

SECTION 42A REPORT

Report on submissions and further submissions on the
Proposed Waikato District Plan

Hearing 25: Zone Extents Kimihia Lakes Special Zone

Report prepared by:

Robert van Duivenboden

16 April 2021



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List of submitters and further submitters addressed in this report

Original Submitter	Submission number
Murray & Jennifer Allen for Allen Fabrics Limited	584
Allenmara Computers Limited	661
Frederick April	483
Gloria Jean Beverland	627
Kim Bredenbeck	616
Brian Curle	262
Rosemary Curle	263
Steven Doyle	787
Colleen Earby	555
Dave and Fransiska Falconer	271
Dave Falconer	880
Kym Holland on behalf of Friends of Kimihia Lake	826
Wendy Harlock	605
Hamilton & Waikato Tourism	324
Gaylene Himona	554
HRRA	350
Katrina Langlands on behalf of Huntly Community Board	583
Victoria Kemp on behalf of Huntly Districts Residents and Ratepayers Association	511
Huntly Karioi Outdoor Trust Incorporated	786
Marisa Ibanez	203
Alan Kosoof	556
Bronwyn Kosoof	557
Tracey Lolesi	561
Helen Mahon	659
David & Jill Messent	615
Dianne & John Messent	656
Bryan Morris	784
Bryce Mounsey	545
Owen Mounsey	660
Raglan Chamber of Commerce	274

Further Submitter	Submission number
<i>Murray and Jennifer Allen – Allen Fabrics Limited</i>	<i>1047</i>
<i>Hamilton City Council</i>	<i>1379</i>
<i>Mercury</i>	<i>1386 1387 1388</i>
<i>Perry International Trading Group Limited</i>	<i>1348</i>
<i>New Zealand Transport Agency</i>	<i>1202</i>
<i>Ta Ta Valley Limited</i>	<i>1340</i>
<i>Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)</i>	<i>1108</i>
<i>Waikato Regional Council</i>	<i>1277</i>

The Pam Fergusson Charitable Trust and Allen Fabrics Limited	260
Philip Parkes	595
Robyn Harris for Rotongaro-Huntly Pony Club	655
Chris Ryan	195
Shand Properties Limited	597
Dawn Walker	619
William James Walker	618
Vera Wennekers	184
Willemien Wennekers	335
John Wiltshire	200

I Introduction

I.1 Qualifications and experience

1. My full name is Robert John van Duivenboden. I am a planning contractor to Waikato District Council.
2. I hold the qualification of Master of Science from Massey University.
3. I have been employed in planning and environmental management roles in regional government and private practice for over 25 years. I have been engaged by the Council as a policy planner to help assess the submissions requesting the creation of a new zone relating to Lake Kimihia at Huntly, which will provide for various recreation activities and events. In this role, I have undertaken the following:
 - a. Familiarised myself with the locale, the proposal and its environment
 - b. Analysed submissions and further submissions,
 - c. Made a recommendation to the panel.

I.2 Code of Conduct

4. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
5. I am authorised to give this evidence to the hearings commissioners on the Council's behalf.

I.3 Conflict of Interest

6. I confirm that I have no known real or perceived conflicts of interest.

I.4 Preparation of this report

7. When preparing this report, I considered the submissions and evidence filed by proponents of the zone change, further submissions and the relevant statutory documents.
8. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Report

2.1 Matters addressed by this report

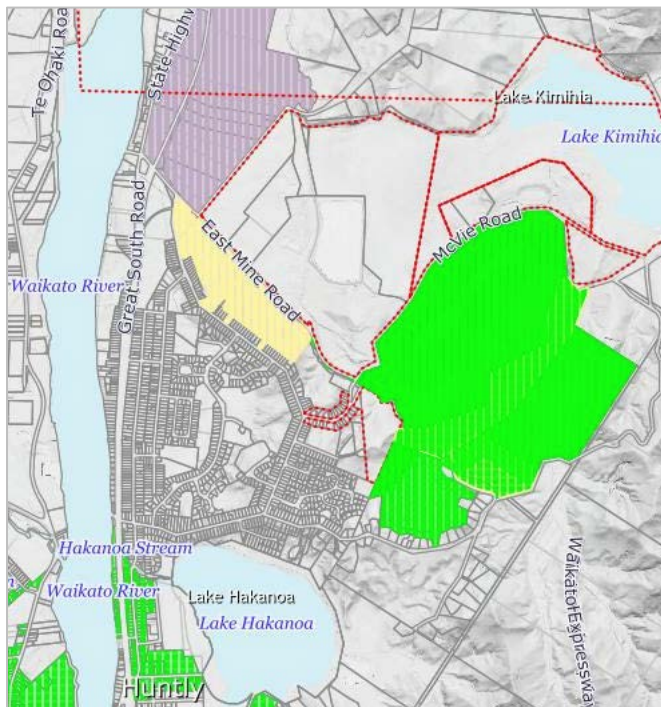
9. I prepared this report in accordance with section 42A of the RMA. This report considers submissions that were received by the Council in relation to the provisions on the zoning of Kimihia Lakes/Huntly within the Waikato Proposed District Plan. A special zone in the Kimihia Lakes area was not included in the notified PWDP. It is on the table now as a result of original submissions from the landowner, Allen Fabrics Ltd (AFL) as well as a number of supporting submissions from members of the

community. In this report I analyse submissions and further submissions, and make recommendations for provisions to manage the proposed Kimihia Lakes Zone including activities, buildings, amenity effects and subdivision.

2.2 Overview of the subject area.

10. Kimihia Lake(s) lie to the east of Huntly Urban area and are bounded by the Waikato Expressway and rural land.
11. The subject original submission's zone¹ is marked in green on the map below.

