

# Ruakura Variation Submission on Publicly Notified District Plan

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Hamilton City Council

**Date:** 18/12/2015

**Ruakura Variation Submission method:** on-line

**Submitter Details:**

**Individual**

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I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

I **could not** gain an advantage in trade competition through this submission.

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**This is a Ruakura Variation Submission on the Hamilton City Council Proposed District Plan (the Proposal):**

| The specific provision that my submission relates to is:       | Support, Oppose or Support in part | My Ruakura Variation Submission is:   | I seek the following decision from the local authority:   |
|--|------------------------------------|---|---|
| 1.1.2.2 Integration of the Plan with Other Plans and Documents | Oppose                             | Re c)<br>Statement does not clearly indicate that the Plan Change before the BOI did not contain all of the Ruakura Structure Plan area now in this Variation.                              | Change wording in c): ....The provisions for Ruakura Schedule Area were included in the Hamilton Operative District Plan: Waikato Section. However, a separate planning process is necessary to incorporate the remaining R1 area into the current District Plan. ... |
| Figure 1a  | Support in part                    | The box containing "Ruakura Development Plan Change" also includes National Environmental Standards. There are specific environmental standards that should be noted, not just as a blanket | Include : National Standard for Air Quality.<br><br>A complete assessment of effects for the whole Ruakura Structure  |

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|  |                                    | set of standards.   | <p>Plan should be made on Air Quality.</p> <p>This project is to be entirely transport based and since transport is the largest contributor to poor urban air quality, then vehicle emissions should be included in any air quality assessment.</p> <p>Fairview Downs will be centred between the proposed expressway, and Wairere Drive, with additional traffic expected along Spine Road, and a feeder road, and bordered by Greenhill Rd and Fifth Ave extension. Most are expected to be major arterials. To date no assessment exists as to the effect vehicle emissions will have in this area alone, and the whole Project in general.</p>   |
| 3.7 Ruakura  | Oppose                             | <p>3.7a)i. Needs to reflect vision expressed in d) - centred around an inland port and freight and logistics hub - not a regional logistics hub. There are already 2 logistics hubs in Hamilton, and neither was considered 'of national significance' as Ruakura was. The BOI decision granted a project for "an inland port and logistics hub".</p> <p>3.7b) This statement does not show industry other than logistics as source of employment.</p> <p>3.7b) Ruakura Retail Centre is situated within the Knowledge zone. It therefore reduces available land for research, innovation and learning activities, and could affect opportunity for expansion of any of the other Precincts.</p> <p>3.7c) Wording suggests the Ruakura Retail Centre will service a new housing population of 1800. This new population is planned to have its own retail centre.</p> <p>3.7f) Eventual pattern is indicated in the relevant Ruakura Structure Plan Figures in App. 2. It does NOT provide any indication of the sequence of development.</p> <p>Approval by the BOI was given to start in areas considered at that Inquiry. This did NOT include the remaining R1 area which was not part of the Plan Change. At the BOI, concerns were raised</p> | <p>The Board of Inquiry was set up to hear a matter of National Significance. This was an inland port. The vision at i) should therefore be amended to read:</p> <p>3.7.a) i. "The expansion of the City to provide a significant new employment area based around the development of an inland port and logistics hub which will form a catalyst for further development and attract a wider range of business to the City."</p> <p>3.7b) Amend sentence 1 to read : "... and other <u>industrial</u> land."</p> <p>Amend the total figure of 77ha available for research and innovation by subtracting the area taken up by the Ruakura Retail Centre.</p> <p>3.7c) Amend c) to contain only first sentence - ...to 1800 households".</p> <p>Add clause 3.7d) and renumber below:</p> <p>3.7d) Include the rest of old 3.7c) from "It also includes ..... at its northern end."</p> <p>3.7f) Provide details of development sequence and anticipated timeframes for development.</p> |

