

## Appendix 4

### Summary of Submissions and Copy of Submissions

## Summary of Submissions

Submitter name	Address	Support /Oppose /Neutral	Wish to be heard?	Summary	Relief Sought
B Weir	16 Wickham Street	Support in Part	No	<ul style="list-style-type: none"> <li>▪ Support development in the area;</li> <li>▪ Concerns that private road is not upgraded to handle traffic, construction does not impede our business and stormwater does not impact our site;</li> </ul>	Development includes upgrading the private road access to the new site
Enviro NZ	18 Wickham Street (occupier)	Oppose	Yes	<ul style="list-style-type: none"> <li>▪ Traffic safety at the end of Wickham Street:                             <ul style="list-style-type: none"> <li>- Increase in volume will have safety impacts for traffic exiting the organic centre;</li> <li>- Existing uncontrolled roading environment (i.e. three driveways/right of ways, no cul-de-sac or features to define entrances) which proposal will add to affecting road safety.</li> </ul> </li> <li>▪ Reverse sensitivity effects:                             <ul style="list-style-type: none"> <li>- Possibility of new owners/tenants complaining about potential discharges of odour, dust and noise from established green waste operations;</li> <li>- Unknown future occupants of 'warehouses' which may lead to retail/trade sales/wholesale shops increasing potential complainers;</li> <li>- Dwellings are also permitted in the Rural Zone – warehouses should have condition enduring no conversion for residential activities;</li> <li>- Location of offices is closer to organic site but could be located away from the existing activity.</li> </ul> </li> <li>▪ Proposed building setbacks:                             <ul style="list-style-type: none"> <li>- Larger setbacks in the rural zone help to mitigate reverse sensitivity, the proposed setbacks are not sufficient;</li> </ul> </li> </ul>	Decline the application; or Comply with building setbacks and orientate offices away from boundary, require no retail or residential activities, provide road safety upgrades at end of Wickham Street, and implement no complaint covenants.

Submitter name	Address	Support /Oppose /Neutral	Wish to be heard?	Summary	Relief Sought
				<ul style="list-style-type: none"> <li>- Character of the immediate area is not maintained, and warehouses should have offices further setback.</li> </ul>	
Hamilton City Council	Wickham Street	Oppose	Yes	<ul style="list-style-type: none"> <li>▪ Strategic Planning Matters: <ul style="list-style-type: none"> <li>- Within the Strategic Boundary Agreement SL1 area between HCC and WDC, and intended to be brought into HCC in the future. No planning processes (i.e. structure plan or master plan) has been undertaken for this area.</li> <li>- Strategic Boundary Agreement states that the land resource of SL1 will be strategically managed, retained for rural use and protected for future urbanisation. All strategic land use decision-making in this area should take into consideration the terms of the Strategic Boundary Agreement as a section 104(1)(c) of the Resource Management Act matter.</li> <li>- Inconsistent with NPS-UD 2020, WRPS, WDP, Future Proof Strategy, Hamilton-Waikato Metro Spatial Plan, Hamilton Urban Growth Strategy and Southern Land Supply Agreement 2022.</li> </ul> </li> <li>▪ Transport Effects: <ul style="list-style-type: none"> <li>- Proposal will give rise to adverse traffic effects that cannot be managed by consent conditions;</li> <li>- Unclear what activities are operating from the existing site and if trip generation rates in the ITA reflect actual generation from the site at present;</li> <li>- Trip generation in the ITA may be underestimated;</li> <li>- The ITA does not include a detailed assessment of trip distribution or provide evidence to support the trip generation and trip distribution assessment. This information is required to identify what routes vehicles</li> </ul> </li> </ul>	Decline application

Submitter name	Address	Support /Oppose /Neutral	Wish to be heard?	Summary	Relief Sought
				<p>are likely to take to determine the scale of safety effects at the surrounding intersections.</p> <ul style="list-style-type: none"> <li>- Unclear where responsibility lies in terms of reviewing monitoring logs (i.e. Waka Kotahi NZ Transport Agency or Hamilton City Council);</li> <li>- no mechanism for mitigation if monitoring reports identify a trend of vehicles right turning in and out at the Kahikatea Drive/SH1c intersection or the Duke Street/SH1c intersection;</li> <li>- Uncertainty as to the effectiveness of the Travel Management Plan;</li> <li>- No supporting information that demonstrates that the additional vehicle movements at the Higgins Road/Kahikatea Drive and Higgins Road/Killarney Road intersections will not result in adverse safety effects.</li> </ul> <ul style="list-style-type: none"> <li>▪ Three-waters Effects: <ul style="list-style-type: none"> <li>- The management of effects relating to Three Waters is unsustainable, inefficient, and contrary to Hamilton City Council Policy.</li> </ul> </li> <li>▪ Reverse Sensitivity: <ul style="list-style-type: none"> <li>- Concern new owners or tenants will complain about potential discharges of odour, dust and noise from the green waste operations;</li> <li>- No controls of the type of business that can use or lease the warehouses once built, which may result in retail activity of trade sales, increasing the number of receivers on site sensitive to discharges;</li> <li>- Dwellings are also permitted in the rural zone therefore potential for conversion of warehouse units to residential activities needs to be enduring condition;</li> </ul> </li> </ul>	

