

<b>Q1</b>	<b>Full name</b>
Short Text	Rachel Caroline McGuire and Stephen Wayne Morth
<b>Q2</b>	<b>Company name</b>
Short Text	Morth Trusts Partnership
<b>Q3</b>	<b>Email address</b>
Email	morthie@xtra.co.nz
<b>Q4</b>	<b>Phone number</b>
Number	64274594047
<b>Q5</b>	<b>Contact name and address for service of person making the submission</b>
Multi Choice	Same as above
<b>Q6</b>	<b>Contact postal address for communications, please include postcode.</b>
Short Text	
<b>Q7</b>	<b>Contact email address</b>
Email	
<b>Q8</b>	<b>Contact phone number</b>
Number	
<b>Q9</b>	<b>Do you want to be heard in support of your submission?</b>
Multi Choice	Yes
<b>Q10</b>	<b>If yes, If others make a similar submission, would you be prepared to consider presenting a joint case with them at any hearing?</b>
Multi Choice	Yes
<b>Q11</b>	<b>Could you gain an advantage in trade competition through this submission?</b>
Multi Choice	No
<b>Q12</b>	<b>If yes, are you directly affected by an effect of the subject matter of the submission</b>
Multi Choice	
<b>Q13</b>	<b>The specific provisions of the proposed plan change my submission relates to are as follows</b>
Long Text	Please see attached letter
<b>Q14</b>	<b>My submission is that</b>
Long Text	Please see attached letter
<b>Q15</b>	<b>I seek the following decision from the Hamilton City Council</b>
Long Text	Please see attached Letter

Q16	<b>Do you have another topic to submit on?</b>
Multi Choice	No
Q17	<b>The specific provisions of the proposed plan change my submission relates to are as follows</b>
Long Text	
Q18	<b>My submission is that</b>
Long Text	
Q19	<b>I seek the following decision from the Hamilton City Council</b>
Long Text	
Q20	<b>Do you have another topic to submit on?</b>
Multi Choice	
Q21	<b>The specific provisions of the proposed plan change my submission relates to are as follows</b>
Long Text	
Q22	<b>My submission is that</b>
Long Text	
Q23	<b>I seek the following decision from the Hamilton City Council</b>
Long Text	
Q24	<b>Do you have another topic to submit on?</b>
Multi Choice	
Q25	<b>The specific provisions of the proposed plan change my submission relates to are as follows</b>
Long Text	
Q26	<b>My submission is that</b>
Long Text	
Q27	<b>I seek the following decision from the Hamilton City Council</b>
Long Text	
Q28	<b>Do you have another topic to submit on?</b>
Multi Choice	
Q29	<b>The specific provisions of the proposed plan change my submission relates to are as follows</b>
Long Text	
Q30	<b>My submission is that</b>
Long Text	
Q31	<b>I seek the following decision from the Hamilton City Council</b>
Long Text	

Q32	<b>Do you have another topic to submit on?</b>
Multi Choice	
Q33	<b>The specific provisions of the proposed plan change my submission relates to are as follows:</b>
Long Text	
Q34	<b>My submission:</b>
Long Text	
Q35	<b>I seek the following decision from the Hamilton City Council:</b>
Long Text	
Q36	<b>Do you have another topic to submit on?</b>
Multi Choice	
Q37	<b>The specific provisions of the proposed plan change my submission relates to are as follows:</b>
Long Text	
Q38	<b>My submission:</b>
Long Text	
Q39	<b>I seek the following decision from the Hamilton City Council:</b>
Long Text	
Q40	<b>File upload</b>
File Upload	<a href="https://haveyoursay.hamilton.govt.nz/download_file/427">https://haveyoursay.hamilton.govt.nz/download_file/427</a>

## Plan Change 17 – Te Rapa North Industrial Private Plan Change Submission – Morth Trusts Partnership

### Introduction

This submission is made on behalf of Mackrell Muncott Trustees 2016 Limited, Mackrell Muncott Trustees Limited, Rachel Caroline McGuire, Stephen Wayne Morth (Morth Trusts Partnership) who are the owners of 1406 Pukete Road, Hamilton (hereinafter referred to as the subject site). The subject site adjoins the area proposed to be rezoned to Te Rapa North Industrial Zone through Plan Change 17 (PC17) both on its northern and western boundary. On this basis, Morth Trusts Partnership is directly affected by the proposed plan change and this submission seeks to ensure that any effects on the subject site are appropriately managed.

Overall, Morth Trusts Partnership is supportive in part of the plan change and requests that a number of changes be made as outlined in the following sections.

### Background and Site Description

The subject site is located at 1406 Pukete Road, is legally described as Lot 2 DPS 85687 (RT SA68A/151) and has a total site area of 5.0382ha. The subject site has frontage to Te Rapa Road and Pukete Road with two existing vehicle crossings providing access to the property from Pukete Road.

There is an existing dwelling located within the southern portion of the site with the remainder of the site comprising of grazing paddocks. The subject site is mostly flat although the southern portion near the dwelling is slightly elevated.

