

29 January 2010

Mr G. Dyet
Chief Executive
Waipa District Council
Private Bag 2402
TE AWAMUTU
3840

Dear Sir,

SUBMISSION TO THE PROPOSED PRIVATE PLAN CHANGE NO.67 MERIDIAN 37 LTD

1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) welcomes the opportunity to make a submission to Waipa District Council on the proposed Private Plan Change No.67 Meridian 37 Ltd (referred to throughout this submission as the Private Plan Change).
- 1.2 HCC has reviewed the proposed Private Plan Change, which allows for the establishment of a range of activities comprising a business park of 65 hectares, a rural-residential area of approximately 12.7 hectares and a visitor accommodation area of 20.2 hectares.
- 1.3 HCC opposes the Private Plan Change and would like to see the application declined based on the following comments.

2.0 GENERAL COMMENTS

- 2.1 HCC's position is that the Private Plan Change is contrary to the provisions of Section 5 of the Resource Management Act 1991 (RMA 1991) as it does not represent *'sustainable management of the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety'*.

3.0 SPECIFIC COMMENTS

3.1 Strategic Planning

- 3.1.1 HCC considers that the Private Plan Change is inconsistent with the provisions of the Future Proof Strategy and the Regional Policy Statement 2000-2010 (RPS).
- 3.1.2 The Future Proof Strategy was developed by HCC, Waipa District Council, Waikato District Council, and Environment Waikato in partnership with tangata whenua, the New Zealand Transport Agency and Matamata Piako District Council, and was adopted in June 2009 following public consultation.

- 3.1.3 The Future Proof Strategy provides the primary strategic direction for growth in the Future Proof area and establishes a basis for all organisations and the community to co-operatively manage growth. The Strategy was developed in
- 3.1.4 order to address a range of adverse effects associated with uncontrolled and ad-hoc growth. It recognises that well managed growth can enhance the community's ability to live, work and play in their local area, and ensure that investments in infrastructure are undertaken in a sustainable, effective and efficient way.
- 3.1.5 Environment Waikato has recently developed Plan Change 2 to the RPS to give statutory effect to the Future Proof principles and settlement pattern. The Private Plan Change conflicts with the principles and settlement pattern established by Future Proof and is therefore in conflict with the RPS.
- 3.1.6 The Future Proof Strategy has identified sufficient land for development now and into the future in order to achieve a sustainable land-use pattern for the sub-region. Future Proof also recognises that appropriate provisions need to be made for servicing of future developments. A sustainable land use pattern requires a comprehensive and long term approach as to where, when and how development takes place. This provides certainty for the community and can ensure that potential adverse effects on the environment associated with ad-hoc development are avoided, remedied or mitigated. The Private Plan Change provides no adequate justification for the need for an additional growth node outside of those provided for through Future Proof and the RPS.
- 3.1.7 HCC is also concerned with the cumulative impacts of proposals that are outside the Future Proof settlement pattern and the difficulty in planning for efficient, effective and sustainable development where the integrity of the Future Proof strategy is undermined. The applicant alludes to nearby properties which are not subject to this application but which may in the future proceed to make applications for further urban development. Hamilton City Council is concerned that if the Private Plan Change is approved, it will establish a precedent for other urban activities to establish in the area and undermine the integrity and effectiveness of sub-regional planning under Future Proof and the RPS.
- 3.1.8 The Land Transport Management Act 2008 requires that a 30 year strategy for land-use be provided to ensure transportation decisions are integrated with land-use patterns. The Future Proof Strategy provides a land-use settlement pattern which provides the basis for infrastructural decision-making in the sub-region. Ad-hoc developments such as the Private Plan Change suggested by Meridian 37 will undermine the strategy and the ability for councils and the community to plan for future growth with certainty.

3.2 Proposed Land Uses/Permitted Activities and Structure Plans

- 3.2.1 **Industrial:** HCC is opposed to the proposed industrial zoning that forms part of the Private Plan Change. While there has been a shortage of industrial land in the sub-region in the past, this is no longer the case as Future Proof has ensured that sufficient provision is or will be available as part of an already anticipated allocation. By providing for adequate industrial land allocations, the Future

Proof Strategy and RPS provide certainty for the community and allows infrastructure planning to be undertaken in an efficient, effective and sustainable manner. Oversupply of industrial land would be a significant issue for the sub-region, resulting in cost implications potentially giving rise to inefficient allocation of public funds compared with establishing similar activities in locations in which industrial land has been planned for and anticipated.