Submitter name	Address	Support /Oppose /Neutral	Wish to be heard?	Summary	Relief Sought
				<ul style="list-style-type: none"> <li>- Office location is close to HOC site, potentially leading to reverse sensitivity effects, which could be mitigated by internalising the office areas or facing an internal parking area between warehouses;</li> <li>▪ Building Setbacks: <ul style="list-style-type: none"> <li>- Agree larger setbacks help to mitigate reverse sensitivity. Do not agree the proposed setbacks are sufficient, particularly with respect to the offices. Sufficient mitigation is not achieved, nor is the character of the area.</li> <li>- Proposed Warehouses 1 to 3 should have greater setbacks for their offices to aid potential reverse sensitivity effects to the waste management activities on adjoining sites.</li> </ul> </li> </ul>	
Waka Kotahi	State Highway 1C	Oppose	Yes	<ul style="list-style-type: none"> <li>▪ Effectiveness of the Travel Management Plan (TMP) regarding complaints process, monitoring of GPS tracked vehicles, and implementation for Stage 2 of the development;</li> <li>▪ Impact of Additional Vehicle Movements on Highway Intersections with Kahikatea Drive and Duke Street given the high-risk safety record; and</li> <li>▪ Safety Effects at Killarney/Higgins Road Intersection.</li> </ul>	Decline application



Submission on a Notified Resource Consent Application

Form 13

Sections 41D, 95A, 95B, 95C, 96, 127(3) and 234(4), Resource Management Act 1991

This is a submission on an application from (name, address & activity)

Industre Property Rva Ltd 16A WICKHAM ST HAMILTON LU/0038/23

I am/am not\* a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I am/am not directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

The specific parts of the application that my submission relates to are:

My submission is:

Support parts or all of [checked] Oppose parts or all of [ ] are neutral parts or all of [ ]

the reasons for your views.

We support development in the area. Our only concerns are that the private road that accesses our site & the new consented site is upgraded to handle the traffic, construction does not impede our business & stormwater does not impact our site.

I seek the following decision from the consent authority: give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought

The development includes upgrading the private access road to the new site

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

- I do wish to be heard in support of my submission (this means that you will speak at the hearing)
I do not wish to be heard in support of my submission (this means that you will not be advised of the date of the hearing and will not speak at the hearing)
If others make a similar submission I will consider presenting a joint case with them at the hearing.

You must tick one of the boxes above, otherwise it will be deemed that you do not wish to be heard and we will not advise you of the date of the hearing.

- I have served a copy of my submission on the applicant. (this is required by section 96(6) (b) of the Resource Management Act 1991)



# Submission on a Notified Resource Consent Application

Form 13

Sections 41D, 95A, 95B, 95C, 96, 127(3) and 234(4),  
Resource Management Act 1991

I request/do not request\*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.

Signature of submitter:   
(or person authorised to sign on behalf of submitter) (A signature is not required if you make your submission by electronic means.)

Date: 8/7/23 Contact person: Bob Weir  
(name and designation, if applicant)

Postal address: 16 Wickham St Frankton Hamilton  
(or alternative method of service under section 352 of the Act):

## Notes to submitter

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

If you make your submission in hard copy please deliver to Waipa District Council, 101 Bank Street, Te Awamutu or 23 Wilson Street, Cambridge or post to Private Bag 2402, Te Awamutu 3840

If you make your submission by electronic means, a signature is not required. Electronic submissions on resource consent applications must be directed to [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz).

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language;
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## Privacy information

The information you have provided on this form is required so that your submission can be processed under the RMA. The information will be stored on a public register and held by the Council, and may also be made available to the public on the Council's website. In addition, any on-going communications between you and Council will be held at Council's offices and may also be accessed upon request by a third party. Access to this information is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. If you have any concerns about this, please discuss with a Council Planner prior to lodging your submission.



# Submission on a Notified Resource Consent Application

## Form 13

Sections 41D, 95A, 95B, 95C, 96, 127(3) and 234(4),  
Resource Management Act 1991

**This is a submission on an application from (name, address & activity)**

Industre Property Rua Limited

16A Wickham Street, Hamilton

Construct a storage and distribution facility and three warehouses and ancillary offices in the Rural zone.

I am/am not\* a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I am/~~am not~~ directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**The specific parts of the application that my submission relates to are:**

- 1. Traffic safety at the end of Wickham Street.
- 2. Reverse sensitivity effects
- 3. Proposed building setbacks do not comply and are contrary to assessment criteria.

**My submission is:**

**Support** parts or all of  **Oppose** parts or all of  **are neutral** parts or all of   
*include—*

- *the reasons for your views.*

   Please see attached submission.

**I seek the following decision from the consent authority:**

*give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought*

   To decline the application.

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

- I do wish to be heard in support of my submission  
(this means that you will speak at the hearing)
- I do not wish to be heard in support of my submission  
(this means that you will not be advised of the date of the hearing and will not speak at the hearing)
- If others make a similar submission I will consider presenting a joint case with them at the hearing.

**You must tick one of the boxes above, otherwise it will be deemed that you do not wish to be heard and we will not advise you of the date of the hearing.**

- I have served a copy of my submission on the applicant.  
(this is required by section 96(6) (b) of the Resource Management Act 1991)



**I request/do not request\*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.**

Signature of submitter: \_\_\_\_\_  
(or person authorised to sign on behalf of submitter) (A signature is not required if you make your submission by electronic means.)