In terms of the Hamilton City District Plan (District Plan) the subject site is zoned “Te Rapa North Industrial Zone – Deferred Industrial Zone” as is the land immediately surrounding the property (see figure 1 below). With this zoning the Future Urban Zone provisions under Chapter 14 of the District Plan apply. The Future Urban Zone provisions control subdivision and land use and seeks to avoid fragmentation of the land. As it relates to the Te Rapa North Deferred Industrial Area, the provisions seek to ensure that the land remains in predominantly rural use until such time that a live zoning is applied.



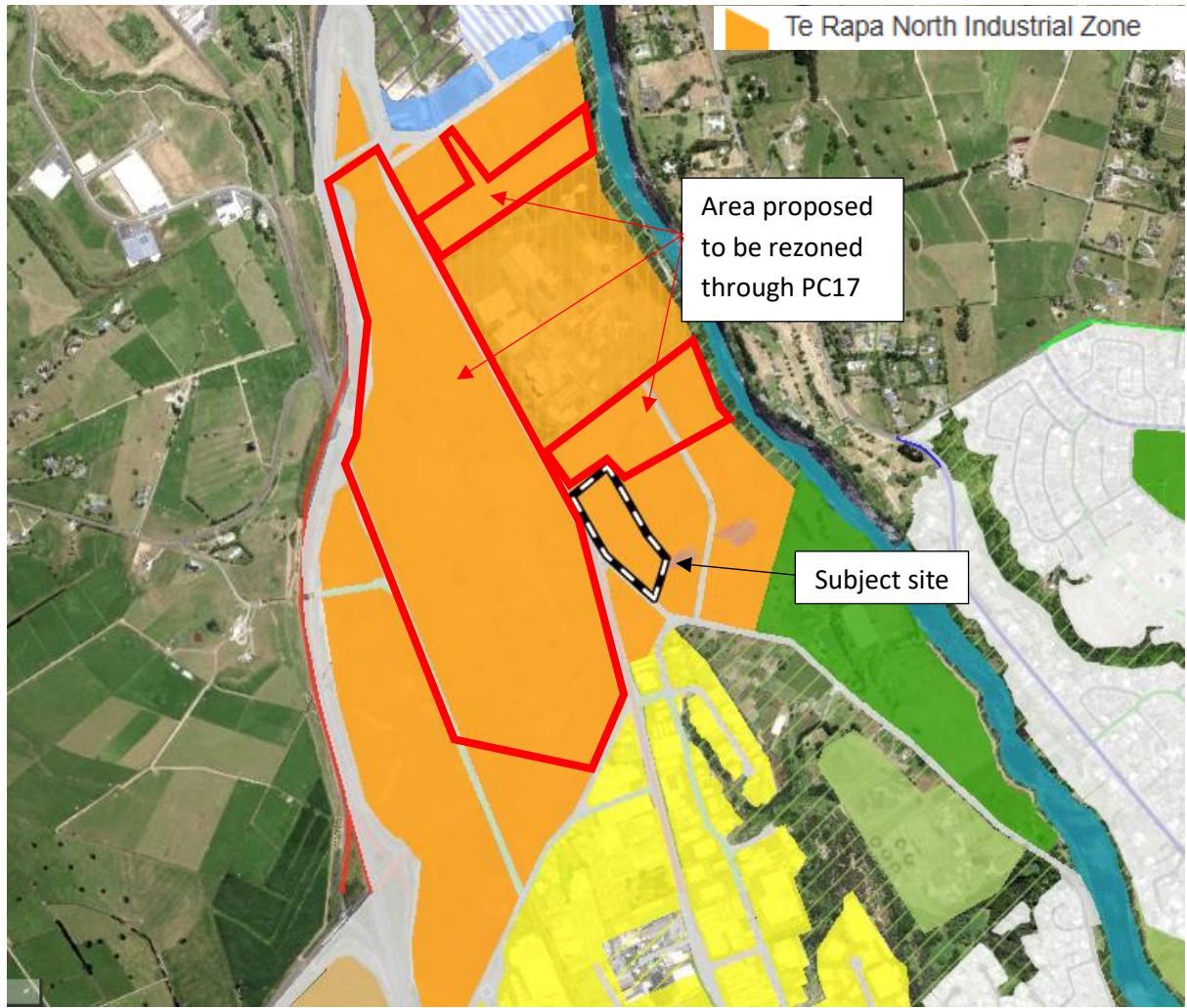


Figure 1: Location of subject site relative to the PC17 area

**The specific provisions of the Proposed Plan Change that this submission relates to are:**

The entire Plan Change. Morth Trusts Partnership supports the proposed plan change but seeks changes to the zoning and provisions proposed under PC17 as set out in the sections to follow.

