of Otago.
- 1.1.2. I have held resource management positions in both local government and private practice since 1994. My experience in these positions has included strategy development, district plan formulation, policy advice, and the preparation and administration of plan changes, designations, resource consents, and other statutory approvals from both public and private perspectives. For most of my resource management career I have been responsible for managing growth and development issues in rural and dynamic peri urban areas in a variety of regional contexts, including Otago, Canterbury, Wellington, Waikato, Auckland, and Northland regions.

2. CODE OF CONDUCT

- 2.1.1. I can confirm that I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2023. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 2.1.2. I am authorised to prepare and present this Section 42A Report on the Council's behalf to the PPC20 Hearing Panel.

3. CONFLICT OF INTEREST

- 3.1.1. To the best of my knowledge, I confirm that I have no real or perceived conflict of interest in relation to PPC20.

4. PREPARATION OF THIS REPORT

- 4.1.1. This report is prepared in accordance with Section 42A of the Resource Management Act 1991 (RMA). This report considers the merits of the Proposed Private Plan Change 20 request from Titanium Park Limited and Rukuhia Properties Limited (the applicants) for the extension of the Airport Northern Precinct, submissions and further submissions (submissions), and all supplementary information that was received by Waipā District Council (WDC) at the time of writing.
- 4.1.2. The data, information, facts, and assumptions I have considered in forming my opinions are set out in this report. Where I have set out my professional opinions, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

- 4.1.3. This report seeks to provide as little repetition as possible and identifies only those parts of the request that are not supported or remain unresolved. If a matter is not specifically dealt with in this report, then there is no dispute with the position set out in the request.

5. SCOPE OF REPORT

5.1. MATTERS ADDRESSED BY THIS REPORT

- 5.1.1. PPC20 must be prepared in accordance with the Council’s functions under Section 31 of the RMA, Part 2 of the RMA, and its obligation to have particular regard to an evaluation report prepared in accordance with Section 32 of the RMA, any further evaluation required by Section 32AA of the RMA, and to be in accordance with matters to be considered by a territorial authority as set out in Section 74 of the RMA.
- 5.1.2. The provisions that are covered by this report include the relevant provisions, objectives, and policies of the following:
- Resource Management Act 1991 (RMA)
 - National Policy Statement on Urban Development 2020 (NPS-UD)
 - National Policy Statement for Freshwater Management 2020 (NPS-FM)
 - National Policy Statement for Highly Productive Land 2022 (NPS-HPL)
 - National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)
 - Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River
 - Iwi Joint Management Agreements
 - Waikato Regional Policy Statement (WRPS)
 - Waikato Regional Plan (WRP)
 - Operative Waipā District Plan (WDP)
- 5.1.3. The scope of my report relates to providing an analysis of the information provided by the applicant as well as submissions and further submissions received in relation to PPC20 against the considerations outlined above. My assessment has also been guided by the following statutory and non-statutory documents:
- Future Proof Growth Strategy (2022)¹
 - Waipā 2050 District Growth Strategy (2017)²
 - Tai Tumu, Tai Pari, Tai Ao³
 - Te Rautaki Taamata Ao Turoa o Hauaa⁴

¹ <https://futureproof.org.nz/the-strategy/>

² <https://www.waipadc.govt.nz/our-council/strategy-and-planning/districtgrowthstrategy>

³ <https://waikatotainui.com/wp-content/uploads/2020/11/Tai-Tumu-Tai-Pari-Tai-Ao-PLAN-ENGLISH.pdf>

⁴ <https://ngatihauaiwitrust.co.nz/publications/trust-documents/>

- Waikato Metropolitan Spatial Plan (2020)⁵
- Hamilton Urban Growth Strategy (2010)⁶ [currently under review]

5.1.4. In preparing this report I have relied on expert advice sought from Council specialists on technical matters. The plan change request has been reviewed by these experts and their input has been provided on this report to help guide and inform the assessment of PPC20 and the recommendations on the submissions and further submissions. Copies are attached as Appendices 2, 3, and 4 of this report.

6. OVERVIEW OF PRIVATE PLAN CHANGE 20

6.1. PROCESS SUMMARY

6.1.1. PPC20 was lodged on 29 April 2022 and Notified on 26 September 2022. The timeline is summarised for convenience below:

Date	Event
29 April 2022	Application Lodged
1 June 2022	Application put on hold at the applicant's request
27 July 2022	Application comes off hold at the applicant's request
27 July 2022	Updated plan change provided
4 August 2022	Time extension for further information is advised
12 August 2022	Further information requested
18 August 2022	Further Information received
23 August 2022	Proposed Private Plan Change accepted for processing
26 September 2022	Public notification open for 30 working days
11 November 2022	Further submissions open for 10 working days
12 December 2022	Commissioner Minute from the Chair #1 issued
16 December 2022	Commissioner Minute from the Chair #2 issued
24 January 2023	Commissioner Minute from the Chair #3 issued
8 February 2023	Expert conferencing on Ecology & Bat Habitat
9 February 2023	Expert conferencing on Economics & Retailing
10 February 2023	Expert conferencing on Transport & Planning (1)
15 February 2023	Expert conferencing on Transport & Planning (2)
15-17 & 20 March 2023	Hearing

⁵ <https://futureproof.org.nz/h2a/metrosatialplan/>

⁶ <https://hamilton.govt.nz/strategies-plans-and-projects/strategies/>

6.2. PLAN CHANGE SCOPE

- 6.2.1. The subject land spans approximately 130 hectares and is located near Hamilton Airport, 8km southeast of Central Hamilton, 12km west of Cambridge, and 17km north of Te Awamutu. It falls within the northern area of Waipā District and is near the border of Hamilton City. The site is called Titanium Park Northern Precinct and is bordered by Raynes Road and Narrows Road on the north, Middle Road, Ohaupo Road, and multiple rural allotments on the west, the Hamilton Airport on the south and east, and Designation D156 set aside for the Southern Links network project on the northern side. The site is currently comprised of agricultural, horticultural, and residential uses.
- 6.2.2. PPC20 proposes changes to expand the Northern Precinct of the Airport Business Zone, amend the Structure Plan for the Airport Business Zone, and several amendments to objectives and supporting provisions of the Waipā District Plan. Following receipt of submissions, the applicants' Addendum made some additional amendments to recognise and provide for national and regional policy changes that have been introduced since the request was received.
- 6.2.3. The scope of PPC20, and therefore the hearing considerations, extends across the following sections of the District Plan:
- Section 10 – Airport Business Zone
 - Section 15 – Infrastructure, Hazards, Development and Subdivision
 - Section 21 – Assessment Criteria and Information Requirements
 - Appendix S10 – Airport Business Zone Structure Plan
 - Volume 3 – Planning Maps
- 6.2.4. The purpose and overall intent of PPC20 (as described on page 4 of the Applicants' Section 32 Evaluation in their Appendix 20) is:
- “To achieve the co-ordinated expansion of the Northern Precinct within the Airport Business zone and to enable it to be developed in line with what has been envisaged by the Northern Precinct Masterplan.”*
- 6.2.5. This proposal involves the Northern Precinct, an area of around 40 hectares that is already zoned for Airport Business Zone. This zone permits a variety of industrial activities, transport and freight depots, storage and warehousing, retail and wholesale operations, and other activities. The WDP requires the Northern Precinct to comply with the Structure Plan, which includes an outline of roads, landscaping, and building setbacks. The Structure Plan requires the future construction of a road to extend north from Ingram Road, bypassing Middle Road and not connecting to Raynes Road, creating a single access point to the business zone.
- 6.2.6. The rules of the Airport Business Zone currently require Council approval of a Comprehensive Development Plan (CDP) prior to development taking place. These rules may now be ultra vires, as subsequent Environment Court decisions have held that plans are not activities for which consent can be obtained, and that an activity's status is derived from the Act and its subsidiary planning instruments. The use of CDP rules no longer represents the most appropriate way to achieve the purpose of the Resource Management Act.

- 6.2.7. The proposed amendments to the Airport Business Zone Structure Plan include:
- Extending the Airport Business zone and Northern Precinct by approximately 90ha to match the rezoning request and result in the full 130ha of the Northern Precinct being included within the Structure Plan.
 - The indicative roading pattern has been amended to align with the masterplan, including two primary roads extending from Raynes Road to Ingram Road and from the Northern Precinct to a cul-de-sac in the western portion of the site near the Narrows Road/Middle Road intersection. There will be vehicle access restrictions on Middle Road, preventing vehicles from exiting the site via Middle Road but allowing access for pedestrians and cyclists.
 - The landscaping and setback controls will be extended to the external boundaries of the Northern Precinct, which adjoin the Rural zone. They will also be applied to the boundaries of 141 Middle Road, as the applicants don't own the property. The controls work in conjunction with the Airport Business zone provisions.
 - The Northern Precinct Hub is located in the centre of the Northern Precinct and is intended to be a higher amenity space within the precinct. It will provide limited retail to support the convenience needs of people visiting and working in the precinct.
 - The retail area will complement the Hub and balance the urban form of the precinct.
 - The two new access points for State Highway 3 and Raynes Road are located at either end of the main spine road through the precinct.
 - The maps show the walking and cycling connections between the Northern and Southern precincts, and the Northern precinct and the Peacocke growth cell.
 - Illustrating the extent and corridor for Southern Links to integrate the Airport Business Zone when it is constructed.

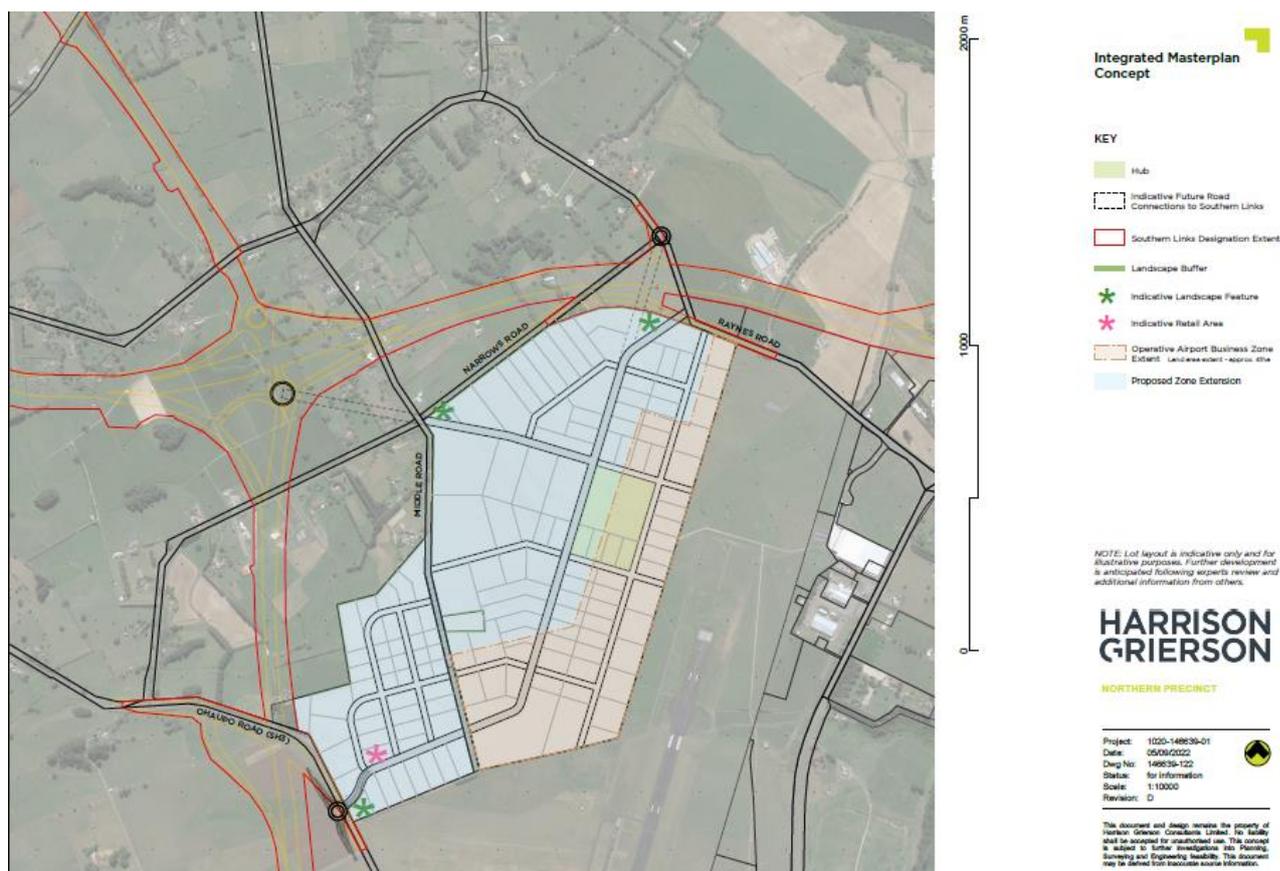


Figure 2 - Extent of proposed Northern Precinct relative to the existing zone and Southern Links designation.

- 6.2.9. The final component of the plan change request is to make amendments to the Airport Business zone provisions, infrastructure hazards development and subdivision provisions, and assessment criteria information requirements. These changes are largely to give effect to the increased extent of the Airport Business zone within the Northern Precinct, but they also include the deletion of the CDP requirements. The proposed changes to the WDP are set out in a mark-up version at Appendix 19 of the Plan Change request as notified.
- 6.2.10. Following the submission period, the applicant provided an Addendum to the request which included assessments against the NPS-HL and Proposed Change 1 to the Waikato Regional Policy Statement with supporting technical reports.
- 6.2.11. At the direction of the Hearings Panel, pre-hearing conferencing was undertaken between specialists so that a Joint Witness Statement (JWS) could be produced to summarise the matters of agreement and differences of opinion between specialists. Pre-hearing conferences were held on the topics of Ecology (Bat Habitats), Transportation, and Economics (Retailing). The JWS produced following each pre-hearing conference was signed by all attendees of the respective session and can be taken as evidence for these proceedings.
- 6.2.12. There were three submissions that requested the Airport Industrial Zone be extended over additional land outside the PPC20 Northern Precinct area. Following the receipt of legal

submissions from the affected parties, the Hearing Panel determined that the portions of the submissions requesting additional land are out of scope and are struck out⁷.

7. STATUTORY AND POLICY CONTEXT

7.1. RESOURCE MANAGEMENT ACT 1991 (RMA)

7.1.1. The purpose of the RMA is set out in section 5 and is to promote the sustainable management of natural and physical resources. Sustainable management means:

Managing the use, development and protection of natural and physical resources in a way and at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.*

7.1.2. Council must establish that the objectives, policies and methods of the proposal are the best way to meet the requirements of the Act. This evaluation was presented in the 'Section 32 Report' which endorsed the proposed plan change when it was initially notified. An additional evaluation will be conducted in accordance with Section 32AA of the Act, to confirm the decision relating to the proposed plan change.

7.1.3. Section 6 of the Act requires all persons exercising functions and powers under the Act in relation to managing the use, development, and protection of natural and physical resources, to recognise and provide for matters of national importance.

7.1.4. Section 7 of the Act identifies other matters that particular regard is to be given to. As set out in the section 32 report, those matters of key relevance to the plan change include '(a) kaitiakitanga', '(b) the efficient use and development of natural and physical resources', '(c) the maintenance and enhancement of amenity values' and '(i) the effects of climate change'.

7.1.5. Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account during decision-making. Tangata whenua have been engaged over the course of the development of the plan change by both the applicants and Council, and their feedback is summarised in the section 32 report. The request also includes a Cultural Impact Assessment, which also examines these statutory considerations.

7.1.6. The CIA concludes that from a mana whenua perspective PPC20 and the proposed rezoning of the site is "not inconsistent" with the relevant policies of iwi management plans, and any impacts on cultural values associated with the area will be less than minor. Overall, I therefore consider that the principles of the Treaty have been taken into account through the preparation of PPC20.

⁷ Minute #4 of the Hearing Panel (16 February 2023)

- 7.1.7. The purpose of a District Plan (section 76) is to assist councils to carry out their functions in order to achieve the purpose of the Act. The functions of district councils are listed in section 31 of the Act and include:
- Integrated management of the effects of the use, development and protection of land and associated natural and physical resources of the District.
 - The control of any actual or potential effects of the use, development, or protection of land.
- 7.1.8. The District Plan, and any changes, must give effect to higher order planning documents, including the Waikato Regional Policy Statement and National Policy Statements. Having reviewed the application, I consider the purpose and contents of the plan change are consistent with the purpose of a district plan pursuant to Section 76 of the Act.

7.2. NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 (NPS-UD)

- 7.2.1. The NPS-UD directs councils to plan for growth and ensure a well-functioning urban environment for all people, communities, and future generations. This includes:
- Ensuring urban development occurs in a way that takes into account the principles of the Treaty of Waitangi (te Tiriti o Waitangi).
 - Ensuring that district/city plans make room for growth both ‘up’ and ‘out’, and that rules are not unnecessarily constraining growth.
 - Developing, monitoring and maintaining an evidence base about demand, supply and prices for housing and land to inform planning decisions.
 - Aligning and coordinating planning across urban areas.
- 7.2.2. Councils *must give effect* to the objectives and policies of the NPS-UD in their resource management decisions. Waipā District Council is considered a high growth ‘Tier One’ local authority, and as such all policies of the NPS-UD 2020 are relevant.
- 7.2.3. Policy 1 of the NPS-UD requires that planning decisions contribute to well-functioning urban environments. They should also enable Māori to express their cultural traditions and norms. The environments should also have or enable a variety of sites that are suitable for different business sectors, as well as being accessible. They should support reductions in greenhouse gas emissions and should be resilient to the effects of climate change.
- 7.2.4. Policy 7 directs that local authorities must be responsive to plan changes that add to development capacity, even if the capacity is unanticipated or out-of-sequence with planned land releases.
- 7.2.5. Local authorities that share jurisdiction over urban environments (in this case, Waipā District, Hamilton City, and Waikato Regional Councils) are to work together when implementing the NPS-UD. They are to engage with providers of development infrastructure and additional infrastructure, as well as engage with the development sector to identify opportunities for urban development. [Policy 10].

- 7.2.6. Local authorities need to provide sufficient development capacity for business land in their region or district to meet the expected demand for business land from different business sectors. The development capacity provided must be plan-enabled, infrastructure-ready, suitable for different business sectors, and for Tier 1 authorities such as Waipā District and Hamilton City, it must meet the expected demand plus the appropriate competitiveness margin.
- 7.2.7. Development capacity is plan-enabled for housing or business land if it is on zoned land in an operative district plan or a proposed district plan. Development capacity is infrastructure-ready if there is adequate existing development infrastructure to support the development of the land in the short, medium, and long term. This means the local authority has identified funding for adequate development infrastructure or has identified the development infrastructure in its long-term plan. Local authorities must be satisfied that the additional infrastructure to service the development capacity is **likely to be available**.
- 7.2.8. It is the intention of the plan change to bring an additional 90ha of land into the ‘urban environment’. New planning provisions, development (funding) agreements, and physical works are proposed to ensure that additional infrastructure to service the development capacity is plan enabled in the short, medium, and long term. How this is to be achieved is discussed in further detail in the following sections of this report.

7.3. NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (NES-CS)

- 7.3.1. The NES-CS is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.
- 7.3.2. The contaminated land assessment reports supplied with the request (Appendix 14 & 15) note that HAIL⁸ activities are present on the site. The potential risk to human health cannot be determined, and therefore a full assessment against the provisions of the NESCS and WRP is unable to be provided without further investigation. To support consent applications, further investigation through targeted soil sampling will be required to assess the following areas of potential concern: Former horticultural area (orchard), former horticulture area (cropping), current and former tyre storage areas.
- 7.3.3. The proposed zoning and future form of development is expected to include earthworks for commercial lots with large building and hard stand area coverage. This development is likely to present a further barrier to soil contamination exposure to future site users and contaminant discharge risk. The provision of a Contaminated Soils Management Plan and protocol at the time of resource consent will appropriately manage the ecological discharge risk identified throughout the site during construction.

⁸ ‘Hazardous Activities and Industries List’ (HAIL)

- 7.3.4. Future developments within the site will have independent soil contaminant assessments undertaken to inform resource consents, which will appropriately identify any potential risk in areas not assessed. The NES-CS (which applies in addition to any District Plan provisions) includes all the necessary regulatory controls to achieve this.

7.4. NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020 (NPS-FM)

- 7.4.1. The National Policy Statement for Freshwater Management came into effect on 3 September 2020, and sets out the objectives and policies for freshwater management. The NPS-FM was considered in the preparation of this Plan Change Request and included an ecological assessment of freshwater values by Tonkin and Taylor. The ecological assessment found that there are no natural wetlands within the site.
- 7.4.2. The ecological assessment found that the artificial drains within the site are heavily modified by historic agricultural land use and are degraded. All watercourses are classified as either artificial channels or overland flow paths. The infrastructure assessment addresses the opportunities for sediment control once development begins.
- 7.4.3. Since the application was made, some additional amendments have been made to the NPS-FM, which came into effect on 5 January 2023. These amendments clarified the definition of ‘natural inland wetland’ to make it easier to undertake activities that maintain and restore wetlands. A consenting pathway is now also available for quarrying activities, landfills and cleanfill areas, mineral mining, and some urban development.
- 7.4.4. Given the absence of any natural wetlands within the site, PPC20 does not give rise to any concerns relating to the NPS-FM. The provisions of the NPS-FM and Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F) will continue to apply where relevant.

7.5. NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022 (NPS-HPL)

- 7.5.1. PPC20 must give effect to the NPS-HPL, which was released in September 2022 and came into effect on 17 October 2022 – after the request had been received and publicly notified.
- 7.5.2. The NPS-HPL aims to direct new housing development away from areas of highly productive land, such as farmland, to protect it for food and fibre production. Councils can still allow urban growth on highly productive land if no suitable land is available and intensification is not viable. Land that has already been identified for future development will not be mapped as highly productive.
- 7.5.3. The objectives, policies, and implementation clauses had immediate legal effect, and Councils must consider them when assessing resource consent applications and plan changes. Regional Councils must identify highly productive land within three years and district plans must be updated in the following two years.
- 7.5.4. Some submissions on the request asked that the NPS-HPL (and the subject of productive land more generally) be considered when making decisions on PPC20. In response to these the

applicant supplied an Addendum to the plan change request on 27 January 2023. This included Agricultural Assessments of the land and a planning assessment against the NPS-HPL.

- 7.5.5. Until Regional Councils map highly productive land at a regional level, clause 3.5(7) of the NPS-HPL identifies land that is highly productive land. This includes land zoned General Rural or Rural Production which has a classification as Land Use Capability (LUC) 1, 2, and 3. Clause 3.5(7)(b) excludes land that at the commencement date is *not* identified for future development or is subject to a (Council initiated or adopted) notified plan change to rezone it from rural to urban.
- 7.5.6. The New Zealand Land Resource Inventory shows the subject site as containing LUC 1, 2, and 3 land⁹. The land is also identified in Appendix S1 (Future Growth Cells) of the WDP as a Possible Future Growth Area in the Hamilton Airport Strategic Node.



