

UNDER the Resource

Management Act 1991

AND

IN THE MATTER of a hearing by Independent Commissioners on behalf of Waikato District Council

of the

Waikato -Tainui Proposal/Plan Change to the Proposed Waikato District Plan

Hearing 25 – Zone extents

STATEMENT OF EVIDENCE

PROVIDED BY Susan Ann Henderson

ON BEHALF OF WAIKATO – TAINUI

AND ENDORSED BY SUBMITTER TURANGAWAEWAE MARAE TRUST BOARD

1.0 Introduction

- 1.1 My name is Susan Ann Henderson and I hold the position of Principal Planner at GMD Consultants Limited. I have over 20 years' experience in the field of resource management and environmental planning, specifically in relation to resource consent processing, resource management plan making and strategic policy planning predominantly for local government. This experience has been gained in both council and consultancy settings, in both New Zealand and the United Kingdom.
- 1.2 I hold a Bachelor of Social Science (Resource and Environmental Planning) (1st class honours) degree from Waikato University and a Post Graduate Diploma in Resource and Environmental Planning from Waikato University. I have been a full member of the New Zealand Planning Institute since 2009. I also hold a Certificate in Te Ara Reo Maaori (Maaori Language Level 1/2) from Te Wananga o Aotearoa.
- 1.3 My experience of particular relevance includes 4 years' experience in resource consent processing and over 16 years' experience in plan-making, predominantly for local government within the Waikato, including Franklin District Council, Waikato District Council and Hamilton City Council. My experience includes resource management policy planning, drafting district and regional plan changes and reviews, and being one of the primary authors of the original Future Proof sub-regional growth strategy 2009 and the Metropolitan Spatial Plan 2020. As a result of this experience, I have a strong understanding of the strategic and policy context of Resource Management planning in the Waikato.
- 1.4 I have been engaged by Waikato-Tainui to provide evidence in support of the Waikato-Tainui submission as it relates to the Hopuhopu site.

2.0 Expert Witness Code of Conduct

- 2.1 I can confirm I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2014. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3.0 Scope of Evidence

- 3.1 This evidence is presented on behalf of Waikato-Tainui.

3.2 This evidence is provided to address the Waikato-Tainui submission¹ to the Proposed Waikato District Plan, in relation to the Hopuhopu site. My evidence focusses on the options to address the submission points relating to the Hopuhopu site², and to outline the preferred approach for planning provisions in relation to the Hopuhopu site.

4.0 Submission

4.1 Waikato-Tainui submitted on the Proposed Waikato District Plan in relation to a number of matters.

4.2 Submission point [286.2] seeks to retain the residential areas of the Hopuhopu site, and [286.3] seeks to retain the business zone. Submission point [286.17] seeks that the zoning at 333 Old Taupiri Road be changed to a specific Hopuhopu Zone, thereby removing confusion and providing clarity around future uses and aspirations for the site. The submission states that the variety of activities that currently occurs at Hopuhopu and the future aspirations for the site demand greater clarity.

4.3 Submission point [286.17] seeks that a joint partnership approach be taken with Council in developing a way forward.

4.4 In the s42A report for the Tangata Whenua chapter³, this partnership approach was seen to be acceptable to Council as a way to reinstate the ability to utilise the land as under the Operative District Plan, and to achieve a mutually-agreed outcome in regard to the provisions requested, as contained in the submission.

4.5 To achieve this outcome and consider the details of the provisions, the Council requested the Hearings Panel to issue directions for joint conferencing to be undertaken between parties, with a view to providing to the Panel jointly-agreed approach including drafted provisions, by 28th February 2020.

4.6 The minute and directions from the Hearings Panel in relation to the Tangata Whenua chapter⁴ stated that the unique nature and zoning of the land at Hopuhopu mean that it could well be amenable to a zoning approach, although the Panel made no directions as to this land and noted that this will be a matter for the parties to consider further and seek specific Directions from the Panel if and when considered necessary. The minute and directions from

¹ Submission number 286.

² Submission points 286.2, 286.3 and 286.17

³ Hearing number 4

⁴ Minute and direction dated 20 November 2019

the Hearings Panel on the hearings for rezoning requests⁵ stated that all rezoning requests apart from the Ohinewai rezoning, would be considered at the rezoning hearing. It was subsequently determined that consideration of the Hopuhopu submissions would occur as part of the rezoning hearing⁶.

4.7 Waikato-Tainui has worked with council staff throughout the development of the zoning provisions for the Hopuhopu site.

5.0 Background to the Hopuhopu site

5.1 I rely upon the evidence of Gavin Rhys Donald in relation to the history and background to the Hopuhopu site and the site's Te Wherowhero title.

5.2 The site was used as an army base prior to the land being returned through Waitangi Treaty Settlement under Te Wherowhero lands provisions⁷. Elements of this use are still in existence, including bunkers and other buildings associated with the army base. The current site development includes the parliament buildings for Te Whakakitenga o Waikato (the Waikato-Tainui parliament), the Waikato-Tainui Endowed College, meeting rooms, accommodation, storage and maintenance buildings, and residential development adjacent to the Waikato River. The balance of the site contains sports fields and facilities, and farmland. The site is utilised for large events on a regular basis, including the Tainui Games which is a bi-annual sports and entertainment event, with 26,000 people in attendance at the most recent event⁸.

6.0 Existing planning provisions for the Hopuhopu site

6.1 The Hopuhopu site contains four zones in the Operative Waikato District Plan – Rural, Pa, Living and Business (see Figure 1 below). The largest area, comprising the sports fields and other open space, is zoned Rural. The Endowed College and its grounds are in the Pa Zone. Living and Business Zones cover the existing housing and business areas.

⁵ Minute and direction dated 12 May 2020

⁶ Hearing 25

⁷ Te Wherowhero title was created as part of the Waikato Raupatu Claims Settlement Act 1995

⁸ <https://www.sportwaikato.org.nz/news/tainui-games-2020.aspx>

EVIDENCE OF SUSAN HENDERSON – Special Purpose Zone – Hopuhopu
 Proposed Waikato District Plan – Hearing 25

