

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato District Plan

**STATEMENT OF EVIDENCE OF
CHRISTOPHER JOHN DAWSON (PLANNING)**

Dated 17 February 2021

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BARRISTER

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INTRODUCTION

1. My full name is Christopher John Dawson. I am a Planning Project Manager at Bloxam Burnett & Olliver Ltd (**BBO**), a firm of consulting engineers, planners and surveyors based in Hamilton. I have held this position since 2001. Prior to that I worked as a Senior Planner at Waikato District Council (**WDC**) and I have 25 years of experience in this field.
2. I hold the Qualifications of a Diploma in Parks and Recreation Management with Distinction from Lincoln University (1988), a Bachelor of Social Science with First Class Honours majoring in Geography and Resources and Environmental Planning (1996) and a Post Graduate Diploma in Resources and Environmental Planning (1997), both from Waikato University.
3. I am a full member of the New Zealand Planning Institute and the Resource Management Law Association. I am also an accredited decision maker under the Ministry for the Environment's Making Good Decisions Programme and am an Honorary Lecturer in the Environmental Planning Programme at the University of Waikato. I also sit on the Hamilton City Council Urban Design Panel as one of the representatives of the Waikato Branch of the New Zealand Planning Institute.
4. I have been engaged by Shand Properties Limited (**Shand**) to present expert planning evidence in relation to the submissions that Shand Properties Limited have lodged against the Proposed Waikato District Plan (**PDP**).

CODE OF CONDUCT

5. I have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014 and agree to comply with it. I confirm that the opinions expressed in this statement are

within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions, I have expressed.

BACKGROUND AND SCOPE OF EVIDENCE

6. I have been involved in this matter since early 2018. Our company was engaged by Shand to review the PDP in relation to both Stage 1 and 2 and prepare submissions as relevant. My colleague, Mr Sam Foster, prepared the submissions and further submissions on the PDP on behalf of Shand. He has now left BBO and I have taken over this project. I have visited the site on several occasions, most recently on 8 September 2020.
7. The purpose of this evidence is to provide a summary of the submissions that have been lodged against the PDP on behalf of Shand, analyse the feasibility of the requested rezoning and evaluate the consistency of the rezoning with the applicable strategic planning framework. The scope of this evidence relates solely to the relief sought by the submissions which includes:
 - a) Shand's request to rezone Areas 1 and 2 to Industrial and Area 3 to Residential.
8. My evidence relies on the evidence of the following technical experts:
 - a) Mr Constantinos Fokianos – Stormwater.
 - b) Mr Phillip Pirie – Water and wastewater supply and capacity.
 - c) Ms Rhulani Baloyi – Transportation effects.
 - d) Mr Kenneth Read – Geotechnical Engineer – ground stability,

liquefaction, and subsidence.

- e) Mr Warren Gumbley – Archaeologist – archaeological effects; and
- f) Mr Andrew Blayney – Ecologist – ecological effects.

SUMMARY OF EVIDENCE

- 9. The following evidence report addresses the matters addressed below:
 - a) A summary of submissions lodged by Shand against the PDP.
 - b) An outline of the strategic context and relevant legislation and supporting documents that frame this report and associated submission.
 - c) An analysis assessment of the relevant legislation and strategic documents.
 - d) A summary of the expert technical reports that have been prepared in support of the rezoning and the development potential of the properties subject to the submissions.
 - e) A section 32AA evaluation is attached as **Appendix 1**.

OVERVIEW OF SHAND SUBMISSIONS

- 10. A copy of the submission and further submission on Stage 1 are attached as **Appendix 2 and Appendix 3**. A copy of the submission on Stage 2 is in **Appendix 4**.

Stage 1 Submission

- 11. To summarise the submission on Stage 1, Shand opposed the proposed

Rural Zoning of Area 1, 2 and 3 demonstrated in Figure 1 below.

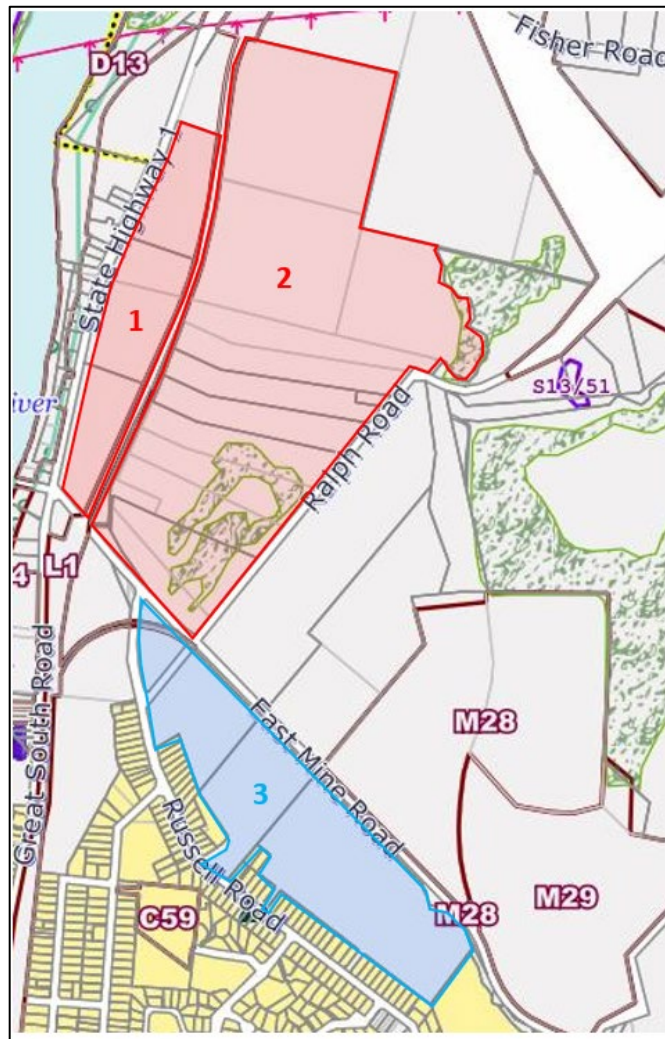


Figure 1: Plan of Shand Owned Land Requested to be Rezoned – Red = Area proposed for Industrial Zoning; Blue = Area proposed for Residential Zoning

12. The relief sought requested that Area 1 and 2 be rezoned Industrial and Area 3 be rezoned Residential. These areas can be described as follows:
 - a) **Area 1** - The land located between Great South Road to the west and the North Island Main Trunk railway (**NIMT**) to the east (parcel ID 1-4). The total area for these parcels is 13.06ha;
 - b) **Area 2** - The land located between the NIMT to the west, Ralph Road to the east and East Mine Road to the south (parcel ID 5-18).

The total area for these parcels is approximately 61ha; and

- c) **Area 3** - The land south of East Mine Road (parcel ID 22-25). The total area for these parcels is 22.95ha.

13. Although not addressed in detail through this evidence report, the submission on Stage 1 also opposed Policy 4.1.13 and requested the following amendments to the proposed wording of this Policy –

Amend 4.1.13 Policy – Huntly as follows [insert text: underline, remove text: ~~strikeout~~]

4.1.13 Policy – Huntly

(a) Huntly is developed to ensure:

- i) Infill and redevelopment of existing sites occurs.
- ii) Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised.
- iii) Development of areas where there are hazard and geotechnical constraints is managed to ensure the associated risks do not exceed acceptable levels.
- iv) Development is avoided on areas with ~~hazard, geotechnical and ecological constraints~~ significant hazard and geotechnical constraints that are unable to be remedied or sufficiently mitigated to achieve an acceptable level of risk.
- v) Ecological values are maintained or enhanced.
- vi) Development of areas with significant ecological value is avoided.

14. The above amendments were requested in so far as the policy sought to avoid all development where there may be any hazard, geotechnical or ecological constraint of any property in Huntly. The submission sought that WDC should acknowledge that while some constraints are of such a magnitude or level of risk that avoiding development is an appropriate outcome, others will be able to be safely mitigated or managed without causing undue risk and this should be assessed on a case-by-case basis.

Stage 2 Submission – Natural Hazards

15. For the sake of completeness, Shand lodged a submission against Stage 2 of the PDP requesting amended wording to Rule 15.11.3 and the

introduction of Rule 15.11.2 which seeks to introduce a controlled activity rule. The amendments above were requested to simplify the consenting process and to enable geotechnical concerns and constraints associated with developing within the Huntly Mine Subsidence Risk Overlay to be addressed at subdivision stage rather than require a Discretionary resource consent at the time of subdivision consent and at the time of development. A copy of the submission which includes an assessment of the relief sought is attached as **Appendix 4**. It is understood that a hearing on the Stage 2 provisions of the PDP will take place sometime in 2021.

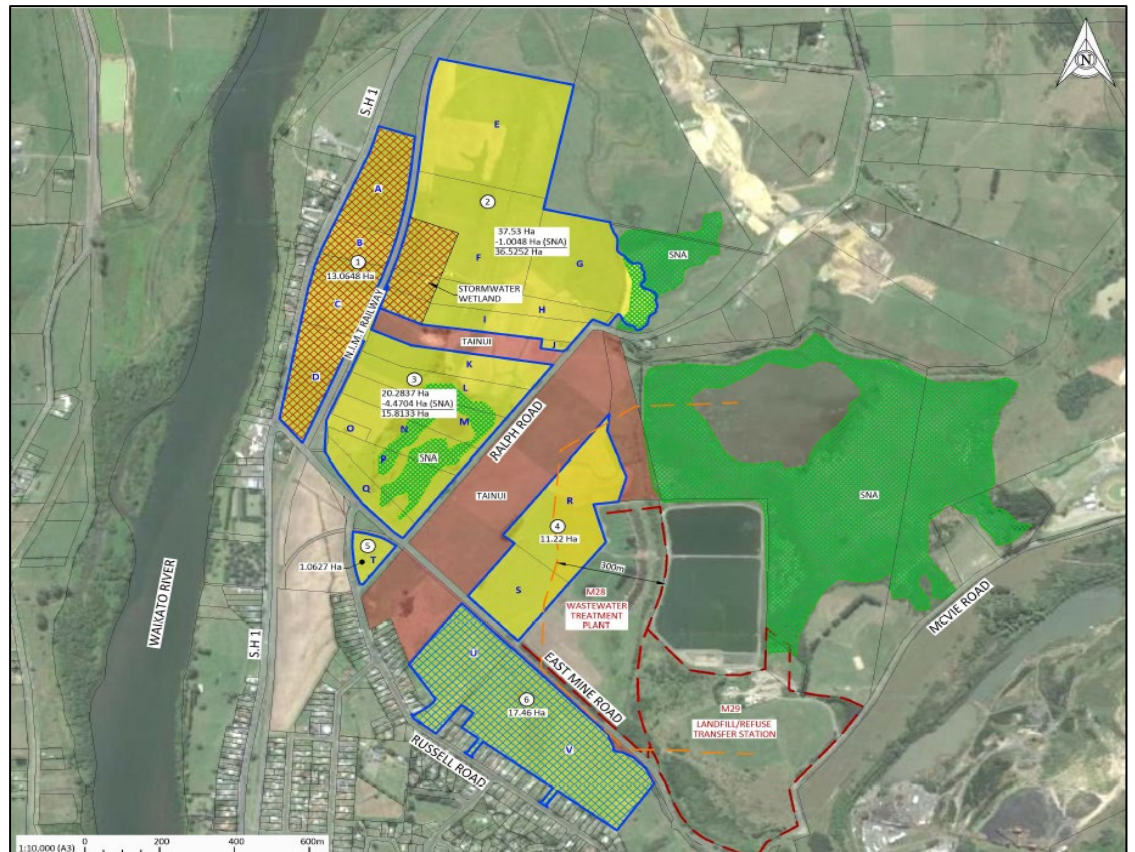
Refined Rezoning Area

16. As a result of further investigation in relation to stormwater disposal and flooding, Shand now seeks to amend and reduce the area that is requested to be rezoned for industrial purposes.

Residential Area

17. In regard to the Residential Area, defined as Area 3 above, there is a parcel of land that is owned by Te Whakakitenga o Waikato Incorporated (**Tainui**) that bisects the land owned by Shand on the southern side of East Mine Road. Correspondence has been had with Tainui in regard to its involvement in this rezoning request, however, no response has been received to date. As a result, the land owned by Tainui and the small parcel of land owned by Shand to the west, is not requested to be rezoned.
18. As a result, the area of land that is requested to be rezoned Residential has been reduced from 22.95ha to 17.46ha in total area. This area is referred to as Area 6 on the updated rezoning plan, included as **Figure 2** (on the following page) and included as **Appendix 5**.

Industrial Area



19. Similar to the above, Shand has decided to reduce the area of land requested to be rezoned industrial to the area of land between Great South Road and the NIMT (**Area 1**) and an area of 3.712 ha of Area 2 (east of NIMT (**Area 1A**)). This decision was made due to the Tainui land that bisects the land that is owned by the Shand and the large area that is identified as a Significant Natural Area under the PDP. Additionally, developing this area in its entirety would be economically challenging and the ability to service a development of this scale would be difficult. As a result, the area of land that is requested to be rezoned Industrial has been reduced from 74.06ha to 16.776 ha and is referred to as **Area 1 and Area 1A**.
20. **Figure 2** below contains a plan that demonstrates the land owned by Shand and the two Areas of land that are now subject to this rezoning request, being Area 1 (Industrial Area) and Area 6 (Residential Area).

Figure 2: Plan of Shand Owned Property Subject to the Rezoning Submission –
Yellow land = Land owned by Shand; Red Hatching = Area 1 (land proposed for Industrial Zoning); Blue Hatching = Area 6 (land proposed for Residential Zoning); Red = land owned by Tainui

STATUTORY FRAMEWORK

Council's Section 42A Framework Report

21. The rezoning submission is subject to a range of provisions in the RMA, including the Purpose and Principles in Part 2 (sections 5 – 8) of the Act, sections 31 (functions of territorial authorities), sections 32 and 32AA (requirement for evaluation reports), section 74 (matters to be considered) and Part 1 of Schedule 1 (requirements relevant to process). In addition, WDC has released a s42A Framework Report which is also assessed below in terms of the “Three Lens” approach.
22. The s42A Framework Report, released 19 January 2021, provides the framework within which WDC intends to consider submissions seeking the rezoning of land. The s42A Framework Report sets out that submissions will be considered through a series of ‘lenses’: firstly, the alignment of the proposal with relevant objectives and policies of the PDP; secondly, the alignment and consistency of the proposal with higher order documents; and thirdly, an assessment of the submission against ‘best practice’ planning guidelines.
23. In terms of context, the s42A Framework Report establishes that:
 - a) The Waikato District, and in particular specific townships (including Huntly), is experiencing high levels of growth.¹ Factors such as the COVID-19 pandemic and the proximity of the District to major

¹ s42A Framework Report, para 173.

populations centres (Auckland and Hamilton) mean that the levels of growth are anticipated to continue.²

- b) The growth targets in the PDP as notified are out of date, as a result of ongoing growth and new requirements introduced by the National Policy Statement on Urban Development 2020 (**NPS-UD**), which came into effect post the PDP being notified.³ As it stands, the PDP does not give effect to the requirements of the NPS-UD.⁴ To meet demand (and the requirements of the NPS-UD), the PDP needs to consider zoning additional areas.⁵
- c) In particular, the NPS-UD requires that WDC provide sufficient development capacity to meet expected demand, plus 20 percent to support choice and competitiveness in the housing market. The nature of the District and its dispersed small scale of the towns means that a more nuanced approach will be required than that currently adopted by the PDP, by providing for at least two growth areas around existing towns to ensure competitive markets.⁶
- d) In particular, the NPS-UD requires that WDC provide sufficient development capacity to meet expected demand, plus 20 percent to support choice and competitiveness in the housing market. The nature of the District and its dispersed small scale of the towns means that a more nuanced approach will be required than that currently adopted by the PDP, by providing for at least two growth areas around existing towns to ensure competitive markets.⁷

24. In relation to the need to meet growth demand predictions, both the s42A

² Ibid, paras. 177 – 186.

³ Ibid, para 188.

⁴ Ibid, para 93.

⁵ Ibid, para 92.

⁶ Ibid, para. 189.

⁷ Ibid, para. 189.

Framework Report and the peer-review⁸ of that report commissioned by WDC states that “there is not a 1:1 relationship between zone-enabled land and development feasible land”, given the multitude of other factors that dictate whether land can be utilised for its zoned purpose. Accordingly, the “demand +20% metric needs substantially more land zoned than the raw number thereby calculated”.⁹ This amplifies the issue identified in the s42A Framework Report that there is indicatively “a shortfall in the PDP zone capacity to cater to demand”.¹⁰ Within this context, the following provides an assessment of the proposal against the framework set out in the s42A Framework Report.

Lens One - Consistency with PDP objectives, policies and strategic direction

25. Appendix 2 of the s42A Framework sets out a matrix of the strategic direction, objectives, and policies of the PDP relevant to various scenarios of rezoning requests. Those that are relevant to requests for the rezoning of rural land to residential are identified and discussed in the following table:

Table 1 – Direction, objectives and policies of the PDP relevant to rezoning request.

Objective / Policy	Comment – Area 6 (Residential)	Comment – Area 1 (Industrial)
1.5.1 Compact urban development (b) Urban forms of residential, industrial, and commercial growth in the district will be focused primarily into towns and villages, with rural-residential development occurring in Country Living Zones. Focusing urban forms of growth primarily into towns and villages, and encouraging a compact form of urban development, provides opportunity for residents to “live, work and play” in their local area, minimises the necessity to travel, and supports public transport opportunities, public facilities and services.	The proposed land to be rezoned residential is located proximate to the Huntly township, adjoining land that is zoned for Residential activity and providing for further growth in Huntly to be managed in a way that enables a compact form of development.	The proposed land to be rezoned industrial is located adjacent to Great South Road (former State Highway One) and the railway line and is primarily flat with easy access. The land has good access to a primary traffic route yet has some physical separation from the nearest residential development in Huntly. The site has a number of features that provide
1.5.2 Planning for urban growth and development (a) Defined growth areas have been zoned and their development will be guided through the	Clause 1.5.2(a) of the PDP states that the “growth areas” for the District have been identified and zoned accordingly. The Shand land	Clause 1.5.2(a) of the PDP states that the “growth areas” for the District have been identified and zoned accordingly. The Shand land

⁸ “Peer Review: Hearing 25 Zone Extents Framework Report – Dr Mark Davey”, prepared by David Hill, dated 26 January 2021.

⁹ Ibid pg. 3.

¹⁰ s42A Framework Report, para 267.

<p>application of objectives and policies and through processes such as the development of master plans, comprehensive structure plans, the district plan and any future changes to the district plan. The agreed Future Proof settlement pattern for urban growth and development is to avoid unplanned encroachment into rural land and is to be contained within defined urban areas to avoid rural residential fragmentation.</p>	<p>is not zoned as a growth area, and accordingly the proposal can be considered to not align with this clause. As noted in the s42A Framework Report, the assumptions made in the PDP as drafted concerning the extent of growth areas required have been superseded by the level of growth experienced in the District, and the requirements of the NPS-UD. Area 6 (Residential) has been identified in Waikato 2070 and lies within the existing Huntly urban limits as set out in the Waikato Regional Policy Statement. On this basis, it can be considered as appropriate.</p>	<p>is not zoned as a growth area, and accordingly the proposal can be considered to not align with this clause. As noted in the s42A Framework Report, the assumptions made in the PDP as drafted concerning the extent of growth areas required have been superseded by the level of growth experienced in the District, and the requirements of the NPS-UD. Area 1 (Industrial) has been identified in Waikato 2070 and lies within the existing Huntly urban limits as set out in the Waikato Regional Policy Statement. On this basis, it can be considered as appropriate.</p>
<p>1.12.3 Built environment.</p> <p>(a) A district which provides a wide variety of housing forms which reflect the demands of its ageing population and increases the accessibility to employment and community facilities, while offering a range of affordable options.</p> <p>(b) A district that has compact urban environment that is focused in defined growth areas, and offers ease of movement, community well-being and economic growth</p>	<p>The proposal aligns with this direction, in that it will enable additional land supply to provide for a variety of housing typologies to establish, in a manner that promotes a compact urban environment. While the PDP has not zoned the subject land as a defined growth area, the land is located entirely within the Future Proof growth area, as well as being identified in the Waikato 2070 strategy as a future growth area.</p>	<p>The proposal aligns with this direction, in that it will enable additional land supply in a manner that promotes additional industrial land for employment purposes. While the PDP has not zoned the subject land as a defined growth area, the land is located entirely within the Future Proof growth area, as well as being identified in the Waikato 2070 strategy as a future growth area.</p>
<p>1.12.8 Strategic objectives</p> <p>b) In summary, the overarching directions include the following:</p> <p>(i) Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently.</p> <p>(ii) Promote safe, compact sustainable, good quality urban environments that respond positively to their local context.</p> <p>(iii) Focus urban growth in existing urban communities that have capacity for expansion. ...</p> <p>(vi) Protect and enhance green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance.</p>	<p>The following comments are made in relation to these directions:</p> <p>i. While the Shand landholding has not been zoned for urban development in the PDP, the land is located entirely within the Indicative Urban Limits identified in Future Proof 2017 growth strategy and the future growth areas identified in the Waikato 2070 strategy.</p> <p>ii. The residential rezoning request directly adjoins land already utilised for urban development (that is, zoned Residential), and will support the development of a compact, sustainable and good quality urban environment.</p> <p>iii. The rezoning request relates to the existing urban community of Huntly, and concerns land that is suitable to</p>	<p>The following comments are made in relation to these directions:</p> <p>vi. While the Shand landholding has not been zoned for urban development in the PDP, the land is located entirely within the Indicative Urban Limits identified in Future Proof 2017 growth strategy and the future growth areas identified in the Waikato 2070 strategy.</p> <p>vii. The Industrial rezoning request is appropriately located for access to a formed public road and reticulated services (over time) along with specialist reviews confirming the suitability of the site for this type of landuse.</p> <p>viii. The rezoning request relates to the existing urban community of Huntly, and concerns land that is suitable to accommodate urban activity given existing</p>

	<p>accommodate urban activity given existing and planned infrastructure and the specialist reviews confirming the ability for the site to be developed for residential activity.</p> <p>iv. The subject land is not identified as having any significant landscape values, or items of cultural, ecological or historical significance. The ecological assessment confirms that an area defined as a wetland is located on the lower part of Area 6 which will be preserved from development.</p> <p>v. Expert assessments have been undertaken that identify the existing values present on the land, the potential effects of development and the opportunities available to enhance those values.</p>	<p>and planned infrastructure and the specialist reviews confirming the ability for the site to be developed for industrial activity.</p> <p>ix. The subject land is not identified as having any significant landscape values, or items of cultural, ecological or historical significance. Expert assessments have been undertaken that identify the existing values present on the land, the potential effects of development and the opportunities available to enhance those values.</p>
<p>4.1.2 Objective – Urban growth and development</p> <p>(a) Future settlement pattern is consolidated in and around existing towns and villages in the district.</p>	<p>The proposal supports this objective by identifying land adjoining the existing Huntly urban area that is able to accommodate future growth for Residential land (Area 6).</p>	<p>The proposal supports this objective by identifying land adjoining the existing Huntly urban area that is able to accommodate future growth for Industrial land (Area 1).</p>
<p>4.1.3 Policy - Location of development</p> <p>(a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided.</p> <p>(b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.</p>	<p>The proposal is broadly consistent with this policy. Existing infrastructure is available to service development of the site, and planned upgrades to assets will further enable this over time. The Shand land in Area 6 (Residential) is entirely located within the Indicative Urban Limits identified in Future Proof 2017 and is adjacent to existing Residential development.</p>	<p>The proposal is broadly consistent with this policy. Existing infrastructure is available to service development of the site, and planned upgrades to assets will further enable this over time. The Shand land in Area 1 (Industrial) is entirely located within the Indicative Urban Limits identified in Future Proof 2017 and is well placed in terms of separation from other sensitive landuses and frontage to an arterial transport route.</p>
<p>4.1.5 Policy – Density</p> <p>(a) Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space.</p> <p>(b) Achieve a minimum density of 12-15 households per hectare in the Residential Zone.</p> <p>(c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided.</p>	<p>The applicant envisages a minimum density of residential development in Area 6 consistent with these policies taking into account topography and site constraints such as wetlands.</p>	<p>Not Applicable.</p>

<p>4.1.6 Objective – Industrial location Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of: Tuakau; Pokeno; Huntly; and Horotiu</p>	<p>Not applicable.</p>	<p>Area 1 (Industrial) is located within the Industrial strategic growth node of Huntly and is also identified in Waikato 2070 as part of the East Mine Business Park.</p>
<p>5.1.1 Objective – The rural environment (a) Subdivision, use and development within the rural environment where:</p> <ul style="list-style-type: none"> (i) high class soils are protected for productive rural activities. (ii) productive rural activities are supported, while maintaining or enhancing the rural environment. (iii) urban subdivision use and development in the rural environment is avoided. 	<p>The s42A Framework Report discusses the tensions that exist between this policy and other policies in the PDP and the Waikato Regional Policy Statement (WRPS) which seek to enable growth around existing towns within the boundaries identified in the Future Proof, as well as the direction by higher order documents including the NPS-UD. The Report author reaches the position that “urban development in rural environments should only occur around existing towns which are identified in the WRPS and within the boundaries set by the Future Proof Strategy Planning for Growth 2017”. The proposal to rezone Area 1 as Residential Zone is consistent with this position. It relates to enabling urban growth in an existing town, with the entirety of the land holding located within the Indicative Urban Limits identified in Future Proof 2017.</p>	<p>Not Applicable.</p>
<p>5.3.1 Objective - Rural character and amenity (a) Rural character and amenity are maintained.</p>	<p>These policies relate to the maintenance of the rural environment, where land has been zoned and is intended to be continued to be used for that purpose.</p>	<p>These policies relate to the maintenance of the rural environment, where land has been zoned and is intended to be continued to be used for that purpose.</p>
<p>5.3.4 Policy - Density of dwellings and buildings within the rural environment (a) Retain open spaces to ensure rural character is maintained. (b) Additional dwellings support workers’ accommodation for large productive rural activities.</p>	<p>As noted above, the rezoning of the land to provide for residential development is considered to be generally consistent with the objectives and policies that seek to consolidate growth around existing towns and within the growth areas identified in the Future Proof 2017 growth strategy.</p>	<p>As noted above, the rezoning of the land to provide for industrial development is considered to be generally consistent with the objectives and policies that seek to consolidate growth around existing towns and within the growth areas identified in the Future Proof 2017 growth strategy.</p>
<p>Policy - Effects on rural character and amenity from rural subdivision (a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages. (b) Ensure development does not compromise the predominant open space, character and amenity of rural areas. (c) Ensure subdivision, use and development minimise the effects of ribbon development. (d) Rural hamlet subdivision and boundary relocations ensure the following: (i) Protection of rural land for</p>	<p>Rezoning Area 6 for residential development will accordingly result in these objectives and policies no longer applying to the use and development on the property.</p>	<p>Rezoning Area 1 for Industrial development will accordingly result in these objectives and policies no longer applying to the use and development on the property.</p>

	productive purposes.		
(ii)	Maintenance of the rural character and amenity of the surrounding rural environment.		
(iii)	Minimisation of cumulative effects.		
(e)	Subdivision, use and development opportunities ensure that rural character and amenity values are maintained.		
(f)	Subdivision, use and development ensures the effects on public infrastructure are minimised		

26. As discussed in the above table, the proposal is not considered to be contrary to these objectives and policies for the following reasons:

- a) Both Area 1 (Industrial) and Area 6 (Residential) are located within the Waikato Regional Policy Statement (**WRPS**) urban limits as contained in Map 1 (Future Proof Settlement Pattern) within the Future Proof Strategy (Planning for Growth) November 2017.
- b) Area 1 (Industrial) is located within the East Mine Business Park Activity Zone on Map 04.7 *Huntly and Ohinewai Development Plan* in WDC's Growth and Economic Development Strategy "Waikato 2070".
- c) Area 6 (Residential) is located within the Kimihia Residential Activity Zone on Map 04.7 *Huntly and Ohinewai Development Plan* in WDC's Growth and Economic Development Strategy "Waikato 2070".
- d) Area 1 (Industrial) is well located for Industrial landuse given its relatively flat topography and physical separation from other sensitive landuses. The evidence from the experts retained by Shand confirms that Area 1 can be serviced for water, wastewater (with extensions and improvements to reticulated services over time) and stormwater. Area 1 does not have any ecological features within its boundaries and ground conditions are considered appropriate from a geotechnical perspective. While Area 1 does have a series of borrow pits and modified (garden soils), the archaeological evidence

of Mr Gumbley is that these features can be removed provided a representative sample of borrow pits is retained and protected.

