

**BEFORE THE INDEPENDENT HEARINGS PANEL
OF HAMILTON CITY COUNCIL**

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Private Plan Change 17 to the Hamilton City
Operative District Plan ("**PC17**")

**STATEMENT OF REBUTTAL EVIDENCE OF CAMERON BESWICK INDER
ON BEHALF OF FONTERRA LIMITED**

TRANSPORT

20 NOVEMBER 2025

1. INTRODUCTION AND EXECUTIVE SUMMARY

- 1.1 My full name is Cameron Beswick Inder.
- 1.2 I have been engaged by Fonterra Limited ("**Fonterra**") to provide transport planning and engineering assessments for PC17. I carried out the technical review of the Integrated Transport Assessment ("**ITA**") and authored the Technical Memo entitled "Summary Memo of Updated Transport Assessment since PC17 Lodgement" (which I refer to as the "**Supplementary Transport Assessment Memo**") in Appendix 4 of the Supplementary Information Report submitted to Hamilton City Council ("**Council**") in August 2025.
- 1.3 My qualifications and experience are set out in my statement of evidence filed in respect of PC17 and dated 7 October 2025 ("**Primary Evidence**").

Scope and structure of evidence

- 1.4 In this statement, I respond to matters raised in the statements of evidence filed on behalf of submitters on PC17. This brief addresses matters raised in the:
- (a) Statement of Evidence of Mark Apeldoorn (Transport) on behalf on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited (which I refer to collectively as "**TAL**"); and
 - (b) Statement of Evidence of Leo Hills (Transport) on behalf of Empire Corporation Limited and Porter Group (which I refer to collectively as "**Porters**").

Code of conduct

- 1.5 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearings Commissioners. Except where I state that I am relying on the evidence of another person, this written 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 expressed in this evidence.

2. RESPONSE TO EVIDENCE OF MR APELDOORN

2.1 The key points of Mr Apeldoorn's expert evidence for TAL are as follows:

- (a) Traffic generation and modelling assumptions.
- (b) Staging and transport infrastructure co-ordination.
- (c) Ruffell Road railway level crossing.
- (d) East-West arterial / Northern River Crossing ("**NRC**") corridor.
- (e) Public transport ("**PT**") integration; and
- (f) Comments on my Primary Evidence.

Traffic Generation and Modelling Assumptions

2.2 Mr Apeldoorn asserts that the PC17 transport assessment underestimates future traffic volumes by not including the full TAL development, and that this shifts future infrastructure obligations onto TAL and others.¹

2.3 This issue forms the basis of much of Mr Apeldoorn's evidence in relation to the appropriateness of the PC17 ITA and proposed provisions for transport infrastructure to mitigate the cumulative effects of PC17.

2.4 Mr Apeldoorn considers that the full TAL development is part of the "*operative baseline environment*",² on the basis that "*it is a master-planned urban area that has been assessed and incorporated into the Hamilton City ODP*".³

2.5 However, while the TAL development is live zoned under the Hamilton City Operative District Plan ("**ODP**"), no development can occur in the Major Facilities Zone ("**MFZ**") and Business 6 Zone without a resource consent supported by a Broad ITA. As set out in Mr Grala's evidence,⁴ Mr Apeldoorn fails to recognise that the full build out of the TAL development is unknown at this stage in terms of form and timing, as is the corresponding traffic mitigation required for that future development.

2.6 Therefore, I consider that the rules in the ODP have a greater bearing on the level of certainty for the future form and timing of land-use and transport

¹ Statement of Evidence of Mark Apeldoorn on behalf on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited dated 29 October 2025 at [7.3] and [8.9].

² Ibid at [6.4].

³ Ibid at [6.4].

⁴ Rebuttal Statement of Evidence of Nick Grala on behalf of Fonterra Limited, 20 November 2025 at [2.4]

infrastructure. The ODP rules define the consenting pathway for the TAL development within the Te Awa Lakes Structure Plan ("**TAL Structure Plan**") in Chapter 3.8 of the ODP. Rule 3.8.5.3.2 of the ODP states:

All resource consent applications in the Te Awa Lakes Adventure Park Major Facilities Zone shall include a Broad ITA. Resource consents in the Business 6 zone shall include a Broad ITA. All ITAs shall identify and evaluate the effects of all cumulative development in the Structure Plan area on the infrastructure identified for improvements in Section 3.8.3.

Where consented development will result in more than 500 vehicle movements in the peak hour, measured cumulatively across all zones, the ITA shall identify, evaluate the effects **and where necessary propose mitigation** for cumulative effects on the following:

- a) Te Rapa Road between the Fonterra Interchange and Hutchinson Road **to determine whether** an additional northbound lane is required;
- b) Te Rapa Road between the Fonterra Interchange and Ruffell Road **to determine whether** an additional southbound lane is required;
- c) the Te Rapa Road/Hutchinson Road **intersection to determine if** upgrading is required; and
- d) the Horotiu Interchange **to determine if** upgrading is required.

