

# SECTION 42A REPORT

Opening Statement

## Hearing 25: Zone Extents – Special Purpose Zone - Hopuhopu

Prepared by: Betty Connolly

Date: 21 June 2021



# **I Introduction**

1. Good afternoon Chair, Commissioners and Submitters. My name is Betty Connolly and I am the author of the s42A report for Hearing 25: Zone Extents – Special Purpose Zone-Hopuhopu.
2. The purpose of this opening statement is to provide you with a brief overview of the Hopuhopu site, proposed provisions, submissions and my recommendations.

## **2 Hopuhopu Site**

### **2.1 Overview**

3. The Hopuhopu site is situated approximately 3.5kms north of Ngaruawahia adjacent to the Waikato River. The site is 137.8640 ha in size and is accessed from the south via Old Taupiri Road and from the north via Great South Road.
4. WDC wastewater treatment oxidation ponds are located to the south west of the site. To the north east there is a mixture of private and council owned small parcels of land. The North Island Main Trunk Line borders the site to the east and is adjacent to the Great South Road. Old Taupiri Road bisects the site to the west. The site contains 2 WDC designations for water supply purposes.
5. The majority of land parcels surrounding the site are zoned Rural and the area between Old Taupiri Road and the river, which adjoins the site at the western boundary, is zoned Country Living.
6. The site currently comprises of a number of buildings, the most significant one being the Endowed College. There is existing housing, buildings for storage and maintenance and the remaining area is largely sports fields and open space. Maori Parliament has its operations on site.
7. There is existing infrastructure of reticulated wastewater connected to Council network and an upgraded water reservoir that forms part of the Council reticulated water supply network that includes Hopuhopu and Taupiri. Stormwater is managed onsite.

### **2.2 History**

8. The land was originally gifted by tangata whenua in 1853 for education purposes and was initially used as a church and school that local Maori children attended. Over time the site became abandoned until 1922, when the land was taken for the purposes of a military training facility and it remained an active military camp until 1989 at which time it ceased operations.
9. Hopuhopu was a key component in Waikato-Tainui's raupatu (confiscation) Treaty settlement negotiations of 1989-1995 and was returned to Waikato-Tainui (WT) through the treaty settlement process. The site is held in Te Wherowhero title, created as part of the Waikato Raupatu Claims Settlement Act 1995. Te Wherowhero title land is held by Custodian Trustees for the benefit of all members of Waikato-Tainui. This land is unable to be sold or leased without the approval of King Tuheitia and two other Custodial Trustees.

### **2.3 District Plan Zoning**

10. Under the Operative District Plan (ODP) the Hopuhopu site consisted of four separate zones being Pa, Rural, Living and Business Zones.
11. As stated in the s42A report, changes were made when the Proposed District Plan (PDP) was notified to provide more flexibility for Maori Freehold Land and the Pa Zone was removed. The site was zoned Rural, Business and Residential Zones.

12. As the land is settlement land and not Maaori Freehold Land (MFL), WT are unable to access the provisions of the PDP for MFL.
13. This has resulted in the submissions lodged by WT, seeking a bespoke set of provisions to enable the development of the site.

### **3 Submissions received**

#### **3.1 Overview of submissions**

14. It is not my intent to discuss these submissions in detail, as I have responded to individual submissions in my s42A report.
15. Four submissions were received from WT relating to the Hopuhopu site. The submissions ask for a specific set of provisions that will enable WT to utilise their ancestral land more effectively. The WT submission contends new provisions are necessary as the PDP rules for development on Maaori Freehold Land do not apply to Hopuhopu, resulting in WT being incapable of utilising their land to its full potential. Four further submissions were received in support of the WT submissions.

### **4 Analysis of provisions**

#### **4.1 Development of provisions**

16. The submitter in consultation with Council staff, took the approach that current ODP zoning or a mixture of zones as per the PDP was not appropriate and instead provided evidence seeking a Special Purpose Zone as per the National Planning Standards.
17. This evidence included:
  - i. Objectives and Policies
  - ii. Rules
  - iii. Definition and
  - iv. Maps that identify specific precincts in which activities can occur.
18. These provisions had been well canvassed between myself and Ms Henderson prior to submitting evidence and have been carried through into the s42A report and provided to the Panel with no amendments
19. I have not been advised by Ms Henderson of any issues in regards to these provisions and this being so make no further comment.

### **5 Non-disclosure of technical reports by Waikato Tainui**

20. Section 1.5 of my s42A report covers in detail the issue in regards to the non-disclosure of 7 technical reports addressing – 3 Waters, Geotechnical, Soil Contamination, Terrestrial Ecology, Traffic, Maori-Made Soils and Aquatic Ecology. Since the issuing of the s42A report, WT applied to the Hearings Panel for a waiver in regards to the confidentiality of the technical reports which was subsequently declined. WT did however agree to the release of these reports to the Panel and myself as the report writer.
21. I confirm that I have now read these technical reports. These reports are of a highly technical nature and therefore I am unable to advise the Panel any further in regards to any information contained in these reports as it is not my area of expertise. Due to the limited availability of the reports to the Panel and myself only, and not having received any authority, these have not been peer reviewed by an independent person as would normally be the case.

22. For this reason, I stand by my recommendation at paragraph 89 of the s42A report, that subject to the Panel being satisfied as to the content of the technical report, that the provisions as provided to the panel are accepted.

## **6 Conclusion**

23. I wait to hear evidence from submitters and welcome any questions you may have.