- e) Area 6 (Residential) is well located for Residential landuse given its location immediately adjacent to existing residential land and with the majority of the site above known flood levels. The advice from the experts retained by Shand is that the site can be easily accessed for transport, can be serviced for water, wastewater and stormwater management and that ground conditions are geotechnically appropriate for development. Area 6 does not have any archaeological features and the ecological evidence of Mr Blayney is that the wetland in the lower part of the site can be avoided by the development and improved following careful stormwater management.

- 27. Overall, the proposal is considered to be generally consistent with the objectives and policies of the PDP as notified.

Lens Two – Alignment and consistency with higher order documents

- 28. The higher order documents relevant to the proposal are considered to be National Policy Statements, Regional Policy Statements, and the overall purpose and principles of the RMA.

Regional Policy Statement

- 29. As set out in the s42A Framework Report¹¹, the objectives and policies of the PDP generally seek to achieve the same outcomes as those of the WRPS. However, Section 6 of the WRPS addresses the built environment, and contains policies relevant to the rezoning of land to provide for new urban development. I have set out below an analysis of Section 6A and

¹¹ S42A Framework Report, para 97.

Implementation Method 6.1.8 of the WRPS. An analysis of the relevant high-level objectives and policies of the WRPS is set out in paragraphs 82 to 107 of my evidence.

30. Policy 6.1.1 of the WRPS states that “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”. The principles in Section 6A are set out and discussed in Table 2 below.

Table 2 – Waikato Regional Policy Statement Clause 6A General Development

Principles

6A Development principles	
New development should:	
a. support existing urban areas in preference to creating new ones;	The proposal supports growth proximate to Huntly's existing urban environment
b. occur in a manner that provides clear delineation between urban areas and rural areas;	The proposal will align with this principal. Area 6 (Residential) is bordered by existing Residential Zone to the south and east and East Mine Road to the north. Each of these boundaries will provide a clear delineation between the proposed urban development and other landuses nearby. Area 1 (Industrial) will have clear borders with Great South Road to the west, East Mine Road to the south and the Railway line to the east. The nearest residential land is across Great South Road.
c. make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;	While intensification of Huntly is supported, additional growth areas are necessary to meet demand for housing.
d. not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated;	The proposal will not compromise the safe, efficient and effective operation and use of existing and planned infrastructure. Appendix 5 of the s42A Framework report "Assessment of Growth Cell Servicing – Waters" confirms that both the East Mine Business Park (incorporating Area 1 (Industrial) and Kimihia (incorporating Area 6 (Residential)) can be provided with water and wastewater services. Watercare will be required to undertake further investigations.
e. connect well with existing and planned development and infrastructure;	The proposal will be able to directly connect to existing water supply and wastewater infrastructure, and the existing road network. Infrastructure upgrades will be needed for the wastewater and roading network that support the proposal. See comments above for 6A (e) where both growth areas can be serviced.
f. identify water requirements necessary to support development and ensure the availability of the volumes required;	Preliminary investigations indicate that connections to water supply infrastructure can be provided for with some network improvements required over time to enable these connections to occur. These have been set out in the evidence of Mr Philip Pirie.
g. be planned and designed to achieve the efficient use of water;	Opportunity exists for a water efficient design to be developed on both of the sites.
h. be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;	There are no identified significant mineral resources or access routes to such resources on the site or surrounding area. Area 6 is located in an area that contains a Mine Subsidence Risk Area under Stage 2 of the PDP however the risks associated with developing in this area can be appropriately addressed. The evidence of Mr Ken Read confirms that both Area 1 and Area 6 have satisfactory ground conditions for development. Area 6 is located largely above the identified flood level and that part of the site subject to flooding will not be developed. Stage 2 to the PDP has identified that Area 1 is located in a Defended Area due to it being protected by existing stopbanks along the Waikato River margins. However, a natural hazard assessment has been completed for Area 1 and this has confirmed that the level of risk due to stopbank failure is low and appropriate engineering solutions to manage stormwater flows will address internal catchment flooding ¹² . The land is not located proximate to any energy and transmission corridors or locations identified as likely renewable energy generation sites, or any regionally significant industry. The land is not identified in the NZ Soil Classification register as high class soils.
i. promote compact urban form, design and location to: i. minimise energy and carbon use.	The proposal is located on the edge of the existing Huntly township and the development of both Area 1

¹² See evidence of Constantinos Fokianos.

<ul style="list-style-type: none"> ii. minimise the need for private motor vehicle use. iii. maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport. iv. encourage walking, cycling and multi-modal transport connections; and v. maximise opportunities for people to live, work and play within their local area; 	and Area 6 will align with the principles of a compact urban form. Opportunity exists for a compact urban form to be established as part of the development.
j. maintain or enhance landscape values and provide for the protection of historic and cultural heritage;	An area of borrow pits and modified soils has been identified within Area 1, with the proposal incorporating the retention and recognition of a representative sample of these as appropriate. Engagement has commenced with representatives of Waahi Whaanui Trust and this will be ongoing. There are no identified historic or cultural heritage values associated with Area 6.
k. promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;	The proposal incorporates works to enhance the ecology of Area 6 through avoiding development within and directing treated stormwater through the existing wetland located on the lower part of the site.
l. maintain and enhance public access to and along the coastal marine area, lakes, and rivers;	Not applicable, neither Area 1 or Area 6 provide access to the coastal marine area, a lake or river.
m. avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);	Low impact stormwater practices have been proposed as part of the proposal to treat, attenuate and control stormwater at source. This is described in more detail in the evidence of Mr Fokianos.
n. adopt sustainable design technologies, such as the incorporation of energy-efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;	Opportunity exists for sustainable design technologies to be adopted in the development of the site.
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;	Area 6 is located outside the required buffer distance from the Huntly Wastewater treatment ponds and any other areas of industrial activity. There is no existing or planned infrastructure in the vicinity
p. be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes;	Both sites are not located adjacent to the coast and will be generally resilient and adaptable to the effects of climate change.
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;	The applicant has sought feedback from mana whenua regarding the potential redevelopment of Area 1 and Area 6 and will explore any opportunities raised to visually recognise connections / values identified as part of that engagement.
r. support the Vision and Strategy for the Waikato River in the Waikato River catchment;	Both Area 1 and Area 6 are located in the Waikato River catchment and all appropriate methods will be adopted to protect the river, including erosion and sediment control during earthworks, connection to reticulated water and wastewater networks and a comprehensive stormwater management approach including the development of a specific area for a stormwater treatment wetland.
s. encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and	Potential exists for waste minimisation and efficient resource use to be incorporated into the design and construction stage.
t. recognise and maintain or enhance ecosystem services.	The proposal incorporates the protection of a wetland in Area 6 through being set aside from development and carefully managing treated stormwater.

31. In addition, Implementation Method 6.1.8 of the WRPS requires that district plan zoning for new urban development is supported by

information which identifies a range of matters, as appropriate to the scale and potential effects of development. These matters are set out below:

Table 3 – Implementation method 6.1.8 of the WRPS

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;	Area 6 is proposed to be developed for Residential development while Area 1 is proposed to be developed for Industrial development. The likely density, staging and trigger requirements will be confirmed through subdivision consents, however it is envisaged that some 85 residential allotments and 57,350 m ² Gross Floor Area of Industrial development will eventually be able to be realised on the land
b. the location, type, scale, funding and staging of infrastructure required to service the area;	Infrastructure requirements are discussed in the Three Waters and Transportation reports. In general, existing services are present which the proposal can connect to. While capacity is to be confirmed, Appendix 5 of the s42A Framework report identifies that both Area 1 and Area 6 are able to be serviced and further investigation by Watercare is required. Infrastructure upgrades have been identified in the LTP that will improve the ability for services to accommodate the proposal.
c. multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced;	Both Area 1 and Area 6 have good access to existing public roads. Development on the site can make provision for cycling and walking connections and will have access to the existing public transport infrastructure in the Huntly area. Refer to Transportation assessment for more information.
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;	This is discussed above. The wetland in Area 6 will be set aside from development and enhanced with treated stormwater while the borrow pits and garden soils in Area 1 will be remembered through the preservation of a representative sample.
e. potential natural hazards and how the related risks will be managed;	Refer to Geotechnical Report and the Stormwater and Flooding report. No other natural hazards identified. The Geotech report by Mr Ken Read confirms that both Area 1 and Area 6 are geotechnically sound and able to be developed, even with the imposition of a Mine Subsidence Risk Area overlay on Area 6. The report confirms that
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;	Any industrial use that would store, use or transport hazardous substances will be controlled by the relevant provisions of the PDP.
g. how stormwater will be managed having regard to a total catchment management approach and low impact design methods;	Refer to Three Waters Report
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;	N/A
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;	An approach has been made to Waahi Whaanui Trust to engage with respect to the proposal and this engagement will be ongoing.
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;	Refer to Three Waters Report and evidence of Mr Philip Pirie.
k. how the design will achieve the efficient use of water;	Refer to Three Waters Report – design to be determined at resource consent stage.
l. how any locations identified as likely renewable energy generation sites will be managed;	N/A
m. the location of existing and planned renewable energy generation and consider how these areas and existing	N/A

	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.	N/A

32. Policy 6.14 of the WRPS adopts the land use pattern for growth set out in Future Proof. As discussed in the s42A Framework Report¹³, the WRPS references the 2009 version of the Future Proof Growth Strategy. Future Proof is part way through a review of the strategy, and an updated version of strategy was released in 2017. The proposal is considered to be generally aligned with Clause 6A – General Development Principles and Implementation Method 6.1.8 of the WRPS.

National Policy Statements

National Policy Statement on Freshwater Management 2020

33. The National Policy Statement for Freshwater Management 2020 (**NPS Freshwater**) sets out the statutory framework for the management of freshwater across New Zealand. The NPS Freshwater promotes the concept of Te Mana o Te Wai (the integrated and holistic well-being of a freshwater body). The objective of the NPS Freshwater is to ensure that natural and physical resources are managed in a way that places priority on firstly, the health and wellbeing of water bodies and freshwater ecosystems; secondly the health needs of people; and thirdly the ability of people and communities to provide for their social, economic, and cultural well-being.
34. Included in the policies of the NPS Freshwater are that there is no further loss to the extent of natural inland wetlands, that the loss of river extent is avoided to the extent practicable, and that the value of these freshwater assets are protected and restored.

¹³ Ibid, para 115-122.

35. Existing freshwater assets have been identified on the Site as part of the Boffa Miskell ecological assessment within Area 6. These freshwater assets comprise a wetland located on the lower portion of Area 6 adjacent to East Mine Road. The proposal incorporates the retention and protection of this asset as an integral part of the redevelopment. The manner in which this asset will be treated is discussed further in the stormwater evidence of Mr Fokianos¹⁴ and the ecology evidence of Mr Blayney¹⁵.
36. Any future subdivision or land use application for development on the Site will address the manner in which the existing freshwater assets will be protected. In my view, the proposal will align with the principles of the NPS Freshwater.

National Policy Statement on Urban Development 2020

37. The NPS-UD contributes to the Government's Urban Growth Agenda, which is described by the Ministry for the Environment as a programme that aims to remove barriers to the supply of land and infrastructure. The NPS-UD contributes to the Urban Growth Agenda by addressing constraints in the planning system to ensure our system enables growth and supports well-functioning urban environments.
38. An "urban environment" is defined in the NPS-UD as an area of land that is, or is intended to be, predominantly urban in character and part of a housing or labour market of at least 10,000 people. This definition is applicable to the Shand land for the following reasons:
- a) WDC's economic and growth strategy, "Waikato 2070", identifies Huntly as having a possible population of 13,500 people by the year 2070.

¹⁴ Evidence of Constantinos Fokianos; para 20-21.

¹⁵ Evidence of Andrew Blayney; para 17-20.

- b) Waikato 2070 identifies the area surrounding the Shand land as one of the areas to accommodate long-term residential and industrial growth in Huntly. Refer **Figure 3** below.

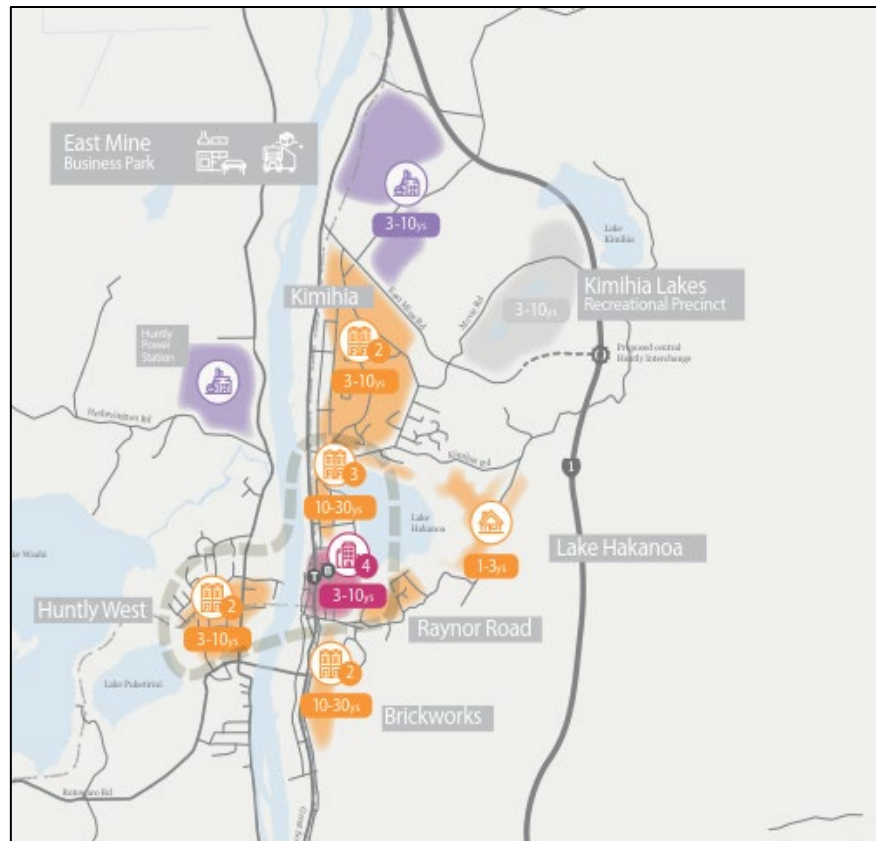


Figure 3 – Huntly growth areas Waikato 2070

39. Both Future Proof and Waikato 2070 identify the area surrounding the Shand landholdings as accommodating future residential growth in Huntly. Waikato 2070 also identifies that the population of Huntly could exceed 10,000 people. Accordingly, Huntly qualifies as an urban environment for the purposes of the NPS-UD.
40. Rezoning the Shand land for residential development aligns with the objectives of the NPS-UD. It will provide approximately 85 additional dwellings for Huntly and meet some of the foreseeable growth needs of the Waikato District. As such, the proposal is considered to be consistent with the objectives of the NPS-UD.

Lens Three – Best practice planning guidance

41. The s42A Framework Report identifies guidance on the “best practice” to apply in considering rezoning requests. Those matters, considered of relevance to the proposal, include:

- a) *The economic costs and benefits of the proposal are considered.* The Shand rezoning will enable approximately 85 additional residential houses in Huntly along with providing significant employment arising from the potential for up to 57,000 m² gross floor area of industrial development. This will provide additional employment opportunities in the Industrial zone along with employment in the civil construction and house building work associated with the additional 85 houses. While the rezoning will involve additional costs in relation to the extension and upgrade of water and wastewater services along with the extension of local roads, power, and telephone services.
- b) *Consideration of issues debated in recent plan changes.* No relevant plan changes are known in the local area.
- c) *That changes to zone boundaries are consistent with the maps in the plan that show overlays or constraints.* The planning maps for this area show that Area 6 (Residential) is covered by both the Mine Subsidence Risk Area and the Defended Area Overlay. Area 1 (Industrial) is covered by the Defended Area only. The evidence of Mr Read confirms that the geotechnical risks associated with the Mine Subsidence Risk Area across Area 6 can be managed and mitigated and that the slopes have a satisfactory level of stability.¹⁶ He also confirms that the geotechnical risks associated with

¹⁶ Evidence of Kenneth Read; para 38.

developing Area 1 can be effectively managed and mitigated.¹⁷ The evidence of Mr Fokianos confirms that appropriate stormwater management solutions exist for the development of both the Residential and Industrial areas while protecting the small wetland at the base of the Residential area. Level-for-level flood volume compensation has also been taken into account in the indicative design of the proposed layout¹⁸.

- d) *Changes to zone boundaries take into account the features of the site.* The site features have been assessed in the various reports prepared by the consultant team and reflected in the draft structure plan prepared for Area 1 (Industrial).
- e) *Zone boundary changes recognise the availability of major infrastructure.* As discussed above, infrastructure has been assessed as part of the proposal and it is considered that existing and planned infrastructure will be able to provide for the zone boundary change.
- f) *There is adequate separation between incompatible land uses.* The Residential Area is sufficiently removed from the 300 m buffer surrounding the existing Huntly Wastewater treatment ponds. The Industrial Area is also separated from the nearest Residential Area by Great South Road (formerly SH1).
- g) *Zone boundaries are clearly defensible and follow property boundaries.* The proposed zone boundaries are clearly defensible. Area 6 has zone boundaries comprising existing residential land to the east, East Mine Road to the north and Russell Road to the south. The western boundary of the proposed residential zone is the property boundary for the Shand Property. Area 1 has zone boundaries comprising Great South Road, East Mine Road and the

¹⁷ Evidenced of Kenneth Read; para 38.

¹⁸ Evidence of Constantinos Fokianos; para 39 – 45.

railway line along with a property boundary to the north. There is strong alignment with these principles.

- h) *Generally, no spot zoning.* Both Area 1 and Area 6 are aligned in that they will yield areas capable of producing up to 85 residential lots adjacent to the existing Huntly urban area and 57,000 m² gross floor area of industrial development. This will enable consistent amenity across a number of sites within each area.

- 42. The proposal is considered to be generally aligned with the best practice guidance that has been identified.

Summary – s42A Framework Report

- 43. Based on the analysis set out above, it is my view that the proposed rezoning of Area 1 to Industrial Zone and Area 6 to Residential Zone will be entirely in accordance with the Three Lens of review identified in the s42A Framework Report.
- 44. Under section 31(1) of the RMA, WDC as a territorial authority has a number of functions for the purpose of giving effect to the RMA in its district, including the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the Waikato District.

Section 32

- 45. As the rezoning submission seeks to make changes to the notified PDP a section 32AA evaluation is required. That evaluation is to be undertaken in accordance with section 32, subsections 1-4. The full section 32AA assessment is attached as **Appendix 1**.

Part 2 – Purpose and Principles

46. As identified above, the rezoning request and other requested changes must be in accordance with the provisions of Part 2 of the RMA. The RMA has a singular purpose which is to promote the sustainable management of natural and physical resources (section 5). The area of land subject to this report is a natural resource, and therefore it is incumbent to demonstrate how that resource will be sustainably managed.
47. In achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation the use, development, and protection of natural and physical resources, are required to recognise and provide for the matters in section 6 of the RMA. Section 6 of the RMA seeks to preserve and protect matters considered to be of national importance. The matters considered of relevance to the submissions associated with this report include the preservation of natural character of wetlands/rivers and their margins, the relationship of Maori and their cultural traditions with their ancestral lands, water, sites, waahi tapu, and other taonga and the management of significant risks from natural hazards.
48. The rezoning request is in accordance with the matters set out above as the development that will result from the rezoning will be an extension of the existing urban environment and will be contained within the existing urban limits of Huntly. Due to this, future development, whether within the Industrial or Residential Areas will be able to access potable water and will be able to be serviced by wastewater and water supply infrastructure along with purpose-built stormwater and flood management systems. Therefore, the development that will follow the rezoning of these areas will not impact upon the natural character or wellbeing of wetlands or rivers.
49. Natural Hazard risks are present in the area due to the proximity of the site to the Waikato River (potential flooding effects) and due to the underground mining that has occurred in the area (potential mine

subsidence). Technical expert advice has been sought in relation to the natural hazard risks associated with ground stability, subsidence, liquification and flooding which has concluded that these risks are able to be appropriately managed. This is explained in greater detail and is addressed in the evidence of Mr Read¹⁹ and Mr Fokianos²⁰.

50. Furthermore, expert advice has been sought from Mr Gumbley, Consultant Archaeologist in relation to the archaeological sites that are located within Area 1 and Area 6. The findings of the archaeologist investigation concluded that Area 1 is entirely composed of archaeological remains (borrow pits/garden soils), and no archaeology evidence was recorded within Area 6. Mr Gumbley recommends the long-term preservation of a representative example of the borrow pits within Area 1 as a means to mitigate adverse effects that would arise from the destruction of other archaeological sites within Area 1²¹. It is noted that engagement has commenced with Waahi Whaanui as representatives of the local iwi in regard to the rezoning request.
51. Additional to this, any future development of the land will be required to go through the necessary statutory consenting processes to ensure that the relationship of Maori to the land and surrounding areas is protected and upheld. As a result of the above, the rezoning request and consequential District Plan amendments are in accordance with section 6 of the RMA.
52. Section 7 of the RMA identifies other matters that particular regard is to be given to, the following matters are those considered relevant:

a) Kaitiakitanga

As mentioned above, engagement has commenced with Waahi

¹⁹ Evidence of Mr Kenneth Read, para 38.

²⁰ Evidence of Mr Constantinos Fokianos, para 43-44.

²¹ Evidence of Mr Warren Gumbley, para 12.

Whaanui as representatives of the local iwi. Engagement will continue as this process advances, the intent of this engagement process is to understand and respect the relationship that local iwi have with the land of Areas 1 and 6.

b) The efficient use and development of natural and physical resources

The proposed rezoning will give rise to residential and industrial development that is within the identified urban limits of Huntly. Both Area 1 and Area 6 are well connected, accessible and serviceable. The rezoning of Area 6 will result in a logical extension of the existing Residential Zone where residential activities and effects are existing and expected. The rezoning of Area 1 will provide for Industrial development that is segregated from other land parcels by road and rail, thereby reducing the potential for reverse sensitivity. This also limits the potential for practical amalgamation opportunities to increase the overall area of Area 1 to create a more productive Rural zoned land holding. As such, the areas that are requested to be rezoned Industrial and Residential are considered to provide for a more efficient use of the land (natural resource) than the PDP Rural Zoning.

c) The maintenance and enhancement of amenity values

The rezoning of Areas 1 and 6 will enable development of a scale and density that is greater than what is provided for by the current Rural zoning. Any future development will be subject to the relevant bulk and location controls as imposed by the District Plan. However, Areas 1 and 6 are located within the existing Huntly urban limits and are therefore adjacent to existing development. In addition, Waikato 2070 signals that residential development is anticipated within Area 6 in the future and also signals that development of an industrial nature is anticipated within Area 1. On that basis the amenity expectations for these areas are already tempered by their context

and surroundings.

d) *Intrinsic values of ecosystems*

Within Area 6 an inland wetland exists near the low-lying parts of the land parcel. An assessment has been undertaken regarding the value of the wetland by Ecologist, Mr Blayney from Boffa Miskell. As determined within Mr Blayney's evidence²², the 1.8ha wetland has been assessed as having medium ecological value in accordance with Environmental Institute of Australia and New Zealand (EIANZ) Ecological Impact Assessment Guidelines (2018). It is anticipated that future development within Area 6 will trigger a resource consent under the National Environmental Standard for Fresh Water (NESFW) due to the likely diversion of water that would occur from development proposed within 100m of the wetland.

Notably this triggers the requirement for a Non-complying resource consent under regulation 54 of the NESFW²³. Mr Blayney concludes in his evidence that the effects of the discharge or diversion of water from a residential development would be either neutral or positive (assuming flow, volume and condition are the same or better) when compared to the existing agricultural runoff that is currently able to enter the wetland. Furthermore, as a resource consent is required this can be controlled to the satisfaction of Waikato Regional Council and the NESFW. Due to the above, and based on the technical reports provided by Mr Blayney, I am of the opinion that the rezoning request aligns with the above.

e) *The maintenance and enhancement of the quality of the environment*

The quality of the environment will be maintained through the rezoning of Areas 1 and 6. Effects are able to be appropriately

²² Evidence of Andrew Blayney; para 16.

²³ Regulation 54(c) the taking, use, damming, diversion, or discharge of water within, or within a 100m setback, from a natural wetland – Non-complying activity.

managed through the provision and available capacity of servicing infrastructure. Any bulk earthworks and construction activities will be undertaken in accordance with best practice initiatives and will be subject to obtaining resource consents and as a result will be required to comply with conditions that will ensure any effects that may impact on the quality of the environment are avoided, remedied or mitigated. As a result, the rezoning request will be consistent with the above.

f) The effects of climate change

The effects of climate change are mostly relevant in the context of this report in regard to stormwater management and flood risk. As noted above and explored in greater detail in later in this report stormwater and potential flood risk are both able to be appropriately managed.