| The specific provision that my submission relates to is: | Support, Oppose or Support in part | My Ruakura Variation Submission is:   | I seek the following decision from the local authority:  |
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|  |                                    | <p>regarding the effects of staged construction over the extended timeframe of this project, and assurances were given by TGH, that although dates may vary, the sequencing presented at the Inquiry would not.</p> <p>There is no reference to the intended sequence of development, and, other than Stage 1 at the inland port and logistics area, there is no indication where or when other development will occur. At the BOI hearing, other development focused on the Fifth Avenue industrial area, but with inclusion in this Variation of the whole R1 area, and suggestion of a piecemeal construction of Spine Rd, this could be at any point within the Ruakura Structure Plan.</p> <p>This information would give some certainty to nearby residents, and to Council infrastructure planners.</p> <p>3.7k) This clause gives no allowance for development within the existing areas of the Knowledge zone. Precinct C has only provision for Retail, not innovation and research activities.</p> | <p>Add iv. Figure 2-16B Expected Development Sequence and Indicative Dates.</p> <p>Amend 3.7k) to read: Land use in the Knowledge Zone of Ruakura Structure Plan will roll out in accordance with the provisions of Ruakura Strategic Infrastructure and associated network connections.</p> <p>3.7l) Remove "is fixed" until consideration has been given to the effects on Fairview Downs and its environs until an assessment of effects has been carried out on the full R1 Industrial expansion of noise, air pollution, transport, flooding, and visual amenity effects.</p> |
| 3.7.1.1 Ruakura Logistics Zone – Inland Port             | Oppose                             | <p>b) The port is no longer a proposal.</p> <p>Does not include quarantine facilities.</p> <p>Does include fire and hazardous substance management facilities. Quarantine facilities are required at Crawford St depot which is much smaller.</p> <p>Management facilities for fire and hazardous substances has not been fully considered, and should be, given that the inland port is very close to some residences, close to major roading, and near the University and other residences on its borders.</p>  | <p>Remove "proposed" as the port is the centre of this project and the reason for this Variation.</p> <p>Add: "...container hardstand areas and quarantine facilities, lighting towers, ..."</p> <p>Fully assess the impact on surrounding City population of a completed Ruakura Structure Plan in light of an event of low probability with high impact, with particular regard to the size and scale of the project.</p>  |
| 3.7.1.2 Ruakura Logistics                                | Support in part                    | 3.7.1.2 b) Includes infrastructure 'such as MAF/Customs facilities'   | Due to the costs involved in developing the inland port, more  |

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| Zone – Logistics   |                                    | <p>in brackets.</p> <p>If Customs and quarantine facilities are to be required, they should be included as infrastructure, not as an apparent afterthought.</p> | <p>certainty is needed that the inland port has the ability to obtain approval to operate a Transitional Facility under the Biosecurity Act and that requirements to gain approval have been investigated.</p> |

Variation 1 of the Ruakura Section of the Proposed District Plan is the first time the Ruakura Structure Plan has been considered in a development planning document AS A WHOLE!

Tainui Group Holdings (TGH) made a size comparison on its website by overlaying a map of the Auckland CBD over the Ruakura Structure Plan. As a result of their proposal to develop an inland port and logistics area at Ruakura, it was declared a “Matter of National Significance” and a Plan Change was heard by Board of Inquiry (BOI) in 2014 under the Environmental Protection Authority (EPA).

The Proposed District Plan Variation 1 is the combination of several expansive documents which have been the result of the Ruakura Structure Plan, TGH’s request for a Plan Change at the BOI hearing under the EPA, and further planning considerations by the developers, TGH.

Despite this, City Planners have changed the focus and effectiveness of those BOI decisions by subtle re-writing, additions and subtractions in this Variation document.

The Proposed District Plan Variation 1 relates to establishment of an Inland port and Logistics and Industrial areas under the Ruakura Structure Plan and shows little regard to the amenity values of existing residents on the east side of the City.

Despite submissions to PDP, at the BOI and to ‘Have your say’, there seems little change. This development continues to go ahead with complete disregard to mitigation of amenity to the satisfaction of those Hamilton citizens. “Urban” seems to have become synonymous with “industrial” and is juxtaposed alongside well-established residential suburbs.

Areas most compromised by environmental effects are Fairview Downs and Rototuna, University and Fifth Avenue areas, and those in Silverdale/Nevada Road areas. The majority of residents still seem to be totally unaware of the sheer size of the Ruakura Structure Plan, as evidenced by new residents’ attendance at least one open meeting in the Ruakura area.

The enormous and complex Ruakura Structure Plan development has spawned a multitude of very large documents, as well as this Variation which is likely to be beyond the understanding and scope of the majority of ordinary householders. I suggest most will not have found time so close to Christmas closedown to complete a submission.