**Submission Point 1 - Uplift the zoning of all or part of the Deferred Industrial Zone in the Te Rapa North Industrial Area to Te Rapa North Industrial Zone**

PC17 currently proposes to uplift the “Deferred Industrial” zoning of the Fonterra owned land only as shown in Figure 1 above. The land proposed to be rezoned forms part of the wider Te Rapa North Industrial Area (TRNIA) which is represented by the “Deferred Industrial Zoned” land shown by the orange shading in Figure 1 above.

Our concern with the proposal to rezone the Fonterra owned land only is that it will result in an ad hoc development that does not appropriately integrate with the rest of the TRNIA. Furthermore, Hamilton currently has a shortage of Industrial Land which the upzoning of the entire TRNIA could help to address.

We believe that it is appropriate to apply an integrated planning approach to the entire TRNIA for the following reasons:

- Integrated Management of Infrastructure and Land Use – Industrial development requires significant infrastructure in terms of roading, water, wastewater and stormwater. The proposal to rezone the Fonterra owned land only undermines the ability for this infrastructure to be delivered to the entire TRNIA in an efficient and cost-effective manner. This is particularly problematic as the rest of the TRNIA will eventually be rezoned and used for industrial purposes, even if not through this plan change, as evidenced by the Deferred Industrial Zoning of the area.
- Managing effects - Industrial activities can generate a multitude of adverse effects (e.g. visual, noise, traffic, and emissions) which will negatively impact on the parts of the TRNIA which are currently proposed to remain as “Deferred Industrial Zone”. The Deferred Zone is effectively a “Rural Zone” meaning that the underlying activities on the land are rural by nature. As such, these sites will likely become sensitive receivers to the adverse effects generated by the Industrial Activities that will be enabled by PC17 as currently proposed. Any potential effects could be avoided if the remainder of the TRNIA is upzoned and industrial activities are enabled across the entire growth cell.

In terms of industrial land supply in Hamilton, it has recently been confirmed through the Discussion Paper - Industrial Land Scoping Review prepared by Martin Udale in 2023 that there is a shortfall of available industrial land within Hamilton and the wider Waikato Region. There is not enough current or planned industrial land to meet this shortfall meaning that further industrial land development needs to be enabled. By extending the area to be rezoned, PC17 will further enable the delivery of industrial land to address this shortfall.

## Proposed alternative rezoning options

A decision is sought to uplift the zoning of all or some of the TRNIA in line with one of the three options outlined below with the preference being for Option 1.

### Rezoning Option 1 (Preferred) – Rezone all of the “Deferred Industrial Zoned” land within the TRNIA to Te Rapa North Industrial Zone

This option seeks that the entire TRNIA be rezoned Te Rapa North Industrial Zone through PC17. The total area proposed to be rezoned is shown by the black outline in Figure 2 below.