[Emphasis added]

2.7 Rule 3.8.3 of the ODP, second sentence then states:

...These [TAL development resource consents] will require Integrated Transport Assessments that will enable assessment, identification and confirmation **of the need for implementation** of the above transportation infrastructure improvements and their timing **together with any other infrastructure determined by the Integrated Transport Assessments...**

2.8 The emphasis added highlights three fundamental points as follows:

- (a) Any development within the MFZ and Business 6 Zone requires a resource consent supported by a Broad ITA.
- (b) There is no certainty any of the transport infrastructure improvements listed in Rule 3.8.3.5.2 of the ODP will occur. The listed improvements are subject to a Broad ITA assessing and confirming the need for implementation of the improvements. Since there is no

certainty around the implementation of the improvements, neither is the associated timeframe or the development yield that triggers one or all of them.

- (c) Rule 3.8.3 identifies the Broad ITAs are to assess the need for, and timing of, “any other infrastructure”, demonstrating further uncertainty about the required future infrastructure improvements and timing to support development in the Business 6 Zone and the MFZ.

2.9 Accordingly, the ODP anticipates that the wider-network transport effects will be assessed in detail through Broad ITAs at all stages of development in the MFZ and Business 6 zones. This means it is only when a resource consent is granted for development in these zones will there be sufficient certainty about the nature of the development and associated effects mitigation for it to form part of the baseline environment.

2.10 This is also reflected in the ODP's minimum requirements for a Broad ITA.⁵ Specifically, item d. under the “Details to be included” column requires (my emphasis):

Consideration of other **committed** developments, land use changes, and transport network improvements (including to public transport and provisions for walking, cycling, and micro-mobility).

2.11 Therefore, I disagree with Mr Apeldoorn that *“the effects of PC17 should....be assessed on a baseline scenario that includes full development of the operative Te Awa Lakes structure plan”*.⁶ As set out in Mr Grala's evidence, while the “full build out” of the TAL land could theoretically be considered as part of any transport baseline modelling, that would be fanciful without factoring in that such build out will require TAL to mitigate the effects of any development in the MFZ zone themselves (and it remains uncertain as to what those mitigations would be without essentially undertaking full ITA assessments of theoretical TAL development).⁷

2.12 Bloxam Burnett & Olliver (“**BBO**”) modelled and assessed PC17 effects against the committed development baseline surrounding the “**Plan Change Area**” (approximately 91 hectares of land surrounding the Te Rapa Dairy Manufacturing Site) which includes TAL's consented Medium Density

⁵ Refer to Table 15-2b: Broad ITA checklist, Appendix 15 Transportation, Volume 2 of the ODP.
⁶ Statement of Evidence of Mark Apeldoorn on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited dated 29 October 2025 at [7.6].
⁷ Rebuttal Statement of Evidence of Nick Grala on behalf of Fonterra Limited dated 20 November 2025 at [2.5] – [2.11].

Residential ("MDR") and Business 6 Zones and conditioned infrastructure upgrades.⁸

- 2.13 This modelling provides a real-world assessment of the transportation effects in conjunction with the resource consents that TAL have currently acquired.
- 2.14 The "**TAL Consent**" sets the maximum trip generation at 500 vehicle movements per peak hour measured cumulatively across all zones.⁹ However, the ITA prepared by Stantec in support of the TAL Consent application assessed the maximum trip generation at 733 vehicles per peak hour for the proposed land-uses. BBO adopted the 500 (vehicle movements per peak hour) figure in the modelling for the 10 year post-plan change scenarios and the 733 (vehicle movements per peak hour) figure in the 20 year post-plan change scenarios.
- 2.15 Therefore, I consider that the traffic generation and modelling assumptions used to assess PC17 and inform the transport infrastructure provisions are appropriate and sufficiently reflect what can reasonably be anticipated in the future transport environment (ie a real-world environment).

Staging and Transport Infrastructure Co-ordination

- 2.16 Mr Apeldoorn claims that PC17's staging lacks sufficient network upgrades, relies on external infrastructure, and risks network capacity and safety.¹⁰
- 2.17 Mr Apeldoorn's concerns outlined in his evidence relate to the now superseded staging provisions proposed in the Supplementary Transport Assessment Memo.¹¹
- 2.18 The revised PC17 transport infrastructure provisions appended to my Primary Evidence were not framed as staging provisions but instead demonstrated clear, measurable infrastructure triggers tied to both developable land area release and traffic volumes. Each land release threshold specifies the infrastructure upgrades that must be delivered before further developable land can be consented.
- 2.19 The approach allows for up to 20ha of industrial development with minimal network upgrades. Significant network upgrades are then triggered as developable area thresholds are reached (eg a new signalised intersection on

⁸ Consent 010.2021.00011468.006 (dated 23 November 2023).

⁹ Ibid Condition 73.

¹⁰ Statement of Evidence of Mark Apeldoorn on behalf on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited dated 29 October 2025 at [8.2] - [8.13].

¹¹ Ibid at [8.4] - [8.8].

Te Rapa Road, a four-lane section of Te Rapa Road, capacity upgrades to other intersection on Te Rapa Road, new walking, cycling and PT infrastructure and connections, and safety upgrades to enable the reopening of the Ruffell Road railway level crossing).