Date: 3 August 2023      Contact person:      [Kaaren Rosser, Environmental Planner, Enviro NZ](#)

\_\_\_\_\_  
(name and designation, if applicant)

Postal address: [Private Bag 92810, Penrose, Auckland 1642](#)

\_\_\_\_\_  
(or alternative method of service under section 352 of the Act):

### Notes to submitter

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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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4 August 2023

## **Submission on a Notified Resource Consent Application LU/0038/23**

### **Introduction**

1. This submission is from:

Enviro NZ Services Limited

Private Bag 92810,

Penrose

Auckland

2. We do wish to be heard in support of this submission. If **others** make a similar submission, the submitter will consider presenting a **joint case** at the hearing.

3. The contact person for this submission is:

Kaaren Rosser

Environmental Planner

Ph 0275541065

Kaaren.rosser@environz.co.nz

4. Enviro NZ Services Limited ("Enviro NZ") is the second-largest waste company in New Zealand. In conjunction with joint ventures, it owns and/or operates landfills, recycling, waste transfer and hazardous and liquid waste treatment facilities throughout the country. Enviro NZ also provides kerbside refuse and recycling collection services for a number of district and city councils as well as small and large business and industry clients throughout New Zealand.
5. Enviro NZ operates the Hamilton Organic Centre ("HOC") at 18 Wickham Street, on behalf of Hamilton City Council. The site receives green waste materials from business operators and members of the public. The material is shredded and either stockpiled for transport and composting offsite or formed into compost windrows onsite.
6. The operation of the facility must comply with conditions of resource consents for discharge to air and discharge to stormwater granted by the Waikato Regional Council, and a land use consent from Waipa District Council.

### **Submission**

7. The submitter opposes the application to construct a storage and distribution facility and three warehouses and ancillary offices in the Rural zone by Industrie Property Rua Ltd at 16A Wickham Street. The proposed use effectively changes the activity from rural to urban with an intensification of the existing contractor yard to light industrial businesses.
8. The specific parts of the submission relate to the following issues:
  - a) Traffic safety at the end of Wickham Street
  - b) Reverse sensitivity effects

- c) Building setbacks that do not comply and are contrary to the Waipa District Plan.

### Traffic Safety

- 9. The increase in vehicle movements will have a detrimental effect on the safety of traffic exiting the Hamilton Organics Centre site at the end of Wickham Street.
- 10. The end of Wickham Street is an uncontrolled roading environment with three driveways/Right of Ways leading into the street with minimal distance between driveways. The end of Wickham Street has no cul-de-sac head, footpaths or change in width to define the entrance of these driveways. It is also noted that Google Maps shows the end of Wickham Street continuing into the ROW for the proposed application which encourages drivers to ignore the split into driveways and travel without stopping into the central ROW.
- 11. There are current safety issues exiting the Hamilton Organic Centre given the lack of control on the road end, with no give ways or management for each driveway user. The proposal will exacerbate these issues leading to accidents at the road end. Safety improvements to the road end need to be undertaken, with improvements agreed with the other road end owners and tenants.



Figure 1: The end of Wickham Street with central ROW leading to 16A Wickham Street

### Reverse Sensitivity

- 12. Enviro NZ is concerned with the possibility for reverse sensitivity effects whereby new owners or tenants of the warehouse buildings complain about potential discharges of odour, dust and noise from the lawfully established green waste operations. These complaints can constrain the HOC from operating and, in particular, gain consents to operate under the Waikato Regional Plan.
- 13. The proposal allows for the construction of three warehouses with no control on the type of business that can utilise or lease the warehouses once they are built. This may lead to activities establishing with potential for retail activity and trade sales, considering the definition for warehouse includes wholesale shops. This may increase the number of receivers on site sensitive to potential discharges from the HOC site. Dwellings are also permitted activities in the rural zone and therefore no conversion of the warehouse units to residential activities needs to be an enduring condition of the application if approved.
- 14. The location of the offices for the three warehouses is oriented to the north and east of the site, which combined with the reduction in setbacks (see below) serves to bring the offices in closer proximity to

the HOC site, potentially leading to reverse sensitivity effects. This can be partially mitigated by internalising the office areas into the body of the warehouses or facing an internal parking area between warehouses.

### Building Setbacks

15. The notification report states: *'The proposed development results in the Watty Ltd warehouse, Warehouse 1 and Office 1 being located within 3.0m from the southern property boundary. These buildings encroach the boundary setback and the daylight control requirements of the District Plan which typically ensure reverse sensitivity effects are mitigated to an acceptable level'.*
16. We agree that larger setbacks in the rural zone help to mitigate reverse sensitivity. In this instance we do not consider that the setbacks are sufficient, particularly with respect to the offices. Sufficient mitigation is not achieved, nor is the character of the immediate area maintained. The proposal does not meet assessment criteria 21.1.4.6 (f) and (g).
17. The proposed warehouses 1 to 3 should have greater setbacks for their offices, in particular. This would aid in reducing any potential reverse sensitivity effects to the waste management activities on adjoining sites.

### Conclusion

18. We seek the following decision from the Waipa District Council:

Decline the application, or alternatively:

- a) Comply with the building setbacks, and re-orientate the offices away from the boundary with 18 Wickham Street; and
- b) Require that the activity be confined to warehousing only, with no retail or residential activities; and
- c) Provide for road safety upgrades to the end of Wickham Street with improvements agreed with the other road end owners and tenants; and
- d) Implement no complaints covenants on the application site with respect to 18 Wickham Street to mitigate reverse sensitivity issues.