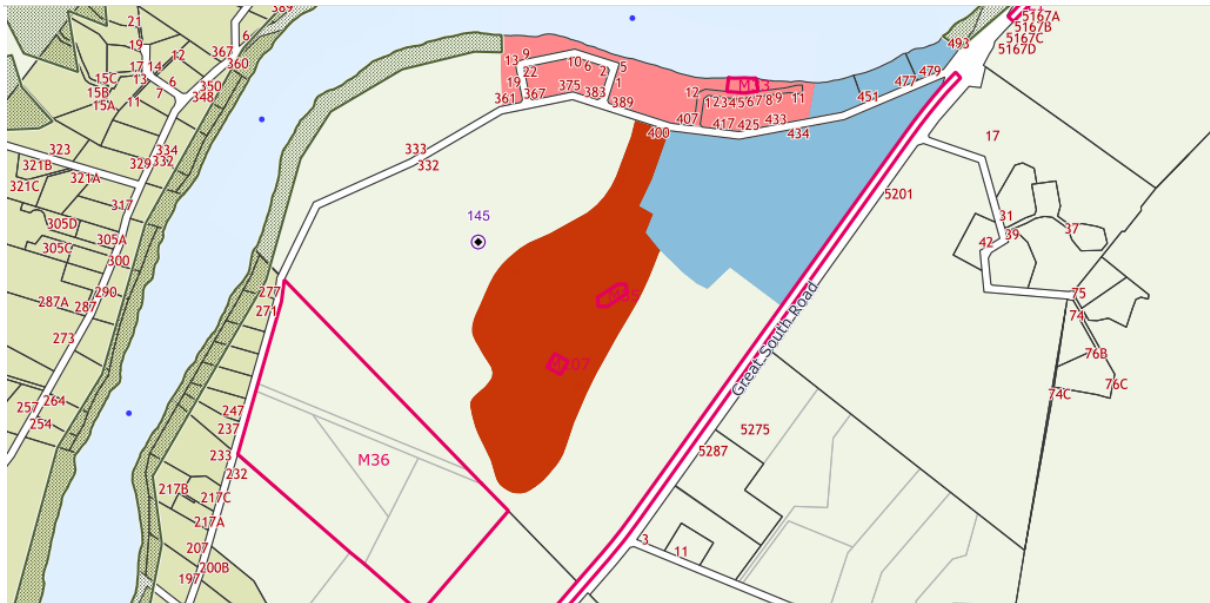


Figure 1 Operative District Plan map of the Hopuhopu site. Legend: Rural, Pa, Living, Business.

6.2 Under the notified version of the Proposed Waikato District Plan, all of the open space and the Endowed College area were re-zoned from Pa zone to Rural zone. The existing residential and business areas remained in the Residential and Business zones respectively (see Figure 2 below).




Figure 2 Proposed District Plan (Stage 1) map of the Hopuhopu site. Legend: Rural Zone, Residential Zone, Business Zone.

6.3 The Hopuhopu site contains two significant natural areas (SNAs) which are located along the riparian margin and extend into the Waikato River. Between the Endowed College and Old Taupiri Road there is a lake connected to the River via a gully.

6.4 The Proposed District Plan (Stage 2) identifies some areas adjacent to the river and gully as a High Risk Flood Area and Flood Plain (Figure 3).



Figure 3 Proposed District Plan (Stage 2) map of the Hopuhopu site. Legend:  High Risk Flood Area,  Flood Plain Management Area.

6.5 There is also a walkway/cycleway/bridleway notation which runs along the Waikato River connecting onto Great South Road near Taupiri in the North and ending 1km south of the site near Ray Road. In the Waikato District Council's Trails Strategy 2016 this is part of Track 659, a potential new route connecting Hakarimata, Huntly South, Taupiri, and Ngaaruawaahia. The walkway/cycleway/bridleway notation signals the intention to seek to secure this at time of subdivision. There is, however, no intention to subdivide the site.

6.6 There is a Significant Amenity Landscape (called Landscape Policy Area in the OWDP) over part of the site along the riparian margin of the Waikato River.

6.7 Most of the site is within the Hamilton Basin Ecological Management Area except a small portion in the north-western part of the Hopuhopu area.

6.8 The Hopuhopu Zone contains three designations (Figure 2). Designation M33 (water supply purposes) borders the Waikato River at Penny Crescent Reserve, Penny Crescent. Designations M35 (water supply purposes) and M107 (water reservoir) are located south of the Waikato-Tainui Endowed College within the Rural Zone (Pa Zone in the OWDP).

6.9 The OWDP indicates that heritage item 145 is located west of the former Pa Zone (Figure 1). The building/site name is Reverend Ashwell's Mission and it is a site of early mission. In the

PWDP this item has been removed – it is now item 75 but is only shown at the Hakarimata location outside of the Hopuhopu site. Waikato-Tainui have also sought, via a submission to the Proposed District Plan, the removal of a Pa site notation incorrectly shown on the Hopuhopu site which is actually located at 467 Hakarimata Road on the opposite side of the river.⁹

- 6.10 I agree with the Waikato-Tainui submission that the current Proposed Waikato District Plan provisions do not adequately provide for the current or future development of Hopuhopu. The Proposed District Plan zones are generic and designed to apply to multiple locations within the district. There are no objectives and policies specific to Hopuhopu in the district plan. Hopuhopu is a large site, the only site with Te Wherowhero title within the district, and the home of the Waikato-Tainui headquarters, parliament, Endowed College and existing residential, sporting and other built development including meeting rooms, storage, and maintenance buildings. In my view, the unique nature of this site lends itself to a more tailored approach, which would not be easily achieved through the existing zone provisions.
- 6.11 By re-zoning the Endowed College site from Pa zone in the OWDP, a zone which allows for a wide range of activities to occur as permitted activities, to Rural zone in the PWDP, there is significantly less ability to undertake future activities on the site as a permitted activity, and limited certainty as to the resource consent process given that the Rural zone does not specifically provide for a site such as Hopuhopu. The district-wide rules in the Tangata Whenua chapter, and the rules in individual zones relating to ‘marae complexes’ are not provided for at Hopuhopu as it is not Maaori freehold land or Maaori customary land. In my view, specific plan provisions are necessary to address this anomaly and recognise the unique nature of the Hopuhopu site, the current mix of uses, and the anticipated future uses.
- 6.12 The attached 32AA report concludes that a special purpose zone would be the most efficient and effective way to deliver the objectives.
- 6.13 Waikato-Tainui have worked together with council staff to develop the zone provisions for the Special Purpose Zone – Hopuhopu (SPZ-H). Waikato-Tainui have a vision for the future of the Hopuhopu site, as the home of Waikato-Tainui. The vision includes a multi-generational approach - provision for young and old – such as through educational and housing opportunities, business start-ups, and recreational opportunities.

⁹ Submission [286.18]

7.0 Framework s42A report - Rezoning Assessment Framework

- 7.1 The Framework s42A report¹⁰ sets out the framework for assessing zoning submissions on the PWDP. It sets out three lenses under which submissions will be assessed. I note that the Hopuhopu site is an existing site with urban zoning.
- 7.2 Lens 1 is an assessment of relevant objectives and policies in the PWDP. Lens 2 relates to alignment and consistency with higher order documents and Lens 3 is the assessment against best practice planning guidance.
- 7.3 I note that the Framework s42A report is primarily concerned with rezoning (e.g. from rural to a more intensive zoning) or ‘upzoning’ (a move to a more intensive zoning), which is not the case at the Hopuhopu site – it is already zoned for residential, business and mixed-use purposes. However, it is useful to consider the proposed approach for Hopuhopu under the Lenses within the Framework s42A report to ensure that all relevant considerations have been properly addressed.