53. Section 8 of the RMA states that in achieving the purpose of the RMA all persons shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The proposal does not contravene the principles of the Treaty. Advice has been sought from Mr Gumbley who has recommended that protection and preservation of a representative archaeological site within Area 1. Notably further engagement with Tangata Whenua has commenced with initial consultation with Waahi Whaanui and will be continued throughout the development process, as required. As such, the principals of the Treaty have been taken into account through this request and is deemed to uphold the principles.

Te Ture Whaimana – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

54. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (**Settlement Act**) gives effect to the Deed of Settlement entered into by the Crown and Waikato-Tainui in relation to Treaty of Waitangi claims in

relation to the Waikato River on 17 December 2009. The Settlement Act has the overarching purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations.

55. Section 9(2) of the Settlement Act confirms that Te Ture Whaimana, the Vision and Strategy for the Waikato River, applies to the Waikato River and activities within its catchment affecting the Waikato River.
56. As well as being deemed part of the WRPS in its entirety pursuant to s 11(1), the Settlement Act prevails over any inconsistent provision in a national policy statement, and sections 11 to 15 of the Settlement Act prevail over sections 59 to 77 of the RMA (which relate to regional policy statements, regional plans and district plans) to the extent to which the content of the Settlement Act relates to matters covered under the RMA.
57. I address Te Ture Whaimana more fully in my analysis of the WRPS, but for completeness the Settlement Act also forms part of the statutory framework.

STRATEGIC ANALYSIS

National Policy Statement on Urban Development

58. Under the NPS-UD, WDC is classified as a Tier 1 local authority and Huntly is classified as a Tier 3 urban environment (being an urban environment that is not listed in the appendix).
59. The requested rezoning of the areas of land by the Submitter are consistent with the relevant objectives and policies of the NPS-UD. The consistency of each of the relevant objectives and policies is expanded on below.
60. The following objectives are considered most relevant to the proposal:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- a) the area is in or near a centre zone or other area with many employment opportunities.
- b) the area is well-served by existing or planned public transport.
- c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

Objective 5: Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Objective 6: Local authority decisions on urban development that affect urban environments are:

- a) integrated with infrastructure planning and funding decisions; and
- b) strategic over the medium term and long term; and
- c) responsive, particularly in relation to proposals that would supply significant development capacity.

- 61. The above objectives ultimately seek to establish urban environments that are well connected to infrastructure and services and are developed in a manner that is reflective of the social, economic, and cultural wellbeing of the community and people into the long term. Furthermore, the objectives acknowledge that planning decisions are critical to improving the housing affordability crisis and are responsible for ensuring that development capacity is available at a rate that provides for the long-term future.
- 62. The following policies are included within the NPS-UD to give effect to the objectives listed above. The policies that are listed below are those considered most relevant to Shand's requests.

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and
 - (ii) enable Māori to express their cultural traditions and norms; and
- b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- 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
- d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- e) support reductions in greenhouse gas emissions; and
- f) are resilient to the likely current and future effects of climate change.

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.

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:

- a) unanticipated by RMA planning documents; or
- b) out-of-sequence with planned land release.

63. The policies above are in place to implement the outcomes sought through the objectives, which is the provision of well-connected urban environments, that have sufficient development capacity to provide for the current and future demand of housing and business needs of people now and in the future. All while ensuring that these spaces are well connected to the existing amenity, facilities and infrastructure of an existing urban centre.

64. In order to align with the above objectives and policies, additional

residential and industrial land is required to cater for the long-term housing and business demands of the Huntly community and future generations.

65. The rezoning of Area 6 to Residential Zoning will enable residential development to expand across the site (17.46ha). The release of this area of land to be residential will considerably increase the residential development capacity within Huntly. Although there appears to be a number of vacant blocks of residential zoned land within Huntly, much of this land has limited development capacity due to the difficult contours or other issues such as flooding, lack of access and lack of services. This means that the amount of residential land available on paper does not necessarily translate into that same amount of developable land.
66. Therefore, in order to ensure that there is sufficient development capacity now and into the future, additional residential land is required to ensure that there is capacity to cater for the growing population of the Waikato Region and more specifically the growing population of Huntly.
67. The rezoning of Area 1 for industrial purposes will provide a well-connected, serviced, vacant block of land that would provide for the existing and future demand for industrial land in Huntly.
68. Both Area 1 (Industrial) and Area 6 (Residential) are within the urban limits of Huntly and are well connected to the existing transportation network (road and rail). Both areas can be serviced by extensions of the existing wastewater and water supply infrastructure. This is discussed in greater detail later in this report and in the Three Waters evidence provided by Philip Pirie and Constantinos Fokianos.
69. The rezoning of Area 1 and 6 will provide developable industrial and residential land that will enable people to better provide for their social, economic and cultural well-being through the provision of land for additional quality housing and employment opportunities arising from that

industrial land.

70. The increased provision of residential land will assist with housing choice and affordability, thereby aligning this proposal with Objective 2.
71. Rezoning both Area 1 and Area 6 now will provide a level of certainty for both WDC and the community. As explored later in this report both Area 1 and 6 have been highlighted in strategic growth documents²⁴ as being suitable areas for urban growth, being close to the existing urban centre and near existing infrastructure. Rezoning indicates future development and as such it allows for infrastructure to be planned and for funding decisions to be made. The area proposed for residential zoning has good accessibility to the existing township, including ready access to the existing roading network and services (water and wastewater reticulation).
72. Overall, the proposed rezoning will assist in the development of a well-functioning urban environment that will better provide for the community and the future generations and as a result aligns strongly with the relevant objectives and policies identified in the NPS-UD.

National Policy Statement for Freshwater Management 2020

73. The NPS Freshwater sets out the statutory framework for the management of freshwater across New Zealand. The NPS Freshwater requires Regional Councils to recognise the national significance of freshwater and freshwater quality within a region must be maintained or improved. The concept of Te Mana o Te Wai (the integrated and holistic well-being of a freshwater body) must also be recognised. The NPS Freshwater sets out six key principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater and places a hierarchy of obligations in terms of managing freshwater resources.

²⁴ Waikato 2070 and Future Proof.

74. It is noted that the NPS Freshwater has not yet been accounted for in the development of the WRPS, however the NESFW requires people to give effect to the NPS Freshwater through the imposition of rules and requirements in relation to activities that people may undertake near water bodies.
75. Any future development that is enabled through this rezoning request will account for the NPS Freshwater by actively engaging with tangata whenua on any development project and responding to concerns and opportunities relating to the management of water for the project. This will be further shaped by the relevant provisions of the NESFW which is discussed in the following section of this report.
76. Stormwater management for future development is proposed via proprietary devices and stormwater wetlands. Any future development will be subject to a suite of legislative controls that will ensure the well-being of the Waikato River or any surrounding tributaries or other wetlands are not compromised or degraded through any future development.

National Environmental Standards for Freshwater

77. The NESFW contains regulations that require compliance from any person undertaking activities that pose risks to freshwater and freshwater ecosystems.
78. In relation to the rezoning request these regulations are relevant as contained within Area 6 is an identified inland natural wetland. The NESFW contains a number of provisions that relate specifically to development and activities that may occur within or within a certain distance of an area of land that is classified as a wetland. A Non-complying resource consent is required if taking, using, damming, diverting or discharging water within

100 m of a natural wetland in accordance with regulation 54 of the NESFW²⁵. Any future development within Area 6 is likely to trigger a requirement to obtain a Non-Complying resource consent in accordance with the above, as development will likely occur within 100 m of the wetland. Development within this location is anticipated to result in a diversion of water as natural sheet flow direction is expected to differ from the natural flow, furthermore, any proposal to discharge treated and attenuated stormwater into the wetland will trigger a Non-complying resource consent.

79. Although a Non-complying resource consent will most likely be triggered under the above provision (regulation 54) it is expected that discharging stormwater into the wetland would be appropriate provided that satisfactory assessment and testing was undertaken to ensure that the hydraulic neutrality of the wetland was maintained and to ensure that the quality of the water was satisfactory.
80. Based on the above, and as supported through the evidence and technical reporting of Ecologist, Mr Blayney, I am satisfied that through appropriate design and testing that would be undertaken at resource consent stage that the rezoning request would not be inconsistent with the intentions of the NESFW.

Waikato Regional Policy Statement

81. The WRPS is a high-level document which details a number of issues that are regionally significant and contains objectives and policies to address the relevant issues. The objectives and policies ultimately seek to achieve

²⁵ National Environmental Standards for Freshwater 2020:

54 Non-complying activities

The following activities are non-complying activities if they do not have another status under this subpart:

(a) vegetation clearance within, or within a 10 m setback from, a natural wetland:

(b) earthworks within, or within a 10 m setback from, a natural wetland:

(c) the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland.

the integrated management of natural and physical resources within the Waikato Region. The WRPS provides a strong policy lead to ensure the development of the built environment occurs in a planned and coordinated manner.

82. The issues identified in the WRPS that are considered most relevant to this proposal are, *1.4 Managing the Built Environment*²⁶ which seeks development to be undertaken in a manner that ensures the built environment and associated infrastructure does not impact negatively on the environment and *1.6 Health and Wellbeing of the Waikato River*²⁷

²⁶ Issue 1.4 Managing the built environment

Development of the built environment including infrastructure has the potential to positively or negatively impact on our ability to sustainably manage natural and physical resources and provide for our wellbeing.

While addressing this issue generally, specific focus should be directed to the following matters:

- a. high pressure for development in Hamilton City, Waipa District, Waikato District, around Lake Taupō, along the Waikato River and in the coastal environment;
- b. increasing potential for natural hazards;
- c. increasing conflict with, and demands for, new infrastructure;
- d. the need to use existing infrastructure efficiently and to maintain and enhance that infrastructure;
- e. protecting domestic and municipal water supply sources from the adverse effects of land use;
- f. the effect of development on access to mineral resources (particularly aggregates), high class soils, and future energy development sites;
- g. increasing impacts on and conflicts with existing resource users;
- h. the underperformance of some elements of Hamilton's central business district and consequential effects on its function, amenity and vitality as a result of unplanned dispersal of retail and office development;
- i. the integrated relationship between land use and development, and the transport infrastructure network;
- j. the contribution of regionally significant industry and primary production to economic, social and cultural wellbeing, and the need for those industries to access natural and physical resources, having regard to catchment specific situations;
- k. increased need for the future provision of infrastructure to respond to resource demands from within and outside the region and the need to enable efficient installation of that infrastructure; and
- l. the availability of water to meet existing, and reasonably justifiable and foreseeable domestic or municipal supply requirements to support planned urban growth, including promoting the integration of land use and water planning.

²⁷ Issue 1.6 Health and wellbeing of the Waikato River catchment

The health and wellbeing of the Waikato River, its major tributary the Waipa River, and their catchments has been and continues to be degraded. Of particular concern is:

- a. adverse effects on the mauri of the Waikato and Waipa Rivers;

which seeks to restore and protect the health and wellbeing of the River and its environs.

83. Objectives and policies of the WRPS of relevance to this report are included and assessed below.

84. *Objective 3.1 Integrated Management*²⁸ and its supporting policies seek to ensure that all natural and physical resources are managed in a way that recognises the complexity of the inter-relationships that these resources have along with the social, environment and cultural health and well-being of future generations. The supporting policies specifically promote the advancement of regionally significant infrastructure and recognise the need to collaboratively undertake development through engagement with Tangata Whenua and other key stakeholders, all while managing the risk of natural hazards.

85. The rezoning of Areas 1 and 6 can be undertaken in a manner that

-
- b. the ability of the Waikato and Waipa Rivers to sustainably and safely provide food and cultural, economic and recreation opportunities;
 - c. the effect this has on the relationship of Waikato-Tainui, Ngāti Tūwharetoa, Te Arawa River Iwi, Maniapoto and Raukawa and the regional community with the rivers; and
 - d. the need to restore and protect the health and wellbeing of the Waikato River while providing for the existence and continued operation and output of the Waikato hydro scheme.

²⁸ Objective 3.1 Integrated management

Natural and physical resources are managed in a way that recognises:

- a. the inter-relationships within and values of water body catchments, riparian areas and wetlands, the coastal environment, the Hauraki Gulf and the Waikato River;
- b. natural processes that inherently occur without human management or interference;
- c. the complex interactions between air, water, land and all living things;
- d. the needs of current and future generations;
- e. the relationships between environmental, social, economic and cultural wellbeing;
- f. the need to work with agencies, landowners, resource users and communities; and
- g. the interrelationship of natural resources with the built environment.

integrates the development within the existing urban limits and can be serviced largely via existing infrastructure. Where there is limited capacity, effects of this can be managed in a manner that does not adversely affect the health and wellbeing of the environment. Development within these areas will be consistent with regional growth strategies (as explored later in this report) and will result in logical and well-coordinated growth of the urban environment.

86. The rezoning of Area 1 will promote the development of industry that will contribute to the economic, social and cultural well-being of Huntly and the Waikato region. For the reasons above, the proposal is consistent with Objective 3.1 and supporting policies.

87. *Efficient use of resources²⁹, 3.12 Built Environment³⁰ and 3.21 Amenity³¹*

²⁹ Objective 3.10 Sustainable and efficient use of resources

Use and development of natural and physical resources, excluding minerals, occurs in a way and at a rate that is sustainable, and where the use and development of all natural and physical resources is efficient and minimises the generation of waste.

³⁰ Objective 3.12 Built environment

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- a. promoting positive indigenous biodiversity outcomes;
- b. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- c. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
- d. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
- e. recognising and protecting the value and long-term benefits of regionally significant infrastructure;
- f. protecting access to identified significant mineral resources;
- g. minimising land use conflicts, including minimising potential for reverse sensitivity;
- h. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region
- i. providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;
- j. promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and
- k. providing for a range of commercial development to support the social and economic wellbeing of the region.

³¹ Objective 3.21 Amenity

Objectives 3.2 Resource use and development³², 3.10 Sustainable and efficient use of resources³³, 3.12 Built Environment³⁴ and 3.21 Amenity³⁵
and their supporting policies seek to ensure that the use and development

The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.

³² Objective 3.2 Resource use and development

Recognise and provide for the role of sustainable resource use and development and its benefits in enabling people and communities to provide for their economic, social and cultural wellbeing, including by maintaining and where appropriate enhancing:

- a. access to natural and physical resources to provide for regionally significant industry and primary production activities that support such industry;
- b. the life supporting capacity of soils, water and ecosystems to support primary production activities;
- c. the availability of energy resources for electricity generation and for electricity generation activities to locate where the energy resource exists;
- d. access to the significant mineral resources of the region; and
- e. the availability of water for municipal and domestic supply to people and communities.

³³ Objective 3.10 Sustainable and efficient use of resources

Use and development of natural and physical resources, excluding minerals, occurs in a way and at a rate that is sustainable, and where the use and development of all natural and physical resources is efficient and minimises the generation of waste.

³⁴ Objective 3.12 Built environment

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- l. promoting positive indigenous biodiversity outcomes;
- m. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- n. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
- o. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
- p. recognising and protecting the value and long-term benefits of regionally significant infrastructure;
- q. protecting access to identified significant mineral resources;
- r. minimising land use conflicts, including minimising potential for reverse sensitivity;
- s. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region
- t. providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;
- u. promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and
- v. providing for a range of commercial development to support the social and economic wellbeing of the region.

³⁵ Objective 3.21 Amenity

The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.

of resources is sustainable, and any effects are appropriate for the environment for which the development will be enabled within. Furthermore, they seek that development is advanced in a manner and rate that is consistent with the Future Proof growth and capacity targets/patterns.

Industrial Land

88. The WRPS identifies that 23 ha of land is allocated for industrial use in Huntly between 2010 and 2061. Recent work undertaken as part of the Future proof Industrial Land Study (the **Study**) (released March 2020) has identified that 209 ha of industrial land is required across the Waikato District into the long term (30 years), with most of this demand being in the north of the District. Additionally, the Future Proof report identifies that there is only 3.8 ha of vacant industrial land currently available within Huntly, most of which is contained within smaller parcels scattered throughout the town or located to the south of the urban centre, limiting their use for larger scale industrial development.
89. The WRPS includes a level of flexibility in terms of the allocation of industrial land and Policy 6.14 allows for additional industrial development to be undertaken beyond these allocation limits if it:
 - a) Is not of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2 of the WRPS;
 - b) Avoids, remedies, or mitigates adverse effects on the arterial function of the road network, and on other infrastructure; and
 - c) There is sufficient evidence to justify changes to the projected land release embedded in Table 6-2 of the WRPS.

90. A high-level analysis of development suitability is provided later in this evidence, which concludes that the area proposed for industrial zoning is able to readily accommodate development in a convenient location in terms of transportation connections.
91. The Study suggests that more industrial land is required in Huntly to accommodate current and future needs within Huntly and the broader North Waikato. This provides sufficient justification to consider the Shand land for Industrial zoning and aligns with the intent of the objectives and policies noted above, which seek to remain consistent with the Future Proof growth strategy.
92. The objectives also seek to ensure that resources are used in a sustainable and efficient manner. The land is currently zoned Rural and is utilised for cropping and grazing purposes. This block of land is 13 ha in total area which is not of a sufficient size to accommodate most productive rural activities. Furthermore, Area 1 is surrounded by road and rail limiting its potential to be amalgamated to create a larger, more productive, Rural land holding. In my view, the Industrial zoning would be a more efficient zone than rural for this Area.
93. Based on expert three waters advice, it is concluded that if Area 1 were to be rezoned and consequently developed in accordance with the Industrial Zone provisions of the PDP, that the risk of natural hazards (flooding) and the impact on infrastructure can be appropriately managed to ensure adverse effects are mitigated. In addition, a low impact stormwater solution concept has also been developed to demonstrate that this issue can be appropriately addressed at the time of seeking resource consent.
94. In my opinion, the rezoning of Area 1 will be consistent with the outcomes sought by objectives, 3.2.3.10, 3.12 and 3.21 and the supporting policies of the WRPS.

Residential Land

95. The WRPS predicts that the Residential population of Huntly is expected to grow to 8940 by 2021 and to 12,275 by 2061. In order to provide for this expected population growth, additional Residentially zoned land will be required to accommodate the additional housing demand. This rezoning request identifies a gross area of approximately 17.46ha of land that provides an opportunity to provide for Huntly's residential growth. A total area of 9.79ha is deemed developable out of the 17.46ha total area due to the slope of the land, the existing wetland and the need to service the site. Although based on the assumed road layout, approximately 2.2ha of this developable area will be required to establish a roading network and therefore approximately 7.59ha will be able to be utilised as land for developing residential lots.
96. The density target projected for growth within Huntly is 12-15 households per hectare. Based on this density target, between 91 and 113 dwellings would be expected within an area of this size (7.59ha). BBO have prepared a preliminary scheme plan (attached as **Appendix 5**) where a total of 85 dwellings would be able to be constructed (assumed one dwelling on each lot proposed). The resultant density would be 11 dwellings per hectare.
97. Although this rezoning request does not guarantee development will be undertaken in accordance with the preliminary scheme plan, it is anticipated that any future development will be largely consistent with the preliminary scheme plan given the existing wetland and the development constraints introduced through the NESFW, the limiting topography of the site, the necessity to manage stormwater onsite and the provision of services, including access and three waters infrastructure.
98. If rezoned, Area 6 will be the northern most residentially zoned parcel of land within the urban limits of Huntly. Due to the larger section sizes and

the limited development that will be enabled near the East Mine Road boundary, future subdivision in accordance with the preliminary scheme plan will provide a suitable buffer between the higher density Residential Zone development and the low density Rural zoned land on the northern side of East Mine Road. When considering the above matters, additional to the existing character and amenity of Huntly and the location of Area 6, a density of 11 dwellings per hectare is an appropriate density for the site, and will create a positive social, cultural, and environmental outcome although being slightly less than the target density prescribed by Future Proof.

99. Area 6 comprises a total area of 17.46ha (including the natural wetland) that is currently zoned Rural under the Operative District Plan. Due to the adjoining land uses/occupants, the topographical constraints of the land and the relatively small area it would be difficult to utilise Area 6 as a productive rural block. Taking this into account and considering the location of Area 6 in relation to adjacent Residential Zone, rezoning this area would be an appropriate extension of the existing Residential Zone and would assist in meeting the demand for housing within the Waikato Region.
100. Technical reporting has confirmed the ability of Area 6 to be rezoned Residential and developed in a manner that is consistent with the proposed zoning. Geotechnical advice has confirmed that the natural hazard risk is low. Furthermore, Area 6 has existing access onto Russel Road and is able to be serviced in a manner that will not compromise the efficiency or effectiveness of existing infrastructure. In addition, a low impact stormwater system is able to be designed to accommodate stormwater that would result from the built development. In my opinion, the rezoning of Area 6 will be consistent with the intentions of Future Proof and with the relevant objectives and policies of the WRPS.

101. *Objectives 3.6 Adapting to climate change³⁶ and 3.24 Natural Hazards³⁷* and supporting policies, aim to ensure development does not undermine the risk of climate change and that this risk is appropriately addressed prior to development taking place. The advance of climate change will likely exacerbate natural hazard effects including warmer temperatures, flooding, more intensive weather events and drought. Future development will need to take these challenges into account.
102. Area 1 is located with the Defended Area Overlay in the PDP which is an area of land that would flood in a 1% AEP flood event in the absence of the Waikato Regional Council stopbanks. Substantial modelling of potential flooding scenarios arising from stopbank breaches and catchment runoff has been undertaken to support this rezoning. The stopbank breach modelling concludes that if a breach of the stopbank were to occur, inundation of water into the boundaries of Area 1 would take up to 40 minutes.
103. Due to the length of time before water enters the site, the risk of flooding is concluded to be manageable through the imposition of an evacuation management plan that would be assessed at the time of resource consent. Therefore, the risk of flooding is deemed acceptable. Technical detail of the aforementioned modelling is contained within the evidence prepared by

³⁶ Objective 3.6 Adapting to climate change

Land use is managed to avoid the potential adverse effects of climate change induced weather variability and sea level rise on:

- a. amenity;
- b. the built environment, including infrastructure;
- c. indigenous biodiversity;
- d. natural character;
- e. public health and safety; and
- f. public access.

³⁷ Objective 3.24 Natural hazards

The effects of natural hazards on people, property and the environment are managed by:

- a. increasing community resilience to hazard risks;
- b. reducing the risks from hazards to acceptable or tolerable levels; and
- c. enabling the effective and efficient response and recovery from natural hazard events.

Mr Fokianos.

104. Area 6 is subject to the Mine Subsidence Risk Overlay area, being an area of land where underground mining has historically occurred beneath the surface and as such, is potentially at risk of subsiding. Substantive geotechnical testing and reporting has been undertaken by Mr Read of CMW Geosciences to determine the level of geotechnical risk present. Mr Read's findings conclude that the elevated area of Area 6 is formed from predominantly very stiff to hard clay and therefore, the ground conditions meet the criteria for 'good ground'. With respect to the risk of mine subsidence more specifically, Mr Read's findings conclude that the risk is low, this conclusion is made due to the method of mining that was undertaken within this area, the depth at which the mining had occurred, the time since mining was active and the settlement that has taken place since this time.
105. As a result of this, it is concluded that the rezoning request aligns with the expectations of the above objective and supporting policies.
106. *Objectives 3.4 Health and well-being of the Waikato River³⁸, 3.9 Relationship of tangata whenua with the environment³⁹ and 3.18 Historic and cultural heritage⁴⁰* and supporting policies seek to restore and protect

³⁸ Objective 3.4 Health and wellbeing of the Waikato River

The health and wellbeing of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved.

³⁹ Objective 3.9 Relationship of tāngata whenua with the environment

The relationship of tāngata whenua with the environment is recognised and provided for, including:

- a. the use and enjoyment of natural and physical resources in accordance with tikanga Māori, including mātauranga Māori; and
- b. the role of tāngata whenua as kaitiaki.

⁴⁰ Objective 3.18 Historic and cultural heritage

Sites, structures, landscapes, areas or places of historic and cultural heritage are protected, maintained or enhanced in order to retain the identity and integrity of the Waikato region's and New Zealand's history and culture.

the health and wellbeing of the Waikato River and ultimately ensure that Te Ture Whaimana o Te Awa (the vision and strategy for the Waikato River) is achieved while maintaining and respecting the relationship of Tangata Whenua with the River.

107. The rezoning of Area 1 and 6 will not compromise the health or wellbeing of the Waikato River as it has been confirmed that any development that may result from the rezoning of these areas will be contained within the existing identified urban limits and can be accommodated by extensions of existing urban services (water supply and wastewater). Stormwater infrastructure can be designed and constructed to ensure that all effects are appropriately managed and that the health of the River is protected.
108. In regard to the Vision and Strategy of the Waikato River, Shand is requesting rezoning which will enable development. The development form will be guided by the District Plan provisions with potential adverse effects then being controlled through likely resource consent conditions and infrastructure standards specifications. In reliance on the evidence of Mr Pirie on water and wastewater servicing, Mr Fokianos on flooding and stormwater management and Ms Baloyi on transportation effects, it is my opinion that the effects relating to servicing any future development on the site can be appropriately managed. On that basis, the rezoning request is consistent with the Vision and Strategy in that the rezoning will not impact on the ability of the Waikato River to sustain abundant life and prosperous communities.

Waikato 2070

109. Waikato 2070 is a non-statutory document that envisages integrated growth across the Waikato District for the next 50 years. Waikato 2070 was publicly notified for submission in late 2019 and for which a hearing was held in early 2020. The final version of Waikato 2070 was released in

May 2020.

110. Waikato 2070 includes the urban development of Huntly in Section 4.7 and the Huntly Development Plan. The Development Plan identifies Area 6 which is the area to the south of East Mine Road that is subject to the Residential rezoning request as being a future Residential Zone (within the next 3-10 years). Area 1 (Industrial land) is identified as being a future commercial/industrial activity zone (within the next 3-10 years).
111. Waikato 2070 explains that the growth areas are subject to further investigations however, highlights areas that would appear to be practical for future development consistent with the suggested zoning. In my opinion some weight should be placed on Waikato 2070 as a relevant document under section 74(2)(b), as this is the most up to date growth strategy that is applicable to Huntly. The document is largely consistent with all other strategy documents and confirms that the rezoning of Area 6 and Area 1 is consistent with the WDC's latest growth strategy document.

Blueprint – Huntly

112. The Waikato Area Blueprints are non-statutory documents developed by WDC in 2018. The intent of the Blueprints was to provide a high-level spatial picture of how the district could develop over the next 30 years. They were developed through a series of 'inquiry-by-design' community workshops. The WDC Blueprints form part of a number of initiatives that will enable WDC to move towards its new vision of "Liveable, Thriving and Connected Communities" which has been underpinned through the PDPs objectives and policies and the Long-Term Plan.
113. The Blueprint was to create a holistic approach to growth and development in Huntly. Focal points identified specifically for Huntly included, employment and youth initiatives, with town centre improvements after the revocation of SH1.