- 2.20 In my opinion, based on the modelling work undertaken, the proposed provisions ensure that development of the Plan Change Area aligns with network capacity. Development is contingent on completion of the specified upgrades for the first 42ha of consented developable area. This provides for the delivery of infrastructure and timing certainty.
- 2.21 A Broad ITA is triggered by any industrial / commercial activity consent that takes the cumulative net developed area over 42ha or generates a cumulative average weekday pm peak traffic volume exceeding 685 vehicles per hour. This reflects less certainty about the future network and land-use in the long-term, so it is reasonable that the baseline and remaining development effects are reassessed at that time.
- 2.22 Aside from the uncertainty about the unconsented parts of the TAL Structure Plan area there are also additional areas that may proceed through the Fast-track process that could be consented in the next one to two years, leading to further changes to the future network state for both PC17 and the TAL development. However, as with hypothetical development within the MFZ in the TAL development, there is insufficient certainty to meaningfully assess the potential Fast-track projects in the transport modelling undertaken for PC17. To do so would potentially over-state the effects and result in fanciful transport infrastructure upgrades that are disproportionate to that which is required for PC17.
- 2.23 In relation to Mr Apeldoorn's recommended relief requesting "*...a Rule and trigger for formation of the Link Road in the Fonterra North Block that ensures continuous formation of the road from Te Rapa Road through to Hutchinson Road,*"¹² the Te Rapa North Industrial Structure Plan ("**PC17 Structure Plan**") (introduced as part of PC17) does not propose a road connection to Hutchinson Road from the North Block of the Plan Change Area. A thin piece of land that extends up to Hutchinson Road is included within the Plan Change Area because it is part of the land title owned by Fonterra. As this piece of land is too narrow to be developed, the North Block only provides approximately 6ha of developable land area. A single road connection to the

¹²

Ibid at [8.14(b)].

Access 2 intersection is sufficient to service this small industrial area without generating unacceptable effects.

Ruffell Road railway level crossing

- 2.24 Mr Apeldoorn supports reopening the Ruffell Road rail crossing and notes uncertainty and potential for adverse effects if it remains closed.¹³
- 2.25 The status of the Ruffell Road railway level crossing was explicitly considered in the transport modelling work for PC17, with scenarios run for both open and closed states following consultation with the Council and KiwiRail Holdings Limited ("**KiwiRail**").
- 2.26 A Level Crossing Safety Impact Assessment ("**LCSIA**") and completion of all relevant safety improvements to the satisfaction of KiwiRail is required before reopening of the level crossing can occur.
- 2.27 This is addressed by the PC17 provisions requiring that any development beyond 42ha is subject to the recommendations of a Broad ITA, which will include the outcome of the LCSIA and any required safety upgrades. This enables the development to respond to the transport network at the time. For example, depending on the transport network conditions on Te Rapa Road and Te Kōwhai Road at the time, together with the status of Council's NRC and the Bus Rapid Transit ("**BRT**") route, the Broad ITA could find that the level crossing should remain closed.
- 2.28 The modelling demonstrates that the network (with the specified infrastructure upgrades required by the TAL consent and proposed PC17 provisions completed) can accommodate the PC17 development traffic even with the crossing closed, and that reopening the level crossing is only required if certain traffic volume thresholds as follows are exceeded (as assessed through the Broad ITA requirement):
- (a) A cumulative average weekday pm peak traffic volume exceeding 685 vehicles per hour in the Plan Change Area; and
 - (b) The weekday am peak hour volume on Te Kōwhai Road eastbound approach to the Te Rapa Road / Te Kōwhai Road roundabout exceeding 790 vehicles per hour.

¹³

Ibid at [9.4], [9.5] and [9.8].

Horotiu Interchange

- 2.29 Mr Apeldoorn refers to a further merit of reopening the level crossing, being potentially alleviating traffic demand on the Horotiu Interchange and across the TAL development frontage area.¹⁴ This would benefit TAL given Rule 3.8.5.3.2(d) of the ODP requires development in the MFZ to be supported by a Broad ITA that includes consideration of the need for upgrades to the Horotiu Interchange when the cumulative trip generation from the TAL development exceeds 500 vehicles per hour.
- 2.30 As above, the updated transport modelling work for PC17, as described in my Primary Evidence,¹⁵ was carried with the assumption the level crossing stays closed. The assessment results demonstrate that the effects of the increased traffic volume using the Horotiu Interchange due to PC17 are expected to be minor. The NZ Transport Agency¹⁶ agrees with the revised assessment in my Primary Evidence and supports inclusion of the proposed provision requiring a Broad ITA for any resource consent application in the Plan Change Area where the cumulative net developed area exceeds 42ha or generates a cumulative average weekday pm peak traffic volume exceeding 680 vehicles per hour (two-way).

TAL Development

- 2.31 Mr Apeldoorn considers PC17 has under-represented the operative TAL development land uses. His evidence suggests that without the level crossing being open or the East-West connection to Koura Drive, the need for 4-laning sections of Te Rapa Road (presumably referring to the assessment requirement Rule 3.8.5.3.2 (a) and (b) of the ODP) is potentially brought forward and the cost burden transferred to others.¹⁷
- 2.32 I have outlined in paragraphs 2.1 – 2.15 above the reasons why I disagree with Mr Apeldoorn's assertion that PC17 has under-represented the TAL development in the modelling and assessment work for PC17.
- 2.33 In my opinion, Rules 3.8.5.3.2 (a) - (d) of the ODP, requiring the need for 4-laning sections of Te Rapa Road (and other infrastructure) to be assessed, remain relevant regardless of any PC17 development. This is because an Adventure Park (identified as an intended land-use within the TAL

¹⁴ Ibid at [9.7].