Development of this Ruakura project will contribute to the change from a 'living in the country' feeling to being surrounded by a cityscape. Without mitigation that adequately satisfies residents, new sights will include large industrial buildings, and noise, dust and vibration, lighting spill, a large increase in traffic, and air pollution, all of which contribute to total loss of amenity in the area known and loved as 'home' for close to 50 years.

Distance is the one mitigation that could satisfy loss of amenity in the short term. Since this development is to continue over the next 50 years, there is ample time and space for the rules of the development to include a maximum greenspace between existing residents in the short term, with gradual reduction in that distance as the project expands.

Linear wetlands and swales were on planning maps along Sheridan and Nevada Rds and are noted in 15.7 Restricted Discretionary Activities of Volume 2 Appendix 1-3. This will impinge on the 40m greenway strip for cycleway, planting and passive recreation.

This greenway strip is likely to be quite crowded if it is to include a cycle path as well as a suitable swale, linear wetland, and any amenity buffer plantings. A cycle path is also likely to attract young families to walk, scooter and ride, as is its intention. It will no doubt be necessary to ensure both the safety of small children by preventing them from encroaching into either swale or linear wetland, and to deter opportunists from encroaching into the residential neighbourhood.

In 15.6.6 Ruakura Open Space zone, 40m is noted as a minimum width. Increasing the greenway strip along the border of Sheridan and Nevada Road to 50m or more would give room to border the swale and linear wetland with low shrubs on both sides and would ensure a barrier to any errant rider or other opportunist. It would also give space for kicking a ball, or a playground somewhere along the strip.

Land development is incremental and by Land Development Plan (LDP). Amenity effects could be mitigated while the area adjacent to existing residential houses is not under consideration of an LDP, or until such time as an LDP is approved.

A initial area of 200m between adjacent housing and the development could include the planned 40m strip of greenspace, planned swale and wetland area, as well as an area of raised ground, planting, maize cropping, etc that would screen development from view, and

mitigate some sound, dust and air pollution aspects while the development progresses, and at the same time maintain the park-like vision of an Industrial Park zoning.

Consideration of such an approach by City planners and the developers might be more acceptable to residents in the interim, while the project expands.

I do not see any provision or rule for any of the industrial land to be maintained while it is still not under development. Does this mean that under its new Industrial Park (or just plain Industrial) zoning, any grassland will be undeveloped, and left to grow weeds and attract vermin, litter, nuisance activities as it is now Industrial, or will it remain under existing use rights, to grow grass, feed animals, crop maize, etc, and show a tidy face to our City visitors?

Noise limits should be at the same levels for all the City. The Board of Inquiry did not consider it necessary to change these levels for residents in close proximity to the inland port. They should therefore remain at the same level for Citywide. It is not pertinent to increase the minimum level for such a large Project that may take up to 50 years before it is necessary to raise noise level limits. At such time as noise becomes a problem, the public should be given the opportunity to further comment on the matter.

The Noise Management Plan provided by the BOI Plan Change decision requires consideration of noise over the lifetime of this Project. The Noise and Vibration Plan referred to in this Variation only considers effects on a stage by stage basis. Any Noise Management Plan should refer to the overall effect of the whole Ruakura Structure Plan incrementally.

All ports and industrial areas are recognised as being the source of complaints of excessive noise. The majority of them have a Complaints Procedure in place. Such a procedure was part of discussion at the BOI hearing, and should be part of a Noise Management Plan, but does not seem to have reached Variation 1.

Variation 1 of the Hamilton Proposed District Plan now covers the possibility of an Integrated Catchment Management Plan (ICMP) not being available before development starts. At the Board of Inquiry for the Plan Change for Ruakura development, it was expected that an ICMP would be in place by the time the development was begun. A draft ICMP was available for the BOI and subsequently passed to Hamilton City Council but is still unavailable for this Project.

The Plan Change for consent to build an Inland Port did not include the R1 area of Industrial zoning north of Fifth Avenue. The Variation indicates that the developers have made changes to some of their proposed staging, and now could plan an incremental development along Spine Road starting from the northern end, which could not have been considered by the BOI. The BOI conditions limited development to the north until construction of a bridge over the railway to connect Spine Road with the Logistics zone.

If developers cannot be expected to keep to planned and ordered development they presented to the BOI, it would seem likely that the land drainage, which contains 4 catchments, could be compromised by piecemeal improvements. It would therefore make sense to have a completed ICMP in place before any development is begun, making all Land Development Plans simpler.