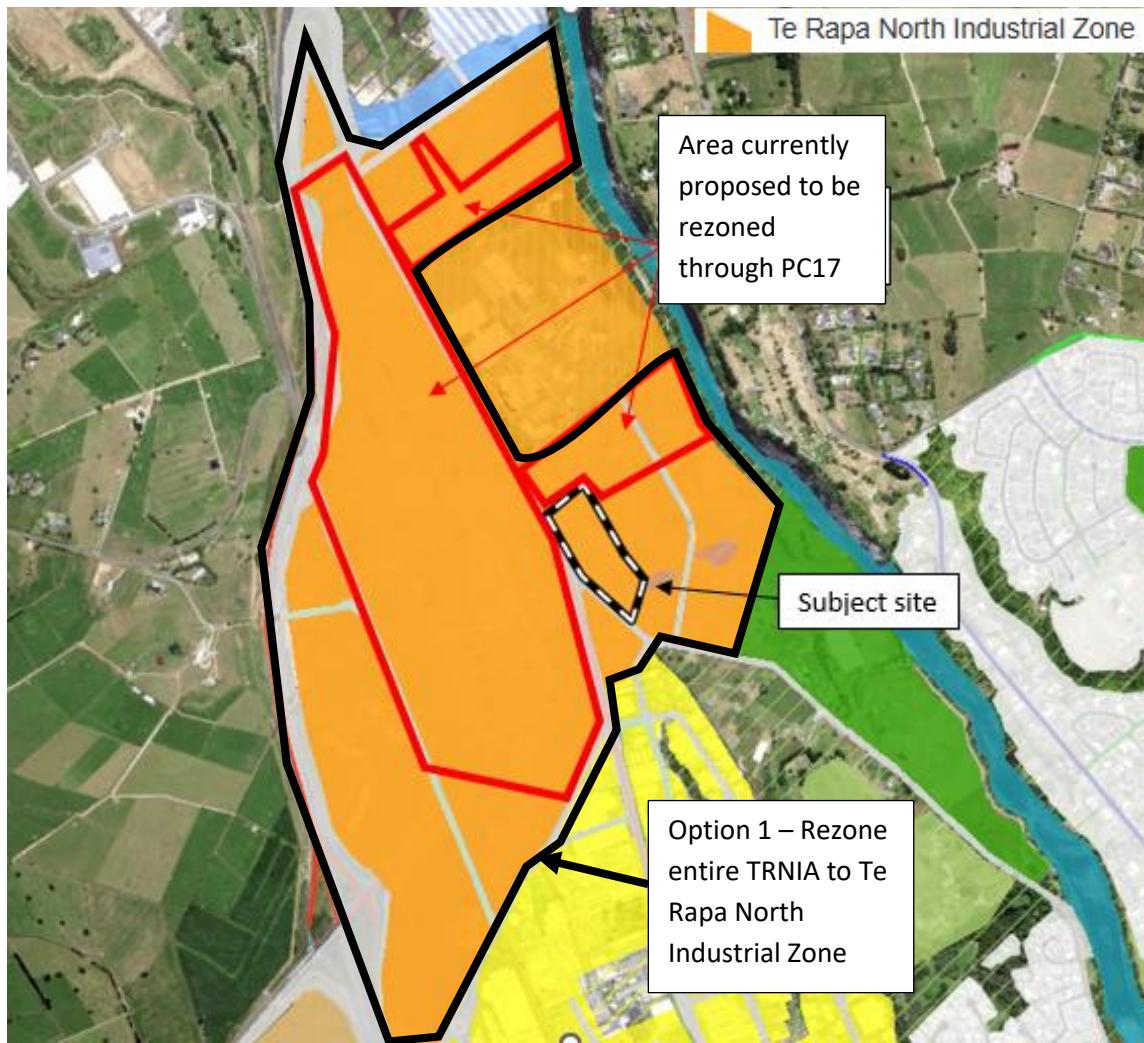


Figure 2: Option 1 - Rezone entire TRNIA to Te Rapa North Industrial Zone

Rezoning Option 2 – Rezone the TRNIA area East of Te Rapa Road only, , to Te Rapa North Industrial Zone

This option seeks that the Plan Change rezone the TRNIA east of Te Rapa Road only, to Te Rapa North Industrial Zone. The additional area proposed to be rezoned is shown by purple outline in Figure 3 below.

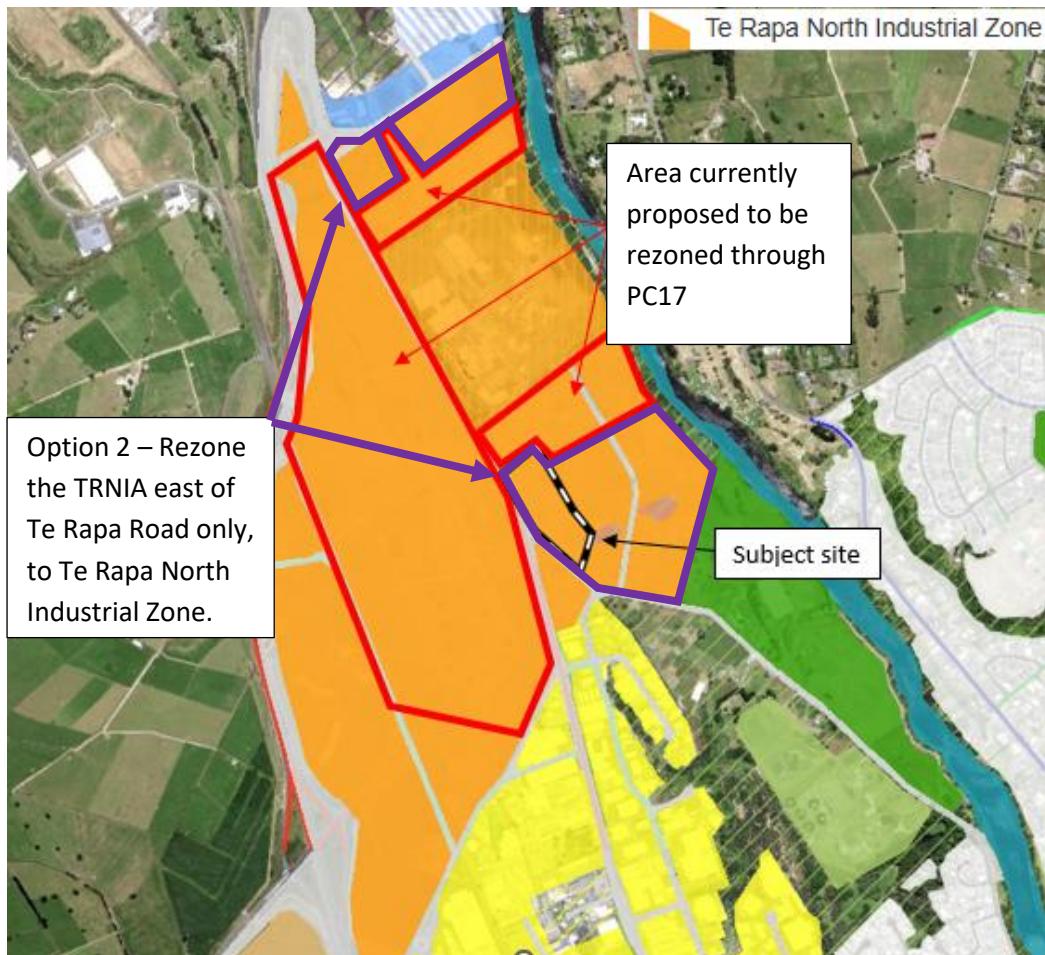


Figure 3: Option 2 – Rezone TRNIA East of Te Rapa Road only, to Te Rapa North Industrial Zone