FIGURE 1: LUC extents from the New Zealand Land Resource Inventory.

⁹ PPC20 Addendum Figure 1 (page 6)

- 7.5.8. The first requirement under clause 3.6(1)(a) of the NPS-HPL is that the rezoning proposal is required to provide sufficient development capacity to meet the demand for business land under the NPS-UD. Sufficient development capacity refers to land needed to meet demand in the short and medium-term, which is required to be zoned plan-enabled under clause 3.4 of the NPS-UD.
- 7.5.9. The second requirement of the NPS-UD involves considering whether there are any reasonably practicable and feasible alternatives for providing sufficient development capacity in the same locality and market, whilst still achieving a well-functioning urban environment. This recognises that the NPS-HPL and NPS-UD are both equally important.
- 7.5.10. Section 3.6(2) specifies that alternative options must consider the rezoning of land that is not highly productive instead of using existing urban areas for re-development. Section 3.6(3) specifies that "within the same locality and market" means that the alternative options are either in, or close to, a location where demand for additional development capacity has been identified.
- 7.5.11. The applicants have identified options for industrial land that can be established in Waipā District, as extensions of existing industrial growth cells. These options include LUC soil types, including those with a lower LUC classification than the Northern Precinct. The locations and extents of these areas are identified in Figures 2 and 3 of the Addendum.
- 7.5.12. The applicants have identified several alternatives for the Northern Precinct, but they have excluded these options since they are not close to the existing urban area, do not have good transportation connections, and are not infrastructure ready. Based on the information provided and analysis undertaken by the applicant, I am satisfied that PPC20 gives effect to the NPS_HPL.

7.6. OPERATIVE WAIKATO REGIONAL POLICY STATEMENT (WRPS)

- 7.6.1. Section 75 of the Act requires district plans to give effect to any relevant Regional Policy Statement. Regional Policy Statements are required to achieve the purpose of the Act by providing an overview of the resource management issues of the region, and policies and methods to achieve integrated management of the natural and physical resources.
- 7.6.2. The WRPS provides an overview of the resource management issues in the region, and the ways to achieve the integrated management of the region's natural and physical resources.
- 7.6.3. The WRPS has been amended (WRPS Proposed Change 1) to align with the National Policy Statement on Urban Development 2020. In accordance with s74(2A), territorial authorities are required to have regard to the regional policy statement. The applicant contends that only limited weight should be given to the updated Waikato Regional Policy Statement when considering PPC20 given that submissions on PC1 have yet to be heard. However, they do represent the most recent policy thinking and have been developed in accordance with the requirements of the RMA and current NPSs. It is appropriate that the proposal is evaluated against these draft provisions.
- 7.6.4. The objectives of the RPS identified by the applicant as relevant to PPC20 (with numbering as per the Online ePlan version of the Draft NPS-UD & Future Proof changes) are:

- IM-01 – Integrated management¹⁰
- IM-02 – Resource use and development
- IM-05 – Adapting to climate change
- IM-07 – Relationship of tangata whenua with the environment
- IM-09 – Amenity
- UFD-01 – Built environment¹¹
- UFD-P11 – Adopting Future Proof land use pattern

7.6.5. Other objectives & policies that are relevant to the issues raised by submitters and the topics set out in this report include:

- IM-03 – Decision making
- UFD-P2 – Co-ordinating growth and infrastructure
- UFD-P4 – Energy demand management
- UFD-M7 – Urban development planning
- UFD-M11 – Plan provisions co-ordinating growth and infrastructure
- UFD-M12 – Aligning infrastructure and land use planning
- UFD-M17 – Working with neighbouring regions
- UFD-M18 – Integrated Transport Assessments
- UFD-M22 – District plan provisions on energy demand management
- UFD-M48 – Land release in the Future Proof area
- UFD-M49 – Criteria for alternative land release in the Future Proof area
- UFD-M50 – District plan provisions and other mechanisms implementing density targets in the Future Proof area

7.6.6. The original plan change request, submissions, and subsequent amendments to PPC20 have been reviewed in the context of these provisions, and is considered to give effect to the WRPS within the overall context of the WDP. The proposed changes to the WRPS regarding out of sequence development (set out in new Clause 12 to UFD-01 – Built Environment) have been assessed by the applicant in their Addendum to PPC20. I am satisfied that the proposal gives effect to these provisions.

7.7. TE TURE WHAIMANA O TE AWA O WAIKATO – WAIKATO RIVER VISION AND STRATEGY

7.7.1. Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River was developed by the Waikato River Guardians Establishment Committee, iwi and communities of

¹⁰ <https://eplan.waikatoregion.govt.nz/eplan/#Rules/0/911/1/17517/0>

¹¹ <https://eplan.waikatoregion.govt.nz/eplan/#Rules/0/922/1/18770/0>

the Waikato River catchment. The Waikato River co-management legislation (Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)) establishes the Vision and Strategy in law. The Vision and Strategy is the primary direction setting document for the Waikato River including its catchment which includes most of the Waipā District.

- 7.7.2. The Vision and Strategy is deemed to be part of the Waikato Regional Policy Statement (and therefore must be given effect to by the district plan).
- 7.7.3. Council has joint management agreements in place with several iwi that have rohe within the district. The Council has discussed and provided information on the draft plan change in accordance with the joint management agreements and the Schedule 1 process of the RMA.

7.8. IWI JOINT MANAGEMENT AGREEMENTS

- 7.8.1. Waipā District Council has several Joint Management Agreements (JMAs) with iwi authorities. Of relevance to PPC20, is the JMA with Waikato Raupatu River Trust (the Trust). The following sets out the key requirements of these JMAs and how these have been considered in the processing of PPC20.

Waikato Raupatu River Trust

- 7.8.2. The Waikato Raupatu Claims Settlement Act 1995 gave effect to certain provisions of the deed of settlement between the Crown and Waikato dated 22 May 1995 and settled certain Raupatu claims made to the Waitangi Tribunal by Robert Te Kotahi Mahuta, the Tainui Maaori Trust Board, and Ngaa Marae Toopu (Wai 30). This led to the agreement of a new deed of settlement which included provisions related to joint management agreements. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 was enacted to give effect to that deed of settlement and subsequently a Joint Management Agreement with Waipā District Council was made.
- 7.8.3. This agreement includes giving appropriate weight to relevant matters provided for in the Settlement Act 2010, respecting the mana whakahaere rights and responsibilities of Waikato-Tainui, recognising the statutory functions, powers and duties of both parties, and recognising the Trust's rights to participate in processes where circumstances may be appropriate.
- 7.8.4. Schedule B of the Agreement outlines the anticipated process with regards to Schedule 1 of the Resource Management Act 1991 (RMA), in accordance with Section 46(1) and 46(2) of the Act. With regards to PPC20, the applicant has engaged with Waikato-Tainui as part of the pre-lodgement consultation. As a result of this engagement a MOU will be developed to ensure that engagement will be ongoing throughout the plan change, resource consent and development process that presents opportunities for further dialogue and an ability to respond to their feedback and direction.

7.9. FUTURE PROOF AND WAIPĀ 2050 DISTRICT GROWTH STRATEGY

- 7.9.1. The Future Proof Strategy is a 30-year plan for managing growth in the Hamilton-Auckland Corridor area. The strategy is designed to benefit the sub-region both from a community and a

physical perspective. This sub-regional approach is needed to manage growth in a staged and coordinated manner.

- 7.9.2. The Future Proof Strategy was updated in 2022 to incorporate the Hamilton to Auckland Corridor Plan and the Hamilton-Waikato Metropolitan Spatial Plan. It also factors in national documents such as the National Policy Statement on Urban Development and the Government's Urban Growth Agenda. The Future Proof Strategy satisfies in part the requirement of the NPS-UD for a Future Development Strategy that shows there will be sufficient, feasible development capacity to support projected growth needs over the short, medium and long term. An update of the Future Proof Strategy will be undertaken prior to 2024 to incorporate all requirements for an FDS.
- 7.9.3. Waikato Regional Airport Ltd also submitted to the updated 2022 Future Proof Strategy seeking to include the area subject to the PPC20 proposed zoning as “future development”. The Future Proof Implementation Committee decided not to include the proposed zone extension as future development, instead preferring to leave this to the plan change process. Council subsequently accepted the private plan change for processing.
- 7.9.4. Waipā 2050 is a district wide growth strategy for managing Waipā’s growth until 2050. While both the District Growth Strategy and Future Proof are broad policy documents, any changes proposed to the District Plan must align with the intentions stated within.
- 7.9.5. The Hamilton-Waikato Metro Spatial Plan (MSP) is being implemented as a joint effort by Future Proof and is a component of the greater Hamilton to Auckland Corridor Plan. The Hamilton-Waikato metropolitan zone is a component of the Waikato, with Hamilton at its nucleus and extending from Taupiri in the north to Te Awamutu and Cambridge in the south. This Plan looks at the possibility of 500,000 people living in the area. This is an opportunity to decide how to best plan for the distant future, ensuring the continuation of our quality of life with the way we expand and navigate the area. It will include a vision and layout that encompasses more than a century as well as a thirty-year plan for its implementation.
- 7.9.6. The MSP is relevant to PPC20 in the context of Urban expansion and sets out how and where Hamilton City and the neighbouring communities within Waipā and Waikato districts should grow, develop and move around long-term to ensure social, economic and environmental prosperity. One of the ‘Key features of the MSP’ is that:
- Development is shaped around a multi-modal rapid and frequent transport network and the MSP identifies a range of opportunities for both urban intensification and expansion, providing for population growth and development that is both up and out, addressing housing affordability and housing choice.*
- Centres for growth and a core economic corridor at the heart of the metro area support economic development and jobs while also recognising important business areas such as Te Rapa, Horotiu, Ruakura, Taupiri, Hautapu and Hamilton Airport.*
- 7.9.7. The MSP will be implemented through an urban growth programme of priority actions designed to achieve the ‘transformational changes’ set out in the MSP. In my opinion that the proposed wording of PPC20 is consistent with Future Proof for the reasons set out later in this report.

7.10. WAIPĀ DISTRICT PLAN

7.10.1. The WDP became operative in 2016. As described my overview in Section 3.2 above (Plan Change Scope) PPC20 seeks to make changes to several chapters of the WDP to set the framework for the Northern Precinct. These amended flow through from the objectives and policies of Part C, Section 1 – Strategic Policy Framework, Appendix S1 – Future Growth Cells , and the assessment criteria for structure plans outlined in Section 21 – Criteria 21.1.14.1. In reviewing PPC20 I have been mindful to ensure that it integrates with these other parts of the plan. I am satisfied that no other consequential amendments are required at this time.

8. SUBMISSIONS OVERVIEW

8.1.1. A total of 26 submissions and 13 further submissions were received on Proposed Plan Change 20. The summary of submissions that was notified for further submissions was sorted by topic and by submitter. For the purposes of this report and having examined the nature of submissions in more detail, the subjects raised through submissions have been grouped into higher level topic categories for more efficient reporting. The original points of submission (by topic in alphabetical order as notified in the summary) are addressed in this report in the sequence set out below.

Table 1: List of Topics & Sub-topics

Topic	Sub-topic
Topic 1: Nature and extent	1.1 Extent of Plan Change
	1.2 Land Supply
	1.3 Highly Productive Soils
	1.4 Climate Change
	1.5 Zone Additional Land
Topic 2: External effects	2.1 Retail Activities / Airside Activities
	2.2 Bat Habitat & Biodiversity
	2.3 Transportation
	2.4 Traffic
	2.5 Stormwater Management
	2.6 Wastewater Disposal
	2.7 Water Supply
Topic 3: Internal form & integration	3.1 Amenity / Landscape Planting
	3.2 Lighting
	3.3 Noise
Topic 4: Implementation	4.1 Timing & Sequencing
	4.2 Funding

8.2. OVERVIEW

- 8.2.1. Full copies of each submission are available on the Council’s website, as is the summary of submissions as notified for further submissions. For the purposes of report brevity, the individual points of submission and decisions requested by each submitter have been further summarised or generalised to avoid repetition of their analysis. Under each submission point I include a comment to reflect what I understand to be the underlying issue of concern which I respond to in my subsequent analysis. If my understanding is incorrect, submitters are invited to clarify in their statements of evidence, and I can adjust my views through my statement of reply where necessary.
- 8.2.2. Under each sub-topic will be my analysis of the submissions, including references to the relevant planning considerations. Recommended changes to the PPC20 provisions in the form of tracked changes will then be made, followed by a summary of my recommendations to accept, accept in part, or reject each point of submission with reasons.

9. ANALYSIS OF SUBMISSIONS BY TOPIC

9.1. SUB-TOPIC 1.1 – NATURE OF PLAN CHANGE & PROCESS

Table 2: Summary of submissions for Sub-Topic 1.1 – Nature of Plan Change (& Process)

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.1	Joan & Robin Cuff, L & M McDowell	Nature of Plan Change	Oppose
Submission summary:		Decision requested	
Plan Change should be Public and include wider catchment.		Make plan change public and integrate with wider catchment planning of Rukuhia Neighbourhood centre including density and timing of developments.	
Reporting Officer Comment			
The Plan Change was publicly notified, and any person was able to make a submission to participate in the decision-making process. I take the submitter to mean that PPC20 should adopted by Council and advanced together with other related plan changes. That option was considered by the Waipā District Council after PPC20 had been received, and its decision was to accept and proceed with notification of the plan change request rather than adopting it as a council led process for the reasons set out in its decision at the time.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.4	Joan & Robin Cuff, L & M McDowell	Nature of Plan Change	Oppose
Submission summary:		Decision requested	
Infrastructure assessment should consider nearby neighbourhood zones, which are near industrial land and jobs, to maximize residential yields and limit the effect of population growth on arable land.		Integrate infrastructure planning with cross district boundary infrastructure planning.	

Reporting Officer Comment			
The infrastructure assessment has been open to scrutiny through the public submission process and has been reviewed by Council’s officers and advisors. Cross boundary infrastructure planning the subject of ongoing joint council initiatives and projects under the guidance of inter-agency governance forums such as Future Proof. PPC20 is being considered in this context, as described elsewhere in this report.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.5	Joan & Robin Cuff, L & M McDowell	Plan Change Process	Oppose
Submission summary:		Decision requested	
Consultation completed inadequate and information not made available when contacted.		Review and consult upon issues raised with immediate neighbours.	
Reporting Officer Comment			
The pre-lodgement consultation process is the responsibility of the applicant. Since lodged, PPC20 has been subject to the statutory public participation process as required by the RMA.			

- 9.1.1. The background to the PPC20 request is set out in Section 4.0 of the PPC20 request. It notes that Hamilton Airport is a regionally significant transport hub and Titanium Park is a strategically important business growth node. The park is zoned Airport Business Zone and guided by the Airport Business Zone Structure Plan. The plan separates the park into several precincts and provides an indicative roading network, building setbacks and landscaping requirements.
- 9.1.2. Under the current WDP framework, the Northern Precinct is in the Airport Business Zone. It is currently 40 hectares of land and will be developed as required by the Structure Plan. The roading layout indicates that a new road will be built from Ingram Road to the Northern Precinct. Additional land to the north-west of the Northern Precinct is currently zoned Rural but has been identified as a ‘Possible Future Airport Growth Area’ in the WDP to provide for future industrial land beyond 2035.
- 9.1.3. The applicants consider that because available land within Titanium Park has nearly all been sold and/or developed, the development of the Northern Precinct will now be required much sooner than this to meet current and projected demand.
- 9.1.4. The demand for industrial land near the airport is greater than predicted and all the land in the Southern Western and Central Precincts has been sold and developed, so the Northern Precinct (40ha) is required to meet demand in the short term and the remaining 90ha is needed to accommodate the medium-long term demand the applicants’ say.
- 9.1.5. Based on the analysis of the WRPS contained in PPC20 as lodged, the accompanying s32 evaluation, supporting technical reports, and further assessment supplied with the Addendum to PPC20, I am satisfied that the proposal gives effect to the WRPS.
- 9.1.6. Submitters Cuff and McDowell say PPC20 should be public and include a wider catchment. The infrastructure assessment should consider nearby neighbourhood zones and planning should be integrated across district boundaries. They also expressed some concerns regarding the adequacy of consultation undertaken and some information not being available when requested.

- 9.1.7. Clause 25 of the RMA Schedule 1 sets out the decision-making process that a council must follow once a private plan change request has been received. These include either adopting the request as if it was a council initiated one, accept the request and proceed to notify it, deal with the request as if it was for a resource consent, or reject the request (but only on limited grounds).
- 9.1.8. When this decision was considered by the relevant committee of Waipā District Council, it was decided that the application would be accepted and proceed to the public notification stage. The reasons given by the Council were that:
1. Sufficient information has been provided to ensure that any person who may wish to submit on PPC20 can clearly understand what is proposed.
 2. The plan change applicants (proponents) have provided the necessary information pursuant to the requirements of the RMA.
 3. There is no merit in Council adopting PPC20 as a Council plan change and a resource consent process would not provide an effective planning process or outcome to achieve the outcomes sought by the plan change request.
 4. Council is satisfied that the plan change proponents have undertaken an appropriate consultation process.
 5. The grounds on which Council may reject the plan change request are not applicable or justifiable in relation to the plan change request.

Recommended Decisions on Submissions

- 9.1.9. That the following points of submission are ***rejected***:

- | | |
|------|-----------------------------------|
| 12.1 | Joan & Robin Cuff, L & M McDowell |
| 12.4 | Joan & Robin Cuff, L & M McDowell |
| 12.5 | Joan & Robin Cuff, L & M McDowell |

Reasons

The matters raised in the submissions largely relate to the plan change process. There are objectives, policies, and methods in place at a regional level that ensure these have been considered, and no specific changes to PC20 are required to achieve this. The decision has already been taken by WDC to accept PPC20 and advance it through the public notification process.

Recommended Amendments to PPC20

Nil.

9.2. SUB-TOPIC 1.2 – LAND SUPPLY

Table 3: Summary of submissions for Sub-Topic 1.2 – Land Supply

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
01.4	Jennifer McDowall	Land Supply	Oppose
Submission summary:		Decision requested	
At 490 hectares, the Ruakura development is more than sufficient to meet the latent demand for industrial land in the region.		Council to reject the proposal.	
Reporting Officer Comment			
The subject of land supply (industrial and commercial) is relevant and has been examined through Future Proof Strategy. The most recent Business Capacity Assessment for the sub-region identifies insufficient industrial capacity in the short to medium term.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
04.1	Stephen and Karen Besley	Land Supply	Support
Submission summary:		Decision requested	
We support a community development initiative.		Re-zoning of 141 Middle Road from Rural to Industrial zoning as proposed.	
Reporting Officer Comment			
The submitters' land is within the area proposed for rezoning in PPC20.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
06.6	James & Marie Snowball	Land Supply	Oppose
Submission summary:		Decision requested	
There is already enough commercial land in the Waipā District around Te Awamutu and Cambridge without increasing this in the Northern Precinct.		Council to reject the proposal.	
Reporting Officer Comment			
The subject of land supply (industrial and commercial) is relevant and has been examined through Future Proof Strategy. The most recent Business Capacity Assessment for the sub-region identifies insufficient industrial capacity in the short to medium term.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
08.2	Sandra Forsyth	Land Supply	Oppose
Submission summary:		Decision requested	
There are already commercial hubs at Ruakura and Horotiu, and to minimise transport emissions, a single site is preferable to numerous sites scattered over the Waikato.		The rezoning of rural land to business use should be denied unless there is a green belt and green islands to offset the building materials' and structures' impact on the environment. The green belt should be at least 5 meters and should have trees rather than low-level plants.	

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Reporting Officer Comment			
The subject of land supply (industrial and commercial) is relevant and has been examined through Future Proof Strategy. The request for a green belt and green islands is discussed under Sub-Topics 1.4 Climate Change and 3.1 Amenity.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
26.1	Waikato Regional Economic Development Agency	Land Supply	Support
Submission summary:		Decision requested	
PPC20 aims to expand an urbanized area to facilitate the clustering of economic activities, which can result in reduced transport costs and increased productivity of firms through the sharing of resources and ideas.		The Proposed Private Plan Change 20 be approved.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F15/26.1 [Late]	Tabby Tiger Limited	26.1	Support
Amend the boundaries of the Plan Change 20 Area to include additional land within the Airport Business /Industrial Zone.			
Reporting Officer Comment			
The subject of land supply and consolidating activities to optimise efficiency and reduce transport costs is relevant and has been examined through Future Proof Strategy.			

- 9.2.1. Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. Section 32 of the RMA goes on to state that this assessment is required to identify the efficiency and effectiveness of the provisions, and assess relevant benefits and costs, and the risks of acting or not acting.
- 9.2.2. The s32 evaluation provided in support of PPC20 sets out the objectives of the plan change (and its overall intent) followed by an evaluation of the provisions against the matters set out in the RMA. PPC20 and subsequent Addendum also included an assessment against the higher order planning documents such as the NPS-UD and NPS-FM, National Environmental Standards, Iwi Management Plans, Regional Policy Statements, and other relevant Policies & Plans such as Future Proof.
- 9.2.3. Underpinning the PPC20 request is an Economic Assessment¹² (EA) to inform the proposal by assessing the need for the land release, as well as the likely economic effects of the proposed expansion. The Economic Assessment considered the proposal against both the NPS-UD and the WRPS.

¹² PPC20 – Appendix 7.

- 9.2.4. The EA discusses an economic assessment of a proposed industrial land market expansion in the Hamilton area. The assessment shows that there is a shortage of industrial land to meet projected demand in the short-to-medium term and long-term, and the proposed expansion will bridge some of the gap. The increase in retail floorspace cap is not expected to negatively impact nearby centers. The expansion will bring economic benefits by making industrial development more affordable, enabling agglomeration benefits, creating jobs and incomes for workers, and utilizing a strategic location. The benefits are expected to outweigh any adverse economic effects.
- 9.2.5. The substance of this request was considered by the Future Proof Implementation Committee between January and May 2022 as part of the review of the Future Proof Strategy (FPS). The Regional Airport Company lodged a submission seeking to identify the area of PPC20 as future development in the revised FPS. The Future Proof Implementation Committee in its decision of July 2022 did not accept the Airport submission seeking to include the plan change area, as it considered that the suitability and timing of this land should be assessed through the plan change process. Consequently the revised 2022 FPS does not identify the area of the plan change as future development.
- 9.2.6. The applicant’s Economic Assessment has reviewed the latest Business Capacity Assessment (BCA) for the sub-region and noted that the BCA identified insufficient industrial capacity. The additional 89ha of industrial land proposed to be rezoned by PPC20 (including 46ha currently allocated to the 2031-2050 period) will assist in addressing this shortfall.
- 9.2.7. The applicant’s assessment of the Future Proof Strategy 2022 in the PPC20 Addendum notes that the Hamilton industrial land market is highly concentrated in spatial terms, with 96% of the city’s remaining vacant land located in two locations. PC20 will address this issue by providing a large, master-planned industrial growth node south of the city. Based on the analysis provided by the applicant, I am in agreement that PPC20 is consistent with the Future Proof Strategy guiding principles, and growth management directives.
- 9.2.8. The Infrastructure Assessment submitted as part of PPC20 confirmed how the site can be serviced by infrastructure and has outlined what upgrades would be required to service the Northern Precinct. An integrated approach will be adopted towards energy and three waters infrastructure to ensure the land release will not compromise the efficiency, affordability, or benefits of existing and planned infrastructure.

