

## Waikato District Plan – Proposed District Plan Hearings

### Re-Zoning Requests

### Special Purpose Zone – Hopuhopu - Section 32AA evaluation report

Prepared by GMD Consultants Ltd

on behalf of Waikato-Tainui

February 2021

## Contents

1.	Introduction .....	4
1.1	Purpose and structure of the report.....	4
1.2	Overall approach proposed for Hopuhopu.....	4
1.3	The Site.....	4
1.4	Land Uses in the Vicinity .....	7
1.5	Site features and servicing .....	7
	Traffic and Transport .....	7
	Geotechnical .....	8
	Three Waters .....	9
	Archaeological.....	9
	Ecological .....	10
	Contamination .....	10
	Alligator Weed .....	10
1.6	Lens 1 – PWDP objectives and policies. ....	11
1.7	Lens 2 - Strategic context.....	11
1.8	Lens 3 – Best Practice Planning Guidance.....	15
2.	Submission to the Proposed Waikato District Plan .....	15
3.	Description of the changes requested to the Proposed District Plan.....	17
3.1	Objectives.....	17
3.2	General policies.....	17
3.3	Policies - PREC1 - Hopuhopu Residential Precinct .....	18
3.4	Policies - PREC2 - Hopuhopu Education and Conference Precinct .....	18
3.5	Policies - PREC3 - Hopuhopu Business Precinct .....	18
3.6	Policies - PREC4 - Hopuhopu Open Space Precinct.....	19
3.7	Policies - PREC5 – Hopuhopu Mixed Use Precinct .....	19
3.8	Rules.....	19
3.9	Definitions .....	21
4.	Section 32AA .....	22
4.1	Objectives.....	22
4.2	Scale and Significance of the rezoning proposal.....	24
4.3	Policies, rules and other methods .....	24
4.4	Summary of the reasons for the option chosen .....	41
	Appendix 1: Lens 1 - Assessment against relevant PWDP objectives and policies.....	42

Appendix 2: Lens 3 – Best Practice Planning Guidance .....	43
Appendix 3: National Policy Statement Urban Development provisions of particular relevance to the Hopuhopu site .....	46
Appendix 4: Regional Policy Statement provisions relevant to the Hopuhopu proposal .....	48
Appendix 5: Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao sections of particular relevance to the Hopuhopu proposal .....	55
Appendix 6: Comparison of activity status – OWDP, PWDP and SPZ-Hopuhopu .....	57

## 1. Introduction

### 1.1 Purpose and structure of the report

1. The purpose of this report is to set out the context for the proposed rezoning of the Hopuhopu site, and to set out a summary of the reasoning for the proposed changes to the Proposed District Plan in order to meet the requirements of section 32AA of the Resource Management Act 1991 (RMA).

### 1.2 Overall approach proposed for Hopuhopu

2. Waikato-Tainui seek to strengthen Hopuhopu as their tribal hub with administrative, business and educational headquarters. Further development of their land at Hopuhopu offers an opportunity for iwi to reconnect with the Waikato River, and with a site of special nature and significance. Waikato-Tainui seek to reflect these features in the layout and design of the development which will be in accordance with tikanga Maaori.
3. Hopuhopu is envisioned to combine residential, cultural, business, small-scale commercial, educational, and recreational elements, thereby enabling tribal members to meet a range of needs within the same location. Waikato-Tainui have identified precincts within the site to focus their desired activities which will guide the development plans.

### 1.3 The Site

4. The Hopuhopu site is located adjacent to the Waikato River, between Ngaaruawaahia and Taupiri. It is 137.8640 ha in size being Allotments 386 to 390, Komakorau Parish as comprised in Record of Title SA57C/456. Although included in the same Record of Title, Allotment 541, Parish of Pepepe, is located on the opposite (i.e. true left) side of the River and not subject to this rezoning proposal.
5. The topography of the site is largely flat with an elevated area in the centre of the site on which the Waikato-Tainui Endowed College is located. Access to the site is via Old Taupiri Road in the south-western part of the area, which connects onto Great South Road at the northern end of the site.
6. The site was transferred to Waikato-Tainui by the Crown in 1993. In May 1995, the Deed of Settlement was signed and the Waikato Raupatu Claims Settlement Act gained royal assent in November 1995. The site has a “Pootatau Te Wherowhero” title which was created by the settlement legislation upon request from Waikato-Tainui to recognise the special nature of Hopuhopu. Te Wherowhero title is held by Custodian Trustees for the benefit of all Waikato. There is no intention to subdivide the site so it will remain in one title and in Waikato-Tainui ownership.<sup>1</sup>
7. The site was used as an army base prior to the treaty settlement and 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 buildings, maintenance sheds and residential development adjacent to the Waikato River. The balance of the site contains sports fields and facilities, and farmland.

---

<sup>1</sup> There may, however, be subdivision to create utility lots, or vest roads, for example.

8. The Hopuhopu site contains four zones in the Operative Waikato District Plan (OWDP) – Rural, Pa, Living and Business (Figure 1). 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. The existing housing area is zoned Living. The Business zone covers the area which currently contains the Parliament buildings, storage and maintenance buildings and accommodation buildings.

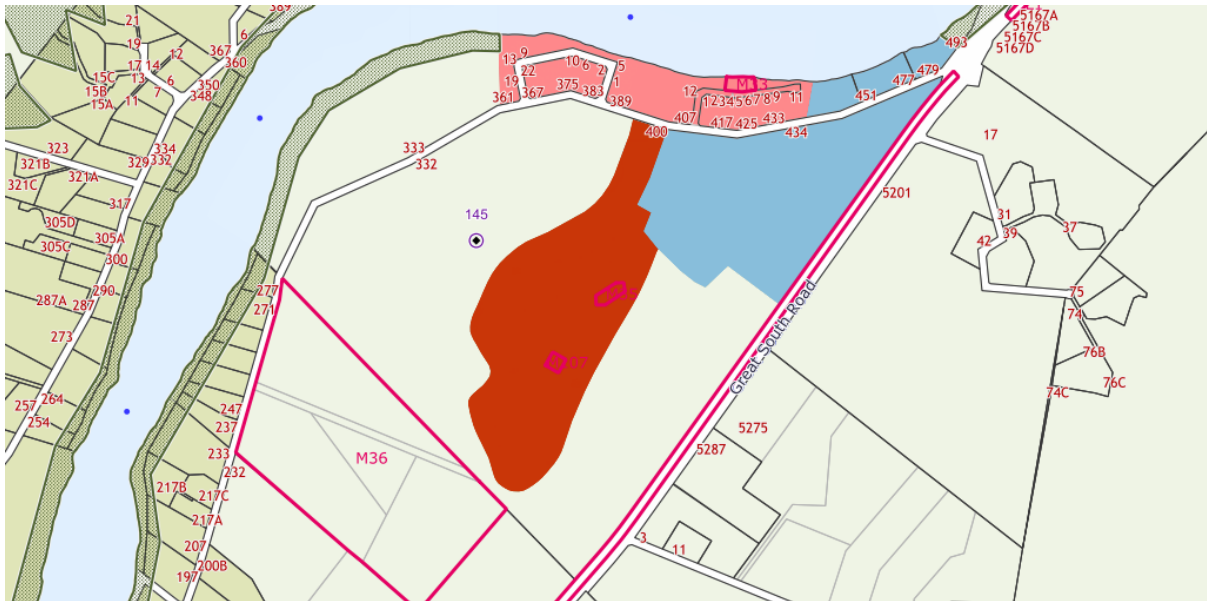


Figure 1 Operative District Plan map of the Hopuhopu site. Legend: Rural, Pa, Living, Business.

9. Under the Proposed Waikato District Plan (PWDP), all of the open space and the Endowed College area are zoned Rural. The existing residential and business areas remain in the Residential and Business zones respectively (Figure 2).

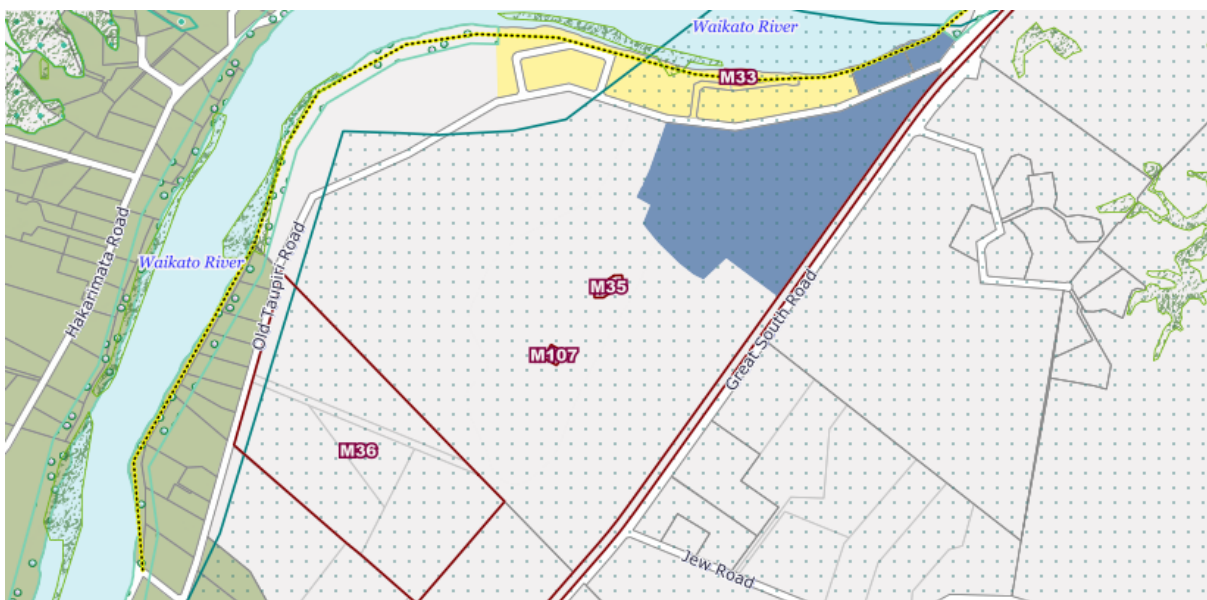


Figure 2 Proposed District Plan (Stage 1) map of the Hopuhopu site. Legend: Rural Zone, Residential Zone, Business Zone.

10. 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.
11. 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).

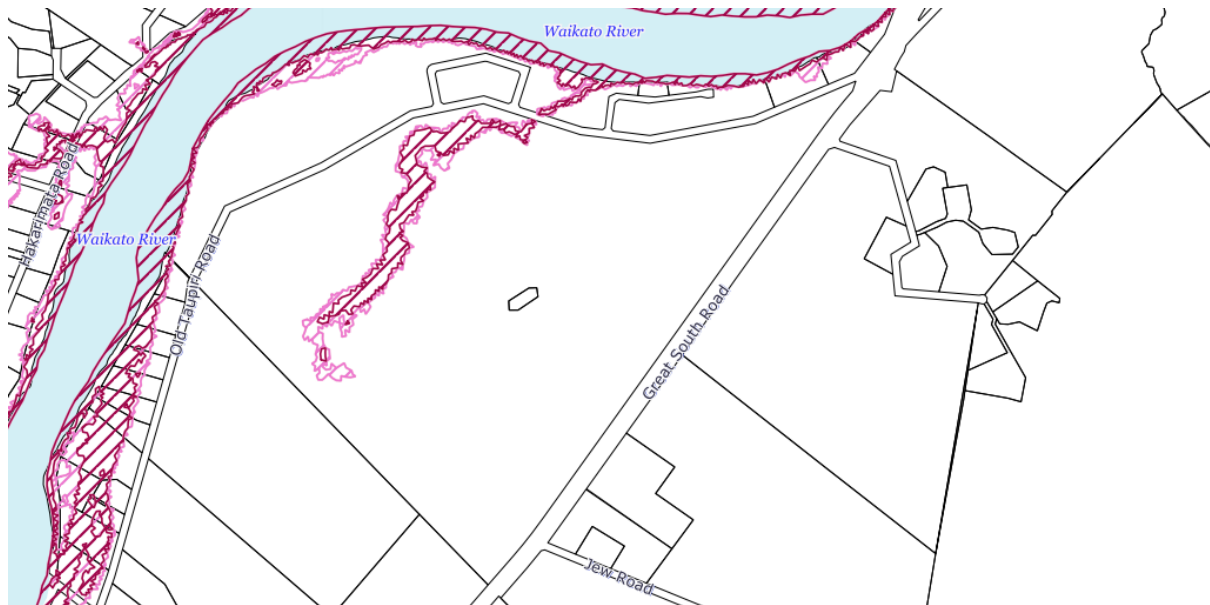


Figure 3 Proposed District Plan (Stage 2) map of the Hopuhopu site. Legend: High Risk Flood Area, Flood Plain Management Area.