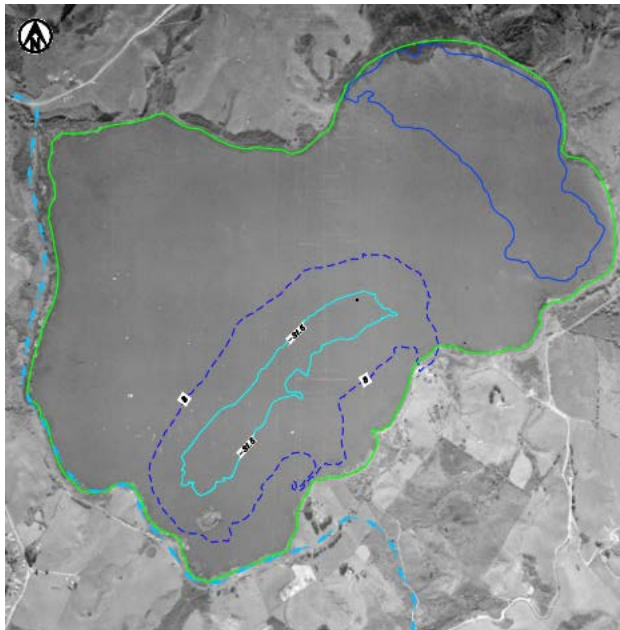
Figure 1: Extent of the original submission from Allen Fabrics Ltd



12. The geographic extent of the proposed Kimihia Lakes Zone has been reduced as a result of evidence from the landowner, and will be clarified later in this report.
13. The site's physical history is relevant to the final recommendation as it adds important context and a baseline. Evidence from AFL provides a detailed and pictorial history of the surrounding area, and a historical land use sequence is summarised below.

¹ AFL, Oct 2018

Figure 2: Kimihia Lakes pre 1940s²



Historic Aerial: Kimihia Lake in the 1940's (pre mining operations) with the following overlays: current remnant Lake Kimihia, current mine pit water level, calculated final lake extent within the mine site and original tributary stream in its current diverted alignment

14. Below is Kimihia Lakes recent overview (Note the Waikato Expressway under construction)³.

Figure 3: Recent aerial photograph of the site



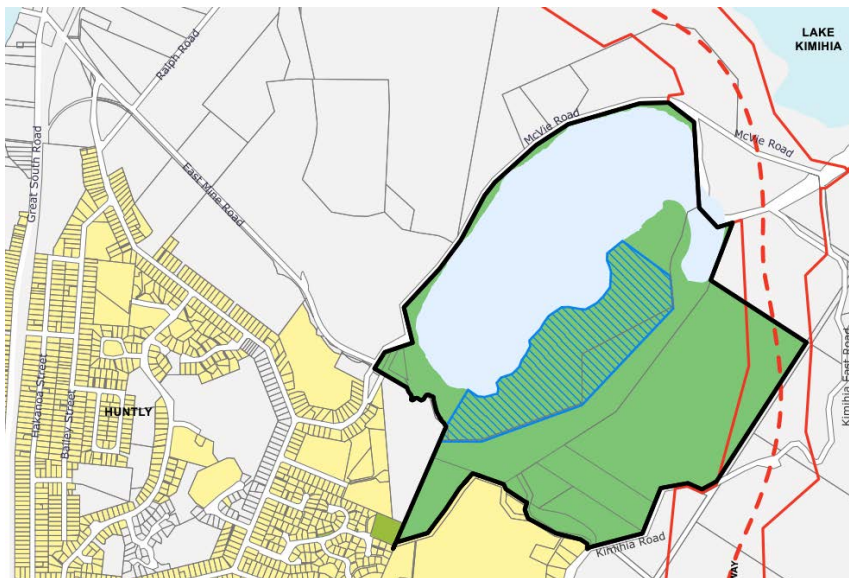
Existing Site Aerial: Mine site (post mining operations) with the following overlays: Historic Lake Kimihia extent, current remnant Lake Kimihia, current mine pit water level, calculated final lake extent within the mine site and original tributary stream in its current diverted alignment

² AFL submission, Kimihia Lakes Development Master Plan February 2021

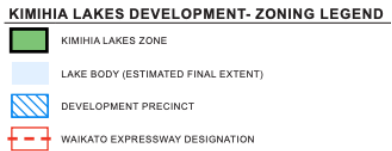
³ AFL submission documents

15. The submitter evidence supplied for proposed Kimihia Lakes Zone and a Development Precinct within that zone is the subject of this report.
16. The purpose of the proposed Kimihia Lakes Zone and Development Precinct is to better facilitate:
- a. Environmental rehabilitation of the site, including establishing an on-site nursery, native planting, pest plant removal and wetland restoration;
 - b. Water-based recreation within the future lake (swimming, kayaking, waka ama, etc.);
 - c. Informal land-based recreational uses, including walking, cycling trails, nature trails and open space;
 - d. Cultural interpretation facilities to be developed in partnership with mana whenua; an
 - e. A lakeside hub which is expected to include:
 - (i) A multi-purpose, lakeside community centre
 - (ii) An aquatic activity hub, providing training and equipment hire facilities;
 - (iii) Overnight accommodation for schools, groups and independent visitors, including motel and dormitory units and campsites;
 - (iv) A coalfields museum, providing education on the area's mining heritage dating back to the 1890s;
 - (v) Café and ancillary retail tenancies; and
 - (vi) Destination playground⁴.

Figure 4: Proposed Kimihia Lakes Zone (green) and the Development Precinct overlay (blue).