### Rezoning Option 3 – Rezone the subject site to Te Rapa North Industrial Zone

This option seeks that the subject site be rezoned to Te Rapa North Industrial Zone through PC17, in addition to the currently proposed areas. The additional area proposed to be rezoned is shown by blue outline in Figure 4 below.

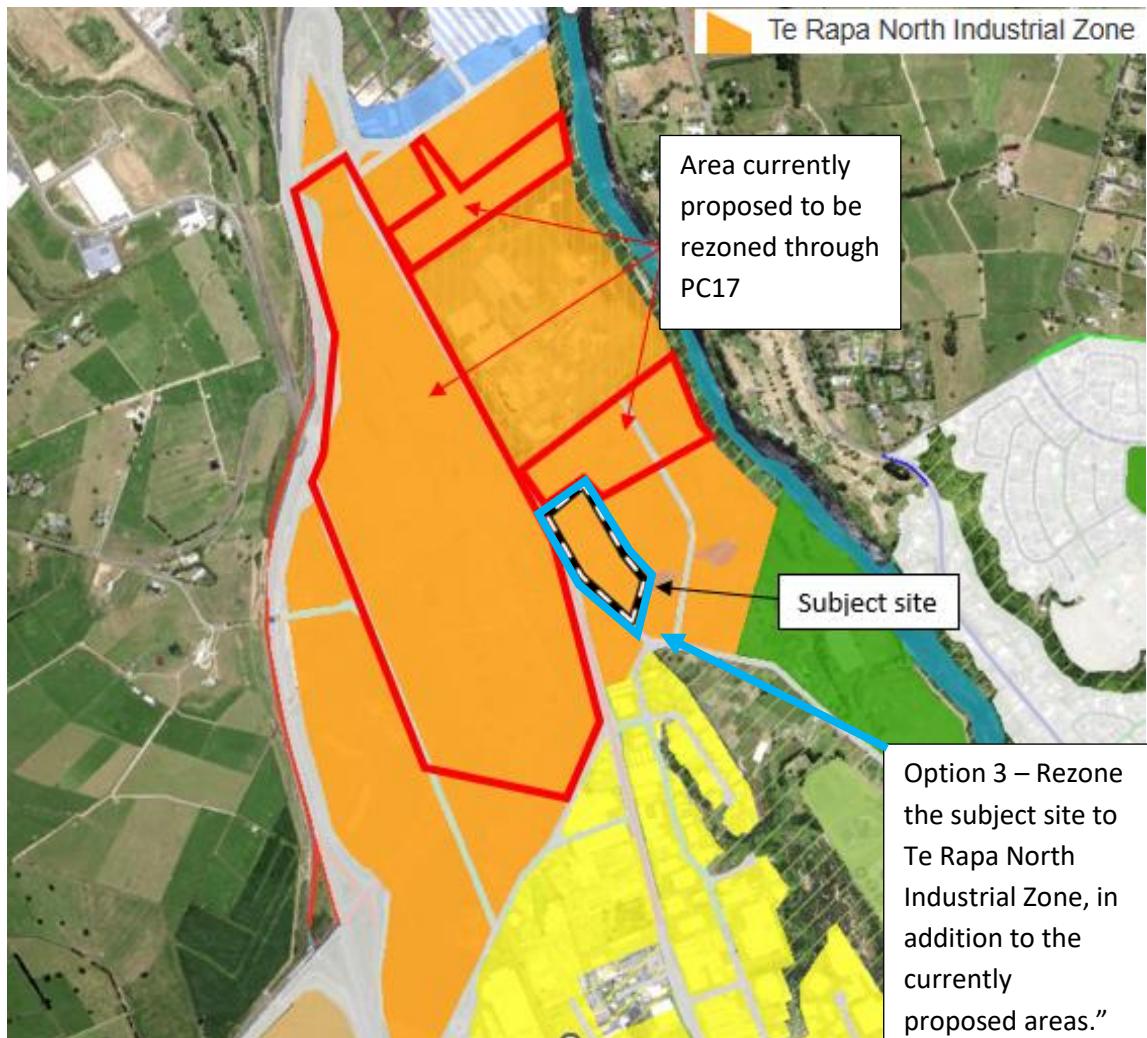


Figure 4: Option 3 – Rezone the subject site to Te Rapa North Industrial Zone, in addition to the currently proposed areas.