¹⁵ Statement of Evidence of Cameron Inder on behalf of Fonterra Limited, 7 October 2025 at [9.10].

¹⁶ Statement of the NZ Transport Agency dated 29 October 2025 at [2.3] and [2.4].

¹⁷ Statement of Evidence of Mark Apeldoorn on behalf on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited dated 29 October 2025 at [9.8].

development MFZ at Rule 3.8.2.1 of the ODP) is reasonably rare, and no two are the same. Therefore, there is little reliable information available to predict the associated peak traffic volume generation with any real certainty.

- 2.34 On that basis, the rules ensure measures to mitigate any significant traffic generation occurring in future will be addressed comprehensively at the time of resource consent for the actual proposed land-use. On that basis, I disagree that PC17 necessarily brings forward the potential need for the 4-lane sections on Te Rapa Road. Even if it did, the way the TAL Structure Plan rules are written means TAL needs to apply for a consent for the activity proposed within the MFZ and the traffic on the network at the time and any other committed development will need to be taken into consideration.
- 2.35 As stated in my evidence, the TAL Consent application Broad ITA (authored by Mr Apeldoorn) clearly acknowledged and accepted such risk related to TAL increasing the potential traffic generation over that assessed for the TAL Structure Plan area.¹⁸ Specifically, the TAL Consent application Broad ITA states:¹⁹

...Subsequent development in the Major Facilities zone will necessarily also have to take into account the cumulative trip generating effects, as is required by Rule 3.8.5.3.2 of the Structure Plan.... it is evident the total cumulative demand in that case will be greater than the basis of assessment for the Structure Plan... It will however fall to that application to make the necessary cumulative effects assessment required of it and to address any consequent further mitigation if any is required.

East-West Arterial / Northern River Crossing Corridor

- 2.36 Mr Apeldoorn recommends the East-West arterial section of the NRC should be protected as a 4-lane corridor with access controls.
- 2.37 The PC17 Structure Plan and provisions already protect the indicative NRC alignment as a 4-lane corridor through the Plan Change Area, with a 34.8m wide corridor and substantial building setbacks. This sterilises a significant area of developable land within the Plan Change Area for a potential road corridor that has no statutory status or current design and is not essential to support the PC17 development.

¹⁸ Statement of Evidence of Cameron Inder on behalf of Fonterra Limited, 7 October 2025 at [9.12].
¹⁹ Ibid at [9.12].

- 2.38 Therefore, PC17 does not preclude the future construction of the East-West arterial section of the NRC, but the responsibility for its delivery and designation lies with the Council, not Fonterra.

Active Modes and Road Cross-Sections

- 2.39 Mr Apeldoorn seeks assurance that walking and cycling connections in PC17 will match the TAL Structure Plan's standards and criticises current cross-sections included in PC17.²⁰ Mr Apeldoorn's recommended relief effectively seeks to reallocate the responsibility for the walking and cycling upgrades on Te Rapa Road that TAL are required to do under the TAL Structure Plan, to the developers of PC17.²¹
- 2.40 PC17 proposes the live zoning of the Plan Change Area to Te Rapa North Industrial Zone ("TRNIZ") by removing the Deferred Industrial Zone ("DIZ"). The intended industrial land use of the Plan Change Area is very different to TAL's MDR Zone, Business 6 Zone and the MFZ land use types and so too are the road cross-sections.
- 2.41 Therefore, it is not necessary for the walking and cycling provisions and road cross-sections to match the TAL Structure Plan's road standards, and neither are they directly connected.
- 2.42 PC17's road cross-sections have been designed to be safer for cyclists than the ODP standard for industrial local roads, with narrower marked traffic lanes to reduce vehicle speed, a flush median to facilitate safer property access and vehicle manoeuvring, and shared paths for walking and cycling. They have also been designed recognising that the Plan Change Area provides an inefficient yield of developable land due to the topography and other constraints.
- 2.43 The Collector Road matches the ODP standard (11m wide carriageway, 2 x 4.5m wide lanes, 2m wide central median) and includes a single-sided shared path as suggested by Mr Apeldoorn.
- 2.44 In terms of the relief sought by Mr Apeldoorn:²²
- (a) The Te Rapa Road on-road cycle safety improvements (including targeted road markings, signage and road surfacing work between Hutchinson Road and Church Road) are a condition of the TAL

²⁰ Statement of Evidence of Mark Apeldoorn on behalf on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited dated 29 October 2025 at [11.2] - [11.4].

²¹ Ibid at [11.5].

²² Ibid at [11.5(a)(ii)-(ii)].

Consent to provide in advance of any Section 223 Certificate for subdivision being issued for development in the MDR and Business 6 Zones.²³

- (b) The pedestrian crossing facility to be constructed at the bus stops on Te Rapa Road is also a condition of the TAL consent.

2.45 Consistent with my interpretation of the baseline environment for effects assessment purposes, I consider that all of the infrastructure requirements in the TAL Consent are now part of the committed transport infrastructure baseline because the TAL Consent enables TAL to proceed with the consented development whenever TAL chooses.