114. While a non-RMA document, the Blueprint represents another important tool in addressing the future growth of Huntly. The rezoning proposal is not inconsistent with the Huntly Blueprint and will contribute to the provision of employment in relation to the civil construction of the residential development, the eventual housing that the rezoning of Area 6 would provide for and the industrial jobs that will eventuate from development within Area 1.

Future Proof

115. The Future Proof Strategy as it relates to the Waikato District aims to achieve around 80% of growth into Pokeno, Tuakau, Te Kauwhata, Huntly, Ngaruawahia, Raglan and various villages. The indicative urban limits for Huntly under the Future Proof strategy are shown by the purple outline in **Figure 4** below. The land subject to this submission is located within this indicative urban limit.

Figure 4: Future Proof Growth Strategy 2017 Urban Limits and Legend.



116. Under this strategy Huntly has been identified as an area with potential to provide employment opportunities outside of coal mining in addition to providing employment opportunities for surrounding areas such as Te Kauwhata. The Strategy also identifies that there is a strong demand for industrial land throughout the Waikato District, including Huntly. In order to facilitate this approach, adequate zoned industrial land must be supplied. Huntly has been identified as one of the areas in the Waikato District that is likely to accommodate future growth and provide an

opportunity for affordable housing. In order to accommodate this, additional land to accommodate growth will be required.

117. The rezoning of Area 1 and 6, located within the indicative urban limits, provides an opportunity for these demands to be met and additional employment opportunities to be created.
118. Stage 2 of the Future Proof Review is currently underway and will seek to address the requirements of the NPS-UD, update the settlement pattern and incorporate new government policy, initiatives and directions. With a large focus on ensuring adequate supply for urban growth and an emphasis on the Auckland to Hamilton Corridor (in which Huntly is located), there is a wider focus on enabling future development to occur in this area of the district. It is anticipated that the growth that will result from the requested rezoning will align with this update.

Hamilton to Auckland Corridor Plan

119. The Hamilton to Auckland Corridor Plan (**Corridor Plan**) is a central government spatial planning initiative which envisions to support sustainable growth and increase connectivity between Hamilton and Auckland. The intent of the Corridor Plan is to promote integrated development whereby infrastructure leads growth. It is essentially an integrated land use and transport plan that aims to unlock the potential to connect communities and provide access to jobs in Auckland and Waikato towns along the corridor. Huntly forms an important part of this corridor and is identified in the plan as being a housing and employment growth cluster. Increasing the urbanisation of Huntly provides further opportunity to increase employment and housing in the Waikato District.
120. The Corridor Plan is a non-statutory document with little weight, however, is a recently released document and therefore holds some relevance to this

strategic assessment. The proposed rezoning and development that will result from the rezoning is consistent with the intent of the Corridor Plan given that it will contribute to some development along the corridor, increasing employment opportunity, growth, and connectivity to Auckland through the provision of housing to the north of Hamilton.

Waikato-Tainui Environmental Plan; Tai Tumu, Tai Pari, Tai Ao

121. The Waikato-Tainui Environmental Plan (**WTEP**) is required to be taken into account in accordance with section 74(2A). The overarching purpose of the WTEP is to provide a pathway that returns the Tainui rohe to the modern day equivalent of the environmental state it was in when Kiingi Taawhiao composed his maimai aroha. It provides guidance to external agencies regarding Tainui values, principles, knowledge and perspectives on, its relationship with, and objectives for, natural resources and the environment, including the Waikato River.
122. The sections of the WTEP that are most relevant to this assessment in relation to the rezoning of the Shand land are Section B, Chapter 6 (Consultation and Engagement) and Section C Chapter 11 (Vision and Strategy for the Waikato River) and Chapter 17 (Natural Hazards). These sections are addressed in turn below.
123. Chapter 6 sets out the consultation and engagement expectations of Tainui. No formal engagement regarding the rezoning requests has been undertaken with Tainui at this point, however, consultation and engagement with Iwi will be undertaken at the time of development if appropriate.
124. Chapter 11 addresses the Vision and Strategy of the Waikato River. The proposed rezoning aligns with the Vision and Strategy as discussed earlier in this report and future development will be guided by the District Plan

provisions and resource consent conditions where required.

125. Chapter 17 addresses Natural Hazards which have been mentioned and explored throughout this report, those of relevance include the potential of flooding and mine subsidence. As concluded elsewhere in this report and explored in further detail in the sections to come, the risk of these natural hazards is considered to be manageable. Furthermore, the geotechnical testing that has been undertaken confirms that Area 1 is suitable for industrial development and Area 6 is suitable for residential development.

TECHNICAL EXPERT REPORTS

126. The following section briefly summarises the technical inputs that were sought in relation to this rezoning request.

Transportation

127. Technical expert advice has been provided from Senior Transportation Engineer, Rhulani Baloyi from BBO. Ms Baloyi has prepared an Integrated Transport Assessment (**ITA**) in relation to the rezoning request. The findings of the Ms Baloyi's transportation investigation are summarised below.

Area 6 – Residential

- a) Based on the development anticipated by the Scheme Plan prepared in relation to the future development of Area 6 (attached as **Appendix 5**) approximately 85 residential lots will be developable. Conservatively, the ITA has confirmed that up to 930 trips per day and up to 100 trips within a peak hour will be generated from Area 6, if developed to this extent. The existing roading environment within the vicinity of the site was found to have ample capacity to

cater for this increased demand.

- b) There are three potential access points that may be developed to provide access between Area 6 and Russell Road. Provided these access points/intersections are formed and constructed in accordance with the relevant standards (PDP and RITS) the ITA does not raise any safety concerns in relation to the location of these potential access/intersection points.

Area 1 – Industrial

- a) Based on the development that is anticipated by the rezoning of Area 1 (Industrial) it is conservatively estimated that up to 2900 vehicle movements per day will be generated and up to 575 per peak hour. The roading environment within the vicinity of the site was found to have ample capacity to cater for this increased demand, particularly due to the recent opening of the Waikato Expressway (February 2020) which has removed more than 18500 vehicles per day from Great South Road.
- b) Access to Area 1 is recommended via a new road intersection on Great South Road (located approximately 200m north of the Great South Road/ East Mine Road T-intersection). Given that this is the safest access option for this Area it is recommended that this access point be secured for the guidance of Shand, WDC, and the community in the future.

128. Based on the recommendations contained within the ITA, I am of the opinion that the most practical method of ensuring access to Area 1 is to secure the recommended location (200m north of the Great South Road and East Mine Road Intersection) via the imposition of a Structure Plan into the Industrial Zone rule section of the PDP. A copy of the proposed Huntly

North Structure Plan is included as **Appendix 7**.

Ecology

129. Technical expert advice has been provided from Ecologist, Mr Blayney from Boffa Miskell. Mr Blayney has prepared a technical report investigating the wetland area contained within Area 6 and has prepared a brief of evidence. The conclusion of Mr Blayney's investigations are as follows:

- a) An area of 1.84ha of the low-lying land contained within Area 6 meets the definition of a "natural inland wetland" as defined by the NPS Freshwater.
- b) The wetland is dominated by exotic, invasive plant species and there is very little native vegetation contained within the wetland itself.
- c) The requirement for a Non-complying activity resource consent will likely be triggered under regulation 54 of the NESFW at the time Area 6 is developed due to the likely inevitable diversion and discharge of stormwater within a 100m setback distance of the wetland itself.
- d) Although a Non-complying consent is required, Mr Blayney concludes that the managed and treated discharge of stormwater from residential development into the wetland will likely have a neutral or a positive effect on the wetland compared to the current untreated stormwater that passes across agricultural land and directly into the wetland. Initial conversations have been undertaken with Waikato Regional Council to better understand the implementation of the NESFW in this regard and no issues were raised provided that the quality, extent and the hydrology of the wetland is maintained.

130. In my opinion any issues regarding the protection and maintenance of the

wetland can be managed through the relevant sections of the PDP, Waikato Regional Plan and the NESFW all which are required to be assessed at the time of consenting/development. Therefore, I do not recommend any special provisions regarding ecology to be added to the PDP.

Geotechnical

131. Technical expert advice has been provided from Geotechnical Engineer, Mr Read from CMW Geosciences. The findings of this report are summarised below:

Area 6 – Residential

- a) The risk of mine subsidence affecting any future development within Area 6 is low. This conclusion is primarily based on the recorded mining method utilised, the time that has passed and the little recorded settlement that has occurred.
- b) Development is confined to the elevated land contained within Area 6, which is formed from very stiff to hard clay strata with subordinate thin silts and sands, which meets the criteria for “good ground”.

Area 1 – Industrial

- a) Area 1 has shallow soils which have poor foundation properties and are potentially liquifiable. Due to the flood levels that are present across the lower lying sections of Area 1, some areas will need to be raised. The additional fill will add weight to the soils which will assist in reducing the risk of liquefaction and improve ground conditions in relation to building platform/foundation preparations.

132. Overall, Mr Read concludes that the geotechnical constraints associated with both Area 1 and Area 6 can be easily managed through conventional engineering practices. Based on this advice, I consider that no additional provisions are necessary to be introduced to the PDP relating to geotechnical engineering and that all geotechnical matters can be appropriately addressed through the usual consenting channels (resource consent and building consent stages) at the time of development.

Three Waters

133. Technical expert advice has been provided from Mr Fokianos and Mr Pirie in relation to three waters supply and management to both Area 1/1A and Area 6. A summary of water supply and wastewater management is provided below.

Area 1 and 1A – Industrial

Water Supply

- a) There are existing issues with the filling rate for the Huntly water reservoir and the proposed rezoning will place additional pressure on the reservoir. Watercare staff have advised that minor upgrade works are proposed to the Kimihia Reservoir in 2026 that will improve the filling rate of the reservoir and consequently improve flow rates from the reservoir. Following the planned 2026 upgrade, a major upgrade is proposed for 2028.
- b) The limited capacity and restricted flow rate creates concern for the ability of Area 1 to be serviced with water supply if developed immediately. There are a number of options available to improve the supply of water to Area 1. These include the upgrading of the Great

South Road water main, the provision for an additional reservoir within Area 1, or the installation of a booster pump and zone delineation at the existing reservoir. Any of the above options would enable water supply to be provided to Area 1 at an appropriate flow and supply rate.

- c) Detailed assessment and investigation would be required at the time of resource consent to determine the capacity of the reservoir and associated infrastructure solutions at this time.

Firefighting Water Supply

- a) The current water supply has insufficient capacity to provide adequate flow rates to satisfy firefighting supply and capacity requirements. The technical three waters memo outlines that this may be improved either through the installation of a reservoir with fire pumps within Area 1 or upgrading the existing pipes within East Mine Road. Notably if the Ohinewai industrial development advances (this is expected between 2025-2028), a 55 mm water pipe will be installed along Great South Road to service this development and Area 1 will be able to connect into this upgraded infrastructure at this time. The upgrades required to service the Ohinewai development will enable Area 1 to achieve adequate water pressure and capacity for firefighting.
- b) The above confirms the ability of firefighting supply noting that further investigation will be required at the time of resource consent application.

Wastewater

- a) The future servicing capacity of Area 1 is largely dependent on the nature of industrial development that is proposed on the site

(currently unknown).

- b) In its current state the Huntly Wastewater Treatment Plan (**WWTP**) has very little capacity to withstand the additional load that development of Area 1 would create. However, it is understood that a minor upgrade of the WWTP is proposed within the next 2-3 years which would enable the WWTP to manage wastewater from dry industry if developed on the site. A wet industry would still be difficult to service.
- c) It is understood that a large-scale upgrade is proposed for the Huntly WWTP in 2028. The current Waikato District Long Term Plan notes that the Huntly WWTP resource consent will expire in 2029. There is an expectation that the plant will require a substantial upgrade to improve effluent quality and management and the 2018-2028 Long Term Plan anticipates that this upgrade will occur between 2029-2033⁴¹. From discussions with Watercare it is understood that this timing has now been brought forward to 2028. Upon the completion of the major upgrade, there will be no servicing concerns in regard to the management of wastewater from future industrial development within Area 1 (including both wet and dry industry) as the Huntly WWTP will have sufficient capacity.

134. Overall, Mr Pirie concludes that once the proposed upgrades to the WWTP planned for 2028 are completed, wastewater from the development of Area 1 will be able to be satisfactorily managed through a connection to WDC's wastewater reticulation. Water supply and firefighting water supply will be able to be provided to the site following the planned upgrade of the Kimihia Reservoir or at the time of the infrastructure upgrades proposed if the Ohinewai development advances.

⁴¹ WDC, Long Term Plan 2018-2028, Table 7: Significant decisions across all activities.

Area 6 – Residential

Water supply

- a) As mentioned above, the Huntly Water Reservoir has existing issues with filling rates during peak usage times.
- b) Logical connection points can be made to the existing water supply reticulation contained within Russell Road and a second connection can be made to the water supply reticulation within East Mine Road. However, it is concluded through the Three Waters Assessment that the increased number of properties that the reservoir will service will result in an overall drop in water pressure available to all properties that are serviced by the reservoir. While all development contained within Area 6 will be able to connect and be serviced with water, further assessment and investigation will be required at the time of resource consent application to ensure that the water supply capacity and flow rate for Huntly is not adversely affected. As noted above, there are upgrades planned for the Huntly Water Reservoir that will see an improved capacity and pressure rate which would be expected to resolve concerns regarding water supply to the site.

Wastewater

- a) Area 6 is not predicted to cause any detrimental impact on the existing wastewater infrastructure. Maximum water levels will increase, however are not expected to cause any overflow of the current ponds. There is a logical connection point into the existing gravity network however, a new pump station will need to be installed within the lower portion of Area 6 where there is inadequate fill.

- b) Detailed assessment of the capacity of the Huntly WWTP will be required at the time of any resource consent applications.
- c) The Three Waters Technical Report concludes that the connection of Area 6 to the existing WDC-owned wastewater infrastructure will have a negligible effect and that there is sufficient capacity within the WWTP to withstand the additional loading.

Firefighting supply

- a) Fire flow requirements can be met through current water supply and flow for Area 6. Confirmation and associated modelling is contained within the Mott MacDonald Technical Memo and the Three Waters Investigation.

135. Overall, Mr Pirie concludes that upon the development of Area 6, the site will likely be able to be adequately serviced with the existing WDC infrastructure. There are some concerns evident with the effects that the additional lots will have on the existing pressures that the water reservoir faces during peak usage times. However ultimately, the ability of Area 6 to be serviced is technically feasible and further investigations will be required at the time of resource consent application.

136. A Stormwater Management Report has been prepared by Mr Fokianos in regard to the stormwater management of both Area 1 and Area 6. The recommendations from Mr Fokianos are noted below:

Area 1 and 1A – Industrial

- a) The subject site is situated with the Kimihia Catchment and is subject to the District Plan Defended Area Overlay. The catchment typically drains freely into the Waikato River through a flood gated culvert, however, during periods of prolonged rainfall resulting in high flow

events the floodgates are closed off and the runoff from the catchment accumulates upstream of the gates. Due to this, at times of high rain fall the locality of Area 1 and 1A act as storage areas for flooding within the catchment.

- b) A hydrological study has determined the 100 year – ARI flood level of the catchment and based on this the minimum floor level for development within Area 1 (Industrial) is RL 9.65m.
- c) A preliminary terrain model has been prepared based on the points above to understand how stormwater could be managed across the site. A network of peripheral swales surrounding the development that drain into a culvert under the railway is recommended. The water is then to discharge into a 2ha treatment and attenuation device which is to be contained within Area 1A.
- d) The recommended device is a stormwater treatment and attenuation wetland which is considered to be the most efficient treatment method.
- e) In addition, the wetland will control the flow of stormwater and will discharge the water into the existing drainage network through a proposed outfall channel.
- f) Area 1, 1A, and the wider locality act as a flood storage area. To ensure the flood storage capacity is maintained post development, flood storage compensation works are recommended. These “works” involve regrading areas of land to compensate for the areas of land that have been built up, as a way to ensure the same storage capacity is available pre- and post-development.

137. Based on the recommendation of Mr Fokianos, an area of 3.712ha to the east of the NIMT is to be rezoned Industrial (Area 1A). To ensure this area

of industrial land is used for stormwater attenuation and treatment purposes only, I recommend a structure plan be introduced to the PDP. Detail of the changes required to the PDP in this regard are contained in section 119 of this report.

138. The flood storage compensation works will differ depending on the level of development proposed, which will need to be assessed at the time of consenting. I anticipate that if compensation works are undertaken that these can be addressed through the standard consenting channels and where legal protection of these mechanisms are required that these can be imposed by way of a Consent Notice or Covenant registered on the Record of Title.

Area 6 – Residential

- a) The minimum finished floor level for the residential area as established within the Operative District Plan is RL 10.8m.
 - b) A high-level stormwater management solution was investigated to demonstrate the feasibility of development within Area 6. This model envisages three stormwater treatment wetlands and one stormwater treatment swale to treat and attenuate the runoff from any future development. The treated stormwater would then be released into the natural wetland contained within the lower lying section of Area 6. The rate and location at which water would enter the wetland would need further investigation at the time of consenting.
139. Mr Blayney has provided comment on the ability to discharge treated stormwater into the natural wetland and is of the opinion that this would likely result in a neutral or improved state of the wetland. Based on the evidence of Mr Fokianos and Mr Blayney, I am satisfied that there is a

feasible option for managing stormwater within the boundaries of Area 6. I am satisfied that an appropriate stormwater design can be assessed and finalised at the time of consenting through the existing PDP rules.

Archaeology

140. Evidence has been provided from Mr Gumbley in relation to the presence of archaeology within Area 1 and 6.

Area 6 – Residential

a) No archaeology has been identified within Area 6.

Area 1 – Industrial

a) Regionally distinctive archaeology is found within Area 1 and Area 2 (east of the NIMT) which is known as the Waikato Horticultural Complex. This comprises borrow pits, being bowl shaped depressions which were used as gardens for the cultivation of primarily kumara and taro.

b) Modern cultivation and land use has had a negative impact on the condition of many of the pits and the associated made soils within Area 1 and 2. However the northern part of Area 1 retains a visible cultural landscape in the form of well-defined borrow pits and adjacent made soils. Mr Gumbley recommends that adverse effects of the loss of the archaeological sites may be mitigated through the preservation of a representative site, such as the archaeological site that exists in the northern most portion of Area 1.

141. Based on the evidence of Mr Gumbley, I am satisfied that any adverse effects on the archaeological remains that are contained within Area 1 and

2 can be satisfactorily mitigated through the long-term protection and preservation of a representative area. Given that the level of development is not defined through this rezoning request, I consider that the effects of development on these cultural areas can be addressed at consenting stage which would require consultation with Mr Gumbley, Heritage New Zealand Pouhere Taonga, WDC and local iwi. On that basis I consider that no specific provisions are required to be included within the PDP.

DEVELOPMENT FEASIBILITY

142. The following sections analyse the feasibility of developing and servicing the land contained within Area 1 and 6, based on the recommendations of the technical experts, in a manner and density that would be consistent with what the proposed Residential and Industrial zoning would provide for i.e., how it would work in practice.

Industrial – Area 1 and 1A

143. Area 1 and 1A (16.776 ha) is subject to the Industrial rezoning request. The following section analyses future development of Area 1 and 1A and includes a detailed assessment regarding serviceability and how industrial development could be enabled within this location.

Flooding – Defended Area Overlay and Flood Storage Areas

144. Areas 1 and 1A are located within the Defended Area Overlay. The Defended Area Overlay is an area of land that would normally flood in a 1% AEP flood event, however, is protected from flooding due to the Waikato Regional Council-owned stopbanks that adjoin the Waikato River. This overlay alerts the risk of flooding should a breach in the stopbanks occur.

145. The subject site is situated with the Kimihia Catchment which typically drains freely into the Waikato River through a flood gated culvert,

however, during periods of prolonged rainfall resulting in high flow events, the floodgates are closed off and the runoff from the catchment accumulates upstream of the gates which includes the land contained within Area 1 and 1A and surrounds.

146. Due to the above, at the time of resource consent application, an assessment will be needed to determine the potential effects relating to the displacement of floodwaters resulting from the level of development anticipated.

147. Level-for-level and volume-for-volume compensation is recommended to duplicate the ponding/storage volumes that will be lost by raising parts of the site to facilitate development. This flood storage solution can be achieved by recontouring the site to the east of the NIMT which will include the 3.712ha of land within Area 1A (stormwater treatment and attenuation wetland). Recontouring beyond the stormwater wetland may also be required, however, the areas outside of the wetland can be gently regraded to ensure that grazing of livestock can continue. However, no earthworks or built development would be able to occur in this area as this would affect the available storage capacity and could potentially displace the flood waters elsewhere.

148. **Figure 5** below, demonstrates where fill will likely occur within Area 1 and the extent of the stormwater wetland and grading areas within Area 1A.

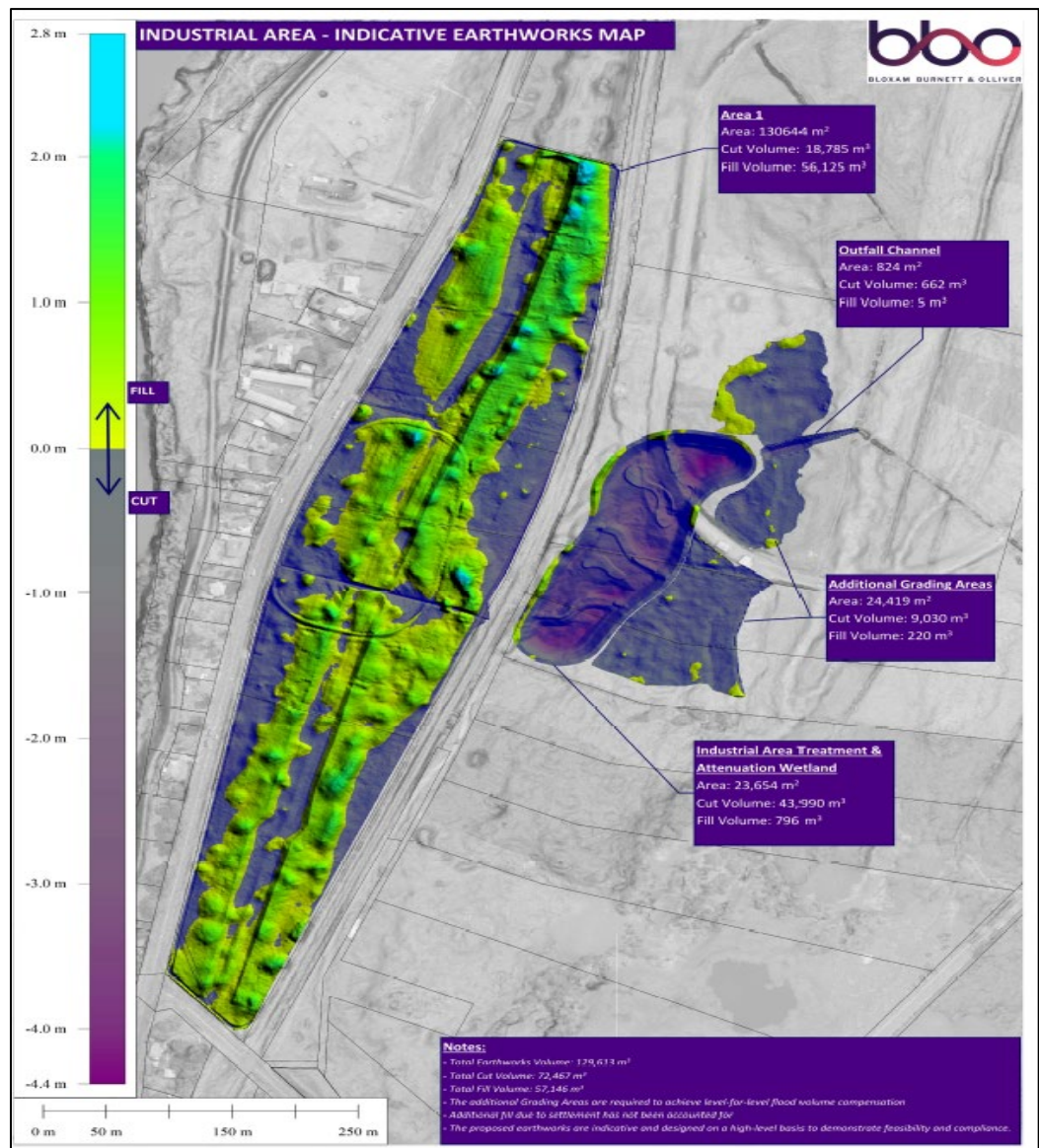


Figure 5: Indicative Earthworks Map showing Compensation/Grading Areas

149. I consider the above to be an appropriate solution to manage flooding effects and ensure that there is sufficient capacity within the catchment to maintain storage levels and volumes to predevelopment levels. In order to ensure that these storage areas remain and are not subject to any earthworks or soil disturbance after consenting/development, I recommend the imposition of a Consent Notice on the title at the time of subdivision consent, alternatively a covenant would be able to be imposed through a land use consent. A title document is considered to be more effective than an amendment or inclusion of a new rule into the PDP as regrading may not be required and a very site-specific solution is required.

I therefore do not recommend any changes to the PDP rules and consider that any effects of flood displacement can be addressed through PDP Rule 15.6.2 RD1. Although WDC's discretion is restricted through this rule, the matters of discretion include, (g) *potential for the development to transfer/increase flood risk/residual risk to neighbouring properties.*

Residual Risk

150. Residual Risk is a matter that would need to be considered and assessed through any application to develop Area 1 due to the site being defended from flooding from the existing Waikato Regional Council stopbanks.
151. Flood modelling has been undertaken by Mr Fokianos, Senior Water Resources Engineer, to determine if the breach of the stopbank would impede the ability of someone to develop the site. The investigation confirmed that if a breach in the stopbanks occurred, it would take approximately 40 minutes for the flood waters to reach the western boundary of Area 1. After reaching the western boundary of Area 1, the flood waters slow down. The hydraulic analysis and modelling of the stopbank breach scenarios demonstrate that there is sufficient time for an emergency evacuation plan to be implemented by staff provided that there were monitoring and warning mechanisms in place. Based on the above I consider that an Emergency Evacuation Plan is an appropriate mechanism for managing residual risk associated with the failure, breach, overtopping or collapse of the stopbanks, due to the time it would take for water to potentially impact on the safety of people.
152. PDP Rule 15.6 RD1 states that subdivision that creates one or more additional vacant lot(s) in a Defended Area requires a resource consent for a Restricted Discretionary activity. WDC's discretion is restricted to a number of matters and includes any mitigation measures that may be proposed to reduce residual risk (e.g., natural high ground or an evacuation

plan). I am satisfied that through the appropriate assessment under the above rule, WDC will be able to impose consent conditions to ensure residual risk is managed accordingly. Therefore, no changes are recommended to the PDP Rules.

