

To City Planning Unit, Hamilton City Council, Municipal Offices

I am writing this further submission on behalf of my mother, Gae Heang Kim who is a proprietor of 301 Te Kowhai Road. I confirm that my land is part of the Plan Change 7 area.

Introduction

The Plan Change 7 area is fallen within the boundary of Rotokauri Structure Plan where it will become urban living at any time in the future. The Plan Change 7 ("PC7") will thus be a trigger for Rotokauri's urbanism, and it is just a matter of time before Rotokauri Structure Plan transforms the rural land of Rotokauri into the medium density residential houses in the end. So it is anticipated that traffic congestion in State Highway 39 ("SH39") may get worse upon completion of development due to increase of population.

In support with the PC7 in general, I am concerned about issues in relation to State Highway 39 (also known as Te Kowhai Road) in particular with the reserve for cycling and walking paths alongside SH39 and traffic jam on SH39, and some inconsistencies of the PC7 in Rotokauri North Structure Plan ("RNSP"). Such issues should thus be resolved as the first priority in order for the PC7 to be adopted.

(1) Provision of Reserve for Cycling Paths and Walkways on State Highway 39

In response to NZ Transport Agency's submission on 18 March 2020 ("NZTA amendments"), I **oppose** the requirements of reserve for a two-way cycle path which shall be located adjacent to SH39 (not within the SH39 road corridor), under paragraph 5 Provision of a segregated two-way cycle path alongside State Highway 39 in Appendix A of NZTA amendments, on the basis of three main reasons.

Firstly, the whole ownership of the properties along Te Kowhai Road in the PC7 area does not belong to Greenseed. Especially four small pieces of blocks situated in Te Kowhai Road with land size of around 2500m² to 5300m² (i.e. 204 Te Kowhai Rd, 301 Te Kowhai Road, 349 Te Kowhai Road & 365 Te Kowhai Road), are not owned by the developer Greenseed. These blocks had never been designated as Special Housing Area (Please refer to the Special Housing Area Map as per

attachment 1). So if the reserve for a two-way cycle path in the land located adjacent to SH39 (not within the SH39 road corridor) is mandatory, who will reimburse for such a loss of individual land for the sake of public use? In other words, which parties should I seek for compensation from – NZ Transport Agency, Hamilton City Council or Greenseed? As the size of my land is relatively small with two houses whose floor size is 390 square metres in total, I might not be able to undertake development without demolition of the existing houses due to a nature of size of the land. Therefore, requirements of the cycling paths and walkways reserve on the land adjacent SH39 will result in not only blocking of my direct access to SH39 but also depriving of my rights for the land use, and reasonable and proper reimbursements should be paid to me in full accordingly.

Secondly, such a reserve required by NZ Transport Agency is quite out of the blue. Greenseed as a developer proposed the road network to be anticipated to include cycling facilities for Minor Arterial and Collector whereas all roads are to be built with pedestrian facilities in the course of development in accordance with clause 3.6A.1.4 in RNSP. This does not imply to provide new cycling facilities for State Highway 39. According to the map legend in Figure 2-8A: Rotokauri North Structure Plan (Please see the **attachment 2**), a notation for indication marked by a red ink along State Highway 39 and Te Kowhai Road, clearly stated "No Direct Access from State Highway / Landscape Buffer". So I could have imagined that there would be a planting along Te Kowhai Road as the landscape buffer, which would affect direct access to SH39 from my property. Under these circumstances, in my previous submission, I had asked for new local roads to be built on my neighbour land that is owned by Greenseed, in replacement of my access to Te Kowhai Road. I cannot agree to the condition that a two-way cycle paths shall be to be located adjacent to the SH39 road reserve prior to the occupation of any new dwelling or unit, which was stipulated under paragraph 5 Amendments d) iv) in Appendix A of NZTA amendments.