2.46 This is consistent with BBO's position of including the Business 6 and MDR consented land-uses and road infrastructure improvements (such as the signal upgrade to Te Rapa Road / McKee Street intersection) in the transport modelling as baseline infrastructure.

2.47 Accordingly, there is no need to add Mr Apeldoorn's recommended provisions to the PC17 Structure Plan when those improvements are the responsibility of TAL to implement.

Public Transport Integration

2.48 Mr Apeldoorn considers that PC17 does not sufficiently future-proof the potential BRT route on Te Rapa Road, or PT to use the PC17 Collector Road or the future potential East-West arterial road (NRC).²⁴

2.49 Mr Apeldoorn recommends that PT integration between PC17, TAL and the wider Hamilton network:²⁵

- (a) Include PT design criteria for collector and arterial roads.
- (b) Protect a 30m or other appropriate BRT corridor along Te Rapa Road.
- (c) Maintain corridor width and geometry on the East-West arterial that could accommodate a future transit link across the river.

2.50 PC17 includes a 15m building setback along Te Rapa Road to allow for future BRT retrofitting, despite the lack of statutory protection, design or funding for

²³ Consent 10.2021.00011468.006 (dated 23 November 2023), Condition 72(ii).
²⁴ Statement of Evidence of Mark Apeldoorn on behalf on behalf of Te Awa Lakes Unincorporated Joint Venture and Horotiu Farms Limited dated 29 October 2025 at [12.2] - [12.6].
²⁵ Ibid at [12.7].

the BRT, and the relatively low yield of developable land in the Plan Change Area.

- 2.51 The existing road reserve width of Te Rapa Road along the frontage of the Plan Change Area varies between a minimum of 20m and up to 30m as shown in Figure 1 **below**. With the additional 15m building setback required in the provisions for PC17, there is easily sufficient available width protected for a future BRT service and associated infrastructure.

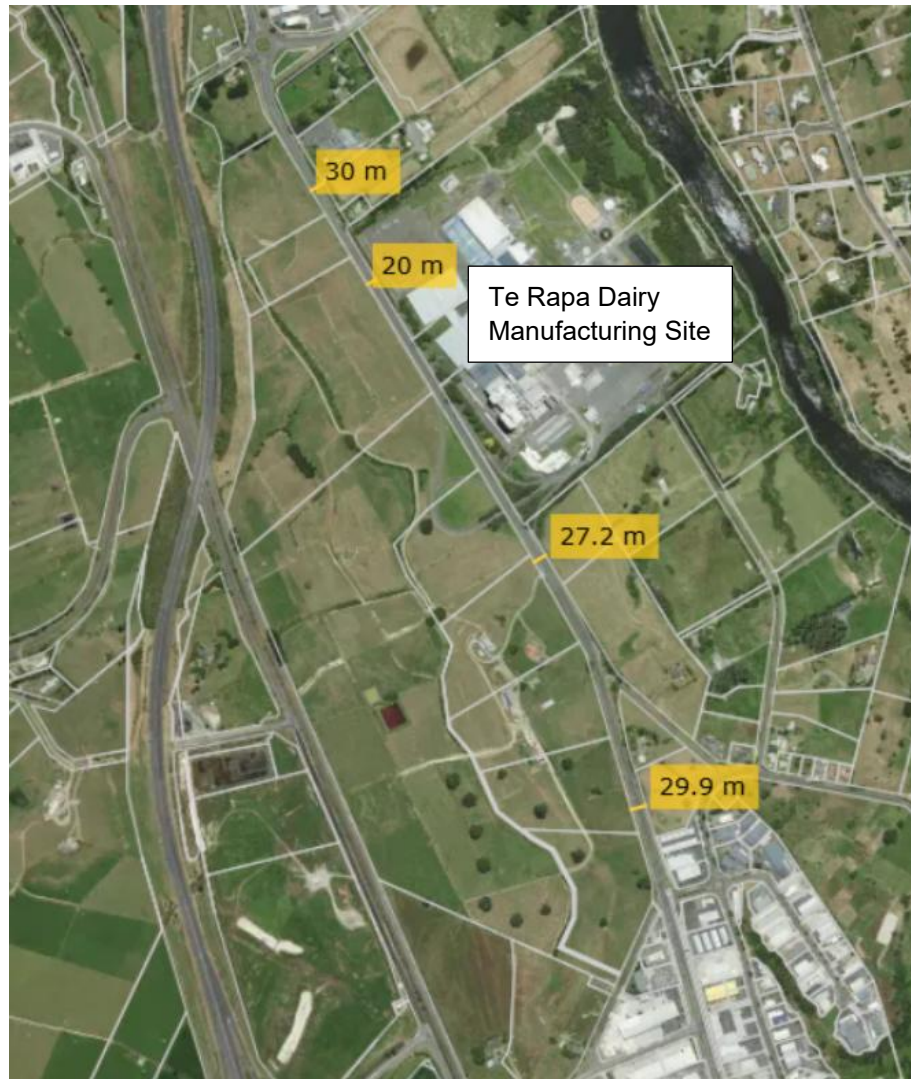


Figure 1: Existing Road Reserve Widths on Te Rapa Road

- 2.52 In terms of the Collector Road running north to south through the Plan Change Area, the PC17 Structure Plan provisions include a corridor width suitable for PT including future bus stops, and a shared walking and cycling path plus a footpath for connectivity. It is too early at the plan change stage for the Council and Waikato Regional Council ("**WRC**") to confirm if PT services will operate on the Collector Road or remain on Te Rapa Road or both. At this stage PC17

appropriately future proofs the Collector Road cross-section design for PT. Indeed, nothing in the Collector Road cross-section precludes its use by PT in future. As such I do not consider there is a basis for Mr Apeldoorn's concern.