## Submission Point 2 – Update the Te Rapa Structure Plan to move the “East-West Road” intersection with Te Rapa Road northwards

The Te Rapa North Structure Plan proposed through PC17 currently shows a portion of the future Northern River Crossing (NRC). The NRC is a future arterial road which will provide a roading connection from Koura Drive at the State Highway 1C interchange through to Resolution Drive in Rototuna North.

The corridor alignment has not yet been confirmed nor designated by HCC. However, the Transport Corridor Hierarchy in the District Plan and the HCC 2021 – 2051 Infrastructure Strategy (“HCC Infrastructure Strategy”) shows that the section of the NRC between Koura Drive and Te Rapa Road will pass through the area subject to PC17, before intersecting with Te Rapa Road and continuing east across the Waikato River. Refer to Figure 5 below which is an excerpt from the Integrated Transport Assessment (ITA) (Appendix 4 of the PC 17 application).

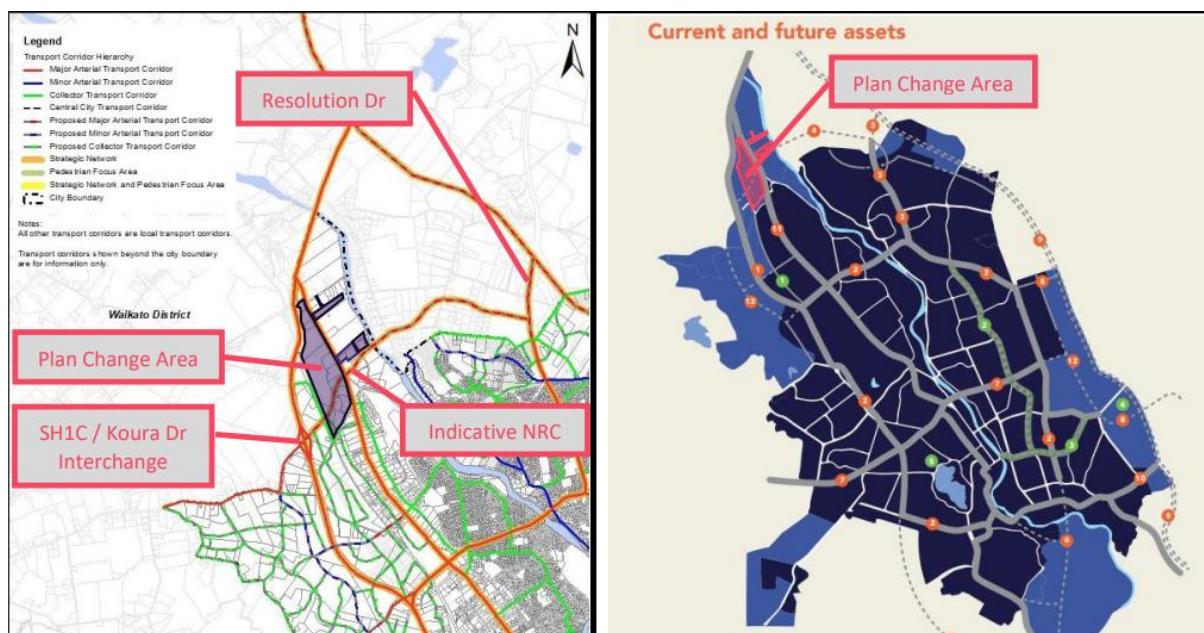


Figure 5: Future NRC alignment

Although the NRC corridor has not yet been confirmed or designated by HCC, the proposed structure plan will indicatively set the corridor location west of the Waikato River. This includes the land within the plan change area in addition to the land located between Te Rapa Road and the Waikato River which includes the subject site.

On this basis, the location of the “East-West Road” shown on the proposed Structure Plan has a direct impact on the subject site as it will dictate the alignment of the NRC between Te Rapa Road and the Waikato River. The “East-West Road” is currently shown to dissect the plan change area and terminate at a new intersection at the junction of Te Rapa Road and Pukete Road, as shown in Figure 6 below.

Morth Trusts Partnership is opposed to the alignment of the “East-West Road” as shown on the structure plan as it will result in the future alignment of the NRC corridor dissecting through the middle of the subject site and the sites further east. As shown in the ITA, the NRC will likely cross the Waikato River at its narrowest point, the location of which is shown in Figure 6 below. This will result in these sites being fragmented reducing the ability for them to be developed in a pragmatic manner in the future.

Morth Trusts Partnership seeks that the East-West Road and its intersection with Te Rapa Road be moved Northward as shown in Figure 6 below. We propose that moving the road and intersection northwards is a preferable outcome for all parties for the following reasons:

- It will ensure that only the Northern portion of the subject site and other sites further East will be required for the future NRC, avoiding the fragmentation of these land parcels. This will enable this land to be developed in a more efficient manner in the future.
- Further to the above point, this option would likely reduce the land take requirement for the future NRC with less affected landowners. This is because it would allow for a straight corridor for future NRC that follows existing boundary lines between Te Rapa Road and the Waikato River.
- It will provide the existing Fonterra factory with better access to the future NRC, which is particularly important given the existing underpass is likely to be removed based on the PC17 documentation.