It would seem reasonable to expect the developer to provide a sequenced plan of development of this vast area which they would commit to. This would assist developers and City planners alike to co-ordinate rollout of infrastructure.

At the time of the Plan Change requirement, what made it of National importance was the inland port and its proximity to a prospering rail line and a yet to be designated expressway. The expressway is about to be built and resource consent for the start of port and logistics is with City Council.

Part of the function of an inland port is provision of customs and MAF/quarantine facilities. Some discussion at the BOI hearing centred around need for compliant Customs and MAF/quarantine facilities. Without these or under a different term such as freight hub, this venture is no longer so nationally significant. No such facility is mentioned as being part of the infrastructure.

Crawford St depot has its own MAF/quarantine and Customs facilities, as mentioned in Landscaping and Screening for Crawford Street Freight Village in Frankton. It would seem reasonable to expect there to be provision for similar Customs and MAF/quarantine facilities at the inland port and logistics area at Ruakura.

Any such facility would require consent of the MPI under the Biosecurity Act. It should be part of the planned infrastructure of this development, and be included in the requirements in Variation 1.



Heavy Commercial Vehicle (HCV) traffic on Silverdale Rd continues to rise even before the start of this Project. The BOI took care to inspect this road and assess effects of additional HCVs. Some of this concern has been written into the Variation. While traffic movement will change due to proposed changes relating to the Ruakura Interchange, there will continue to be an increasing number of HCVs and a continued large number of cars, cycles and pedestrians using the road to get to at least 3 schools and a University carpark.

With the advent of additional egresses, both for new homes and industry, and the increased availability of good food choices at the shopping area, continuous monitoring of this road remains a high priority if accidents are to be avoided.

The Ruakura Retail Centre has grown considerably on the new plans with Variation 1, when compared with those of the Plan Change. It is now well planned to serve the activities within and adjoining the Ruakura Structure Plan area. Council are wary that it may contribute to “undermining the primacy, function, viability and amenity of the Central City and the function of other centres” as has the Base. This retail centre also has potential to undermine the importance and expansion of the other knowledge-based precincts since it is taking up land originally planned for expansion of the Knowledge Zone.

The Knowledge zone consists of 4 finite areas, A, B, C, and D, where Precinct C is considered for part retail. This use of Knowledge zoned land is not knowledge-based and should be limited to no more than is currently under consideration, so as not to take up valuable space which could be used for the expansion of other knowledge-based precincts or activities.

Staging: Eventual pattern of development is indicated in relevant Ruakura Structure Plan Figures in Appendix 2. It does NOT provide any indication of the sequence of development.

Approval by the Board of Inquiry (BOI) has been given to start in areas considered at that Inquiry. This did NOT include the remaining R1 area which was not part of the Plan Change. Concerns were raised at the BOI hearing regarding the effects of construction over the extended timeframe of this project, and assurances were made by TGH, that although dates may vary, the sequencing presented at the Inquiry would not.

There is no reference to the intended sequence of development and there seems to be no guarantee it will progress in the order provided to the BOI. Other than Stage 1 of the inland port and logistics area, there is little that indicates where other development will occur. At the BOI hearing, other development focused on the Fifth Avenue industrial area, but with

inclusion of the whole R1 area, and suggestion of a piecemeal construction of Spine Road, further development could begin at any point within the Ruakura Structure Plan.

In the Plan Overview, the box in Figure 1a containing Ruakura Development Plan Change – Board of Inquiry Decision also refers to the National Environmental Standards. There are specific environmental standards that should be noted, not just a blanket set of standards.

This project is to be entirely transport based and since transport is the largest contributor to poor urban air quality, then vehicle emissions should be included in any air quality assessment. Fairview Downs will be centred between the proposed expressway and Wairere Drive, with additional traffic expected along Spine Road, and a feeder road, and bordered by Greenhill Road and Fifth Avenue extension. Most are expected to be major arterials. To date no assessment exists as to the effect that vehicle emissions, or any other environmental effects, will have in this area alone, and of the whole Project in general.

My requests:

- a) That the Variation 1 vision and planning reflect the fact that the matter of national significance that required a BOI hearing was **an inland port and logistics area**. This should not be downgraded to a freight hub, without Customs and MAF/quarantine facilities planning.
- b) The Variation 1 should reflect the decisions made at the BOI hearing and should not be downgraded and varied to reflect subsequent changes in direction by the developers as to where they propose to start development.
- c) The name for industrial areas should be the same for both the Silverdale Industrial zone and other industrial areas north of the railway. They should all be called “Industrial Park Zone”. Give a ‘proper’ name to the large area of industrial land in the Fairview Downs area.
- d) Provide more landscaping to reflect the name, Industrial Park zone, through the Land Development Plan for each separate area, and consider design to give best visual effect to adjacent residences, along with best possible screening from noise and vibration, screening from dust and other pollutants, and traffic, minimising the effect on local amenity.