- 2.53 Similarly, the East-West arterial cross-section design is easily suitable for accommodating PT and associated infrastructure.
- 2.54 In summary, the responsibility for BRT delivery and designation (where required) lies with the Council. Likewise, the Council and WRC will determine in future where PT services should operate. I consider PC17's provisions are sufficient and appropriate given the developable land constraints in the Plan Change Area and lack of any design or statutory standing for the BRT.
- 2.55 I have consulted with the Council and requested information such as an indicative design for the BRT and have been advised that no information exists since no investigative or concept design work has been done to date. Therefore, through the proposed provisions I consider that PC17 has sufficiently allowed for the BRT on Te Rapa Road (should it occur) and for PT to operate on the East-West and Collector Road corridors.

Broad ITA

- 2.56 Mr Apeldoorn's comments²⁶ fail to recognise that the full build out of the TAL development is unknown at this stage, as is the corresponding traffic mitigation required for that future development.²⁷ I disagree with all of Mr Apeldoorn's statements for the reasons set out in 2.3 – 2.15 above, describing the appropriate baseline land-use and infrastructure environment for assessment purposes, and that this aligns with the ODP terminology "committed development baseline".
- 2.57 Accordingly, I disagree with Mr Apeldoorn's assertion that "...a *Broad ITA should be required for any land use or subdivision application*".²⁸ Contrary to Mr Apeldoorn's interpretation, the PC17 transport assessment and modelling has had adequate regard to the TAL Structure Plan where it forms part of the committed development baseline for the future environment.
- 2.58 Further, I consider that the transport assessment work has very thoroughly assessed the potential effects of PC17 on the committed development baseline, and through this work has established the PC17 Structure Plan

²⁶ Ibid at [15.1(a)-(b)] and [15.1(d)-(f)].

²⁷ Ibid at [15.1(a)-(b)] and [15.1(d)-(f)].

²⁸ Ibid at [15.1(c)].

provisions that include clear infrastructure requirements triggered by both net developable land area and traffic generation.

- 2.59 These provisions give certainty about the form and timing for infrastructure upgrades, and ensure that development cannot outpace network capacity because further development is contingent on completion of the required upgrades and / or further assessment through either a Simple ITA for development up to the first 42ha net, then a Broad ITA for any development or land-use activity that exceeds 42ha net developable area.
- 2.60 Accordingly, there is no evidential justification for requiring a Broad ITA for every development consent within PC17 given significant transport assessment and modelling work has been completed for PC17.

Te Rapa Road 4-laning

- 2.61 Mr Apeldoorn considers there is some merit that the sections of Te Rapa Road referred to might benefit in the long term from 4-laning for traffic.²⁹ In my opinion this is not needed or appropriate given the future transport corridors proposed. This is because:
- (a) As set out above, Fonterra, through the proposed PC17 Structure Plan provisions, has sterilised a significant amount of developable land in the Plan Change Area (at great opportunity cost loss) for the wider benefit of Hamilton to allow for two indicative strategic transport corridors (the BRT and the NRC).
 - (b) PC17 supports the development of both strategic transport initiatives as they each will contribute to a fundamental improvement change for transport connectivity and mode-choice in the north Te Rapa area.
 - (c) In the case of the BRT, it makes no sense to then additionally require PC17 to provide 4-laning for traffic over a significant length of Te Rapa Road, which when the BRT is implemented, is likely to return to a single traffic lane in each direction.
 - (d) It is more practical that the corridor remains relatively constrained in terms of traffic capacity to limit the ability for traffic growth on the corridor, and to support progress toward constructing the BRT.

²⁹ Ibid at [15.1(g)(i)-(v)].

- 2.62 Further, the PC17 provisions also include the requirement for a Broad ITA for development beyond 42ha net developable area. This is not a significant industrial area in the context of industrial precincts in the Waikato region. The Broad ITA is the appropriate mechanism and opportunity to assess the need for further 4-laning on Te Rapa Road.
- 2.63 At that time, the infrastructure upgrades in the PC17 provisions will have been triggered and completed in addition to those required to be implemented by the TAL Consent. When the Broad ITA is triggered in future it will consider the status of the BRT, the level of certainty around delivery timing, and whether there are any consented activities in the TAL MFZ at that time. The combination of these factors and impacts of other developments on the wider network (eg reopening the Ruffell Road level crossing, or the Council completing the East-West road connection and overbridge to Koura Drive) will all influence whether 4-laning of Te Rapa Road is necessary and appropriate to enable further development in PC17.
- 2.64 Lastly, I note it is likely in any case that there will be implementation of 4-laning on Te Rapa Road associated with the intersection upgrades triggered at the Access 2 intersection, Te Rapa Road / Mckee Street and Te Rapa Road / Ruffell Road intersections.
- 2.65 As Mr Apeldoorn points out, the PC17 provisions provide for the section of Te Rapa Road between Hutchinson Road and Access 2 intersection to be 4-laned. This is in the PC17 provisions because of the short distance between the Hutchinson Road roundabout and the Access 2 intersection.
- 2.66 The work required to install the Access 2 intersection will require two lanes in each direction on the north for much of the short distance between the roundabout and Access 2 so it makes practical and operational sense to complete the full four-lanes over that section rather than merge traffic from two lanes to one lane followed immediately by a diverge from one to two lanes.
- 2.67 Furthermore, the Access 2 intersection is likely to include a reasonably long section of four lanes on the southern leg for queuing in the northbound direction and merging in the southbound direction, while the section between Mckee Street and Ruffell Road will effectively be 4-laned following the capacity upgrades at these intersections by TAL and PC17 respectively, given the short distance they are apart.