Recommended Decisions on Submissions

- 9.2.9. That the following points of submission are *rejected*:

- 01.4 Jennifer McDowall
- 06.6 James & Marie Snowball
- 08.2 Sandra Forsyth

Reasons

The subject of land supply (industrial and commercial) is relevant and has been examined through Future Proof Strategy. The most recent Business Capacity Assessment for the sub-region identifies insufficient industrial capacity in the short to medium term.

9.2.10. That the following points of submission are **accepted**:

- 04.1 Stephen and Karen Besley
- 26.1 Waikato Regional Economic Development Agency
- F15/26.1 Tabby Tiger Limited

Reasons

The subject of land supply and consolidating activities to optimise efficiency and reduce transport costs is relevant and has been examined through the Future Proof Strategy. The additional 89ha of industrial land proposed to be rezoned by PPC20 (including 46ha currently allocated to the 2031-2050 period) will assist in addressing the shortfall identified in the most recent Business Capacity Assessment.

Recommended Amendments to PPC20
Nil.

9.3. SUB-TOPIC 1.3 – HIGHLY PRODUCTIVE LAND

Table 4: Summary of submissions for Sub-Topic 1.3 – Highly Productive Land

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
01.3	Jennifer McDowall	Highly Productive Land	Oppose
Submission summary:		Decision requested	
Soils in this area are flat and fertile and are currently used for growing maize as well as for grazing. NZ is facing a crisis of loss of high-quality soils close to cities, and councils have been asked to identify these soils and put a plan in place to prevent their loss to development.		Council to reject the proposal.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F7/01.3	Royal Forest & Bird Protection Society of New Zealand	01.3	Support
The NPS-HPL directs that re-zoning, subdivision or development of the highly productive land is to be avoided. Forest & Bird supports this very directive wording and therefore supports this submission point. An assessment against the NPS-HPL is requested.			
Reporting Officer Comment			

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The NPS-HPL was not in effect at the time the application was lodged. The subject is relevant to the application, and an assessment against the provisions of the NPS-HPL has been provided by way of Addendum to PPC20. This is examined in further detail below.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
11.2	Waikato Regional Council	Highly Productive Land	Not stated
Submission summary:		Decision requested	
The WRPS aims to prevent the loss of high-class soils for primary production due to improper use or development. This is relevant to a proposed plan change that would rezone an area of high-class soil to Airport Business Zone, but this has not been properly assessed in the plan change application. The application's justification for the change is inadequate, as it does not explain what is meant by "low-value rural" use and does not adequately address concerns about the loss of high-class soils for productive use.		A robust assessment of the proposed plan change be undertaken against both the WRPS provisions relating to high class soils and the NPSHPL.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F23/11.2	Hamilton City Council	11.2	Support
Hamilton City Council supports WRC relief sought requesting a robust assessment of the proposed plan change be undertaken against both the WRPS provisions relating to high class soils and the NPSHPL.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F7/11.2	Royal Forest & Bird Protection Society of New Zealand	11.2	Support
The NPS-HPL directs that re-zoning, subdivision or development of the highly productive land is to be avoided. Forest & Bird supports this very directive wording and therefore supports this submission point. An assessment against the NPS-HPL and WRPS is requested.			
Reporting Officer Comment			
The NPS-HPL was not in effect at the time the application was lodged, nor was Change 1 to the WRPS. The applicant provided the requested assessment by way of Addendum to PPC20. This is examined in further detail below.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
16.3	Go Eco	Highly Productive Land	Oppose
Submission summary:		Decision requested	
Re-zoning, subdivision or redevelopment be avoided until such time as a report to address the effect of PPC20 against the provisions of the NPS-HPL.		The request is not approved until such time as an assessment against the NPS-HPL has been undertaken.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part

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F7/16.3	Royal Forest & Bird Protection Society of New Zealand	16.3	Support
The NPS-HPL directs that re-zoning, subdivision or development of the highly productive land is to be avoided. Forest & Bird supports this very directive wording and therefore supports this submission point. An assessment against the NPS-HPL is requested.			
Reporting Officer Comment			
The NPS-HPL was not in effect at the time the application was lodged. The subject is relevant to the application, and an assessment against the provisions of the NPS-HPL has been provided by way of Addendum to PPC20. This is examined in further detail below.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
19.2	Royal Forest and Bird Society (Waikato Branch)	Highly Productive Land	Oppose
Submission summary:		Decision requested	
The National Policy Statement for Highly Productive Land is now in effect, and the proposed plan change needs to consider and address the relevant objectives, policies, and methods. The Waikato Regional Policy Statement also has provisions related to soils that do not seem to have been considered in the proposal.		Decline the application in its current form.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F7/19.2	Royal Forest & Bird Protection Society of New Zealand	19.2	Support
The NPS-HPL directs that re-zoning, subdivision or development of the highly productive land is to be avoided. Forest & Bird supports this very directive wording and therefore supports this submission point. An assessment against the NPS-HPL is requested.			
Reporting Officer Comment			
The NPS-HPL was not in effect at the time the application was lodged, nor was Change 1 to the WRPS. The applicant provided the requested assessment by way of Addendum to PPC20. This is examined in further detail below.			

- 9.3.1. As pointed out earlier in this report, the NPS-HPL was released in September 2022 after the PPC20 request had been made. It came into effect on 17 October 2022, so from that date is a national policy statement that PPC20 must give effect to.
- 9.3.2. The submitters note that NZ is facing a crisis of loss of high-quality soils close to cities, and councils have been asked to identify these soils and put a plan in place to prevent their loss to development. The Waikato Regional Policy Statement (WRPS) seeks to avoid a decline in the availability of high-class soils for primary production due to inappropriate subdivision, use or development, and the National Policy Statement for Highly Productive Land (NPS-HPL) is an instrument that now gives effect to protection of highly productive land for use in primary production.

- 9.3.3. The submitters say that the proposal to rezone an area of high-class soils from Rural to Airport Business Zone needs to consider and address the objectives, policies, and methods of the NPS-HPL, as well as the provisions in the WRPS. Submitters note that at the time it was notified the application mentions that the land is used for low value rural purposes, is already fragmented, and will become further fragmented by Southern Links in the future, but does not clarify what is meant by ‘low-value rural’ purposes. This is not considered to be sufficient justification to remove high class soils from productive use, and re-zoning, subdivision or redevelopment should be avoided until such time as a report to address the effect of the NPS-HPL on PC20 is produced.
- 9.3.4. Following the NPS-HPL coming into effect, the applicant undertook an assessment of the proposal against the NPS-HPL and related provisions of the WRPS. This assessment is contained in the Addendum to PPC20 and is supported by an Industrial Land Capacity Assessment and an Agriculture Assessment by an Independent Agriculture & Horticulture Consultant for each of the two existing properties that make up the PPC20 land.
- 9.3.5. The NPS-HPL allows urban rezoning of highly productive land only if the rezoning is needed to meet demand for housing or business land, there are no other feasible options, and the rezoning's long-term costs are outweighed by the benefits. The applicant has evaluated the proposal against these three requirements.
- 9.3.6. The first requirement is that the rezoning proposal must provide enough development capacity to meet demand for business land under the National Policy Statement on Urban Development 2020. Sufficient development capacity refers to zoning land to be plan-enabled under clause 3.4 of the NPS-UD.
- 9.3.7. The applicants’ assessment finds that the Northern Precinct (approx 130ha) of PPC20 is required to meet business land supply needs for the next 10 years. The proposed 89ha rezoning under PPC20 meets the requirements of clause 3.6(1)(a) of the NPS-HPL and clause 3.6(5) as it provides the minimum necessary to meet requirements while achieving a well-functioning urban environment.
- 9.3.8. The second requirement looks at alternatives that meet Objective 1 of NPS-UD whilst still providing sufficient development capacity and a well-functioning urban environment. Both NPS-HPL and NPS-UD must be given effect to; and any alternatives must result in a well-functioning urban environment to be valid.
- 9.3.9. Section 3.6(3) specifies that ‘within the same locality and market’ refers to alternative development options in or close to a location with high demand for additional development capacity. The applicants have identified options for larger scale industrial activities, which are contiguous to existing industrial areas and growth cells identified in Appendix S1 of the Waipā District Plan. These growth cells include a range of LUC soil types, including soil with lower LUC classification than the Northern Precinct.
- 9.3.10. The applicants note that the alternatives within the same district as the Northern Precinct are 10km away (Hautapu) and 15km away (Bond Road, Te Awamutu). They have excluded any alternative expansions of the Airport Business zone due to the adjoining land being within the LUC 1 classification and not being the logical growth pattern for the Airport Business zone. The

applicants’ assessments showed no other feasible options for providing sufficient development capacity in Waipā District to meet NPS-UD Objective 1.

- 9.3.11. The NPS-HPL clause 3.6 assessment requires a cost-benefit evaluation of proposed rezoning, analysing benefits and costs to environment, society, culture and economy. The applicants’ assessment demonstrates that the benefits of PPC20 will outweigh the costs associated with the loss of highly productive land. Based on the information supplied, I agree with the applicants’ findings.

Recommended Decisions on Submissions

- 9.3.12. That the following points of submission are **accepted**:

- 01.3 Jennifer McDowall
- F7-1.3 Royal Forest & Bird Protection Society of New Zealand
- 11.2 Waikato Regional Council
- F23-11.2 Hamilton City Council
- F7-11.2 Royal Forest & Bird Protection Society of New Zealand
- 16.3 Go Eco
- F7-16.3 Royal Forest & Bird Protection Society of New Zealand
- 19.2 Royal Forest and Bird Society (Waikato Branch)
- F7-19.2 Royal Forest & Bird Protection Society of New Zealand

Reasons

The submissions sought an assessment of the plan change request against the provisions of the NPS-HPL. The applicant has supplied the assessment requested, which concludes that the proposal does achieve the outcomes sought by the higher-level planning documents.

Recommended Amendments to PPC20
Nil.

9.4. SUB-TOPIC 1.4 – CLIMATE CHANGE

Table 5: Summary of submissions for Sub-Topic 1.4 – Climate Change

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
08.1	Sandra Forsyth	All	Oppose
Submission summary:		Decision requested	
Zoning rural land to business is counter to the aim of limiting climate change as it decreases the uptake of CO ₂ and increases local heat emission.		Rezoning of rural land to business should be denied unless a green belt is being created around the site. The green belt should be at least 5 meters wide and consist of trees. Green islands should be present within the complex.	
Reporting Officer Comment			

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The proposed Structure Plan for the Northern Precinct includes the provision of a 5m wide landscaping strip around the perimeter of the site.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
11.4	Waikato Regional Council	All	Not stated
Submission summary:		Decision requested	
Integrated land use and transport planning can help address climate change by encouraging car-less travel and increasing safety. We suggest adding policies and objectives to the transport plan to reduce carbon emissions, as well as implementing CPTED principles to increase safety and encourage walking and cycling.		The airport's internal road network and connectivity between the western and eastern sides should be considered. The plan change should address climate change and carbon emission reduction goals in the context of increased industrial activity. CPTED principles and end of journey facilities and EV charging should be added in the plan.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F18/11.4	Waka Kotahi New Zealand Transport Agency	11.4	Support
Waka Kotahi supports consideration of the internal road network and connectivity between western and eastern sides of the airport to ensure there is easy and convenient access between precincts.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/11.4	New Zealand National Fieldays Society Inc	11.4	Neutral & Support in Part
NZNFS support the submission's call for appropriate walking and cycling infrastructure prior to subdivision and development in the Northern Precinct. They are neutral regarding the submission's association with accelerated climate change.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F23/11.4	Hamilton City Council	11.4	Oppose
The walking and cycling path connecting airport precincts is not to be incorporated into the Staging of Transport Infrastructure Table 9 until all possible alternatives are investigated. Council is open to working with the plan change proponent and Waipā District Council on an alternative option.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F30/11.4	Bike Waikato Incorporated	11.4	Support
The Council is right to include a new walking and cycling shared path connecting Peacocke Road to the Northern Precinct via Middle Road and Faiping Road in the upcoming revision of Rule 10.4.2.13A (Table). This is critical as the Southern and Northern borders of Hamilton City and Waipā District are connected with active travel modes, reducing the reliance on motor vehicles. Encouraging active travel modes for employees and employers by providing end of journey facilities is also helpful. Bike storage at the Airport terminal could also be explored to capture the bike to fly commuter and traveller.			
Reporting Officer Comment			
PPC20 now includes specific provisions that require the construction of a new walking and cycling shared path connecting the Northern Precinct to Peacocke Road via existing legal corridors.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
16.2	Go Eco	All	Not stated
Submission summary:		Decision requested	
Protecting and enhancing the floristic habitat within the area will help mitigate climate change.		Not stated	
Reporting Officer Comment			
PPC20 now includes a Bat Habitat Area, which will retain further greenspace and habitat within the Northern Precinct.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
18.2	Waka Kotahi NZ Transport Agency	All	Supports
Submission summary:		Decision requested	
The PPC20 site is located near residential areas and has the potential to reduce reliance on private car travel. However, vehicular access is still important, so the assessment of effects in the ITA is conservative.		The inclusion of references to the infrastructure support for Public Transport and active mode access between the Airport Precincts within Table 9 of the ITA (and subsequently proposed Rule 10.4.2.13A).	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F30/18.2	Bike Waikato Incorporated	18.2	Support
Retain Rule 10.4.2.13A (Table) including the Faiping Road requirement.			
Reporting Officer Comment			
PPC20 now includes specific provisions that require the construction of a new walking and cycling shared path connecting the Northern Precinct to Peacocke Road via existing legal corridors.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
19.3	Katherine Hay	All	Oppose
Submission summary:		Decision requested	
The plan change did not mention climate change or carbon emissions. New Zealand is expected to include climate change in all policy documents or plan changes to help achieve transformational changes necessary to avoid climate disaster.		Decline the application in its current form.	
Reporting Officer Comment			
PPC20 now includes a number of further amendments to encourage mode shift away from vehicles to reduce emissions.			

- 9.4.1. In response to the submissions, the applicant undertook a further assessment of the proposal in the context of the proposed changes to the WRPS which includes new clauses in Objective IM-05 Climate Change.

- 9.4.2. PPC20 will reduce greenhouse gas emissions by clustering industrial growth within an existing industrial zone, providing employment opportunities near residential areas, promoting active modes of transport, and providing day-to-day amenities for employees and visitors.
- 9.4.3. PPC20 will be resilient to climate change effects by integrating stormwater management measures like rain gardens & swales into roads & on-lot stormwater detention, while enabling a pattern that encourages north facing buildings to maximise solar energy.

Recommended Decisions on Submissions

- 9.4.4. That the following points of submission are **accepted**:

- 08.1 Sandra Forsyth
- 11.4 Waikato Regional Council
- F18/11.4 Waka Kotahi New Zealand Transport Agency
- F21/11.4 New Zealand National Fieldays Society Inc
- F23/11.4 Hamilton City Council
- F30/11.4 Bike Waikato Incorporated
- 16.2 Go Eco
- 18.2 Waka Kotahi NZ Transport Agency
- F30/18.2 Bike Waikato Incorporated
- 19.3 Katherine Hay

Reasons

PPC20 now includes specific provisions that require the construction of a new walking and cycling shared path connecting the Northern Precinct to Peacocke Road via existing legal corridors, landscaping strip around the site perimeter, and further greenspace within the Bat Habitat Area. It includes further amendments to encourage mode shift away from vehicles to reduce emissions.

<p>Recommended Amendments to PPC20</p> <p>Nil.</p>

9.5. SUB-TOPIC 1.5 – ZONE ADDITIONAL LAND [DETERMINED AS OUT OF SCOPE]

- 9.5.1. Three submissions (and related further submissions) requested that the additional land be included within PPC20. These were determined by the Hearing Panel to be out of scope and have been struck out. (Refer Minute #4 dated 16 February 2023).

9.6. SUB-TOPIC 2.1 – RETAIL & AIRSIDE ACTIVITIES

Table 7: Summary of submissions for Sub-Topic 2.1 – Retail Activities

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
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18.7	Waka Kotahi NZ Transport Agency	Retail Activities	Supports
Submission summary:		Decision requested	
The Airport Business Zone in the Northern Precinct of Hamilton Airport has the potential to compete with local retail centres. It is important to maintain the vitality of these centres and not let the area around the airport become a retail hub. Non-ancillary retail activities should be limited to support the day to day needs of the work force and visitors at the airport.		Justification of the GFA quantum for non-ancillary retail activities located in the Northern Precinct.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F23/18.7	Hamilton City Council	18.7	Support
Hamilton CC agrees that the retail area and Hub should only serve the needs of the day-to-day visitors of the precinct and should not induce out-of-centre demand. The Airport Business Zone is likely to compete with existing and planned retail centres, though there is a lack of evidence to demonstrate the level of existing retail activity in the zone.			
Reporting Officer Comment			
PPC20 includes a 5,000m2 Retail GFA cap to ensure it does not adversely affect other retail centres.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
23.5	Hamilton City Council	Retail Activities	Support in part
Submission summary:		Decision requested	
The plan change area and wider Airport node is of significant strategic importance regionally. The composition of industrial activities must be complementary to the airside and aeronautical related activities. Due to the proximity of Hamilton Airport to Hamilton City's urban area, there is a high degree of co-dependency and interrelationship of land-use activities and functions. Retail activities for non-industrial related purposes can occur in the Airport Business zone.		<ul style="list-style-type: none"> The airport precinct plan should control industrial activities to ensure only high-value activities are enabled. This should prevent dirty industrial activities, and consider provisions like setbacks, building height, landscaping, hard-stand quantum, and internal site layout to enhance the visual amenity of the area. Residential and accommodation-related activities are noncomplying. Ancillary retail activity is capped at 10% of the GFA of the principal activity. Office activities are capped and ancillary offices are controlled. Retail activities are capped to support only the day to day needs. Limit maximum GFA in the northern precinct to a quantum which is commensurate with local demand. The GFA quantum for the Northern Precinct of the Airport Business Zone is justified by analyzing the profile of industrial activities and the number of employees likely to be working there. Consider how much retail GFA has been consented out of the 5,300 in the Airport Business Zone so retail development should be appropriately sequenced with the stages of industrial development. Retail activities should be proportionate to the quantum of employment activities. 	

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Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F18/23.5	Waka Kotahi NZ Transport Agency	23.5	Support
WKNZTA agrees that the retail area and Hub should only serve the needs of the day-to-day visitors of the precinct and should not induce out-of-centre demand. The Airport Business Zone is likely to compete with existing and planned retail centres, though there is a lack of evidence to demonstrate the level of existing retail activity in the zone.			
Reporting Officer Comment			
PPC20 includes a 5,000m2 Retail GFA cap to ensure it does not adversely affect other retail centres.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
23.6	Hamilton City Council	Airside Activities	Support in part
Submission summary:		Decision requested	
We understand that WRAL intend to maintain ownership of the land bordering the runway as a safeguard against future development.		An overlay method to control / safeguard land bordering the runway and the main spine road for airside activities.	
Reporting Officer Comment			
There is no mandate or policy framework to require airside activities to be protected. The functional needs of the Airport Precinct are more appropriately determined by the Airport itself.			

- 9.6.1. The issue of retailing economics was the subject of expert conferencing on 9 February 2023. The conference was attended by representatives of the applicants, Waipā DC, Waikato RC, and Hamilton CC. Topics discussed were Retail Types & GFA cap, Ancillary Retail, and Tenancy Sizes. The JWS sets out the respective parties’ position on these topics as summarised below.
- 9.6.2. All the participants agreed that the current WDP definition of **Retail** controls retail activities in the Northern Precinct, which includes activities listed in Activity Table 10.4.1.1 (service stations, cafes, restaurants, food outlets and licensed premises).
- 9.6.3. All agreed that a suitable level of Retail must be enabled within the Northern Precinct to meet future needs of workers, businesses and their customers/suppliers. However, the level of Retail should not compromise the vitality and viability of existing commercial centres, as per WRPS.
- 9.6.4. The experts have not reached agreement on the appropriate size of a Retail GFA cap. In relation to the Retail GFA cap, the planners agree that it would be preferable for the plan provisions to clearly identify what types of activities are included in the Retail GFA cap. Any retail not located within the Hub or the retail area would be a non-complying activity.
- 9.6.5. The applicants prefer the current Retail GFA cap of 5,000m² GFA and that it needs to be considered in the context of the Structure Plan that limits where Retail can occur in the Northern Precinct. They note it is a cap not a target or minimum and that the total Retail GFA is dependent on the industrial businesses located in the Northern Precinct. This is expected to take 15 years.
- 9.6.6. The Hamilton CC representatives believe that the effects of current and future urban centres need to be assessed and understood. They are unconvinced by the proposed 5,000m² Retail GFA

cap and suggest that an appropriate assessment should be conducted to determine the level of Retail demand generated within the Northern Precinct.

- 9.6.7. The applicants’ planner noted that PPC20 uses the Waipā District Plan definition of Ancillary retail to control the mix of retail vs principal industrial activity. The HCC submission seeks to limit Ancillary retail to 10% of the principal industrial activity GFA, in contrast to the Hamilton City District Plan which does not specify a GFA cap, with a performance standard limiting Ancillary retail GFA to 50% of the principal industrial activity GFA.
- 9.6.8. The planners and the economists agreed that PPC20 is not proposing changes to the Retail tenancy limits within Rule 10.4.2.12 (or the wording of the rule). Representatives of Hamilton CC and Waikato RC consider that Retail tenancy size is inherent within the consideration of the Retail GFA cap.
- 9.6.9. A further matter raised in this Sub-Topic (but not discussed at the conferencing) was the protection of some land within the precinct exclusively for airside activities. In my opinion there is no mandate or policy framework to require such protection, and a lack of evidence that demonstrates it is necessary. WRAL are the best placed to determine the extent of land required. The air transport industry has been subject to significant change. Including overlays or controls on land uses will place responsibility on Waipā DC to regulate activities would be better managed by the aviation industry itself.

Recommended Decisions on Submissions

- 9.6.10. That the following points of submission are ***accepted in part***:

- 18.7 Waka Kotahi NZ Transport Agency
- F23/18.7 Hamilton City Council
- 23.5 Hamilton City Council
- F18/23.5 Waka Kotahi NZ Transport Agency
- 23.6 Hamilton City Council

Reasons

A suitable level of Retail is enabled within the Northern Precinct to meet future needs of workers, businesses, and their customers/suppliers, but only to the extent that it will not compromise the vitality and viability of existing commercial centres.

Recommended Amendments to PPC20

Nil.