Submission on a Notified Resource Consent Application

Form 13

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This is a submission on an application from (name, address & activity)

Proposed Resource Consent - 161A Wickham Street LU/0038/23

I am/am not\* a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I am/am not directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

The specific parts of the application that my submission relates to are:

See attached.

My submission is:

Support parts or all of [ ] Oppose parts or all of [x] are neutral parts or all of [ ]
include—

- the reasons for your views.

See attached.

I seek the following decision from the consent authority:

give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought

See attached.

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

- [x] I do wish to be heard in support of my submission (this means that you will speak at the hearing)
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[x] If others make a similar submission I will consider presenting a joint case with them at the hearing.

You must tick one of the boxes above, otherwise it will be deemed that you do not wish to be heard and we will not advise you of the date of the hearing.

- [x] I have served a copy of my submission on the applicant. (this is required by section 96(6) (b) of the Resource Management Act 1991)

I request/do not request\*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.

Signature of submitter: See attached -  
(or person authorised to sign on behalf of submitter) (A signature is not required if you make your submission by electronic means.)

Date: 07/08/23 Contact person: Dr. Mark Davey  
(name and designation, if applicant)

Postal address: See attached -  
(or alternative method of service under section 352 of the Act):

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- it is frivolous or vexatious;
- it discloses no reasonable or relevant case;
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- it contains offensive language;
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

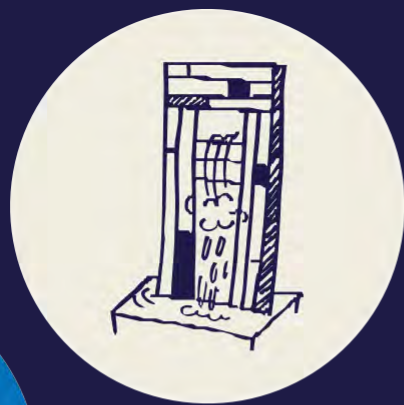
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# HAMILTON CITY COUNCIL SUBMISSION

Proposed Resource Consent – 16A Wickham Street –  
Industre Property Rua LU/0038/23

Waipā District Council



7 August 2023



**Hamilton  
City Council**  
Te kaunihera o Kirikiriroa

# Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this submission is aligned to the priority **A city where our people thrive**.

## Council Approval and Reference

This submission was approved under delegated authority by Hamilton City Council's General Manager for Strategy, Growth and Planning on 7 August 2023.

Hamilton City Council Reference D-4840854 - Submission # 742.



## Introduction

1. Hamilton City Council appreciates the opportunity to make a submission on the **Proposed Resource Consent – 16A Wickham Street – Industrie Property Rua.**
2. Hamilton City Council **opposes** the application in its entirety as it gives rise to adverse environmental effects that are not capable of being fully addressed via consent conditions. Hamilton City Council's concerns with the application include the following:
  - Strategic planning matters;
  - Transport effects;
  - Three-waters effects; and
  - Reverse sensitivity arising from the operation of nearby Council waste facilities.
3. Hamilton City Council could not gain advantage in trade competition through this submission.

## Background

4. The subject site is located within the area referred to as SL1 (**Appendix A**). Areas referred to as SL1 and SL2 are bound by the Southern Links Designation and the territorial boundary of Hamilton City Council. SL1 and SL2 have been identified for further investigation by the Future Proof Implementation Committee in 2022 for possible inclusion in the upcoming Future Development Strategy. Under the Strategic Boundary Agreement between Hamilton City Council and Waipā District Council signed in 2022, it is intended that SL1 will be brought into Hamilton City at a future point in time.
5. Land use planning processes for areas within SL1 are yet to be commenced. It would be intended that SL1 would be subject to a master plan or structure plan process if the area is brought into the City. This would be done in collaboration with Waipā District Council, Future Proof partners, other key stakeholders (including iwi) and the landowners of the area who will be the financial benefactors of a boundary change.
6. The Strategic Boundary Agreement states that the land resource of SL1 will be strategically managed, retained for rural use and protected for future urbanisation. All strategic land use decision-making in this area should take into consideration the terms of the Strategic Boundary Agreement as a section 104(1)(c) of the Resource Management Act matter.

## Strategic Issues

7. The proposal is inconsistent with the relevant higher order planning instruments and strategic documents, as follows:
  - a) National Policy Statement on Urban Development 2020, and in particular the following provisions:
    - i. Objective 6
    - ii. Subpart 1, Section 3.3.2
  - b) Waikato Regional Policy Statement, and in particular the following provisions:
    - i. SRMR-I4 Managing the built environment
    - ii. IM-P1 - Integrated approach
    - iii. UFD-O1 -Built environment

- iv. UFD-P1 – Planned and coordinated subdivision, use and development
- v. UFD-P2 – Coordinating growth and infrastructure
- vi. UFD-P11 Adopting Future Proof land-use pattern
- vii. APP11- Development Principles

c) Waipā District Plan, and in particular the following provisions:

- i. Objective – Settlement pattern 1.3.1
- ii. Policy - Subdivision and development within the Rural Zone 1.3.1.5
- iii. Policy – Regionally significant and nationally significant infrastructure 1.3.1.8
- iv. Objective – Planned and integrated development 1.3.2
- v. Policy - Implement Proposed Waikato Regional Policy Statement, Future Proof 2009 and Growth Strategy 1.3.2.1
- vi. Policy - Coordination between subdivision and development and infrastructure 1.3.2.6
- vii. Objective – Rural character 4.3.7
- viii. Policies – Rural Character 4.3.7.1 – 4.3.7.3
- ix. Objective – Rural amenity: setbacks 4.3.8
- x. Policy – Transport network boundaries 4.3.8.1
- xi. Objective – Non-farming activities 4.3.12
- xii. Policy – Non-farming activities 4.3.12.1
- xiii. Policy – Reverse sensitivity 4.3.12.3

d) Future Proof Strategy, and in particular the following principles:

- i. Ensuring commercial and industrial development is located in key growth areas and that it is not located where it undermines the areas of influence of established centres.
- ii. Align the staging and timing of the settlement pattern with the partners’ infrastructure and investment plans.
- iii. Ensure that planning is integrated with infrastructure and funding decisions.
- iv. Protect existing and future infrastructure and transport corridors, including the Waikato Expressway, Southern Links and rail corridors, from development that could constrain or compromise the efficiency of infrastructure and transport corridor operation.

e) Hamilton-Waikato Metro Spatial Plan, and in particular the following expectations:

- a. Enable quality-built environments, whilst avoiding unnecessary urban sprawl.
- b. Planning in an integrated way based on communities of interest rather than existing council boundaries.
- c. Optimise the use of existing transport infrastructure, by aligning land use and development.
- d. Plan and protect efficient freight network operations and inter-regional corridors.

- e. Take account of the three waters infrastructure investment and operational requirements in assessing and planning development.
  
- f) Hamilton Urban Growth Strategy, and in particular the following expectations:  

Within HUGS are principles for out-of-boundary development. Any out-of-boundary development must enhance the overall wellbeing of current and future Hamiltonians and create quality communities. Relevant to the subject application are the following expectations which Hamilton City Council consider are not being met:

  - i. Sustainable and integrated infrastructure solutions.
  - ii. Quality connections to places of work.
  - iii. Meeting the costs of all infrastructure.
  - iv. Not compromising planned investment.
  
- g) Southern Land Supply Agreement 2022.

## Traffic Effects

- 8. Hamilton City Council engaged Grey Matter consultants to review the applicant's Integrated Transport Assessment (ITA). From this review, Hamilton City Council is concerned that the proposal will give rise to adverse traffic effects that cannot be addressed via consent conditions, for the reasons set out below.

### Trip Generation of the Existing Activities

- 9. It is unclear what activities are operating from the existing site and if trip generation rates in the ITA reflect actual generation from the site at present. If trips are underestimated, then the residual effect of the proposal is likely to be greater than what the ITA anticipates.

### Trip Generation and Distribution of the Proposed Activities

- 10. The proposed trip generation rate for the WattyL activity is based on information provided by the Applicant. However, there is no information to support the assessment and, therefore, trip generation in the ITA may be underestimated.
- 11. In addition, the ITA does not include a detailed assessment of trip distribution or provide evidence to support the trip generation and trip distribution assessment. This information is required to identify what routes vehicles are likely to take to determine the scale of safety effects at the surrounding intersections.

### The Proposed Travel Management Plan

- 12. It is unclear where responsibility lies in terms of reviewing monitoring logs (i.e. Waka Kotahi NZ Transport Agency or Hamilton City Council).
- 13. There is no mechanism for mitigation if monitoring reports identify a trend of vehicles right turning in and out at the Kahikatea Drive/SH1c intersection or the Duke Street/SH1c intersection.
- 14. There is uncertainty as to the effectiveness of the Travel Management Plan for vehicles that are not fitted with GPS or owned by the occupants, such as worker and visiting vehicles.
- 15. The same concerns above remain for the occupants and users of Stage 2 described in the application.

## Unquantified Road Safety Effects

16. Higgins Road/Kahikatea Drive: there is no supporting information that demonstrates that the additional vehicle movements at the Higgins Road/Kahikatea Drive intersection will not result in adverse safety effects.
17. Higgins Road/Killarney Road: there is no supporting information that demonstrates the additional vehicle movements at the Higgins Road/Killarney Road intersection will not result in significant adverse safety effects within the road network, noting the expected changes to this intersection as part of the Biking and Micromobility network plan rollout.

## Three Waters

18. The management of effects relating to Three Waters is unsustainable, inefficient, and contrary to Hamilton City Council Policy. Hamilton City Council considers this development is an urban activity despite being in a rural zone. Therefore, Hamilton City Council expect that the activity should be held against standards for similar activities in an urban environment as opposed to those in a rural zone. Hamilton City Council's Three Waters Connections Policy ([refer here](#)) was approved on 17 September 2020. The Policy provides clarity about Hamilton City Council's approach to service connections to the City's Three Waters networks for private properties within and outside the City boundary. Hamilton City Council has regard to this policy when considering out-of-district servicing. In line with this Policy, Hamilton City Council will not provide Three Waters Services to this development.