Summary

- 2.68 I agree with Mr Apeldoorn that TAL and PC17 share the same transport corridors and rely on the same strategic connections, including Te Rapa Road, the Horotiu Interchange, and the future East-West Arterial and NRC. I also agree that it is important that both developments proceed in a manner that network capacity, safety, and multimodal accessibility are enabled and not foreclosed by one or other.
- 2.69 In my view this is exactly what the proposed provisions for the PC17 Structure Plan achieve. These provisions enable industrial development to proceed within the Plan Change Area subject to implementing infrastructure upgrades triggered by developable area or traffic generation thresholds. Unlike the TAL Structure Plan provisions, a Broad ITA is triggered when PC17 development exceeds the 42ha net developable area threshold (or a cumulative traffic generation in the PM peak exceeding 685 vehicles per hour) rather than at every consent stage.
- 2.70 This is because I consider the TAL development and PC17 to be very different. The TAL development was not envisioned by the Future Proof Development Strategy Update 2024-2054 as a MFZ or MDR Zone, while PC17 has for a long time been a DIZ. The difference is the industrial zone has been anticipated as a natural extension of the existing TRNIZ.
- 2.71 It is the MDR and commercial activities in the TAL development that are “out of context”. In my experience this would have contributed to the TAL Structure Plan having stringent transport related rules requiring a Broad ITA to support every development consent application, to ensure the development will be integrated and connected with the surrounding built environment with adequate mode-choice options.
- 2.72 Accordingly, given the assessment work undertaken for PC17 and the structure of the proposed provisions, I disagree with Mr Apeldoorn's assertion that a Broad ITA should be required for every development consent in PC17. Sufficient assessment work has been provided to demonstrate this is unjustified.

3. RESPONSE TO EVIDENCE OF MR HILLS

3.1 Mr Hills generally agrees with the PC17 ITA but recommends additional triggers in the PC17 provisions to:³⁰

- (a) Ensure realignment of Onion Road occurs before development;
- (b) Include upgrade of Onion Road to a Collector Road standard; and
- (c) Future-proof the East-West corridor through Porters' land.

Realignment and upgrade of Onion Road before development

3.2 While I agree with Mr Hills' assertion that the realignment and upgrade of Onion Road is required to serve the development of Porters' land on the west side of Onion Road, the upgrade to an urban collector standard is not necessary to support development in PC17.

3.3 If the Panel are of the view that sufficient information and effects assessment exists to include Porters' land on the west side of Onion Road in PC17, then I support the inclusion of the upgrade of Onion Road to an urban collector standard in the provisions and that it be completed prior to any Section 224c Certificate (under the RMA) being issued for subdivision in the Porters' land on the west side of Onion Road.

3.4 Similarly, I support including the realignment of Onion Road to connect with Arthur Porter Drive roundabout in the PC17 provisions if the Panel consider there is sufficient evidence by Porters to include its land on the west side of Onion Road within PC17.

3.5 I agree with Mr Hills that the realignment of Onion Road facilitates the reopening of the Ruffell Road railway level crossing, which is preferable for PC17 and connecting the wider Te Rapa North and Rotokauri North industrial areas. However, based on the updated PC17 transport assessment work I refer to in my Primary Evidence, the reopening of the level crossing is not needed immediately by PC17 and is unlikely to be needed until at least 42ha of net developable land within the Plan Change Area is occupied, if at all.

3.6 The development and occupancy of 42ha within the Plan Change Area will potentially take 8-10 years depending on market conditions. By that time, I expect the Council will have more certainty about the East-West arterial and

³⁰ Statement of Evidence of Leo Hills on behalf of Empire Corporation Limited and Porter Group dated 30 October 2025 at [1.6].

the likely timeframe and it is possible the realignment of Onion Road will have occurred to enable development of the Porters' land.

- 3.7 I support the realignment of Onion Road to enable the proposed permanent closure of Onion Road and potential re-opening of the Ruffell Road level crossing. However, I do not consider this is necessary at the outset of development in PC17 to ensure a cohesive and integrated industrial development.

Future-proof the East-West corridor through Porters' land

- 3.8 Mr Hills states:³¹

The connection of this corridor to Koura Road runs through Porters' land, although I note this is not currently designated.

The inclusion of this land within the Structure Plan would therefore support better land use transport integration and provide for infrastructure options that support safety outcomes at the rail crossing.

