

Hayden Porter – Statement on behalf of Porters / Empire Corporation and Meadowview Lane Submitters

Good morning. My name is Hayden Porter. I represent the Porter Group and Empire Corporation, and I am also a landowner and member of the Meadow View submitters.

Established in 1945, Porters currently operate across New Zealand, Australia, the USA and Papua New Guinea supplying machinery for the construction, roading, mining, and forestry sectors.

The Porter family has also been a significant developer of industrial land in Hamilton and particularly the Te Rapa North area, including the Te Rapa Gateway Industrial Park on Arthur Porter Drive, our former headquarters opposite The Base, and more recently land along Onion Road, Ruffle Rd adjacent to the Fonterra site. As well as residential developments in Brymer and Chinamens Hill.

Fonterra's home page of their website promotes the message "you, me, us together" and emphasises stakeholder interests, transparency, and meaningful engagement. Unfortunately, our experience has not reflected those principles. Despite Fonterra stating that it has undertaken comprehensive engagement with Porter Group or Meadow View Submitters, this is not entirely accurate. Over the past 18 months, engagement with Porters has been limited to three short meetings and Residents had one open day.

In our view, this level of consultation has been inadequate, and Fonterra did not provide numerous key technical information requested early on then followed up on, in a timely matter. As a result, as Ms Rourke from Fonterra corrected her legal counsel yesterday, that "time ran out", not that Porters declined "to Join".

Therefore, Porters not being included, left us no option other than to submit. Had Porters received the requested information in good faith, that would have enabled Porter Group to properly consider participating in the plan change and likely would have joined.

Furthermore, Minute 3 of the Hearings Panel recently directed Fonterra to confer with submitters regarding expert conferencing. Porter Group welcomed the opportunity to participate; however, Fonterra's last minute attempt of engagement on this matter and response on the final day meant this could not be progressed. I am sure Briar can touch on this.

There is a well established shortage of industrial land in Hamilton. Fonterra has previously indicated that it is not a developer, yet this plan change proposes live zoning industrial land almost solely under its ownership. It is difficult to see how this approach assists in delivering the industrial land supply the district urgently needs, particularly when Porter Group has a demonstrated track record of developing such land, which I am sure you would have seen on your drive around.

A major risk to the HCC may want to avoid is a similar issue at Peacocks where a majority land holder withholding land in terms of delivery, out of Councils control. Fonterra has not committed to make available industrial land available to the free market, potentially they are only land banking to help their balance sheet. Adding not only Empires land and the Meadow View land would allow for more options for the market and mitigate delivery risk for the Council.

Porter Group is also concerned that this plan change ties up critical infrastructure, particularly three-waters capacity in a way that may constrain the remaining landowners within the deferred industrial zone. This has occurred without a clear evidence base, justification, or consideration of the wider effects on other owners within the zone. This should be considered by the council before determining approval of PC 17 in its current form.

We believe Council should give valid consideration with respect to the Koura Dr extension (east /west rd) where it dissects Te Rapa Rd through to the Northern Bridge Crossing, as well as the Onion Rd / Koura Dr overpass prior to approving PC17.

Porter Group acquired its land in the deferred industrial area with the intention of developing it to support industrial activities, contributing to job creation and industrial activity for Hamilton and the region. Just as Meadow View residents have known and sitting in limbo for years waiting for the Deferred zone to become live.

A lot of Fonterra evidence yesterday was supported by the fact that it could tap into the Old Ruffle Rd and Te Rapa Road network, as their property is adjacent. That same logic must support the council bringing in the entire deferred zone as both Empire and Meadow View owners are all adjacent to services too. The first development stages of the zone for all the landowners could be hooking up to Meadow view and Ruffle Rd and Te Rapa Rd.

From my personal perspective, the current plan change represents a piecemeal approach to live-zoning industrial land. Disadvantages other deferred Te Rapa north landowners, and Meadow view will become the forgotten land. We submit that Meadow View should be able to Join, that HCC should consider LIVE zoning all of the deferred zone including Porters and Meadow View and not allowing only the majority land holder of a Deferred industrial Zone with no plan for the balance of owners – where is the protections for disadvantaging the minority owners.

In our opinion, Fonterra's legal counsel is unreasonable to have expected a full suite of 10+ supporting reports and Legal submission, for something we agree with in principal, we only want to be included, as Fonterra never invited us to join PC17. Those submitters are better to invest that money on the process to progress a legitimate plan change, not oppose it.

I agree with one of Fonterra witness's – the need for Heavy vehicle restrictions on Meadow View Lane in the disappointing and shortsighted event of not being included in the PC17.

Thank you