12. 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 Ngaaruaawahia. 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.
13. The north-western portion of the area includes a Significant Amenity Landscape (called Landscape Policy Area in the OWDP) along the riparian margin of the Waikato River.
14. 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.
15. The Hopuhopu site 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 ODP).
16. 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 (286.18).

#### 1.4 Land Uses in the Vicinity

17. The Hopuhopu site is located about 3 kilometres north of the Ngaaruawaahia township. The Waikato District Council wastewater treatment plant oxidation ponds are located on the south-western boundary. The main trunk railway is adjacent to the eastern boundary of the site. The Waikato River is located on the northern boundary. Waikato District Council manages Penny Crescent Reserve, which contains a water treatment plant and a playground, and which is located on Penny Crescent near the river and adjacent to the existing residential housing on the Hopuhopu site. Farmland covers the surrounding land which is predominantly zoned Rural under the Proposed District Plan except a small lot zoned Country Living to the west. There is a dwelling on the neighbouring property to the north near the river at 493 Old Taupiri Road.
18. A lot between Old Taupiri Road and the river at the northern end of the site is owned by Waikato District Council (451 and 477 Old Taupiri Road, Section 2 SO 58672) and includes about 1 ha of open grassy area with a depression at the centre and lined by a few trees. It is gazetted for drainage works (New Zealand Gazette 1991 p 1773). Of note, this lot is not subject to the rezoning proposal.

#### 1.5 Site features and servicing

##### Traffic and Transport

19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.

25. 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.
26. 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.
27. 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.
28. 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."*
29. On this basis, the minimum parking rates in the PWDP would likely no longer be applicable at the time of development.
30. 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

31. 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. 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.
32. 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

33. 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.
34. 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 Bloxam 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.
35. 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.
36. 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.
37. 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

38. 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 (Figure 4) which confirms the presence of Maaori-made soils in one area of the site.
39. 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 (submission point [697.331]). 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'.

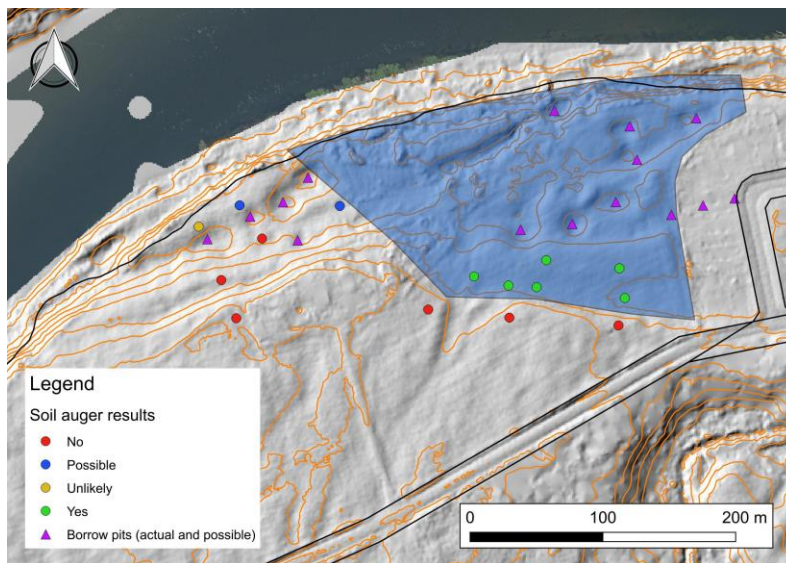


Figure 4 Results of the soil auger survey indicating the presence of Maaori-made soils in one part of the site.

## Ecological

40. 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.
41. 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

42. 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

43. Alligator weed has been identified in an area in the vicinity of 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.

#### 1.6 Lens 1 – PWDP objectives and policies.

The Framework s42A report requires an assessment under the relevant objectives and policies of the PWDP. This assessment is set out in Appendix 1 to this report.

#### 1.7 Lens 2 - Strategic context

The Framework s42A report requires an assessment under the relevant statutory and strategic documents. This assessment is set out below.

##### National Policy Statement – Urban Development (NPS-UD)

44. 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.
45. 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.
46. As noted at paragraph 152 of the Framework section 42A report, the Panel must ensure its decisions on submissions give effect to the NPS-UD where scope is afforded in submissions. Paragraph 146 of 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 plans.
47. Hopuhopu is a brownfield site, which already contains a mix of uses. Further development at Hopuhopu will contribute towards Waikato District Council's response to meeting the NPS-UD requirements. A summary of how Hopuhopu meets the NPS-UD is set out in Appendix 3 of this report.

##### Vision and Strategy for the Waikato River

48. 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.

49. Te Ture Whaimana reflects the vision of Waikato-Tainui for the River and their relationship with it.
50. 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”.
51. 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”.
52. 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. Rules to ensure appropriate setbacks and earthworks provisions are included in the proposed Special Purpose Zone rules. 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.<sup>2</sup>

#### Planning Standards

53. 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.
54. The Standards allow for special purpose zones (SPZ). According to the Zone Frameworks Standard 8, mandatory direction 3, an SPZ must only be created if its proposed land use activities or anticipated outcome meet all of the following criteria:
- 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*
55. The SPZ-Hopuhopu aligns with these three criteria. The 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.
56. 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.

#### Waikato Regional Policy Statement

57. The Waikato Regional Policy Statement (RPS) is a statutory document under the RMA that provides an overview of the region’s resource management issues as well as outlining provisions to achieve the integrated management of natural and physical resources. The PWDP is required to give effect to an operative RPS.

---

<sup>2</sup> 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.

58. The RPS sets out several objectives and policies to support taangata whenua, their relationship with the environment, and development aspirations. Objective 3.9 seeks to provide for taangata whenua to use resources in accordance with tikanga Maaori, and for their role as kaitiaki.
59. The RPS provides further direction through a number of policies to ensure taangata whenua interests are recognised and through which the objectives are to be addressed. This includes that actions are taken to, amongst other things:
- Enable taangata whenua to express, maintain and enhance the relationship with their rohe through resource management and local authority processes.
  - Recognise the historical, cultural, and social importance of papakaainga and marae and provide for their use and development.
  - Recognise Te Ture Whaimana o Te Awa o Waikato as the key direction-setting document for the Waikato River.
  - Provide for taangata whenua relationship with their taonga including their ancestral lands, water, and sites.
  - Promote positive outcomes for biodiversity with particular focus on habitat restoration, and taangata whenua relationships with indigenous biodiversity including their holistic view of ecosystems.
60. The RPS provides direction in relation to development of the built environment which seeks to ensure that subdivision, use and development of the built environment occurs in a planned and co-ordinated manner.
61. The way in which the current proposal gives effect to the objectives, policies and implementation methods relevant to the Hopuhopu proposal is analysed in Appendix 4.

#### Waikato-Tainui Environmental Plan

62. Tai Tumu, Tai Pari, Tai Ao, the Waikato-Tainui Environmental Plan, is based on Whakatupuranga 2050 and 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 the RMA. Section 74 (2A) of the RMA 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.

##### *74 Matters to be considered by territorial authority*

*(2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.*

63. 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.

64. Whilst the entirety of Tai Tumu, Tai Pari, Tai Ao is relevant, the provisions set out in Appendix 5 are of particular importance to the proposal. In addition to the matters outlined in the table, Tai Tumu, Tai Pari, Tai Ao includes the entirety of Te Ture Whaimana (the Vision and Strategy) but is not listed here to avoid repetition.

#### Future Proof Growth Strategy

65. Future Proof 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. Future Proof was prepared using a Special Consultative Procedure under the LGA 2002. Future Proof seeks to support the outcomes and priorities in the Waikato Plan including taking opportunities to build on economic, social, and cultural partnerships with iwi/Māori, and enabling iwi/Māori to live, work, learn, invest and play within their own rohe. The Hopuhopu site is located outside of the urban/village boundaries for new growth but this is an existing site with existing urban zoning so is not inconsistent with this approach.

#### Waikato 2070

66. Waikato 2070<sup>3</sup> is the district's growth and economic development strategy adopted in May 2020. The document has been prepared using the Special Consultative Procedure, Section 83, of the Local Government Act (2002).
67. One of the Waikato 2070 focus areas (03.3) relates to 'embracing our identity'. It includes the direction to promote their culture by partnering with local iwi to help realise their social, cultural, economic and environmental aspirations. The strategy also directs to encourage iwi and hapuu to identify with their culture and environment as a way of implementing environmental protection.
68. Another relevant focus area (03.4) is to 'empower our people' through increasing the capability and capacity. This is intended to be implemented partly by developing partnerships with iwi and hapuu which incorporate tangata whenua principles, values, and aspirations.
69. The strategy includes the Ngaaruawaahia Development Plan 50-Years, in which Hopuhopu is identified as a Special Activity Precinct with a development timeframe of 1-3 years. A Hopuhopu Business Park for commercial and industrial development with a development timeframe of 10-30 years is indicated adjacent to the Hopuhopu site.
70. The strategy acknowledges Māori paa sites and settlements along the River (pre-1840), and inland trade routes at Ngaaruawaahia.

#### Hamilton Waikato Metropolitan Spatial Plan

71. The Hamilton Waikato Metropolitan Spatial Plan (MSP)<sup>4</sup> 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 is based on a scenario of 500,000 people living in this area and provides for an urban structure to accommodate this growth. It includes a 30-year plan for delivery of the vision and spatial framework. Ngaaruawaahia is integrated into the future development areas as a proposed metro centre.

---

<sup>3</sup> <https://openwaikato.co.nz/wp-content/uploads/2020/06/Waikato-2070.pdf>

<sup>4</sup> [https://futureproof.org.nz/assets/FutureProof/Corridor-Plan/MSP-Final-20200910\\_lr.pdf](https://futureproof.org.nz/assets/FutureProof/Corridor-Plan/MSP-Final-20200910_lr.pdf)



72. The MSP identifies Taupiri/Ngaaruawaahia/Hopuhopu as a priority development area along the Northern Corridor with a net target density of 30-50 dwellings per hectare that is to be connected by future rapid and frequent public transport. The priority development areas are a Tier One initiative of the Urban Growth Programme to implement the MSP and as such critical to achieving the national growth objectives for the sub-region. They are intended to be developed over the short term (3-5 years). 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.
73. 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.

#### Whakatupuranga 2050

74. Whakatupuranga 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 Kiingitanga, tribal identity and integrity, tribal success, and tribal social and economic wellbeing.
75. With regard to tribal identity and integrity, it is a key priority to provide maximum support for their kaumaatua, the caretakers of Waikato-Tainui mātauranga, and to preserve heritage. One element of Whakatupuranga 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 Whakatupuranga 2050: The Five Year Plan FY20 to FY24.
76. The Special Purpose Zone - Hopuhopu will contribute to the Whakatupuranga 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 and support to tribal members.

#### 1.8 Lens 3 – Best Practice Planning Guidance

77. The Framework s42A report requires an assessment against best practice planning guidance. This assessment is set out in Appendix 2 to this report.

#### 2. Submission to the Proposed Waikato District Plan

78. Waikato-Tainui submitted on the Proposed Waikato District Plan in relation to a number of matters. In summary:
- a. The change of zoning of part of the site from the Operative District Plan zoning of Pa to the Proposed District Plan zoning of Rural significantly reduces the range of permitted activities that could occur on the site. The operative Pa Zone permits a wide range of

activities, including cultural, residential, and educational activities. These are not provided for in the Rural Zone.

- b. Additionally, as the site is not Maaori freehold land the provisions in the Proposed District Plan that allow for activities such as ‘Marae Complexes’ to occur on Maaori freehold land do not apply to any of the site. This includes activities such as, amongst other things, papakainga housing, wharenui, wharekai, hauora (health clinics), and conference centres.

- 79. The submission from Waikato-Tainui [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 variety of activities that currently occurs at Hopuhopu and the future aspirations for the site demand greater clarity.
- 80. The submission seeks that a joint partnership approach be taken with Council in developing a way forward.
- 81. In the s42A report for the Tangata Whenua chapter (hearing number 4), this 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.
- 82. 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 of providing to the panel a jointly-agreed approach including drafted provisions, by 28<sup>th</sup> February 2020.
- 83. The minute and directions from the Hearings Commissioners in relation to the Tangata Whenua chapter<sup>5</sup> 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. It was subsequently determined that consideration of the Hopuhopu submissions would occur as part of the re-zoning hearing<sup>6</sup>.
- 84. The Waikato District Council relevant submission points for Hearing 25 are as follows:

**Submission Point 286.2** Retain areas of Hopuhopu in the Residential Zone being managed under the ordinary rules of that zone.

*Further submission to submission point 286.2*

1035.8 – Pareoranga Te Kata supports the submission.

**Submission Point 286.3** Retain areas of Hopuhopu in the Business Zone being managed under the ordinary rules of that zone.

*Further submission to submission point 285.3*

1035.9 Pareoranga Te Kata supports this submission.

---

<sup>5</sup> Minute and Direction dated 20 November 2019.