⁴ Section 5.3 Evidence of Mr A. Cumberpatch



17. A more detailed narrative and pictorial description of the proposed zone and its recent history is in the key submitter (AFL) evidence documents, particularly:
- Kimihia Lakes Development Master Plan, Boffa Miskell February 2021.
 - Preliminary Site Investigation Huntly East Mine and Farm prepared for Kimihia Lakes Community Charitable Trust, CSI Ltd, September 2020.

2.3 Structure of this report

18. There are 88 original submissions and 140 further submissions received on this topic. This report analyses the proposal in terms of the National Planning Standard gateway tests for a special purpose zone, then examines submissions in opposition for significant matters. Submissions in support are then assessed in terms of the relevant statutory documents.
- Appendix 1: Table of submission points
 - Appendix 2: Recommended amendments
 - Appendix 3: Provisions
 - Appendix 4: Additional technical reports considered.

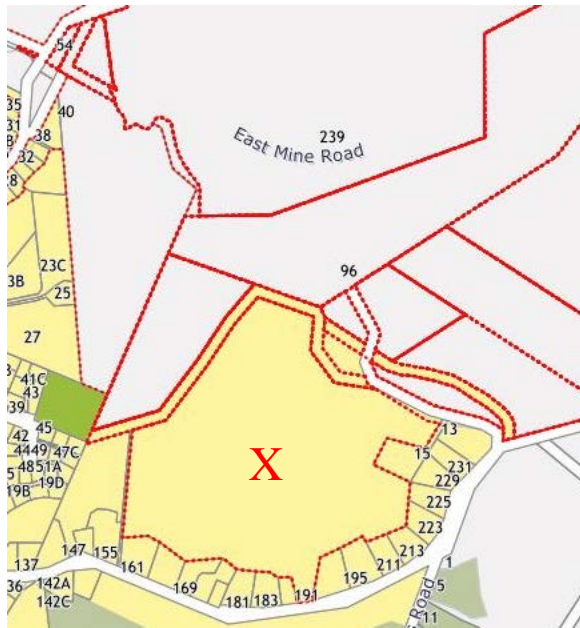
2.4 Procedural matters

19. I visited the site on 25 March 2021. I met the key submitter team who explained the project ideology, genesis, statutory progress to date and proposed implementation. A field assessment was undertaken to assess the local landscape, amenity, as well as the surrounding rural and built environments. Particular regard was given to the proposed Development Precinct area within the site.

2.5 Huntly and surrounding lands background information

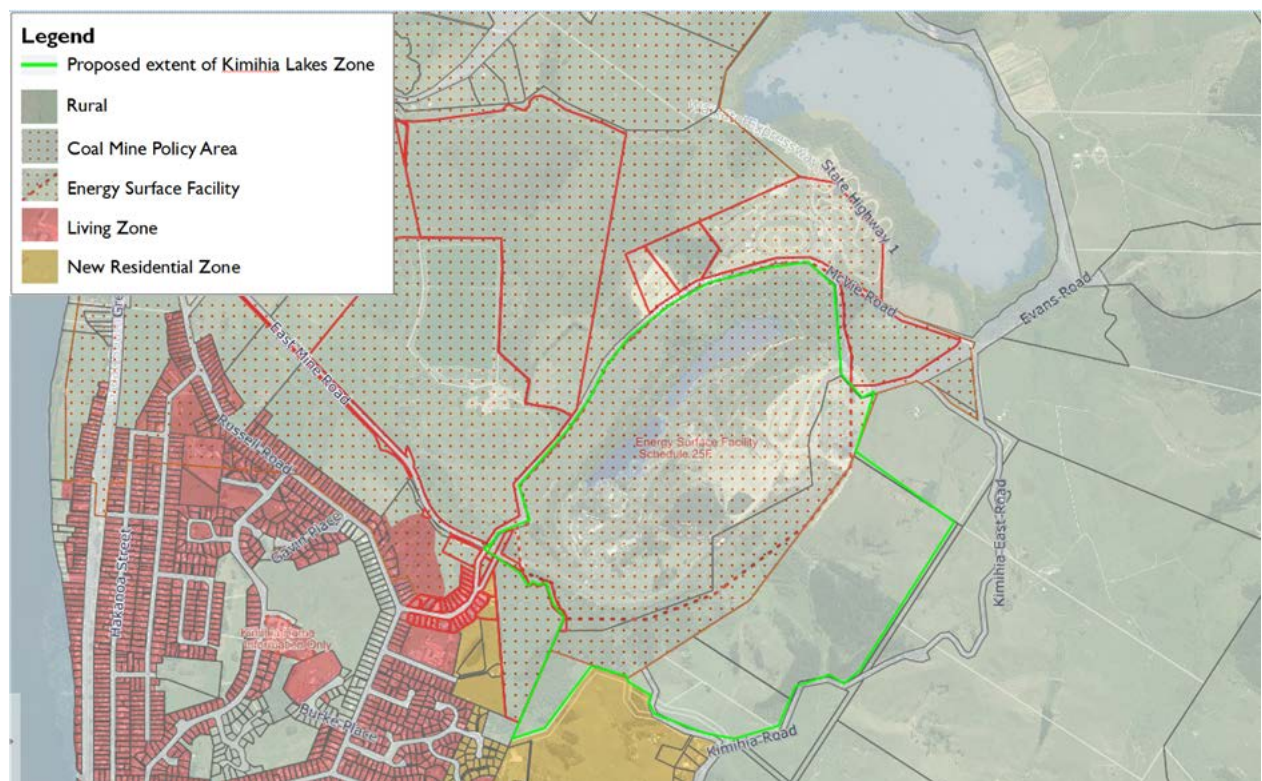
20. The submissions relating to zoning for the town of Huntly are addressed in a separate section 42A hearing report. That report provides context for assessing the request for a proposed Kimihia Lakes Zone.
21. The original AFL submission requested a residential precinct area within a new special zone to provide for residential development. This residential precinct area is no longer included in the submitter's request because sufficient neighbouring land was identified for residential purposes in the notified PWDP. This report assumes that the neighbouring land proposed urban (the large single lot marked x shown yellow (urban) below) is similar in statutory evaluation as the other Huntly Urban Zone extensions being considered.