9.7. SUB-TOPIC 2.2 – BAT HABITAT / BIODIVERSITY

Table 8: Summary of submissions for Sub-Topic 2.2 – Bat Habitat & Biodiversity

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
07.1	Royal Forest and Bird Protection Society of New Zealand	Biodiversity	Oppose
Submission summary:		Decision requested	
A new paragraph is needed to give effect to RMA Section 6(c). It mentions the impacts on biodiversity but only in passing.		A new paragraph is added to 10.2 specifying that any development does not negatively impact on long tailed bats being able to persist in this area, including cumulative impacts.	
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes an additional paragraph in 10.2 relating to the significance of the bat habitat in this location.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
07.2	Royal Forest and Bird Protection Society of New Zealand	Bat Habitat	Oppose
Submission summary:		Decision requested	
Long-tailed bats are critically endangered. The only people who can write an Ecological Management Plan are suitably qualified long-tailed bat ecologists.		Amend the first sentence to: <ul style="list-style-type: none"> Require the preparation of an Ecological Management Plan to protect roosting, foraging and commuting habitat for long-tailed bats and to ensure overall ecological values are enhanced. This Plan is to be prepared as part of this Plan Change process, and by a suitably qualified ecologist, who must consult with a DOC appointed ecologist, and must also take the wider landscape used by bats into account. Several consequential amendments are also requested to the subsequent bullet points.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F25/07.2	GHA Kessels	07.2	Support
GHA Kessels supports PPC20 if it included amendments to the proposed provisions or alternative provisions that were generally consistent with RMA section 6c, 7d and WRPS section 11. Consider Rule 10.4.2.14A(a) to be insufficient to ensure thorough assessment and protection of bats and their habitat. The assessment should extend to all functional bat habitat areas, and it is recommended the proposed 20m buffer around the perimeter of the precinct is also considered in the EMP.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F29/07.2	Waikato Regional Airport Ltd	07.2	Oppose
The Hamilton airport has a medium rating for aeronautical risks due to the risk of bird strikes. The airport management must mitigate the risk of hazardous wildlife, especially birds. Airports are also required to have certification that specifies an environmental management program for wildlife if it presents a hazard to aircraft			

<p>operations. The airport has a wildlife management program to control bird populations, including an authority under the Wildlife Act to disturb and kill protected wildlife.</p> <p>The Hamilton Airport has recorded a 100% increase in bird activity in the last 12 months compared to the previous 2 years. They are tightening bird management mitigations to manage the risk. Bat corridors/buffers may have unintended consequences of bringing more birds or increasing bird activity near the airport.</p>			
<p>Reporting Officer Comment</p>			
<p>The PPC20 revisions currently proposed by the applicants includes an additional policy at 10.3.2.2A relating to the preparation and implementation of an Ecological Management Plan (with specific outcomes relating to Bat Habitats) as part of development. It is understood that the applicants considered the operational needs of the Airport when identifying the location and extent of the Bat Habitat Area currently proposed.</p>			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
11.3	Waikato Regional Council	Bat Habitat	Support in part
Submission summary:		Decision requested	
<p>The policies for bats and bat habitat need to be strengthened to meet the direction of the Waikato Regional Policy Statement. Policy 10.3.2.2A does not prioritise avoidance, instead using "mitigate" and "support". We support the requirement for an Ecological Management Plan, but the current wording will not sufficiently protect bats or give effect to the WRPS.</p> <p>An element of an EMP is the BMP, lighting management plan and planting recommendations, which should be integrated. The BMP in the plan change area is not sufficient to protect bats. The management plan should prioritize avoiding the removal of bat habitat. The buffer around bat habitat is also recommended.</p>		<ul style="list-style-type: none"> a. Require further assessment to inform the proposed plan change to ensure that bat habitat will be sufficiently protected, through a collaborative approach with ecologists and other relevant stakeholders involved in this process. b. Consider mapping and setting aside a corridor to be maintained as bat habitat to ensure continued connectivity across the site and with neighbouring areas. Amend Rule 10.4.2.14A(b) to require buffers around habitat areas throughout the precinct. c. Define 'bat habitat' within the plan provisions. d. Amend Policy 10.3.2.2A to prioritise avoidance of bat habitat removal as signalled within the plan change application. e. Amend Rule 10.4.2.14A to require: <ul style="list-style-type: none"> i. The EMP, and its different elements, to be prepared by a suitably qualified ecologist who specialises in longtailed bats; ii. The elements of the EMP to be prepared at the same time; iii. If each part is prepared by a different specialist, the EMP to be reviewed as a whole by a suitably qualified ecologist; and iv. The EMP to be peer reviewed by DOC and WRC ecologists. f. Reword Rule 10.4.2.14A(a) to prioritise avoidance of bat habitat removal and protect all functional bat habitat areas, not just roost trees. 	

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<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F7/11.3	Royal Forest and Bird Protection Society of New Zealand	11.3	Support
RFBPS agree with the relief sought, and request that Bat Protection Areas are defined and mapped in PPC20.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F18/11.3	Waka Kotahi NZ Transport Agency	11.3	Support
Waka Kotahi supports provisions being strengthened to meet the direction of the WRPS.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F23/11.3	Hamilton City Council	11.3	Support
Hamilton CC supports measures to protect, restore and enhance bat habitat, which may include biodiversity mitigation, offset or compensation to address the loss of bat habitat. This outcome should be integrated on a multi-agency basis with other local measures, including those deployed under Plan Change 5 to the Hamilton Operative District Plan.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F25/11.3	GHA Kessels	11.3	Support
Hamilton CC's submission is supported.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F29/11.3	Waikato Regional Airport Ltd	11.3	Oppose
WRAL opposes this submission for the reasons set out in F29/07.2 above.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas, a policy emphasis on avoiding more than minor adverse effects on bat habitat values within those areas, clarity on the use of specialists, and the preparation of management plans.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
13.1	Riverlea Environment Society	Bat habitat	Oppose
Submission summary:		Decision requested	
The long-tailed bat is in nationally critical risk of extinction. The proposed development will further contribute to the bat's extinction as it will destroy its habitat. The report by Tonkin & Taylor is not prepared by a bat ecologist and does not consider major aspects of mitigation required for the project. The report does not comply with Section 6c of the RMA which requires protection of significant habitat of indigenous fauna.		Not specified.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>

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F7/13.1	Royal Forest and Bird Protection Society of New Zealand	13.1	Support
RFBPS agree with the relief sought, and request that Bat Protection Areas are defined and mapped in PPC20.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
14.1	Titanium Park Ltd & Rukuhia Properties Ltd	Bat Habitat	Support in part
Submission summary:		Decision requested	
The submission requests that the terminology used in the policies and rules more appropriately reflects the expected nature of the measures which will be required to manage more than minor residual effects on long-tailed bats, recognising that compensation (rather than offsetting) applies where biodiversity gains and losses are not measurable.		Amend Policy 10.3.2.2A as follows: <ul style="list-style-type: none"> Where any effects on long-tailed bats are unable to be avoided or mitigated, ensure that any more than minor residual effects are offset or compensated to achieve no net loss. Amend Rule 10.4.2.14A(a) as follows: <ul style="list-style-type: none"> Specifies best practice tree removal protocols and mitigation for any potential roost trees that have been identified as needing to be removed, and methods to mitigate associated ecological effects. Where any ecological effects are unable to be mitigated, the Bat Management Plan shall set out methods to ensure that any more than minor residual ecological effects are offset or compensated to achieve a no net loss outcome. 	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F7/14.1	Royal Forest and Bird Protection Society of New Zealand	14.1	Oppose
Compensation should not be included in these sections as it should be amended to avoid habitat loss, reword policy to protect all functional bat habitat, not just roost trees. Biodiversity offsetting and compensation must be included. F&B supports DOC's decision in 20.3.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F20/14.1	Department of Conservation	14.1	Oppose
The submitter is seeking to amend the provision to allow for biodiversity compensation as a first instance response to more than minor residual effects on a threatened species. This is contrary to WRPS direction and inconsistent with good practice. No assessment of the effectiveness of potential biodiversity offsetting or compensation has occurred. The policy and rule do not require the applicant to avoid, remedy or mitigate effects to minimise residual effects. The Director-General seeks the submission to be disallowed.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F23/14.1	Hamilton City Council	14.1	Support

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Council supports measures that protect, restore, and enhance bat habitat to ensure the continued presence of the long-tailed bat. This may include biodiversity mitigation, offset, or compensation to address the loss of bat habitat. This should be done on a multi-agency basis with other local measures.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas, a policy emphasis on avoiding more than minor adverse effects on bat habitat values within those areas, clarity on the use of specialists, and the preparation of management plans.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
16.1	Go Eco	Bat Habitat	Oppose
Submission summary:		Decision requested	
The Hamilton long-tailed bat population is of national importance due to the species' endangered status. The current proposed plan change will not achieve section 6(c) of the RMA. This is due to the issues that negatively impact most of our native species.		Reject plan change or approve with comments, amendments and decisions sought by the Forest and Bird Waikato Branch.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F7/16.1	Royal Forest and Bird Protection Society of New Zealand	16.1	Support
RFBPS agree with the relief sought, and request that Bat Protection Areas are defined and mapped in PPC20.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
19.1	Royal Forest and Bird Society (Waikato Branch)	Bat Habitat	Oppose
Submission summary:		Decision requested	
The ecological assessment of the proposed change is inadequate. It only focused on mature trees and shelter belts without considering the use of the site by bats for foraging and commuting. It may also affect neighbouring properties and use the area for foraging. A more comprehensive assessment is needed to determine the impact on bats.		Decline the application in its current form.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F7/19.1	Royal Forest and Bird Protection Society of New Zealand	19.1	Support
RFBPS agree with the relief sought, and request that Bat Protection Areas are defined and mapped in PPC20.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
20.1	Department of Conservation	Bat Habitat	Support in Part
Submission summary:		Decision requested	
<p>The roosting and foraging sites of bats within the PC20 site will need to be identified and protected, with additional land set aside for their movement. Mapping of the sites should occur with a collaborative approach with ecologists and other stakeholders. There is limited consideration of integrated management and how the PC20 site applies the Future Proof Strategy 2022 or the Waikato Bat Alliance Strategy.</p>		<p>Insert the following or words to the like effect:</p> <p><u>Protection of long-tailed bats and their habitat 10.2.5 Development within the Airport Business Zone has the potential to adversely affect the habitat and survival of the threatened, nationally critical long-tailed bat.</u></p> <p><u>The relevant provisions must recognise and provide for the identification and protection of significant bat habitat, in addition, consideration must be given to (but not limited to) the potential impact of lighting effects, noise and habitat loss on long-tailed bats.</u></p> <p>Delete: proposed policy 10.3.2.2A and reference Policy 24.3.1.1 Maintenance and enhancement of indigenous biodiversity in Section 10 – Airport Business Zone.</p> <p>If a new policy is considered necessary, the following or wording to like effect is requested:</p> <p><u>10.3.2.2A To achieve maintenance, restoration and enhancement of bat habitat in the Northern Precinct by:</u></p> <p>a) <u>Linking core bat habitat with corridors of natural open space</u></p> <p>b) <u>Buffering sensitive sites such as bat habitat and corridors from intensive land use, development and subdivision.</u></p> <p>c) <u>Ensuring habitat for at-risk and threatened indigenous species is maintained, restored and enhanced.</u></p> <p>Amend Appendix 18 Titanium Park Airport Urban Business Zone Proposed Structure Plan (northern Precinct) Map to show SNA overlay and areas of reserve zoning, set aside as commuting habitat for bats.</p> <p>Amend Planning Map 19 to show bat habitat SNAs within the operative Airport Business Zone and Possible Future Airport Growth Area.</p> <p>Amend Planning Map 49 to show bat habitat SNAs within the operative Airport Business Zone and Possible Airport Future Growth Area.</p> <p>Amend Appendix N5 to add the additional SNAs.</p>	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F7/20.1	Royal Forest and Bird Protection Society of New Zealand	20.1	Support

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If the plan change goes ahead, F&B endorses both DOC's and WRC's requested decisions in full. Where there are substantive differences, a solution agreeable to both submitters is to be found.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F23/20.1	Hamilton City Council	20.1	Support
Council supports measures that protect, enhance, and restore bat habitat. This may include biodiversity mitigation, offset or compensation. These measures should be integrated with other local measures.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F25/20.1	GHA Kessels	20.1	Support
The relief sought by the original submission is supported.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F29/20.1	Waikato Regional Airport Ltd	20.1	Oppose
WRAL is concerned that protection and/or creation of bat corridors at Hamilton Airport may have unintended consequences for its aeronautical operations. While bat corridors may be good for birds, they may also attract more birds to the airport and increase the risk of bird strikes. Any new bat habitats should direct birds and bats away from the airport.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas, a policy emphasis on avoiding more than minor adverse effects on bat habitat values within those areas, clarity on the use of specialists, and the preparation of management plans. It is understood that the applicants considered the operational needs of the Airport when identifying the location and extent of the Bat Habitat Area currently proposed.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
23.10	Hamilton City Council	Bat Habitat	Support in part
Submission summary:		Decision requested	
The resource consent process for the Amberfield development and the Hamilton Peacocke Plan Change 5 process emphasised the need for a coordinated regional approach to protecting bat habitat. Hamilton City Council supports the Airport Plan Change, which requires an appropriate consideration of bat habitat protection, restoration, and enhancement to ensure the continued presence of the Long-Tailed Bat in the area.		Mitigation measures for bat conservation in urban areas should be aligned with those planned in Peacocke, which involves identifying key habitats, adopting cross-disciplinary mechanisms to address direct and indirect effects on the habitats, and creating bat buffer zones. Performance standards should be implemented for urban design and construction to protect bat habitats.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F7/23.10	Royal Forest and Bird Protection Society of New Zealand	23.10	Support
If biodiversity offsetting and biodiversity compensation must be included, F&B supports the decision requested by DOC in 20.3			

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<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F25/23.10	GHA Kessels	23.10	Support
The relief sought by the original submission is supported.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F29/23.10	Waikato Regional Airport Ltd	23.10	Oppose
WRAL is concerned that protection and/or creation of bat corridors at Hamilton Airport may have unintended consequences for its aeronautical operations. While bat corridors may be good for birds, they may also attract more birds to the airport and increase the risk of bird strikes. Any new bat habitats should direct birds and bats away from the airport.			
Reporting Officer Comment			
The PPC20 amendments currently proposed largely replicate the provisions in the Hamilton Peacocke Plan Change 5, including the identification and mapping of Bat Habitat Areas. It is understood that the applicants considered the operational needs of the Airport when identifying the location and extent of the Bat Habitat Area currently proposed.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
25.1	Gerry Kessels	Bat Habitat	Oppose
Submission summary:		Decision requested	
Plan provisions do not adequately mitigate offset or compensate for loss of bat habitats. They also don't provide enough specificity for cumulative effects of land use change.		The proposed plan change should be amended to adequately mitigate the loss of bat habitats, including foraging, and commuting habitats, as well as the cumulative effects of the change on bat habitats within the locality.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F7/25.1	Royal Forest and Bird Protection Society of New Zealand	25.1	Support
If the plan change goes ahead, F&B endorses both DOC's and WRC's requested decisions in full. Where there are substantive differences, a solution agreeable to both submitters is to be found.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F29/25.1	Waikato Regional Airport Ltd	25.1	Oppose
WRAL is concerned that protection and/or creation of bat corridors at Hamilton Airport may have unintended consequences for its aeronautical operations. While bat corridors may be good for birds, they may also attract more birds to the airport and increase the risk of bird strikes. Any new bat habitats should direct birds and bats away from the airport.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas, a policy emphasis on avoiding more than minor adverse effects on bat habitat values within those areas, clarity on the use of specialists, and the preparation of management plans. It is understood that the applicants considered the operational needs of the Airport when identifying the location and extent of the Bat Habitat Area currently proposed.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
07.3	Royal Forest and Bird Protection Society of New Zealand	Ecological Management Plan	Oppose
Submission summary:		Decision requested	
Long-tailed bats are critically endangered. The only people who can write an Ecological Management Plan are suitably qualified long-tailed bat ecologists.		<p>The Bat Management Plan is to be developed by a qualified, specialist bat ecologist, in consultation with a DOC-appointed ecologist. The plan should identify roost trees, commuting and foraging trees, and the use of trees in the landscape over all 4 seasons and several years.</p> <p>Review the historic use of recently removed trees by bats and replace if deemed important. Commute and migratory pathways of bats over 4 seasons and several years need to be protected from light spill and other interference. Avoid hop overs. Forage areas need to be identified, including pasture. Tree removal is a last resort.</p> <p>The loss of mature trees with bat roosting habitat is a serious issue that needs to be addressed now. Planting young replacement trees before the old trees are cut down will help offset the loss. Night-time noise should be kept to a minimum and not offset with.</p>	
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes additional requirements relating to the preparation and implementation of an Ecological Management Plan (with specific outcomes relating to Bat Habitats) as part of development.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
07.6	Royal Forest and Bird Protection Society of New Zealand	Pest Control	Oppose
Submission summary:		Decision requested	
Roads bring pests. People and our food waste (lunch scraps etc.) bring pests.		Pest control needs to be part of the Ecological Management Plan, covering all the introduced predators of bats: rats, stoats, cats and possums.	
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes additional requirements relating to the preparation and implementation of an Ecological Management Plan with specific outcomes relating to Bat Habitats (including pest control) as part of development.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
20.3	Department of Conservation	Environmental Offsetting	Support in Part
Submission summary:		Decision requested	
Principles for biodiversity offsetting and compensation are reflective of the Business and Biodiversity Offset Programme, NPSFM2020 and Local Government Biodiversity Offsetting Guidance document.		Ensure that proposals for biodiversity offsetting and compensation are in accordance with relevant criteria, such as the principles in appendices 3 and 4 of the NPSIB exposure draft.	

<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F7/20.3	Royal Forest and Bird Protection Society of New Zealand	20.3	Support if Necessary
If biodiversity offsetting and biodiversity compensation must be included, F&B supports the decision requested by DoC.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas, a policy emphasis on avoiding more than minor adverse effects on bat habitat values within those areas, clarity on the use of specialists, and the preparation of management plans. Where more than minor adverse effects are unable to be avoided or mitigated (such that there will be more than minor residual effects on bat habitat values) offset or compensation measures are proposed to contribute to a no net loss outcome.			

- 9.7.1. Accompanying the PPC20 request was an Ecological Assessment (EA) commissioned by Tonkin and Taylor.¹³ It included both a Terrestrial Assessment, including vegetation, lizards, birds, and long-tailed bats, and a Freshwater Assessment.
- 9.7.2. The Freshwater Assessment concluded that modification of the artificial channels in this landscape can cause uncontrolled discharges of sediment-laden water into nearby streams, leading to changes in water quality and habitat features. Although the artificial channels had little to no ecological value, implementing a sediment and erosion control plan is crucial to prevent ecological effects. It is essential to take proactive measures to mitigate potential environmental impacts, even if the overall level of ecological effect is low.
- 9.7.3. In terms of Terrestrial Ecology, the EA concluded that the current vegetation across the site is typical of most farm environments, with a mix of exotic and native species. The removal of vegetation (excluding potential bat roost trees) would have a moderate ecological impact, while planting a large number of native trees across the site as part of developing the Northern Precinct is likely to result in a net gain in ecological value. The rotating between maize and pasture across the site significantly reduces the amount of habitat availability for native skinks and other bird species. However, the proposed landscaping of the Northern Precinct is likely to provide suitable biodiversity value, resulting in a positive magnitude of effect and a net gain in ecological value. Overall, the level of ecological effect for vegetation removal, lizards, and bird species is very low or low.
- 9.7.4. The EA noted that bat activity has been recorded across the sites and several mature trees may provide potential roosts for bats resulting in a very high ecological value because of those trees. The EA recommended provisions requiring a bat management plan at the resource consent stage and adherence to industry standard tree best practice removal protocols.
- 9.7.5. Most of the submitters are looking to prevent the loss of bat habitats rather than attempting to repair or compensate for it. A few have voiced their support for an Environmental Management Plan approach, yet the majority are asking for more information to be provided from an ecologist

¹³ PPC20 Appendix 8

experienced with long-tailed bats, with a focus on safeguarding roosting, feeding, and travelling spots for long-tailed bats while also maintaining the area's ecological balance.

- 9.7.6. The submitters request that the proposed Ecological Management Plan (EMP) should be integrated and include a comprehensive Bat Management Plan (BMP), lighting plan, and planting recommendations which will ensure a comprehensive approach to the protection and management of bats and all functional bat habitats areas. The BMP should prioritise avoidance of bat habitat removal, and buffers around bat habitat areas should be considered in the EMP.
- 9.7.7. Several submitters also asked that the applicants consider setting aside a path between the site and neighbouring areas to maintain ecological connectivity. The plan should also be examined by representatives from the Department of Conservation and the Regional Council. Submissions have pointed out that the bat surveys were inadequate, and the protection measures need to be combined with other conservation initiatives. When it is not possible to avoid the effects, measures such as biodiversity offsetting or compensation must be considered to make up for any habitat loss, say the submitters.
- 9.7.8. To help the Hearings Panel better understand the positions adopted by the various parties, their respective Ecology and Planning Experts were invited to attend pre-hearing conferencing on 8 February 2023 under the watch of independent facilitator Marlene Oliver, to work through the issues. This culminated in a Joint Witness Statement (JWS) signed by representatives of the applicant, Waipā District, Hamilton City, Waikato Regional Councils, and the Department of Conservation. Although Mr Gerry Kessels is an individual submitter to PPC20, the mediator considered his qualifications and experience in this topic would assist the expert witness process and the Hearings Panel, so he was allowed to participate also.
- 9.7.9. At the commencement of the pre-hearing conference, the applicants' planner presented an amended version of PPC20 that included several new provisions in response to the submitters' concerns. The most notable change was the inclusion of a "Bat Habitat Area" (BHA) with associated policies, rules, and assessment criteria. A plan was also provided¹⁴ showing an 11ha property outside of the PPC20 site that the applicant has a conditional agreement to purchase for use as a compensation site to address and residual effects relating to Bats.
- 9.7.10. All planning and ecology experts agreed that the amended version of PPC20 is a significant improvement in relation to providing for bats compared to the notified version. The ecologists agree that there are no freshwater values on the PPC20 site, and that all other ecological values are low (including birds and lizards). It is likely that any offset/compensation measures applied for bats will have positive trickle-down effects for other species.
- 9.7.11. The planners all agreed that 41ha of the PPC20 site is already zoned Airport Business, Hamilton Airport / Southern Links is a strategic industrial node in the WRPS, and the PPC20 site is identified for future growth in Appendix S1 of the WDP. All planners and bat ecologists agreed¹⁵ with the

¹⁴ Attachment 2 of Joint Witness Statement in relation to Ecology and Bat Habitat (8 February 2023).