8.0 Lens 1 – Assessment of Relevant Objectives and Policies in the PWDP

- 8.1 The relevant PWDP objectives and policies which apply under the framework report to any zone seeking to be re-zoned to a ‘special zone’ are outlined in Table 1 below.

Table 1	
Relevant PWDP Objectives and Policies	Any zone to ‘Special Zone’.
1. Growth occurs in defined growth areas (1.52(a)).	The Hopuhopu site is a brownfield site containing ‘urban environment’ zones under the PWDP.
6. Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic and environmental significance 1.12.8(b)(vi)	The SPZ-H provides for protection of significant features as per the notified PWDP.
9. Industry is only to be located in the identified Industrial Zones and the industrial strategic growth nodes of (i) Tuakau; (ii) Pokeno; (iii) Huntly; and (iv) Horotiu (4.1.6)	The Hopuhopu site is an existing business zone site with old military buildings currently used for a variety of uses including the Parliament buildings, meeting rooms, storage and maintenance. The proposed SPZ-H would provide for light industry as a way of providing for business start-ups. This would necessitate a change to this policy to acknowledge the Hopuhopu location.
22. Meets district wide rules and any overlays	The Hopuhopu site provides for the district-wide rules and relevant overlays as per the notified PWDP. Changes have been made to ensure as much consistency as possible with relevant s42A reports that have been heard since the

¹⁰ https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-25/hearing-25-framework-report/framework-report-19012021-final.pdf?sfvrsn=7fb48fc9_6

	beginning of hearings through to the preparation of the zone and submission of evidence in February 2020.
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8.2 In my view, the proposed SPZ-H provisions are consistent with the district plan objectives and policies listed in the Framework s42A report.

8.3 I note that the objectives and policies relating to the Tangata Whenua chapter of the Plan are being considered under a separate hearing¹¹ and therefore there may be changes to these objectives and policies. In terms of the notified strategic objective 2.11 (a) “To support Iwi aspirations to grow a prosperous, healthy, vibrant, innovative and culturally strong people” it is my view that the SPZ-H would be consistent with this strategic objective.

9.0 Lens 2 – Alignment and consistency with higher order documents

9.1 The Framework s42A report outlines the proposed approach in relation to higher-order policy and strategy documents including the Waikato Regional Policy Statement, the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao, Future Proof, Waikato 2070, the National Planning Standards, the National Policy Statement on Urban Development 2020, and the Vision and Strategy for the Waikato River. I take each of these in turn, noting the evidence of Gavin Rhys Donald which points out that the Vision and Strategy is the higher order document, in that it prevails over any inconsistent provision in a national policy statement or national planning standard¹². As such, the order of assessment of the documents should consider those higher-order documents first. However, for consistency, I will follow the order set out in the Framework s42A report.

9.2 Before assessing the alignment and consistency of the SPZ-H with the higher order documents, I first set out the requirements under the Resource Management Act 1991 (RMA 1991).

9.3 The RMA 1991 sets out the context within which decision-making on proposed district plans must be made. Of particular relevance are Part 2 (sections 5-8), sections 32 and 32AA (evaluation reports), section 74 (matters to be considered), and section 75 (contents of district plans). I assess each of these in turn below.

9.4 **Part 2 – Purposes and Principles of the RMA.** The purpose of the Act is to promote the sustainable management of natural and physical resources. The Environmental Defence Society Inc v New Zealand King Salmon Co Ltd [2014] NZSC 38 case provides guidance in the application of Part 2 of the Act. The Framework s42A report outlines this case and more recent

¹¹ Hearing 4 – Tangata Whenua, Whaanga Coast and Maaori Freehold Land

¹² Section 12 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

case law which make it clear that, in assessing proposed plans and plan changes decision-makers are required to expressly consider whether the plans “give effect to” the higher-order planning documents¹³. If the Regional Policy Statement has generally been prepared in accordance with Part 2 there is no need to have recourse to provisions in a higher-order planning document. The Framework s42A author considers that the PWDP is not inconsistent with or not giving effect to the WRPS but that in its notified form it does not ‘give effect to’ the recently notified National Policy Statement on Urban Development (NPS-UD)¹⁴.

9.5 I agree that the Waikato Regional Policy Statement has generally been prepared in accordance with matters in Part 2 of the RMA and in relation to the Hopuhopu site does not provide incomplete coverage, is not invalid and does not have uncertainty of meaning. I comment further on the NPS-UD below at paragraphs 9.20 – 9.23.

9.6 Sections 32 and 32AA require evaluation reports to be prepared when preparing a proposal. The Hearings Panel have directed that the proponent of the rezoning request should submit evidence, including a section 32AA assessment¹⁵. As such, a section 32AA report has been prepared to satisfy this requirement and is attached to my evidence as Attachment Seven. The evaluation undertaken in the section 32AA report concludes that the rezoning of land to ‘Special Purpose Zone – Hopuhopu’ is the most efficient and effective method of achieving the objectives for the land. I rely upon the analysis and conclusions in the s32AA report and in my view the proposed objectives represent the most appropriate way to achieve the purpose of the Act, and the provisions are the most appropriate way to achieve the objectives.

9.7 Section 74 of the RMA sets out matters to be considered by a territorial authority in preparing and changing its district plan. Amongst other requirements, district plans must be prepared in accordance with national policy statements and national planning standards¹⁶ and shall have regard to any management plans and strategies prepared under other Acts¹⁷. Relevant planning documents recognised by an iwi authority and lodged with the territorial authority must be taken into account¹⁸. These matters are addressed below.

9.8 Section 75(3) of the RMA states that the PWDP must ‘give effect to’

- Any national policy statement;
- Any national planning standard; and

¹³ Framework s42A report, paragraphs 84-95

¹⁴ Framework s42A report, paragraph 93.