Figure 5: Residential zoned area excluded from the submission (as amended through evidence)



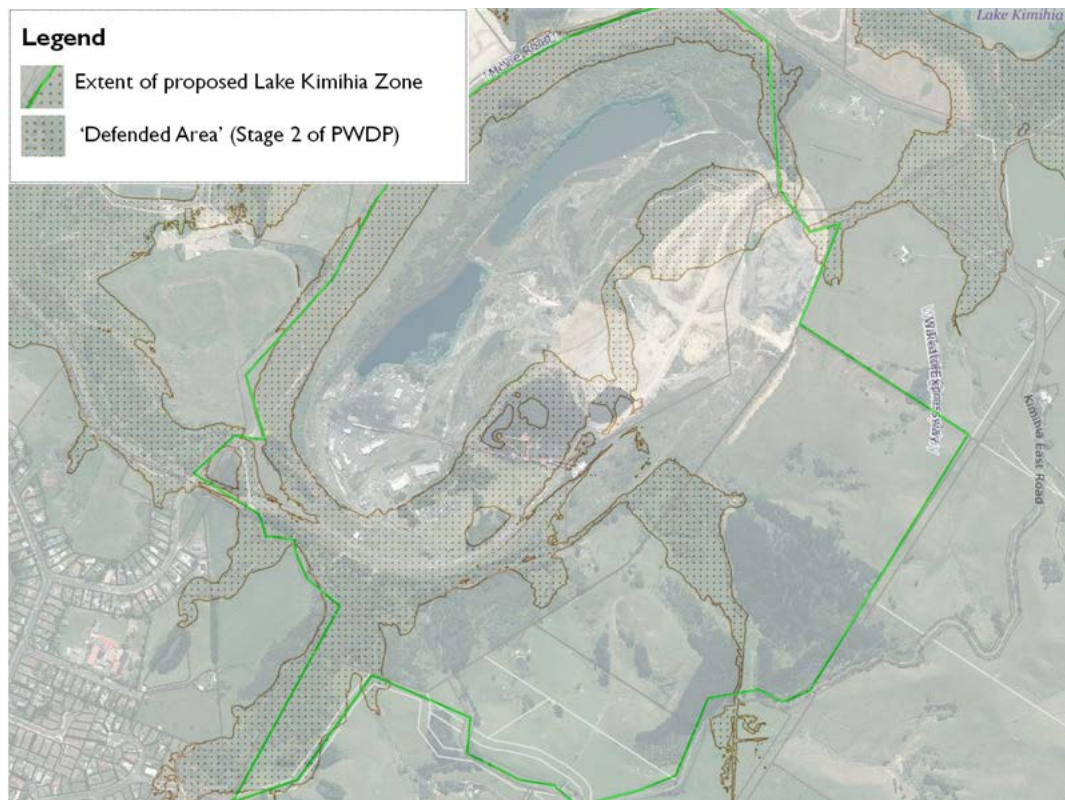
22. For the purposes of this report, the urban land area notified (marked X) is excluded from this Kimihia Lakes Zone request and analysis.
23. The subject site is currently zoned Rural Zone in terms of the Operative Waikato District Plan. It is also subject to a Coal Mining Policy Area and an Area of Interest (Energy Surface Facility).

Figure 6: Operative District Plan maps: Waikato Section



24. The proposed Kimihia Lakes Zone is in the Rural Zone in the PWDP. Parts of the proposed zone are in a Defended Area. There are no other PWDP Stage 2 Natural Hazards mapped for this site.

Figure 7: PWDP map of natural hazards



25. The rural character of the area is defined by an open landscape, its non-urban nature, an absence of built industrial zone attributes, and rural amenity. However, rural land uses in the area (such as farming) are very constrained due to lack of soil and human-caused effects on landforms.
26. The National Planning Standards describe the basis for creating a specific special purpose zone in a district plan. Special zones may only be created when the proposed land use activities are:
- a) significant to the district, region or country
 - b) impractical to be managed through another zone; and
 - c) impractical to be managed through a combination of spatial layers.
27. Those National Planning Standard requirements are analysed further in this report, with the conclusion that the proposed Kimihia Lakes Zone and Development Precinct would meet those tests, and the most appropriate planning tool would be a special zone. The original AFL submission refers to other areas subject to a special zone, such as the motorsport park at Hampton Downs.

2.5.1 Huntly Population Growth

28. Waikato District has seen considerable growth over the last 10 years, with an increase of just under 20,000 people according to the 2018 Census. The 2018 Census also indicates that Huntly's population has increased from just over 8,900 to over 10,000 people over the last 10 years.

2.5.2 Key industry

29. Prior to the completion of the Huntly (Bypass) Section of the Waikato Expressway, State Highway 1 (SH1) used to run through the centre of Huntly township on the true right of the Waikato River. SH1 now travels east of Huntly, effectively bypassing the town.
30. A railway line runs through Huntly (parallel to Great South Road/Thermal Explorer Highway), with the Huntly Train Station located in the Huntly Town Centre (Planning Map 20.4 in the PWDP). This provides for freight transport, as well as a passenger rail service (Te Huia) that which commenced on 6 April 2021 and connects Waikato to Auckland.
31. Huntly has had a very long history of coal mining with both open cast and underground mines, with commercial coal mining beginning in 1874. Huntly East Mine was closed during the period 2015-17.
32. The Huntly Power Station is a distinctive landmark next to the Waikato River.