Thirdly, well-designed cycle paths and walkways in the PC7 area will provide more opportunities for local residents to enjoy recreational environments as well as transportation for their well-being. In this similar sense, NZ Transport Agency specified that the provision of a segregated two-way cycle path alongside SH 39 would enable residents to utilise the wider cycling network with more direct connections to the Waikato Expressway Cycle Path. In accordance with Rotokauri North Structure Plan, Greenseed however undertakes to provide new cycling and walkways facilities in the PC7 area in the course of road construction as discussed previously. These new cycling routes will not alleviate the cycling network connections to the Waikato Expressway Cycle Path at all. Therefore, it is not necessary to keep the cycling and walking connections alongside State

Highway 39 on the basis that (1) such reserve requirements may deprive the land rights of individuals who hold the small sized lands in Te Kowhai Road and (2) SH39 is not safe enough for cyclists and pedestrians due to speed and volume of travelling vehicles. Should the reserve for cycling and walkways paths be placed alongside State Highway 39 adjoining the northern boundary of the PC7 area, I suggest that the reserve should be prepared within the SH39 road corridor while reforming SH39 with adjustment of the width of those lanes.

(2) Construction of Major/Minor Arterial Roads Parallel to State Highway 39

In order to disperse traffic on State Highway 39, the construction of new major/minor arterial roads that are parallel to SH39 should be considered in the PC7 area. The proposed State Highway 39 and Collector 1 intersection in RNSP will aggravate the rush-hour traffic snarls after all, because the number of residents and travelling vehicles will increase greatly upon completion of development in the PC7 area where more cars will stop and wait in a queue to join into SH39. In this regard, NZ Transport Agency did not approve any additional collector access connection to SH39. So I suggest that NZ Transport Agency should request to build the integrated road network with east-west collector routes connecting from Exelby Road to Burbush Road (Please refer to the blue (for indication of minor arterial road) & orange (for indication of major arterial road) drawing in **attachment3**). These horizontal lined arterial roads across the PC7 area will enable traffic variance, and eventually form the foundation of a good infrastructure for the remaining area in Rotokauri Structure Plan which will take place in the future.

(3) Inconsistency of Rotokauri North Structure Plan

There are some ambiguities in the land size of future reserves for parks and playgrounds in Rotokauri North Structure Plan compared to ones in Rotokauri Structure Plan (Please refer to Rotokauri North Structure Plan Map in **attachment 2** & Rotokauri Structure Plan Map in **attachment 4**). Similarly there is no indication about closure of access to SH39 from my property either in Rotokauri Structure Plan Map or in Special Housing Area Masterplan Map (Please see **attachment 4** & **attachment 5**). How could such an impediment be placed against my interest in direct access to SH39 without my prior consents? Greenseed does not hold the whole ownership of the lands along Te Kowhai Road. I therefore emphasise the importance of the role of the Hamilton City Council, which makes it sure that implementing of Rotokauri North Structure Plan

should be consistent with other local law & rules and policy such as Rotokauri Structure Plan and Special Housing Accords in particular. The Hamilton City Council should participate in making decision of the whole progress of development as an active supervisor, while discerning and sanctioning whether Greenseed exercises its power ultra vires.

Conclusion

In conclusion, I am agreeable to the objectives of Rotokauri North Structure Plan to provide more houses to the community in response to lack of supply of houses followed by the rapid growth of the Hamilton City. For my property of 301 Te Kowhai Road being located within the northern boundary of the PC7 area, I pay more attention to the provisions in relation to State Highway 39. As the size of my land is 5200m² with two dwelling houses, I reiterate to request that the new local roads should be connected to my property before any works for closure of direct access to SH39 from the northern boundary of the PC7 begin. As I have a right to access to Te Kowhai Road (also known as State Highway 39) as well as a full interest in using this public road, it is essential that I should be guaranteed to have a right to access to a new major local road in replacement of my current access to SH39, which shall be built in Greenseed's land at Greenseed's own cost. Under this condition, I am in support of the Plan Change 7.

In regards to cycling paths and walkways through SH39, I do not accept NZ Transport Agency's requirement to place the reserve for cycling and walkways facilities on the land located adjacent to SH39 (not within the SH39 road corridor), on the basis that such facilities will be provided enough for local residents when new minor arterial roads and collectors are constructed as development proceeds. Alternatively, I agree that the reserve can be placed along the SH39 corridor without intruding my property if necessary.

As I live overseas, I will not be able to attend to the Council Hearing. Please send me an email at rainbbo@naver.com if you have any queries or need to discuss about this submission further.




