

To:

Requiring Authority
Rotokauri Strategic Infrastructure NOR Infrastructure & Assets
Group on behalf of Hamilton City Council as Requiring Authority
C/O Beca
Attention: Melissa Slatter
Melissa.Slatter@beca.com

Territorial Authority
Hamilton City Council
Urban and Spatial Planning Unit
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Submitter Details

Te Rapa Gateway Limited
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1. This is a submission on the Rotokauri Strategic Infrastructure Notice of Requirement (**NoR**) by Te Rapa Gateway Limited (**TRGL**).
2. TRGL is not a trade competitor for the purposes of s 308B of the Resource Management Act 1991 (**RMA**) and could not gain an advantage in trade competition through this submission.
3. TRGL wishes to be heard in support of its submission.
4. If others make a similar submission, TRGL will consider presenting a joint case with them at any hearing.

Overview of TRGL

5. TRGL is a subsidiary of Chalmers Properties Limited (**Chalmers**) and is advancing plans to develop a new commercial hub on Lot 50 DP 471831 which is bounded by Te Kowhai East Road and Arthur Porter Drive (**Site**). The Site is owned by TRGL.
6. Chalmers is a large property development and investment company with property holdings throughout Auckland, Hamilton, and Dunedin. Chalmers and TRGL are owned by the Port of Otago whose 100% shareholder is the Otago Regional Council.
7. The Site comprises approximately 2.28 ha of industrial zoned land and forms part of the 'Te Rapa Gateway'. The Te Rapa Gateway is the gateway to Hamilton and is strategically located minutes away from the Waikato Expressway, the Main Northern Railway, Te Rapa Road, Avalon Road and The Base. It contains prime industrial and commercial land.
8. TRGL's development outcomes for the Site are significantly impacted by the notified designation extent sought by the NoR. The NoR therefore has the potential to result in significant adverse effects on TRGL, including on its ability to use or develop the Site in both in the interim and operational period.

TRGL's Submission

9. TRGL **opposes** the NoR to the extent it applies to the Site.
10. Without limiting the generality of its opposition, TRGL's core concerns relate to:
 - (a) The proposed designation extent;
 - (b) Planning blight and implications of the NoR on land use and development;
 - (c) Inadequate consideration of alternatives;
 - (d) The strengthening of core conditions; and
 - (e) The proposed designation lapse date.

Designation Extent

11. TRGL opposes the extent of land identified for the designation on the basis that the designation extent is excessive and is not reasonably necessary for achieving the objectives of the Requiring Authority for which the designation is sought.
12. As notified, the proposed designation boundary:
 - (a) Traverses the centre of the Site extending from Kowhai East Road to Arthur Porter Drive (the proposed Arthur Porter Drive realignment));
 - (b) Extends along the Site's southern, southwestern and eastern boundaries (the proposed minor arterial Te Kowhai Road (west extension)); and
 - (c) Extends along the Site's northern and eastern boundary (the proposed minor arterial Te Kowhai Road (west extension)).
13. The extent of proposed designation across the Site results in a significant reduction in TRGL's ability to use and develop the Site in an integrated and efficient manner. The Proposed Arthur Porter Drive realignment severs the Site and results in two disconnected lots. This has serious implications on future development outcomes for the Site including access, traffic-related effects, and a significant reduction in the Site's developable area.
14. Similarly, the proposed Te Kowhai Road West Extension extends along a significant portion of the Site's road frontages. The extent of the designation area will result in a loss of key access, developable area, and loss of future landscaped buffer areas.
15. The above effects have not been adequately addressed by the NoR application material or the Requiring Authority's assessment of alternatives.

Planning Blight and Impacts on Use and Development

16. The proposed designation extent and 15-year lapse date result in significant impacts on TRGL's use and development of the Site.
17. There is currently no funding allocated for the construction of the Rotokauri Arterials Project. TRGL is concerned that the lack of funding creates increased uncertainty as to

whether and when the designation will go ahead. In the interim, affected landowners are unable to fully utilise or develop their land creating inappropriate planning blight.

18. The Site is a major landholding for TRGL in Hamilton and is currently in a vacant state. To date, TRGL has placed significant effort into advancing development outcomes for the Site.
19. The absence of funding and significant designation extent create real risk of planning blight for the Site. TRGL has concerns that the designation will prevent efficient use of the Site by significantly constraining the development potential, lessening the attractiveness of the Site to potential tenants, and requiring significant redesign to TRGL's preferred development outcomes on the Site.

Assessment of Alternatives

20. TRGL does not consider that adequate consideration has been given to alternative sites, routes, or methods of undertaking the designation.
21. The assessment of alternatives fails to properly consider alternative alignments which avoid adverse effects on the Site.
22. There is no proper consideration or assessment of an option which:
 - (a) Avoids traversing the Site altogether; or
 - (b) Minimises the designation boundaries to the greatest extent possible.
23. TRGL is also concerned that the specific adverse effects of the NoR on the Site have not been appropriately assessed by the Requiring Authority. TRGL considers this to be a significant shortcoming in light of the significant impacts and extent of designation within the Site.

Strengthening of Conditions

24. TRGL does not consider the proposed NoR conditions are sufficient to:
 - (a) Ensure that access to the Site during construction and operation is maintained in a safe, efficient and effective manner.

- (b) Ensure a process for the review of the extent of designation upon further detailed design (and subsequent removal of land not required for construction or operation).
- (c) Provide an opportunity for affected landowners to negotiate early land acquisition.

Designation Lapse Date

25. TRGL opposes the 15-year lapse date as it results in excessive uncertainty for the use and development of the Site.

Relief Sought

26. TRGL seeks the following relief:
- (a) That the NoR be declined; or
 - (b) That the extent of the designation boundary as it applies to the Site is reviewed and reduced; and
 - (c) That the proposed NoR conditions be amended to address the matters raised in this submission; and
 - (d) Any such further or consequential relief required to achieve the outcomes sought by this submission.

Signature:

Te Rapa Gateway Limited by its authorised agent:



Jeremy Brabant

Date: 8 November

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