<sup>6</sup> Hearing 25.



**Submission Point 286.17** Amend the zoning at 333 Old Taupiri Road to a specific Hopuhopu Zone. To remove confusion and provide clarity around future uses, Waikato-Tainui consider that providing for a Hopuhopu Zone is appropriate. The variety of activities that currently occurs at Hopuhopu and, the future aspirations for the site demand greater clarity. Waikato-Tainui considers that sufficient time will be available pre-hearing, that a Hopuhopu Zone can be drafted and presented to commissioners. This should be developed as a partnership between Waikato District Council and Waikato-Tainui.

*Further submissions to 286.17*

1348.6 – Perry International Trading Group Limited – Support. Supports the inclusion of a Hopuhopu Zone as a specific area in the Rural Zone with appropriate rules.

1035.23 – Pareoranga Te Kata – Support.

### 3. Description of the changes requested to the Proposed District Plan

85. It is proposed to insert a new zone into the Proposed District Plan for the Hopuhopu site known as 'Special Purpose Zone – Hopuhopu' (SPZ-H). This will replace the proposed 'Rural', 'Business' and 'Residential' zones on the site.
86. 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 vision of Waikato-Tainui. These precincts 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.
87. The approach is based on the existing zones that apply to the site, but to more clearly define where activities can occur to be more deliberate about which precincts activities can occur within.
88. Consequential amendments are required in Chapter 13, Chapter 14, and Chapter 29 – Appendix 5. This is to ensure that where there are provisions specific to existing zones, the Special Purpose Zone – Hopuhopu is properly referenced.

#### 3.1 Objectives

89. 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 iwi's administrative and educational headquarters. 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.

#### 3.2 General policies

90. The SPZ-H includes several general policies which apply across the site, in addition to a set of policies tailored to each Precinct. The eight general policies establish the five Precincts and broadly define compatible activity types.

91. 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 while minimising adverse effects.
92. Cultural activities and temporary and cultural events will be provided for across the site. The character of the site is to be enhanced through street planting and landscaping.
93. As land use will likely intensify in some parts of the site, the policies ensure adequate infrastructure will be in place to support this development.
94. Adverse effects within the site will be minimised predominantly by separating incompatible activities.
95. Restrictions will apply to signage, built form, noise, traffic, and earthworks to ensure amenity and safety within the site as well as to minimise adverse effects on neighbouring sites. Throughout the hearings for the PWDP, changes to some of the effects rules (e.g. earthworks, signage) have been recommended in the s42A reports. These can vary across different zones. The approach to the Hopuhopu zone has been to be as consistent as possible with changes that have been occurring to the effects rules bearing in mind that there are likely to be changes in future hearings to ensure consistency across Plan chapters. The overall approach for Hopuhopu has been to ensure that the rules are appropriate in the context of a large, multi-use, brownfield site held in a single title. This has necessitated some changes to the effects rules, for example, avoiding the use of the word 'site' and ensuring that rules will apply across the entirety of the site.
96. In recognition of the special nature of Te Wherowhero title, subdivision will be a non-complying activity, other than for utility lot subdivisions and vesting of roads.

### 3.3 Policies - PREC1 - Hopuhopu Residential Precinct

97. PREC1 – Hopuhopu Residential Precinct will apply in part of the area currently zoned Residential and extend westwards.
98. A focus on residential activities will be maintained within PREC1. The policies seek to ensure that building form provides for a pedestrian and cycling network which links the PREC1 to the wider Hopuhopu site. Flexibility of layout and design will allow tikanga Maaori to be incorporated, whilst providing for a range of residential types and densities. Provided adverse effects can be avoided, mitigated or remedied, small-scale non-residential activities will be enabled. To maintain the residential amenity, commercial and industrial development will be restricted in PREC1.

### 3.4 Policies - PREC2 - Hopuhopu Education and Conference Precinct

99. Educational activities, such as the Waikato-Tainui Endowed College, will be located in PREC2 – Hopuhopu Education and Conference Precinct. This Precinct will provide for a range of educational facilities, conference and community facilities, and other activities including small-scale commercial where ancillary to the main activities. To avoid detracting from the educational activities, other commercial activities will be restricted in PREC2. Within PREC2, a policy enables the development of transient residential accommodation for visitors to the site. The built form of this Precinct will seek to be sympathetic to and celebrate cultural and historic values.

### 3.5 Policies - PREC3 - Hopuhopu Business Precinct

100. The Waikato-Tainui parliament buildings, existing meeting rooms, visitor accommodation and site maintenance activities will continue to be located in this Precinct. The existing business zone

allows for a range of other business activities to occur whereas the list of ‘permitted’ activities for PREC3 has been tailored to the types of uses envisioned. For example, education and child-care facilities which are permitted in the Operative and Proposed district plans on this part of the site, will not be provided for as these are to be provided elsewhere on the site.

101. In addition to this, the policies recognise that light industry such as business incubators can occur in this area. Heavy industries will not be provided for to minimise adverse effects, particularly noise, on neighbouring Precincts and zones.

102. The business activities are to provide for the needs of Waikato-Tainui and increase the district’s employment opportunities whilst complementing and supporting nearby business town centres. This is in recognition of the Hopuhopu site supporting the business hierarchy in the RPS – it is an existing brownfield business area which serves a range of functions as the headquarters of Waikato-Tainui and location of the Parliament, and does not serve a ‘town centre’ function. Whilst it supports the business hierarchy, it is a different proposition and does not compete with town centre functions.

103. Policies for PREC3 will provide for recreational and health facilities which explicitly includes facilities that recognise tikanga Maaori. To support other activities within PREC3 and the surroundings, transient residential accommodation will continue to be enabled. Policies provide for this Precinct to integrate land use with transport infrastructure to connect Hopuhopu to the wider area. The built form within PREC3 will celebrate cultural and historic values, as well as support a highly-connected, safe pedestrian and cycle network.

### 3.6 Policies - PREC4 - Hopuhopu Open Space Precinct

104. The key functions of PREC4 – Hopuhopu Open Space Precinct will be to continue to enable a range of recreation and appropriate rural activities. Trade and industry training activities will be provided for where appropriate. Educational facilities will be supported only if their scale is minor and they maintain the open space character. Likewise, building design, size and type will be required to maintain the open space character of PREC4. Other activities will be avoided if they would result in reverse sensitivity effects on existing or permitted activities.

### 3.7 Policies - PREC5 – Hopuhopu Mixed Use Precinct

105. Within PREC5 – Hopuhopu Mixed Use Precinct, policies will enable administrative, educational, and cultural activities as well as kaumaatua housing. These activities will be required to ensure the exercise of tikanga Maaori and enhance the relationship of Waikato-Tainui with the Waikato River. PREC5 will also provide for office and commercial activities which will need to complement and support nearby business town centres while also meeting the needs of the Waikato-Tainui community. Retail activities will only be of small-scale. The policy approach is to encourage a built form within PREC5 which will celebrate cultural and historic values, as well as support a highly-connected, safe pedestrian and cycle network. The Mixed Use Precinct will focus on enabling the heart of the Hopuhopu site having a strong link to the Waikato River.

### 3.8 Rules

106. The Zone is divided into Precincts which contain rules that are either in addition to, or different from, other rules that apply to the rest of the SPZ-H.

107. A list of the proposed status of all activities within the SPZ-H is provided in Appendix 6 to this report, illustrating how the activity status compares to that of the Operative and Proposed Plan.

108. **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 Marae Complex did not include land held in Te Wherowhero title. Therefore, the Residential Precinct makes provision for papakaainga housing as a separate defined activity.
109. The density of residential development is limited to a yield equivalent to an average of one residential unit per 450m<sup>2</sup> which will ensure that density is no more than what could have been envisaged under the operative and proposed district plan provisions.
110. 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.
111. 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 16.4 ha.
112. **PREC2 – Education and Conference:** The provisions in the Operative Pa zone are to be reinstated to some extent but with a smaller, more specific 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.
113. The Operative Pa zone was permissive with most activities able to be undertaken in this zone subject to effects being avoided, remedied or mitigated. 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 the future. It will also provide certainty as to the types of activities that will occur in this part of the site.
114. 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.
115. **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 are 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 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.

116. The operative and proposed plans both provide for office and commercial use in the Business Zone. There are no specified limits on gross floor area for these uses, and no site coverage restrictions. 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 business zone area which is part of the Council-owned land on the riverside). The proposed PREC3 would be around 15.1 ha in area.
117. **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, carver’s 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.
118. **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.
119. 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.

### 3.9 Definitions

120. 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.
121. In the Proposed District Plan, provisions for marae complexes apply to Maaori Customary or Freehold Land only. New definitions will enable providing for distinct cultural activities on general title land in specific Hopuhopu Precincts rather than enabling entire marae complexes in potentially inappropriate locations.
122. The SPZ-H will also include definitions for 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, crafting workshop (Hopuhopu), 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. carver’s 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).

#### 4. Section 32AA

123. A further evaluation is required under s32AA for any changes that have been made to, or are proposed for, the proposal since the s32 evaluation report was prepared.

##### 4.1 Objectives

124. This part of the Section 32AA analysis evaluates whether the proposed objectives are the most appropriate to address the zoning issue at Hopuhopu and achieve the purpose of the RMA.

125. New objectives were formulated to address Waikato-Tainui issues, aspirations, and interests as they relate to Hopuhopu, and are evaluated in the table below.

Objective	Evaluation
<b>SPZ-H-O1</b> Waikato-Tainui are able to promote their spiritual, educational, cultural, social, economic, and environmental interests, well-being, and associations in accordance with tikanga Maaori, in a tribal hub within a place of historic, symbolic, and cultural importance to Waikato-Tainui in the Special Purpose Zone – Hopuhopu.	<p>The Hopuhopu land is the location where the Deed of Settlement was signed and is of high importance to Waikato-Tainui. It is one of only two sites that are held in 'Te Wherowhero' title, which reflects the significance of the site to Waikato-Tainui.</p> <p>The SPZ-H will apply only to Hopuhopu land that is owned by Waikato-Tainui and under Te Wherowhero title, hence an objective addressing Waikato-Tainui desired outcomes regarding the site is appropriate.</p> <p>The intent of the Objective is to support Waikato-Tainui in achieving their aspirations on land which they own and that they have significant cultural, and historic relationships with. It also reflects the existing use of the site, which is currently home to the Waikato-Tainui parliament, the Endowed College, and various residential, business, recreational and cultural uses.</p> <p>The implementation of this Objective will allow Council to consider Waikato-Tainui interests to ensure the use and development of Hopuhopu responds to the special nature of the site and supports the well-being of Waikato-Tainui.</p> <p>The Objective is consistent with the purpose of the RMA (section 5) as it promotes the sustainable management of the Hopuhopu site and allows current and future generations to provide for their social, economic, and cultural well-being. It provides for matters of national importance (section 6), specifically by supporting the relationship of Maaori and their culture and traditions with their ancestral lands</p>

	<p>and taonga. The Objective enables Council to have particular regard to matters under section 7 of the Act, including kaitiakitanga, the enhancement of environmental quality, and the efficient development of natural and physical resources.</p> <p>The Objective takes into account the Waikato-Tainui Environmental Plan, in accordance with Section 74 (2A) of the RMA.</p> <p>The Objective gives effect to the RPS provisions Objective 3.9, Policies 4.3, 6.4, 8.5, 10.2, 11.1, 11.3, and 12.3. As such, it is considered the most appropriate way to achieve the purpose of the Act.</p>
<p><b>SPZ-H-O2</b></p> <p>The role of Hopuhopu as the headquarters of Waikato-Tainui and the home of the Waikato-Tainui Endowed College is strengthened.</p>	<p>The purpose of this Objective is to ensure the (re)development of Hopuhopu is undertaken in a way that reinforces the site as the Waikato-Tainui tribal hub with particular regard to its administrative and educational functions. This is consistent with the RMA1991 section 6(e) matter of national importance, being the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. It also links directly to the RPS Policy 4.3 which sets out policies regarding the enhancement of the relationship taangata whenua have with their rohe.</p> <p>The Objective reflects desired outcomes which Waikato-Tainui have expressed through the Waikato-Tainui Environmental Plan, fulfilling the requirement for Council to take into account iwi planning documents when preparing or changing the District Plan under Section 74 (2A) of the RMA.</p>
<p><b>SPZ-H-O3</b></p> <p>Development of the Special Purpose Zone – Hopuhopu is of a character and scale that reflects its river setting and is compatible with the special nature of Hopuhopu as the headquarters of Waikato-Tainui.</p>	<p>The intent of this Objective is that development across the SPZ-H corresponds to the special context and character of Hopuhopu. The location of the SPZ-H on the bank of the Waikato River means it is vital that future (re)development and use enhance the environmental and cultural values.</p> <p>To not have an objective that aims to enhance the River would not be in accordance with Te</p>