¹⁵ (with the exception of DoC's ecologist, who deferred to their planning expert).

amended version of the following provisions dated 2 February 2023, except as recorded in the JWS:

- Issue Statement 10.2.3A
- Policy 10.3.2.2A (except as recorded in the JWS)
- Activity Status Table 10.4.1
- Performance Standard 10.4.2.3A
- Performance Standard 10.4.2.14A (except as recorded in the JWS)
- Performance Standard 10.4.2.14B (except as recorded in the JWS)
- Performance Standard 10.4.2.14C (except as recorded in the JWS)

- 9.7.12. There remains some disagreement about the other provisions, with DoC, WRC and Gerry Kessels considering that updated ecological evidence or impact assessment is required to determine the adequacy of the BHA and the measures to address adverse residual effects, in managing effects on long-tailed bats and their habitat within the PPC20 area.
- 9.7.13. The JWS sets out the various views on the location and spatial extent of the BHAs (including width of corridor) and the rationale for their identification within PC20. Bat ecologists Tertia Thurley (DoC) and Gerry Kessels express concerns about achieving connectivity to bat destinations outside the PPC20 area and note that the industrialization resulting from the plan change may effectively remove 130ha of foraging, commuting, and possibly roosting habitat, which may affect bat survival. They consider that the proposed BHA in PPC20 may not be functional and prefer that no roads go through the BHA. However, Nick Grala (planner for the applicants) notes that roading is required for transport efficiency, good urban design outcomes, and implementing the National Policy Statement on Urban Development (NPS-UD).
- 9.7.14. Gerry Kessels and Georgia Cummings (Bat specialist for the applicants) consider that 50 metres width is adequate for a BHA corridor, and Cummings supports the 11-hectare property proposed as offsite compensation. Kessels supports it subject to more information being supplied on the certainty that it will be suitably restored and protected and be subject to review of the additional residual effects assessment. Thurley requires further assessment of residual effects on bats so that they can better assess whether the proposed offsite compensation area is appropriate. Thurley also suggests that good practice effects management should be followed, consisting of sequentially following the effects management hierarchy of avoid, minimise, remedy, offset, then compensate, and that there has not been enough consideration of on-site avoidance and minimisation.
- 9.7.15. Regarding the proposed amendments to Policy 10.3.2.2A(a), there remained some disagreement about whether it should include reference to 'functionality' of the Bat Habitat Areas. Some additional amendments were proposed to the amended Rule 10.4.2.14C, which are recorded as being agreed by all the parties. Agreement was also reached on some wording changes to Rule 10.4.2.14B(a)(vi) relating to Bat Management Plans.
- 9.7.16. The pre-hearing conferencing also included discussion on lighting and touched on environmental offsetting. These matters are discussed later in this report under those respective sub-topics.

Recommended Decisions on Submissions

9.7.17. That the following points of submission are ***accepted in part***:

- F29/07.2 Waikato Regional Airport Ltd
- F29/11.3 Waikato Regional Airport Ltd
- 14.1 Titanium Park Ltd & Rukuhia Properties Ltd
- F29/20.1 Waikato Regional Airport Ltd
- F29/23.10 Waikato Regional Airport Ltd
- F29/25.1 Waikato Regional Airport Ltd

Reasons

It is understood that the applicants considered the operational needs of the Airport when identifying the location and extent of the Bat Habitat Area currently proposed. Further additions to the provisions (including the definition and mapping of a Bat Habitat Area) were requested by submitters, and subsequently incorporated into PPC20.

9.7.18. That the following points of submission are ***accepted***:

- 07.1 Royal Forest and Bird Protection Society of New Zealand
- 07.2 Royal Forest and Bird Protection Society of New Zealand
- F25/07.2 GHA Kessels
- 11.3 Waikato Regional Council
- F7/11.3 Royal Forest and Bird Protection Society of New Zealand
- F18/11.3 Waka Kotahi NZ Transport Agency
- F23/11.3 Hamilton City Council
- F25/11.3 GHA Kessels
- 13.1 Riverlea Environment Society
- F7/14.1 Royal Forest and Bird Protection Society of New Zealand
- F20/14.1 Department of Conservation
- F23/14.1 Hamilton City Council
- 16.1 Go Eco
- F7/16.1 Royal Forest and Bird Protection Society of New Zealand
- 19.1 Royal Forest and Bird Society (Waikato Branch)
- F7/19.1 Royal Forest and Bird Protection Society of New Zealand
- 20.1 Department of Conservation
- F7/20.1 Royal Forest and Bird Protection Society of New Zealand
- F23/20.1 Hamilton City Council
- F25/20.1 GHA Kessels
- 23.10 Hamilton City Council
- F7/23.10 Royal Forest and Bird Protection Society of New Zealand
- F25/23.10 GHA Kessels
- 25.1 Gerry Kessels
- F7/25.1 Royal Forest and Bird Protection Society of New Zealand

- 07.3 Royal Forest and Bird Protection Society of New Zealand
- 07.6 Royal Forest and Bird Protection Society of New Zealand
- 20.3 Department of Conservation
- F7/20.3 Royal Forest and Bird Protection Society of New Zealand

Reasons

The PPC20 revisions currently proposed by the applicants includes an additional paragraph in 10.2 relating to the significance of the bat habitat in this location, and an additional policy at 10.3.2.2A relating to the preparation and implementation of an Ecological Management Plan (with specific outcomes relating to Bat Habitats) as part of development.

The revisions currently proposed by the applicants include defined and mapped Bat Habitat Areas, a policy emphasis on avoiding more than minor adverse effects on bat habitat values within those areas, clarity on the use of specialists, and the preparation of management plans.

The PPC20 amendments currently proposed largely replicate the provisions in the Hamilton Peacocke Plan Change 5, including the identification and mapping of Bat Habitat Areas.

Where more than minor adverse effects are unable to be avoided or mitigated (such that there will be more than minor residual effects on bat habitat values) offset or compensation measures are proposed to contribute to a no net loss outcome.

Recommended Amendments to PPC20
As set out in Appendix 1

9.8. SUB-TOPIC 2.3 – TRANSPORTATION

Table 9: Summary of submissions for Sub-Topic 2.3 - Transportation

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
05.2	Middle-Narrows Focus Group	Pedestrian Access	Oppose
Submission summary:		Decision requested	
Pedestrian access to Narrows and Middle Road is not necessary for the functioning of the Northern Present business.		No pedestrian or vehicle access be allowed to Narrows Road or Middle Road.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F5/05.2	Middle-Narrows Focus Group	05.2	Support
MNFG requests amendments to clauses in Appendix S10 of the Airport Business Zone Structure Plan be refused.			
Reporting Officer Comment			

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While the Structure Plan is not proposing any direct access to Narrows or Middle Road in the short term, they do form part of the existing transport framework, so have a role to play in the movement of people. The use of these roads by pedestrians, cyclists, and transport modes is currently permitted, and should not be prevented.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
09.5	Tainui Group Holdings	Walking & Cycling	Support with condition
Submission summary:		Decision requested	
It is recommended that a safe walking/cycling link from the Northern Precinct to the Western Employment Precinct of Titanium Park be established along the east side of SH3.		This link should either go along the full length of Ingram Road or an alternative route.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/09.5	New Zealand National Fieldays Society Inc	09.5	Support
No specific relief was identified in the submission, but NZNFS are supportive of the submitters position to require a walking/cycleway to be extended to provide connectivity over the full length between the two precincts. They believe that the structure plan should be updated to include this information.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F30/09.5	Bike Waikato Incorporated	09.5	Support
BWI believe the updated Structure Plan does not provide sufficient connectivity between the Northern and Western Precincts. The Northern Precinct development should provide a fully connected walking and cycling network. The plan currently has the cycleway/walkway notation around most of the perimeter of the Structure Plan area (including to the Southern Precinct), except for part of the northern to western precinct connection.			
Reporting Officer Comment			
The proposed Structure Plan denotes a Cycleway/Walkway connection between the future intersection of the spine road with SH3 to the intersection of Ingram Road and SH3. It is not within the scope of PPC20 to require works to be undertaken outside of the plan change area.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
18.1	Waka Kotahi NZ Transport Agency	Nature of Plan Change	Supports
Submission summary:		Decision requested	
The trip rates used in the ITA are 30% higher than typical for the proposed land use, which is conservative for assessing effects and reduces risks for Waka Kotahi. However, this approach may lead to issues in future if the baseline is taken from these higher assessed values. However, in terms of transport, if the triggers for the infrastructure required to provide a safe and efficient use of the State Highway network are robust, this does not impact the current proposal.		Clarification or commitment from the applicant is requested in relation to: <ul style="list-style-type: none"> • The design, implementation, and funding of the required works, and additional land is not required from any third parties. • The mechanism for Waka Kotahi to retain oversight and approval of the Raynes Road restricted movement access, and the retention of this as a restricted intersection into the future. • Justification of the GFA quantum for non-ancillary retail activities located in the Northern Precinct. 	

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Reporting Officer Comment			
<p>The Joint Witness Statement (JWS) from the first day of expert caucusing on Transport & Planning matters confirms that the transport experts agree that the use of the WRTM is an appropriate modelling methodology tool. It was also agreed that the PPC20 upgrade provisions under Rule 10.4.2.13A should include a degree of flexibility to account for changes that are likely to occur in the future, including network operator requirements. The related policy should be strengthened to achieve this, and further revisions to the provisions would be presented for consideration at the second day of expert caucusing on Transport & Planning.</p>			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
18.5	Waka Kotahi NZ Transport Agency	Public Transport	Supports
Submission summary:		Decision requested	
<p>The transport infrastructure report should include information about how the project can support public transport. This can be done by including public transport infrastructure in the table of staging of transport infrastructure. Waka Kotahi supports a public transport link via Faiping Road and Middle Road, but notes that this may add complexity to the construction sequencing for Southern Links.</p>		<p>The inclusion of references to the infrastructure support for Public Transport and active mode access between the Airport Precincts within Table 9 of the ITA (and subsequently proposed Rule 10.4.2.13A).</p>	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/18.5	New Zealand National Fieldays Society Inc	18.5	Support
<p>NZNFS agree with including public transport infrastructure in the Staging of Transport Infrastructure Table 9 of the Integrated Transportation Assessment and Rule 10.4.2.13A of the Waipā District Plan.</p>			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F23/18.5	Hamilton City Council	18.5	Support in Part
<p>HCC agrees collaboration is needed between the applicant, Waipā DC, Hamilton City Council and Waikato Regional Council to assist with the delivery of public transport services. Council has reservations about using Faiping Road for walking and cycling, and future public transport.</p>			
Reporting Officer Comment			
<p>It is recognised that there are some significant infrastructure projects in the immediate environment (such as Southern Links & the Regional Wastewater Treatment Plant) that have yet to be confirmed, in terms of detailed design or timing. In the face of uncertainty, the most prudent decision is the one that leaves the most options open going forwards.</p>			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
18.6	Waka Kotahi NZ Transport Agency	Active Transport	Supports
Submission summary:		Decision requested	
<p>Infrastructure to support active mode connections between the Northern Precinct and PPC20 should be considered alongside that of other modes. The upgrade of the new walking and cycling connection</p>		<p>The inclusion of references to the infrastructure support for Public Transport and active mode access between the Airport Precincts within Table 9 of the ITA (and subsequently proposed Rule 10.4.2.13A).</p>	

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to Peacocke Rd is included in Rule 10.4.2.13A as a transport upgrade with appropriate timing.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F21/18.6	New Zealand National Fieldays Society Inc	18.6	Support
The NZNFS agrees that it is important to construct the necessary cycleway and walkway connectors with appropriate timing.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F23/18.6	Hamilton City Council	18.6	Oppose
The public transport connection from the airport is not to be incorporated into the Staging of Transport Infrastructure Table 9 until all possible alternatives have been investigated. Hamilton City Council is open to working with the proposed plan change proponent and Waipā District Council on an alternative option.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F30/18.6	Bike Waikato Incorporated	18.6	Support
The new walking and cycling shared path connecting Peacocke Road to the Northern Precinct via Middle Road and Faiping Road should be included in Rule 10.4.2.13A. The inter-Precinct cycleway connections should also be included in the table.			
Reporting Officer Comment			
It is generally accepted that establishing walking and cycling infrastructure, and providing for public transport services is desirable to achieve regional and national policy outcomes. Such provisions need to be sufficiently flexible to adapt appropriately to changing circumstances.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
21.2	NZ National Fieldays Society	Transport	Support in part
Submission summary:		Decision requested	
Public transportation infrastructure is a key component to ensuring the sustainability of the surrounding area and the existing and proposed activities and business that operate out of them.		The Structure Plan should be amended to provide for all forms of transport, with particular regard to public transportation such as bus and potential light rail.	
Reporting Officer Comment			
There are several existing policies within Section 15 of the WDP that require the consideration of and provision for public transport infrastructure. Principle S10.3.8 of Appendix 10 (Airport Business Zone Structure Plan) makes provision for public transport infrastructure including bus stops and terminals.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
23.2	Hamilton City Council	Walking & Cycling Connectivity	Support in part
Submission summary:		Decision requested	
The new walking and cycling path connecting Peacocke Road to the Northern Precinct via Middle and Faiping Roads does not align with the future		The Council wants to know how a walking and cycling connection would be funded and delivered before supporting the plan change. If an alternative connection to	

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plans for this area, and HCC is unsure how the project would be funded or delivered. Faiping Road may not be attractive to commuter cyclists due to the grades. The shared path should be 3m wide for the full length, but this is not listed in the provision table. An on-demand PT service is a practical short-term solution. Data showing where the future labour force might reside would help inform where and what type of PT and walking/cycling solution is required.		Faiping Road is viable, the Council is open to working with the plan change proponent and Waipā District Council on a solution. The Council wants to understand how employee trips to the Northern Precinct would be affected by the plan change and how to mitigate this impact.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F30/18.6	Bike Waikato Incorporated	18.6	Oppose
BWI oppose HCC's submission as they seem to oppose the link's benefits. BWI disagree that the grade of the road will deter cyclists, as most will choose the safer off-road option. With the uptake of e-bikes, grades are less of an issue. PT is not a reliable alternative, as HCC could potentially stop the road from being built. BWI suggest a 3m shared path if the road is stopped, or HCC's Option 1 as the land is in HCC's ownership. BWI seek continued involvement with key stakeholders to finalise the connection.			
Reporting Officer Comment			
The applicant is proposing to construct the new walking and cycling path along the existing legal road alignment, being the most direct and practicable existing alignment between the Northern Precinct and the Peacocke Residential Growth Cell. It is not possible for PPC20 to include provisions requiring works outside the boundary of Waipā District.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
23.3	Hamilton City Council	Public Transport	Support in part
Submission summary:		Decision requested	
The provision of bus stops both sides of SH3 is insufficient, as there are no details of crossing facilities or paths to accommodate pedestrians. Future bus routes should be direct for commuters and should provide public transport service to the Airport and surrounding Airport Business Zone. Potential future use of Faiping Road for public transport should be investigated.		The provisions table or PDA needs to specify footpath connection and safe crossing facility for the SH3 crossing, as well as review the speed limit for pedestrians if they are crossing. The short-term public transport infrastructure should be provided within the internal road network to encourage mode shift, so consider alternative routes if Faiping Road cannot be used. The medium-term option requires more infrastructure, so the long-term option should also be considered.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F21/23.3	New Zealand National Fieldays Society Inc	23.3	Support
The NZNFS ask that references to SH 21, the Mystery Creek Events Centre, and the proposed new bus route be included.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F18/23.2	Waka Kotahi NZ Transport Agency	23.3	Support
Further consideration of public transport phasing and sequencing is needed, including ensuring the appropriateness of bus stops on State Highway 3 in the short term.			

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Reporting Officer Comment			
The viability and suitability of bus stops on SH3 largely falls to the responsibility of the roading authority (Waka Kotahi) and the public transport operator (Regional Council). Provision for bus stops within the Structure Plan Area is something that should be required at the detailed design stage, at the time the urban design and infrastructure framework is laid out.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
23.4	Hamilton City Council	Transport Layout	Support in part
Submission summary:		Decision requested	
The City Council is working to ensure safe and efficient transport networks in and around the airport. This includes planned growth within the wider catchment.		Further information and comment are sought in relation to these matters, or consideration of alternative solutions to the issues raised in the submission.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/23.4	New Zealand National Fieldays Society Inc	23.4	Support
NZNFS support the relief sought from the submitter.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F15/23.4 [Late]	Tabby Tiger Limited	23.4	Support
The transport network should consider the future growth of the catchment area, especially the area of land along the eastern side of Airport Road.			
Reporting Officer Comment			
Through the expert conferencing process, further information and details were provided in relation to the proposal and how it would maintain safe and efficient transport networks. Several further revisions to PPC20 have been made following the conferencing, and further evidence will be provided to address any remaining differences.			

- 9.8.1. A detailed analysis of the existing road network is contained within the Integrated Transport Assessment (ITA) in Appendix 3 of PPC20. The ITA included traffic modelling of the Northern Precinct and recommendations that have been incorporated into the development of the Structure Plan. The analysis included crash data to understand the safety of intersections along Raynes Road. The ITA found that once developed, the Plan Change area is expected to generate approximately 2,490 vehicle trips per peak hour, with up to 15% of the total peak hour trips being heavy commercial vehicles.
- 9.8.2. The ITA factored in the intersection upgrades on SH3 and Raynes Road into the assessment, noting that the Raynes Road access will become a channelised 'T' intersection with restricted movements to prevent significant traffic growth and heavy vehicles from using the northern section of Raynes Road where rural lifestyle properties and accessways are concentrated.
- 9.8.3. The proposed structure plan will limit traffic exiting the site to cyclists and pedestrians, directing most traffic to SH3 or Raynes Road to SH21 to SH1. The ITA found that this will be managed and

mitigated to an acceptable level. The intersection upgrades will be in place until Southern Links is built, which will provide an efficient transport response connecting the site to Hamilton and other centres.

- 9.8.4. There are currently no existing public bus services operating from the airport or Titanium Park. The new "on-demand" service "Flex" is running between the Hamilton City Transport Centre and the airport as a trial. Good opportunities for public transport exist for Titanium Park once the Peacocke residential growth node is developed.
- 9.8.5. The development of the plan change provisions and the Structure Plan has been responsive to recommendations made in the ITA, and the anticipated traffic effects are acceptable. Walking and cycling paths will be provided on internal transport roads, and there will be a walking and cycling connection to Peacocke Road.
- 9.8.6. For the purposes of this s42A report, I have separated issues relating to the broader topic of 'Transport' (with emphasis being the movement of people by all modes) from the more vehicle centric topic of 'Traffic'. No doubt some individual points of submission will overlap, given the complexity and interrelationship of both sub-topics.
- 9.8.7. The analysis in this sub-topic therefore focuses on how all transport modes will work together to mitigate the adverse effects associated with the movement of people and goods, and to maximise the positive effects of connecting people and communities with the means to provide for their social, economic, and cultural wellbeing and for their health and safety.
- 9.8.8. As the above (even further abbreviated) submission summary table illustrates, there is a broad consensus that walking and cycling infrastructure needs to be provided to incentivise mode shift and a reduction of vehicle movements (and associated emissions). There remain some differences of opinion about to what extent, where, and when this is best undertaken – with each transport mode being at varying levels of maturity and uptake at a sufficient scale to have a material impact.
- 9.8.9. To assist the Hearings Panel with their consideration of this topic, all parties were invited to bring their transportation and planning experts together for pre-hearing conferencing in accordance with the Environment Court Practice Note 2023 and facilitated by an independent mediator. Conferencing on the topic of Transport & Planning was held over two sessions, culminating in a Joint Witness Statement (JWS) for each session¹⁶.
- 9.8.10. The conferencing canvassed the modelling and assumptions used in the ITA, updates to the baseline model, staging of development and access infrastructure, walking and cycling provision, provisions enabling public transport, end of journey facilities, and design of specific intersections. As amendments to the provisions and wording of PPC20 were agreed (or otherwise) they were recorded in reference to the proposed tracked changes versions of the affected chapters.

¹⁶ [10 February](#) & [15 February 2023](#).

- 9.8.11. The 10 February 2023 JWS records that all the transport experts agree that the use of the Waikato Regional Transport Model (WRTM) is an appropriate modelling methodology tool to use for PPC20. In response to submissions and WDC feedback, a further scenario of the WRTM was run using a 2031 Baseline that includes the 41ha of live zoned Airport Business Zone at the Northern Precinct.
- 9.8.12. The JWS records that the planners and transport experts agree that the PPC20 upgrade provisions under Rule 10.4.2.13A should include a degree of flexibility to account for changes that are likely to occur in the future, including network and operator requirements. This should be achieved by strengthening the policy to enable deviation from the upgrades where it is supported by an assessment and achieves the outcomes set out in the provisions. There should also be a resource consenting pathway that enables flexibility to adapt to changing circumstances. This could be as a Restricted Discretionary activity accompanied by appropriate matters of discretion and assessment criteria.
- 9.8.13. Experts for Waikato Regional Council and Waipā District Council sought to ensure that there are strong policy provisions relating to the provision of walking and cycling facilities, and public transport infrastructure. The applicants' representatives agreed to draft some updated planning provisions for the following conference session.
- 9.8.14. The transport experts and planners agree that there should be a walking and cycling connection between the Northern Precinct and the Peacocke Residential Growth Cell. This should be provided as part of the first stage of the Northern Precinct being developed (noting the need for flexibility as outlined previously).
- 9.8.15. The alignment and extent of the proposed walking and cycling route between the Northern Precinct and the Peacocke Residential Growth Cell remains a subject of disagreement. Experts for the applicant, Waikato Region and Waipā District consider the Middle Road & Faiping Road route most preferable because it is direct, utilises existing public road, and is cyclable. Experts for Hamilton City consider that the walking and cycling connection should extend further into the Peacocke Residential Growth Cell (to the nearest formed footpath). Planners for the applicants and Waipā District consider it problematic (if not impossible) for PPC20 to include provisions that apply to land outside the Waipā District boundary. Cross boundary connections could be addressed via a development agreement between applicants, Hamilton City, and Waipā District Councils.
- 9.8.16. It was the consensus of all experts present that Rule 10.4.2.13A proposed under PPC20 should be amended to provide additional flexibility on the route taken between the Northern Precinct and Peacocke Road (being the Waipā District boundary).
- 9.8.17. The experts agree that the current Waipā District Plan includes some provision for public transport in relation to the Airport Business Zone including Policy 10.3.1.1 and the principles S10.3.7 and S10.3.8 within Appendix 10.
- 9.8.18. In relation to End of Journey and Electric Charging Facilities, experts of Waikato Regional Council, and Waka Kotahi support the Regional Council submission (Point 11.4 under Sub-Topic 6.4 above) that sought for PPC20 to make provision / require industrial activities within the Northern

Precinct to provide end of trip facilities to encourage walking and cycling transportation. Separately, provision should be made for enabling electric vehicle charging in public locations. They note that this is supportive of delivering to the Emissions Reduction Plan and the Regional Land Transport Plan. The Regional Council will set out specific relief sought in their evidence.

- 9.8.19. On balance, it is my view that the amendments to PPC20 set out in the attached track changes version [**Appendix 1**] make sufficient provision for transport connections to and within the PPC20 land to meet the reasonably foreseeable needs of people and communities.

Recommended Decisions on Submissions

- 9.8.20. That the following points of submission are ***rejected***:

05.2	Middle-Narrows Focus Group
F5/05.2	Middle-Narrows Focus Group
23.2	Hamilton City Council

Reasons

While the Structure Plan is not proposing any direct access to Narrows or Middle Road in the short term, they do form part of the existing transport framework, so have a role to play in the movement of people. The use of these roads by pedestrians, cyclists, and transport modes is currently permitted, and should not be prevented.