## Wastewater

19. The proposal appears to rely on an onsite wastewater storage tank that will be periodically emptied with the contents conveyed to an undisclosed location.
20. Having a tankered solution is not a sustainable or reliable long-term solution for wastewater servicing. Hamilton City Council actively discourages this approach to wastewater management. There are the environmental and health risks and implications of that waste being stored and transported in addition to generating additional heavy traffic movements and the potential implications of the waste stream on municipal wastewater systems.
21. As a general rule, Hamilton City Council does not allow tankered waste to be disposed at the Pukete Wastewater Treatment Plant from outside the City. However, it is challenging to monitor and track waste sources. There is potential for significant damage and disruption to the treatment process and associated infrastructure and the environment if non-compliant tankered liquid waste is discharged into Hamilton's wastewater reticulated network or at the Pukete Wastewater Treatment Plant.
22. If the proposed wastewater storage tank and transport solution fails, Hamilton City Council may be expected to assist with finding a solution which is contrary to the Hamilton City Council Three Waters Connection Policy and may create adverse effects on the City's wastewater network.

## Water

23. The proposal appears to rely on rainwater harvesting, and onsite storage supplemented by tankered water to the site to meet its water needs. Having a tankered solution is not a reliable method for potable water. Hamilton City Council actively discourages this method of water management. There are the health risks and implications of that water being transported and stored, in addition to generating additional heavy traffic movements.

**24.** The development proposes to meet firefighting requirements through a connection to water supply from the neighbouring site at 16 Wickham Street. This is not acceptable to Hamilton City Council. Hamilton City Council provides water supply to 16 Wickham Street, operated by Waste Management. The water supply agreement between Hamilton City Council and Waste Management, Hamilton's Operative District Plan and Hamilton City Council's Water Supply Bylaw prevents a cross lot supply from the Waste Management potable water supply for all purposes including general and firefighting supply. A breach of this bylaw may result in the loss of service to the Waste Management site in addition to a \$20,000 fine.

### Stormwater

**25.** This site discharges stormwater into the City's Waitawhiriwhiri Stream catchment and thus will trigger mitigations to ensure that any discharge does not adversely impact its comprehensive discharge consent.

**26.** To gain Hamilton City Council's agreement in this matter, the following details are to be supplied and confirmed by Hamilton City Council:

a) Stormwater discharge from the site shall be limited to 80% of the predevelopment volumes.

b) There shall be an attenuation (in addition to reuse) system to limit the instantaneous discharge from the site up to the 10% ARI and 2% ARI rainfall events, designed and implemented in accordance with the Regional Infrastructural Technical Specification (RITS).

c) Given the nature of the activity and the areas of trafficked hardstand, a two-stage quality treatment and attenuation system is required.

To date, the above mandatory information has not been provided to Hamilton City Council.

## Other Issues and Concerns

**27.** Located northeast of the site off Wickham Street is the Hamilton Organic Waste Centre (HOWC). This site is owned by Hamilton City Council and operated by Enviro NZ on behalf of Hamilton City Council. This site is a public transfer station for green waste and sells landscaping supplies. This operation serves a functional, community need for green waste management and is located near the community it services (the City). HOWC's consent conditions address the site's odour and dust effects. In addition, office spaces are proposed facing north of the site and there is an untenanted Stage 2 Warehouse in the near vicinity.

**28.** Hamilton City Council is concerned that the proposal will give rise to reverse sensitivity effects, and may prevent further development of the HOWC for other waste activities.

**29.** Hamilton City Council also has concerns for the safety of the public entering the HOWC due to traffic movements generated from the proposal combined with the uncontrolled nature of the roading environment at the end of Wickham Street and Right of Way (ROW) access to the proposal site.

**30.** Historically, the HOWC has been blamed for the generation of dust down Wickham Street. As such, significant works have been undertaken at the HOWC to reduce dust exiting the site. Hamilton City Council is concerned that the unsealed ROW that will provide access for the proposal site will generate more dust exiting the proposal site and down Wickham Street.

## Conclusion, Further Information and Hearings

31. For the foregoing reasons, **Hamilton City Council seeks that the resource consent application be declined.**
32. Should Waipā District Council require clarification of the submission from Hamilton City Council, or additional information, please contact **Mark Davey** (Urban and Spatial Planning Unit Manager) on 07 838 6995 or email [mark.davey@hcc.govt.nz](mailto:mark.davey@hcc.govt.nz) in the first instance.
33. Hamilton City Council **do wish** to speak at the hearings of Waipā District Council in support of this submission.
34. If **others** make a similar submission, Hamilton City Council will consider presenting a **joint case** at the hearing.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'BEBA'.