	<p>Ture Whaimana, the RPS, and Part 2 of the RMA. The Objective gives effect to the RPS Policy 12.3 which seeks to maintain areas of amenity value including areas along water bodies, historic areas, and areas of cultural significance.</p> <p>The implementation of this Objective will allow Council to consider the character and scale of the development to ensure it reflects and maintains the cultural, and historic importance of Hopuhopu and is compatible with the river setting.</p>
<p><b>SPZ-H-O4</b></p> <p>The use and development of the Hopuhopu site for a range of activities is facilitated and enabled whilst ensuring actual or potential adverse effects of activities are avoided, remedied, or mitigated.</p>	<p>Provision of a range of activities is essential for ensuring that adverse effects can be avoided, remedied, and mitigated and to enable Waikato-Tainui to enhance their relationship with their rohe.</p> <p>This Objective gives effect to the purpose of the RMA in addressing adverse effects of activities. It also gives effect to the RPS Objective 3.9 which provides for the relationship of taangata whenua with the environment to be provided for through the use and enjoyment of natural and physical resources in accordance with tikanga Maaori. This ties in with RPS Policies 4.3., 6.4, 8.5, 10.2, 11.1, and 12.3.</p>
<p><b>SPZ-05</b></p> <p>Recognise the special nature of Te Wherowhero title which is held for the benefit of all Waikato-Tainui.</p>	<p>Te Wherowhero title was created by the Waikato Raupatu Claims Settlement Act 1995 to recognise the unique nature of the site. Te Wherowhero title land is held by Custodian Trustees for the benefit of all Waikato-Tainui. Apart from utility lot subdivisions, or subdivision necessary to create roads for vesting, there is no intention to subdivide land at the Hopuhopu site.</p>

## 4.2 Scale and Significance of the rezoning proposal

126. The rezoning proposal relates to a single site, being the Hopuhopu land held in Te Wherowhero title. It relates to a site of significance to Waikato-Tainui. An assessment has been undertaken above in relation to the relevant higher order documents, and the proposed rezoning is aligned with these documents. The proposal is able to be serviced with transportation, wastewater, water and stormwater infrastructure. The rezoning will not limit the future development of the area, but will instead more appropriately provide for the future development proposed than when compared with the notified Proposed District Plan provisions.

## 4.3 Policies, rules and other methods



Provision	Options	Section 32aa evaluation
Overall policy and zoning approach	<p>Option 1: Operative Plan. Re-instate the Pa Zone, and utilise the Rural, Business and Living zones as per the Operative Plan</p> <p>Option 2: Notified Plan. Utilise the Rural Zone, Business Zone and Residential zones as per the Notified Plan.</p> <p>Option 3: Special Purpose Zone – Hopuhopu. Create specific policies and a special purpose zone for the Hopuhopu site.</p>	<p><b>Costs and benefits</b></p> <p><u>Economic and Employment</u>  Options 1 and 2 have the highest economic costs. The split zoning limits the opportunity for Waikato-Tainui to develop the site as various resource consents would be required for their desired range of activities. The generic zones do not provide certainty as to the type of uses that will establish on the site and would result in a more piecemeal approach when compared with Option 3.</p> <p>Option 3 has the highest economic benefit as it will best reflect the existing and proposed use of the Hopuhopu site as the home of the Waikato-Tainui headquarters, Parliament and Endowed College. This will create employment opportunities in the development of the site as well as for people working in future at the site. The specific zone will best reflect the range of functions of the site. The specific zone will also provide clarity as to the role and function of the site as an existing multi-use site, making it clear that this site will complement and support the role of town centres.</p> <p><u>Environmental</u>  All options are able to provide for outcomes which minimise environmental impacts. Option 3 has the advantage of specific policies which seek to ensure that the development responds appropriately to the Waikato River. It also enables conservation activities across the entire site. It is therefore considered that the environmental benefits of Option 3 will outweigh Options 1 and 2.</p> <p><u>Social</u>  Option 3 provides social benefits through a combination of on-site housing, education, cultural, and employment opportunities. Option 3 best provides for the outcomes sought in Whakatupuranga 2050 which is the long-term development approach and the blueprint for cultural, social and economic advancement of Waikato-Tainui tribal members.</p>

		<p><u>Cultural</u></p> <p>Option 1 and 2 prevents the development of Maaori cultural activities commonly associated with papakaainga and marae on general title land. The change from the Pa Zone in the OWDP to Rural Zone in the PWDP further removed opportunities and flexibility. The current consenting regime provides uncertainty for Waikato-Tainui to develop Hopuhopu in accordance with tikanga and cultural aspirations, and to reconnect with the Waikato River.</p> <p>Option 3 provides for a wide range of cultural activities thereby enhancing cultural benefits for Waikato-Tainui as well as contributing to the cultural awareness of the wider community.</p> <p>Option 3 best provides for the outcomes sought in Whakatupuranga 2050 which is the long-term development approach and the blueprint for cultural, social and economic advancement of Waikato-Tainui tribal members.</p> <p><b>Efficiency</b></p> <p>The recommended Option 3 will increase cost-efficiency for Waikato-Tainui in implementing their vision for Hopuhopu and efficiency for Waikato District Council as less resource consents will require processing as opposed to the number that would be required under the other Options. It will also provide the most clarity for the community in terms of the outcomes sought for the site. The SPZ-H refines the Operative and Proposed district plan approaches so as to be clearer about the activities that can occur.</p> <p><b>Effectiveness</b></p> <p>Option 1 and 2 are ineffective at giving effect to the objectives as they do not provide for a specific zone that clearly defines the unique function that the Hopuhopu site has. Option 2 is particularly ineffective at achieving the objectives as the notified Plan replaced the Pa Zone with the Rural Zone which reduced the ability of Waikato-Tainui to continue to use</p>
--	--	--

		<p>and develop the site as their headquarters. It is considered that Option 3 is more effective at giving effect to the objectives as it will more clearly articulate the existing and proposed uses of the site. Option 3 will clearly define the activities that will occur in various parts of the site, and simplify the regulatory process by permitting a specific range of activities for each Precinct.</p> <p><b>Risks of acting or not acting</b>  There is sufficient information to develop provisions that will address the objectives.</p>
Special Purpose Zone - Hopuhopu – PREC1 - Residential Precinct	<p>Option 1: Retain Notified Residential Zone</p> <p>Option 2: Adopt specific Residential Precinct approach as part of the Special Purpose Zone - Hopuhopu</p>	<p><b>Costs and benefits</b>  <u>Economic and Employment</u>  Option 1 would result in greater economic costs than Option 2. Option 1 would likely require resource consent for traditional forms of housing, such as papakaainga or kaumaatua housing, as these are not specifically provided for in the notified PWDP zoning.</p> <p><u>Environmental</u>  Environmental costs and benefits would be similar under both options. However, under Option 2, conservation activities, which are currently non-complying in the Residential Zone, would be permitted in the Residential Precinct. This would support the restoration of the Precinct and the Waikato River.</p> <p>Providing for a residential yield of no more than an average of one building per 450m<sup>2</sup> across the Precinct will ensure the density of development is limited to no more than could have occurred under the Proposed District Plan provisions.</p> <p>The addition of an advisory note will highlight the need to ensure that any works near the identified location of alligator weed will comply with the requirements of the Waikato Pest Management Plan 2014-2024.</p> <p><u>Social</u></p>

		<p>Option 2 provides social benefits by providing for a range of housing options including papakaainga and kaumaatua housing which will enable people to provide for their social needs. Option 2 also provides benefits through enabling a more flexible approach to housing so that a range of housing types and densities can be provided for. Option 2 also enables informal recreation opportunities which will enhance community well-being and amenity. Informal recreation is a non-complying activity in the notified Residential Zone.</p> <p><u>Cultural</u></p> <p>The housing provisions for the notified Residential Zone do not recognise the cultural needs of Waikato-Tainui as they do not provide for housing design and layout in accordance with tikanga Maaori. Papakaainga housing is not provided for because Hopuhopu is not Maaori freehold land or Maaori customary title.</p> <p>Option 2 will enhance the cultural well-being of Waikato-Tainui by enabling traditional Maaori living through papakaainga and associated buildings on general title land and providing for kaumaatua housing.</p> <p>A proposed overlay will provide for the effects of development on potential and probable borrow sites and Maaori-made soils to be assessed.</p> <p><b>Efficiency</b></p> <p>Option 1 is not efficient at achieving the objectives as the provisions add uncertainty for developing and consenting a range of residential typologies in accordance with tikanga Maaori. As the Hopuhopu site is not on Maaori Freehold or Customary Land, the definition for ‘marae complex’ does not apply. Option 2 is efficient at achieving the objectives as it enables a wider range of residential and cultural activities which reduces uncertainty for developing the site as the tribal headquarters and ensures the activities are in accordance with the special nature of Hopuhopu.</p>
--	--	---

		<p><b>Effectiveness</b></p> <p>Option 2 retains the permitted activity status for residential activities, while also providing for an approach to housing which gives effect to the objectives and is aligned with the cultural nature of Hopuhopu, and Waikato-Tainui aspirations to strengthen the site as their tribal hub.</p> <p><b>Risks of acting or not acting</b></p> <p>There is sufficient information available to develop provisions that will give effect to the objectives and avoid, remedy or mitigate adverse effects.</p>
Special Purpose Zone - Hopuhopu – PREC 2 - Conference and Education Precinct	Option 1: Retain Notified Rural Zone  Option 2: Re-instate Operative Pa Zone  Option 3: Adopt specific approach as part of the Special Purpose Zone - Hopuhopu	<p><b>Costs and benefits</b></p> <p><u>Economic and Employment</u></p> <p>Option 1 has limited economic benefits as it does not reflect the function of the site at present or the future vision for the site. It adds uncertainty to the continued use of the area for the existing uses and future development of the area for the purposes that Waikato-Tainui envision.</p> <p>Option 2 would provide for a range of activities on one part of the site which would have benefits when compared to Option 1.</p> <p>Option 3 offers opportunities for economic growth as it enables the development of the Endowed College and associated activities such as conference centres, koohanga reo, and visitor accommodation. This will increase employment opportunities at the existing and desired facilities, as well as during the development phase.</p> <p><u>Environmental</u></p> <p>Environmental effects can be managed under all of the options.</p> <p>The provision of a specific approach for a Conference and Education Precinct (Option 3) has the highest environmental benefits as the policy approach would be to promote development that is sympathetic to and celebrates cultural and historic values. This</p>

		<p>option also permits conservation activities which are non-complying in the Rural Zone and not provided for in the Pa Zone. This will support restoration of the Precinct and the Waikato River.</p> <p><u>Social</u></p> <p>Option 1 provides the least social benefits as it would not provide for the current range of activities or for future uses that would be of benefit to the Waikato-Tainui community.</p> <p>Option 2, reinstating the operative Pa zone would provide for a range of social benefits by enabling cultural, educational and other activities</p> <p>Option 3 would enable social benefits by enabling cultural and educational activities, Option 3 specifically supports the vision of Waikato-Tainui for the Precinct around the established Endowed College and ensures that educational activities offered at Hopuhopu benefit a wider range of people by providing for different stages of education. There are no social costs identified.</p> <p><u>Cultural</u></p> <p>The proposed provisions will enable Waikato-Tainui to implement their holistic vision for the Precinct allowing them to enhance their cultural well-being through the development of a range of educational and cultural activities, in accordance with tikanga Maaori. This option would support and expand the functions of the Endowed College.</p> <p><b>Efficiency</b></p> <p>Option 1 would be inefficient at achieving the objectives as Waikato-Tainui will require resource consent for any changes to the Endowed College. Associated activities, such as educational facilities would be discretionary. Cultural activities are not provided for in the Rural Zone. The role of the rural zone is to provide for productive activities, which does not reflect the existing</p>
--	--	---

		<p>use on this part of the site, being the Endowed College.</p> <p>Option 2 would be efficient in that it would allow for a wide range of activities to occur.</p> <p>Option 3 would be the most efficient option. It explicitly provides for a range of cultural activities, and activities associated with a comprehensive educational facility. The range of activities is more limited than in Option 2 so as to provide certainty as to the types of activities that might occur in this Precinct. This option reduces the resource consenting-related costs and development timeframes when compared with Option 1, and increases certainty when compared with Option 2.</p> <p><b>Effectiveness</b></p> <p>Option 1 would not be effective at achieving the objectives and higher order policy direction of the RPS which seeks to provide appropriate opportunities for taangata whenua to enhance the relationship with their rohe. The Rural Zone, without suitable policies or rules to provide for the type of use already in existence and the future uses associated with the Endowed College, provides uncertainty for the continued operation and development of educational facilities. Since Hopuhopu is not Customary Maaori Land, a Concept Plan is not an option.</p> <p>Option 2 would be effective in that it provides a wide range of activities. However, in the context of the wider Hopuhopu site, Option 2 would be less effective than Option 3 as it does not provide any certainty or grouping of activities within precincts within the site.</p> <p>Option 3 would be effective at achieving the objectives as the provisions provide more certainty that Waikato-Tainui will be able to develop the Precinct for predominantly educational purposes.</p> <p><b>Risks of acting or not acting</b></p> <p>There is sufficient information to develop provisions that will address the objectives.</p>
--	--	---