2.5.3 Huntly general overlays/key features notified in the PWDP

33. The PWDP indicates two Aggregate Extraction Area overlays in the Huntly area, although both are some distance from the site which is the subject of the special zone request.
34. Significant Amenity Landscapes cover a considerable extent of the margins of the Waikato River, as does the Significant Natural Area (SNA) overlay.
35. The National Grid runs through Huntly West parallel to Waikato River, and also extends westwards, just north of Lake Waahi.
36. There are a number of designations over the greater Huntly area, for a range of purposes.
37. A substantial portion of land just north of Lake Hakanoa, and west of the now decommissioned East Huntly Mine, is identified as being within the Mine Subsidence Risk Area.
38. Around Huntly, the margins of Lake Waahi are for the most part within the Flood Ponding Area, and the banks and margins of the Waikato River are covered by the High Risk Flood Area and Flood Plain Management Area overlays. As a consequence, a considerable extent of Huntly's developed land is within the Defended Area overlay.

2.5.4 Huntly Infrastructure

39. Consents for the Huntly wastewater treatment plant expire in 2019, and upgrade requirements are likely. Water supply treatment plant and reticulation renewals are planned district-wide, and stormwater reticulation upgrades are also planned across the district (Waikato District Council, Long Term Plan 2018-28).
40. The Huntly section of the Waikato Expressway has recently been completed, and as a result, the responsibility and management of SH1 is in the process of being transferred from Waka Kotahi/New Zealand Transport Agency to Waikato District Council.
41. Key roading projects planned for Huntly over the next 10 years include central interchange/local road connections (Waikato District Council, Long Term Plan 2018-28).
42. Other key projects in Huntly over the next 10 years include the Community Centre and Resource Recovery Centre.
43. There is no existing or proposed structure plan for the subject site.

2.6 Overview of submissions

44. The key submission is by Allen Fabrics Ltd (AFL) seeking a special Kimihia Lakes Zone. The AFL submission seeks inclusion of a special purpose zone in the Proposed Waikato District Plan to achieve the land use (recreation, education, and operational facilities) and the community outcomes being sought. The AFL submission is supported by 39 others. A s32AA report has also been furnished by AFL. Other submissions and further submissions strongly support the request for a special zone, with related changes to zone-specific objectives, policies, rules and definitions to enable the AFL outcome.
45. The submission from AFL proposes a development precinct within the proposed Kimihia Lakes Zone. A new framework of provisions including definitions, objectives, policies and rules are proposed by AFL which will be specific to that precinct and will be further addressed at the hearing by the submitter.
46. Further submissions were received from parties raising potentially substantive concerns. These seek conformity with iwi planning documents, traffic management, management of flooding risk, water servicing requirements and consideration of future planning documents.

3 Statutory framework

47. The relevant statutory considerations are largely set out in the opening legal submissions by counsel for Council (23 September 2019) and the opening planning submissions for Council (23 September 2019, paragraphs 18-32). The opening planning submissions from the Council also detail the relevant iwi management plans (paragraphs 35-40) and other relevant plans and strategies (paragraphs 41-45). The following sections identify statutory documents that are particularly relevant to this report.

3.1 National Policy Statement for Urban Development

48. This special zone application does not directly relate to housing and urban growth which, along with business land, are the chief matters addressed by the National Policy Statement for Urban Development (NPS-UD). In my opinion, the NPS-UD is largely irrelevant as the zone sought is not urban in nature and would be excluded from the definition of urban in the document. Therefore regulation 1.3 of the NPS-UD would not apply.

3.2 National Planning Standards 2019

49. Section 8.3(a-c) of the National Planning Standards 2019 provides guidance on when Special Purpose Zones are appropriate. These circumstances are:
50. An additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:
 - a. are significant to the district, region or country
 - b. are impractical to be managed through another zone
 - c. are impractical to be managed through a combination of spatial layers.
51. The 'gateway test' is analysed later in this report. The proposed Kimihia Lakes Zone is considered to meet all of those criteria, and gives effect to the National Planning Standards 2019.

3.3 Waikato Regional Policy Statement

52. The Waikato Regional Policy Statement (WRPS) is directly relevant to the requested special zone. AFL has identified Objective 3.12 and the development principles in Policy 6A in the WRPS as being especially relevant. Other objectives and policies are further examined in this report.
53. The requested special zoning is considered to give effect to the Waikato RPS.