Stormwater

153. Substantial stormwater modelling has also been undertaken by Mr Fokianos. Mr Fokianos has recommended a stormwater solution option that suggests a stormwater wetland be constructed within Area 1A (the land parcel to the east of the NIMT). Stormwater from future development contained within Area 1 will be conveyed under the NIMT into a purpose-built stormwater pond/wetland that will hold and treat the stormwater. In order to provide for the establishment of stormwater infrastructure within this area (Rural Zone), the most practical solution is to rezone 3.712ha of Area 1A Industrial rather than retain the underlying Rural zoning which would not provide for such an activity (stormwater detention and treatment for an industrial activity in the Rural Zone).

154. In order to ensure this area to the east of the railway is then utilised for stormwater purposes only, I recommend that a structure plan for the development is inserted into the District Plan. The Structure Plan will prescribe the use of Area 1A as being for stormwater detention/treatment area only.

155. To enable the insertion of a structure plan, the following changes are recommended to the PDP, specifically, Chapter 20: Industrial Zone, note that insertions are shown in red underline:

(1) The rules that apply to activities in the Industrial Zone are contained in Rule 20.1 Land Use – Activities, Rule 20.2 Land Use – Effects and Rule 20.3 Land Use – Building.

(2) The rules that apply to subdivision in the Industrial Zone are contained in Rule 20.4.

(3) The activity status tables and standards in the following chapters also apply to activities in the Industrial Zone:
14 Infrastructure and Energy.
15 Natural Hazards and Climate Change (Placeholder).

(4) The following symbols are used in the tables:
(a) PR Prohibited activity
(b) P Permitted activity
(c) C Controlled activity
(d) RD Restricted discretionary activity
(e) D Discretionary activity
(f) NC Non-complying activity

(5) The Industrial Zone contains a Specific Area that is Nau Mai Business Park. Rule 20.5 manages all land use, building and subdivision in this location. Rule 20.5.1 sets out how to apply rules to Nau Mai Business Park that are either different from, or are in addition to, other rules that apply to the rest of the Industrial Zone.

(6) The Industrial Zone contains a Structure Plan Area, Huntly North Structure Plan. Any subdivision and or development undertaken in this location shall be in accordance with the Huntly North Structure Plan contained in 20.6. Note that the requirements of the structure plan are in addition to any other relevant rules of the Industrial Zone.

Wastewater

156. The Three Waters Investigation undertaken in support of this evidence has identified concerns with the ability of the existing Huntly WWTP to service future industrial development contained within Area 1. However, as noted above, there are minor and major upgrades planned to the WWTP between 2026-2028, the upgrades will see an improvement in the quality and management of wastewater at the plant and will increase the storage capacity of the plant. Upon the completion of these upgrades, it is expected that the WWTP will be able to accept the additional wastewater from Area 1. Although this places a time delay on the ability to develop the site the Submitter does not anticipate developing Area 1 for a number of years. The ability to manage wastewater from within Area 1 will require additional investigation and assessment at the time of resource consent application.

157. There are no changes recommended to the PDP rules as a result of the

above conclusions. The PDP requires the development of Area 1 to be connected to WDC's wastewater infrastructure which can only be undertaken if there is sufficient capacity to do so. It is expected that a resource consent application would not be granted until such time as there was a compliant alternative option.

Water Supply

158. There are existing issues with the supply and flow of water from the Kimihia Reservoir that currently services Huntly. Due to these existing issues, it is unlikely that the reservoir in its current state will be able to service Area 1 sufficiently with a water supply. However, there are options to improve the status quo, such as the upgrading of the Great South Road water main, or the provision for an additional reservoir to be provided within Area 1. There are also planned upgrades that are due to occur in 2026 and 2028 which will see an improved flow rate and increased storage capacity of the Kimihia Reservoir.

159. The Three Waters Investigation confirms the ability of servicing the site with water supply is possible. Based on the above, no changes are recommended to the PDP rules and the current rules will ensure that the site is not developed until a satisfactory water supply can be provided onsite. A detailed assessment would be required at the time of resource consent to determine the capacity of the reservoir and associated infrastructure at this time.

Firefighting Supply

160. The lack of water supply available for firefighting purposes stems from the same issues that are identified above, due to the limited capacity within the Kimihia Reservoir. There is currently no ability to service Area 1 with firefighting water supply unless there are upgrades to the main that runs along Great South Road or through the installation of a reservoir with fire

pumps within Area 1.

161. As mentioned previously, if the Ohinewai development advances, the water main within Great South Road will be upgraded and Area 1 will have the ability to connect into this infrastructure at that time. Connecting into the upgraded main will enable Area 1 to be satisfactorily serviced by water supply for firefighting purposes.
162. Although there is no immediate ability for the Area 1 to be adequately serviced with firefighting water supply, there are a number of options. Therefore, it is recommended that there are no changes to the proposed PDP in this regard as the requirement to have a firefighting water supply exists within the current PDP rules.

Transportation/access

163. An ITA has been prepared to determine the likely extent of the traffic effects and the capacity of the existing road network. An access point between Area 1 and Great South Road has been recommended based on the findings of this investigation. The recommended access point is approximately 200m north of the intersection of East Mine Road and Great South Road. While there are multiple locations where an access point could be proposed, the recommended location is considered the safest position for an access point, therefore the recommended access point and internal road layout are also contained within the proposed Huntly North structure plan.
164. No changes beyond the change to Rule 20.3 (addressed above) are required. The construction of the access and internal road will need to be undertaken in accordance with the relevant District Plan and RITS. Therefore, the existing PDP rules will be sufficient to ensure that the access point is constructed to the relevant standard.

Site Suitability/ Geotechnical Matters

165. The geotechnical investigation undertaken by Mr Read of CMW Geosciences has concluded that Area 1 contains soils that have relatively poor foundation properties and are potentially liquefiable during an earthquake. However, Mr Read has confirmed that these matters can be managed using conventional engineering practices. Based on the evidence of Mr Read, I am satisfied that these matters can be addressed prior to development through the relevant consenting channels and therefore, no changes to the PDP rules are recommended.

Residential – Area 6

166. Area 6 (17.46ha) is subject to the Residential rezoning request. The following section analyses future development of Area 6 and includes a detailed assessment regarding the serviceability of Area 6 and how residential development could be enabled within this location.

167. Future development within Area 6 will be confined to the elevated portion of this site. This is due to the flooding susceptibility of the low-lying area, the natural inland wetland, and the location of existing infrastructure/services. The development area is not defined through this rezoning request as all elements of concern can be appropriately managed through the existing PDP Rules or through other legislation including the NESFW and the Waikato Regional Plan.

Water supply

168. Logical connection points can be made into the water supply network that exists within East Mine Road and Russell Road. The Three Waters Investigation confirms that there is sufficient capacity within the Kimihia

Reservoir to adequately service the development anticipated within Area 6. Detailed assessment will be required at the time of resource consent application to confirm the above. Therefore, no amendments are required to the PDP rules as a connection to a potable reticulated water supply is required upon the development of the site through the current rules.

Wastewater

169. Area 6 will be able to connect into the WDC network without causing detrimental impact on the existing wastewater pipes or pond. The modelling and reporting undertaken by Mott MacDonald⁴² confirms that water levels in the wastewater ponds are predicted to increase through the development of Area 6 however, these levels are unlikely to result in any overflow of the pond. There is a logical connection point into the existing gravity network however, a new pump station will be required to be installed within the lower portion of Area 6 where there is inadequate fill. Detailed assessment and investigation of the capacity of the Huntly WWTP will be required at the time of resource consent application.

170. There are no changes recommend to the PDP rules in regard to the above, any wastewater servicing concerns can be appropriately addressed at the time of resource consent application through the existing proposed rules.

Firefighting Supply

171. The technical reporting undertaken in support of this application confirms that there is sufficient flow available to ensure that firefighting flow requirements are able to be met from the existing WDC reticulation. Therefore, no changes are recommended to the PDP in this regard and the requirement to confirm that this is available will be provided through detailed investigation and assessment at the time of resource consent

⁴² Attachment 1 to Mr Pirie's evidence.

application.

Inland Natural Wetland and Stormwater Management

172. A natural wetland with an area of 1.8ha has been identified within the low-lying section of Area 6 (near the East Mine Road boundary). The wetland has been assessed as meeting the definition of a natural inland wetland under the NPS Freshwater and therefore will require assessment at the time of seeking resource consent.
173. The NESFW regulates the nature and level of development that can occur either within or within a certain distance of a natural wetland. As mentioned elsewhere in this report, regulation 54 regulates the discharge and diversion of water within 100m of a wetland. Where a development proposes to discharge or divert stormwater within 100m of a wetland a Non-complying consent is required. When considering future development within Area 6 it is likely that a Non-complying resource consent will be required in accordance with regulation 54. Firstly, avoiding development within 100m of the wetland would be an inefficient use of land and would considerably reduce the developable area. Secondly, the most practical stormwater solution recommends the detention and treatment of stormwater within isolated stormwater ponds that will then trickle feed the treated stormwater back into the wetland at multiple points at an appropriate rate. Both of these matters would trigger a Non-complying consent under regulation 54 of the NESFW.
174. Mr Blayney addresses the likely consenting requirements under the NESFW within his evidence. Mr Blayney concludes that capturing and treating the stormwater from a residential development and then feeding the treated stormwater back into the wetland at an appropriate rate will likely result in either positive or neutral effects⁴³. This conclusion is made by Mr

⁴³ Evidence of Andrew Blayney; para 19.

Blayney as water that enters the wetland currently runs across agricultural land and enters the wetland in an untreated state.

175. Based on the above, any concerns regarding development near the identified wetland can be appropriately addressed through the existing controls of the NESFW and any other relevant rules of the Waikato Regional Plan. It is likely that a Non-complying resource consent would be triggered under the NESFW which will enable Waikato Regional Council to impose conditions to ensure that the wetland is not adversely affected by future development. Therefore, there are no implications on the PDP rules in this regard.

Transportation/Access

176. Ms Baloyi, Transportation Engineer, has prepared an ITA and associated evidence. There are three practical access points that adjoin the subject site with Russell Road. The ITA has not raised any safety concerns with the potential locations and notes that these access points will be formed to the relevant standard and will be further assessed at the time of resource consent application⁴⁴.
177. A Railway level crossing safety assessment has been recommended through preliminary consultation with Kiwirail. It is recommended that a level crossing safety assessment be conducted as part of the consenting process to assess the safety effects of the rezoning traffic on the existing level crossings on East Mine Road and Fletcher Street to determine whether any safety improvements will be required as a result of the development.
178. In my opinion this can be addressed through the existing consenting channels and plan provisions. An ITA would be expected with any large-

⁴⁴ Evidence of Rhulani Baloyi; para 38-39.

scale development and it would be anticipated that any ITA that is assessing traffic within the vicinity of a railway would also address the safety impacts on the railway itself. Therefore, I do not recommend any changes in the PDP in this regard.

Site Suitability / Geotechnical Matters

179. Area 6 is subject to the Mine Subsidence Overlay of the District Plan which alerts the risk of potential land subsidence that may occur due to the historic underground mining.
180. A comprehensive geotechnical investigation has been undertaken by Mr Read of CMW Geosciences who has addressed the risk of mine subsidence in relation to Area 6 as well as other geotechnical matters including, stability, soil structure and liquefaction.
181. Based on the evidence of Mr Read, I am satisfied that no additional mechanisms are required to be introduced to the PDP relating to the Mine Subsidence Risk Overlay and the development of Area 6 specifically. I consider that the risk of mine subsidence can be appropriately addressed through the existing PDP rules.
182. I note for completeness that Shand requested the rewording of Policy 4.1.13 through the submission on Stage 1 and has requested amendments to Rule 15.11.3 and the inclusion of Rule 15.11.2. I wish to reiterate that through the implementation of these amendments/additions that the risk of mine subsidence is still required to be investigated to the satisfaction of WDC and still ensures that a suitability qualified geotechnical expert will investigate the risk. The evidence of Mr Read provides additional reassurance in the consideration of these requested amendments.
183. Geotechnical testing has been undertaken within Area 6 which concluded

that the soil structure of the elevated area is suitable for development, being formed of very stiff to hard clay strata with sub-ordinate thin silts and sands, meeting the criteria for “good ground”. Based on the geotechnical evidence from Mr Read, I am satisfied that no new or amended wording to any rules of the PDP relating specifically to ground works are required and that all geotechnical matters relating to Area 6 can be appropriately addressed through the proposed rules.

CONCLUSION

184. Shand seeks the rezoning of Area 1 to Industrial and Area 2 to Residential. In my opinion, the proposed rezoning will provide for more efficient and sustainable development outcomes consistent with the overall purpose of the RMA.
185. The rezoning request will provide for development that broadly aligns with the Future Proof Growth Strategy, the Corridor Plan, the objectives and policies of the NPS-UD and the WRPS and the policy intent of the NPS Freshwater and the NESFW. In addition, the proposal fits into the existing objectives and policies for the Industrial and Residential Zones.
186. I support the rezoning of Area 1 and Area 1A (stormwater attenuation area) to Industrial Zone. In support of this, I recommend that Chapter 20 is updated to refer to the Huntly North Industrial Structure Plan to ensure that the 3.712 ha of Industrial Zoned land is used for stormwater detention and treatment purposes only and to require the only access point into this Area to be from the location recommended by Transportation Engineer, Ms Baloyi.
187. I also support the rezoning of Area 6 to Residential, which will provide for well-connected and serviced residential development in a location that offers a logical extension of existing Residential Zoned land. Furthermore,

the release of additional residential land will alleviate the pressures of the housing market that are evident across the Waikato District, including within Huntly.

188. In my opinion the recommendations above and Shand's requests can be inserted into the PDP while contributing to the achievement of wider objectives within it.

Chris Dawson

17 February 2021

Appendix 1: Section 32 AA

Table 1: Rezoning Proposal

The specific provisions sought to be amended	Assessment of the efficiency and effectiveness of the provisions in achieving the objectives of the Proposed Waikato District Plan (PDP)
The rezoning proposal	Shand Properties seek the rezoning of their landholdings located at Great South Road from Rural Zone to Industrial Zone and for the rezoning of their landholdings located at Russell Road from Rural Zone to Residential Zone.
Relevant objectives of the PDP	<ul style="list-style-type: none"> • Growth occurs in defined growth areas (1.5.2(a)) • Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently (1.12.8(b)(i)) • Promote safe, compact, sustainable, good quality urban environment that respond positively to their local context (1.12.8(b)(ii)) • Focus urban growth in existing urban communities that have capacity for expansion (1.12.8(b)(iii)) • Protect and enhance green open space, outstanding landscapes, and areas of cultural, ecological, historic and environmental significance (1.12.8(b)(vi)) • Future settlement pattern consolidated in and around existing towns and villages in the district and in 'defined growth areas' (1.12.3(a); 1.12.3(c); 4.1.2(a)) • Urban growth areas are consistent with Future Proof Strategy for Growth 2017 (4.1.3(b)) • Infrastructure can be efficiently and economically provided (4.1.3(a)) • Achieve a minimum density of housing in the Residential Zone (4.1.5(b)) • In the rural environment, high class soils are protected for productive rural activities and urban development is avoided (5.1.1(a))
Scale and significance of the rezoning proposal	<p>The scale and significance of the proposal is limited due to the following factors:</p> <ul style="list-style-type: none"> • The proposal relates to the zoning of particular landholding in a particular part of the District (Huntly) • The proposed rezoning aligns with the strategic direction of higher order documents (WRPS, NPS-UD) and growth strategies (Future Proof; Waikato 2070)

	<ul style="list-style-type: none"> • The proposed residential development is able to be accommodated on the site, having regard to the assessments prepared by expert consultants. • The proposed industrial development is able to be accommodated on the site, having regard to the assessments prepared by expert consultants
Other reasonably practicable options to achieve the objectives (alternative options)	The following alternative options to the proposal have been identified:
	a) Do nothing / status quo
	b) Seek resource consent to provide for residential development under the Rural Zone provisions
	c) See resource consent to provide for industrial development under the Rural Zone provisions

Table 2: Benefits and Costs Analysis of the Residential Rezoning Proposal

Rezoning Proposal: Rezone Area 6 from Rural to Residential – i.e. Relief Sought		
	Benefits	Costs
General	<ul style="list-style-type: none"> • The proposal will enable the council to better achieve the objectives of the NPS-UD by providing for increased areas for housing proximate to Huntly. 	<ul style="list-style-type: none"> • No general costs identified.
Environmental	<ul style="list-style-type: none"> • The removal of agricultural landuse from Area 6 will enable an improvement in stormwater runoff from the site. The introduction of stormwater ponds to provide volume and quality attenuation will result in an overall improvement in the wetland functioning and status. • The removal of the Rural Zone will reduce the extent to which further 	<ul style="list-style-type: none"> • Environmental impacts typically associated with development. • Increased demand on infrastructure. • Loss of semi-productive rural land.

	<p>fragmentation of rural land is required to accommodate growth in this area.</p> <ul style="list-style-type: none"> • Proposal incorporates wetland protection to be established as part of the residential development, providing for improved ecological outcomes on the land. 	
Social	<ul style="list-style-type: none"> • Increased ability for people to enter the housing market. • Opportunity for increased housing affordability enabling a larger proportion of potential homeowners to obtain finance and own their own home and/or rent a home that meets current building standards. 	<ul style="list-style-type: none"> • No social costs identified.
Economic	<ul style="list-style-type: none"> • Enables greater competitiveness in the housing market, with associated increases in housing choice and affordability. • Promotes growth of economy and employment opportunities, in terms of increased construction activity. 	<ul style="list-style-type: none"> • No economic costs identified.
Economic Growth	<ul style="list-style-type: none"> • Promotes economic growth through the established of an increased population and ratepayer base. 	<ul style="list-style-type: none"> • No economic growth costs identified.
Employment	<ul style="list-style-type: none"> • Promotes growth of economy and employment opportunities, in terms of increased construction activity. 	<ul style="list-style-type: none"> • No economic employment costs identified.

Cultural	• No cultural benefits identified.	• No cultural costs identified.
Residential Rezoning Proposal: Alternative option 1 – do nothing		
	Benefits	Costs
General	• No general benefits identified.	• Loss of immediate opportunity to provide for additional land to be rezoned in a manner that would align with higher order objectives to ensure growth demand and market competitiveness is achieved.
Environmental	• No change to the current landscape character.	• No environmental costs identified.
Social	• Rural character of existing environment is retained, which may be preference to some in the wider community.	• Existing issues of housing affordability remains and may be exacerbated.
Economic	• No economic benefits identified.	• Loss of needed capacity in housing market in Huntly. • Lack of competition in housing market.
Economic Growth	• No economic benefits identified.	• Will not provide for future economic growth of the land.
Employment	• Promotes growth of economy and employment opportunities, in terms of increased construction activity.	• Will not provide for potential employment opportunities associated with proposed residential development.
Cultural	• No cultural benefits identified.	• No cultural costs identified.

Residential Rezoning Proposal: Alternative option 2 – seek resource consent for residential subdivision and development of Area 6 under existing Rural Zone provisions.		
	Benefits	Costs
General	<ul style="list-style-type: none"> No general benefits identified. 	<ul style="list-style-type: none"> Residential activity would be contrary to the Rural Zone objectives and policies that would remain applicable.
Environmental	<ul style="list-style-type: none"> No environmental benefits. 	<ul style="list-style-type: none"> Lack of consistent approach to residential development in area, likely to result in piecemeal and inefficient development of the land.
Social	<ul style="list-style-type: none"> No social benefits identified. 	<ul style="list-style-type: none"> Potential for perceived amenity effects by some of the wider community.
Economic	<ul style="list-style-type: none"> If approved, would provide for economic benefits in terms of construction activity and residential sales. 	<ul style="list-style-type: none"> The risk of such an application being refused is high, and the costs involved in making such an application would not be recoverable given inability to progress development. As resource consents need to be based on specific development proposals, an application would require a higher level of design requiring greater upfront costs and likely additional future consenting processes to amend any development (if approved).
Economic Growth	<ul style="list-style-type: none"> As above. 	<ul style="list-style-type: none"> No economic growth costs identified.

Employment	<ul style="list-style-type: none"> As above. 	<ul style="list-style-type: none"> No economic employment costs identified.
Cultural	<ul style="list-style-type: none"> No cultural benefits identified. 	<ul style="list-style-type: none"> No cultural costs identified.

Table 3: Benefits and Costs Analysis of the Industrial Rezoning Proposal

Rezoning Proposal: Rezone Area 1 from Rural to Industrial – i.e. Relief Sought		
	Benefits	Costs
General	<ul style="list-style-type: none"> The proposal will enable the council to better achieve the objectives of the NPS-UD by providing for increased areas for employment land proximate to Huntly. 	<ul style="list-style-type: none"> No general costs identified.
Environmental	<ul style="list-style-type: none"> The removal of agricultural landuse from Area 1 will enable an improvement in stormwater runoff from the site. The introduction of stormwater ponds to provide volume and quality attenuation will result in an overall improvement in the wetland functioning and status. The removal of the Rural Zone will reduce the extent to which further fragmentation of rural land is required to accommodate the demand for Industrial land in this area. 	<ul style="list-style-type: none"> Environmental impacts typically associated with development. Increased demand on infrastructure. Loss of semi-productive rural land.
Social	<ul style="list-style-type: none"> Increased ability to provide land for employment in close proximity to the Huntly urban area minimising the 	<ul style="list-style-type: none"> No social costs identified.

	commuting distance required for employees and the associated carbon footprint of that commuting.	
Economic	<ul style="list-style-type: none"> Promotes growth of economy and employment opportunities, in terms of increased construction activity. 	<ul style="list-style-type: none"> Cost of extending infrastructural services.
Economic Growth	<ul style="list-style-type: none"> Promotes economic growth through the established of an increased number of business activities in the Huntly area. 	<ul style="list-style-type: none"> No economic growth costs identified.
Employment	<ul style="list-style-type: none"> Promotes growth of economy and employment opportunities, in terms of increased construction activity. 	<ul style="list-style-type: none"> No economic employment costs identified.
Cultural	<ul style="list-style-type: none"> No cultural benefits identified. 	<ul style="list-style-type: none"> No cultural costs identified.
Industrial Rezoning Proposal: Alternative option 1 – do nothing		
	Benefits	Costs
General	<ul style="list-style-type: none"> No general benefits identified. 	<ul style="list-style-type: none"> Loss of immediate opportunity to provide for additional land to be rezoned in a manner that would align with higher order objectives to ensure growth demand and market competitiveness is achieved.
Environmental	<ul style="list-style-type: none"> No change to the current landscape character. 	<ul style="list-style-type: none"> No environmental costs identified.

Social	<ul style="list-style-type: none"> Rural character of existing environment is retained, which may be preference to some in the wider community. 	<ul style="list-style-type: none"> Existing issue of lack of industrial land in and around Huntly exacerbated and Huntly residents having to commute to other urban centres for employment.
Economic	<ul style="list-style-type: none"> No economic benefits identified. 	<ul style="list-style-type: none"> Loss of needed capacity in industrial market in Huntly.
Economic Growth	<ul style="list-style-type: none"> No economic benefits identified. 	<ul style="list-style-type: none"> Will not provide for future economic growth of the land.
Employment	<ul style="list-style-type: none"> Promotes growth of economy and employment opportunities, in terms of increased construction activity. 	<ul style="list-style-type: none"> Will not provide for potential employment opportunities associated with proposed industrial development.
Cultural	<ul style="list-style-type: none"> No cultural benefits identified. 	<ul style="list-style-type: none"> No cultural costs identified.

Industrial Rezoning Proposal: Alternative option 2 – seek resource consent for industrial subdivision and development of Area 1 under existing Rural Zone provisions.		
	Benefits	Costs
General	<ul style="list-style-type: none"> No general benefits identified. 	<ul style="list-style-type: none"> Industrial activity would be contrary to the Rural Zone objectives and policies that would remain applicable.
Environmental	<ul style="list-style-type: none"> No environmental benefits. 	<ul style="list-style-type: none"> Lack of consistent approach to Industrial development in area, likely to result in piecemeal and inefficient development of the land.
Social	<ul style="list-style-type: none"> No social benefits identified. 	<ul style="list-style-type: none"> Potential for perceived amenity effects by some of the wider community.

Economic	<ul style="list-style-type: none"> • If approved, would provide for economic benefits in terms of construction activity and residential sales. 	<ul style="list-style-type: none"> • The risk of such an application being refused is high, and the costs involved in making such an application would not be recoverable given inability to progress development. • As resource consents need to be based on specific development proposals, an application would require a higher level of design requiring greater upfront costs and likely additional future consenting processes to amend any development (if approved).
Economic Growth	<ul style="list-style-type: none"> • As above. 	<ul style="list-style-type: none"> • No economic growth costs identified.
Employment	<ul style="list-style-type: none"> • As above. 	<ul style="list-style-type: none"> • No economic employment costs identified.
Cultural	<ul style="list-style-type: none"> • No cultural benefits identified. 	<ul style="list-style-type: none"> • No cultural costs identified.

Table 4: Evaluation of the Proposal

Reasons for the selection of the preferred option.	<p>The rezoning of Area 1 to Industrial and Area 6 to Residential is considered to be the most appropriate method to address the issue, for the following reasons:</p> <ul style="list-style-type: none"> • It enables choice and competitiveness in the industrial land market. • It gives effect to the direction of higher level planning documents, in particular the requirement under the NPSUD for district plans to enable greater levels of development
--	--

	<p>capacity to meet the different needs of people and communities, where it will contribute to well-functioning urban environments.</p> <p>The alternative option of retaining the status quo or seeking residential development through resource consent processes are considered to result in a less efficient use of Area 1 and Area 6, and do not align with the overall direction of the NPSUD.</p>
Extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA	<p>The proposal achieves the purpose of the RMA through the provision of growth and development in the Huntly area to cater for the needs of current and future generations while ensuring the protection and enhancement of the natural and physical resource. The proposal will provide for the efficient use of the land for residential and industrial purposes without extensive loss of rural production land, in a location that is well placed to enable the compact growth of an existing urban area.</p>
Assessment of the risk of acting or not acting if there is uncertain information about the subject matter of the provisions	<p>The risk of not acting on the proposal would be the loss of the existing opportunity for land to be rezoned in an appropriate manner to directly address the existing and ongoing issues of lack of capacity to meet growth demand for residential and industrial land.</p>
Conclusion	<p>The proposed rezoning will be efficient and effective in achieving the objectives of the PWDP for the following reasons:</p> <ul style="list-style-type: none"> • It provides for growth in a manner that will enable a compact urban form of development for both Residential and Industrial activities around the existing Huntly township. • It will not reduce the availability of high quality soils for rural production purposes. • It will enable the PWDP to give better effect to the objectives and requirements of higher order planning documents.