¹⁵ Hearing Panel direction for rezoning hearings, 12 May 2020

¹⁶ Section 74 (1)

¹⁷ Section 74(2)(b)

¹⁸ Section 74(2A)

- Any regional policy statement.
- 9.9 Each of these matters is addressed in turn in the following sections of the report, following the order set out in the Framework s42A report.
- 9.10 **Waikato Regional Policy Statement:** The relevant regional policy statement is the Waikato Regional Policy Statement 2016 (WRPS). An assessment as to how the proposal gives effect to the Waikato Regional Policy Statement is set out in the attached section 32AA report and I do not repeat that here.
- 9.11 **Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao:** Tai Tumu, Tai Pari, Tai Ao, the Waikato-Tainui Environmental Plan intends to support the participation of Waikato-Tainui in environmental management. It is an iwi planning document created by Waikato-Tainui with statutory status under section 74(2A) of the RMA which requires that territorial authorities must take into account any planning document recognised by an iwi authority and lodged with the council when changing a district plan, to the extent that it has a bearing on resource management issues of the district.
- 9.12 Tai Tumu, Tai Pari, Tai Ao has been taken into account in the drafting of the SPZ-H provisions. Tai Tumu, Tai Pari, Tai Ao recognises Hopuhopu for its potential to develop domestic and international tourism as Hopuhopu is a location for active recreation such as rugby league. Waikato-Tainui emphasise the importance to their economic, social, cultural and spiritual health and wellbeing of the ability to live in papakaainga as Waikato-Tainui. It is envisioned that this will occur on Maaori land as well as general title land in rural and urban locations. Waikato-Tainui promote an ‘enhancement’ approach that considers the environment holistically and seeks to create positive ecological and social outcomes through resource use and activities.
- 9.13 Whilst the entirety of Tai Tumu, Tai Pari, Tai Ao is relevant, the provisions set out in the attached section 32AA report are of particular importance to the proposal.
- 9.14 **Future Proof Growth Strategy 2017:** Future Proof 2017 can be given weight under section 74(2)(b)(i) of the Act which directs that when preparing or changing a District Plan, district councils shall have regard to any management plans and strategies to the extent that their content has a bearing on resource management issues of the district. The Framework s42A report considers the relative weighting of the original (2009) Future Proof Strategy and the reviewed strategy from 2017 and states that the opening legal submissions for the Waikato District Council stated that “once adopted, as a non-statutory document, the Hearings Panel can give [the 2017 Future Proof review] such weight as it considers appropriate but can only

amend the PDP to reflect the outcomes in the Future Proof Review if there is scope within submissions to do so”¹⁹.

- 9.15 In relation to the Hopuhopu site, I do not believe there is any inconsistency between Future Proof 2009 and Future Proof 2017. The site is outside of the indicative village/urban limits in the 2009 and 2017 strategies, but is a site already zoned for urban uses. Future Proof 2009 identifies that Future Proof needs to align with current tangata whenua documents, including Whakatapuranga Waikato-Tainui 2050 and the Waikato-Tainui Environmental Strategy²⁰. Future Proof 2017 seeks to support the outcomes and priorities in the Waikato Plan including taking opportunities to build on economic, social, and cultural partnerships with iwi/Maori, and enabling iwi/Maori to live, work, learn, invest and play within their own rohe²¹.
- 9.16 **Waikato 2070:** Waikato 2070 is the district’s growth and economic development strategy adopted in May 2020 following a Special Consultative Procedure under the Local Government Act 2002. The Framework s42A report specifies that the Hearings Panel is required to have regard to Waikato 2070 as per RMA section 74(2)(b)(i)²². One of the focus areas relates to ‘embracing our identity’²³, which includes the direction to partner with local iwi to help realise their social, cultural, economic and environmental aspirations. The provision of the SPZ-H is in accordance with this direction. The strategy includes the Ngaaruawaahia Development Plan in which Hopuhopu is identified as a Special Activity Precinct with a development timeframe of 1-3 years. The proposed SPZ-H aligns with the direction provided in the Waikato 2070 strategy.
- 9.17 **Planning Standards:** The Ministry for the Environment issued the first set of National Planning Standards in November 2019. Their purpose is to make the planning system more efficient and effective by standardising elements of statutory planning documents such as structure, format and content. The Standards do not seek to alter the effects and outcomes of plans and policy statements. Section 75(3)(ba) of the RMA states that a district plan must give effect to any national planning standard. The Standards allow for special purpose zones (SPZ). According to the Zone Frameworks²⁴ an SPZ must only be created if its proposed land use activities or anticipated outcome meet all of the following criteria:

¹⁹ Opening Legal Submissions by counsel for Waikato District Council, Bridget Parham, 23 September 2019, quoted in the Framework section 42A report at paragraph 120

²⁰ Future Proof 2009, Key approaches section 8.33.3

²¹ Future Proof 2017, Tangata whenua section 13.1

²² Framework section 42A report, paragraph 130

²³ Waikato 20170, section 03.3

²⁴ Standard 8, Mandatory direction 3

a. are significant to the district, region or country

b. are impractical to be managed through another zone

c. are impractical to be managed through a combination of spatial layers.

- 9.18 The SPZ-Hopuhopu aligns with these three criteria. The draft zone uses the District Plan Structure Standards terminology and unique identifier, and follows the mandatory numbering system. Planning standards definitions are used wherever possible where these align with other recommendations made in other s42A reports for the Proposed District Plan.
- 9.19 It is understood that there is a separate piece of work being undertaken by Waikato District Council to ensure alignment of the entire Proposed District Plan with the planning standards. Where necessary, further changes may be required to the Special Purpose Zone – Hopuhopu, in order to align with the overall approach to the implementation of the planning standards to ensure consistency across the Proposed District Plan.
- 9.20 **National Policy Statement for Urban Development:** The National Policy Statement on Urban Development 2020 (NPS-UD) came into effect on 20 August 2020, replacing the National Policy Statement on Urban Development Capacity 2016. Its purpose is to set out the objectives and policies for planning for well-functioning urban environments under the RMA and to ensure the adequate provision of developable land.
- 9.21 Under the NPS-UD, Waikato District Council is a Tier 1 local authority. Tier 1 local authorities are required at all times to provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term and long term.
- 9.22 As noted in the Framework section 42A report²⁵, the Panel must ensure its decisions on submissions give effect to the NPS-UD where scope is afforded in submissions. The Framework section 42A report summarises three key directives from the NPS-UD as being intensification, responsive planning, and the removal of minimum parking standards in district plans²⁶.
- 9.23 The NPS-UD policies generally apply to urban environments that have or plan to have more than 10,000 residents. Hopuhopu is a brownfield site, which already contains a mix of uses and has urban zoning. Further development at Hopuhopu will contribute towards Waikato District Council's response to meeting the NPS-UD requirements by providing for a variety of homes and businesses on a site already zoned for urban uses. A summary of how the proposed SPZ-H meets the NPS-UD is set out in the section 32AA report.

²⁵ Framework section 42A report, paragraph 152.

²⁶ Framework section 42A report, paragraph 146.