- 3.9 This piece of land is located on the east side of the railway line immediately adjacent to the West Block of the Plan Change Area. **Figure 2** illustrates the location in blue:

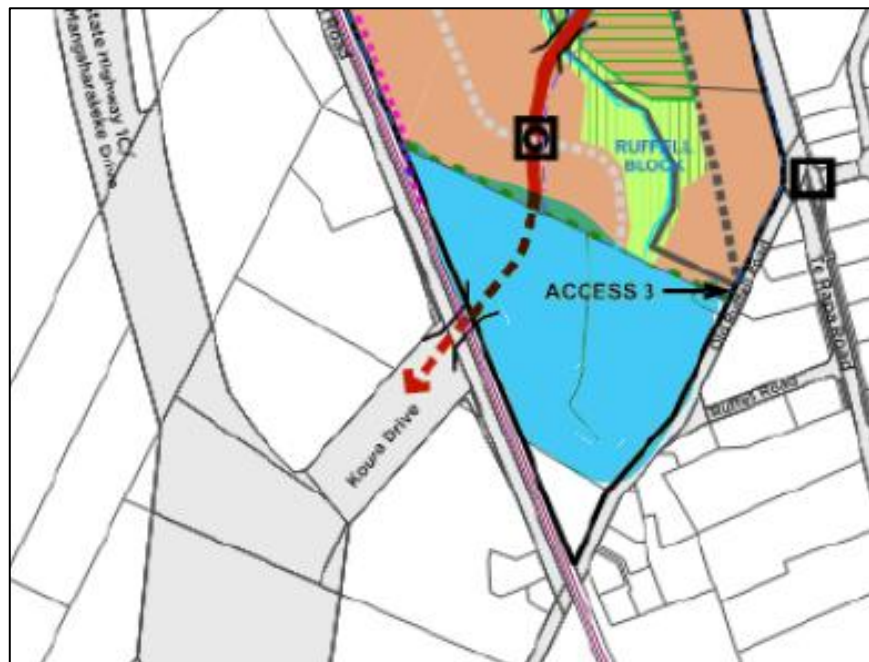


Figure 2: Location of the Porters' land located adjacent to the West Block of the Plan Change Area.

³¹ Statement of Evidence of Leo Hills on behalf of Empire Corporation Limited and Porter Group dated 30 October 2025 at [6.11] - [6.12].

3.10 Mr Hill states:³²

...the provisions proposed by Mr Inder to prevent build out of the initiative east-west route for this corridor.... should apply to Porters' land and any other land within the PPC17.

- 3.11 The East-West arterial corridor width through this piece of Porters' land would need to be sufficiently wide to accommodate an earth-fill embankment to provide for the road approach up to the future railway overbridge, at a practical grade for a major arterial road. The Council does not have a design for the bridge or connection to Koura Drive, and this work has not been undertaken as part of PC17, because, as I understand it, Porters declined to participate in the development of PC17.³³
- 3.12 Without a live zoning on this land, the only development that can reasonably occur is rural related, which is a low risk in terms of any future Council designation through the land. The reason for the building setback and East-West Road cross-section provisions in PC17 is Fonterra's wish to rezone the Plan Change Area for industrial activities.
- 3.13 Ultimately, the designation of the East-West arterial road as part of the NRC initiative is the responsibility of Council as opposed to Fonterra. Excluding this piece of Porters' land from PC17 does not preclude the Council from designating the East-West arterial road through Porters' land in the same way it does not preclude the Council from designating the NRC alignment east of Te Rapa Road.
- 3.14 Therefore, I disagree with Mr Hills that the PC17 provisions for future-proofing the East-West arterial road alignment through the Plan Change Area, should also apply to Porters' land.
- 3.15 If the Panel are of the view that this piece of Porters' land should be included in PC17, I am supportive provided the following is addressed in sufficient detail by Porters to the satisfaction of the Panel:
- (a) Appropriate specific set-back distances for buildings within Porters' land, together with a corresponding typical road cross-section is provided for inclusion in the PC17 provisions to appropriately future-proof the East-West arterial road embankment without requiring cost-prohibitive retaining walls.

³² Ibid at [6.13].

³³ Statement of Evidence of Nick Grala on behalf of Fonterra Limited dated 7 October 2025 at [3.6]; Statement of Evidence of Suzanne O'Rourke on behalf of Fonterra Limited dated 7 October 2025 at [6.21] - [6.25].

- (b) Direct access to the balance of Porters land on the east side of the railway is shown to connect only to Ruffell Road on the PC17 Structure Plan.
- (c) Any redundant land on the north side of the future East-West arterial road embankment in Porter's land does not require access through the Plan Change Area.

4. CONCLUSION

- 4.1 I remain of the opinion the updated transport modelling, assessment, and proposed infrastructure provisions are appropriate for the purposes of PC17.
- 4.2 I disagree with Mr Apeldoorn's interpretation of the land-use and infrastructure baseline having to include the full TAL development for PC17 traffic assessment purposes. I consider the committed development baseline chosen for the PC17 ITA and modelling is appropriate considering the uncertainty about land-use timing and infrastructure delivery and timing, that is inherent in the wording of the TAL Structure Plan rules.

Cameron Inder
20 November 2025