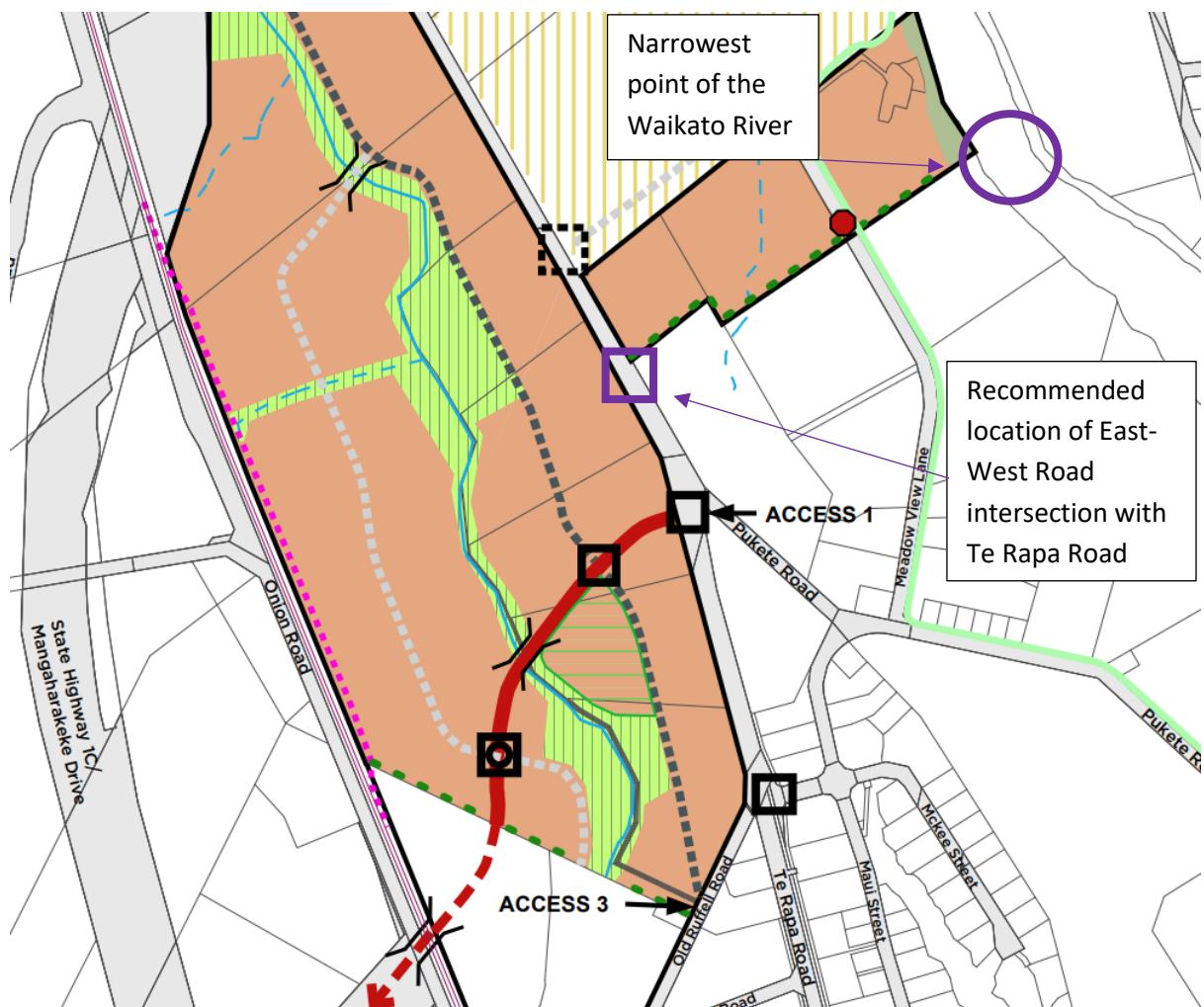


Figure 6: Preferred location of East-West Road Intersection with Te Rapa Road (excerpt from Te Rapa North Structure Plan)

**Submission Point 3 - Update the proposed Structure Plan to show a local road connection to the subject site**

The structure plan as currently shown does not provide any roading connections to the boundary of the subject site. This could create access issues for the subject site in the future particularly when the NRC is implemented. As currently proposed, the future NRC will essentially cut the subject site in half leaving two separate landholdings to the North and South of the NRC. This will result in the Northern portion of the site becoming landlocked, as access from Te Rapa Road and the NRC are unlikely to be attainable.

