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**From:** Peter Hall <[peter@phplanning.co.nz](mailto:peter@phplanning.co.nz)>  
**Sent:** Monday, 10 July 2023 4:33 pm  
**To:** PlanChange <[PlanChange@hcc.govt.nz](mailto:PlanChange@hcc.govt.nz)>; Tunde Balvanyos <[Tunde.Balvanyos@hcc.govt.nz](mailto:Tunde.Balvanyos@hcc.govt.nz)>  
**Subject:** Plan Change 15 Tuumata: Updated Further Submission by TGH Ruakura Industrial Development Limited

Please find attached the updated further submission by TGH Ruakura Industrial Development Limited to submissions lodged to Plan Change 15.

Please replace the further submission previously filed with this version. It responds also to submissions lodged by the Waikato Housing Initiative and the Ministry of Education, and follows an extension of the further submission period until 10 July 2023.

Ngaa mihi



**Peter Hall**  
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**Form 6**

**Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991

**To:** Hamilton City Council

**Name of person making further submission:** TGH Ruakura Industrial Development Limited

**This is a further submission in support of (or in opposition to) a submission on the following proposed policy statement (or on the following proposed plan or on a change proposed to the following policy statement or plan, or on the following variation to the proposed policy statement or a variation to the following proposed plan or a variation to a change proposed to the following existing policy statement or plan) (the proposal):** Proposed Private Plan Change 15 to the Hamilton City Council District Plan

**I am:** a person who has an interest in the proposal that is greater than the interest the general public has, being the private plan change applicant.

**I support (or oppose) the submission of:**

As set out in the table at Attachment 1 to this submission.

**The particular parts of the submission I support (or oppose) are:**

As set out in the table at Attachment 1 to this submission.

**The reasons for my support (or opposition) are:**

As set out in the table at Attachment 1 to this submission.

**I seek that the whole (or part) of the submission be allowed (or disallowed):**

As set out in the table at Attachment 1 to this submission.

**I wish (or do not wish) to be heard in support of my further submission.**



.....  
Peter Hall, Peter Hall Planning Limited

Authorised to sign on behalf of TGH Ruakura Industrial Development Limited

**Date:** 10/7/2023

**Electronic address for service of person making further submission:** peter@phplanning.co.nz

**Telephone:** 0274222118

**Postal address:** PO Box 226, Shortland Street, Auckland 1140

**Contact person:** Peter Hall, Peter Hall Planning Limited

**ATTACHMENT 1**

**FURTHER SUBMISSIONS ON PROPOSED PRIVATE PLAN CHANGE 15: TUUMATA TO THE HAMILTON CITY COUNCIL OPERATIVE DISTRICT PLAN**

**By TGH Ruakura Industrial Development Limited (“TGH”)**

Submitter	Submission point	Support or oppose the submission point	Further submission	Decision sought
1. Barker, Niall	1.1	Support	The submission supports rezoning of the site to Residential, Open Space and Neighbourhood Centre from an urban form perspective. These outcomes will help to meet future household demand for Hamilton, at a location very well suited for residential development, provide for a well-functioning urban environment and assist TGH to meet its objectives.	Allow
2. Chedworth Properties Limited	2.1	Oppose	The submission opposes the rezoning of the land. This submission point is opposed because Tuumata represents a unique opportunity to provide a new residential neighbourhood for Kirikiriroa Hamilton: adopting the best urban design and environmental management practices, in a place that is close to the significant employment node at Ruakura and beyond, and well-serviced by existing and future transport connections. Tuumata has been identified for several years in strategic planning documents for the City and the Region as being a priority project for higher density residential development, to be served by future frequent public transport links. Its development will assist TGH to achieve its mission of growing puutea, tuuranga mahi and whenua for the people of Waikato Tainui, the region and for generations to come. Overall, the Plan Change accords with and gives effect to planning policy documents, includes provisions suitable to avoid, remedy or mitigate adverse effects on the environment, will give rise to considerable positive benefits, satisfies the requirements of section 32 of the RMA 1991 and accords with the purpose and principals of Part 2 of the Act.	Disallow
2. Chedworth Properties Limited	2.2	Oppose	The submission opposes the rezoning to Business 6 to provide for a new neighbourhood centre. This submission point is opposed because the neighbourhood centre is important to achieving a well-functioning urban environment at Tuumata. The neighbourhood centre has been planned following economic advice to ensure that the centre will be consistent	Disallow