- 9.24 **Vision and Strategy for the Waikato River, Te Ture Whaimana o Te Awa o Waikato:** The Waikato Raupatu Claims (Waikato River) Settlement Act 2010 has the overarching purpose to restore and protect the health and wellbeing of the Waikato River, and gives effect to the Deed of Settlement signed by Waikato-Tainui and the Crown on the 17 December 2009. Section 9(2) of the Settlement Act provides for the statutory recognition of Te Ture Whaimana o Te Awa o Waikato – The Vision and Strategy for the Waikato River. Te Ture Whaimana applies to the Waikato River and activities within its catchment that affect the River. Te Ture Whaimana is intended to be the primary direction-setting document for the Waikato River and activities within its catchment affecting the River and prevails over other policies and plans affecting the Waikato River. Relevant policies, plans and processes cannot be amended so that they are inconsistent with Te Ture Whaimana and must be reviewed and amended, if required, to address any inconsistencies.
- 9.25 Te Ture Whaimana reflects the vision of Waikato-Tainui for the River and their relationship with it.
- 9.26 Of particular relevance, objective b) seeks “the restoration and protection of the relationships of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships”.
- 9.27 Strategy g) is “the restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships”.
- 9.28 Waikato-Tainui throughout the PWDP hearings have sought to ensure that decisions made on the PWDP give greater effect to Te Ture Whaimana. It is important to Waikato-Tainui that they are leaders in this space and the proposed SPZ-H and the precinct layout has been deliberately designed to do this. Where there was potential for conflict between the design of the development and Te Ture Whaimana, Waikato-Tainui have amended the design to give effect to Te Ture Whaimana.
- 9.29 Further developing the Hopuhopu site will enable Waikato-Tainui to live near the River and contribute to restoring their cultural and spiritual relationship with the River. Objectives and policies seek to ensure that the site layout responds to the River and ensures that the heart of the development will be located in a way that creates strong visual and physical links to the Waikato River. Rules in the SPZ-H will ensure appropriate setbacks and earthworks provisions are provided for. Chapter 14 of the PWDP contains requirements in relation to stormwater,

including reference to the Regional Technical Specifications which include provisions for low impact urban design features.²⁷

9.30 Waikato Tainui has made submissions to the Waikato District Plan which seek that changes are made throughout the District Plan to more appropriately give effect to the Vision and Strategy²⁸. The outcome of the hearings and decisions on these submissions may result in changes to the PWDP which would result in further changes that would also apply to the SPZ-H.

9.31 **Non-statutory documents**

9.32 Whakatapuranga 2050: Whakatapuranga 2050 is the long-term development approach and the blueprint for Waikato-Tainui for cultural, social and economic advancement of tribal members. It seeks to build capacity at an iwi, hapuu, and marae level over fifty years. The approach builds on the strategic objectives of Kiingitanga, tribal identity and integrity, tribal success, and tribal social and economic wellbeing.

9.33 With regard to tribal identity and integrity, it is a key priority to provide maximum support for their kaumaatua, the caretakers of Waikato-Tainui maatauranga, and to preserve heritage. One element of Whakatapuranga 2050 focuses on developing the tribal assets to achieve socio-economic independence which aligns with the vision from Kiingi Taawhiao “Maaku anoo e hanga tooku nei whare...’ – to build our own house in order to face the challenges of the future; and including our Mission ‘Kia tupu, kia hua, kia puaawai’ - to grow, prosper and sustain” (p. 2). The four objectives underpin all tribal aspirations and drive Te Ara Whakatapuranga 2050: The Five Year Plan FY20 to FY24.

9.34 The Hopuhopu Special Purpose Zone will contribute to the Whakatapuranga vision and the five year plan, including through contributing to advancing social development, developing economic capacity, contributing to education and training opportunities, leading environmental programmes, and providing housing opportunities support to tribal members. A key aspect of the vision for the Hopuhopu site is that all generations, from kaumaatua to tamariki will be provided for.

9.35 Metropolitan Spatial Plan: The Metropolitan Spatial Plan (MSP) sets out the vision and framework for how the Hamilton-Waikato metro area (i.e. the urban sub-region of the Waikato) will grow over the next 100+ years. The MSP was informed by targeted consultation with key stakeholders and was developed as the first Crown-Iwi-Council spatial

²⁷ Waikato-Tainui has made submissions to the Waikato District Plan to ensure that changes are made throughout the District Plan to appropriately recognise the Vision and Strategy.

²⁸ For example, submission points [286.7], [286.14], [286.15], [286.21], [286.27], [286.32], [286.33], and [286.34].

plan through a partnership approach. It represents the current strategic direction for the Metropolitan area incorporating the area from Taupiri to Te Awamutu.

- 9.36 The MSP identifies Taupiri/Ngaaruawaahia/Hopuhopu as a priority development area along the Northern Corridor of the MSP area. The MSP acknowledges that the Maaori economy is one of the key pillars of the Waikato region's prosperity, with Hopuhopu being a spatial priority for iwi. A key feature of the MSP is enabling iwi aspirations by supporting the recognition of the housing and strategic economic centre at Hopuhopu among others, including the development of marae. This feeds into the transformational move of supporting iwi to embrace social and economic opportunities within the metro area particularly in Hopuhopu. The MSP envisions that Hopuhopu will strengthen its role as headquarters of Waikato-Tainui and the home of the Waikato-Tainui Endowed College. Central to achieving taangata whenua aspirations will be to enhance the environmental health of the Waikato River in accordance with Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy for the Waikato River. The SPZ-H is consistent with the direction provided in the MSP.

10. Lens 3 – Best practice planning guidance

- 10.1 The Framework section 42A report requires an assessment against a set of best practice planning guidance criteria. This third lens is only to be used where submissions are considered favourable following assessment under the first two lenses. It is my view that the proposal can be viewed favourably under the first two lenses as set out above. As such, an assessment of how the proposed approach meets the best practice planning guidance set out in the Framework s42A report has been undertaken and is included in the section 32AA report.

11. Proposed Special Purpose Zone – Hopuhopu

- 11.1 It is proposed to insert a new zone into the Proposed District Plan for the Hopuhopu site known as the 'Special Purpose Zone – Hopuhopu' (SPZ-H). This will replace the proposed 'Rural', 'Business' and 'Residential' zones on the site. The zone will only apply to the Hopuhopu land owned by Waikato-Tainui. The SPZ-H includes five specific precincts, each of which provides for a defined range of activities in line with the Waikato-Tainui vision for the site. The Zone and precincts are shown on the map attached as Attachment Three of my evidence and are as follows:

- PREC1 - Hopuhopu Residential Precinct;

- PREC2 - Hopuhopu Education and Conference Precinct;
- PREC3 - Hopuhopu Business Precinct;
- PREC4 - Hopuhopu Open Space Precinct;
- PREC5 – Hopuhopu Mixed Use Precinct.