<p>Special Purpose Zone  - Hopuhopu – PREC 3  - Business Precinct</p>	<p>Option 1: Retain Notified Business Zone</p> <p>Option 2: Adopt specific Business Precinct approach as part of the Special Purpose Zone - Hopuhopu</p>	<p><b>Costs and benefits</b></p> <p><u>Economic and Employment</u></p> <p>Retention of the notified Business Zone would have economic benefits in that the existing zone allows for a wide range of activities including for example commercial, office, places of assembly, community activities, education facilities.</p> <p>Option 2 offers economic benefits through the provision of specific activities that will interact with the uses on the wider site, and provide employment opportunities. Option 2 would provide new provisions for trade and industry training activity and light industry which will facilitate business start-ups. This will open up and diversify economic and employment opportunities available to Waikato-Tainui. Option 2 also limits the potential for adverse economic effects on nearby town centres, as the area over which business activities will be provided is smaller as compared to the notified Business Zone.</p> <p>The specific Business Precinct approach in Option 2 will primarily direct commercial uses to this part of the site, with those types of uses being limited elsewhere. For example, in the Open Space area, office and retail uses will only be of small scale where ancillary to other anticipated uses. In the Education and Cultural Precinct commercial uses will be ancillary to other anticipated uses. In the Residential area, commercial uses will be restricted and directed to the Business and Mixed Use precincts. In the Mixed Use Precinct there will be provision for a limited amount of retail and office activity. This approach has the benefit of providing more certainty as to where these types of uses will locate within the site when compared with the Operative and Notified business zone.</p> <p><u>Environmental</u></p> <p>Both Options 1 and 2 allow for the management of environmental effects.</p> <p><u>Social</u></p> <p>The specific Business Precinct approach will provide opportunities for current and future</p>
---	--	---



		<p>generations to receive training and create new businesses within a cultural setting and with the support of iwi. The combination of light industry and training activities will increase the economic and social resilience and independence of Waikato-Tainui into the future.</p> <p>Provisions for organised and indoor recreation included in Option 2 will support inclusiveness, social interactions and the physical well-being of Waikato-Tainui through a wider range of sports and games.</p> <p><u>Cultural</u></p> <p>The notified Business Zone does not specifically provide for cultural benefits although it does allow for a variety of uses which would allow for cultural activities to occur where in accordance with the generic Business Zone provisions. Option 1 does not provide for ‘marae complex’ activities Hopuhopu is not Maaori freehold or customary land.</p> <p>Option 2 specifically provides for activities which reflect the holistic vision and desire to integrate cultural aspects across the site. Buildings and activities such as wharenui and wharekai are provided for in Option 2 which provides for cultural benefits by allowing Waikato-Tainui to undertake cultural activities in accordance with tikanga Maaori.</p> <p><b>Efficiency</b></p> <p>Option 1 would not be efficient at achieving the objectives as the provisions reduce options for developing the site. It would require Waikato-Tainui to apply for resource consent to undertake a range of cultural and other activities. This increases uncertainty and hinders Waikato-Tainui from further developing Hopuhopu as their tribal headquarters.</p> <p>Option 2 would decrease uncertainty and enable an efficient development and consenting process by providing for specific business, recreational and cultural activities</p>
--	--	--

		<p>that are clearly defined for the Hopuhopu context.</p> <p><b>Effectiveness</b>  Option 2 would be effective at achieving Waikato-Tainui aspirations for Hopuhopu as the permitted activities are tailored to the types of uses envisioned. It also ensures that commercial activities are predominantly located within the specified precinct, thereby providing certainty as to the location of these types of activities.</p> <p><b>Risks of acting or not acting</b>  There is sufficient information to develop provisions that will address the objectives.</p>
<p>Special Purpose Zone  - Hopuhopu – PREC 4  - Open Space Precinct</p>	<p>Option 1: Retain Notified Rural Zone</p> <p>Option 2: Adopt specific approach as part of the Special Purpose Zone - Hopuhopu</p>	<p><b>Costs and benefits</b>  <u>Economic and Employment</u>  Option 1 largely limits the economic use of the Precinct to farming activities and does not provide for the economic benefits that a wider range of rural activities would offer. Option 1 does not adequately provide for other existing uses on the site, such as the sports and recreational facilities that are already in place.</p> <p>The provisions for a plant nursery and a workshop under Option 2 will diversify and increase employment opportunities at Hopuhopu. Option 2 also contributes to economic growth through trade sales and retail sales (subject to resource consent if above 50m<sup>2</sup>), and through the development of sports and recreational facilities.</p> <p><u>Environmental</u>  Environmental effects can be managed under both options.</p> <p>The Open Space Precinct is the largest precinct within Hopuhopu and includes a lake and large open space offering significant opportunities for environmental restoration. Option 2 will unlock these opportunities by providing for conservation activities and a plant nursery that is intended to supply plants for environmental restoration projects and</p>

		<p>provide for trade sales. Retail sales above 50m<sup>2</sup> will be subject to resource consent as a restricted discretionary activity. In combination with provisions for training activities to educate future tauira (students), this option ensures the ongoing environmental enhancement of the site and potentially beyond.</p> <p><u>Social</u></p> <p>Option 1 would contribute little in the way of social benefits. Option 1 would not provide for recreational activities despite a portion of the Open Space Precinct already being used for this purpose. Informal recreation defaults to non-complying in the notified Rural Zone.</p> <p>Option 2 introduces new definitions and provisions for a range of organised and indoor recreation activities, while also enabling informal recreation and community facilities. This will promote the well-being and cohesion of the Waikato-Tainui tribal members on site and connect them to the wider Waikato-Tainui community. Option 2 also strengthens the Hopuhopu headquarters as a place for the iwi to come together and share experiences thereby creating further social benefits.</p> <p><u>Cultural</u></p> <p>Option 2 seeks to ensure that Waikato-Tainui can practice traditional crafts and practices such as carving in a culturally appropriate setting. Provisions for trade and industry training will support the sharing of maatauranga Maaori and knowledge particularly to complement the plant nursery activity.</p> <p><b>Efficiency</b></p> <p>Option 1 would not be efficient at achieving the objectives as it does not provide for cultural activities and recreational uses in the notified Rural Zone. Therefore, the</p>
--	--	--

		<p>consenting process would be uncertain for Waikato-Tainui.</p> <p><b>Effectiveness</b>  Option 2 would be the most effective at achieving the objectives as it would simplify the consenting process and provide clarity as to what activity status would apply to activities Waikato-Tainui wish to undertake in the precinct but which are not currently defined or considered in the Proposed District Plan.</p> <p><b>Risks of acting or not acting</b>  There is sufficient information to develop provisions that will address the objectives.</p>
Special Purpose Zone - Hopuhopu – PREC 5 - Mixed Use Precinct	<p>Option 1: Retain Notified zoning (Residential and Business)</p> <p>Option 2: Adopt specific Mixed Use Precinct as part of the Special Purpose Zone - Hopuhopu</p>	<p><b>Costs and benefits</b>  <u>Economic and Employment</u>  Option 1 would have economic benefits as the existing Business Zone enables a wide range of activities including, for instance, commercial, office, and educational facilities.</p> <p>However, Option 1 does not constrain retail uses which could potentially create economic costs and competition for the nearby town centres. Option 2 would remove this risk by limiting the GFA to 400m<sup>2</sup>, so it only allows for a café and a small convenience retail store. The overall size of the Mixed Use and Business precincts combined is slightly smaller than the existing Business zone which mitigates the risk of the proposal having adverse effects on other centres.</p> <p>Adopting a specific Business Precinct approach offers economic benefits by providing for activities which would strengthen Hopuhopu's role as the administrative headquarters of Waikato-Tainui.</p> <p>Option 2 will open up diverse employment opportunities including multiple that are centred in Te Ao Maaori. This will be achieved through provisions for cultural and administrative activities such as a whare taonga and offices. The Mixed Use Precinct also offers more diverse educational activities</p>

		<p>such as kura kaupapa, which will create employment opportunities in teaching and learning.</p> <p><u>Environmental</u>  Environmental effects can be managed under both options.</p> <p>The Mixed Use Precinct is located on the margin of the Waikato River and offers significant opportunities for restoration of the Waikato River and the relationship of Waikato-Tainui with it.</p> <p>Under Option 2, conservation activities, which are non-complying in the Residential and Business zones, would be permitted in the Mixed Use Precinct. This would be particularly beneficial for the restoration of the Waikato River considering the location of the precinct on the riverbank.</p> <p>Option 2 would also promote development that corresponds to the cultural values of Hopuhopu and enhance the connection with the river.</p> <p><u>Social</u>  The notified zones offer some social benefits as they provide for community activities. However, educational facilities are only provided for in the Business Zone not the Residential Zone. This creates social costs as it adds uncertainty whether educational facilities centred in Te Ao Maaori can be developed in proximity of kaumaatua housing as envisioned for the precinct. The housing provisions of the notified Residential Zone are not inclusive of kaumaatua, a key concern of Waikato-Tainui.</p> <p>Provisions for kaumaatua housing in the Mixed Use Precinct would allow for more inclusive housing options than the notified Residential Zone offers, and locate kaumaatua at heart of the Hopuhopu site and community. This would help kaumaatua participate in the community while being close to facilities in the mixed use hub.</p>
--	--	--

		<p>Option 2 provides greater flexibility and certainty for the consenting process regarding culturally appropriate educational facilities and housing.</p> <p>A specific Mixed Use Precinct also offers flexibility to locate koohanga reo and kura kaupapa close to kaumaatua housing. This would strengthen intergenerational relationships and encourage the sharing of knowledge between generations within an integrated social environment.</p> <p><u>Cultural</u></p> <p>The notified zoning has some cultural benefits as it provides for hauora and community facilities. While the notified Residential and Business zones provide for various cultural activities through ‘marae complex’, the definition is tied to Maaori Freehold Land or on Maaori Customary Land, hence it does not apply to Hopuhopu.</p> <p>Option 2 adds multiple cultural benefits in addition to retaining positive aspects of Option 1. The proposed precinct will facilitate the development of a cultural centre by enabling certain components of the ‘marae complex’ definition to be developed within this precinct, such as wharekai and waharoa. A new provision for whare taonga (i.e. a museum) will have cultural benefits enabling Waikato-Tainui to house Kiingitanga taonga and celebrate their tribal heritage. Option 2 will also support a culturally appropriate approach to learning through provisions for koohanga reo and kura kaupapa. This will enhance the cultural well-being and understanding of the young members of Waikato-Tainui and their whaanau.</p> <p><b>Efficiency</b></p> <p>Option 1 would not be efficient at achieving the objectives as it does not provide for a wide range of cultural and educational activities, and inclusive housing in the notified Business and Residential zones. This increases uncertainty and hinders Waikato-Tainui from developing Hopuhopu as their tribal headquarters.</p>
--	--	---

		<p>Option 2 would decrease uncertainty and costs, and enable an efficient development and consenting process by providing for specific business, administrative, educational, cultural and housing activities that are clearly defined for the Hopuhopu context. The envisioned combination of activity types is not provided for in any other notified zone.</p> <p><b>Effectiveness</b>  Option 2 is effective at achieving the objectives and facilitating the development of an inclusive tribal hub that recognises and provides for the needs of kaumaatua and tamariki alike. The provisions for a diverse range of activities along the bank of the Waikato River will effectively strengthen the relationship of Waikato-Tainui with the river.</p> <p><b>Risks of acting or not acting</b>  There is sufficient information to enable the development of appropriate provisions.</p>
Subdivision	<p>Option 1: Allow subdivision as per notified district plan.</p> <p>Option 2: Subdivision as a non-complying activity within the Special Purpose Zone - Hopuhopu</p>	<p><b>Costs and benefits</b>  <u>Economic</u>  The economic costs for all of Waikato-Tainui associated with the notified subdivision rules outweigh the short-term economic benefits that the subdividing and selling of sections would provide.</p> <p>Option 2 will reflect the unique nature of Te Wherowhero title which is designed to ensure the site is retained for the benefit of all Waikato-Tainui. A non-complying subdivision status reflects the intention that the site is not to be alienated from Waikato-Tainui ownership.</p> <p>General subdivision will have non-complying status which accounts for unforeseen circumstances and retains the option to apply for subdivision consent should this be required in the future. Subdivision for utility allotments is already provided for as a controlled activity in the Notified District Plan and it is not proposed to amend this. This will allow for utility allotments, including roads, to be established if required.</p>

