

TABBY TIGER LIMITED

SUBMISSIONS ON PROPOSED PRIVATE PLAN CHANGE 20 (AIRPORT NORTHERN PRECINCT EXTENSION) TO THE WAIPA DISTRICT PLAN

To: Plan Change 20
Planning Manager
Waipa District Council
Private Bay 2402
Te Awamutu 3840
Attention: Proposed Private Plan Change 20

Via email: districtplan@waipadc.govt.nz

Submitter: Tabby Tiger Limited

Contact: Geoff Furniss

Address for C/- Mitchell Daysh Ltd

Service:

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Tabby Tiger Limited wishes to be heard in support of this submission.

Tabby Tiger Limited could not gain an advantage in trade competition through this submission.

If others make a similar submission, Tabby Tiger Limited would consider presenting a joint case with them at any hearing.

1. INTRODUCTION

1.1. Tabby Tiger Limited (“TTL”) welcomes the opportunity to submit on Proposed Plan Change 20 (“PC20”) to the Waipa District Plan (“WDP”).

1.2. This submission contains the following sections:

Section 1: Is this introduction.

Section 2: Provides background information on TTL’s land interests in Airport Road, Rukuhia.

Section 3: Details the reasons for the submission.

Section 4: Outlines the specific submission points.

Section 5: Outlines the decision sought by TTL.

Section 6: Is a concluding statement.

Attachment A: TTL’s specific submission points on PC20.

2. BACKGROUND

2.1. TTL is the owner of three adjacent properties located at 346, 356 and 356A Airport Road, Rukuhia. The properties have a combined area of approximately 17.7 hectares and are located on the eastern side of Airport Road, and to the east of Hamilton Airport.

2.2. **Figure 1** below identifies the locations of the three properties at 346, 356 and 356A Airport Road (the external boundaries are identified as a solid red line) and the notified boundaries of the Proposed Private Plan Change 20 area (copied from the HG Private Plan Change and identified as a solid blue line).



Figure 1 Aerial Photo showing the locations of 346,356 and 356A Airport Road (identified in red); and the boundaries of Private Plan Change 20 (shown in blue)

- 2.3. **Table 1** below provides a summary of the relevant title information for the three properties located at 346, 356 and 356A Airport Road, which are owned (or soon to be owned) by TTL:

Address	Title Information	Area	Property Details	Owner
346 Airport Road, Rukuhia	Lot 2 DP 92375 Lot 2 DP 473480 in Record of Title 65154	16.48 ha	Tabby Tiger Limited	
356 Airport Road, Rukuhia	Lot 1 DP 473480 in Record of Title 647612	4,036m ²	Under contract and will be owned by Tabby Tiger Limited on 15 November 2022	
356A Airport Road	Lot 2 DP 462075 in Record of Title 64947	7,772m ²	Tabby Tiger Limited	
Total Area:		17.65ha		

3. REASONS FOR SUBMISSION

- 3.1. TTL supports the purpose of PC20 to rezone additional land surrounding the Airport, from Rural to Airport Business Zone. The proposal to increase the supply of business/industrial zoned land within the Waipa District (and particularly around Hamilton Airport) is supported and is necessary in order to meet the increased demand for industrial zoned land (against a background of constrained industrial land supply). As occurs around most significant airports around the world, industrial uses surrounding an airport are compatible and appropriate land uses.
- 3.2. However, TTL considers that further refinement is required to expand the area of industrial zoned land provided in this area. The area of industrial zoned land proposed under Plan Change 20 is a logical addition to the existing pattern of zoning surrounding the airport but falls short of what should be provided in terms of land use zoning.
- 3.3. The quantum of industrial zoned land proposed under Plan Change 20 is not considered sufficient to meet current and future demands for industrial land in the short to medium term. Additional land surrounding the airport is therefore required to be rezoned for this purpose.
- 3.4. The land to the east of the airport is appropriately located within close proximity of the existing airport, associated business park and roading network. The existing land use activities and character is also suitable for future industrial zoning.
- 3.5. In addition to supporting what is currently proposed, TTL is seeking to expand the area of land that is proposed to be rezoned from Rural to Airport Business under Plan Change 20 to also include additional land located on the eastern side of Airport Road.
- 3.6. Specifically, TTL is seeking to have the following areas rezoned **Airport Business/Industrial** as part of Proposed Private Plan Change 20:
- All of the land identified in **Figure 2** below (comprising the land located along the eastern side of Airport Road in the area bounded by Airport Road to the west; the State Highway 3 – Airport Road roundabout to the south, the Waikato River and the top of the western embankment of the gully system to the east; and the northern boundary of 356A Airport Road to the north) and with the possible exception of the land that is zoned Mystery Creek Events Zone (subject to the views of NZ Fieldays Society Inc.).
 - Alternatively, if the above relief sought is not granted by Council, and as a minimum, the properties identified in **Figure 3** below (comprising all of the land located along the eastern side of Airport Road in the area bounded by Airport Road to the west; 8 Lochiel Road and Lochiel Road to the south, 37A Lochiel Road and the Waikato River and the top of the western embankment of the gully system to the east; and the northern boundary of 356A Airport Road to the north) shall be rezoned from Rural to Airport Business/Industrial. For the avoidance of doubt, this alternative relief includes the three properties identified in **Figure 1** above, and located at 346, 356 and 356A Airport Road.
- 3.7. The boundaries of the additional land identified for rezoning (and inclusion within Proposed Private Plan Change 20) is identified in **Figures 2 and 3** below as a solid red line. The notified boundaries of Proposed Private Plan Change 20 are also shown on **Figure 3** – identified as a blue solid line.