- 11.2 The approach is based on the existing zones that apply to the site, but more clearly defines where activities can occur and is more deliberate about which precincts activities can occur within. The boundaries of the precincts have been developed to take into account existing and future development and site features. A more detailed assessment of the defensible precinct boundaries is provided in the Section 32AA report.
- 11.3 Consequential amendments are required in Chapter 14 and Chapter 29 to ensure that where there are provisions specific to existing zones, the Special Purpose Zone – Hopuhopu is properly referenced. Further, changes are required in Chapter 13 (Definitions).
- 11.4 The draft set of plan provisions including objectives, policies, rules, definitions and consequential amendments to other chapters within the PWDP are attached as Attachments One, Two, Four, Five and Six to my evidence.
- 11.5 Objectives: The SPZ-H includes five objectives that apply to the entire site and intend to support the development of a tribal hub that aligns with the unique nature of the Hopuhopu site and allows Waikato-Tainui to promote its spiritual, educational, cultural, social, economic and environmental interests. A particular focus is on strengthening the function of the site as the administrative and educational headquarters of Waikato-Tainui. Development will need to be compatible with the special nature of the site and its location by the Waikato River. It is intended that the objectives enable a range of land use activities in specific precincts while ensuring the adverse effects are avoided, remedied, or mitigated. In my opinion, with reference to the section 32AA report, having separate objectives for Hopuhopu is the most appropriate way to achieve the purpose of the Act. In my view the objectives clearly define the outcomes sought for the Zone.
- 11.6 Policies: The SPZ-H includes policies which outline the approaches to be taken in order to meet the objectives for the zone. There are several general policies which apply across the site, and a number of policies tailored for each Precinct. The policies establish the five precincts and broadly define compatible activity types. The policies seek to establish a well-designed development with high amenity values that is in accordance with tikanga Maaori and the special character of Hopuhopu whilst minimising adverse effects. The policies seek to ensure adequate infrastructure will be in place to support this development.

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- 11.7 **Rules:** The Zone is divided into precincts which contain specific rules as outlined below.
- 11.8 **PREC1 - Residential:** The Residential Precinct largely reflects the existing provisions in the operative Residential and proposed Living zones. The ability to undertake papakaainga housing was limited under the Proposed Plan because the definition of Maaori land did not include land held in Te Wherowhero title²⁹. Therefore, the Residential Precinct makes provision for papakaainga and kaumaatua housing as separate defined activities.
- 11.9 The density of residential development is limited to a yield equivalent to an average of one residential unit per 450m² which will ensure that density is commensurate with what could have been envisaged under the operative and proposed district plan provisions.
- 11.10 PREC1 is more specific than the operative or proposed district plans about the types of residential activities that can occur. PREC1 does not provide specifically for community activities as these will generally occur in other precincts nearby. Likewise, retirement villages are not specifically provided for as a separate activity. Instead, kaumaatua housing includes services and facilities for the care and benefit of residents such as rest home and hospital facilities.
- 11.11 Around half of the existing residentially-zoned land will become part of the Mixed Use Precinct, with an area to the west which is currently zoned rural becoming part of the Residential Precinct to take its place. The total area of PREC1 will be around 16.4 ha.
- 11.12 **PREC2 – Education and Conference:** The provisions in the Operative Pa zone are to be reinstated to some extent but with a more limited range of activities, to reflect the existing and proposed use of that part of the area as the Endowed College. This allows more certainty as to the type of activities that may occur there.
- 11.13 The Operative Pa zone is a permissive zone with most activities able to be undertaken in this zone subject to effects being avoided, remedied or mitigated by way of building and effects rules. The proposed Education and Conference Precinct is more specific to the types of uses to occur in and around the Endowed College site and therefore many of the commercial, business and light industry uses that could have occurred under the Operative Pa zone have been removed from permitted activity status within this precinct and will instead be directed towards the Business and Mixed Use precincts as applicable. This will provide flexibility to ensure the area can continue to function in its current role whilst allowing for expansion in

²⁹ Broader district plan matters relating to Maaori land are being addressed separately through Hearing 4 proceedings including a stand-alone Maaori land chapter. This approach will include settlement land but will expressly exclude the Special Purpose Zone – Hopuhopu.

- the future. It will also provide certainty as to the types of activities that will occur in this part of the site.
- 11.14 The boundaries of the precinct will primarily match that of the Operative Pa Zone, with a slight reconfiguration so that it follows physical features on the ground such as the existing accessway and lake on site. This is consistent with the approach promoted through the Framework section 42A report.
- 11.15 **PREC3 - Business:** The operative and proposed district plans both allow for a wide range of activities in the Business zone. The proposed Business Precinct retains many of these activities but has a more tailored list of permitted activities. Education and child-care facilities are to be provided elsewhere on the site and as such are not provided for in this precinct. Additional activities not previously listed in either the operative or proposed district plans include trade and industry training activities and light industry. This is to provide for opportunities for new business start-ups and incubators which may include workshops as an example. A new definition of 'light industrial' activities for the Hopuhopu site would mean that such activities would be generally of a small scale and would need to be located predominantly indoors so as to ensure they are unlikely to give rise to adverse effects beyond the site.
- 11.16 The operative and proposed plans both provide for office and commercial use in the Business Zone. PREC3 continues to provide for these uses but over a smaller area. The Operative District Plan provided for around 23.7 ha of business-zoned land on this site (this excludes the business zoned area which is part of the Council-owned land on the riverside). The proposed PREC3 would be around 15.1 ha in area.
- 11.17 **PREC4 – Open Space:** PREC4 is zoned "Rural" in the operative and proposed plans. Some changes are proposed to more clearly provide for the existing uses on the site which are partly rural in nature and partly related to the existing sports fields and other events that occur in that part of the site. Additionally, specific activities which are envisioned for this part of the site, including a wholesale plant nursery, carvers' workshop, and environmental education facility, are provided for. Other activities previously provided for in the Proposed District Plan, such as forestry and equestrian activities, are not provided for as permitted activities as these are not envisaged to occur on the site.
- 11.18 **PREC5 – Mixed Use:** This precinct will be the heart of the Hopuhopu area and is to provide for a mix of residential (primarily kaumaatua housing), cultural (Whare Taonga/museum), and administrative uses (Waikato Tainui headquarters and offices), along with potential for a small convenience retail and café.