Yours Sincerely,

Bo Ram Yu



APPENDIX 1

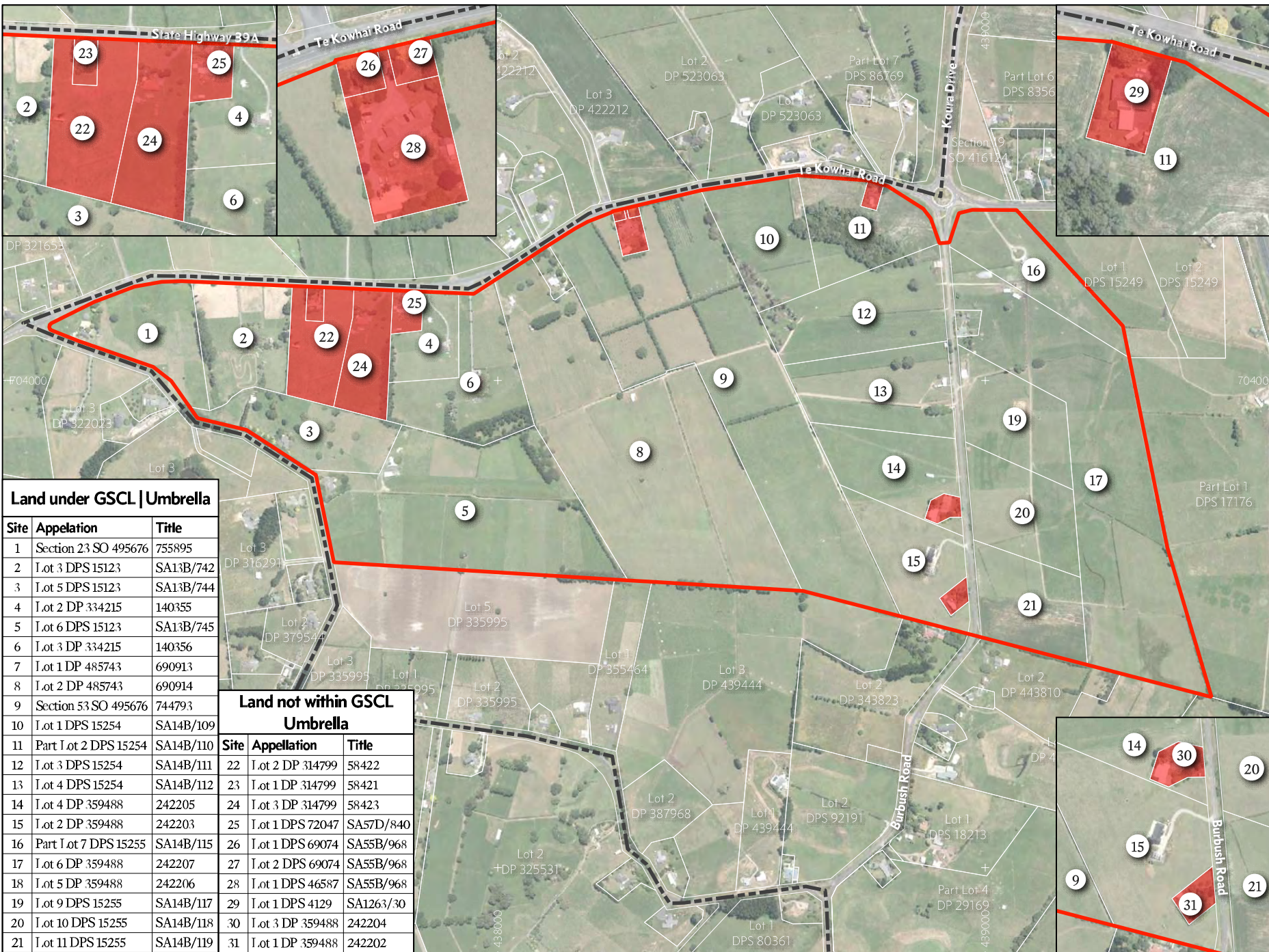
LEGEND

-  Rotokauri North PPC Area
-  Land not under GSCL Umbrella
-  WDC/HCC TA Boundary