Figure 2 Land Proposed to be rezoned Airport Business / Industrial and included within Proposed Plan Change 20 (identified in red)



Figure 3 Land proposed to be rezoned Industrial (shown in red) and the Plan Change 20 area (shown in blue)

3.8. Existing land use activities and development within the area shown on **Figure 2** on the eastern side of Airport Road comprises a combination of existing industrial/business activities, and recreation and rural lifestyle activities including:

- **Industrial and Business Land Use Activities:** TOMRA research and manufacturing facility, car rental, landscape supplies, builders' yard and farm machinery businesses. Carparking for the Mystery Creek Events Centre is also provided in this area.
- **Recreational Land Use Activities:** The Hamilton Pistol Club and Kartsport Hamilton are both located along this stretch of Airport Road. The Tieke Golf Estate and Waikato River are situated further to the east.
- **Rural Lifestyle Properties:** There are also a small number of rural lifestyle properties still located in this area.

Most of the existing land use activities and developments listed above do not reflect the underlying Rural Zone and are therefore more compatible with the proposed industrial rezoning. The character of the area and the nature of the land use activities undertaken therein has changed over the last decade, from a predominantly rural and rural lifestyle area to an established industrial/business area adjacent to an operational airport.

The proximity of the Airport and Titanium Park, as well as the strategic roading networks (including State Highway 3, State Highway 21 and Southern Links) means that the area is entirely suitable for industrial rezoning and inclusion within the Proposed Private Plan Change.

4. SPECIFIC SUBMISSION POINTS

- 4.1. TTL's specific submission points and relief sought are provided in **Attachment A**.
- 4.2. TTL supports the proposal by Titanium Park Ltd and Rukuhia Properties Limited to undertake a private plan change to:
1. *Rezone approximately 89ha of land to the northwest of the Airport, from Rural to Airport Business Zone.*
 2. *Amend the Airport Business Structure Plan contained in Appendix S10 of the Waipā District Plan.*
 3. *Amend the Airport Business Zone (Titanium Park) provisions contained in section 10 of the Waipā District Plan.*
 4. *Amend the infrastructure, Hazards, Development and Subdivision provisions contained in section 15 of the Waipā District Plan.*
 5. *Amend the Assessment Criteria and information requirements contained within section 21 of the Waipā District Plan*

However, TTL seek that the area identified for rezoning under the Proposed Plan Change is expanded to also include the additional land identified in **Figures 2 and 3** above (including the three properties identified as 346, 356 and 356A Airport Road).

5. DECISION SOUGHT

- 5.1. TTL seeks that the provisions of PC20 be amended as per the specific submission points in **Attachment A**.
- 5.2. TTL seeks any alternative relief which achieves the same or similar outcome as set out in **Attachment A**.

6. OVERALL CONCLUSION

- 6.1. The provisions that TTL has raised concerns about require amendment because without amendment, those provisions:
- will not promote sustainable management of resources, and as such will not achieve the purpose of the RMA;
 - are contrary to Part 2 and other provisions of the RMA;
 - will not enable the social and economic well-being of the community;
 - will not meet the reasonably foreseeable needs of future generations;
 - will not achieve integrated management of the effects of use, development or protection of land and associated resources within the Waipa District; and

- do not represent the most appropriate way to achieve the purpose of the RMA, the objectives of the Plan and/or the development objectives with respect to the supply of industrial land.

Dated: 28 October 2022

Tabby Tiger Limited



Mark Chrisp (Duly Authorised Agent for Tabby Tiger Limited)