- 11.19 Part of this precinct was zoned Living/Residential and part was zoned Business under the operative and proposed district plans. The total area proposed for PREC5 is approximately 8.5ha. The combined areas of the Business and Mixed Use precincts is approximately 23.6 ha, slightly smaller than the Operative Business zone area.
- 11.20 Definitions: Planning standards definitions have been used throughout the zone wherever possible. Definitions have also been aligned with the recommendations from the s42A report for the Definitions chapter (Hearing 5). Several new definitions will be added to the Proposed District Plan in order to enable specific activities in Hopuhopu which reflect Waikato-Tainui aspirations.
- 11.21 In the Proposed District Plan, provisions for marae complexes apply to Maaori customary or freehold land only. New definitions for the Hopuhopu site will provide for distinct cultural activities on general title land in specific Hopuhopu Precincts rather than enabling entire marae complexes across the whole site.
- 11.22 The SPZ-H will also include definitions for crafting workshop (Hopuhopu), home business (Hopuhopu), indoor recreation (Hopuhopu), koohanga reo, kaumaatua housing (Hopuhopu), light industry (Hopuhopu), organised recreation (Hopuhopu), papakaainga (Hopuhopu), plant nursery (Hopuhopu), tuuaahu, visitor accommodation (Hopuhopu), waharoa, and whare taonga. Of note, where these definitions will only apply in the SPZ-H this will be indicated by adding '(Hopuhopu)' to each new defined term. This approach will ensure that it is clear when administering the Proposed District Plan that these activities are specific to the Special Purpose Zone - Hopuhopu. This is generally either because the definition is specific to the site (e.g. crafting workshop) or because a more general definition from elsewhere in the Proposed District Plan (e.g. visitor accommodation) includes specific words which do not apply to the Hopuhopu site (e.g. the use of the word 'tariff' in relation to visitor accommodation, which may not apply in Hopuhopu because visiting kaumaatua may not be required to pay a daily tariff to stay in the accommodation).
- 11.23 **Subsequent amendments:** The rules in the SPZ-H have been aligned as closely as possible to changes that have been recommended in s42a reports to date. However, in some cases there is a lack of consistency of approach within various s42a reports across multiple zones. Additionally, I understand that there will be a separate piece of work undertaken to ensure consistency of approach in relation to the application of Planning Standards across the whole of the PWDP. I acknowledge and accept that the Hearings Panel will need to consider a consistent approach to the requirements of the planning standards and recommendations in other section 42a reports, including the definitions chapter and Chapter 14 (Infrastructure),

as a whole and may need to make subsequent changes to Zone chapters in order to ensure consistency. For example, the draft SPZ-H chapter attached contains a number of comments where it has been identified that further changes may occur as a result of other hearings. Such consequential changes would not hamper the proposal or development of the zone.

12. Site features and servicing

- 12.1 I note that Hopuhopu is a brownfield site, with existing urban zoning, and existing services to the site, including three-waters services. Site investigations have been undertaken in relation to the future development of the site by the Bloxham, Burnett and Olliver team on behalf of the Waikato-Tainui Hopuhopu project team in order to provide an assurance that the proposed further development of the site in accordance with the SPZ-H zone provisions can be serviced and that appropriate provisions are in place to address future servicing requirements and site features.
- 12.2 Site investigations have included traffic and transport, three-waters, geotechnical, archaeological, ecological, contamination and alligator weed. I am unable to attach the detailed reports to my evidence because they contain confidential details relating to the development of the site. However, I have summarised the conclusions from the reports below.

Traffic and Transport

- 12.3 An initial transportation assessment has been prepared by traffic engineers at Bloxham, Burnett and Olliver on behalf of the Waikato-Tainui project team. The assessment has considered the existing network of roads, public transport and walking and cycling infrastructure, and the potential effects of future development at the Hopuhopu site.
- 12.4 The existing network of public roads within and surrounding the Hopuhopu site includes Great South Road, Old Taupiri Road, Ashwell Crescent and Penny Crescent. Great South Road is currently classified as a Regional Arterial in the OWDP and is proposed to be classified as an Arterial Road in the PWDP. Old Taupiri Road is classified as a Local Road in the OWDP and PWDP. Both Ashwell Crescent and Penny Crescent are classified as Local Roads in the OWDP and PWDP.
- 12.5 There are two bus stop facilities within the Hopuhopu site on the southern side of Old Taupiri Road. The bus stops are currently used by a local school bus service and bus service for the Waikato-Tainui Endowed College. There is a bus stop adjacent to the site, at the intersection

- of Great South Road and Fox Road, for the 21 Northern Connector bus route which is a regional bus service operated by BUSIT between Hamilton and Huntly/Te Kauwhata and Pukekohe.
- 12.6 The traffic assessment states that the existing residential area is well serviced by walking and cycling facilities with footpaths provided on both sides of Ashwell Crescent and on the southern/eastern side of Penny Crescent, and along sections of the northern side of Old Taupiri Road.
- 12.7 The initial traffic effects assessment undertaken by Bloxham, Burnett and Olliver is based on a modelled scenario for a fully developed Hopuhopu site. This assessment concludes that the overall transportation effects on the adjoining road network with the introduction of the proposed Hopuhopu rezoning are expected to be moderate but able to be managed and mitigated to an acceptable level.
- 12.8 The assessment is that the impact of the proposal on the capacity and efficiency of the surrounding road corridors is expected to be negligible, with ample spare capacity to accommodate the traffic volumes associated with the proposed development.
- 12.9 The northern intersection, at Great South Road/Old Taupiri Road is expected to operate at acceptable levels of service and safety and the traffic engineer recommends no capacity or safety upgrades are likely to be required at that intersection.
- 12.10 The performance of the southern intersection, at Great South Road/Old Taupiri Road, is expected to deteriorate over time and capacity upgrades may be required. There is other development occurring or planned in the vicinity that could also affect the performance of that intersection. Additionally, the Hopuhopu site is a brownfield site, already zoned for urban uses, and additional traffic generation could occur under the operative and proposed district plan rules. However, the traffic assessment concludes that there should be the ability to consider cumulative traffic impacts at certain points in the Hopuhopu development. As such, an additional rule has been drafted which would be inserted into Chapter 14 of the PWDP to ensure that traffic generation above certain limits will require further consideration by way of a restricted discretionary consent. This would allow a certain amount of development to occur on the Hopuhopu site, above which a resource consent would be required to ensure that cumulative traffic impacts could be assessed. Attachment Four to my evidence contains the proposed rule framework to ensure traffic impacts are adequately addressed.
- 12.11 In relation to carparking, Table 14.12.5.7 of the PWDP lists the required parking ratios and resource consent would be needed if these were not met. Of importance to note is that the minimum parking requirements set in the PWDP will likely be affected by the National Policy Statement for Urban Development (NPS-UD). Clause 3.38 of Part 3 of the NPS-UD states that:

“If the district plan of a tier 1, 2, or 3 territorial authority contains objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks”.

- 12.12 On this basis, the minimum parking rates in the PWDP would likely no longer be applicable at the time of development.
- 12.13 The Bloxham, Burnett and Olliver traffic engineering assessment notes that the anticipated walking and cycling infrastructure within the Hopuhopu site could readily be extended and connected with the existing on-road walking facilities in the surrounding area.