**Blair Bowcott**  
**General Manager Strategy, Growth and Planning**

Hamilton City Council  
Garden Place, Private Bag 3010, Hamilton

 /HamiltonCityCouncil

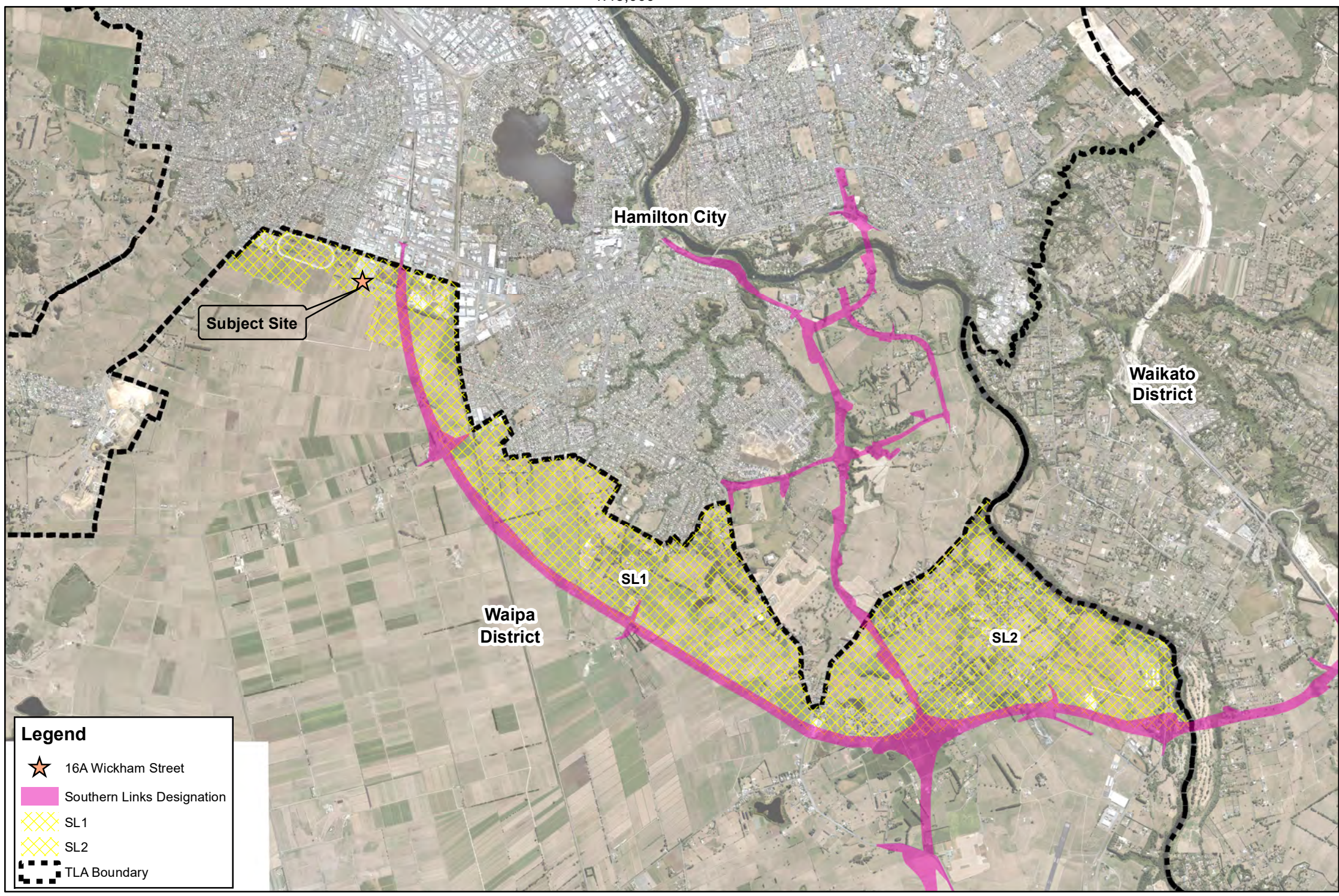
 @hamiltoncitycouncil

 07 838 6699

**hamilton.govt.nz**

# Appendix A - LOCALITY: 16A WICKHAM STREET

1:45,000



Subject Site

Hamilton City

Waikato District

Waipa District

SL1

SL2

**Legend**

- ★ 16A Wickham Street
- Southern Links Designation
- ▨ SL1
- ▨ SL2
- ⊞ TLA Boundary



Waka Kotahi NZ Transport Agency Reference: 2023-0703

7 August 2023

Waipā District Council  
C/- Hayley Thomas  
Private Bag 2402  
Te Awamutu 3840

Via email: [hayley.thomas@waipadc.govt.nz](mailto:hayley.thomas@waipadc.govt.nz) and [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz)

Dear Hayley,

**Submission on Industrie Property Rua Limited Industrial Development – 16A Wickham Street, Hamilton**

Attached is the Waka Kotahi NZ Transport Agency submission on the proposed industrial development of 16A Wickham Street within the Rural Zone of the Waipā District Plan.

We welcome the opportunity to discuss the contents of our submission with council officers / the applicant as required.

If you have any questions, please contact me.

Yours sincerely,



Emily Hunt  
Senior Planner – Poutiaki Taiao / Environmental Planning  
System Design, Transport Services

**FORM 13, SECTION 95B, RESOURCE MANAGEMENT ACT 1991**

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**Submission on construction of a storage and distribution facility and three warehouses and ancillary offices in the Rural Zone – 16A Wickham Street – Industrie Property Rua**

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**1. This is a submission on an application from Industrie Property Rua for:**

Construction of a storage and distribution facility (as Stage 1) and subsequent construction of three warehouses and ancillary offices (Stage 2) in the Rural Zone of the Waipā District Plan. All access to and from the site is via the Hamilton City Council local roading network which intersects with State Highway 1C at Kahikatea Drive and Duke Street in the vicinity of the subject site. The applicant proposes to manage the safety effects associated with vehicle movements at highway intersections by imposing a Travel Management Plan which would not allow vehicles to turn right onto the highway.

**2. Waka Kotahi NZ Transport Agency (Waka Kotahi) could not gain an advantage in trade competition through this submission.**

**3. Role of Waka Kotahi**

Waka Kotahi is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (LTMA) and the Government Roding Powers Act 1989. The primary objective of Waka Kotahi under Section 94 of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest.