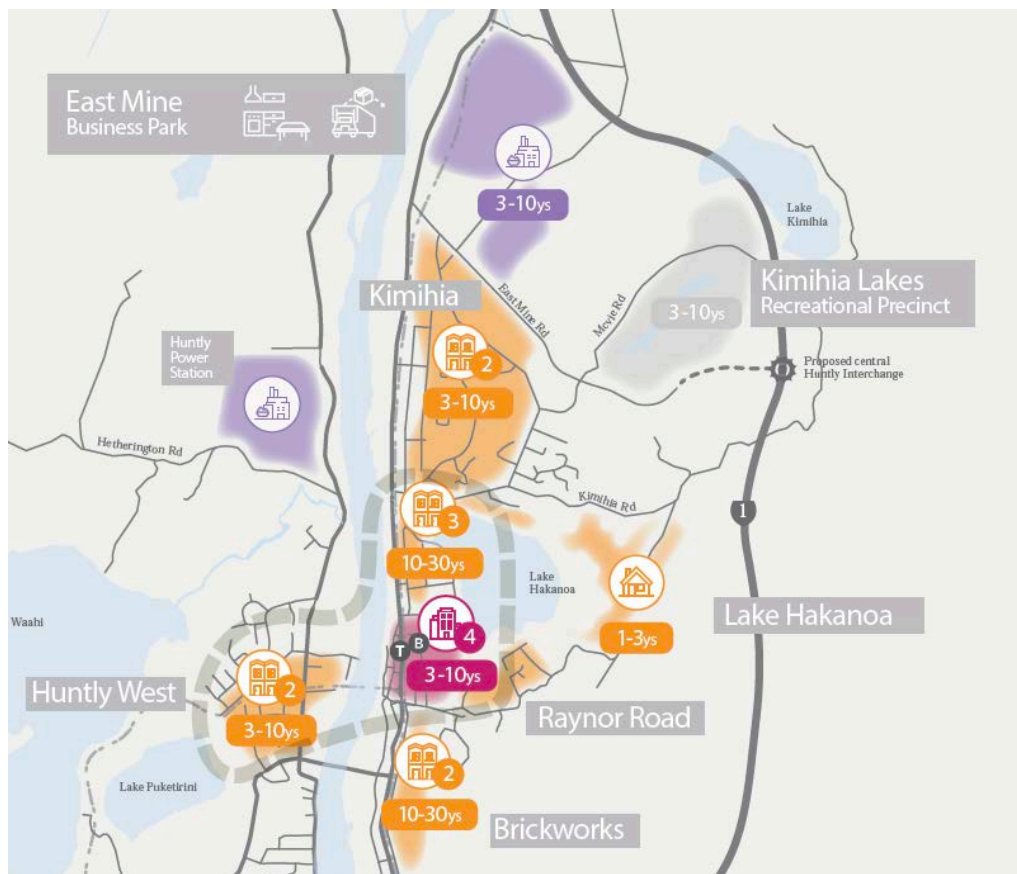
3.4 Future Proof 2017

54. The growth strategy for Waikato's sub-region, Future Proof 2017, is primarily focused on additional urban, industrial and commercial development. The proposal would complement the growth needs identified in the growth strategy document. All the identified key features of Huntly's growth areas in that document broadly apply to the proposed Special Zone, or are complemented by it. The proposed Special Zone is, however, chiefly open space and recreation, which are complementary or neutral to the core purpose of Future Proof 2017.

3.5 Waikato 2070 Growth and Development Strategy

55. Map 04.7 in Waikato 2070 (below) signals development of a Kimihia Lakes Recreational Precinct and other growth cells. The proposed Kimihia Lakes Zone is not considered a significant growth cell, but rather is a mechanism to facilitate re-development and improved town outcomes, which will support the social, cultural and economic wellbeing of the community. The proposed rezoning is consistent with Waikato 2070.

Figure 8: Waikato 2070



3.6 Proposed District Plan policy direction

56. It is considered that the proposed Kimihia Lakes Zone activities, including the Development Precinct intensification, are not inconsistent with the PWDP policy direction. Much of the policy direction is centred on much more intensive development, relative to that proposed within this zone. Threats or contributions to concerns over meeting the plan's policy direction are proportionally smaller from this non-urban and low intensity proposal.

4 Submissions

57. The following table contains a summary of all submissions received in relation to this topic.

Submission point	Submitter	Decision requested
184.1	Vera Wennekers	Add a new zone titled 'Kimihia Lakes Recreation and Events Zone' to the planning maps. AND Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihia Lakes Recreation and Events Zone (See table 6.1 within the submission for details). AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.46	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.173	Mercury NZ Limited	Oppose
184.2	Vera Wennekers	Add a new section 9.5 Kimihia Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihia Lakes Recreation and Events Zone as set out in section 4.2.2 of the submission. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.47	Murray and Jennifer Allen - Allen Fabrics Limited	Support
184.3	Vera Wennekers	Add a new definition for "Ancillary Buildings (Kimihia Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows: Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.48	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.174	Mercury NZ Limited	Oppose

184.4	Vera Wennekers	Add a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows: Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas' AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.67	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.175	Mercury NZ Limited	Oppose
184.5	Vera Wennekers	Add a new definition for "Community Activities and Facilities (Kimihi Lakes Recreation and Event Park)" to Chapter 13 as follows: Means in the Kimihia Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.1	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1047.49	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.176	Mercury NZ Limited	Oppose
184.6	Vera Wennekers	Add a new definition for "Operational Facilities" to Chapter 13 Definitions as follows: Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access; ticketing offices, storage and maintenance sheds, and helipads. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.2	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.177	Mercury NZ Limited	Oppose
184.7	Vera Wennekers	Add a new definition for "Outdoor Education" to Chapter 13 Definitions as follows: Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.3	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.178	Mercury NZ Limited	Oppose
184.8	Vera Wennekers	Add a new definition for "Outdoor Pursuits" to Chapter 13 as follows: Means moving across land by non-powered means for example biking, orienteering,

		tramping, and horse trekking. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.4	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.179	Mercury NZ Limited	Oppose
184.9	Vera Wennekers	Add a new definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows: Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to: Recreational events and activities Walking, running and cycling tracks Training or education Club Days and practice activities Organised Events and festivals Concerts Multi sport and off road running events Outdoor skate parks and playgrounds Informal Recreation Tourism related activities Outdoor Pursuits AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.5	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1340.31	TaTa Valley Limited	Support
FS1386.180	Mercury NZ Limited	Oppose
184.11	Vera Wennekers	Amend the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (See Table 6.1 of the submission for further details). AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1379.46	Hamilton City Council	Oppose
FS1386.181	Mercury NZ Limited	Oppose
184.12	Vera Wennekers	Retain the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (see table 6.1 of the submission for further details).
FS1386.182	Mercury NZ Limited	Oppose
184.13	Vera Wennekers	Add a new Chapter 29 Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone as outlined within section 4.2.4 of the submission. AND Amend the Proposed District Plan to make consequential amendments as