Geotechnical

- 12.14 An initial geotechnical investigation has been undertaken for the site by CMW Geosciences. Liquefaction risk has been assessed as insignificant to mild for the residential areas of the site and mild to moderate for the business areas. The report notes that suitable foundations will be required to accommodate this. Setbacks of 5 metres from the crest of slopes are recommended. All structures requiring building consent must be located entirely upslope of the building restriction line unless supported by further geotechnical investigation and/or assessment by a Chartered Professional Geotechnical Engineer.
- 12.15 Earthworks are expected to be relatively straight forward using conventional earthworks equipment and techniques. Areas of uncontrolled fill on the site have been identified and are not suitable for buildings. These would need to be fully undercut and subject to inspection by a geotechnical engineer prior to backfilling with compacted engineered earth fill. Further earthwork recommendations will be provided during detailed design and full earthworks specification issued at the time of earthworks consent application.

Three-Waters

- 12.16 A high-level assessment of the existing and future water, wastewater and stormwater infrastructure needed for the redevelopment of the Hopuhopu site has been undertaken by Bloxam Burnett and Olliver. Since 2009, significant investments have been made upgrading the potable water infrastructure in this area with new mains and connections in Hopuhopu installed by Council. A new main has also been installed by Waikato-Tainui around the sports park.
- 12.17 Wastewater: Based on the assessment of future demand undertaken, all gravity pipes other than the pipe receiving water from the Endowed College will need to be replaced. The two

pumping stations have the ability to service the new development. The Bloxham Burnett and Olliver engineers met with Watercare to discuss the proposal. Watercare have not indicated any concerns with the capacity of the wastewater treatment plant to service the Hopuhopu development given the type of development proposed, being a brownfield site with no proposals for wet industry.

- 12.18 Water: Water infrastructure on site was replaced in 2018. Watercare have indicated there is spare capacity in the 200mm diameter watermain that runs past the site and that there are no issues with the size of the bulk reservoir on site. Watercare have advised that there is sufficient capacity in the trunk water supply pipes to supply the proposed development.
- 12.19 Stormwater: There are four catchments on site. The onsite pond provides treatment for one catchment. Treatment will need to be provided for the other three catchments. The Bloxham Burnett and Olliver engineering assessment, based on the high-level hydrologic modelling, concludes that the stormwater management of the proposed development will be able to achieve water quality treatment and be in general accordance with the WRC and WDC requirements.
- 12.20 Flooding: The Stage 2 Hazards map is included in the section 32AA report, and shows the anticipated extent of flooding in a 1% AEP event. The Bloxham Burnett and Olliver project engineering team has confirmed that the 1% AEP flooding extent has been taken into account in the development of plans for the Hopuhopu site and all development will be able to be accommodated outside of this extent.

Archaeological

- 12.21 A series of probable and possible borrow pits identified from historic aerial photographs and LiDAR data has been further investigated through a soil auger survey which confirms the presence of Maaori-made soils in one area of the site.
- 12.22 Recorded and unrecorded archaeological sites are subject to the Heritage NZ Pouhere Taonga Act. Waikato District Council have made a submission on the district plan seeking an advisory note to this effect.³⁰ In order to be consistent with the overall plan approach, it is proposed to add an advice note to the SPZ-H to ensure that the requirements under that Act are highlighted in relation to this area. The area has been shown on the zoning map for the SPZ-H as an 'Indicative Borrow Pit and Maaori-Made Soils Overlay'.

Ecological

³⁰ Waikato District Council submission point [695.331]

- 12.23 An initial assessment has been undertaken by Bluewattle Ecology (Kessels and Associates Ltd). The site contains patches of vegetation and exotic trees likely provide habitat for a number of indigenous birds as well as possibly habitat for pekapeka (long-tailed bats) and perhaps mokomoko (lizards) such as copper skink. It is currently unknown as to whether long-tailed bats are present on the site. The ecological assessment suggests that if carefully designed, unresolved ecological matters are unlikely to result in residual adverse ecological effects which cannot be avoided, remedied, mitigated or offset through sympathetic urban design and adopting best practice during construction. To support consent applications, further detailed survey work is recommended, including bioacoustic surveys for bats.
- 12.24 It is noted that the proposed SPZ-H contains rules relating to clearance of vegetation inside and outside of SNAs, in line with the approach taken throughout the Proposed District Plan. PWDP Hearing 21a is considering the submissions relating to SNAs and to long-tailed bats. It is understood that the approach to be taken throughout the District Plan in relation to long-tailed bats will be determined as part of that hearing.

Contamination

- 12.25 A preliminary site investigation report has been prepared by 4-Sight Consulting Ltd in relation to known and potential contamination at the site. This has identified a range of HAIL activities that are known to have been undertaken, or are considered likely to have been undertaken, at selected locations within the site. It is considered likely that consent will be required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. Additionally, consent may be required under the Waikato Regional Plan section 5.3.

Alligator weed

- 12.26 Alligator weed has been identified in an area in the same vicinity as the borrow pits identified above. Alligator weed is an eradication pest plant managed by the Waikato Regional Council under the Waikato Pest Management Plan 2014-2024. Waikato Regional Council had identified an area of the site as a restricted place. This area is within the overlay area shown on the site plan in relation to the 'Indicative Borrow Pit and Maaori-Made Soils Overlay'. A recent survey undertaken by the Waikato Regional Council found a few small patches of alligator weed but the size of the infestation area is small in relation to the size of the restricted place. It is understood that a process is underway to remove the restricted place as a result of this recent monitoring. Management of alligator weed will still be required in accordance

with the Waikato Pest Management Plan 2014-2024, and an advisory note has been added to the SPZ-H to highlight this requirement.

13. Conclusions

- 13.1 The Hopuhopu site is a brownfield site with existing urban zoning. The zoning of both the OWDP and PWDP do not provide clarity as to the future uses of the Hopuhopu site. The PWDP zoning does not provide for cultural activities commonly associated with marae complexes and rezoning a portion of the site from Pa Zone to Rural has further limited the opportunities to develop the site. The current approach does not provide certainty for Waikato-Tainui or the wider community as to the outcomes sought for the site.
- 13.2 The SPZ-H does not seek to ‘up-zone’ the site but is based on the existing zones that apply to the site, but with clearer definition as to what activities can occur where within the site.
- 13.3 The capacity to service the site has been investigated and confirmed.
- 13.4 In my opinion the proposed SPZ-H satisfies the statutory requirements under the RMA and statutory planning documents and would address the Waikato-Tainui submissions.

Attachments

Attachment One: Special Purpose Zone – Hopuhopu - Objectives and Policies

Attachment Two: Special Purpose Zone - Hopuhopu - Rules

Attachment Three: Special Purpose Zone – Hopuhopu - Map

Attachment Four: Consequential amendments to Chapter 14

Attachment Five: Consequential amendments to Appendix 5 (Hazardous substances)

Attachment Six: Amendments to Chapter 13 (definitions)

Attachment Seven: Section 32AA report