		<p><b><u>Environmental</u></b>  Option 2 has environmental benefits as it supports the connection of Waikato-Tainui to the land.</p> <p><b><u>Social</u></b>  Option 2 aligns with the intention of Waikato-Tainui and the Te Wherowhero title to prevent fragmentation of Hopuhopu and retain the special nature of the tribal hub for future generations.</p> <p><b><u>Cultural</u></b>  The Maaori cultural approach to communal living would be undermined by Option 1.</p> <p>Option 2 is aligned with collective ownership of land as intended by Te Wherowhero title, and the role of the site as the headquarters and cultural hub for the benefit of all of Waikato-Tainui.</p> <p><b>Efficiency</b>  Option 2 is the most efficient as it is most clearly aligned with the intention of Te Wherowhero title and to the relevant objectives and policies which seek to ensure the land is held for the benefit of all Waikato-Tainui.</p> <p><b>Effectiveness</b>  Option 1 contradicts the intention of Te Wherowhero title and the objectives for Hopuhopu. Option 1 cannot ensure that development of the Special Purpose Zone – Hopuhopu is of a character and scale that reflects the special nature of the site and could weaken the role of Hopuhopu as the headquarters of Waikato-Tainui.  Option 2 is the most effective approach as it ensures the site is retained for future generations and offers opportunities and a cultural centre for all of Waikato-Tainui.</p> <p><b>Risks of acting or not acting</b>  There is sufficient information to enable the development of appropriate provisions.</p>
--	--	--



#### 4.4 Summary of the reasons for the option chosen

127. Replacing the existing zoning at Hopuhopu with a new Special Purpose Zone – Hopuhopu is considered to be the most effective and efficient way to achieve the objectives.
128. The zoning of both the OWDP and PWDP do not provide clarity as to the future uses of the site. Importantly, the PWDP zoning does not provide for cultural activities commonly associated with marae complexes on general title land. Rezoning a portion of the site from Pa Zone to Rural has further limited 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.
129. After undertaking an evaluation as required by s32AA of the RMA, the proposed Special Purpose Zone – Hopuhopu and the proposed set of objectives are considered the most appropriate way to achieve the Purpose of the RMA (Section 5) for managing the development of the Hopuhopu site.
130. It is considered that the recommended policies and rules outlined above are the most appropriate way for achieving the objectives and higher order documents, having considered:
- (i) other reasonably practicable options for achieving the objectives; and
  - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
  - (iii) assessing the risks of acting or not acting.

## Appendix 1: Lens 1 - Assessment against relevant PWDP objectives and policies

Relevant PWDP Objectives and Policies	Any zone to 'Special Purpose 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 mixed-use site, with a variety of uses and existing business zone containing the Waikato-Tainui parliament buildings, meeting rooms, and old military buildings currently used for a variety of uses including storage, maintenance and accommodation. 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 beginning of hearings through to the preparation of the zone and submission of evidence in February 2020.

## Appendix 2: Lens 3 – Best Practice Planning Guidance

Best practice element	Assessment
Economic costs and benefits are considered	This section 32AA report has considered the economic costs and benefits and concludes that the benefits of applying the proposed SPZ-H to the Hopuhopu site outweigh the costs.
Changes take into account the issues debated in recent plan changes	The proposal gives effect to the Vision and Strategy - <i>Plan Change 5 (Vision and Strategy)</i> .
Changes to zone boundaries are consistent with the maps in the plan that show overlays or constraints (e.g. hazards).	The zone boundary follows the Hopuhopu site boundary as a whole. Overlays and constraints such as hazards have been taken into account.
Changes take into account features of the site (e.g., where it is, what the land is like, what it is used for and what is already built there).	The proposed precincts and development areas take into account the existing development and ensure that the future development can accommodate required setbacks from the river, potential hazard areas, known archaeological sites, significant natural areas and other site features.
Zone boundary changes recognise the availability, or lack of, major infrastructure (e.g., water, wastewater, stormwater, roads).	The Hopuhopu site is already zoned under the ODP and PDP and there are already water, wastewater, stormwater and roading services provided to the site. An assessment has been undertaken of the ability to service the site for the uses provided for in the SPZ-H and this shows that there is infrastructure available. Further analysis is provided above under section 1.5 Site features and servicing .
There is adequate separation between incompatible land uses (e.g., houses should not be next to heavy industry).	The precinct boundaries seek to ensure that like activities will locate near to other like activities. There is no heavy industry provided for on the site.
Zone boundaries are clearly defensible e.g., follow natural boundaries or roads where possible or other boundaries consistent with the purpose of the zone.	The zone boundary is defensible as it follows the existing property boundary. The precinct boundaries have been determined as follows: <ul style="list-style-type: none"> <li>- PREC 1 – Residential: The boundary of the Residential Precinct takes into account the location of existing residential uses on the site. An additional area of Residential Precinct is identified further along Old Taupiri Road to the south-west. This has been chosen in order to ensure there is a similar amount of residential land available in relation to what is currently available. The additional land is located above the</li> </ul>

	<p>river level to ensure setbacks from the river can be easily accommodated.</p> <ul style="list-style-type: none"> <li>- PREC 2 – Education and Conference: The precinct boundaries closely follow the existing Pa zone which incorporates the Endowed College. The precinct boundary has been slightly altered from the Pa zone boundary to take into account features of the site, including the existing main accessway and the lake.</li> <li>- PREC 3 – Business: The boundary of the Business Precinct follows the existing Business zone boundary. The boundary has been amended to accommodate the new Mixed Use Precinct boundary. It has also been adjusted slightly on the southern boundary to more accurately provide for existing site features including accessways and buildings.</li> <li>- PREC 4 – Open Space: The open space zoning largely follows the location of the rural zoning from the Operative District Plan.</li> <li>- PREC 5 – Mixed Use: The Mixed Use Precinct boundary has been determined as a result of master planning undertaken by Waikato-Tainui in determining the positioning of future activities including a proposed whare taonga (museum), iwi administration building, kaumaatua housing, and koohanga reo. These, alongside the existing parliament building, will form the heart of the development of the site. It is important to Waikato-Tainui that this occurs in a location which facilitates the development of an inclusive tribal hub which strengthens the relationship with the Waikato River. These elements have determined the position of the Mixed Use Precinct boundary whilst also ensuring that the boundary follows existing site features wherever possible, such as existing accessways and waterways.</li> </ul>
Zone boundaries follow property boundaries.	The zone boundary follows the property boundary for the Hopuhopu site.

Generally, no “spot zoning” (i.e., a single site zoned on its own).	The proposal does not involve spot zoning.
Zoning takes into account existing resource consents and existing use rights, but this does not determine zoning.	The zoning takes into account the existing use rights on the site. The precincts have been situated in order to ensure that the existing and proposed uses on the site are accommodated.
Zoning for business and industrial land is consistent with additional locational criteria <sup>7</sup>	This is not applicable on this site as it is not transitioning to employment activities – the site already contains Business zoning, and the proposal does not seek to increase the overall extent of business/mixed use zones.

---

<sup>7</sup> Only to be applied for scenarios which are seeking to transition to an employment activity, outlined under Part 1, ‘Lens 3’ of the Framework s42a report.

### Appendix 3: National Policy Statement Urban Development provisions of particular relevance to the Hopuhopu site

<p><i>Policy 1</i>  <i>Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</i></p> <ul style="list-style-type: none"> <li><i>(a) have or enable a variety of homes that:</i> <ul style="list-style-type: none"> <li><i>i. meet the needs, in terms of type, price, and location, of different households; and</i></li> <li><i>ii. enable Māori to express their cultural traditions and norms; and</i></li> </ul> </li> <li><i>(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</i></li> <li><i>(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and</i></li> <li><i>(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</i></li> <li><i>(e) support reductions in greenhouse gas emissions; and</i></li> <li><i>(f) are resilient to the likely current and future effects of climate change.</i></li> </ul>	<p>Under Policy 1(a)(ii) a well-functioning urban environment, as a minimum, has or enables a variety of homes that, among other factors, “enable Māori to express their cultural traditions and norms”.</p> <p>The Hopuhopu proposal will provide for a variety of homes which will meet the needs of a variety of households from family homes to kaumaatua housing, and enable Māori to express their cultural traditions and norms. The current zoning does not provide well for this to occur on the site particularly because the current rules focus around Māori freehold land and Māori customary land. As Hopuhopu is neither of these, much of the ability for Waikato-Tainui to develop papakainga, kaumaatua housing and other housing types to express their cultural traditions is undermined. The proposed SPZ-H will provide for this to occur and will contribute to a well-functioning urban environment under Policy 1.</p> <p>The Hopuhopu proposal will contribute to a variety of sites in the district suitable for different business sectors by continuing to provide for business/employment uses in the Business and Mixed Use precincts.</p>
<p><i>Policy 2: Tier 1, 2, and 3 local authorities, at all times, 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.</i></p>	<p>The proposal will contribute to meeting the required development capacity as set out in the section 42A Framework report.</p>
<p><i>Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:</i></p>	<p>The Hopuhopu site is a brownfield site so does not represent an unanticipated site. Further development is anticipated in the Operative District Plan through the existing zoning (Residential, Business, Pa and Rural). The level of development was significantly reduced in the Proposed District Plan as a result of the new</p>

<p><i>(a) unanticipated by RMA planning documents; or</i></p> <p><i>(b) out-of-sequence with planned land release.</i></p>	<p>framework for Maaori land not being fit-for-purpose for this site. The new SPZ-H will restore the development potential for the site as well as being more specific and aligned with the Waikato-Tainui vision for the site.</p>
--	---

#### Appendix 4: Regional Policy Statement provisions relevant to the Hopuhopu proposal

RPS section	Provision text	Analysis																							
Issue 1.5 Relationship of tāngata whenua with the environment (te taiao)	<p>The relationship tāngata whenua have with the domains of Ranginui and Papatūānuku is of paramount importance and this relationship is being damaged through:</p> <ul style="list-style-type: none"><li>a. activities which degrade the mauri of the environment, including through cumulative effects;</li><li>b. loss of access to, and use and enjoyment of, resources and places;</li><li>c. loss or diminishment of the ability of tāngata whenua to be involved in or influence management decisions; and</li><li>d. loss of ability to exercise and provide for kaitiakitanga.</li></ul>	The Hopuhopu proposal will enhance the ability of Waikato-Tainui to exercise kaitiakitanga over the land at Hopuhopu.																							
Objective 3.9 Relationship of tāngata whenua with the environment	<p>The relationship of tāngata whenua with the environment is recognised and provided for, including:</p> <ul style="list-style-type: none"><li>a. the use and enjoyment of natural and physical resources in accordance with tikanga Māori, including mātauranga Māori; and</li><li>b. the role of tāngata whenua as kaitiaki.</li></ul>	The Hopuhopu proposal will enhance the ability of Waikato-Tainui to exercise kaitiakitanga over the land at Hopuhopu.																							
Objective 3.27 Minimum housing targets for the Future Proof area <sup>1</sup>	<p>The minimum targets for sufficient, feasible development capacity for housing in the Future Proof area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity (NPS-UDC) 2016.</p> <table><tr><th rowspan="2">Area</th><th colspan="3">Minimum Targets (number of dwellings)</th></tr><tr><th>Short to Medium 1-10 years (2017-2026)</th><th>Long term 11-30 years (2027-2046)</th><th>Total</th></tr><tr><td>Hamilton City</td><td>13,300</td><td>23,600</td><td>36,900</td></tr><tr><td>Waipa District</td><td>5,700</td><td>8,200</td><td>13,900</td></tr><tr><td>Waikato District</td><td>7,100</td><td>12,300</td><td>19,400</td></tr><tr><td><b>Future Proof Sub-Region</b></td><td><b>26,100</b></td><td><b>44,100</b></td><td><b>70,200</b></td></tr></table>	Area	Minimum Targets (number of dwellings)			Short to Medium 1-10 years (2017-2026)	Long term 11-30 years (2027-2046)	Total	Hamilton City	13,300	23,600	36,900	Waipa District	5,700	8,200	13,900	Waikato District	7,100	12,300	19,400	<b>Future Proof Sub-Region</b>	<b>26,100</b>	<b>44,100</b>	<b>70,200</b>	The Hopuhopu proposal will help to meet the dwelling targets under Objective 3.27 on an existing brownfield site.
Area	Minimum Targets (number of dwellings)																								
	Short to Medium 1-10 years (2017-2026)	Long term 11-30 years (2027-2046)	Total																						
Hamilton City	13,300	23,600	36,900																						
Waipa District	5,700	8,200	13,900																						
Waikato District	7,100	12,300	19,400																						
<b>Future Proof Sub-Region</b>	<b>26,100</b>	<b>44,100</b>	<b>70,200</b>																						

1. Objective 3.27 inserted 19 December 2018 as directed by the NPS-UDC



Policy 4.3 Tāngata whenua	Tāngata whenua are provided appropriate opportunities to express, maintain and enhance the relationship with their rohe through resource management and other local authority processes.	The Hopuhopu proposal will enhance the ability of Waikato-Tainui to exercise kaitiakitanga over the land at Hopuhopu.
Implementation method 4.3.4 Use and enjoyment of resources	In developing relevant resource management processes, including regional and district plans, local authorities should provide for the wellbeing of tāngata whenua by enabling appropriate access to and use and enjoyment of their resources.	The Hopuhopu proposal will contribute towards enabling appropriate use of the Hopuhopu site.
Policy 6.1 Planned and co-ordinated subdivision, use and development	Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which: <ul style="list-style-type: none"> <li>a) has regard to the principles in section 6A;</li> <li>b) recognises and addresses potential cumulative effects of subdivision, use and development;</li> <li>c) is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development;</li> <li>d) has regard to the existing built environment.</li> </ul>	The proposal will support opportunities for redevelopment of an existing brownfield site, supporting an existing development area in preference to creating a new one. It connects with existing infrastructure and development.
Implementation method 6.1.1 Regional plans, district plans and development planning mechanisms	Local authorities shall have regard to the principles in section 6A when preparing, reviewing or changing regional plans, district plans and development planning mechanisms such as structure plans, town plans and growth strategies.	An assessment of how the proposal implements the principles in section 6A is set out below.
Implementation method 6.1.8 Information to support new urban development and subdivision	District plan zoning for new urban development (and redevelopment where applicable), and subdivision and consent decisions for urban development, shall be supported by information which identifies, as appropriate to the scale and potential effects of development, the following: a) the type and location of land uses (including residential, industrial, commercial and recreational land uses, and community facilities where these can be anticipated) that will be permitted or provided for, and the density, staging and trigger requirements; b) the location, type, scale, funding and staging of infrastructure required to service the area; c) multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport	This section 32AA report sets out the information to support the zoning of the Hopuhopu site in a way which addresses this implementation method.