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			with its neighbourhood centre role and as such, be sustainable primarily by its new and existing local population. The neighbourhood centre will be a positive contribution to commercial supply in suburban Hamilton, in an area where there is little commercial activity and will not detract from the viability of other existing or planned centres.	
2. Chedworth Properties Limited	2.4	Oppose	The submission opposes the incorporation of a new precinct and structure plan for the Tuumata Residential Precinct. This submission point is opposed because these methods are necessary to achieving the outcomes sought by the Plan Change, and properly implement the objectives and policies of the NPS:UD, WRPS and District Plan.	Disallow
2. Chedworth Properties Limited	2.5	Oppose	The submission opposes the incorporation of new rules for the Tuumata Residential Precinct. This submission point is opposed because these methods are necessary to achieving the outcomes sought by the Plan Change, and properly implement the objectives and policies of the NPS:UD, WRPS and District Plan.	Disallow
2. Chedworth Properties Limited	2.6	Oppose	The submission states that the changes enabled by PC15 will have significant adverse effects on traffic congestion and climate change. This submission point is opposed because the congestion point does not align with detailed transport assessment modelling undertaken which supports the plan change. The climate change point is opposed because the changes enabled by PC15 represent the right land use in the right place, with excellent proximity to existing and planned employment, supported by planned future frequent public transport and with an urban form that encourages active modes and minimises private car use.	Disallow
3. Department of Conservation	3.1	Oppose	The submission seeks that the proposed provisions for bats and bat habitat be strengthened. This is opposed because adequate survey work has been undertaken to understand the value of bat habitat at Tuumata, and methods proposed and incorporated in the Plan Change provisions are consistent with its and the wider area's anticipated urban future and existing zoning, and which have been successfully adopted already in the balance of development at Ruakura.	Disallow

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3. Department of Conservation	3.2	Oppose	The submission seeks the plan change include requirements for an ecological management plan to manage effects on bats and black mudfish and the use of an accepted Biodiversity Offsetting Model. Both are outcomes that are able to be secured by the requirement of the Plan Change provisions that subsequent resource consents have regard to and offset the effects on native biodiversity.	Disallow
4. Fairview Downs Residents and Owners Association	4.1	Support	The submission supports the re-zoning of Industrial Land within the Ruakura Structure Plan to Residential. This outcome will help to meet future household demand for Hamilton, at a location very well suited for residential development, provide for a well-functioning urban environment and assist TGH to meet its objectives.	Allow
6. Hamilton City Council	6.1	Support in Part / Oppose in Part	<p>The submission supports the Residential zoning of the site, subject to sufficient evidence being provided that the change in zoning will not give rise to unacceptable direct and indirect economic effects. This is supported in part by this further submission to the extent that residential zoning is appropriate for the reasons set out in the Plan Change Request. In summary, Tuumata represents a unique opportunity to provide a new residential neighbourhood at scale for Kirikiriroa Hamilton: adopting the best urban design and environmental management practices, in a place that is close to the significant employment node at Ruakura and beyond, and well-serviced by existing and future transport connections.</p> <p>The need for further evidence to support this rezoning is opposed on the grounds that sufficient evidence was submitted with the Plan Change, which recognises the availability of land east of the WEX to make up for projected future industrial land demand. In addition, Tuumata has been identified for several years in strategic planning documents for the City and the Region as being a priority project for higher density residential development, to be served by future frequent public transport links.</p>	Allow to the extent that the primary submission supports the residential zoning of the land. Disallow to the extent that this outcome should be subject to further economic evidence.
6. Hamilton City Council	6.2	Oppose	The submission opposes the inclusion of the neighbourhood centre provisions in their current form. This submission is opposed because the neighbourhood centre is important to achieving a well-functioning urban environment at Tuumata. The neighbourhood centre has been planned following economic	Disallow

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			advice to ensure that the centre will be consistent with its neighbourhood centre role and as such, be sustainable primarily by its new and existing local population. The neighbourhood centre will be a positive contribution to commercial supply in suburban Hamilton, in an area where there is little commercial activity and will not detract from the viability of other existing or planned centres.	
6. Hamilton City Council	6.6	Oppose	The submission seeks the inclusion of a net density target. This submission point is opposed because net density targets do not work as a method and are unnecessary where appropriate densities are enabled as is the case with Tuumata.	Disallow
6. Hamilton City Council	6.7	Oppose	The submission seeks more detailed plan provisions addressing the distribution of house/lot typologies across the site. This submission point is opposed because the Plan Change already includes a comprehensive suite of provisions to ensure excellent urban design outcomes. Prescribing greater specificity as to typologies is unnecessary, not otherwise required in other existing and proposed zones in Hamilton, and does not provide for sufficient flexibility to provide for future anticipated needs across a 10 year time horizon.	Disallow
6. Hamilton City Council	6.10	Oppose	The submission seeks the identification of a link to Fairview Downs and associated development trigger provisions. This submission point is opposed because this is an outcome outside of TGH's control. Development of the Plan Change land and the creation of a well-functioning urban environment is not dependent on the provision of this link.	Disallow
6. Hamilton City Council	6.13	Oppose	The submission seeks that the sub-catchment ICMP be amended to also assess effects of stormwater discharge from development on the plan change site on downstream receiving environments, plus other changes. This submission point is opposed. The sub-catchment ICMP submitted is appropriate for its purpose which is to report on the three-waters effects of the change of land use from the current zoned industrial/open space to the land uses now proposed with PC15.	Disallow
6. Hamilton City Council	6.18	Support in part	The submission seeks that any necessary amendments are made to the Private Plan Change 15 provisions to ensure consistency with Proposed Plan Change	Allow, subject to appropriateness of the specific