ATTACHMENT A: TABBY TIGER LIMITED'S SUBMISSIONS

PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	TTL'S SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS)
Private Plan Change 20			
The proposal to rezone land surrounding the airport from Rural to Airport Business	Support in part	<p>TTL supports the proposal to rezone additional land surrounding the Airport from Rural to Airport Business Zone as notified.</p> <p>The Airport Business Zone provides for Industrial activities as a permitted activity. The proposed zoning (and the permitted activity status of industrial activities) is therefore supported.</p> <p>However, TTL considers that further refinement is required to expand the area of industrial zoned land surrounding Hamilton Airport to include the additional land located on the eastern side of the airport and identified in Figures 2 and 3.</p> <p>The quantum of industrial zoned land proposed under Plan Change 20 is not considered sufficient to meet current and future demands for industrial land. Additional land is therefore required to be rezoned for this purpose and included within Plan Change 20. The additional land is identified in Figures 2 and 3.</p>	<p>Retain the provisions seeking to rezone additional land surrounding Hamilton Airport for industrial development subject to the following amendments:</p> <ul style="list-style-type: none"> • Rezone all of the land shown on Figure 2 as Airport Business/Industrial Zone (with possible exception of the land that is zoned Mystery Creek Events Zone); and • At the very least, amend the boundaries of the Proposed Private Plan Change 20 area to include all of the land identified in Figure 3 (the latter including the three properties located at 346, 356 and 356A Airport Road).
Private Plan Change 20 Section 4.2 of the Private Plan Change: 4.2 The current framework	Support	<p>TTL supports the description of the Background within Section 4.0 of the Private Plan Change prepared by HG.</p> <p>Specifically, TTL supports those parts of Section 4.2 of the Private Plan Change that recognise the current and projected demand for industrial land, and the requirement for future expansion of the Northern Precinct in order to meet the demand for industrial land near the Airport.</p> <p>There is a need for additional industrial land to be provided on the land surrounding Hamilton Airport.</p>	Retain as notified.

Maps			
Planning Maps	Support in part	<p>TTL supports the amendments proposed to the Operative District Plan Planning Maps to rezone additional land surrounding the Airport as Airport Business Zone.</p> <p>However, further amendments are required to the Planning Maps to also rezone the additional land identified in Figures 2 and 3 as Airport Business / Industrial.</p>	<p>Rezone the land identified in Plan Change 20 as Airport Business Zone and:</p> <ul style="list-style-type: none"> • Rezone all of the land shown on Figure 2 as Airport Business/Industrial Zone (with possible exception of the land that is zoned Mystery Creek Events Zone); and • At the very least, amend the boundaries of the Proposed Private Plan Change 20 area to include all of the land identified in Figure 3 (the latter including the three properties located at 346, 356 and 356A Airport Road).
Section 10 – Airport Business Zone			
10.1 Introduction	Support in part	<p>TTL supports the amendments proposed to Section 10 – Airport Business Zone of the Operative Waipa District Plan insofar as they allow for additional land to be included within this zone and developed for industrial purposes.</p> <p>However, amendments are required to the description of the Airport Business Zone area in Section 10.1 Introduction.</p> <p>Specifically, amendments are required to Section 10.1.1 so that the area described includes the additional land included within Figures 2 and 3 of this submission.</p>	<p>Amend the Description of the Airport Business Zone in Section 10.1.1 to include all of the land identified in Figures 2 and 3 of this submission.</p>
10.4.2.13.A Rules Transport	Support in part	<p>TTL supports in part the addition of new rules relating to transport upgrades in Section 10.4.2 Performance Standards.</p> <p>However, amendments are required to the rules relating to the provision of a 3-arm roundabout at the SH21 / Raynes Road intersection.</p> <p>The construction of a roundabout in this location is supported. The three-leg design (as depicted in Figure 4 of the ITA) is also supported insofar as it facilitates the construction of a fourth leg extending eastwards, to provide access to the additional land that is proposed for rezoning (and is identified in Figures 2 and 3).</p> <p>Amendments are required to the wording of Rule 10.4.13A so that the provisions relating to the SH21 / Raynes Road intersection recognise and provide for the future addition of a</p>	<p>Amend Rule 10.4.2.13.A so that the provisions relating to the SH21 / Raynes Road intersection also recognise and provide for the industrial development that is anticipated on the land to the east of Airport Road (the land identified in Figures 2 and 3), including provision for a fourth leg on the SH21 /Raynes Road roundabout.</p>

		fourth leg to provide access to the industrial development that is anticipated on the land to the east (Figure 3).	
Appendix S10 – Airport Business Zone Structure Plan			
S10.1 General and S10.2 Northern Precinct	Support in part	Amendments are required to Sections S10.1 General and S10.2 Northern Precinct to include the additional land that is proposed to be rezoned Airport Business / Industrial (the land identified in Figures 2 and 3).	Amend Appendix S10 Airport Business Zone Structure Plan to also include the land identified in Figures 2 and 3. Amendments are also required to the Airport Business Zone Structure Plan diagram to include the land identified in Figures 2 and 3; and to rezone this land as Airport Business Zone.
Appendix 03 - ITA to the Private Plan Change			
Appendix 03 ITA	Support in part	TTL supports in part the recommendations within the ITA prepared by BBO and submitted as an Appendix to the Private Plan Change, and specifically the proposal to install a roundabout at the SH21 – Raynes Road intersection to provide access to the additional industrial land proposed by Plan Change 20 (included as Figure 4 of the ITA). The construction of a roundabout in this location is supported. The three-leg design of the proposed roundabout (as depicted in Figure 4 of the ITA) is also supported insofar as it facilitates the construction of a fourth leg extending eastwards. The current design allows for the future addition of a fourth leg to provide for the further industrial development that is anticipated on the land to the east (Figure 3).	Amend Rule 10.4.2.13.A so that the provisions relating to the SH21 / Raynes Road intersection also recognise and provide for the industrial development that is anticipated on the land to the east of Airport Road (the land identified in Figures 2 and 3), including provision for a fourth leg on the SH21 /Raynes Road roundabout.