BLOXAM BURNETT & OLLIVER

Submission on Plan Change 12

East Street Property Trust Limited

29 September 2022

Hamilton City Council
Attn: Plan Change 12 Submission
Private Bag 3010
Hamilton 3240

By email to: haveyoursay@hcc.govt.nz

SUBMISSION ON PLAN CHANGE 12 – ENABLING HOUSING SUPPLY

1. This is a submission by East Street Property Trust Limited (ESPT Ltd) to Hamilton City Council (HCC) on Plan Change 12 (PC12) to the Hamilton City Operative District Plan. The details for the submitter are as follows:

   Full Name: East Street Property Trust Limited
   Postal Address: PO Box 1108, Hamilton 3240, New Zealand
   Email Address: lincoln@unex.co.nz
   Phone Number: 07 838 9949

2. Address for Service of Submitter is as follows:

   Address: C/- Bloxam Burnett & Olliver, Po Box 9041, Hamilton, 3240
   Contact Person: Kathryn Drew
   Email Address: kdrew@bbo.co.nz
   Phone Number: 027 251 0009

3. This submission relates 14,359m² of land, held in three registered titles (as per **Figure 1**), located on the south-eastern corner of Peachgrove Road and East Street. The parcels have a legal address of 164 and 174 Peachgrove Road, Claudelands, Hamilton and are legally described as follows:
   a. Part Lot 1 DPS 9043 – SA45C/375 – Central Hamilton Gospel Trust
   b. Lot 2 DPS 9043 – SA4B/521 – East St Property Trustee Limited
   c. Lot 1 DPS 8016 – SA1C/1205 - East St Property Trustee Limited

4. Two of the parcels, closest East Street are currently vacant, whereas the third contains the Plymouth Brethren Christian Church and associated parking. The vacant sites were previously occupied with the Selwyn Sunningdale care facility and rest home, until early 2020 when it was demolished.

5. As noted above, ESPT Ltd is the owner of two of the registered titles, with the Central Hamilton Gospel Trust owning the third title. ESPT Ltd have an interest in the land and thus have an interest in the proposal that is greater than the interest the general public has.

Figure 1: Site and surrounding environment

6. The specific elements of the PC12 that ESPT Ltd's submission relates to is:

    a. Zoning of the site in relation to its proximity from Five Cross Roads – the nearest suburban centre.

7. The specific provisions that ESPT Ltd opposes and seek amendment to relates to the underlying zoning of the three registered titles noted above. ESPT requests that the site be zoned Medium Density Residential (MDR), as opposed to General Residential Zone.

8. The reasons for ESPT Ltd's submission are as follows:

    a. The General Residential zoning is too restrictive for this site, having regard to the site characteristics and its location relative to Five Cross Roads suburban centre, public transport opportunities, schooling, open space and other commercial activities as described below. The increased development opportunity available through a MDR zoning would allow future development of the site to greatly capitalise on these matters and make best use of readily accessible amenities.

b. The site is unique in that it is larger (1.4ha in size), its bordered on two sides by public roads and on the third by the railway line. This means that the site only has one interface with residential land uses, and thus makes the site suitable for increased density that would be enabled by the MDR zoning. Being a large site the opportunity for masterplanning the outcome to result in good development outcomes can be achieved. The access to two roads provides for a variety of access opportunities, including access off a dead end local road. The MDR zoning would also enable density to be increased in locations away from the railway line, in order to manage/mitigate reverse sensitivity effects between the railway line and residential outcomes.

c. PC12 has zoned the area within 400m of suburban centres to Medium Density Residential. Other Tier 1 City Councils, such as Tauranga City Council's, are providing for greater intensification opportunities within 400-800m of their commercial centres, being within a 5–10-minute walking distance. The site subject to this submission is located 650m from Five Cross Roads, the nearest suburban centre, being a 8 minute walk from the site. The site is also located directly adjacent to the Countdown Claudeland's supermarket at 160 Peachgrove Road and the East St superette, a takeaway shop and a bakery/café. Mitre 10 is also within walking distance of the site.

d. The site is well serviced by a public transportation network consisting of three bus routes, being the Orbitor and Flagstaff North x 2. The closest bus stop is also located directly outside of the site, being 164 Peachgrove Road and opposite 164 Peachgrove Road. These bus routes provide a perimeter service for Hamilton and direct connections to Chartwell and Rototuna.

e. The site is accessible and well located relating to schooling. More specifically there are seven schools near to the site as shown in **Figure 2** on the following page. These schools include a mixture of primary, secondary, public and private. The site is also located at proximity to the University of Waikato Campus, being a 5 min drive or 30 min walk from the site.