The applicant is proposing to construct the new walking and cycling path along the existing legal road alignment, being the most direct and practicable existing alignment between the Northern Precinct and the Peacocke Residential Growth Cell. It is not possible for PPC20 to include provisions requiring works beyond the PPC20 area, let alone beyond the territorial boundary.

- 9.8.21. That the following points of submission are ***accepted in part***:

09.5	Tainui Group Holdings
F21/09.5	New Zealand National Fieldays Society Inc
F30/09.5	Bike Waikato Incorporated
F23/18.5	Hamilton City Council
F23/18.6	Hamilton City Council
F30/18.6	Bike Waikato Incorporated
23.3	Hamilton City Council
F21/23.3	New Zealand National Fieldays Society Inc
F18/23.2	Waka Kotahi NZ Transport Agency
23.4	Hamilton City Council
F21/23.4	New Zealand National Fieldays Society Inc
F15/23.4	Tabby Tiger Limited

Reasons

The proposed Structure Plan does denote a Cycleway/Walkway connection between the future intersection of the spine road with SH3 to the intersection of Ingram Road and SH3 as suggested. However, it is not within the scope of PPC20 to require works to be undertaken outside of the plan change area for the full length of Ingram Road.

The viability and suitability of bus stops on SH3 largely falls to the responsibility of the roading authority (Waka Kotahi) and the public transport operator (Regional Council). Provision for bus stops within the Structure Plan Area is something that should be required at the detailed design stage, at the time the urban design and infrastructure framework is laid out.

Through the expert conferencing process, further information and details were provided in relation to the proposal and how it would maintain safe and efficient transport networks. Several further revisions to PPC20 have been made following the conferencing, and further evidence will be provided to address any remaining differences.

9.8.22. That the following points of submission are ***accepted***:

- 18.1 Waka Kotahi NZ Transport Agency
- 18.5 Waka Kotahi NZ Transport Agency
- F21/18.5 New Zealand National Fieldays Society Inc
- 18.6 Waka Kotahi NZ Transport Agency
- F21/18.6 New Zealand National Fieldays Society Inc
- 21.2 NZ National Fieldays Society
- F30/18.6 Bike Waikato Incorporated

Reasons

It is generally accepted that establishing walking and cycling infrastructure, and providing for public transport services is desirable to achieve regional and national policy outcomes. Such provisions need to be sufficiently flexible to adapt appropriately to changing circumstances.

It is recognised that there are some significant infrastructure projects in the immediate environment (such as Southern Links & the Regional Wastewater Treatment Plant) that have yet to be confirmed, in terms of detailed design or timing. In the face of uncertainty, the most prudent decision is the one that leaves the most options open going forwards. It has been agreed that additional flexibility is therefore required going forward to achieve the right outcomes at the right time.

It is generally accepted that establishing walking and cycling infrastructure, and providing for public transport services is desirable to achieve regional and national policy outcomes. Such provisions need to be sufficiently flexible to adapt appropriately to changing circumstances.

There are several existing policies within Section 15 of the WDP that require the consideration of and provision for public transport infrastructure. Principle S10.3.8 of Appendix 10 (Airport

Business Zone Structure Plan) makes provision for public transport infrastructure including but stops and terminals.

Recommended Amendments to PPC20

As per Appendix 1, and subject to further detailed evidence to be provided.

9.9. SUB-TOPIC 2.4 – TRAFFIC

Table 10: Summary of submissions for Sub-Topic 2.4 - Traffic

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
01.2	Jennifer McDowall	Traffic	Oppose
Submission summary:		Decision requested	
Raynes Road is an accident hotspot and has recently seen fatal accidents at both ends. The road is not good for more traffic due to visibility issues, especially at the intersection with Lowe Road. The increase in traffic at these high-speed intersections will significantly increase the risk of fatal accidents.		Council to reject the proposal. If it does go ahead, would like the timing to be delayed until the Southern Links roading upgrade is in place so traffic will not be added to the current dangerous situation.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/01.2	New Zealand National Fielddays Society Inc	01.2	Support in Part
The NZNFS agree that the existing roading network, particularly Raynes Road and State Highway 21, is unsafe. They believe that the additional traffic generated by the PC development will create safety concerns unless the roading infrastructure is upgraded. They do not wish for the PC to be rejected, and they feel that the Southern Links roading network would significantly enhance safety and the functionalities of the transportation network.			
Reporting Officer Comment			
The Integrated Transport Assessment sets out the proposed interventions and intersection upgrades necessary to mitigate the effects of increased traffic on the roading network. Waiting for Southern Links to be constructed (if at all) is unnecessary as traffic effects can be adequately managed in the interim.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
02.1	Raewyn Cals	Traffic	Oppose
Submission summary:		Decision requested	
Mystery Creek Road has seen an increase in traffic and heavy traffic, which is straining the road's capacity. The entire length of the road needs attention, including repairs, resurfacing, and bridge upkeep.		<ol style="list-style-type: none"> 1. Complete the upgrade of road to that of a main road including cycling lane and upgrade of bridge; or 2. Speed limit of 60km for length of road with speed bumps to deter traffic from using as a main road; or 3. Some other suggestion from Council to deter road being used as a main road. 	
Reporting Officer Comment			

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The upkeep and maintenance of Mystery Creek Road is the responsibility of the road authority and is not something that can be addressed through this Plan Change process. Upgrading works to accommodate the additional traffic movements generated by the Northern Precinct are limited to intersections only.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
03.1	Bruce McDowall	Traffic	Oppose
Submission summary:		Decision requested	
The proposed changes to the intersection of Raynes Road and Old Northern Road have significant health and safety concerns due to increasing traffic and fatal accidents. The intersections need to be upgraded to meet current traffic demands and reduce the risk of fatal accidents.		Modern roundabouts at each end of Raynes Road would be the OSH response to the safety issue of the current intersection. The Southern Links project does not address this issue.	
Reporting Officer Comment			
The Plan Change does include intersection upgrade works on the roundabout at the Eastern end of Raynes Road. The new intersection design for the egress onto Raynes Road from the Northern Precinct will inhibit additional traffic travelling towards the northern end of Raynes Road.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
05.1	Middle-Narrows Focus Group	Traffic	Oppose
Submission summary:		Decision requested	
The Northern Precinct development does not need access/egress to Middle Road to operate successfully. The residential neighbours wish to maintain their lifestyle without extra traffic on a rural road.		Clauses S10.2, subclause 2.1 and clause 10.4.2.10 of the Waipā District Plan remain as defined and no amendment made.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F5/05.1	Middle-Narrows Focus Group	05.1	Support
MNFG requests amendments to clauses in Appendix S10 of the Airport Business Zone Structure Plan be refused.			
Reporting Officer Comment			
The new intersection design for the egress onto Raynes Road from the Northern Precinct will inhibit additional traffic travelling towards the northern end of Raynes Road.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
06.4	James & Marie Snowball	Traffic	Oppose
Submission summary:		Decision requested	
The traffic impacts on surrounding roads will be major.		Council to reject the proposal.	
Reporting Officer Comment			
The Plan Change does include intersection upgrade works on the roundabout at the Eastern end of Raynes Road. The new intersection design for the egress onto Raynes Road from the Northern Precinct will inhibit additional traffic travelling towards the northern end of Raynes Road.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
09.1	Tainui Group Holdings	Intersection Design	Oppose
Submission summary:		Decision requested	
There is insufficient certainty with respect to the design form concept for the staged transport infrastructure works at the SH3/Ingram Road intersection.		Not specified.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F18/09.1	Waka Kotahi NZ Transport Agency	09.1	Support
WK agrees that the SH3/Ingram Road intersection could be restricted to left in/left out, but no assessment has been undertaken to determine the required works to achieve this.			
Reporting Officer Comment			
Following a further explanation of the ITA modelling and the upgrading works proposed, the JWS records that that no upgrading or changes to the SH3 / Ingram Road intersection are required.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
09.4	Tainui Group Holdings	Traffic	Oppose
Submission summary:		Decision requested	
The Structure Plan will generate additional traffic movement demands on the SH3 corridor past the Ingram Rd intersection.		Not specified.	
Reporting Officer Comment			
Following a further explanation of the ITA modelling and the upgrading works proposed, it has been agreed that no upgrading or changes to the SH3 / Ingram Road intersection are required.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.3	Joan & Robin Cuff, L & M McDowell	Traffic	Oppose
Submission summary:		Decision requested	
Traffic control measure to limit traffic to Raynes Road questionable.		Development should be limited until State Highway Road works are undertaken to mitigate the effects of increased traffic on the local community.	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/12.3	New Zealand National Fieldays Society Inc	12.3	Support in Part
The NZNFS agree with the submitter that the upgrades to State Highway 21 are required to reduce potential traffic effects.			
Reporting Officer Comment			
The Plan Change does include intersection upgrade works on the roundabout at the Eastern end of Raynes Road. The new intersection design for the egress onto Raynes Road from the Northern Precinct will inhibit additional traffic travelling towards the northern end of Raynes Road.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
18.4	Waka Kotahi NZ Transport Agency	Traffic	Supports
Submission summary:		Decision requested	
<p>WK sought clarification regarding the concept design solutions for a number of intersections, including:</p> <ul style="list-style-type: none"> • State Highway 21/Raynes Road intersection: • State Highway 3/Raynes Road • State Highway 3/Northern Precinct Spine Road (GTL) • Raynes Road Access • The Tamahere interchange 		<p>Clarification and/or commitment from the applicant is requested in relation to the mechanism for funding, designing, and implementing the proposed works.</p>	
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F23/18.4	Hamilton City Council	18.4	Support
Hamilton CC agrees with the WK submission in relation to Raynes Road intersections.			
Further Submission	Submitter name	Original Submission Point	Support / Oppose / In Part
F21/18.4	New Zealand National Fieldays Society Inc	18.4	Neutral & Support in Part
The NZNFS are neutral about the submission's other aspects. The relevant parts are the comments about the safety and efficiency of the SH21/Raynes Road and SH3/Raynes Road intersections and the Tamahere interchange.			
Reporting Officer Comment			
A full explanation of the concept design solutions for the intersections was presented at the expert conference. Conversations regarding the timing of their implementation are ongoing.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
21.1	NZ National Fieldays Society	Traffic	Support in part
Submission summary:		Decision requested	
<p>The roading infrastructure needs to be expanded to support the expansion of the Airport Business Zone and existing activities around Mystery Creek Events Centre. Inclusion of these policies will protect the future of NZNFS.</p>		<p>The objectives and policies listed in Section 10 – Airport Business Zone be amended and propose the following policies to be included:</p> <ol style="list-style-type: none"> 1) “Future industrial development shall take into account the existing operation and functionality of the Mystery Creek Events Centre. Any potential adverse effects on the existing and future operation of the Mystery Creek Events Centre shall be avoided”. 2) “Future development of the Northern Precinct cannot adversely impact on the safety and functionality of the existing roading infrastructure.” 	

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		These proposed policies will fall under the wider objective relating to the envelopment of the Northern Precinct.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F15/21.1 [Late]	Tabby Tiger Limited	21.1	Support
Any upgrades to the transport corridors should support the expansion of the Airport Business Zone as notified; and the existing and anticipated land use activities and development within the immediate surrounding area including but not limited to, the land at Mystery Creek Events Centre and along the eastern side of Airport Road.			
Reporting Officer Comment			
The ITA modelling has considered the effect of existing land uses in the surrounding environment, with additional scenarios run for the period up to 2031. If circumstances were to significantly change such that the intersection upgrades no longer work, there is provision in the PPC20 provisions to require further ITAs at the time of subdivision or development.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
22.2	Christopher Hickey	Traffic	Oppose
Submission summary:		Decision requested	
Traffic density is already high on Raynes Road and is expected to increase with this development. Without walking or cycling paths, the road will not be suitable for recreational use. It will also need to be improved to handle peak traffic.		Only undertake development if Cycle and walkways are provided along Raynes Road and Airport Road to connect with Hamilton/Cambridge cycleways. Improved roading infrastructure for local highway access.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F21/22.2	New Zealand National Fieldays Society Inc	22.2	Support in Part
NZNFS do not want the PPC20 rejected, but they do support the submitter's requested relief of cycle and walkways along Raynes and Airport roads and improved local highway access.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F30/22.2	Bike Waikato Incorporated	22.2	Support
We agree that Raynes Road has no walking or cycling paths, and that there is a need for improved walking and cycling connections along SH21/ Airport Road up to the Te Awa River path. However, this is likely a Waka Kotahi strategic network project, or one that requires a collaborative approach.			
Reporting Officer Comment			
Additional walking & cycling infrastructure is proposed to be constructed ahead of development in the Northern Precinct, including a connection between this land and Peakcocks. However, how the cycle routes interact with the Southern Links project has yet to be determined, so some flexibility regarding the final alignment will need to be provided.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
18.8	Waka Kotahi NZ Transport Agency	Construction Traffic	Supports
Submission summary:		Decision requested	

<p>The scale of the proposed change has the potential for construction activities to have a significant impact on the network external to the PPC20 area. The need for adequate construction planning that includes Waka Kotahi can be raised through Resource Consent processes.</p>	<p>Construction management planning be included in the Resource Consent process.</p>
<p>Reporting Officer Comment</p>	
<p>It is envisaged that construction management plans (including site and traffic management) will be required at the subdivision and development stage. There is sufficient matters for discretion in the WDP for this to be required as a condition of approval.</p>	

- 9.9.1. In response to pre-application consultation between the applicant and roading authorities, the PPC20 proposal included a series of road improvement works that would be triggered at various development thresholds based on modelling done in the ITA. It is not known exactly when the surrounding intersections will reach their respective capacities. There are also some related road improvement works in the vicinity already programmed to be undertaken by the various roading authorities.
- 9.9.2. To be able to provide certainty while retaining a degree of flexibility to the sequence and timing of the upgrade works, some further attention has been given to the ‘trigger’ Rule 10.4.2.13A and its related policies and assessment criteria. These were tabled and examined by the participants at Day 2 of the expert conferencing.
- 9.9.3. The Joint Witness Statement (JWS) records that all experts agree with the amended structure of the rules. In relation to the Raynes Road Access, the applicants’ expert explained the intent of the intersection design to physically inhibit all traffic from turning left onto Raynes Road from the Northern Precinct and all traffic from turning right into the Northern Precinct from Raynes Road.
- 9.9.4. There was some discussion about whether the concept design for the intersection should be included in the District Plan provisions in some way. Hamilton City’s expert also had some reservations whether the intersection design as proposed would be effective at preventing left-out movements. These matters remain outstanding and will be the subject of expert evidence at the hearing.
- 9.9.5. Regarding the Raynes Road / SH21 intersection, the experts for Tabby Tiger Ltd consider that the proposed upgrade to increase capacity at the roundabout to double circulating lanes and dual approach lanes should not foreclose the ability to establish a fourth arm to the land to the east.
- 9.9.6. Their expert presented a concept of how this four-arm roundabout could be constructed, noting that it would necessitate the roundabout to shift to the east and extend beyond the road reserve into the Tabby Tiger land to the east. They also noted that modelling of the four-arm roundabout (which has yet to be circulated) has been undertaken and will be presented in evidence. The modelling demonstrates the four-arm roundabout works suitably to support the PPC20 Northern Precinct and 32 hectare component of the relief sought in the Tabby Tiger submission.

- 9.9.7. Experts for the applicant and Waka Kotahi consider that any upgraded roundabout should be accommodated within the current road reserve and that the ability to establish a fourth arm in the future should not prevent the construction of a three-arm roundabout in the short-term. It was agreed that the landowners to the east would need to contribute both land and a share of the cost of constructing a four-arm enabled roundabout.
- 9.9.8. The applicants’ experts confirmed that the SH3 / Ingram Road intersection is no longer required to enable the Northern Precinct to be developed (as was the case in the current Airport Business Zone Structure Plan). The Airport Business Zone Structure Plan proposed under PPC20 doesn’t seek to remove the access point / gateway notation from the Structure Plan. It is for these reasons that the PPC20 planning provisions including Rule 10.4.2.13A does not include any upgrading or changes to the SH3 / Ingram Road intersection. Experts for Waka Kotahi acknowledged this and agreed that nothing further on the SH3 / Ingram Road intersection needs to be considered as part of PPC20.
- 9.9.9. The experts for the applicants and Tabby Tiger Ltd support the Airport Business Zone Structure Plan showing a potential future connection to the Southern Links Central Interchange because the Southern Links Designations is operative. It is prudent to provide for long-term planning and it reflects the internal roading layout within the Northern Precinct and connectivity to the airport.
- 9.9.10. Waka Kotahi’s expert agrees that the Southern Links designation is operative, but notes that access to the Northern Precinct could be via SH3 and the Southern Links Designation does not include a direct access from Southern Links to the Northern Precinct. A review is ongoing which does not preclude the ability to add a direct connection, but this has not been shown to be necessary, beneficial or feasible.
- 9.9.11. Regarding the roading and transport situation more generally, the experts agree that a coordinated approach is preferred to identify and plan for the development of transportation (and other) infrastructure surrounding the airport. This requires interagency coordination and leadership. The planning experts recognise that this is beyond the jurisdiction of the hearing panel to direct as an outcome of PPC20.

Recommended Decisions on Submissions

- 9.9.12. That the following points of submission are ***rejected***:

01.2	Jennifer McDowall
02.1	Raewyn Cals
05.1	Middle-Narrows Focus Group
F5/05.1	Middle-Narrows Focus Group
06.4	James & Marie Snowball
21.1	NZ National Fieldays Society
F15/21.1	Tabby Tiger Limited

Reasons

The Integrated Transport Assessment sets out the proposed interventions and intersection upgrades necessary to mitigate the effects of increased traffic on the roading network. Waiting for Southern Links to be constructed (if at all) is unnecessary as traffic effects can be adequately managed in the interim.

The upkeep and maintenance of Mystery Creek Road is the responsibility of the road authority and is not something that can be addressed through this Plan Change process. Upgrading works to accommodate the additional traffic movements generated by the Northern Precinct are limited to intersections only.

The ITA modelling has considered the effect of existing land uses in the surrounding environment, with additional scenarios run for the period up to 2031. If circumstances were to significantly change such that the intersection upgrades no longer work, there is provision in the PPC20 provisions to require further ITAs at the time of subdivision or development.

9.9.13. That the following points of submission are ***accepted in part***:

- F21/01.2 New Zealand National Fieldays Society Inc
- 03.1 Bruce McDowall
- 09.1 Tainui Group Holdings
- F18/09.1 Waka Kotahi NZ Transport Agency
- 12.3 Joan & Robin Cuff, L & M McDowell
- F21/12.3 New Zealand National Fieldays Society Inc
- 22.2 Christopher Hickey
- F21/22.2 New Zealand National Fieldays Society Inc
- F30/22.2 Bike Waikato Incorporated

Reasons

The proposal does propose upgrades to the Raynes Road SH21 intersection to address the concerns raised by the submitters. The Plan Change does include intersection upgrade works on the roundabout at the Eastern end of Raynes Road. The new intersection design for the egress onto Raynes Road from the Northern Precinct will inhibit additional traffic travelling towards the northern end of Raynes Road.

Following a further explanation of the ITA modelling and the upgrading works proposed, it has been agreed that no upgrading or changes to the SH3 / Ingram Road intersection are required.

Additional walking & cycling infrastructure is proposed to be constructed ahead of development in the Northern Precinct, including a connection between this land and Peakcocks. However, how the cycle routes interact with the Southern Links project has yet to be determined, so some flexibility regarding the final alignment will need to be provided.

9.9.14. That the following points of submission are ***accepted***:

- 18.4 Waka Kotahi NZ Transport Agency
- F23/18.4 Hamilton City Council
- F21/18.4 New Zealand National Fieldays Society Inc
- 18.8 Waka Kotahi NZ Transport Agency

Reasons

A full explanation of the concept design solutions for the intersections was presented at the expert conference. Conversations regarding the timing of their implementation are ongoing.

It is envisaged that construction management plans (including site and traffic management) will be required at the subdivision and development stage. There is sufficient matters for discretion in the WDP for this to be required as a condition of approval.

Recommended Amendments to PPC20

As per Appendix 1.

9.10. SUB-TOPIC 2.5 – STORMWATER MANAGEMENT

Table 11: Summary of submissions for Sub-Topic 2.5 – Stormwater Management

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
05.3	Middle-Narrows Focus Group	Stormwater Management	Oppose
Submission summary:		Decision requested	
The land in this area is subject to a high water table and is serviced by a variety of ditches that flow to the river. There needs to be a plan to retain water to moderate river flows.		Developers coordinate with neighbours regarding stormwater flows.	
Reporting Officer Comment			
A combination of groundwater soakage for lower volumes and surface detention for larger storm events is proposed.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
06.2	James & Marie Snowball	Stormwater Management	Oppose
Submission summary:		Decision requested	
The water table levels are rising at the end of the road, and this has not been factored into development plans.		Council to reject the proposal.	
Reporting Officer Comment			
While only methods of stormwater management have been provided to date, the location of stormwater detention and swales will be determined as part of the detailed design process at the time of subdivision and development as required by the district and regional plan provisions.			

WAIPĀ DISTRICT PLAN: PROPOSED PRIVATE PLAN CHANGE 20 – AIRPORT NORTHERN PRECINCT EXTENSION

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.7	Joan & Robin Cuff, L & M McDowell	Stormwater Management	Oppose
Submission summary:		Decision requested	
The proposal does not consider the wider catchment or future Waka Kotahi Road works and other developments.		Require specific outcomes from Waka Kotahi’s new Highway works as a condition of Northern Precinct Expansion.	
Reporting Officer Comment			
WDC is currently developing Catchment Management Plans (CMPs) for the main urban areas and urban growth cells.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
22.1	Christopher Hickey	Stormwater Water Quality	Oppose
Submission summary:		Decision requested	
Our drinking water is from groundwater and the area is at risk of industrial contamination. The proposed industrial sites will contaminate groundwater and surface water unless full treatment systems are in place.		Only undertake development if fully reticulated wastewater and stormwater treatment systems can be provided.	
Reporting Officer Comment			
The Waipā Stormwater Bylaw 2019 includes provisions for maintaining stormwater devices and preventing pollution. These issues are typically addressed at the time of building consent to ensure the device is appropriate for the proposed use of the buildings.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
23.11	Hamilton City Council	Stormwater Management	Support in part
Submission summary:		Decision requested	
HCC supports the inclusion of low impact urban design principles into PPC20 in accordance with Te Ture Whaimana. This will support the health and wellbeing of the Waikato River, its tributaries and catchment.		Planning provisions which manage the effects of stormwater and wastewater on the Waikato River and give effect to Te Ture Whaimana.	
Reporting Officer Comment			
WDC is proposing to develop Catchment Management Plans (CMPs) for the main urban areas and urban growth cells to allow for better integration with surrounding areas and environmental enhancements consistent with Te Ture Whaimana.			