- e) 3.7..1.8c) Open Space Area: Ensure “Visual amenity and buffer against incompatible activities – open space areas and plantings shall provide an effective/suitable buffer between different types of land uses” are part of satisfactory mitigation measures for residents.
- f) Provide additional width over and above the allotted 40m allotted for greenspace and cycleway and passive recreation at Sheridan and Nevada Rds to allow for planned linear wetlands, so that at least 40m is available for landscaping, screening, cycle- and walkway, wetland, along the southern border of the Industrial Park Zone. Any increase in width could enable the addition of a landscaped bund which would give additional screening to adjacent housing.
- g) Since the whole development will roll out in stages, consideration should be given during initial broad planning to establish areas of wider landscaping early in the whole development to provide an early pleasant aspect for households facing onto industrial land. In such a manner, the City outskirts can be beautified, rather than turned into a concrete jungle. House ownership is likely to change in the next 30 years and reduction of landscaping width is likely to be more acceptable when development plans encroach on residences.
- h) 3.7v) Ruakura: Add “Electric power lines” as they are the reason some of the “well-connected open spaces ... will perform a range of functions...”
- i) Noise: Establish noise limits the same as City-wide, and do not treat any one area differently. With the size and scale of this development, noise will inevitably increase. The BOI did not consider it necessary to raise City noise limits for the port and logistics area. This should be the case for the whole Ruakura Structure Plan until sufficient area is established and noise and traffic and other aspects of the Structure Plan require review.
- j) Amend 10.5.2(a) Noise shall be managed in accordance with an approved Noise Management Plan as provided by the Board of Inquiry, and should cover all areas of the Ruakura Structure Plan. Detail a Complaints Procedure that will give neighbouring occupants access to a call-line to log complaints.
- k) Maintenance: Since this Project will roll out in stages over a long period, there should be measures provided in this Variation for any area in the Ruakura Structure Plan to ensure that the undeveloped areas are maintained in a clean, tidy and pestfree condition until construction work is begun.

- l) Reinststate the crossed out 3.7.3.2 in the original Proposed District Plan that requires an ICMP to be a pre-requisite before any land development is planned, as was required under BOI decisions, and add "No Land Development Plan should be considered without an ICMP".
  - m) That traffic for the whole Structure Plan area be assessed, and traffic modelling done for the Plan Change area should be revisited and revised to reflect the effect of the R1 area and full coverage of the Ruakura Structure Plan.
  - n) That traffic on the full length of Silverdale Road be regularly monitored to assess effects of increasing HCV traffic and small delivery vehicles, as well as car and pedestrian usage.
  - o) Noxious Industries should be amended to include bitumen manufacturing plants and products, which does not seem to have been included after the hearing regarding establishment of a plant in Riverlea, Hamilton, won by Riverlea residents.
  - p) Noxious industries should not be allowed to establish under any conditions in the Ruakura Structure Plan area.
  - q) Woodlots, logs, woodchip, cement, or any other bulk product that will require detraining, standing in piles on hardstand and reloading should be a non-complying activity.
  - r) Remove all references to Major Facilities Zone in Variation 1 where it relates to the University of Waikato. Since the University of Waikato has been included in the Knowledge Zone, this is no longer required.
  - s) Add to 8.2.5, 8.2.5b) and Explanation where 'primacy, function, viability and amenity of the Central City' occurs the words: "as well as the primacy and importance of expansion of any other knowledge-based precinct or activity."
  - t) Provide details of development sequence and anticipated timeframes for development.
- Add: A new iv. Figure 2-16B Expected Development Sequence and Indicative dates.

u) That an Assessment of Environmental Effects (AEE) be completed that includes all environmental effects of the whole area of the proposed Ruakura Structure Plan, and especially Air Quality. In addition, this project should be monitored from its outset at construction and throughout each stage of development, as outlined in the Regional Policy Statement 15.4.2 Air, with particular emphasis on areas of existing population density on its western and southern borders.

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18 December 2015

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