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			12 provisions. This submission point is supported in part, subject to appropriateness of the specific outcome of PC12 to Tuumata.	outcome of PC12 to Tuumata.
6. Hamilton City Council	6.21	Oppose	<p>The submission seeks the inclusion of affordable housing objectives, policies and rules modelled off Te Awa Lakes and Rotokauri North. This submission point is opposed. It ignores the special status of the land as treaty settlement land for the purposes of commercial redress, the role of TGH relative to Waikato -Tainui and the role of Waikato-Tainui across its five key pou: Haporī, Taiao, Kaupapa, Whai Rawa and Mahi Tonu, which includes extensive provision of community services and wellbeing. Against that backdrop, adding further requirements for affordable housing provision at Tuumata is neither justified nor necessary.</p> <p>In respect to the relevant policy framework, WRPS Change 1 method UFD-M63 Housing Affordability specifies that Future Proof partners should consider regulatory and non-regulatory methods to improve housing affordability such as increasing housing supply, greater housing choice, more diverse dwelling typologies, alternative delivery partners, and investigating inclusionary zoning. This method is relevant to the extent it sets out a range of ways to improve housing affordability. Of these, 3 are achieved at Tuumata: increasing housing supply, greater housing choice, and more diverse dwelling typologies.</p> <p>Contrary to the point raised in the submission, the rezoning of land from industrial to residential has no bearing on this matter.</p>	Disallow
6. Hamilton City Council	6.22	Oppose	<p>The submission seeks that necessary amendments are made to the Plan Change to ensure that the responsibility for the delivery of the infrastructure, at specifications approved by HCC, as identified in the Preliminary Development Concept Master Plan, and PC15 more generally, rests with the developer, not HCC. This submission point is opposed. The changes sought are unnecessary because the approach to the provision of infrastructure at Ruakura is already set out in the Structure Plan provisions which are not sought to be changed and, moreover, a matter for separate agreement with the Council.</p>	Disallow

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7. Kāinga Ora Homes and Communities	7.1, 7.8, 7.9, 7.10, 7.13, 7.15, 7.17, 7.18, 7.19, 7.20, 7.21, 7.23, 7.25, 7.26, 7.29, 7.30, 7.31, 7.32 and 7.33	Support in Part/Oppose in Part	<p>These submission points seek variously the adoption of PC 12 and the provisions the submitter proposed through submissions to PC12 be applied at Tuumata.</p> <p>The submission points that support the application of the General Residential Zone are supported, however not at the expense of Tuumata specific provisions and not to the extent that all of the submitter's submission points on PC12 should be adopted.</p> <p>The submission points that seek the wholesale adoption of the submitter's submission points to PC 12 are opposed as neither PC 12 nor the submitter's submission on it recognise the specific characteristics of Tuumata and the outcomes sought there. Neither do PC 12 nor the submitter's submission points adequately make provision for the subdivision and development of greenfields land to create a well-functioning urban environment.</p>	<p>Allow, subject to appropriateness of the specific outcomes of PC12 to Tuumata.</p> <p>Disallow to the extent that PC12 and the submitter's submission points on it do not make provision for the specific circumstances at Tuumata.</p>
7. Kāinga Ora Homes and Communities	7.5	Oppose	The submitter seeks that provision be made for reference to 25.13 with regards to City Wide infrastructure provisions that should apply to the Tuumata Structure Plan area. This submission point is opposed as the proposed provisions include a Tuumata and Ruakura-specific approach to the management of wastewater, which has been modelled and assessed to be appropriate to the projected demand.	Disallow
7. Kāinga Ora Homes and Communities	7.6	Oppose	The submitter seeks the deletion of proposed Plan Change rule 3.7.4.4.4 and reliance upon chapter 25.13 to regulate effects of stormwater. This submission point is opposed as the proposed provisions include a Tuumata and Ruakura-specific approach to the management of stormwater, which has been modelled and assessed to be appropriate to the projected demand, and takes into account the specific characteristics of the site (including topography, soil types and location in the catchment) and a particular set of methods determined to be appropriate to manage stormwater at Tuumata.	Disallow
8. Transpower New Zealand Limited	8.1	Support in Part	The submission seeks the deletion of Rule 3.7.4.3.6 (iii). This submission is supported, subject to ensuring that there are adequate rules in 25.7.4 that	Allow, subject to ensuring that