Appendix 2: Stage 1 Submission

Proposed Waikato District Plan

Submission form

RMA Form 5

ECM Project: DPRPh5-03
ECM #
Submission #
Customer #
Property #

To submit electronically please go to: www.waikatodistrict.govt.nz/pdp

Closing date for submissions: 5pm on Tuesday 9 October 2018

Submitter details: *(please note that the (*) are required fields and must be completed)*

First name*: Samuel	Last name*: Foster
Organisation: Bloxam Burnett & Olliver	
On behalf of: Shand Properties Ltd	
Postal address*: PO Box 9041	
Suburb:	Town/City*: Hamilton
Country:	Postal code*: 3240
Daytime phone:	Mobile: 027 387 1195
Email address*: sfoster@bbo.co.nz	
Please tick your preferred method of contact* <input checked="" type="checkbox"/> Email <input type="checkbox"/> Postal	
Correspondence to* <input type="checkbox"/> Submitter <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Both	
Trade competition and adverse effects:* <input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission.	
Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part I of Schedule I of the Resource Management Act 1991.	
Would you like to present your submission in person at a hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> I do NOT wish to speak in support of my submission and ask that this submission be fully considered. If others make a similar submission I will consider presenting a joint case with them at the hearing (do not tick if you would not consider a joint case). <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Please complete the following for every submission point:

Provision number (e.g. 22.4.1.2 P2(a)): Various, please see attached submission

Physical address of the property concerned (if relevant to your submission):

Please see attached submission

Do you:

☐ Support ☒ Oppose ☐ Neutral

The decision I would like is:

Please see attached submission

My reasons for the above are:

Please see attached submission

Please return this form **no later than 5pm on 9 October 2018** to:

Waikato District Council, 15 Galileo Street, Private Bag 544, Ngaruawahia 3742, or e-mail: districtplan@waide.govt.nz

S Foster

Signed:

09-10-2018

Date:

(A signature is not required if you make your submission by electronic means)

PRIVACY ACT NOTE: Please note that all information provided in your submission will be used to progress the process for this proposed district plan, and may be made publicly available.

Provision Number: 4.1.13 Policy – Huntly

Physical Address of Property: Nil

Do you: Oppose

The decision I would like is:

- Amend 4.1.13 Policy – Huntly as follows [insert text: underline, remove text: ~~strikeout~~]

4.1.13 Policy – Huntly

(a) Huntly is developed to ensure:

- i) Infill and redevelopment of existing sites occurs;*
 - ii) Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised;*
 - iii) Development of areas where there are hazard and geotechnical constraints is managed to ensure the associated risks do not exceed acceptable levels.*
 - iv) Development is avoided on areas with ~~hazard, geotechnical and ecological constraints~~ significant hazard and geotechnical constraints that are unable to be remedied or sufficiently mitigated to achieve an acceptable level of risk.*
 - v) Ecological values are maintained or enhanced.*
 - vi) Development of areas with significant ecological value is avoided.*
- Such further relief and/or amendments to the Proposed Plan as may be necessary to support Shand Properties Ltd relief, as set out in this submission.

The reasons for the above are:

Shand Properties Limited opposes 4.1.13 Policy – Huntly in so far as it seeks to avoid all development where there are any hazard, geotechnical and ecological constraints.

4.1.13 Policy – Huntly should acknowledge that while some constraints are of such a magnitude or level of risk that avoiding development is an appropriate outcome, others will be able to be safely mitigated or managed without causing undue risk.

It is considered that ecological and geotechnical constraints should be addressed as separate issues, acknowledging these as different effects that need to be considered by development.

Ecological constraints or values also vary widely. It is considered that avoiding all development where ecological constraints or values are present is overly onerous. This should be managed in such a way as to provide a framework that recognises development of areas with significant ecological value is inappropriate, however there may be options to mitigate or offset ecological effects in areas where the ecological values are lower.

Provision Number: Planning Maps 20 – Hakarimata and 20.2 – Huntly East

Physical Address of Property: Multiple, see Attachments 2 and 3.

Do you: Oppose

The decision I would like is:

- Shand Properties Limited **opposes** the zoning of land shown as Rural in Area 1 and 2 in Figure 1 included in Attachment 1 and seeks to rezone land to Industrial.
- Shand Properties Limited **opposes** the zoning of land shown as Rural in Area 3 in Figure 1 included in Attachment 1 and seeks to rezone land to Residential.
- Such further relief and/or amendments to the Proposed Plan as may be necessary to support Shand Properties Ltd relief, as set out in this submission.

The reasons for the above are:

Background

The parcels of land outlined above can be broken up into three distinct areas as reflected in Attachments 1, 2 and 3. These areas are defined as follows:

Area 1 - The land located between Great South Road to the west and the NIMT to east (parcel ID 1-4). The total area for these parcels is 13.06ha;

Area 2 - The land located between the NIMT to the west, Ralph Road to the east and East Mine Road to the south (parcel ID 5-18). The total area for these parcels is approximately 61ha;

Area 3 - The land south of East Mine Road (parcel ID 22-25). The total area for these parcels is 22.95ha.

All of the parcels of land described above are currently used for agricultural activities with the majority of the land comprising pasture and associated farm buildings and dwellings. The land subject to this submission adjoins the existing northern urban boundary with Residentially zoned land (under the ODP and PDP) adjoining the southern boundary of Area 3.

The land north of Russell Road is all zoned Rural (under the ODP and PDP) with agricultural activities being prevalent to the north, east and south of the subject site. Land to the west, along Great South Road, comprises a mixture of residential and commercial activities despite being in the Rural Zone. The PDP identifies approximately 12 hectares of Significant Natural Area over the site in Area 2 which is undevelopable land, reducing the total area available for development to approximately 49ha.

Hazards

The Huntly area has been extensively mined in the past, the tunnels of which extend underneath the Huntly Settlement including the location of the subject site. Coal mining in this area has since ceased. Due to the underground mining activities that have been undertaken within these areas there is a risk of subsidence occurring on the land above. It is our understanding that WDC has commissioned an independent investigation to be carried out which will inform the subsidence risk that is present over the subject site. This information is to be notified as part of Stage 2 of the PDP (Stage 2). We understand that the preliminary findings of this report indicate that there is some risk of subsidence in the area, however these findings have not been finalised or published. If the finalised findings of the investigation show that some or all of the land subject to this submission is susceptible to subsidence and is shown to be un-suitable for urban development, then the submission relating to those areas is able to be modified or withdrawn. The notification of Stage 2 may also raise other issues relating to hazards which may have a bearing on the outcomes sought in the submission. Without having this hazard information available, sound decisions cannot be made on the land in terms of identifying areas that are appropriate for future development.

Other land owners

The area subject to the submission includes land owned by Waikato Tainui through Te Whakakitenga o Waikato Incorporated. The land ownership arrangement in the area mean that land owned by Te Whakakitenga o Waikato bisects land held by Shand Properties Ltd. The submission also includes this land outside of Shand Property ownership, as excluding the land from possible rezoning would represent an illogical approach to growth and zoning. Initial contact has been made with Waikato Tainui, however in-depth discussions have not yet been had with land owners regarding their aspirations for their land holdings.

Servicing

Servicing to the subject site is limited with all current wastewater and stormwater discharges being undertaken on-site in addition to water being obtained on-site. Electricity and telecommunications are located within the surrounding roading network. The closest wastewater and water mains are located within the East Mine Road corridor to the south of the site. Provisions for additional servicing will need to be addressed and investigated in the future once the consequences of Stage 2 of the District Plan Review are known.

Relevant Planning Documents

The following provides a general analysis of the relevant planning documents.

National Policy Statement on Urban Development Capacity 2016

The National Policy Statement on Urban Development Capacity (NPS-UDC) directs local authorities to quantify in broad terms how much feasible development capacity should be provided in resource management plans and supported with development infrastructure, to enable the supply of housing and business space to meet demand over the short term (1-3 year period), medium term (3-10 year period) and long term (10-30 year period). The NPS-

UDC identifies the Future Proof sub-region as a high-growth urban area. As such, the Future Proof councils (of which the Waikato District Council is one) are required to meet all of the requirements in the NPS-UDC.

The NPS-UDC seeks to ensure local authorities actively enable development in urban environments, in order to maximise well-being now and in the future. This includes ensuring there is adequate business and housing development capacity with an additional inbuilt margin of 20% in the medium term and 15% in the long term.

Business Development Capacity Assessment 2017 (2018)

The business development capacity assessment has identified that there is only 7.2ha of industrial land supply available. In order to provide for future demand, additional land needs to be identified for Industrial use within the Huntly area. The subject site provides an opportunity to provide for this anticipated future growth in a logical location close to identified transport routes with the possibility of utilising the NIMT.

Housing Development Capacity Assessment 2017 (2018)

This assessment provides a detailed analysis of the Future Proof Partners housing market, including drivers and influences on demand and supply, and the sufficiency of capacity provided within the district plan. In terms of dwelling demand, the assessment found that over time significant relative growth in demand is forecast to occur across many of the Waikato District's urban settlements including Huntly. The assessment has found that there is demand of 1,047 dwellings over the long term. Without taking into account infrastructure constraints, capacity appears to exist through the combination of greenfield development of zoned land, infill subdivision and redevelopment subdivision. It is considered that full uptake of all infill and redevelopment subdivision opportunities available is unlikely and there will be a proportion of landowners that for various reasons will not take the opportunity to redevelop or subdivide their land. It is therefore considered prudent to provide more greenfield opportunity in appropriate locations to provide for Huntly's long-term residential growth.

Waikato Regional Policy Statement

The Waikato Regional Policy Statement (RPS) is a high-level broad-based document containing objectives and policies the purpose of which is to provide an overview of the resource management issues of the Region and to achieve integrated management of the natural and physical resources of the Region. The RPS provides a strong lead in ensuring development of the built environment occurs in a planned and coordinated manner.

Industrial Land

The WRPS identifies that 23ha of land is allocated for industrial use in Huntly between 2010 and 2061. Recent work undertaken as part of the NPS-UDC has identified that there is only 7.2 ha of sufficient industrial land available in Huntly, below the amount of land considered to be available in the WRPS. The WRPS includes a level of flexibility in terms of allocation of

industrial land and Policy 6.14 allows for additional industrial development to be undertaken beyond these allocation limits if it:

- Is not of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2 of the WRPS;
- Avoids, remedies or mitigates adverse effects on the arterial function of the road network, and on other infrastructure; and
- There is sufficient evidence to justify changes to the projected land release embedded in Table 6-2 of the WRPS;

Subject to further analysis of development suitability, a framework exists to justify the zoning of more industrial land in Huntly. It is considered that the assessment undertaken as part of the NPS-UDC requirements provides sufficient justification to consider further land for industrial zoning.

Residential Land

The RPS predicts that the Residential population of Huntly is expected to grow to 12,275 by 2061. In order to provide for this expected population growth, it is likely that additional Residentially Zoned land will be required to accommodate the additional housing demand. This submission identifies a gross area of approximately 23ha of land that provides an opportunity to provide for Huntly's residential growth.

Future Proof

The Future Proof Strategy as it relates to the Waikato District aims to achieve around 80% of growth into Pokeno, Tuakau, Te Kauwhata, Huntly, Ngaruawahia, Raglan and various villages. The indicative urban limits for Huntly under the Future Proof strategy are shown by the purple outline in Figure 1 below. The land subject to this submission is located within this indicative urban limit.

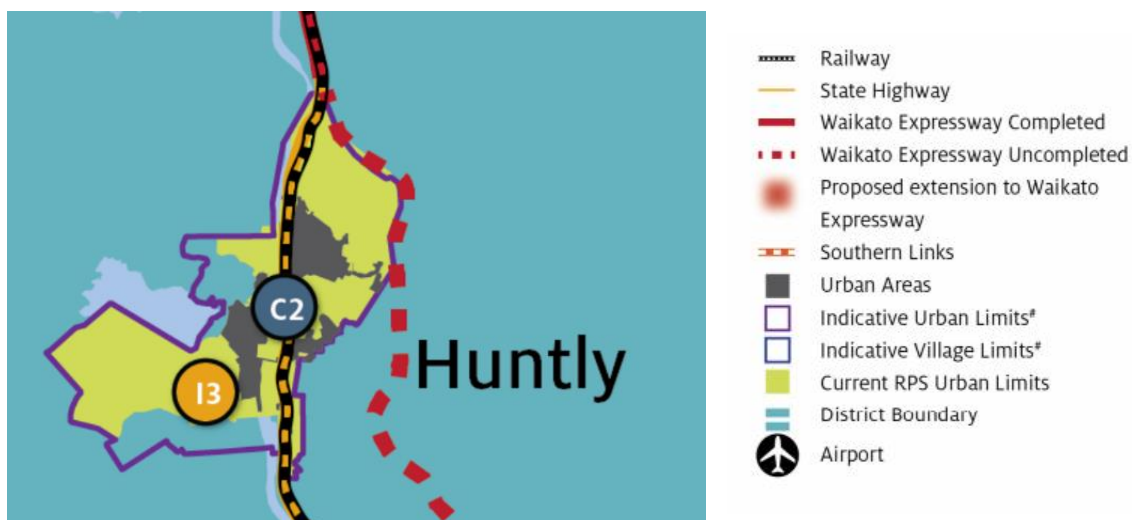


Figure 1: Future Proof Growth Strategy 2017 Urban Limits and Legend.

Under this strategy Huntly has been identified as an area with potential to provide employment opportunities outside of coal mining in addition to providing employment opportunities for surrounding areas such as Te Kauwhata. The Strategy also identifies that there is a strong demand for industrial land throughout the Waikato District, including Huntly. In order to facilitate this approach, adequately zoned industrial land must be supplied. Huntly has been identified as one of the areas in the Waikato District that is likely to accommodate future growth and provide an opportunity for affordable housing. In order to accommodate this, additional land to accommodate growth will be required.

The rezoning of the subject site, located within the indicative urban limits, provides an opportunity for these demands to be met and create additional employment opportunities.

Stage 2 of the Future Proof Review is currently underway and will seek to address the requirements of the NPS-UDC, update the settlement pattern and incorporate new government policy, initiatives and directions. With a large focus on ensuring adequate supply for urban growth and an emphasis on the Auckland to Hamilton Corridor, in which Huntly is located, there is a wider focus on enabling future development to occur in this area of the district.

Hamilton to Auckland Corridor Plan

The Hamilton to Auckland Corridor Plan is an upcoming central government initiative which aims to develop an integrated spatial plan and ongoing growth management within the corridor between Auckland and Hamilton. It is essentially an integrated land use and transport plan that aims to unlock the potential to connect communities and provide access to jobs in Auckland and Waikato towns along the corridor. This project is very much at a preliminary stage with no official documentation having yet been produced. The first publication for this project is expected to be released in the last quarter of 2018. Nonetheless, discussions have commenced, and the importance and opportunities that exist within this corridor has been acknowledged by all of the parties involved which includes:

- Central Government;
- Auckland Council;
- Waikato Regional Council;
- Waikato District Council
- Hamilton City Council; and
- Iwi representatives.

Huntly forms an important part of this corridor and its increased urbanisation provides further opportunity to increase employment and housing in the Waikato. Although the direction of this project is not yet defined, it does demonstrate the emphasis that central and local government are putting on this corridor and the management of its growth. It acknowledges that growth within this corridor, including Huntly, is inevitable and that provisions will need to be made to adequately accommodate the anticipated population growth.

Blueprint – Huntly

A Blueprint is a master planning tool which addresses growth, infrastructure, social, economic, community, environmental and transport outcomes. The use of Blueprints was adopted on 27 June 2018 by WDC as a means to address future growth and development in the Waikato District. This forms part of a number of initiatives that will enable WDC to move towards its new vision of “Livable, Thriving and Connected Communities” which has been underpinned through the PDPs objectives and policies and the Long-Term Plan.

The blueprint for Huntly is in its early stages and has had an initial community open day. A draft document is expected in the near future. The Blueprint is looking to create a holistic approach to growth and development in Huntly. While a non-RMA document, the Blueprint represents another important tool in addressing the future growth of Huntly and will need to be considered once the details are fully known.

Conclusion

Due to the uncertainty associated with potential hazards over the area, and the delayed notification of this aspect of the district plan, this broad submission seeks to establish the bounds of an appropriate area which is generally considered to be a logical location for future industrial and residential land use in Huntly.

By identifying a wider area for future Industrial Zoning, it provides flexibility in approach to address possible hazard issues in the area that are yet to be confirmed and notified by WDC. It also enables the ability to consider the wider area with regards to the multiple growth documents anticipated to be published in the near future.

Due to the lack of certainty surrounding the appropriateness of this land for urban development, detailed investigation of environmental effects has not yet been undertaken. It is acknowledged that more detailed investigation will need to be undertaken once issues relating to hazards are understood.

In summary, it is requested that the Planning Maps of the PDP as they relate to the sites subject to this proposal are altered to provide rezoning from Rural to Industrial (Areas 1 and 2) and Rural to Residential (Area 3). The rezoning of the site is sought for the following reasons:

Industrial

Subject to the results of the hazards investigations currently being undertaken on behalf of WDC, Areas 1 and 2 are better suited for Industrial Zoning as opposed to Rural Zoning because:

- There is a projected demand for industrial land in Huntly over and above the available supply in the medium and long term when the requirements of the NPS-UDC are taken into account.

- The subject site is located within the current Waikato Regional Policy Statement and Future Proof Urban limits.
- The WRPS identifies approximately 23ha of industrial land is needed for the long-term growth of Huntly to 2061. More recent studies suggest that there is only 7ha of land available.
- The subject site is in close proximity to key transport networks including the North Island Main Trunk Line, Great South Road and the Huntly Bypass providing a good transport route north and south with possible connections to the railway line. These provide connections that are ideal for industrial activities involving freight movements.
- Much of the land around Huntly is subject to constraints such as flooding, subsidence or topographical limitations meaning that greenfield industrial land suited to that purpose is a scarce resource.
- There are a number of changes anticipated in the near future throughout the area of the Waikato Corridor, presenting future growth options.
- The subject site adjoins the existing extent of urban development at the north end of Huntly would represent a continuation of the existing urban environment.
- The subject site is located within the urban limits identified within the current RPS and Future Proof Urban Strategy.

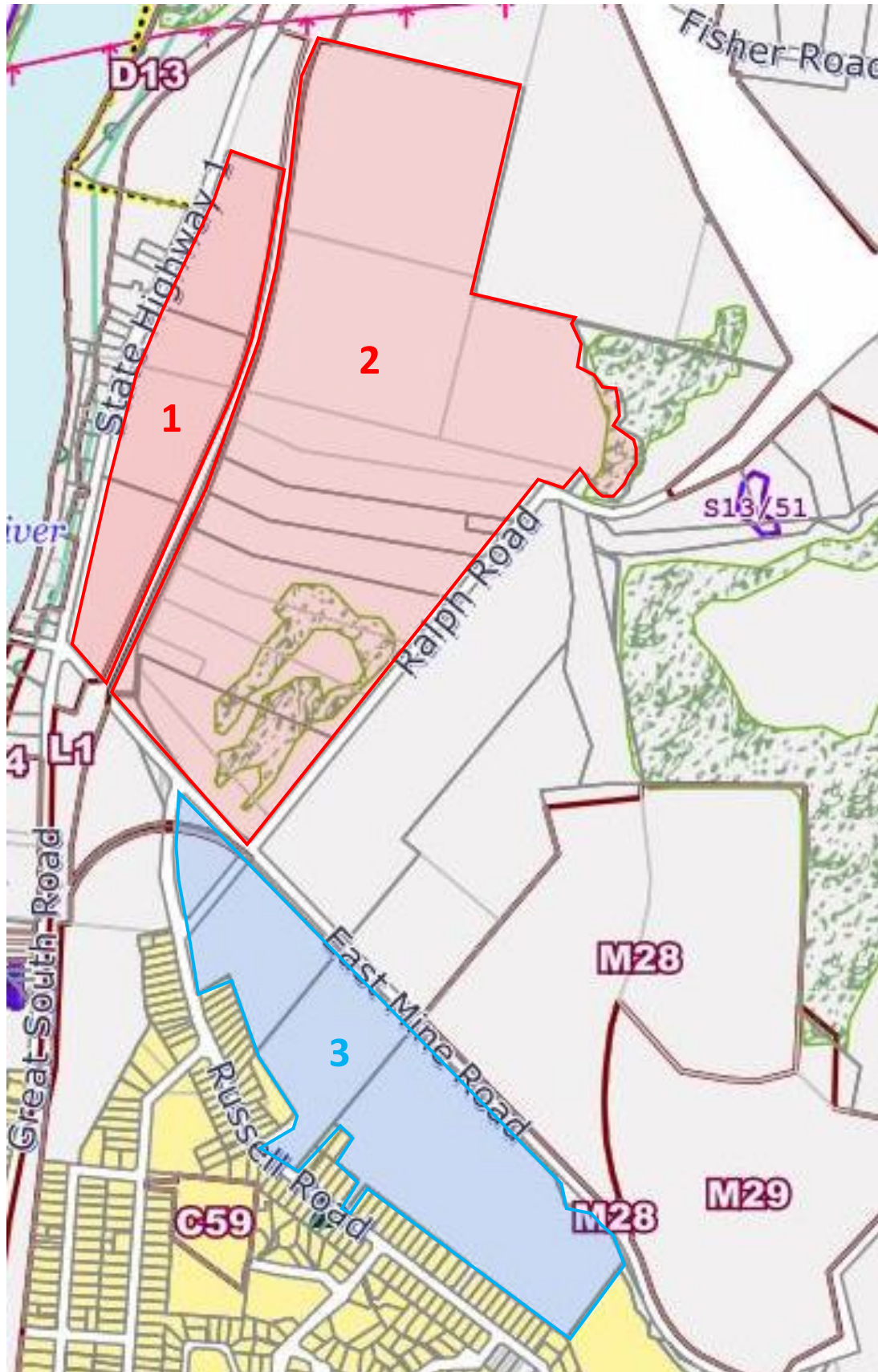
Residential

Subject to the results of the hazards investigations currently being undertaken on behalf of WDC, Area 3 would be better suited for Residential Zoning as opposed to Rural Zoning because:

- The proposed residential area provides an opportunity for additional residential growth in Huntly.
- The proposed residential area is contiguous with the existing residential environment and represents a logical extension of Huntly's Residential zone.
- There is demand for residential development in Huntly over the short, medium and long term.
- While capacity appears to exist through the combination of greenfield development of zoned land, infill subdivision and redevelopment subdivision, full uptake of infill and redevelopment subdivision is unlikely. It is therefore prudent to provide more greenfield opportunity in appropriate locations to provide for Huntly's long-term growth.
- The subject site is located within the urban limits identified within the current RPS and Future Proof Urban Strategy.
- The subject site is in close proximity to key transport networks including Great South Road and the Huntly Bypass providing a good transport route north and south.

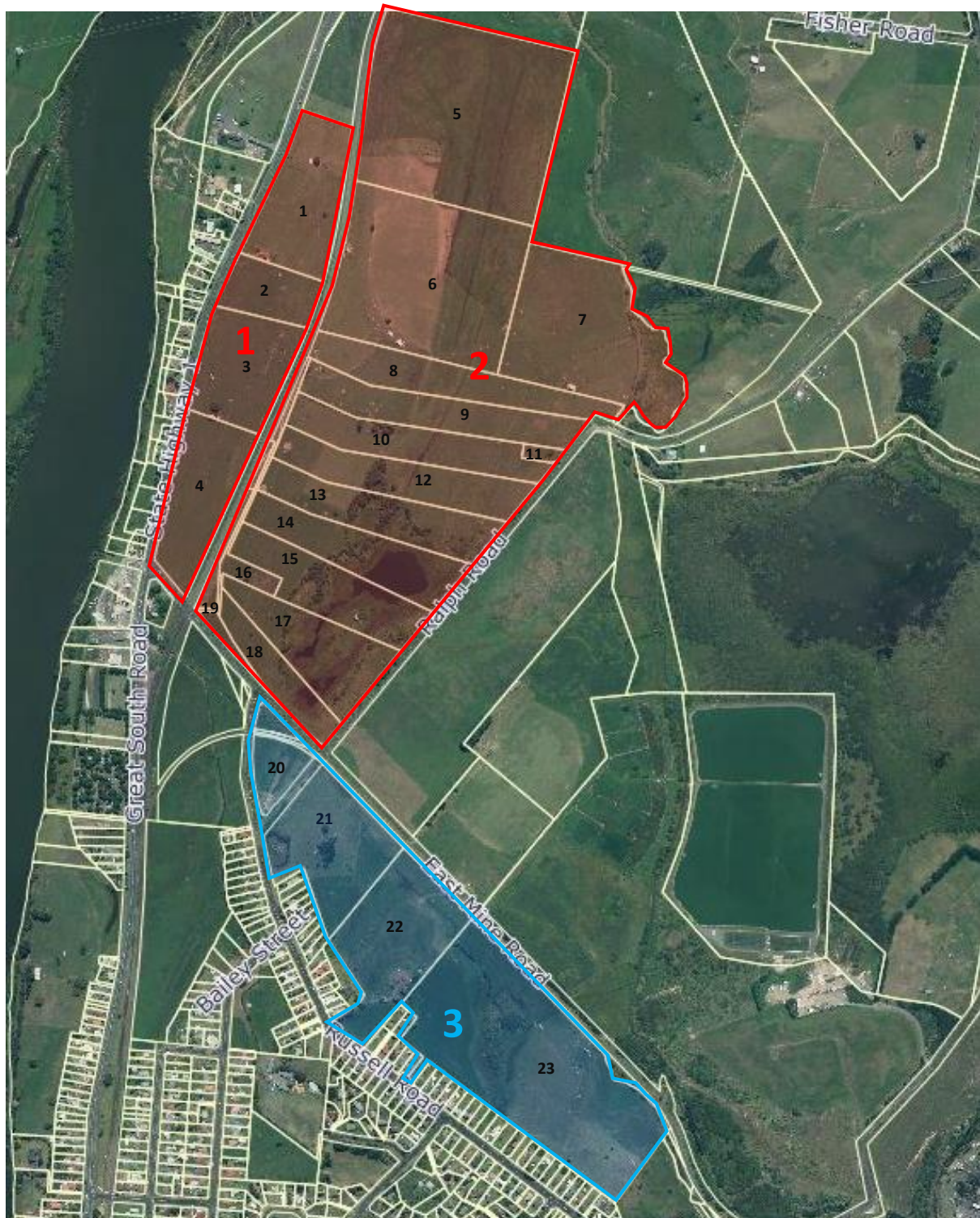
Attachment 1: Subject sites

PDP Planning Map showing the sites subject to this submission outlined in red and blue.



Attachment 2:

Sites subject to this submission. The red outline represents land proposed to be zoned Industrial and the blue outline represent land proposed to be zoned Residential. The black numbers provide a reference for each parcel of land subject to this proposal and are described in Attachment 3.



Attachment 3:

Details of titles subject to this submission.