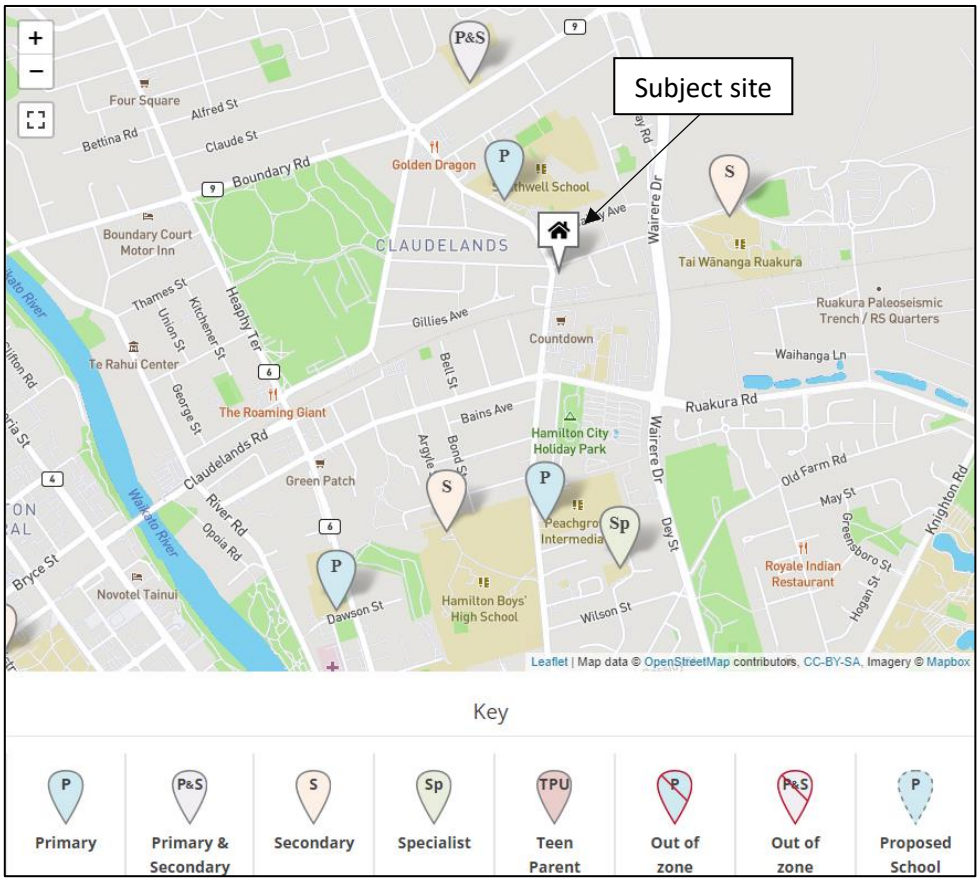

Figure 2: Proximity of local schools to the site

f. The site is located within 570m of Claudelands Park, a large open space and home of the Claudelands Event Centre.

g. East Street is well connected to Ruakura, through the provision of an underpass under Wairere Drive at its eastern end. Ruakura provides a significant future employment node for Hamilton City through the inland port development.

h. The general direction from Central Government with the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 which has resulted in PC12 has been to enable greater intensity for residential development to occur – particularly on sites that are at proximity to amenities, services, and employment opportunities. The commentary above has demonstrated that the site provides these opportunities but falls outside the 400m radius of suburban centres HCC has proposed.

i. In conclusion, the criteria that informed the reasoning for the MDR Zone to be 400m from suburban centres is also present at 174 Peachgrove Road. As such, ESPT LTD request that the land set out in this submission be zoned MDR.

9. ESPT Ltd seek the following decisions from Hamilton City Council:

- That 164 to 174 Peachgrove Road is rezoned to Medium Density Residential as part of PC12.

10. ESPT Ltd could not gain an advantage in trade competition from this submission.

11. ESPT Ltd wish to be heard in support of this submission.

12. If other parties make a similar submission, ESPT Ltd will consider presenting a joint case with them at a hearing.

Signature:

Kathryn Drew – Senior Planner Bloxam Burnett & Olliver
On behalf of East Street Property Trust Limited

Date: 29 September 2022