- 3.2.2 There is no justification in the Private Plan Change application for the need for general employment to be located near the airport. It is HCC's view that general employment over and above what is already anticipated is more appropriately located in existing urban areas.
- 3.2.3 The Private Plan Change proposal is differentiated from the Titanium Park development at the airport, which is primarily provided to support the airport and associated aviation/cargo activities. The Titanium Park development was considered as part of the Future Proof Strategy and forms part of the planned and anticipated supply of industrial land. Additionally, the Titanium Park industrial allocation is established in the RPS. Any additional industrial provision not provided for in the Future Proof Strategy and RPS in the airport location will result in an over-supply of industrial land for this area, for which there is no quantitative or qualitative need.
- 3.2.4 The proposed Private Plan Change provides insufficient detail to enable a full assessment of the possible amount of retail or office floorspace to occur in the industrial zone. Whilst there is a list of permitted activities for the zone, there is no limit on size and without sufficient detail it is not possible to establish whether there would be any distributional effects as a result of the Private Plan Change.
- 3.2.5 **Rural-residential:** HCC is opposed to the proposed rural-residential development sought under the Private Plan Change. Rural-residential development makes subsequent conversion to other future land uses difficult. Additionally, given its location under the airport noise contour, residential development is considered inappropriate. The proposed rural-residential land uses is not in accordance with the principles or settlement pattern outlined in Future Proof.
- 3.2.6 The RPS seeks that rural-residential development should generally not be established unless it can be demonstrated that there is insufficient supply of rural-residential lots within the district to meet demand. HCC notes that no evidence of this has been provided in the Private Plan Change application.
- 3.2.7 In addition, Future Proof and the RPS require that new rural-residential development should predominantly be located adjacent to existing rural towns and villages or in established rural-residential areas, although not in the vicinity of the HCC boundaries. The proposal outlined in the Private Plan Change is not located near an existing town or village, and is not within an established rural-residential area.
- 3.2.8 HCC is of the view that the Private Plan Change will adversely impact on any possible future expansion of HCC's boundaries which conflicts with the provisions of the RPS.
- 3.2.9 **Visitor Accommodation:** The Visitor Accommodation Area proposed in the Private Plan Change would provide for a wide range of activities including traveller's accommodation, health facilities, gymnasias, restaurants, recreation, residential and conference facilities. However, HCC notes that no controls over

the density or mix of development have been established in the Private Plan Change. It is considered that the proposed mix of activities, along with the large area proposed would result in an urbanised environment in this location, with consequent pressure for urban services and community facilities in the future.

- 3.2.10 In general, large scale visitor accommodation facilities such as hotels should be located within existing settlements where a full range of ancillary services and entertainment is available. In addition, HCC opposes the development given that it is located directly underneath the airport flight path and in the primary noise control corridor.

3.3 Efficiency and Effectiveness of Infrastructure Provision

- 3.3.1 HCC is of the view that such developments as the one proposed in the Private Plan Change should be centred around already developed areas where provision of infrastructure has already been made or planned for. HCC has a number of concerns about developing areas where there is no provision of or plans to provide infrastructure to support the development. These are outlined as follows.

- 3.3.2 **Transportation:** HCC is concerned that traffic generation from the proposed Private Plan Change will have an adverse effect on the existing transportation network. In order to provide sufficiently for integrated transport and land-use planning it is necessary to ensure that developments occur in accordance with an agreed land-use strategy.

- 3.3.3 HCC and the NZTA have commenced a joint project seeking to designate the Southern Links Corridors and associated arterial network within the Peacocke structure plan. HCC is concerned that the Private Plan Change will not adequately protect the proposed Southern Links corridor and may predetermine the outcomes of the designation process. HCC is of the view that the proposed Southern Links route is critical to providing an effective, efficient and sustainable transportation route to the south of the City and any proposal which could compromise this is opposed.

- 3.3.4 **Water and Wastewater:** HCC is seeking a sub-regional approach to planning for water and wastewater infrastructure. In order to effectively plan for water and wastewater infrastructure, and to predict future water demands, it is necessary to plan in accordance with a known growth strategy. In addition, HCC does not support the allocation of water for uses outside the agreed settlement pattern established by Future Proof and the RPS.

3.4 Soils

- 3.4.1 The Private Plan Change is proposing to locate on Class II and III soils, defined as prime agricultural land in the Waipa District Plan. Future Proof seeks to ensure that development minimises impacts on the productive capacity of high quality soils. HCC asserts that it is inappropriate to develop on such soils where there is no identified need.

3.5 Demand for Community Services

- 3.5.1 It is noted on page 26 of the application that the Private Plan Change development '*will not generate demand for additional community facilities*' but no evidence is presented in support of this assertion. The Private Plan Change represents a significant urban development in an existing rural environment. The future users of the area will require community facilities (for example libraries) and other urban services and facilities. The sub-region has

existing urban settlements which already provide such services and it is not efficient, effective or sustainable to provide new urban settlements where no such need exists.

3.6 Noise

- 3.6.1 Policy SU16A of the Waipa District Plan seeks to discourage the subdivision of any site within the Rural Zone which is likely to result in a dwelling being erected within the Outer Control Noise Boundary at Hamilton Airport. The Private Plan Change would result in a new area of rural-residential development, as well as visitor accommodation (with no limits on the ability for individual dwellings to establish within the visitor accommodation area), and as such is contrary to this Policy. HCC is of the view that the Private Plan Change would generate potential adverse effects on the operation of Hamilton International Airport (a critical strategic regional asset), compromising the ability of the airport to operate efficiently, and should therefore be declined.

3.7 Green space separating settlements:

- 3.7.1 It is an important principle of Future Proof and the RPS that identified urban areas shall be separated by areas of open space. The Private Plan Change, by virtue of its location and nature, will erode the separation between the City and other urban uses and is therefore contrary to Future Proof and the RPS.

4.0 CONCLUDING COMMENTS

- 4.1 HCC trusts that the points made in this submission are helpful to the Waipa District Council when considering all submissions to the proposed Private Plan Change No.67 Meridian 37 Ltd.
- 4.2 HCC **does wish to be heard** at the hearings held by the Waipa District Council in support of this submission.
- 4.3 It is likely that other submitters may have a view similar to that of HCC's. Where this is the case HCC would like to reserve the right to present joint evidence at the hearings in support of this written submission.
- 4.4 If you require clarification of the points raised in this submission, or additional information, please contact Susan Henderson in the first instance on 07 958 5901 or email susan.henderson@hcc.govt.nz

Yours faithfully



Michael Redman
CHIEF EXECUTIVE