ID	Physical Address	Legal Description	CT Reference	Area (ha)	Owner
Area 1					
1	3761 State Highway 1	Lot 2 Deposited Plan South Auckland 12402	SA40C/873 SA9C/63	4.0494	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
2	None	Lot 2 Deposited Plan South Auckland 12402	SA40C/873 SA43C/865	1.8000	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
3	None	Pt Lot 12 Deposited Plan 23455	SA40C/873 SA43C/865	3.5912	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
4	None	Pt Lot 12 Deposited Plan 23455	SA40C/873 SA43C/866	3.6229	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
Area 2					
5	None	Allotment 22 TAUPIRI Parish	SA40C/873 SA9C/63	12.4466	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
6	None	Pt Allotment 21 TAUPIRI Parish	SA40C/873 SA9C/63	10.1946	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
7	None	Pt Allotment 18 TAUPIRI Parish	SA40C/873 SA9C/63	7.6038	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
8	None	Lot 1 Deposited Plan 23455	SA1086/107 SA40C/873	3.5634	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
9	None	Lot 2 Deposited Plan 23455	SA1086/107 SA40C/873	3.5193	The Public Trustee Gerald Alexander Caleb Shand Jacqueline Joy Rogers
10	None	Pt Lot 3 Deposited Plan 23455	SA40C/873 SA34A/501	3.3142	The Public Trustee Te Whakakitenga o Waikato Incorporated
11	75 Ralph Road	Lot 1 Deposited Plan South Auckland 9628	SA34A/500 SA40C/873	0.2027	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
12	None	Lot 4 Deposited Plan 23455	SA40C/873 SA43C/880	3.5178	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
13	None	Lot 5 Deposited Plan 23455	SA40C/873 SA60D/753	3.5199	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers

					The Public Trustee
14	None	Lot 6 Deposited Plan 23455	SA40C/873 SA60D/753	3.5183	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
15	None	Lot 7 Deposited Plan 23455	SA40C/873 SA60D/753	3.5181	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
16	None	Lot 10 Deposited Plan 23455	SA40C/873 SA60D/753	0.8091	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
17	None	Lot 8 Deposited Plan 23455	SA33A/479 SA40C/873	3.4989	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
18	None	Pt Lot 9 Deposited Plan 23455	SA33A/479 SA40C/873	1.8827	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers The Public Trustee
19	None	Pt Allotment 15 Taupari Parish	SA44B/158	1.2275	The Public Trustee Te Whakakitenga o Waikato Incorporated
Area 3					
20	None	Pt Lot 23 Deposited Plan 23455	SA40C/873 SA43C/870	1.0629	The Public Trustee Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers
21	None	Section 1 Survey Office Plan 60521	SA60D/387	4.4304	Te Whakakitenga o Waikato Incorporated
22	162 Russell Road	Lot 2 Deposited Plan South Auckland 33575	SA43C/876	5.0734	Gerald Alexander Caleb Shand Jacqueline Joy Rogers
23	112 Russell Road	Pt Allotment 11 TAUPIRI Parish	SA26B/948 SA2B/843	12.3838	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers Her Majesty the Queen

K:\144370 Shand Properties Rezoning\Waikato District Plan Submission\Shand Properties Limited Submission 2018-10-09.docx

Appendix 3:

Stage 1 Further Submission

Further Submission Form
In support of, or in opposition to,
submission/s on notified:

ECM Project: DPRPh5-04
ECM #
FS #
Customer #
Property #

RMA Form 6

Proposed Waikato District Plan – Stage 1

Clause 8 of Schedule 1, Resource Management Act 1991

Closing date for further submissions: 9am on Monday 27 May 2019

To submit electronically please go to: www.waikatodistrict.govt.nz/pdp

1. Further Submitter details: (mandatory information)	
Full name of individual/organisation making further submission:	Shand Properties Limited
Contact person (if different from above)	BBO C/- Sam Foster
Email address for service	sfoster@bbo.co.nz
Postal address for service	18 London Street, PO Box 9041, Hamilton
	Postcode: 3240
Preferred method of contact	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Post
Phone numbers	Daytime: 07 834 8528
	Mobile: 0273871195
Correspondence to	<input type="checkbox"/> Submitter <input checked="" type="checkbox"/> Contact person <input type="checkbox"/> Both

2. Eligibility to make a further submission (for information on this section go to RMA Schedule 1, clause 8)
<p>I am:</p> <p><input type="checkbox"/> A person representing a relevant aspect of the public interest; <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p> <p><input checked="" type="checkbox"/> A person who has an interest in the proposal greater than the interest that the general public has. <i>In this case, also specify below the grounds for saying that you come within this category; or</i></p>
<p>My reasons for selecting the category ticked above are:</p> <p>Shand Properties Limited are seeking to establish Residential and Industrial Development in Huntly and have lodged a submission on the District Plan to rezone part of their land in Huntly to enable this, and therefore have a greater interest than the general public in submissions relating to Huntly.</p>

3. Request to be heard at a hearing
<p><input checked="" type="checkbox"/> Yes, I wish to be heard at the hearing in support of my further submission; or</p> <p><input type="checkbox"/> No, I do not wish to be heard at the hearing in support of my further submission</p>

4. Joint submission
<p>If others make a similar submission, I will consider presenting a joint case with them at the hearing</p> <p><input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p>

5. Checklist for further submission being made

- X I have filled in the table on the next page with details of my further submission.
- X I have added 2 further pages/sheets that form part of my further submission.
- X I understand that I am responsible for serving a copy of my further submission on the original submitter(s) within 5 working days after it is served on Council.

6. Signature of further submitter *(a signature is not required if you make your submission by electronic means)*

Signature of further submitter (or person authorised to sign on their behalf)

Signature: _____ Date: _____

(type name if submitting electronically)

7. Return this form no later than 9am Monday 27 May 2019 by:

- Delivery to any Waikato District Council office or library
- Post to Waikato District Council, Private Bag 544, Ngaruawahia 3742
- Email to districtplan@waidc.govt.nz

8. Important notes to person making a further submission:

A. Content of further submission

A further submission must be limited to a matter in support of, or in opposition to, an original submission.

A further submission cannot introduce new matters that were not raised in original submissions.

Please note that your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least one of the following applies to the further submission (or part of the further submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the further submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

B. Serving a copy of your further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on Council.

C. Privacy Information

Council will make all further submissions, including name and contact details, publicly available on Council's website. Personal information will also be used for the administration of the submission process and will be made public.

Further submission on behalf of Shand Properties Limited

The specific submissions on the Proposed Waikato District Plan (Stage 1) that this further submission relates to:

Name of the original submitter	Address of original submitter	Original submitter number	Original submission point number/s	Support Or Oppose	Reasons for my support or opposition are	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed)
Waikato Regional Council	C/- Andrew Tester Private Bag 3038, Waikato Mail Centre, Hamilton 3240	81	.18	Support in part	WRC identify the need to amend the PDP provisions and maps to provide for the outcomes identified in the Auckland to Hamilton Corridor Plan.	Allow changes to the district plan may be required to align provisions and maps with the outcomes identified in the Auckland to Hamilton Corridor Plan, particularly those that relate to Huntly north.
Hamilton City Council	C/- Laura Galt Private Bag 3010 Hamilton 3240	535	.24	Support	The submitter supports the retention of Policy 4.6.3 Maintain a sufficient supply of industrial land.	Allow the retention of the policy that includes the direction to maintain a sufficient supply of industrial land.
Future Proof Implementation Committee	PO Box 13231 Tauranga	606	.4	Support in part	Future Proof identifies that there is work currently underway on a Hamilton – Auckland Corridor Plan and that the PDP may needed to be updated to reflect the outcomes of this work. In particular, they identify that changes to the policies for the urban environments may be required. Given the nature of the work, it is likely that the growth pattern of Waikato District will be change and require	Allow changes to the district plan including additional objectives, policies and methods that may be required to implement the Hamilton to Auckland Corridor Plan, particularly in Huntly north.

Name of the original submitter	Address of original submitter	Original submitter number	Original submission point number/s	Support Or Oppose	Reasons for my support or opposition are	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed)
					some amendment to the policies that dictate land use. This particularly relevant for Huntly, which is located within the Growth Corridor.	
Terra Firma Mining Ltd		732	.9	Support	<p>Terra Firma identify that the suitability of development should be based on risk and not the presence of a hazard or potential hazard.</p> <p>The use of the word “avoid” provides a strong policy directive and due to the physical and geographic characteristics of Huntly, it is likely that further growth will be difficult.</p>	Allow changes to the policy for Huntly that identify development should be provided for where the risks associated with hazards are able to be suitably managed.
NZTA	PO Box 973 Waikato Mail Centre Hamilton 3420	742	.2	Support in part	The NZTA seeks to identify work being carried out on the Hamilton-Auckland Corridor Plan will likely result in the need to make changes to the content of the District Plan.	Allow the inclusion of a clause that identifies the HACP will require amendment to the District Plan.
PLB Construction	Blue Wallace Surveyors Ltd PO Box 38 Hamilton 3240	804	.1	Support	The submitter identifies there is a need for more industrial land in the Waikato District to adhere to Policy 4.6.3.	Allow the part of the submission that seeks additional industrial land to be provided in the Waikato District, in particular for Huntly.

Appendix 4: Stage 2 Submission

23 September 2020

Job No. 144370

Waikato District Council
Attention: Strategic Strategy – Proposed Waikato District Plan Team – Stage 2
Private Bag 544
Ngaruawahia 3742

Dear Sir/Madam

Submission in Opposition on the Proposed Waikato District Plan (Stage 2) Natural Hazards

1. Introduction

The following submission on the Proposed Waikato District Plan Stage 2 (PDP-2) is made by Shand Properties Limited (the submitter). The submitter seeks an amendment to the proposed rules of the PDP-2 in relation to the Mine Subsidence Risk Overlay area.

Contact details of the submitter C/- Bloxam Burnett and Olliver Ltd are as follows:

Contact Person: Chris Dawson
Postal Address: PO Box 9041, Waikato Mail Centre, Hamilton 3240
Phone: 07 838 0144
Email: cdawson@bbo.co.nz

As per the attached submission form:

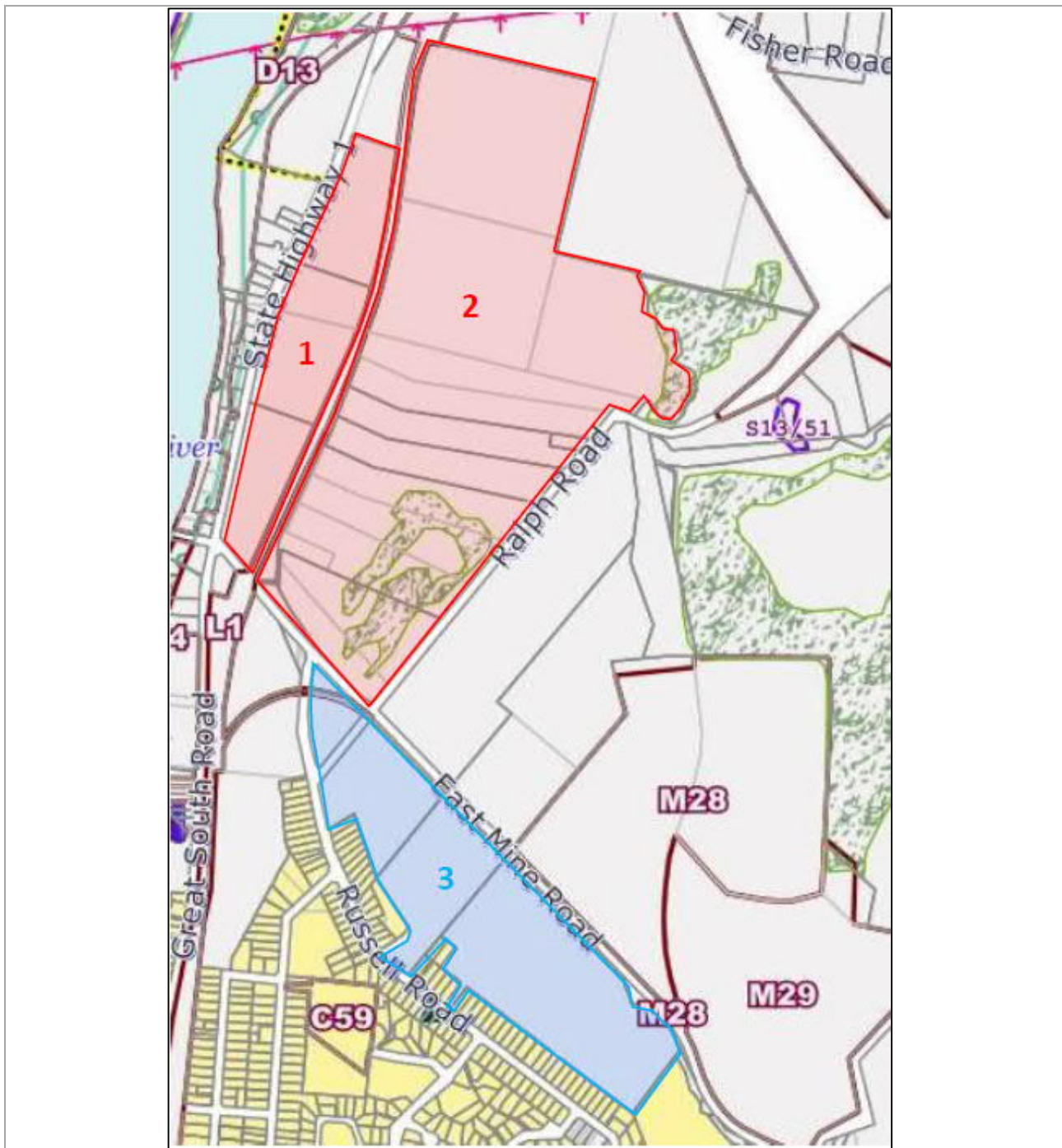
1. The submitter could not gain an advantage in trade competition through this submission.
2. The submitter would like to present this submission in person at a hearing.
3. The submitter does not wish to present a joint case with others that may make a similar submission.
4. The relief sought is set out in the attached submission form.

2. Proposed District Plan

2.1 Proposed District Plan Stage 1 – Submission

The submitter submitted in opposition on the Proposed Waikato District Plan (PDP) in relation to the zoning of their properties. Under the Operative District Plan (ODP) and the PDP all land owned by the submitter subject to this submission are situated within the Rural Zone. The submission lodged by BBO on behalf of the submitter sought that the area highlighted in red be rezoned Industrial and the area highlighted in blue be rezoned residential. The Waikato District Council (Council) reference for this submission is Sub#778.

Figure 1. Properties Owned by Shand Properties Limited Subject to Submission #778 – Red = Industrial and Blue = Residential



3. Proposed District Plan – Stage 2

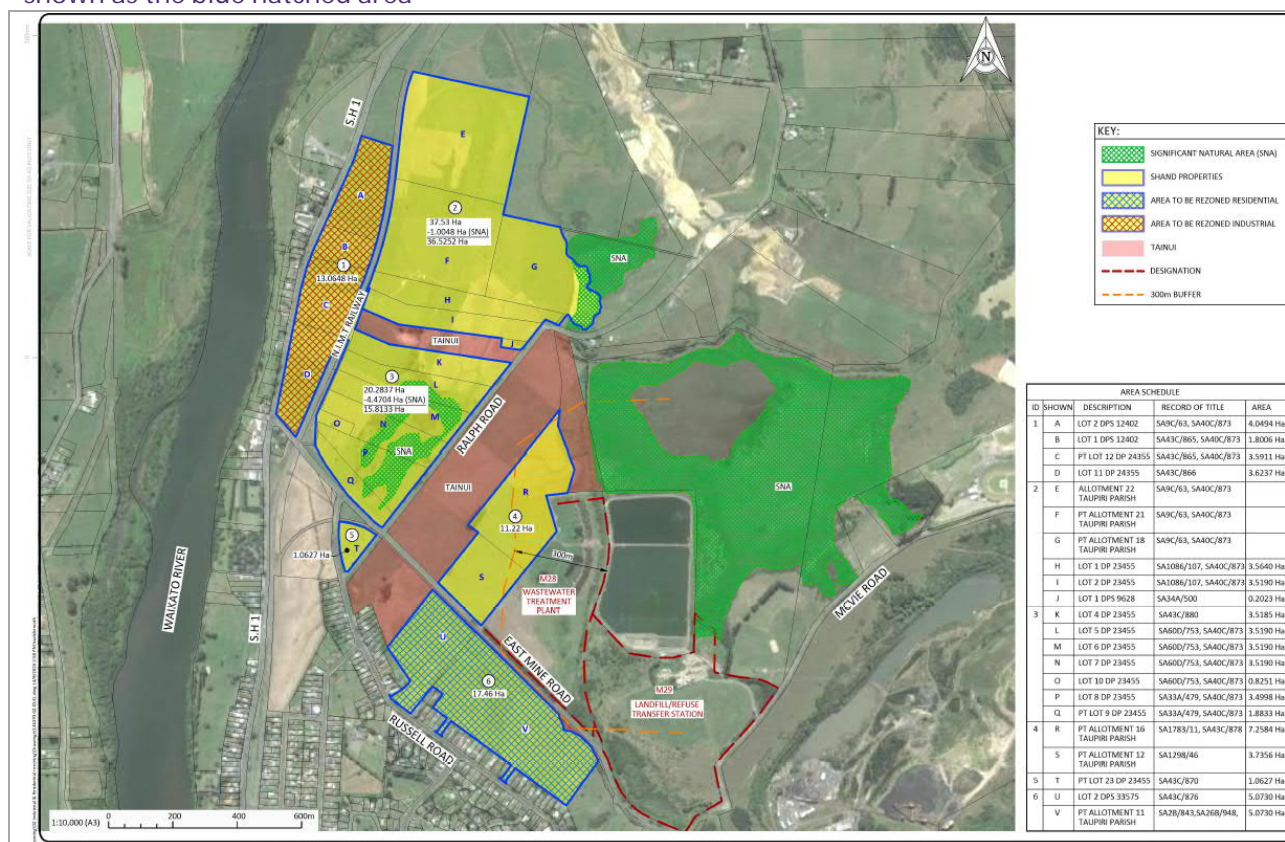
The subject of this submission is the Mine Subsidence Risk Area overlay and the rules which relate to this hazard area that are proposed through Stage 2 of the PDP. Specifically, this submission relates to the area of land owned by the submitter that is identified and explained in Section 4 below.

4. Site Description

4.1 Titles and Ownership

The area of land subject to this submission is identified as Area 6 which is the area subject to the blue hatching in Figure 2 below.

Figure 2. Shand Properties Location Map – The Area Subject to this Submission is identified as Area 6 shown as the blue hatched area



The titles subject to this submission are outlined in Table 1 on the following page, the location of these titles are identified in Figure 2 above by the letters in black, the letters provide a reference for Table 1 which outlines the physical address, legal description, certificate of title reference, area and the owners of each land parcel.

Table 1. Record of Titles

Record of Title Details					
ID	Physical Address	Legal Description	RT Reference	Area (ha)	Owner
Area 6					
U	162 Russell Road	Lot 2 DPS 33575	SA43C/876	5.0730	Gerald Alexander Caleb Shand Jacqueline Joy Rogers
V	112 Russell Road	Lt Lot 11 Taupiri Parish	SA2B/843, SA26B/948	12.3879	Catherine Mary Baker Gerald Alexander Caleb Shand Jacqueline Joy Rogers Her Majesty the Queen

4.2 General Overview of Site and Surroundings

The area of land subject to this submission has a total area of 17.46ha and adjoins the Residential Zone along the southern boundary. Area 6 is currently used for agricultural activities with the majority of the land comprising pasture. Area 6 contains one dwelling which is situated near the southern boundary. The area of land is elevated towards Russell Road with a steep contour that slopes down toward the East Mine Road boundary.

5. Natural Hazard Overlays

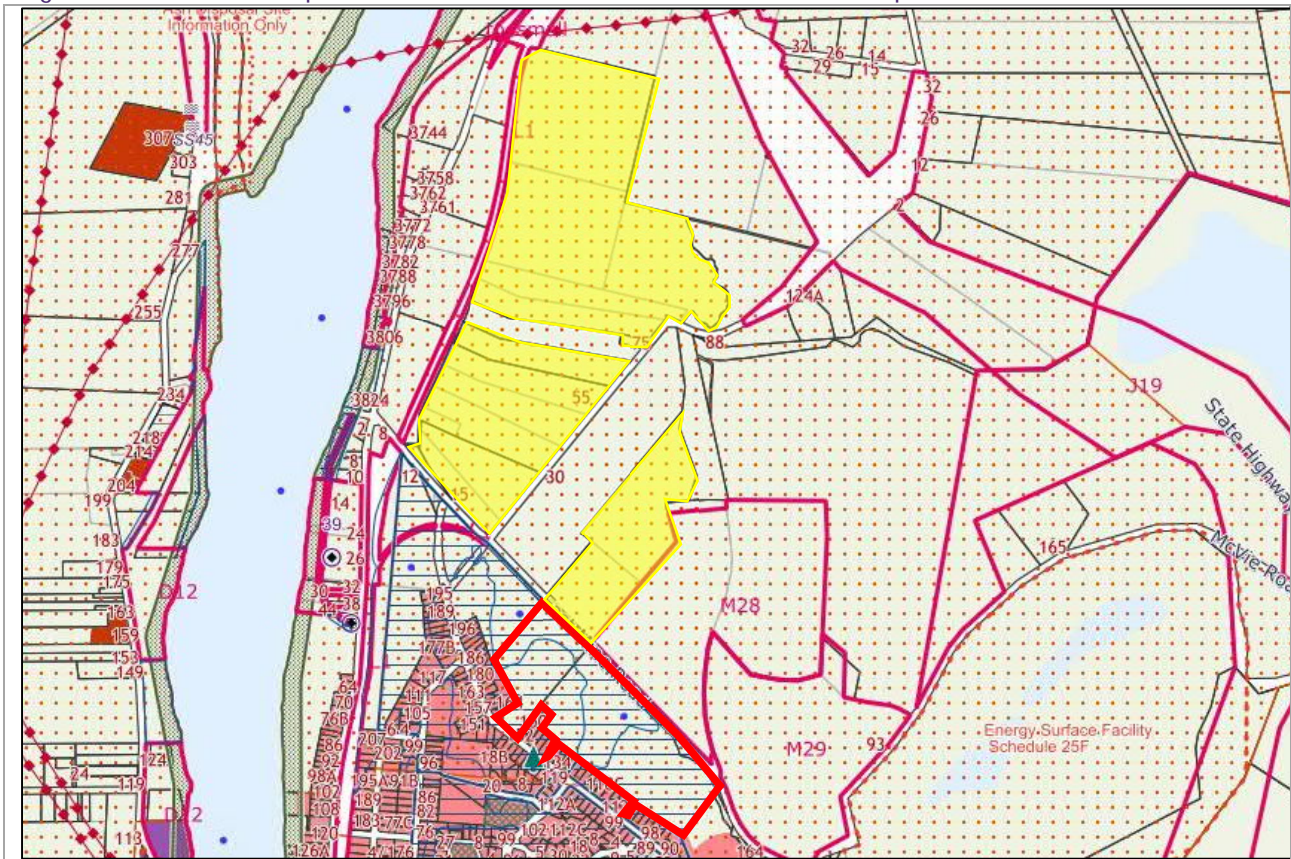
The PDP-2 has resulted in some change to the natural hazard overlays that the properties owned by the submitter are subject to, these changes are explained below.

5.1.1 Operative District Plan

Under the ODP Area 6 (Residential) was subject to the Coal Mining Policy Area Overlay, the Huntly East Mine Subsidence Hazard Overlay and was partially subject to the Flood Risk Area overlay on the lower lying areas of this property.

Figure 3 on the following page contains the ODP Zone Map.

Figure 3. ODP Zone Map – Area 6 is Identified in Red, Shand Owned Properties are Identified in Yellow



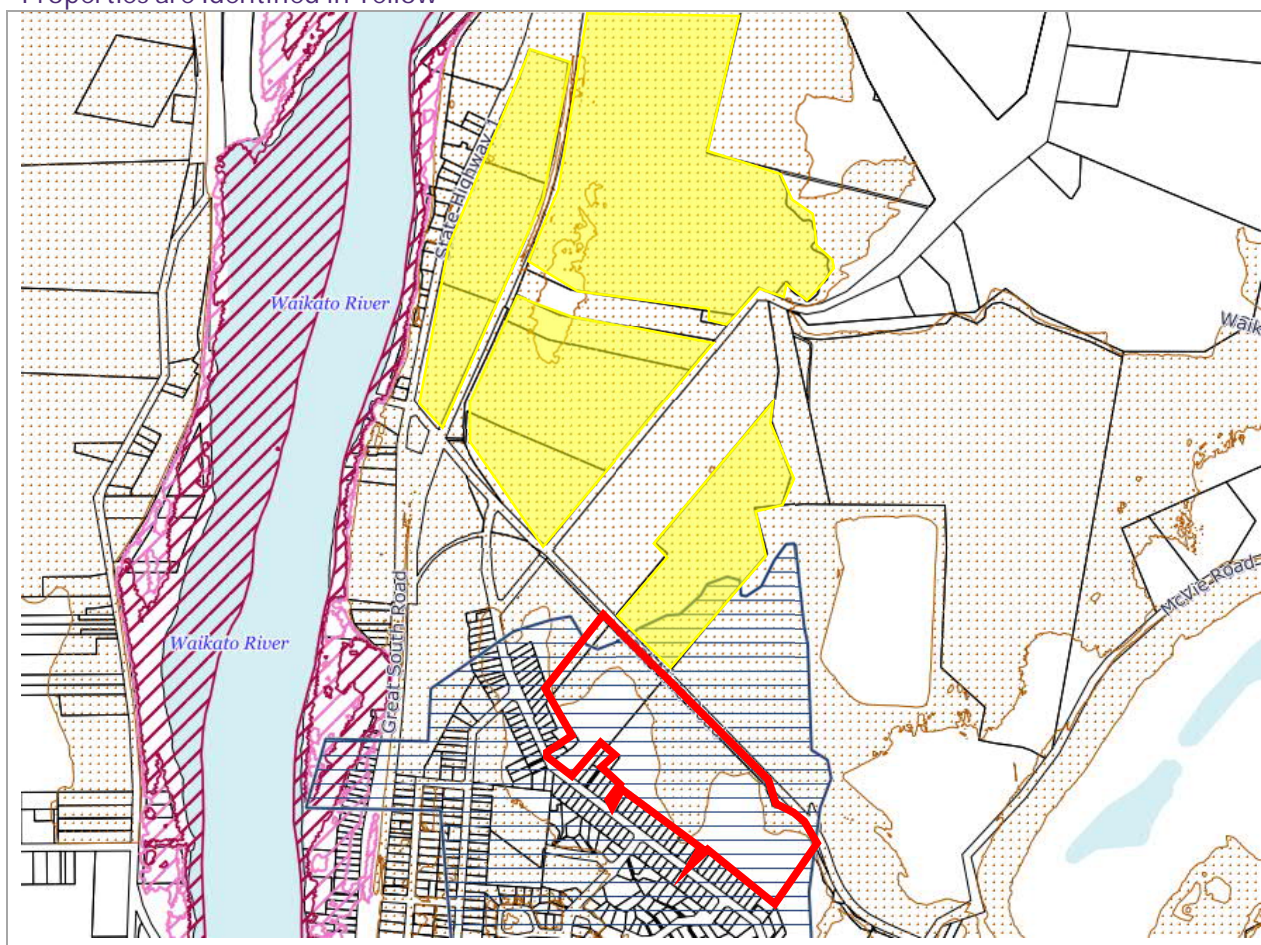
5.1.2 Proposed District Plan

The Defended Area overlay has been introduced through PDP-2. A Defended Area is defined in the PDP-2 as “an area identified on the planning maps which could normally flood in a 1% AEP flood event but is protected by a flood protection scheme managed by the Waikato Regional Council, the Waikato District Council or the Crown.” All land owned by the submitter is subject to the Defended Area overlay and would normally flood in a 1% AEP flood event, however, it is protected by the Waikato Regional Council owned stop bank which borders the Waikato River.