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			regulate buildings in the National Grid Yard and that no other negative consequences arise from the deletion of the rule as sought in the submission.	there are adequate rules in 25.7.4 that regulate buildings in the National Grid Yard and that no other negative consequences arise from the deletion of the rule as sought.
9. Waikato Regional Council	9.2	Oppose	The submission seeks that further detail be provided in relation to the BE1 wetland proposed as compensation for the loss of black mudfish habitat. This submission point is opposed because this detail will be provided with the resource consent applications to the District and Regional Councils which will follow the Plan Change. The Plan Change provisions, together with the provisions of the Regional Plan, include adequate requirements in this regard.	Disallow
9. Waikato Regional Council	9.6	Oppose	The submission seeks the plan change be amended to prioritise protection of any known or potential bat roost trees within the plan change area and maintain connectivity to the wider landscape. This is opposed because adequate survey work has been undertaken to understand the value of bat habitat at Tuumata, and methods proposed and incorporated in the Plan Change provisions are consistent with its and the wider area's anticipated urban future and existing zoning, and which have been successfully adopted already in the balance of development at Ruakura. Retention of individual trees within the site is not an effective method for avoiding or mitigating effects on bats given the planned and zoned urban context of the site and its surrounds.	Disallow
9. Waikato Regional Council	9.11	Support	The submission supports the proposed location of the Neighbourhood Centre in that it is well within the walkable catchment for the Tuumata Development and seeks the proposed neighbourhood centre be retained. The submission point is supported because the neighbourhood centre is a key element to	Allow

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			creating a well-functioning and sustainable urban environment, providing for the daily needs of residents in close, accessible proximity.	
9. Waikato Regional Council	9.13	Support	The submission supports the overall vision proposed for the Ruakura – Tuumata Structure Plan Area within PC15, of a residential neighbourhood with a comprehensive network of green open space, a multi-functional transport network and the provision for day-to-day community and retail needs of the locality, contributing to the creation of a well-functioning urban environment. This submission point is supported because the outcomes expressed in this submission point will be realised through PC15.	Allow
9. Waikato Regional Council	9.21	Oppose	The submission seeks the addition of a new rule to trigger the creation of a pedestrian connection from the plan change area onto Northolt Road. This submission point is opposed because this is an outcome outside of TGH's control. Development of the Plan Change land and the creation of a well-functioning urban environment is not dependent on the provision of this link.	Disallow
9. Waikato Regional Council	9.25	Oppose	The submission seeks a new clause requiring a minimum permeable surface area of 30% per site. This submission point is opposed because this requirement is not supported by the stormwater assessment prepared for the Plan Change, nor is it consistent with the MDRS.	Disallow
10 Ministry of Education	10.2 and 10.3	Support in Part	The submission seeks that the Plan Change adopt changes to objectives and policies consistent with those sought in the Ministry's submission on PC12, to provide for "additional infrastructure" as defined in the submission and enable non-residential development. The key themes of these submission points are generally supported, subject to their direct applicability at Tuumata. In this regard, the matters raised may be better addressed in the General Residential zone objectives and policies and the District-wide definitions, which are subject to PC12. TGH also notes that consultation with the Ministry of Education has occurred during the development of the master plan and structure plan for Tuumata, with provision made for a possible new school. This structure plan-level outcome potentially gives better and more direct effect to the relief sought by these submission points.	Allow, subject to appropriateness of the specific outcomes of PC12 to Tuumata.

Submitter	Submission point	Support or oppose the submission point	Further submission	Decision sought
12 Waikato Housing initiative	12.5	Oppose	The submission seeks that specificity be incorporated regarding affordable housing provisions and how these are to be implemented, based on examples of recent Te Awa Lakes and Rotokauri North Medium Density provisions or the general inclusionary zoning examples based on Queenstown Lakes District Council provisions. In response to this submission point, while the support of the submitter for the provision of housing is acknowledged, TGH does not believe that mechanisms to ensure the provision of affordable housing should be a District Plan requirement for Tuumata. This relief sought by the submitter does not take account of the special status of the Ruakura land as treaty settlement land for the purposes of commercial redress, the role of TGH relative to Waikato -Tainui and the role of Waikato-Tainui across its five key pou: Hapori, Taiao, Kaupapa, Whai Rawa and Mahi Tonu, which includes extensive provision of community services and wellbeing. Against that backdrop, adding further requirements for affordable housing provision at Tuumata is neither justified nor necessary.	Disallow