Data License:
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Map Projection:
NZGD2000 / Mount Eden 2000
(EPSG: 2105)

Issue Status: For Information
Project Number: 1693-0
Drawing Number: 062
Revision: E
A3 Scale: 1:7500



Land under GSCL | Umbrella

Site	Appellation	Title
1	Section 23 SO 495676	755895
2	Lot 3 DPS 15123	SA13B/742
3	Lot 5 DPS 15123	SA13B/744
4	Lot 2 DP 334215	140355
5	Lot 6 DPS 15123	SA13B/745
6	Lot 3 DP 334215	140356
7	Lot 1 DP 485743	690913
8	Lot 2 DP 485743	690914
9	Section 53 SO 495676	744793
10	Lot 1 DPS 15254	SA14B/109
11	Part Lot 2 DPS 15254	SA14B/110
12	Lot 3 DPS 15254	SA14B/111
13	Lot 4 DPS 15254	SA14B/112
14	Lot 4 DP 359488	242205
15	Lot 2 DP 359488	242203
16	Part Lot 7 DPS 15255	SA14B/115
17	Lot 6 DP 359488	242207
18	Lot 5 DP 359488	242206
19	Lot 9 DPS 15255	SA14B/117
20	Lot 10 DPS 15255	SA14B/118
21	Lot 11 DPS 15255	SA14B/119

Land not within GSCL Umbrella

Site	Appellation	Title
22	Lot 2 DP 314799	58422
23	Lot 1 DP 314799	58421
24	Lot 3 DP 314799	58423
25	Lot 1 DPS 72047	SA57D/840
26	Lot 1 DPS 69074	SA55B/968
27	Lot 2 DPS 69074	SA55B/968
28	Lot 1 DPS 46587	SA55B/968
29	Lot 1 DPS 4129	SA1263/30
30	Lot 3 DP 359488	242204
31	Lot 1 DP 359488	242202

Drawn By: FW Date: 26/04/2019 Signed:
Checked By: Date: Signed:
Approved By: Date: Signed:
Plot Date: 26/04/2019

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All dimensions to be checked; Do not scale from drawing.

Project:
ROKOKAURI NORTH
PRIVATE PLAN CHANGE (PPC)
GREEN SEED CONSULTANTS LIMITED

Title:
PROPERTIES UNDER GSCL "UMBRELLA"