9.10.1. The applicants propose that stormwater management will be required for any development of the site. Stormwater will need to be managed to avoid increasing peak flow downstream. Stormwater devices will be incorporated into the development, but wetlands or ponds are unfavourable due to their bird habitat. Dry systems are the best for stormwater treatment and detention. The geotechnical conditions of the site indicate that the land is suitable for soakage to the ground, but larger storm events should be controlled with detention systems such as shallow surface swales at existing drainage points.

- 9.10.2. Some submitters have raised concerns regarding the absence of any specific details about how stormwater will be managed and treated to minimise the risk of contamination in groundwater and rivers. The inclusion of low impact urban design principles to support the health and wellbeing of the Waikato River is supported and it has been suggested that the land should form part of a wider Comprehensive Stormwater Consent which includes other related works beyond the Northern Precinct.
- 9.10.3. WDC’s technical advisor agrees that the best three waters management is to develop an integrated catchment management approach. The Airport Northern Precinct is a large portion of the local catchment for stormwater, and currently does not have a more integrated approach with WDC, surrounding landowners, and Waka Kotahi. WDC is currently developing Catchment Management Plans (CMPs) for the main urban areas and urban growth cells, allowing for better integration with the surrounding areas and more effective public and private water sensitive techniques for catchments and site-specific development. CMPs are effective when there are several parties involved and allow consideration at a larger scale of climate change impacts and environmental enhancements consistent with Te Ture Whaimana.
- 9.10.4. The dry industry and retail development types proposed are unlikely to impact stormwater quality. The Waipā Stormwater Bylaw 2019 has provisions for maintaining stormwater devices and preventing pollution. Stormwater devices may become public assets eventually, so they should be designed per RITS requirements and require regional consents. A CMP may be needed for regional stormwater discharge consents.
- 9.10.5. Stormwater from future industrial/business development of the site can be appropriately managed with a combination of methods, but this will need to consider future surrounding activities in the catchment.

Recommended Decisions on Submissions

- 9.10.6. That the following points of submission are **rejected**:

06.2	James & Marie Snowball
22.1	Christopher Hickey

Reasons

While only methods of stormwater management have been provided to date, the location of stormwater detention and swales will be determined as part of the detailed design process at the time of subdivision and development as required by the district and regional plan provisions. The Waipā Stormwater Bylaw 2019 includes provisions for maintaining stormwater devices and preventing pollution. These issues are typically addressed at the time of building consent to ensure the device is appropriate for the proposed use of the buildings.

- 9.10.7. That the following points of submission are **accepted**:

05.3	Middle-Narrows Focus Group
12.7	Joan & Robin Cuff, L & M McDowell

23.11 Hamilton City Council

Reasons

A combination of groundwater soakage for lower volumes and surface detention for larger storm events is proposed. WDC is exploring the development Catchment Management Plans (CMPs) for the main urban areas and urban growth cells to allow for better integration with surrounding areas and environmental enhancements consistent with Te Ture Whaimana.

Recommended Amendments to PPC20
Nil.

9.11. SUB-TOPIC 2.6 – WASTEWATER DISPOSAL

Table 12: Summary of submissions for Sub-Topic 2.6 – Wastewater Disposal

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
06.3	James & Marie Snowball	Wastewater Disposal	Oppose
Submission summary:		Decision requested	
There is no sewerage treatment plant supplied by the developer.		Council to reject the proposal.	
Reporting Officer Comment			
There is a future Metro Wastewater Treatment Plant being proposed to service this area of Hamilton/Waipā. While the timetable for its establishment has yet to be confirmed, on-site disposal is a short term solution if limited to 'dry' industry.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
23.9	Hamilton City Council	Wastewater Disposal	Support in part
Submission summary:		Decision requested	
The Northern Precinct must be serviced by a public wastewater solution		Strengthen the plan provisions related to the need for adequate water supply, wastewater and transport infrastructure before development to avoid development not connected to a public wastewater network. Add triggers into the plan regarding the need to connect to a public wastewater treatment solution.	
Reporting Officer Comment			
It is proposed by the applicant that the development area will connect to the Southern Metro Wastewater Treatment Plant when it becomes available. Additional provisions with associated triggers limiting development to 'dry' industries is recommended.			

9.11.1. There is presently no reticulated wastewater to the PPC20 area. The western precinct, hotel and terminal buildings have on-lot wastewater treatment through septic tanks and disposal beds. The southern, central and raynes precincts have reticulated systems that are currently terminated at

storage chambers at the end of each reticulated portion. These chambers are periodically pumped out and transported by truck to the wastewater treatment plant (WWTP) in Cambridge.

- 9.11.2. The preferred longer-term solution would be to connect these precincts to the Hamilton/Waipā future Southern Metro Wastewater Treatment Plant (SMWWTP) that is proposed to be constructed within the vicinity of the airport. While it is understood that the land has been secured for this sub-regional facility, the design and implementation of the facility has yet to be confirmed.
- 9.11.3. In the event that the metro wastewater scheme is significantly delayed or abandoned, the alternative long-term solution is to pump the effluent from the existing collection chambers directly to a privately owned on-site treatment plant in the central precinct.
- 9.11.4. The applicants’ Infrastructure Assessment¹⁷ found that it would not be efficient or effective to connect the Northern Precinct to the existing wastewater infrastructure in the other precincts. A standalone wastewater treatment plant is considered the preferred option to service the precinct in the short- to medium-term.
- 9.11.5. WDC’s technical adviser agreed that for the short-medium term it is not efficient for the Northern Precinct to connect to the existing wastewater infrastructure in the other Airport Precincts. The existing method of transporting wastewater by truck to Cambridge Wastewater Treatment Plant is only suitable for dry industry but could be used for a short period until wastewater volumes are suitable for a standalone WWTP with land discharge of treated water if the new Southern WWTP is not yet available.
- 9.11.6. The disposal field for any standalone WWTP should be in an area with good drainage and would be subject to a resource consent process for the discharge to land and air as required which would address any effects. A standalone WWTP would be very sensitive to excessive flows or loads which could be generated by wet industry so a restriction will be required on flows generated on each lot. A covenant approach such as proposed for the water supply may achieve this outcome.

Recommended Decisions on Submissions

- 9.11.7. That the following points of submission are **rejected**:

06.3	James & Marie Snowball
23.9	Hamilton City Council

Reasons

It is proposed that the Northern Precinct will connect to the Southern Metro Wastewater Treatment Plant when it becomes available. In the short term the existing method of transporting

¹⁷ PPC20 Appendix 6

off-site could be used until a standalone WWTP is established, if land use activities are limited to ‘dry industries’ until connected to the future the SMWWTP.

Recommended Amendments to PPC20

Include additional provisions to ensure that only ‘dry’ industries can be established in the Northern Precinct until connected to the Southern Metro Wastewater Treatment Plant.

9.12. SUB-TOPIC 2.7 – WATER SUPPLY

Table 13: Summary of submissions for Sub-Topic 2.7 – Water Supply

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
17.1	Fire and Emergency NZ	15.4.2.87	Oppose
Submission summary:		Decision requested	
<p>The fire department opposes the plan change request due to unsatisfactory levels of firefighting infrastructure in some instances. The plan change could be supported if a satisfactory framework of provisions requiring firefighting water supply are incorporated into the plan change.</p>		<p>Fire and Emergency request that Council do not enable development within the proposed zone extension or the Fire and Emergency also seek to include the following Rule:</p> <p><u>Airport Business Zone</u></p> <p>15.4.2.87 All development and subdivision in the Airport Business Zone shall comply with:</p> <p>...</p> <p>e. Water supply for firefighting purposes, to be provided in accordance with the New Zealand Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</p> <p>Advice Note: SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice sets out a number of options to provide water for the New Zealand Fire Service's operational requirements and shall be used as a guide when designing firefighting water protection.</p> <p>Alternatively, the reticulated water network can be designed to meet the requirements of SNZ PAS 4509:2008 or reduce the volume of onsite water storage required by future developments.</p>	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F21/17.1	New Zealand National Fieldays Society Inc	17.1	Support
<p>NZNFS supports this position from the submitter that adequate firefighting resources should be developed prior to the PPC20 area being developed.</p>			
<p>Reporting Officer Comment</p>			

There are existing provisions in the WDP relating to firefighting water supply, but there are questions about their application to the subject land.

- 9.12.1. The Infrastructure Report¹⁸ supporting PPC20 proposes that potable water and firefighting water supply can be provided from the Pukerimu Water Supply scheme with onsite reservoirs and booster pumps. The existing water supply agreement with WDC specifies a requirement to store 48 hours average daily demand within the development.
- 9.12.2. At this stage, the applicants assume the Northern Precinct development will have a reticulated water service with fire storage of 180m³. The fire storage could be within the existing water reticulation provided that fire flow requirements are met. Hydraulic modelling of the full water reticulation should be carried out as part of the detailed design process to identify locations of reservoirs and booster pumpstations.
- 9.12.3. Waipā DC’s technical advisor notes that the original water supply agreement to the Airport Zone was based on 3m³/Ha/day, which equates to a total daily demand for the entire airport zone (including the Northern Precinct) of 744m³/day. This exceeds current agreed supply limit with WDC of 600m³/day. Infrastructure upgrades in the Pukerimu scheme are planned once triggers are met to allow the 600m³/day to be provided (as per current agreement).
- 9.12.4. The applicants’ proposal to carry out hydraulic modelling of the full water reticulation as part of the detailed design process to confirm suitable locations for reservoirs and booster pumpstations within the full development is supported by WDC’s technical advisor.
- 9.12.5. The submitter has requested that an additional rule be included in the Airport Business Zone setting out the Fire and Emergency requirements for subdivision and development within the zone. They note that there are existing rules in the WDP dealing with firefighting water supply, but one applies only to land within the urban limits, and the other in situations where land is unreticulated or has restricted flow supply.
- 9.12.6. I agree that the circumstances of the PPC20 site may lead to it falling within a gap between the rules, although there is no intention to have any less of a standard of firefighting water supply that is appropriate for industrial development.
- 9.12.7. The proposed wording suggested by the submitter would require compliance with a code of practice, which may or may not be suitable for permitted activities depending on the level of discretion contained in the code. An alternative may be to place the requirement in Section 21 of the WDP as an Assessment Criteria, mimicking Rule 21.1.15.21:

21.1.15.21	Water supply for firefighting purposes where there is no, or restricted flow Council water supply	<ul style="list-style-type: none"> (a) The extent of consistency with the New Zealand Fire Service Code of Practice. (b) The potential for spread of fire to other buildings or properties. (c) Whether other fire mitigation measures are proposed.
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¹⁸ PPC20 Appendix 6

9.12.8. The applicant is invited to comment as to which location in the WDP would be more fit for purpose so that the WDC technical staff can also review and respond.

Recommended Decisions on Submissions

9.12.9. That the following points of submission are **accepted**:

- 17.1 Fire and Emergency NZ
- F21/17.1 New Zealand National Fieldays Society Inc

Reasons

While the WDP does contain standards to ensure adequate firefighting water supply is available, the nature of PPC20 falls within a gap between rules. Further amendments to PPC20 will ensure that the standards are applied consistently district wide.

Recommended Amendments to PPC20

Include additional development standard or assessment criteria as appropriate.

9.13. SUB-TOPIC 3.1 – LANDSCAPE AND AMENITY

Table 14: Summary of submissions for Sub-Topic 3.1 – Landscape & Amenity

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
01.1	Jennifer Lillian McDowall	Rural Amenity	Oppose
Submission summary:		Decision requested	
Re-zoning will reduce the amenity value of the neighbourhood from a pleasant semirural area to a quasi-industrial area.		Council to reject the proposal.	
Reporting Officer Comment			
The landscape mitigation planting proposed to the perimeter of the development will lesson this effect, but there is no doubt that there will still be at least a moderate level of effect on the outlook for these properties.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
06.1	James Douglas Snowball and Marie Anne Snowball	Rural Amenity	Oppose
Submission summary:		Decision requested	
There does not appear to be a substantial proposed greenbelt between the northern precinct and existing homeowners which would also include bunding, trees and other planting.		Council to reject the proposal.	
Reporting Officer Comment			

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The Structure Plan includes a 5m wide landscape buffer around the perimeter of the zone, which requires planting to a minimum planting height of at least 5m to a depth of 2m.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
07.5	Royal Forest and Bird Protection Society of New Zealand	Landscape planting	Oppose
Submission summary:		Decision requested	
Trees must be of a certain size before they can be useful to bats for roosting or commuting. If the trees are not planted or maintained correctly, they may become unusable for bats.		Ecological recommendations for landscape planting to encourage long-tailed bat foraging or commuting include specimen, sizing, and design requirements. Planting should take place before works commence and be maintained over the long-term.	
Reporting Officer Comment			
Since the submission was received, further amendments have been made to the landscape planting provisions following expert caucusing.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
08.3	Sandra Forsyth	Rural Amenity	Oppose
Submission summary:		Decision requested	
The visual impact of the proposed development cannot be underestimated. The area is attractive due to the rural outlook and the large number of trees. The current development at the airport is unattractive due to the recent commercial buildings abutting the fence line. If rezoning must go ahead, then a greenbelt is imperative.		The land should not be rezoned for business purposes as a green belt should be created. The green belt should be at least 5m, planted with trees, and have green islands within the complex.	
Reporting Officer Comment			
The Structure Plan includes a 5m wide landscape buffer around the perimeter of the zone, which requires planting to a minimum planting height of at least 5m to a depth of 2m. It is recommended that stronger controls be included to protect existing mature trees within the land where they are identified as providing ecological and landscape value.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.2	Joan & Robin Cuff, L & M McDowell	All	Oppose
Submission summary:		Decision requested	
Visual effects not adequately assessed to Rukuhia Neighbourhood zone		Review and consult upon issues raised with immediate neighbours.	
Reporting Officer Comment			
It is acknowledged that there will be visual effects to the immediate neighbourhood of Narrow and Middles Road in particular, but the broader Rukuhia neighbourhood will be largely unaffected visually.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
23.8	Hamilton City Council	All	Support in part

<p>The amenity of the public and private realm is important to attract and retain businesses. Retail nodes within the precinct are attractive to those working onsite.</p>	<p>Introduce precinct-specific design controls for landscaping, signage, and internal site layout. Land should be set aside for signage and landscaping at key gateways. Introduce a masterplan with design controls, assessment criteria, and contrast between industrial and retail. More in-depth economic analysis is needed to determine the appropriate size of the retail centre and limit the total site area and GFA accordingly.</p>
<p>Reporting Officer Comment</p>	
<p>Since the submission was received, further amendments have been made to the landscape planting provisions following expert caucusing, including the creating of a Bat Habitat Area overlay, which will provide additional open space amenity to the Norther Precinct Hub and surrounding area.</p>	

- 9.13.1. PPC20 included a Landscape Visual Assessment¹⁹ (LVA) that reviewed and assessed the physical and visual nature of the site. It noted that the existing environment is a flat alluvial plain with two small hills of gentle contours, a farm homestead with associated exotic vegetation, and additional vegetation consisting of small groves of exotic specimen trees and exotic shelter belts. There are no natural streams on the site, with open artificial farm drains being the primary feature for water movement. The wider area is distinguished by gentle low rolling hills and deep gully systems.
- 9.13.2. The Structure Plan is responsive to the LVA's recommendation to enhance the larger hill to provide wayfinding, amenity and enhanced visibility of the Hub. The edge of the Northern Precinct aligns with existing roads and the Southern Links network to enable a strong edge between business uses and rural uses through building setbacks and landscape buffers. The location of the landscape buffers around the perimeter of the zone are notated on the Structure Plan Map, with accompanying rules requiring a minimum depth of 5m and height of at least 5m high and 2m deep.
- 9.13.3. The LVA assessed the potential visual effects of developing the site in accordance with Airport Business Zone rules. It found that the effects would range from very low to low moderate across the 21 viewpoints investigated. The recommendations from the LVA have been reflected in the proposed Structure Plan and Airport Business Zone provisions.
- 9.13.4. The submitters say the re-zoning of the Rukuhia neighbourhood will reduce the amenity value of the area from a pleasant semirural area to a quasi-industrial area. There is not a substantial proposed greenbelt between the northern precinct and existing homeowners, which would include bunding, trees and other planting. The visual impact of the proposed development cannot be underestimated, submitters say. The Waikato, and particularly the Waipā district, are attractive due to the rural outlook and large number of trees. If the rezoning must go ahead, then provision for a greenbelt is imperative. The amenity of the public and private realm is critical to attract and retain high-value businesses. Retail nodes within the precinct need to be attractive to those working onsite to avoid out of centre trips.

¹⁹ PPC20 Appendix 2.

- 9.13.5. The LVA submitted with PPC20 was reviewed by WDC’s technical advisor. They conclude that the methodology used to assess the effects of the likely site development is appropriate given the scale of the assessment and being generally in accordance Te Tangi A Te Manu (Aotearoa New Zealand Landscape Assessment Guidelines, Final Draft April 2021).
- 9.13.6. The applicants’ LVA assesses the proposed landscape and visual effects with the understanding that future zone changes that facilitate industrial and commercial development are anticipated within the WDP. Some 40% of the PPC20 area is already zoned Airport Business Zone, including both small hills.
- 9.13.7. Council’s technical advisor notes that due to the uncertainty about the Southern Links designation, the LVA should also consider landscape effects for a scenario where Southern Links does not go ahead. There is also a slight disconnect between the outcomes sought in the Rural Zone policies and the Airport Business Zone policies in relation to character and amenity. It is not uncommon for zone provisions to be ‘inward looking’ unless the district plans describe how the interface between zone boundaries is to be managed.
- 9.13.8. While the LVA describes the site as having a limited sense of place and primarily associated with pastoral or agricultural activities, the WDC technical advisor is of the view that the site represents the transitional change between the airport associated industrial development, and the rural, semi-rural landscape to the North-West, North, and Northeast of the airport.
- 9.13.9. At the broader level, the effects on amenity will be low, given the undulating topography of the site and the clusters of specimen trees and shelter belts restricting views to the site. However, the immediate rural residential neighbourhood bordering the site will have at least moderate effects on their outlook and in turn character and amenity. This includes properties to Narrows Road and Middle Road (south of Narrows Road), which currently experience a rural outlook, with sparse built form, open paddocks and clusters of trees.
- 9.13.10. Council’s technical advisor is of the view that the “change of landuse from Rural to Airport Business for 89ha of land will see significant change to the rural character of this landscape. This impact can be reduced by buffer planting but there will still be a broader ramification to the character of the Rukuhia area. This effect is likely to be at least of moderate effect, however, must be considered alongside the broader picture of development in the area to ensure that development is occurring in the most appropriate areas to lessen the impact on the rural landscape.” Both the applicants’ LVA and WDC agree that visual change will be unavoidable, should the plan change go ahead, but that is anticipated given the extent of changes outlined in this location.
- 9.13.11. The LVA included a number of recommendations to mitigate effects on the landscape, and these have been incorporated into the proposed Structure Plan and related planning provisions. The WDC’s technical advisor recommends there be stronger protection of any high quality established trees on site that form a crucial part of the character of the area. This would require further input from a qualified arborist in combination with a Bat specialist to identify high value trees (in terms of both habitat and amenity).

Recommended Decisions on Submissions

9.13.12. That the following points of submission are **rejected**:

- 01.1 Jennifer Lillian McDowall
- 06.1 James Douglas Snowball and Marie Anne Snowball
- 12.2 Joan & Robin Cuff, L & M McDowell

Reasons

The effects on surrounding environment has been fully considered by PPC20, and provisions have been included to lessen the effect on adjoining rural properties. The Structure Plan includes a 5m wide landscape buffer around the perimeter of the zone, which requires planting to a minimum planting height of at least 5m to a depth of 2m.

9.13.13. That the following points of submission are **accepted**:

- 07.5 Royal Forest and Bird Protection Society of New Zealand
- 08.3 Sandra Forsyth
- 23.8 Hamilton City Council

Reasons

Since the submission was received, further amendments have been made to the landscape planting provisions following expert caucusing, including the creating of a Bat Habitat Area overlay, which will provide additional open space amenity to the Norther Precinct Hub and surrounding area.

Recommended Amendments to PPC20

Include stronger protection of any high-quality established trees on site that form a crucial part of the character of the area. This would require further input from a qualified arborist in combination with a Bat specialist to identify high value trees (in terms of both habitat and amenity).

9.14. SUB-TOPIC 3.2 – LIGHTING

Table 15: Summary of submissions for Sub-Topic 3.2 - Lighting

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
07.4	Royal Forest and Bird Protection Society of New Zealand	Light Management Plan	Oppose
Submission summary:		Decision requested	
The Bat Management Plan needs to include lighting information, including appropriate light		A lighting management plan must be applied to development within a 20m corridor from the identified external boundary extents of the precinct and the Hub.	

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levels, distances from roost trees, etc. Light sources that impact bats need to be considered.		This plan must establish a dark zone to help contribute to the long-tailed bat flyway network and provide lighting outcomes for any lots within the dark zone. Light from car headlights, security lights, and other light sources must be considered.	
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes an additional Rule 10.4.2.14A (Lighting in the Northern Precinct) to achieve the outcomes sought by the submitter.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
10.1	Rex Mason	Lighting	Support with Condition.
Submission summary:		Decision requested	
We are keen to retain and promote 'Dark Skies' and oppose any visual darkness deterioration.		The Plan has significant restrictions to minimize light emission/glare from buildings and roads, including non-reflective and darkened outer claddings and non-reflective glass, outdoor lighting at low level only, and roadway lighting at low level only. Tall dense tree planting along the Northern and Western boundaries is included. Regular monitoring, measuring, and reporting of the restrictions is included.	
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes an additional Rule 10.4.2.14A (Lighting in the Northern Precinct) to achieve the outcomes sought by the submitter.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
20.2	Department of Conservation	Lighting	Support in part
Submission summary:		Decision requested	
The Lighting Management Plan defers protection of significant bat habitat to the consent application stage, with no certainty that the development will avoid, remedy, or mitigate adverse ecological effects. Bespoke provisions, including performance standards, are required for the management of lighting effects on bats. The spatial extent of the "lighting management plan area," 20m buffer, and deferral of lighting effects management to the LMP are considered insufficient.		<p>Insert wording in Section 10 Airport Business Zone to explain that the rules in 24.4., including 24.4.1 – Activity Status Table, will apply. For activities that will be proposed outside of SNAs or Bat Habitat Corridors, Rule 10.4.2.14A is still required.</p> <p>The Director-General seeks amendments to Rule 10.4.2.14A to ensure the EMP (and BMP, LMP contained therein):</p> <ul style="list-style-type: none"> • Have an objective specified in the PC20 provisions against which its effectiveness can be measured. • Extend beyond roosting sites and manage effects on foraging and commuting sites to protect the functionality of core bat habitat. • The Ecology, Bat and Lighting management plan be prepared by the same suitably qualified ecologist/s to ensure they integrate to achieve the specified objective. 	