	<p>infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced; d) how existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, high class soils and significant view catchments) will be managed; e) potential natural hazards and how the related risks will be managed; f) potential issues arising from the storage, use, disposal and transport of hazardous substances in the area and any contaminated sites and describes how related risks will be managed; g) how stormwater will be managed having regard to a total catchment management approach and low impact design methods; h) any significant mineral resources (as identified through Method 6.8.1) in the area and any provisions (such as development staging) to allow their extraction where appropriate; i) how the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga has been recognised and provided for; j) anticipated water requirements necessary to support development and ensure the availability of volumes required, which may include identifying the available sources of water for water supply; k) how the design will achieve the efficient use of water; l) how any locations identified as likely renewable energy generation sites will be managed; m) the location of existing and planned renewable energy generation and consider how these areas and existing and planned urban development will be managed in relation to one another; and n) the location of any existing or planned electricity transmission network or national grid corridor and how development will be managed in relation to that network or corridor, including how sensitive activities will be avoided in the national grid corridor.</p>	
Policy 6.4 Marae and papakāinga	To recognise the historical, cultural and social importance of marae and papakāinga and to provide for their ongoing use and development.	The proposal will provide for the ongoing use and development of the Hopuhopu site, including provision for activities associated with marae and papakāinga development.

6.4.1 Provision for marae and papakāinga	District plans shall make appropriate provision for development of marae and papakāinga.	The proposal will implement this method but providing for development of activities associated with marae complexes and by providing for papakāinga housing.
6.4.2 Sustainability of marae and papakāinga	Territorial authorities should support the sustainable development, restoration or enhancement of marae and papakāinga, including by taking into account the need to address the following when preparing district plans: a) infrastructure and utilities requirements; b) social services, such as kōhanga, kura and wānanga, urupā and health services; c) associated customary activities; and d) the relationship of marae and papakāinga to the wider environment, wāhi tapu and sites of significance to Māori, including by management of important view shafts.	The SPZ-H site provides for a range of activities such as koohanga reo, waananga, urupaa, health services, and sites of significance.
Policy 6.16 Commercial development in the Future Proof area	<p>Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community's social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres, and predominantly in those centres identified in Table 6-4 (Section 6D). Commercial development is to be managed to:</p> <ol style="list-style-type: none"> <li>support and sustain the vitality and viability of existing commercial centres identified in Table 6-4 (Section 6D);</li> <li>support and sustain existing physical resources, and ensure the continuing ability to make efficient use of, and undertake long-term planning and management for the transport network, and other public and private infrastructure resources including community facilities;</li> <li>recognise, maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area, by: <ol style="list-style-type: none"> <li>encouraging the greatest diversity, scale and intensity of activities in the Hamilton Central Business District;</li> <li>managing development within areas outside the Central Business District to avoid adverse effects on the function,</li> </ol> </li> </ol>	<p>The Hopuhopu site is an existing brownfield site with existing business zoning across part of the site. It is a unique site with a wide range of activities already occurring within it. It does not fit the traditional 'commercial hierarchy' as it is not a town centre. The OWDP zones part of the site Business and Pa Zone, providing for commercial development to occur. The Proposed District Plan retained the Business zoning but removed the Pa zoning. The proposal does not increase the ability for commercial activities to occur. Commercial development in the current proposal is limited through additional limits on the amount of retail activities allowable in the Mixed Use Precinct, the removal of the ability to undertake general commercial in the</p>

	<p>vitality or amenity of the Central Business District beyond those effects ordinarily associated with trade competition on trade competitors; and</p> <p>iii. encouraging and supporting the enhancement of amenity values, particularly in areas where pedestrian activity is concentrated.</p> <p>d. recognise that in addition to retail activity, the Hamilton Central Business District and town centres outside Hamilton are also centres of administration, office and civic activity. These activities will not occur to any significant extent in Hamilton outside the Central Business District in order to maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre;</p> <p>e. recognise, maintain and enhance the function of sub-regional commercial centres by:</p> <p>i. maintaining and enhancing their role as centres primarily for retail activity; and</p> <p>ii. recognising that the sub-regional centres have limited non-retail economic and social activities;</p> <p>f. maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and</p> <p>g. ensure new commercial centres are only developed where they are consistent with a) to f) of this policy. New centres will avoid adverse effects, both individually and cumulatively on:</p> <p>i. the distribution, function and infrastructure associated with those centres identified in Table 6-4 (Section 6D);</p> <p>ii. people and communities who rely on those centres identified in Table 6-4 (Section 6D) for their social and economic wellbeing, and require ease of access to such centres by a variety of transport modes;</p> <p>iii. the efficiency, safety and function of the transportation network; and</p> <p>iv. the extent and character of industrial land and associated physical resources,</p>	<p>Education and Conference Precinct (formerly the Pa zone), and the reduction in the size of the Business Precinct when compared with the operative and proposed Business Zone area.</p> <p>Additionally, policies have been introduced to ensure that the development is complementary to business zones in the nearby townships of Ngaaruawaahia and Huntly which are listed in Table 6-4 of the Regional Policy Statement.</p>
--	--	--

	including through the avoidance of reverse sensitivity effects.	
<p>6A Development principles</p> <p>General development principles</p>	<p>New development should:</p> <ul style="list-style-type: none"> <li>a. support existing urban areas in preference to creating new ones;</li> <li>b. make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;</li> <li>e. connect well with existing and planned development and infrastructure;</li> <li>j. maintain or enhance landscape values and provide for the protection of historic and cultural heritage;</li> <li>o. not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;</li> <li>q. consider effects on the unique tāngata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tāngata whenua connections within an area should be considered;</li> <li>r. support the Vision and Strategy for the Waikato River in the Waikato River catchment;</li> </ul>	<p>The development principles in section 6A cover a wide range of principles which new development should have regard to. The principles relate to new development whilst Hopuhopu is a brownfield site where it is anticipated that new development will occur on it. The proposal implements the relevant development principles as follows:</p> <ul style="list-style-type: none"> <li>a. The development supports an existing area of development in preference to creating a new greenfield development area.</li> <li>b. This site offers opportunities for urban redevelopment to minimise the need for greenfield development.</li> <li>e. The site is already serviced with water, wastewater, stormwater and transport infrastructure. Work has been undertaken to ensure that there is sufficient capacity to accommodate future growth for the site.</li> <li>j. Provision is made for the maintenance or enhancement of</li> </ul>

		<p>landscape values and protection of historic and cultural heritage.</p> <ul style="list-style-type: none"> <li>o. Provision is made to ensure that reverse sensitivity effects are managed, and incompatible land uses are avoided.</li> <li>q. The proposal will provide for the unique relationship, values, aspirations, roles, and responsibilities with respect to the Hopuhopu site.</li> <li>r. The proposal will support the Vision and Strategy for the Waikato River as set out above.</li> </ul>
Policy 8.5 Waikato River catchment	Recognise Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River – as the primary direction-setting document for the Waikato River and develop an integrated, holistic and co-ordinated approach to implementation.	The proposal recognises Te Ture Whaimana o Te Awa o Waikato as set out above.
Policy 10.2 Relationship of Māori to taonga	Recognise and provide for the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.	The proposal will recognise and provide for the relationship of Waikato-Tainui with their culture and traditions and with the Hopuhopu site which is of strong cultural importance.

Appendix 5: Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao sections of particular relevance to the Hopuhopu proposal

Tai Tumu, Tai Pari, Tai Ao Section	Provision/objective/policy	Analysis
Chapter 10: Tribal Strategic Plan	Objective 10.3.3 Tribal success 10.3.3.1 (a) to succeed in all forms of education and training 10.3.3.1 (b) to be global leaders in research excellence 10.3.3.1 (c) to grow leaders	The Hopuhopu proposal will continue to allow the site to be used for education and training purposes, predominantly through the Endowed College. The Proposed District Plan removed the Pa zoning from the Endowed College site, significantly limiting the ability for the site to be utilised for education and training purposes. The proposed Special Purpose Zone would reinstate the ability to utilise the site for these purposes, whilst being more specific than the Operative zones about where on the site these activities will occur.
Chapter 13: Ngaa Papakaainga me ngaa Marae – Waikato-Tainui Communities	Objective 13.3.1 Papakaainga development is sustainable and supported.	The proposed zoning will support papakaainga development in specific locations within the site.
Chapter 15: Ngaa taonga Maaori tuku iho me te aarai taiao – natural heritage and biosecurity	Objective 15.3.1 The full range of Waikato ecosystem types found throughout the Waikato-Tainui rohe are robust and support representative native flora and fauna.	Provision for conservation activities across the site will support implementation of this objective.

<p>Chapter 25: Land Use Planning – Ngaa Whakaritenga Moo Ngaa Whenua o Waikato- Tainui</p>	<p>Objective – urban and rural development  25.3.2 Urban and rural development is well planned and the environmental, cultural, spiritual, and social outcomes are positive.</p> <p>Objective – positive environmental and cultural effects  25.3.3 Land use and development has positive environmental and cultural effects.</p>	<p>The proposed zone would allow for urban and rural development to occur on the site. Specific areas of the site are defined by ‘precincts’ which provide certainty as to where different activities will occur. Objectives and policies seek to ensure positive environmental, cultural, and social outcomes.</p>
--	---	---



## Appendix 6: Comparison of activity status – OWDP, PWDP and SPZ-Hopuhopu

	Permitted Activity in SPZ-Hopuhopu	Activity Status in Operative District Plan	Activity Status in Proposed District Plan as notified	Comment
Whole of Special Purpose Zone - Hopuhopu	Tuuaahu	N/A	Part of 'marae complex' definition but not provided for on the Hopuhopu site as it is not Maaori freehold land or Maaori customary land	Because 'marae complex' is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for. On Maaori freehold land or Maaori customary land these activities are provided for as 'Permitted'. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the 'marae complex' definition so as to be clear where on the site certain activities can occur.
	Urupaa	Provided for as part of 'site of significance to Maaori' which includes urupaa shown on planning maps	Part of 'marae complex' definition but not provided for on the Hopuhopu site as it is not Maaori freehold land or Maaori customary land	
	Places of cultural significance	Provided for as part of 'site of significance to Maaori'.	Part of 'marae complex' definition but not provided for on the	

			Hopuhopu site as it is not Maaori freehold land or Maaori customary land	
	A temporary event	Permitted in Living, Pa, Business and Rural zones	Permitted in Residential, Rural and Business zones	No change is proposed to the activity status. The activity-specific conditions are proposed to be amended so that they are aligned across all Precincts within the Special Purpose Zone – Hopuhopu.
	A cultural event	Permitted in Living, Pa, Business and Rural zones (included in definition for temporary event)	Permitted in Residential, Rural and Business zones (as a temporary event).	No change is proposed to the activity status. The Proposed District Plan allows for cultural events with no activity-specific conditions where associated with a marae complex on Maaori freehold land.
	Informal recreation	Permitted in Living, Pa, Business and Rural zones	Non-complying in Residential, Rural and Business zones	It is proposed to reflect the Operative District Plan provision so as to allow informal recreation across the site.
	Conservation activity	N/A	Non-complying in Residential, Rural and Business zones	It is proposed to allow conservation activities to occur as a permitted activity across the site. This is as per the current PWDP definition as follows: <i>Means activities associated with indigenous habitat, wetlands and wildlife management and restoration that fundamentally benefit indigenous biodiversity or raise public awareness of indigenous biodiversity values. This includes stock exclusion, research and monitoring, the establishment, maintenance or upgrading of public walking or cycle tracks, interpretive and directional signs, accessory buildings including those for tourism, interpretation or education purposes and the provision of access for plant or animal pest management.</i>