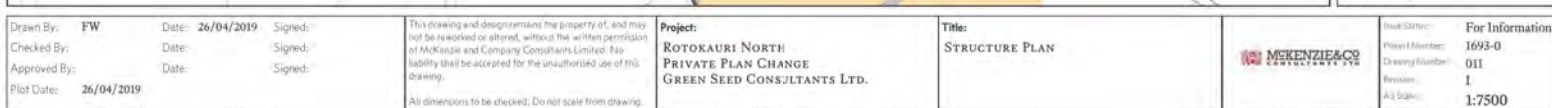
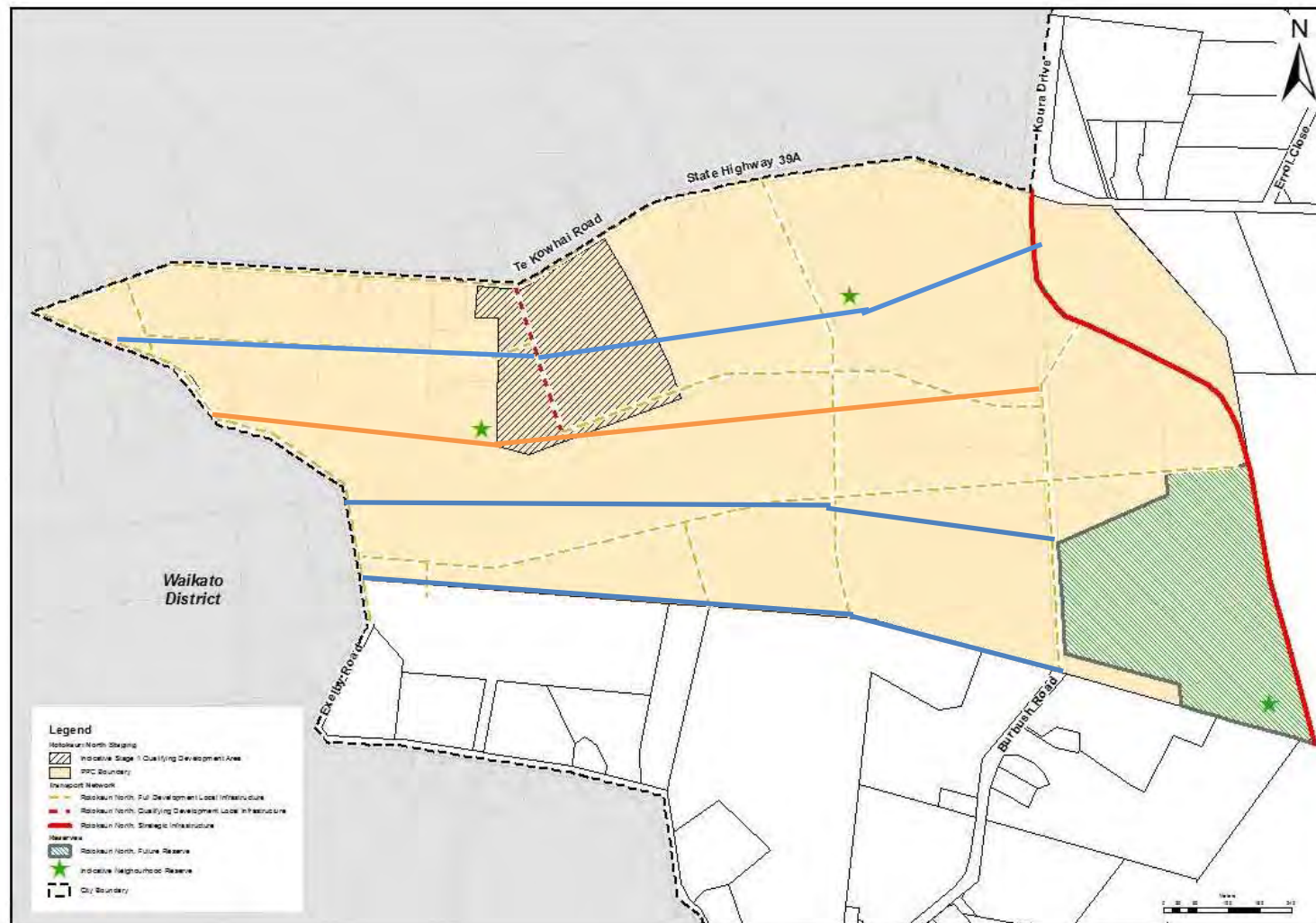
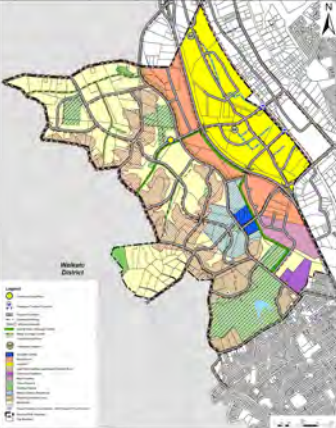


Figure 2-9B – Rotokauri North Strategic Infrastructure – Staging, Transport Network and Reserves



Proposed Plan Change 7-
Rotokauri North Private
Plan Change - Notified
Version



Rotokauri North Special Housing Area

February 2018
Green Seed Consultants Ltd

ROKOKAURI NORTH SHA REFINED MASTERPLAN (Figure 4)

Masterplan concept summary

- Concept delivers approximately 45% developable land at this stage:
 - 18% stormwater
 - 30% roads
 - 5% open space.
- 60ha assumed developable - estimate only, no accounting for geotech or stormwater (-) or other efficiencies (+).
- Assumed density range of 200-800m² (350m² average).
- Yield range 1,450-1,800 units.
- 1,450-1,800 units can support:
 - a small node of 2,000-3,000m² GFA, likely to include a single small Four Square type store
 - a primary school (all things being equal).

Figure 4: Rotokauri North SHA Refined Concept Masterplan
Source: DesignUrban Pty Ltd