<ul style="list-style-type: none"> • The Ecology, Bat and Lighting management plan be peer reviewed by DOC and WRC ecologists. • Consider roosting tree removal as a last resort but include best practice tree removal protocols and mitigation for any potential trees that have been identified for removal. • Set out how protected, restored or enhanced habitat will link to other areas immediately outside of the PC20 site. It is important that connectivity to the wider landscape is accounted for. <p>Insert the following or wording to like effect:</p> <p>Bespoke provisions to manage lighting effects on bats across the proposed Airport Business Zone. Performance standards should include, at minimum, a requirement that light (lux) levels will not exceed 0.1 lux at the boundary of any area set aside for bat protection, including any such SNAs and/or corridor, as recommended in the Eurobats Guidelines for consideration of bat in lighting projects.</p> <p>Performance standards should manage colour temperature, directing that fixed lighting in the Airport Business Zone will be white and not exceed 2700 kelvins with as little blue light as possible. All lighting should emit zero upward light, be installed with the light emitting surface directly down and be mounted as low as practical.</p> <p>The D-G requests other lighting effects mitigation such as low-reflectance surfaces, light trespass from windows, luminous intensity, luminance, screening from vehicle headlights, and flicker also be addressed in provisions.</p>			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F07/20.2	Royal Forest and Bird Protection Society of New Zealand	20.2	Support
If the plan change goes ahead, F&B endorses DoC’s requested decisions on lighting in full.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F29/20.2	Waikato Regional Airport Ltd	20.2	Oppose
Specifically confine any changes to PPC20 to land described in the plan change and not the wider Airport Business Zone or Hamilton Airport.			
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes an additional Rule 10.4.2.14A (Lighting in the Northern Precinct) to achieve the outcomes sought by the submitters. The proposed lighting rule applies only to the Northern Precinct (not the adjacent Airport or runway land) and excludes lighting associated with aviation requirements for the Hamilton Airport.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
22.3	Christopher Hickey	Lighting	Oppose
Submission summary:		Decision requested	
Ecologically sensitive lighting needs to be used to minimise adverse effects on birds, bats, & aquatic/terrestrial insects.		Only undertake development if Low Impact lighting systems are included.	
Reporting Officer Comment			
The PPC20 revisions currently proposed by the applicants includes an additional Rule 10.4.2.14A (Lighting in the Northern Precinct) to achieve the outcomes sought by the submitter.			

- 9.14.1. As discussed above in Sub-Topic 2.2 (Bat Habitat / Biodiversity), the subject of lighting was examined at the pre-hearing conference in the context of Bat Habitats. Attending the conference was Mr John McKensey, a lighting expert acting on behalf of the applicants, who set out the considerations and outcomes sought by a proposed new rule in PPC20 in relation to lighting (Rule 10.4.2.14A).
- 9.14.2. This new rule applies to the Northern Precinct in addition to the existing Rule 20.4.22 of the WDP. The new rule sets out limitations on added illuminance from fixed artificial lighting (both indoor and outdoor) at any height at the external boundary of the Bat Habitat Area. Fixed outdoor artificial lighting is also controlled where it is within 100m of a Bat Habitat Area.
- 9.14.3. No fixed artificial lighting is to be located within the Bat Habitat Area except where it is for the express purpose of lighting for emergency works relating to lifeline infrastructure. In those exceptional circumstances, LED lighting colour and temperature is controlled, and the light emitting surface mounted as low as possible, facing directly down, and emitting zero direct upward light.
- 9.14.4. The lighting standards do not apply to vehicle headlights or to lighting associated with the aviation requirements of Hamilton Airport. Failure to meet any requirements of the new rule will trigger a restricted discretionary resource consent.
- 9.14.5. DoC’s Bat Specialist considered that more could be done to minimise lighting and sought further amendments to some of the proposed lighting rules. The applicants’ lighting specialist and planners did not support the suggested changes as the wording is too imprecise for a permitted activity rule. The suggested changes to the motion sensor timer duration (from 5min down to 1min) was not supported by the lighting specialist, as he considered it impractical, and that the key control is the lux level measured at the BHA boundary.
- 9.14.6. The submission by Rex Mason was broader than the other submissions on lighting, which primarily related to minimising impact on fauna. In addition to bat transit and habitat area, he seeks to promote ‘Dark Skies’ and opposes any visual darkness deterioration through controls on reflectivity of cladding and glass, outdoor lighting, street lighting, and tall planting around the perimeter of the Northern Precinct.

9.14.7. The new lighting rule proposed by the applicant will go some way to achieving the outcomes sought by Mr Mason, through the control of outdoor lighting. The controls on cladding and glass reflectivity are unnecessary, as the light level controls are controlled at the boundary of the BHA (and within 100m of it) whether the light spill is direct or reflected. Regarding the suggestion of planting around the perimeter of the zone, PPC20 does propose a requirement to this effect, as set out in Sub-Topic 3.1 (Landscape & Amenity) later in this report.

Recommended Decisions on Submissions

9.14.8. That the following points of submission are **accepted**:

- 07.4 Royal Forest and Bird Protection Society of New Zealand
- 10.1 Rex Mason
- 20.2 Department of Conservation
- F07/20.2 Royal Forest and Bird Protection Society of New Zealand
- F29/20.2 Waikato Regional Airport Ltd
- 22.3 Christopher Hickey

Reasons

The PPC20 revisions currently proposed by the applicants includes an additional Rule 10.4.2.14A (Lighting in the Northern Precinct) to achieve the outcomes sought by the submitters. The proposed lighting rule applies only to the Northern Precinct (not the adjacent Airport or runway land) and excludes lighting associated with aviation requirements for the Hamilton Airport.

Recommended Amendments to PPC20
Nil.

9.15. SUB-TOPIC 3.3 – NOISE

Table 16: Summary of submissions for Sub-Topic 3.3 – Noise

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
06.5	James & Marie Snowball	Noise	Oppose
Submission summary:		Decision requested	
The plan doesn't indicate mitigation against noise levels emitted from the new proposed commercial area and business. The removal of one of the hills on the farm on Narrows Road will allow higher noise level to protrude across the district.		Not specified.	
Reporting Officer Comment			
The current noise provisions set out in the Waipā District Plan will ensure that the potential noise effects from the Plan Change are of little appreciable significance.			

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Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
10.2	Rex Mason	Noise	Support with condition
Submission summary:		Decision requested	
Noise restrictions are incorporated into the Plan.		Incorporate suitable restrictions on daytime noise emissions and incorporate curfews on night-time operations and truck movements. Include regular monitoring, measuring, and publicly reporting of the restrictions.	
Reporting Officer Comment			
The current noise provisions set out in the Waipā District Plan will ensure that the potential noise effects from the Plan Change are of little appreciable significance.			

- 9.15.1. The PPC20 request included an Acoustic Report²⁰ that considered the potential noise effects from and on the activities provided for in the plan change in the context of a changing (increasing) noise environment (anticipated because of Southern Links and other permitted development that has yet to be taken up).
- 9.15.2. The Acoustic Assessment found that road and aircraft noise sources are likely to be predominant in the area, but that the construction and operation of the Southern Links is expected to increase the noise. The plan rules for the Rural and Airport Business Zones will allow for the anticipated activities to occur while avoiding, remedying, or mitigating adverse effects of noise.
- 9.15.3. The submitters are concerned that PPC20 may not mitigate against noise levels emitted from the new development areas. There is concern that the removal of one of the hills would allow noise to travel further, and it was requested that daytime noise standards and curfews on night-time operations and truck movements be included with associated monitoring requirements.
- 9.15.4. The applicants’ Acoustic Report summarises the noise performance standards of the WDP that currently apply to the existing Rural Zone and Airport Business Zone. The report notes that the noise rules that presently apply to the area are typical of Rural zones and acknowledge that the zone can be active, busy, and production environments which anticipate noise as a by-product. It is also noted that Airport noise is controlled via noise contour overlays under Section 4 of the WDP.
- 9.15.5. PPC20 proposes to rezone the entire site as Airport Business Zone and adopt the existing District Plan rules for the zone. A small exception is proposed to recognise that 141 Middle Road is within the proposed zone, but not owned by the applicants. This exemption allows for the receivers of noise at 141 Middle Road to retain the current Rural zoning noise rules. I note that the owners of that property (SJ & KS Besley) are also submitters to PPC20 who support the rezoning of 141 Middle Road. [Submission 04.1 refers].

²⁰ PPC20 Appendix 13.

Recommended Decisions on Submissions

9.15.6. That the following points of submission are *rejected*:

- 06.5 James & Marie Snowball
- 10.2 Rex Mason

Reasons

The current noise provisions set out in the Waipā District Plan will ensure that the potential noise effects from the Plan Change are of little appreciable significance.

Recommended Amendments to PPC20
Nil.

9.16. SUB-TOPIC 4.1 – TIMING & SEQUENCING

Table 17: Summary of submissions for Sub-Topic 4.1 – Timing & Sequencing

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
05.4	Middle-Narrows Focus Group	Timing & Sequencing	Not specified.
Submission summary:		Decision requested	
The Southern Links project has been postponed indefinitely and planning north of the Northern Precinct should be a Waipa District Plan consideration.		No decisions be made about areas outside of the Northern Precinct’s northern boundaries until the new Waipa District Plan is discussed and there is no more information regarding Southern Links (particularly the Eastern arm of the project).	
Reporting Officer Comment			
The existing objective and policy framework requires that development of the Airport Business Zone be coordinated and integrated with surrounding networks. This means not only spatially, but in terms of sequencing and timing also.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
09.2	Tainui Group Holdings	Timing & Sequencing	Oppose
Submission summary:		Decision requested	
There is insufficient certainty with respect to the timing of the proposed intersection.		Not specified.	
Reporting Officer Comment			
The existing objective and policy framework requires that development of the Airport Business Zone be coordinated and integrated with surrounding networks. This means not only spatially, but in terms of sequencing and timing also.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part

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11.1	Waikato Regional Council	Future Proof Strategy	Not stated.
Submission summary:		Decision requested	
The proposed plan change will increase the total gross floor area of non-ancillary retail activities in the Northern Precinct to 5000m ² from the previously approved 5,300m ² . We are concerned that this is significantly higher than is needed to meet the day-to-day needs of workers in the airport business zone and has the potential to undermine the centres hierarchy within Future Proof and the WRPS due to both the total GFA proposed and the potential size of individual retail units. It is strongly recommended that the plan change comprehensively considers the out of sequence development criteria within APP13.		<p>a. That a more detailed assessment of the proposed plan change be undertaken in relation to Topic UFD – Urban Form and Development of the WRPS and the assumptions within the Economic Assessment be clarified to assist this.</p> <p>b. Amend Rule 10.4.2.11A to reduce the total GFA for nonancillary retail activities to only the level necessary to cater to the day-to-day needs of workers and people visiting the precinct for business purposes.</p> <p>c. That an assessment of the proposed plan change be undertaken in relation to the Proposed Change 1 - National Policy Statement on Urban Development 2020 and Future Proof Strategy update to the WRPS.</p>	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F23/11.1	Hamilton City Council	11.1	Support
The retail area and the hub should service day-to-day visitors only, and not compete with other retail centers nearby. There is a lack of evidence to demonstrate what level of retail activity has been consented against the 5,300 GFA cap.			
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F18/11.1	Waka Kotahi NZ Transport Agency	11.1	Support
The GFA quantum for non-ancillary retail activities in the Northern Precinct needs further justification from the applicant. Waka Kotahi wants to minimize the trip generation from Hamilton City associated with the non-ancillary retail activities.			
Reporting Officer Comment			
It is recommended that stronger monitoring provisions be included in Section 21 to qualify any assumptions made.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
12.6	Joan & Robin Cuff, L & M McDowell	Timing & Sequencing	Oppose
Submission summary:		Decision requested	
The plan change submission refers future development rights and an extension of industrial land area towards the Neighbourhood Centre - but no assessment of effects included.		Confirm/limit future growth of Precinct alluded to in submission.	
Reporting Officer Comment			
The information provided in support of PPC20 considers the potential effects on other neighbourhood centres. It is recommended that stronger monitoring provisions be included in Section 21 to qualify any assumptions made.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part

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18.3	Waka Kotahi NZ Transport Agency	Timing & Sequencing	Supports
Submission summary:		Decision requested	
In light of the form and function review being undertaken for Southern Links, and the potential for this to lead to an amended proposal to come forward, the ability or desirability to provide for this additional direct connection has not been assessed. It would seem prudent to consider this in the review, but for the purposes of the current proposal Waka Kotahi recommend that the assessment be based on a no connection future scenario.		In light of the form and function review, the ability or desirability of providing an additional direct connection between Southern and Northern	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F23/18.3	Hamilton City Council	18.3	Support
The direct connection between the Southern links and Northern precinct has not yet been assessed. If the link is not constructed, the heavy vehicle freight movements will be pushed onto local and urban road networks, affecting the urban amenity of areas such as Glenview.			
Reporting Officer Comment			
The existing objective and policy framework requires that development of the Airport Business Zone be coordinated and integrated with surrounding networks. This means not only spatially, but in terms of sequencing and timing also.			
<i>Submission / Point</i>	<i>Submitter name</i>	<i>Sub-topic</i>	<i>Support / Oppose / In Part</i>
23.1	Hamilton City Council	Timing & Sequencing	Support in part
Submission summary:		Decision requested	
Full or staged delivery of Southern Links is a key enabler for future expansion of the Airport Precinct. Without this new corridor being fully constructed the local road networks performance may be compromised through additional demand created by the Northern Precinct build-out.		<ul style="list-style-type: none"> Re-modelling is undertaken to update the baseline based on current demand and various scenarios are run based on different land-use activities within Northern Precinct. Confirm if modelling takes account of the build-out of Peacocke (Plan Change 5). <p>Based on revised modelling scenarios, reconsider plan change triggers, based on Northern Precinct buildout relative to Southern Links construction.</p>	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>
F15/23.1 [Late]	Tabby Tiger Limited	23.1	Support
Undertake additional re-modelling to update the baseline based on current demand and various scenarios based on different land use activities within the Northern Precinct.			
Reporting Officer Comment			
It is recommended that stronger monitoring provisions be included in Section 21 to qualify any assumptions made.			

- 9.16.1. As has been mentioned in the discussion under some of the previous Sub-Topics, there are several 'moving parts' relating to the provision of infrastructure and services in this part of the region. The national and regional policy frameworks also set out what needs to be considered over the short (3 years), medium (10 years), and long-term (30 years) planning horizons.
- 9.16.2. In the short term Waka Kotahi is expecting the form and function review for Southern Links to be completed. In the event that it is to proceed, it is unlikely that the funding, procurement, and construction phases can all be completed in the next three years. The same assumptions can be made regarding the Sub-Regional Wastewater Plant. On the other hand, not all of the Northern Precinct is likely to be developed within the short term, and may well take longer than the life of the WDP to be fully taken up or even reach some of the triggers currently proposed.
- 9.16.3. In the policy sphere, the RMA reforms are expected to proceed into law later this year, paving the way for Regional Spatial Strategies to be implemented under the Strategic Planning Act (SPA). This may well trigger further reviews and updates to the existing strategies and plans to fit within the new framework although there is likely to be a long transitional phase. At the same time, it can be expected that the existing urban land supply will continue to be developed.
- 9.16.4. The existing objective and policy framework requires that development of the Airport Business Zone be coordinated and integrated with surrounding networks. This means not only spatially, but in terms of sequencing and timing also. In the absence of certainty about sequencing and timing in the short term, greater emphasis needs to be placed on articulating the outcomes sought by PPC20 (via policies in the first instance), and a thorough monitoring regime in place to provide an evidential base for any changes or departures from the current Structure Plan.
- 9.16.5. Examples of this can be seen in the provision for walking & cycling infrastructure between the site and the Peacockes Growth Cell to the north, and the provision of bus stops on SH3. Both of those outcomes have linkages to Policies with supporting rules and criteria that enables design flexibility. Whether this goes far enough remains the subject of further evidence, but there are more things that could be done.
- 9.16.6. In relation to making provision for public transport, the Programme Business Case for the Metro Spatial Plan includes the long-term aspiration of a frequent bus rapid transit route to the Airport. PPC 20 presents an opportunity to safeguard an alignment for this rapid transit line between Hamilton and the Airport. The nature of the business case means that this concept is in early stages and any form of designation or corridor has yet to be developed.
- 9.16.7. Given the location and extent of the plan change area relative to the Airport and the high likelihood that the corridor would pass through or very near the plan change area, some further provision for buses should be considered. One way of doing this would be to include more liberal yard setbacks for buildings fronting the most likely routes (such as the spine road or existing roads around the perimeter of the site) so that options for widening the road corridor are preserved for the future.
- 9.16.8. Further consideration should also be given to a more comprehensive monitoring regime, over and above the monitoring set out in the RMA that is generally carried out by councils. This could be achieved by the inclusion of additional provisions in Section 21 (Assessment Criteria and

Information Requirements) with triggers that require monitoring information to be supplied to the Council.

Recommended Decisions on Submissions

9.16.9. That the following points of submission are **accepted in part**:

- 05.4 Middle-Narrows Focus Group
- 09.2 Tainui Group Holdings
- 11.1 Waikato Regional Council
- F23/11.1 Hamilton City Council
- F18/11.1 Waka Kotahi NZ Transport Agency
- 12.6 Joan & Robin Cuff, L & M McDowell
- F23/18.3 Hamilton City Council
- 23.1 Hamilton City Council
- F15/23.1 Tabby Tiger Limited

Reasons

The existing objective and policy framework requires that development of the Airport Business Zone be coordinated and integrated with surrounding networks. This means not only spatially, but in terms of sequencing and timing also.

The information provided in support of PPC20 considers the potential effects on other neighbourhood centres. It is recommended that stronger monitoring provisions be included in Section 21 to qualify any assumptions made.

Recommended Amendments to PPC20

Further consideration given to more comprehensive monitoring provisions of PPC20 to be included in Section 21.

9.17. SUB-TOPIC 4.2 – FUNDING

Table 18: Summary of submissions for Sub-Topic 4.2 - Funding

Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
09.3	Tainui Group Holdings	Funding of Infrastructure	Oppose
Submission summary:		Decision requested	
There is insufficient certainty with respect to funding for the SH3/Ingram Road intersection indicated as residing with Waka Kotahi and Waipā District Council.		Not specified.	
<i>Further Submission</i>	<i>Submitter name</i>	<i>Original Submission Point</i>	<i>Support / Oppose / In Part</i>

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F18/09.3	Waka Kotahi NZ Transport Agency	09.3	Support
Waka Kotahi agrees that there is uncertainty with respect to funding for any changes to the SH3/Ingram intersection. It is noted that Waka Kotahi does not have any funding streams to undertake work on this intersection.			
Reporting Officer Comment			
The JWS on the Topic of Transport records that no changes to the SH3/Ingram Road intersection are proposed and none are required by Waka Kotahi as part of PPC20.			
Submission / Point	Submitter name	Sub-topic	Support / Oppose / In Part
18.9	Waka Kotahi NZ Transport Agency	Funding	Supports
Submission summary:		Decision requested	
Waka Kotahi will review any infrastructure proposed on the State Highway network and will only approve the construction if a developer agreement is signed and the applicant has allowed sufficient time for design review and planning. The applicant will need to monitor the percentage of development before infrastructure triggers are met. Waka Kotahi does not have a discretionary budget for the proposed infrastructure.		Clarification and/or commitment from the applicant is requested in relation to the mechanism for funding, designing, and implementing the proposed works.	
Reporting Officer Comment			
The works required to enable development within the precinct will need to be occur ahead of development or otherwise form part of a Development Agreement with the Waipa DC and/or Waka Kotahi.			

- 9.17.1. Section 18 of the WDP sets out the financial contribution provisions that may be imposed on resource consents. In the context of new development and subdivision, the WDP uses financial contributions to build into the cost of the development or subdivision any physical, environmental, or social costs that can be identified by ensuring that the developer avoids, remedies, mitigates, or compensates for any adverse effects.
- 9.17.2. Financial contributions (FCs) are intended to offset the cost of future capital works, and the cost of capital already incurred where a development consumes that capacity; together with other related costs necessitated by new development or subdivision. Fees will vary between areas of the District and also for different types of development or subdivision.
- 9.17.3. However, there are limits to the circumstances in which financial contributions can be applied, and they cannot be applied to plan changes. While it would have been *possible* for FCs to be included through consequential changes to Section 18 of the WDP (had that been requested), this approach would be very complex to administer effectively.
- 9.17.4. Instead, it is proposed that Development Agreements (DAs) be entered into in accordance with the WDC Development Contributions Policy 2022 (DCP) under the Local Government Act 2002 (LGA). Part 8 of the DCP provides for the Council to enter into a development agreement with the developer.

9.17.5. There are several existing agreements between the Council and the Airport regarding the provision of infrastructure to the Airport Business Zone. It is likely that these will need to be reviewed and updated or included within any new agreement.

Recommended Decisions on Submissions

9.17.6. That the following points of submission are ***accepted in part***:

- 09.3 Tainui Group Holdings
- F18/09.3 Waka Kotahi NZ Transport Agency
- 18.9 Waka Kotahi NZ Transport Agency

Reasons

Recommended Amendments to PPC20

Nil.

10. CONCLUSION AND RECOMMENDATION

10.1. CONCLUSION

- 10.1.1. This report has been prepared pursuant to Section 42A of the Resource Management Act 1991 to address planning-related issues associated with the Private Plan Change request (PPC20) lodged with Council on 29 April 2023.
- 10.1.2. The application as submitted, together with additional specialist reports, and further information provided, is in accordance with the requirements of the Resource Management Act 1991 and provides a suitable basis on which to assess the potential effects of the Plan Change.
- 10.1.3. This report has examined the characteristics of the site and locality, the statutory requirements associated with the Resource Management Act 1991 and its purpose of sustainable management and the specific considerations applying to Plan Changes, including an assessment of the proposed new rules and appendix.
- 10.1.4. In my opinion, the provisions as amended and set out in Appendix 1 to this report are appropriate and are in accordance with the objective and policy framework of the WDP. Further changes to the objectives and policies within the WDP are not required.
- 10.1.5. I agree with the Section 32 evaluation provided by the applicant in respect of these provisions and recommend that the Hearings Panel accepts, with modification, the wording of the proposed provisions as outlined in Appendix 1 to this report.
- 10.1.6. It is noted that to give effect to the proposed provisions some minor consequential amendments to Waipā District Plan will be required. These amendments relate to ensuring that the correct linkages to the Structure Plan are provided. Given the minor nature of these amendments, it is

considered that further evaluation of these changes under Section 32AA of the RMA is not necessary.

10.2. RECOMMENDATION

10.2.1. It is recommended pursuant to Clause 10 and Clause 29 of the First Schedule to the Resource Management Act 1991 that:

- (a) Private Plan Change 20 be approved with modification by the Hearings Panel in accordance with the revised provisions set out in Appendix 1 to this report; and
 - (b) Recommended amendments and the submissions and further submissions be determined in accordance with this report; and
 - (c) The submissions analysed be either accepted either in whole or in part or rejected as recommended in this report.
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Report prepared by:



Nick Williamson
CONSULTANT PLANNER

Report reviewed and approved by:



Tony Quickfall
Manager – District Plan and Growth