The proposed PC17 provision changes further solidify this issue as proposed Policy 2.2.1.e seeks to prevent new direct access to or from Te Rapa Road. Proposed Rule 12.3.1.d. will make new vehicle crossings to Te Rapa Road a Non-Complying Activity meaning that approval for a vehicle crossing to the site is unlikely to be approved by Council. Because it is likely that the zoning adopted as part of this plan change will also form the zoning of the subject site in future when the zoning is eventually uplifted, we anticipate that these provisions will impact the subject site in the future. Both of these proposed provisions are outlined below:

*Policy 2.2.1e Prevent new direct access to or from Te Rapa Road.*

*12.3.1 Activity Status Table – Te Rapa North Industrial Zone*

...

*d. Vehicle Crossings to Te Rapa Road – NC*

On this basis, we seek that either:

1. The structure plan be updated to show a local road connection to the subject site from the Plan Change 17 area adjoining the northern boundary of the subject site; or
2. That the East-West Road intersection with Te Rapa Road be moved northward as per submission point 2 above.

**Submission Point 4 – Update the District Plan provisions to ensure that Three Waters infrastructure upgrades are sized for the entire Te Rapa North Industrial Area**

Servicing the plan change area will require infrastructure upgrades and extensions of existing infrastructure. The Infrastructure Report provided in Appendix 6 of the PC17 application focuses solely on the PC17 area. In our view, any permanent infrastructure upgrades undertaken to enable development within the PC17 area should be future-proofed so that it can accommodate the rest of the growth cell in the future. Particularly, trunk infrastructure for wastewater and water supply should be appropriately sized to accommodate the entire catchment. This is to avoid the potential for upgrades having to be undertaken twice once the remainder of the TRNIA is live zoned.

On this basis, we seek that appropriate provisions be incorporated into both Chapter 3.9 (Te Rapa North Industrial Structure Plan) and Chapter 12 (Te Rapa North Industrial Zone) to ensure that any permanent infrastructure upgrades are provided to service the entire TRNIA, as opposed to just the area subject to PC17. We understand this would likely require a cost share arrangement between HCC and the applicant.

**Submission Point 5 – Remove the watercourse currently shown on the subject site from the proposed Te Rapa North Structure Plan**

The proposed Te Rapa North Structure Plan under PC17 currently shows a watercourse on the subject site (see Figure 7 below). Unless the zoning of the subject site is uplifted through this plan change process, it is requested that the watercourse be removed from the structure plan as it relates to the subject site. As the subject site does not form part of the plan change, no features should be shown on it.

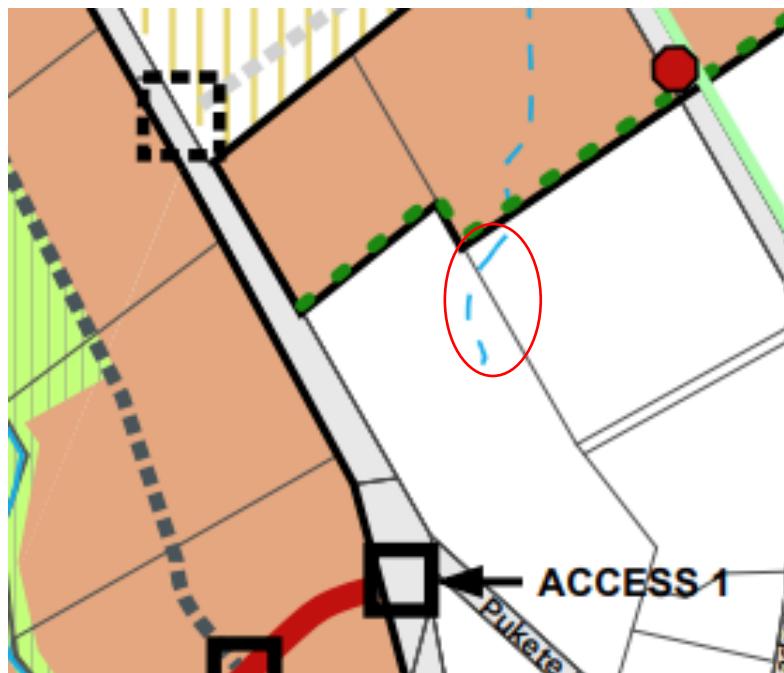


Figure 7: Watercourse to be removed from the Te Rapa North Structure Plan

### **Outcomes we seek from the Hamilton City Council**

In summary, Morth Trusts Partnership is supportive of Plan Change 17, but seeks the following changes:

1. That the zoning of all or some of the Te Rapa North Industrial Area be uplifted from Deferred Industrial Zone to Te Rapa North Industrial Zone, as per the options outline in submission point 1 above.
2. Update the Te Rapa North Structure Plan to move the “East-West Road” intersection with Te Rapa Road Northwards as per Figure 6 above.
3. Update the proposed Te Rapa North Structure Plan to show a local road connection to the subject site.
4. Update the District Plan provisions to ensure that Three Waters infrastructure upgrades are sized for the entire Te Rapa North Industrial Area not just the areas within the Te Rapa North Structure Plan area.
5. Remove the watercourse currently shown on the subject site from the proposed Te Rapa North Structure Plan.

**CKL NZ Ltd**



**Daan Blokker**

**Planning Manager MNZPI**