		necessary to address the matters raised in the submission.
FSI047.6	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FSI386.183	Mercury NZ Limited	Oppose
195.1	Chris Ryan	<p>The District Council recognises the need for economic development in this part of the Waikato (Huntly area). It seeks to create assets for a hole in the ground that would otherwise have limited economic and social benefit for the Huntly community. The plans proposed by Allen Fabrics addresses any possible adverse effects such as traffic, signs etc. There are obvious deficiencies at this stage of the proposal in terms of detail as to the numbers of business operations such as cafes and specific locations of supporting infrastructure including entry and exit points to the lake, numbers and locations of car parking spaces etc. The requested zoning makes the future development easier, which would benefit the developers and the Waikato District Council. The conversion of past open cast mines into lakes used for recreation, leisure and tourism, and for environmental causes such as provision of nesting areas for waterfowl is common. e.g Oceana Gold has mooted it in other parts of New Zealand such as at Waihi. When developed as an integrated resource that can include hotel and conference facilities (along with water sports and recreation usage that can incorporate sporting competitions) significant economic benefits can occur. The geographical position of Huntly and the increasing ease of accessibility to the Auckland market are factors that could contribute to the eventual success of the project to the benefit of the Huntly community. The request for zoning classification being sought is mutually advantageous to three key stakeholders – Allen Fabrics, The Waikato District Council and the broader Huntly Community by facilitating future planning of the development.</p>
FSI348.1	Perry International Trading Group Limited	Support
FSI047.11	Murray and Jennifer Allen - Allen Fabrics Limited	Support
200.2	John Wiltshire	Add a specific zone for the Kimihia Lakes Restoration and Development Project.
FSI047.12	Murray and Jennifer Allen - Allen Fabrics Limited	Support
203.1	Marisa Ibanez	Add a new zone called Kimihia Lakes Recreation and Events Zone to allow development to occur on the former Huntly East mine as identified in the document attached to the submission. See the submission for full details of the site, and the new objectives, policies, rules and definitions sought.
FSI047.13	Murray and Jennifer Allen - Allen Fabrics Limited	Support

260.1	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new zone titled 'Kimihi Lakes Recreation and Events Zone' to the planning maps. AND Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihi Lakes Recreation and Events Zone (see Table 6.1 within the submission for details). AND Any consequential amendments as necessary to address the matters raised in the submission.
FSI348.2	Perry International Trading Group Limited	Support
FSI047.14	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FSI386.261	Mercury NZ Limited	Oppose
260.2	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new section 9.5 Kimihi Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihi Lakes Recreation and Events Zone as set out in section 4.2.2 of the submission. AND Any consequential amendments as necessary to address the matters raised in the submission.
FSI047.15	Murray and Jennifer Allen - Allen Fabrics Limited	Support
260.3	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Ancillary Buildings (Kimihi Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows: Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms. AND Any consequential amendments as necessary to address the matters raised in the submission.
FSI047.16	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FSI386.262	Mercury NZ Limited	Oppose
260.4	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows: Means those specified areas identified on Zone Maps in the Kimihi Lakes Recreation and Events Zone as 'Commercial Node Areas' AND Any consequential amendments as necessary to address the matters raised in the submission.
FSI047.17	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FSI386.263	Mercury NZ Limited	Oppose
260.5	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Community Activities and Facilities (Kimihi Lakes Recreation and Event Park)" to Chapter 13 as follows: Means in the Kimihi Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational

		purposes, community functions and public toilets or public rooms. AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1047.18	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.264	Mercury NZ Limited	Oppose
260.6	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Operational Facilities" to Chapter 13 Definitions as follows: Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access; ticketing offices, storage and maintenance sheds, and helipads. AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1047.19	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.265	Mercury NZ Limited	Oppose
260.7	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Outdoor Education" to Chapter 13 Definitions as follows: Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses. AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1047.20	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.266	Mercury NZ Limited	Oppose
260.8	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Outdoor Pursuits" to Chapter 13 as follows: Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking. AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1047.21	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.267	Mercury NZ Limited	Oppose
260.9	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows: Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to: Recreational events and activities Walking, running and cycling tracks Training or education Club Days and practice activities Organised Events and festivals Concerts Multi sport and off road running events Outdoor skate parks and playgrounds Informal Recreation

		Tourism related activities Outdoor Pursuits AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1047.22	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.268	Mercury NZ Limited	Oppose
260.11	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Amend the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (See Table 6.1 of the submission for further details). AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1379.53	Hamilton City Council	Oppose
FS1386.269	Mercury NZ Limited	Oppose
260.12	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Retain the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (See Table 6.1 of the submission for further details).
FS1386.270	Mercury NZ Limited	
260.13	The Pam Fergusson Charitable Trust and Allen Fabrics Limited	Add a new Chapter 29 Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone as outlined within section 4.2.4 of the submission. AND Any consequential amendments as necessary to address the matters raised in the submission.
FS1047.23	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.271	Mercury NZ Limited	Oppose
262.1	Brian Curle	Amend the Proposed District Plan to include the Kimihia Lakes Restoration and Development Project.
FS1047.24	Murray and Jennifer Allen - Allen Fabrics Limited	Support
263.1	Rosemary Curle	Amend the Proposed District Plan to include the Kimihia Lakes Restoration and Development Project.
FS1047.25	Murray and Jennifer Allen - Allen Fabrics Limited	Support
271.1	Dave and Fransiska Falconer	Add new zoning policy for a specific Kimihia Lakes Recreation and Events park zone, for the Lake Kimihia project and for the restoration of the former Solid Energy Huntly East Mine.
FS1348.3	Perry International Trading Group Limited	Support
FS1047.26	Murray and Jennifer Allen - Allen Fabrics Limited	Support