Additional to the above overlay, Area 6 shown in red is also entirely subject to the Mine Subsidence Risk Area. The Mine Subsidence Risk Area is defined in the PDP-2 as, “an area identified on the planning maps which is currently at risk of surface subsidence as a result of historic underground coal mining operations.”

Figure 4 below contains the PDP Natural Hazards District Plan Map.

Figure 4. PDP Natural Hazards District Plan Map - Area 6 is Identified in Red, Other Shand Owned Properties are Identified in Yellow



5.2 Mine Subsidence Risk Area

Minor subsidence has occurred in Huntly due to former underground coal mining that has occurred in the area. The area where mining was undertaken is now identified as a Mine Subsidence Risk Area. The risk on new dwellings in this area is regulated by Council through resource consent requirements both under the PDP and the ODP.

6. Submission on Proposed Waikato District Plan

The submitter opposes Rule 15.11.3 D1 (Mine Subsidence Risk Area – Discretionary activities) in so far as it proposes requiring a Discretionary resource consent for the construction of all buildings that are not otherwise provided for through Rules 15.11.1 P1-P3 (Permitted Rules). The submitter opposes this as it considers that Rule 15.11.3 D2 triggers the same requirement in that a Discretionary resource consent is required for all subdivision within the Mine Subsidence Risk Area.

The submitter understands, and agrees with the necessity for both rules, as subdivision and development do not always go hand in hand, however, it considers that the geotechnical stability risk and the risk to people from mine subsidence can also be addressed through the geotechnical assessment submitted at the time of subdivision application. A geotechnical report prepared at the time of subdivision is required to explore the geotechnical stability of the land and the risk involved with developing the site. A geotechnical assessment

at this time would determine the structure and stability of the ground conditions and also determine the risk associated of constructing a building within a natural hazard area including a Mine Subsidence Risk Area. These hazards are required to be assessed under s106 of the Resource Management Act 1991 (RMA) and if it was determined that the risk is significant, the subdivision application should be declined under s106.

A geotechnical report is expected to confirm the state of the ground conditions where a subdivision is proposed and would be expected to confirm if the land is suitable for the level of development that the subdivision would anticipate. A geotechnical report at the time of subdivision may include recommendations, such as specific building platforms and specific foundations or flooring recommendations.

It is submitted that where a geotechnical report is provided and approved at the time of subdivision that confirms the ground conditions are suitable for development (which may or may not impose more specific conditions – i.e. provided that rib raft flooring is utilised or specific foundations) that a Consent Notice is then imposed stating that the construction of a building on the lot is a Controlled activity in accordance with the relevant District Plan Rule, provided that confirmation can be supplied to Council from a suitably qualified geotechnical engineer confirming that the proposed development is in accordance with the requirements and recommendations of the geotechnical report that has been approved at the time of subdivision. Furthermore, if a Consent Notice does not exist, or the proposed development is inconsistent with the Consent Notice requirements, or does not apply to a specific lot, then a Discretionary resource consent will be required under Proposed District Plan Rule 15.11.3.

An example of how this may be worded through a Consent Notice is suggested below:

Consent Notice example - Pursuant to section 221 of the Resource Management Act 1991, a Consent Notice shall be registered against Lots 1, 2 and 3 of DP 123456 advising that a geotechnical report has been approved through the associated subdivision that has recommended suitable building foundations relating to the construction of any building on the said lot (WDC Ref:1234 or alternatively the geotechnical report could be attached to the Consent Notice for further clarity and ease of Council process). A Controlled resource consent is required to be obtained from the Waikato District Council prior to the issuing of a Building Consent for the construction of any building on the said lot. Written confirmation from a suitability qualified and experienced Geotechnical Engineer shall be provided with the application that confirms the proposed building will be constructed in accordance with the geotechnical report approved at the time of the subdivision. If compliance cannot be achieved or the appropriate qualifications of the person providing written confirmation cannot be satisfactorily provided, a Discretionary resource consent will be required under District Plan Rule 15.11.3.

Advice Note: This Consent Notice does not apply to the construction or alteration of a building that is provided for as a Permitted activity within the Huntly Mine Subsidence Area overlay under the Operative Waikato District Plan.

6.1 Decision Requested

The following relief is sought for the above submissions (proposed amendments are shown in red underline):



15.11 Mine Subsidence Risk Area

15.11.1 Permitted Activities

P1 Additions to an existing building

- (a) Additions do not increase the gross floor area of the building by more than 15m²; and
- (b) Additions do not result in the length of any wall of the building exceeding 20m.

P2 Standalone Garage

- (a) The gross floor area of the building does not exceed 55m² and
- (b) The maximum length of any wall does not exceed 20m.

P3 Construction, replacement, repair, minor upgrading, upgrading or maintenance of utilities.

P4 Earthworks

- (a) The maximum volume of filling does not exceed 20m³ per site; and
- (b) The maximum depth of any excavation or filling does not exceed 1m above or below ground level.

15.11.2 Controlled Activities

C1 The construction or alteration of a building that is not provided for under District Plan Rule 15.11.1 where a Consent Notice is registered against the Record of Title confirming that a geotechnical assessment has been approved at the time of subdivision and the approved geotechnical report confirms that the ground is suitable for development and the development is in accordance with any recommendations of the geotechnical report.

Control is restricted to –

- The requirements and recommendations of the geotechnical report approved at the time of subdivision.
- That confirmation is provided from a suitably experienced and qualified geotechnical engineer that confirms the proposed development is consistent with the recommendations and requirements of the geotechnical report approved at the time of subdivision.

Additional to the above, this submission provides for any consequential or subsequent amendments to other parts of the natural hazards section to facilitate the changes requested above, including the renumbering of the rules relating to the Mine Subsidence Risk Area.

15.11.3 Discretionary Activities

D1 Construction of a building or additions to an existing building not provided for in Rule 15.11.1 P1-P3 or C1.

D2 Subdivision to create one or more additional vacant lot(s) other than a utility allotment, access allotment or subdivision to create a reserve allotment.

In the alternative to the relief set out above, the submitter seeks such similar drafting relief that avoids the inefficiencies of a duplicate discretionary activity status between subdivision and land use consenting stages.



7. Reasons for the Submission

The submitter considers that a geotechnical assessment can be undertaken at the time of subdivision that can appropriately address any geotechnical issues and concerns associated with future development within the site. Furthermore, s106 requires a natural hazard assessment to be undertaken at the time of subdivision which would include all hazards explored and addressed within Plan Change 2. An assessment under s106 of the RMA is required at the time of application for all subdivision applications, and through this assessment it is required that sufficient information is provided to Council to provide reassurance that there is not a significant risk from natural hazards prior to the granting of a subdivision application. If there is a significant risk, Council may refuse the subdivision application. Specifically, s106 requires the Applicant to submit an assessment of the risk from natural hazards that includes;

- a) the likelihood of the hazard occurring,
- b) the material damage that may occur as a result of the hazard, and
- c) if the likely use of the land would accelerate, worsen or result in material damage.

This assessment would undoubtedly explore all hazard risk in relation to the PDP – 2 (Natural Hazards) and more specifically the risk of mine subsidence.

As mentioned previously, the area subject to this submission has been requested to be rezoned Residential. If the rezoning request is successful, the submitter proposes to subdivide this area of land in accordance with the Residential Zone subdivision rules. The submitter has prepared a preliminary scheme layout which anticipates the creation of 80-90 lots across the area of land subject to this submission. If the area is rezoned and if a subdivision consent is applied for, a Discretionary land use consent will be required at the time of subdivision and then following the subsequent issuing of titles (if granted), a Discretionary land use consent would then be required to construct any building on every lot within the approved subdivision that is not provided for by the Permitted criteria. The submitter questions the necessity of both rules needing to be triggered and is concerned by the uncertainty that a Discretionary activity status provides at the time of development and is further concerned by the lack of efficiency of this requirement. The submitter considers that a Controlled activity status gives the Applicant certainty while still ensuring that Council retains control over any elements of concern in relation to the Mine Subsidence Risk Area.

8. Conclusion

To summarise, the submitter submitted in opposition to the proposed Rural Zoning of their properties in the PDP – Stage 1. If the relief it seeks on this submission point is granted, Area 6 will be rezoned Residential which will enable residential development within this area, giving rise to significantly higher density subdivision opportunities. As a result, the submitter seeks the inclusion of a Controlled Activity rule as explained in Section 4.1 of this submission as a means to simplify the consenting process.

The submitter considers that requiring a Discretionary land use consent either at the time of subdivision or at the time of development provides for a more efficient planning process for both the land developer and for Council. It considers that the provisions within the PDP should be worded in a manner that provides for this. Imposing a Consent Notice on the title under s221 of the RMA provides a transparent approach for both the Applicant, for Council and any prospective purchaser of the land. The Controlled activity status further provides certainty to the Applicant that the site is able to be developed (the application cannot be declined



by Council) while still ensuring that Council is able to assess compliance and ensure that the development is in accordance with the geotechnical assessment approved at the time of subdivision.

It is submitted that the inclusion of Rule 15.11.2 C1 in the PDP will “reduce red tape” and facilitate a smoother consenting process, while still reassuring Council that geotechnical concerns and constraints in relation to the Mine Subsidence Risk Area will be satisfactorily addressed. The proposed amendments will ensure that accurate and comprehensive geotechnical testing and reporting is still provided to Council for assessment through the subdivision process that will address the risk of mine subsidence.

Chris Dawson
Planning Project Manager
BBO

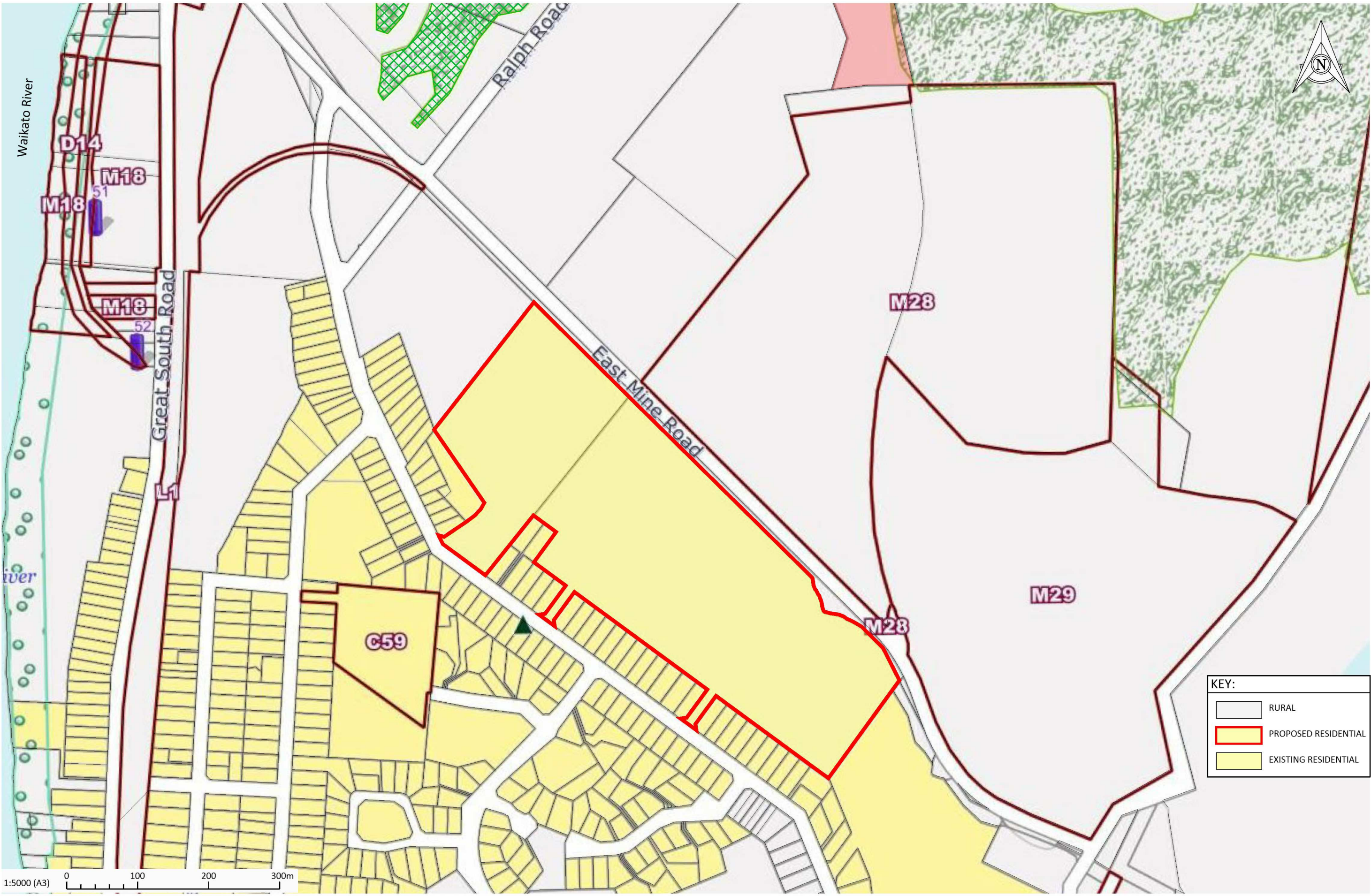


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Appendix 5: Residential layout and zoning plans

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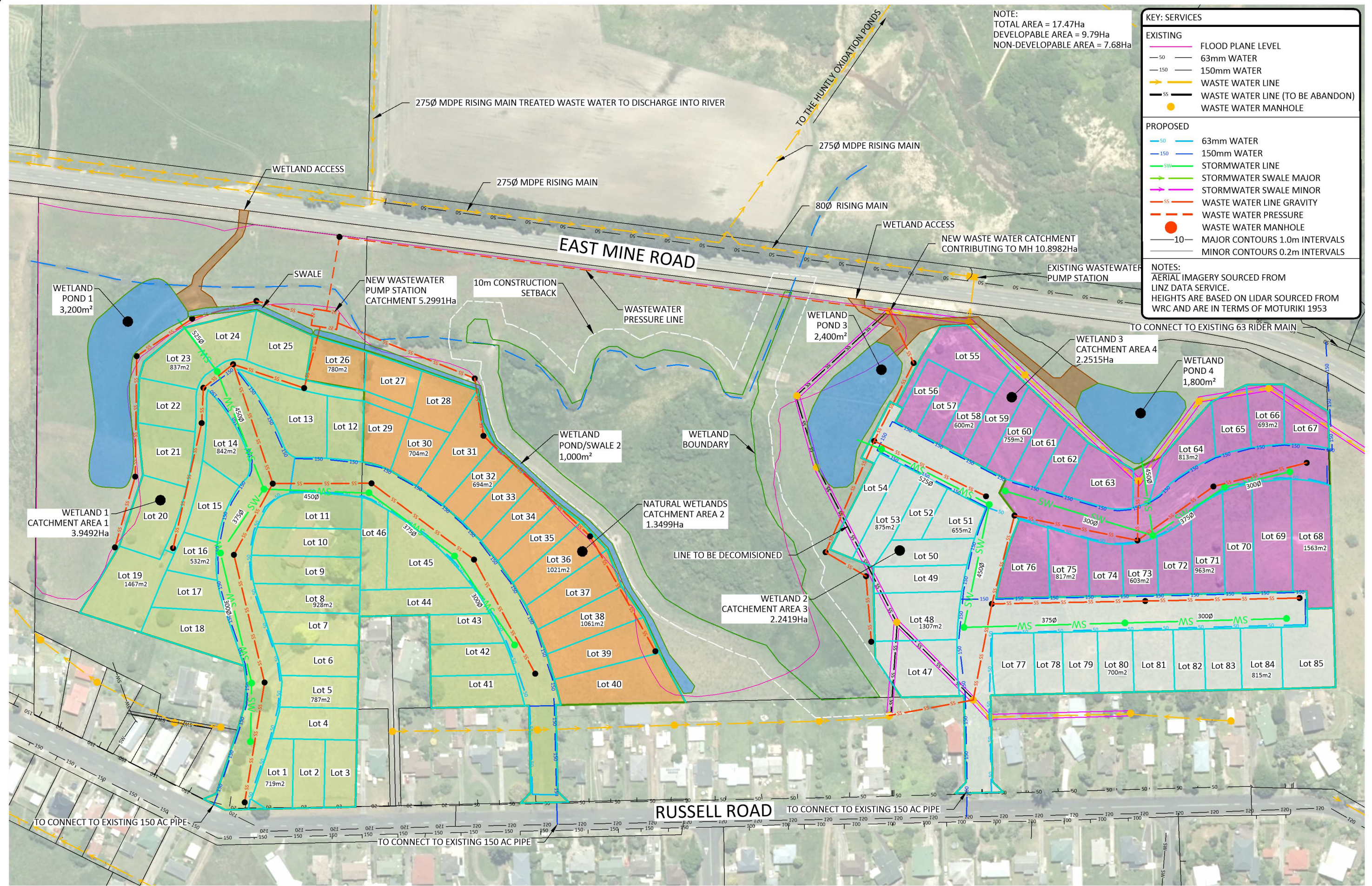
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mx model version:			
Date	20/10/2020	Issue/revision detail	INITIAL ISSUE
By	BSC	Chk	Appr



Client
SHAND PROPERTIES LIMITED

Project
HUNTLY NORTH REZONING

Drawing
**RESIDENTIAL ZONE
CONCEPTUAL THREE WATERS LAYOUT**

Status	PRELIMINARY
Date	20/10/2020
Drawing Number	144370/02 /- /0702
Revision	A

Appendix 6: Industrial layout and zoning plans



A	10/09/2020 Date	INITIAL ISSUE Issue/revision detail	BSC By	Chk	App

Designed	Checked
PP	BJM
Drawn	Approved
BSC	
mx model version:	



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Client SHAND PROPERTIES
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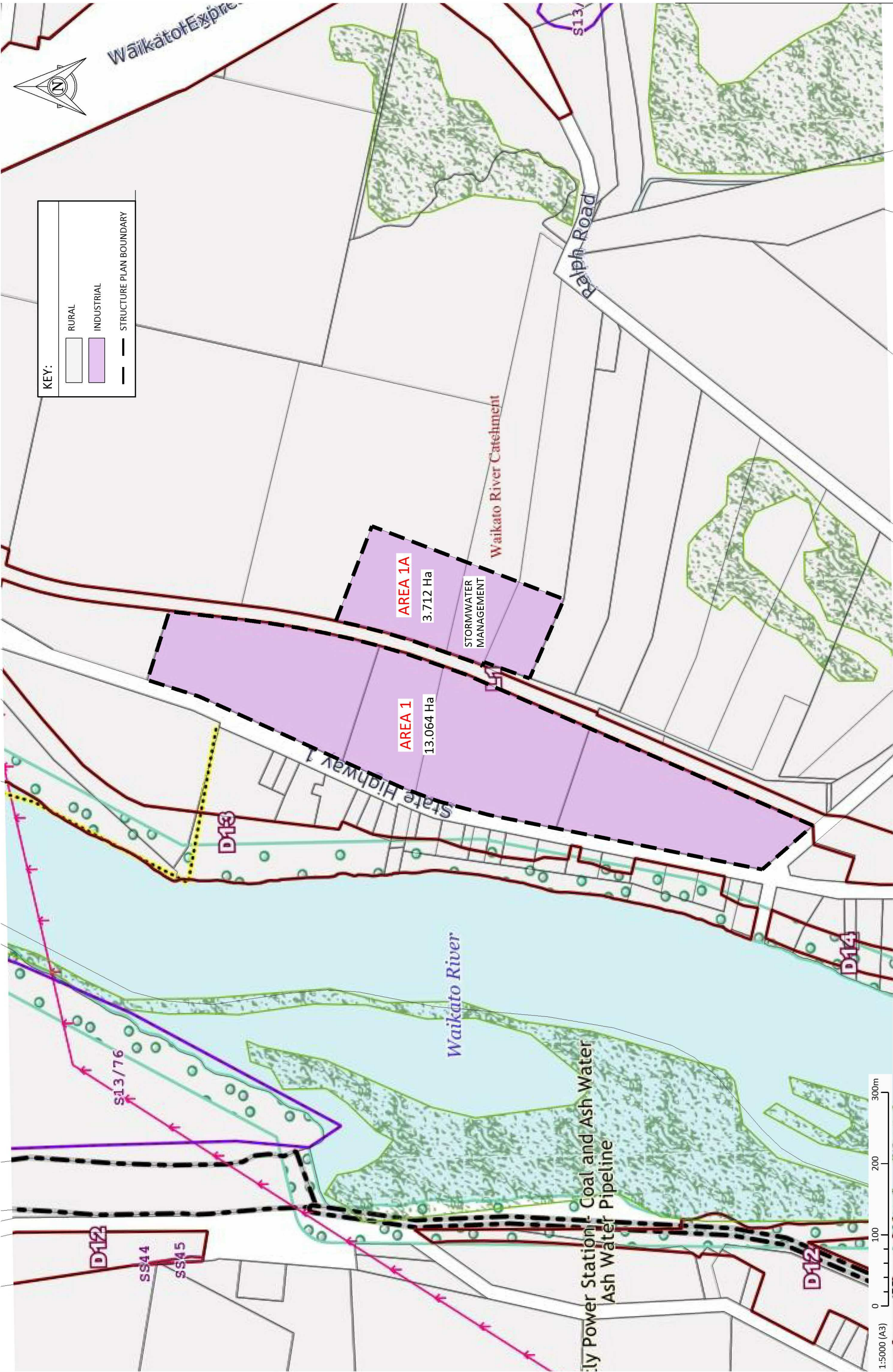
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Drawing
INDUSTRIAL ZONE
CONCEPTUAL SUBDIVISION PLAN

Status	PRELIMINARY
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Date	10/09/2020	Scale (Original Size A3)	1:2500
Drawing Number	144370 / 02 / - / 0002	Revision	A

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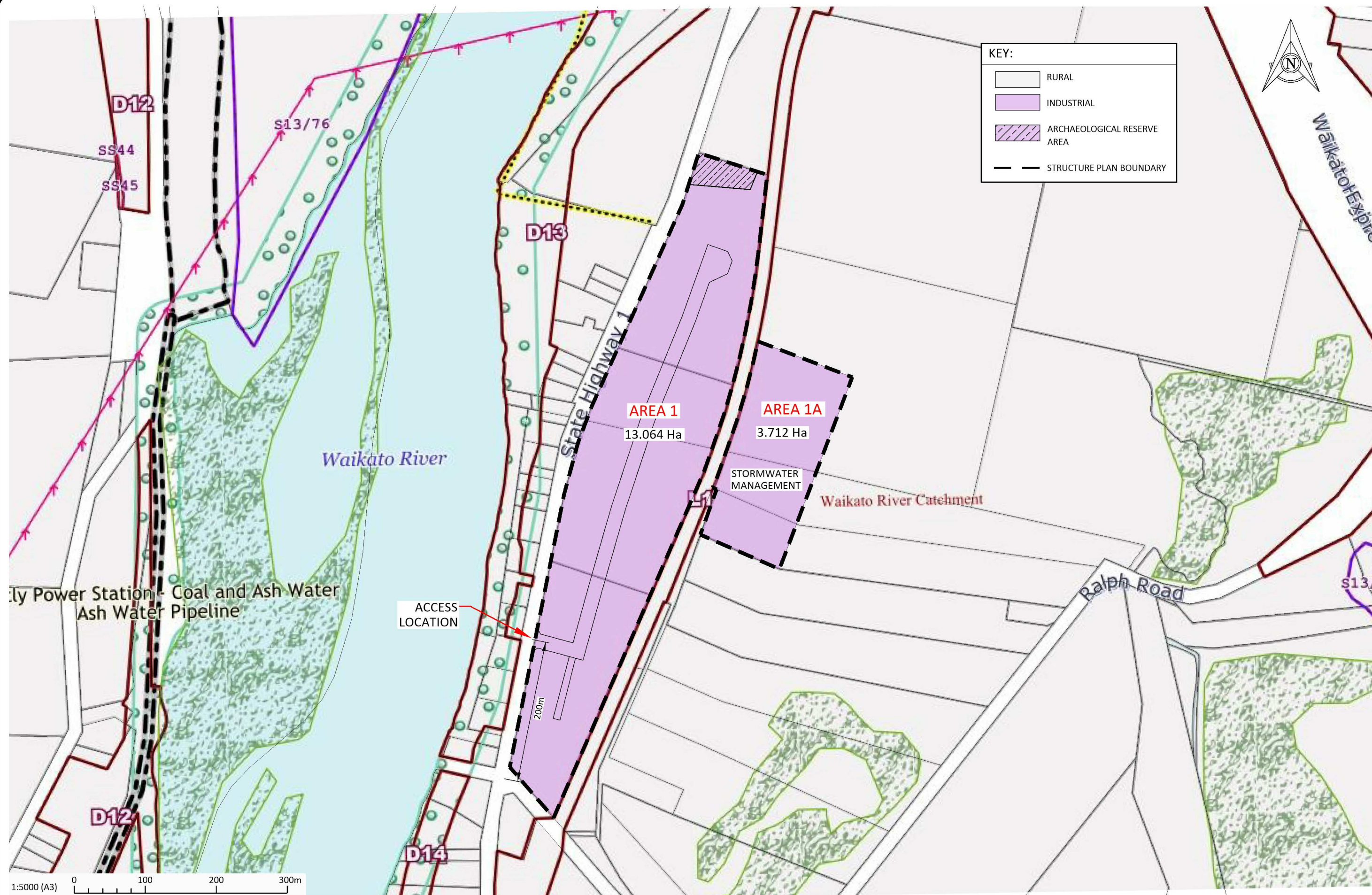
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Version 3.0 - September 2017				A		A		144370-02-0144		REVISION	

Appendix 7:
Draft Huntly North
Structure Plan



			DESIGNED -			CHECKED CD			 BLOXAM BURNETT & OLLIVER	CLIENT SHAND PROPERTIES	PROJECT PROPOSED DISTRICT PLAN REZONING	DRAWING HUNTLY NORTH STRUCTURE PLAN	STATUS FOR INFORMATION			
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