An integrated approach to transport planning, funding and delivery is taken by Waka Kotahi. This includes investment in public transport, walking and cycling, local roads and the construction and operation of state highways.

**4. The specific parts of the application that this submission relates to are:**

Effectiveness of the Travel Management Plan (TMP)

One of the proposed methods of compliance with the TMP is by way of a complaints process, where any complaints received by members of the public, Council or Waka Kotahi would be investigated by the applicant. Waka Kotahi would like to understand how this would be effective in practicality, as it is unclear how vehicles associated with the site would be identifiable from and by any other road users, especially the private vehicles used by staff members. Furthermore, it is unknown how the public would know what movements were allowed under the TMP in order to justify a complaint and how they would know who to make a complaint to.

The TMP also provides for compliance monitoring by way of GPS tracking of truck movements, reporting of any non-compliant movements, and spot checks for staff vehicles. While it is acknowledged that there is a method for monitoring non-compliance, the applicant proposes for monitoring logs to be provided to HCC. Given the vehicle movements being monitored extend across the Hamilton City Council and Waka Kotahi networks it is unclear which road controlling authority (RCA) would be more appropriate to receive the monitoring data. Even if both were provided with this data Waka Kotahi is not well placed to undertake any enforcement action to address any potential safety concerns that may arise from the non-compliance. Furthermore, the applicant has not specified a mechanism or mitigation for when there is a trend of non-compliance except for disciplinary action which would be at the discretion of the applicant.

Waka Kotahi has also identified that there is no mechanism to control the movements of vehicles providing goods and services to the development.

The applicant has consulted with Waka Kotahi regarding the effectiveness of a TMP for the Stage 2 warehousing activities, seeing as the nature of the future tenants is unknown. The applicant has advised that they are comfortable offering a consent condition limiting activities on site to industrial and warehousing without ancillary retail if that would address the concerns of Waka Kotahi about the potential future vehicle movements associated with members of the public visiting site. Any condition would exclude the trade / yard-based retail scenarios which would result in the public turning up in larger numbers. Waka Kotahi would also need to understand how the TMP would be applied to the Stage 2 activities given there is the potential for future activities on site which might not lend themselves to GPS monitoring.

Waka Kotahi would like to see the applicant demonstrate how Stage 1 would be practicable before giving consideration to further development associated with Stage 2.

#### Impact of Additional Vehicle Movements on Highway Intersections with Kahikatea Drive and Duke Street

The local road intersections with State Highway 1C in the vicinity of Wickham Street, being Kahikatea Drive and Duke Street are considered high risk due to a poor safety record involving a significant crash history. The intersection with Kahikatea Drive has had nine reported injury crashes between 2018 and 2022 and including 2023 with almost 50% of the crashes being related to intersection movements. For the Duke Street intersection with SH1C there has been five report injury crashes between 2018 and 2022 and including 2023. Almost 60% of the crashes were related to intersection movements.

Waka Kotahi considers that even with a Travel Management Plan in place, (notwithstanding the question of the effectiveness of this as discussed above) the applicant should undertake an assessment of the intersection capacity which assesses whether the average delays for introducing additional vehicle movements with left turns using SH1C/Kahikatea Drive and SH1C/Duke Street intersections would have any additional safety effects.

Waka Kotahi recognises there has been a nominal decrease of volumes on SH1C following the opening of the Hamilton Section of the Waikato Expressway (WEx). However, we consider that the traffic volumes on this section of the network post Hamilton Section of the WEx opening still justify our concerns around any additional vehicle movements increasing average delays at the intersections and leading to driver frustration and poor decision making resulting in crashes.

#### Safety Effects at Killarney/Higgins Rd Intersection

The proposed Travel Management Plan provides for vehicles travelling east to turn right from Higgins Road onto Killarney Road and then right again at the signalised intersection with SH1C. While it is recognised that the Higgins/Killarney intersection is a local road intersection, it is entirely within the Waka Kotahi highway designation E81 (Figure 1), and approximately 100m from the SH1C/Killarney Rd intersection.

Given it is within a Waka Kotahi designation and in close enough proximity to impact the operation of the state highway intersection, Waka Kotahi considers it appropriate that the applicant addresses the safety effects associated with increased right turn movements from Higgins Road onto Killarney Road.



Figure 1 – Underlying State Highway Designation E81

**5. The submission of Waka Kotahi is:**

- (i) Waka Kotahi opposes the proposed industrial development to the extent outlined in this submission.

**6. Waka Kotahi seeks the following decision from the consent authority:**

- (i) Waka Kotahi seeks that the application be opposed.
- (ii) Any other relief that would provide for the adequate consideration of potential effects on the state highway environment and its users.

**7. Waka Kotahi does wish to be heard in support of this submission.**

**8. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at the hearing.**

**9. Waka Kotahi is willing to work with the applicant in advance of a hearing.**

**10. I have served a copy of my submission to the applicant as per section 96(6)(b) of the Resource Management Act 1991.**

Signature:

Senior Planner – Poutiaki Taiao / Environmental Planning  
System Design, Transport Services

Pursuant to an authority delegated by Waka Kotahi NZ Transport Agency

7 August 2023

Address for service: Waka Kotahi NZ Transport Agency  
Level 1 Deloitte Building  
24 Anzac Parade  
PO Box 973, Waikato Mail Centre  
Hamilton 3240

Contact Person: Emily Hunt  
Telephone Number: 07 958 7884  
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