PREC1 – Hopuhopu Residential Precinct	Residential activity	Permitted in Living Zone.	Permitted in Residential Zone.	No change is proposed to the activity status.
	Papakaainga (Hopuhopu)	N/A	Papakaainga housing provided as part of ‘marae complex’ definition but not applicable for Hopuhopu site.	Because ‘marae complex’ is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for. On Maaori freehold land or Maaori customary land these activities are provided for as ‘Permitted’. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the ‘marae complex’ definition so as to be clear where on the site certain activities can occur. Papakaainga has been separately defined for the SPZ-H in order to ensure the definition does not include cross reference to Maaori-owned land.
	Papakaainga building	N/A	Papakaainga building provided as part of ‘marae complex’ definition but not applicable for Hopuhopu site.	Because ‘marae complex’ is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for. On Maaori freehold land or Maaori customary land these activities are provided for as ‘Permitted’. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the ‘marae complex’ definition so as to be clear where on the site certain activities can occur.
	Kaumaatua housing (Hopuhopu)	N/A	N/A	A new definition would ensure that kaumaatua housing is provided for.
	Home business (Hopuhopu)	Permitted in Living Zone	Permitted in Residential Zone	No change is proposed to the activity status. The definition has changed slightly in accordance with planning standards and it is defined differently for Hopuhopu to avoid the use of the word ‘site’.
	Homestay	Permitted in Living Zone	Permitted in Residential Zone	No change is proposed to the activity status.
PREC2 – Hopuhopu Education and Conference Precinct	Community facility	Permitted in Pa Zone	Place of Assembly is Discretionary in the Rural Zone	It is proposed to reflect the Operative District Plan’s provision to ensure this type of activity is permitted.

	Educational facility including waananga	Permitted in Pa Zone	Discretionary in Rural Zone	The predominant use of the Education and Conference Precinct (previously the Pa Zone) is for the Waikato-Tainui Endowed College. This was previously a permitted activity. By re-zoning this area to Rural under the Proposed Plan, the activity status is now Discretionary. The proposal is to restore the Operative District Plan activity status of Permitted.
	Conference centre and facilities	Permitted by default in Pa Zone	Not provided for on Hopuhopu site. A Marae Complex or Papakaainga Housing Development on Maaori freehold land or on Maaori customary land is permitted subject to activity-specific conditions. The definition for Marae Complex includes conference centre and facilities.	Because 'marae complex' is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for. On Maaori freehold land or Maaori customary land these activities are provided for as 'Permitted'. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the 'marae complex' definition so as to be clear where on the site certain activities can occur.
	Visitor accommodation (Hopuhopu)	Permitted by default in Pa Zone	Traveller's accommodation is Discretionary in the Rural Zone.	This would restore the Operative Plan provision allowing for traveller's accommodation. A small change to the definition would remove the 'daily tariff' requirement as this may not always be applicable for Hopuhopu where visitors are not always required to pay a tariff.

	Health facility including hauora	Permitted in Pa Zone	Not provided for in the Rural Zone.	This would restore the Operative Plan provision allowing health facilities.
	Wharenuī	Permitted by default in Pa Zone	Not provided for on Hopuhopu site. The definition for Marae Complex includes wharenuī.	Because 'marae complex' is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for in the current zoning. On Māori freehold land or Māori customary land these activities are provided for as 'Permitted'. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the 'marae complex' definition so as to be clear where on the site certain activities can occur.
	Wharekai	Permitted by default in Pa Zone	Not provided for on Hopuhopu site. The definition for Marae Complex includes wharekai.	
	Aatea	Permitted by default in Pa Zone	Not provided for on Hopuhopu site. The definition for Marae Complex includes aatea.	
	Waharoa	Permitted by default in Pa Zone	Not provided for on Hopuhopu site. The definition for Marae Complex includes waharoa.	
PREC3 – Hopuhopu Business Precinct	Community facility	A community activity is	A community activity is	No change except to use the Planning Standards definition.

		permitted in the Business Zone	permitted in the Business Zone	
	Conference centre and facilities	Permitted by default in Business Zone	Not provided for on Hopuhopu site. The definition for Marae Complex includes conference centre and facilities.	This is permitted in the Operative Plan but not provided for in the Proposed Plan by virtue of the 'marae complex' definition not being applicable. This change would restore the Operative Plan provision.
	Trade and industry training activity	N/A	Non-complying in the Business Zone.	This is to provide for trade and industry training activities.
	Light industry (Hopuhopu)	N/A	Non-complying in the Business Zone.	This is to provide for start-up businesses and incubators such as small building companies. It is intended that these would be small in scale and mostly operate indoors so as to reduce any impact on other nearby uses.
	Commercial activity	Permitted in the Business Zone.	Permitted in the Business Zone.	No change.
	Office	Not separately defined in the Operative District Plan.	Permitted in the Business Zone.	No change.
	Health facility including hauora	Permitted in the Business Zone	Permitted in the Business Zone	No change.
	Visitor accommodation (Hopuhopu)	Check	Traveller's accommodation is permitted in	No change is proposed except to use the planning standards definition and delete reference to a daily tariff being paid (as this may not always be the case in Hopuhopu – where visiting dignitaries for example may perhaps stay without being charged a tariff).

			the Business Zone	
	Public transport facility	Transport depot is permitted (includes a bus or railway station, truck parking or servicing site, or depot for the handling or transfer of materials or vehicles).	Permitted in the Business Zone	No change to the activity status is proposed.
	Wharenuui	N/A	Not provided for on Hopuhopu site because 'marae complex' definition is limited to Maaori Freehold Land or Maaori Customary Land.	Because 'marae complex' is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for in the current zoning. On Maaori freehold land or Maaori customary land these activities are provided for as 'Permitted'. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the 'marae complex' definition so as to be clear where on the site certain activities can occur.
	Wharekai	N/A		
	Aatea	N/A		
	Waharoa	N/A		
	Whare Taonga	N/A	N/A	This is a new definition to provide for a whare taonga (museum) to house Waikato-Tainui and Kiingitanga taonga. This could occur in the Mixed Use Precinct or the Business Precinct.
	Organised recreation (Hopuhopu)	N/A	N/A	This is a new definition to provide for possible future recreation facilities in the Business Precinct.

	Indoor recreation (Hopuhopu)	N/A	N/A	This is a new definition to provide for possible future recreation facilities in the Business Precinct.
PREC4 – Hopuhopu Open Space Precinct	Organised recreation (Hopuhopu)	N/A	N/A	This is a new definition to provide for the existing sports uses on the site and any further development.
	Indoor recreation (Hopuhopu)	N/A	N/A	This is a new definition to provide for the existing sports uses on the site and any further development.
	Crafting Workshop (Hopuhopu)	N/A	N/A	This is a new definition to provide for a carvers' workshop to be located near to the plant nursery.
	Plant Nursery (Hopuhopu)	N/A	N/A	This is a new definition to provide for a plant nursery on the site. There is limited provision for up to 50m <sup>2</sup> of retail sales from the plant nursery. The intention is to provide for trade sales only but should retail sales be contemplated in the future, a resource consent would be required (restricted discretionary).
	Farming	Permitted in the Rural Zone	Permitted in the Rural Zone	No change proposed.
	Trade and Industry Training	N/A	Non-complying in the Rural Zone	This would provide for training activities associated with the plant nursery (if not ancillary), and potential for a training facility close to the native plantings at the bottom of the hill near to the Endowed College. As it is not located within the Education and Conference Precinct, separate provision is made in the Open Space Precinct.
PREC5 – Hopuhopu Mixed Use Precinct	Kaumaatua housing (Hopuhopu)	N/A	N/A	This is a new definition to provide for kaumaatua housing on the Hopuhopu site. The intention is to create a mixed use hub where kaumaatua housing is located at the heart.
	Whare Taonga	N/A	N/A	This is a new definition to provide for a whare taonga (museum) to house Waikato-Tainui and Kiingitanga taonga.



	Koohanga Reo and Kura Kaupapa	N/A	Not provided for in Hopuhopu site because 'marae complex' definition is limited to Maaori Freehold Land or Maaori Customary Land.	This would remedy the situation where 'marae complex' is not provided for, whilst also being specific about where certain activities can locate. A koohanga reo is envisaged to be located near the tribal hub in the Mixed Use Precinct, and close to kaumaatua housing.
	Conference centre and facilities	N/A	Not provided for in Hopuhopu site because 'marae complex' definition is limited to Maaori Freehold Land or Maaori Customary Land.	This would remedy the situation where 'marae complex' is not provided for, whilst also being specific about where certain activities can locate.
	Health facility including hauora	Permitted in the Business Zone	Permitted in the Business Zone.	This would retain the existing permitted status.
	Commercial activity	Permitted in the Business Zone	Permitted in the Business Zone, Discretionary in the Residential Zone.	The Mixed Use Precinct crosses between the existing Business Zone and Residential Zone. The provision for a small convenience retail store and a café will be provided for through a 400m <sup>2</sup> gross floor area limit proposed. This is significantly less than could be undertaken as of right in the current Business Zone which is currently unconstrained for retail uses.
	Community facility	Permitted in the Business Zone.	Community activity permitted in the Business Zone.	The Mixed Use Precinct crosses between the existing Business Zone and Residential Zone.

	Office	Not separately defined in the Operative District Plan, permitted as part of commercial activity.	Permitted in the Business Zone, Non-complying in the Residential Zone.	This would retain the existing permitted status in the Business Zone. The size of the area within which this use could occur is slightly smaller with 23.62ha of Business/Mixed Use Precinct, compared with the 23.65ha in the OWDP. However, with the move to a 'mixed-use' precinct, the focus of this area moves away from commercial towards a mix of uses, including kaumaatua housing, koohanga reo, whare taonga and other community uses.
	Wharenuī	N/A	Not provided for in Hopuhopu site because 'marae complex' definition is limited to Maaori freehold land or Maaori customary land.	Because 'marae complex' is not provided for at Hopuhopu, many activities that are already undertaken on the site are not provided for in the current zoning. On Maaori freehold land or Maaori customary land these activities are provided for as 'Permitted'. It appears to be an anomaly that these are not provided for at Hopuhopu. The approach taken has been to separate the component parts of the 'marae complex' definition so as to be clear where on the site certain activities can occur.
	Wharekai	N/A		
	Aatea	N/A		
	Waharoa	N/A		

## Restricted Discretionary Activities

The activities listed below are restricted discretionary activities.

RDIS1	<p>(a) Plant nursery (Hopuhopu) that does not comply with an activity specific condition in SPZ-H-R1-1 PER28.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) effects on traffic;</li> <li>(ii) hours and days of operation;</li> <li>(iii) noise levels;</li> <li>(iv) site design, layout and amenity.</li> </ul>
RDIS2	<p>(a) Educational facility within PREC4 – the Hopuhopu Open Space Precinct</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) effects on traffic;</li> </ul>

	<ul style="list-style-type: none"> <li>(ii) site design, layout and amenity;</li> <li>(iii) the degree to which the development would be compatible with the open space character and amenity of the Precinct.</li> </ul>
RDIS3	<ul style="list-style-type: none"> <li>(a) Home business (Hopuhopu) that does not comply with an activity specific condition in SPZ-H-R1-PER4(b)-(f).</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) duration and frequency;</li> <li>(ii) effects on traffic;</li> <li>(iii) effect on amenity values of nearby residential properties;</li> <li>(iv) scale of the activity.</li> </ul> </li> </ul>
RDIS4	<ul style="list-style-type: none"> <li>(a) Homestay that does not comply with the activity specific condition in SPZ-H-R1-PER5(b).</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) duration and frequency;</li> <li>(ii) effects on traffic;</li> <li>(iii) effect on amenity values of nearby residential properties;</li> <li>(iv) number of temporary residents;</li> </ul> </li> </ul>
RDIS5	<ul style="list-style-type: none"> <li>(a) A temporary event that does not comply with an activity specific condition under SPZ-H-R1-PER14.</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) duration and frequency;</li> <li>(ii) effects on traffic;</li> <li>(iii) traffic safety;</li> <li>(iv) effects on amenity values.</li> </ul> </li> </ul>

## Discretionary Activities

DIS1	Any permitted activity that does not comply with an activity specific condition in SPZ-H-R1-1 except PER4(b)-(f), PER5(b), PER14, and PER28.
DIS2	Hazardous waste storage, processing or disposal
DIS3	Transport depot
DIS4	Intensive farming
DIS5	Rural Industry
DIS6	Correctional facility
DIS7	Any other activity that is not listed as Permitted or Restricted Discretionary