FS1202.64	New Zealand Transport Agency	Oppose
274.1	New Zealand Transport Agency	Add a new specific zone, in Chapter 9 Specific Zones for Huntly's Kimihia Lakes Recreation and Events zone for the following 183ha of properties: Section 3 SO 482553, Lot 1 DPS 20619, Allotment 746 Parish of Taupiri, Section 1 SO Plan 60522, Allotment 740 of Taupiri, Lot 18-21 DP 347582, Sec 3 SO Plan 400734, Allotment 777 Parish of Taupiri, Lot 23A Section 463 Parish of Taupiri, Allot 857 Parish of Taupiri, 515 Parish of Taupiri, 789 Parish of Taupiri and Allotment 6 Parish of Taupiri (Submission refers to attached submission from Allen Fabric Limited).
FS1047.27	Murray and Jennifer Allen - Allen Fabrics Limited	Support
324.1	Hamilton & Waikato Tourism	Add a new section, 9.5 Kimihia Lakes Recreation and Events Zone, to Chapter 9 Specific Zones, to enable the development of a regionally-significant events and recreation facility at the former Huntly East Mine. AND Add a policy entitled "Tourism Significance" as follows: Policy: Tourism Significance (a) To promote the on-going development of the Kimihia Lakes Recreation and Events Park as a venue for regional, national and international events and outdoor pursuits, whilst providing for the general public to use and enjoy the facilities.
FS1047.28	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1340.42	TaTa Valley Limited	Support
324.2	Hamilton & Waikato Tourism	Add a new Chapter 29 Kimihia Lakes Recreation and Events Zone, including the following: 29.1.1 Permitted Activities All permitted activities are subject to compliance with the Land Use Effects, Land Use Building and Activity Specific rules below: - Recreation Activity and Facilities - Construction, additions and alterations of buildings to support and/or accommodate Recreation Activities - Construction of structures in and/or over the lake, including (but not limited to) jetties, piers, pontoons and walkways; - Community Activities and Facilities - Outdoor Education - Commercial activities within the Commercial Node Areas; - Ancillary buildings; - Operational Facilities; - Travellers' Accommodation including campgrounds; - Signs; - Earthworks; - Managers'/Caretakers' Dwellings - Beekeeping - Temporary Event - A Conservation activity AND Add the new provisions attached to the submission including a new Chapter 29, additions to Chapter 13 Definitions, additions to Chapter 14 Infrastructure and Energy and consequential amendments.
FS1348.7	Perry International Trading Group Limited	Support
FS1047.29	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1340.43	TaTa Valley Limited	Support

FS1386.377	Mercury NZ Limited	Oppose
335.1	Willemien Wennekers	Amend the Proposed District Plan to include a Special/Specific Zone for Kimihia Lakes in accordance with the relevant relief sought by Submission #584 Louise Feathers Planning. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.30	Murray and Jennifer Allen - Allen Fabrics Limited	Support
335.2	Willemien Wennekers	Add a new zone titled 'Kimihia Lakes Recreation and Events Zone' to the planning maps. AND Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihia Lakes Recreation and Events Zone (see table 6.1 within the submission for details). AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1047.31	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.464	Mercury NZ Limited	Oppose
335.3	Willemien Wennekers	Add a new section 9.5 Kimihia Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihia Lakes Recreation and Events Zone, as set out in section 4.2.2 of submission 584. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
335.4	Willemien Wennekers	Add a new definition for "Ancillary Buildings (Kimihia Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows: Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1386.465	Mercury NZ Limited	Oppose
335.5	Willemien Wennekers	Add a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows: Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas' AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1386.466	Mercury NZ Limited	Oppose

335.6	Willemien Wennekers	Add a definition for "Community Activities and Facilities (Kimihi Lakes Recreation and Event Park)" to Chapter 13 as follows: Means in the Kimihi Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
<i>FS1386.467</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
335.7	Willemien Wennekers	Add a definition for "Operational Facilities" to Chapter 13 Definitions as follows: Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihi Lakes Recreation and Events Parks, including but not limited to car parking, internal access; ticketing offices, storage and maintenance sheds, and helipads. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
<i>FS1386.468</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
335.8	Willemien Wennekers	Add a new definition for "Outdoor Education" to Chapter 13 Definitions as follows: Means in the Kimihi Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
<i>FS1386.469</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
335.9	Willemien Wennekers	Add a new definition for "Outdoor Pursuits" to Chapter 13 as follows: Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
<i>FS1386.470</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
335.12	Willemien Wennekers	Amend the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (see table 6.1 of the submission for further details). AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
<i>FS1379.88</i>	<i>Hamilton City Council</i>	<i>Oppose</i>

FS1108.160	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
FS1386.471	Mercury NZ Limited	Oppose
335.13	Willemien Wennekers	Retain the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of Taupiri and Allot 789 Parish of Taupiri (see table 6.1 of the submission for further details).
FS1386.472	Mercury NZ Limited	Oppose
335.14	Willemien Wennekers	Add a definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows: Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to: Recreational events and activities Walking, running and cycling tracks Training or education Club Days and practice activities Organised Events and festivals Concerts Multi sport and off road running events Outdoor skate parks and playgrounds Informal Recreation Tourism related activities Outdoor Pursuits AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1386.473	Mercury NZ Limited	Oppose
335.15	Willemien Wennekers	Add a new Chapter 29 to Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone, as outlined within section 4.2.4 of submission 584. AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1386.474	Mercury NZ Limited	Oppose
350.1	Tony Perkins for HRRA	Amend the designation of the old East Mine area, Huntly for recreational area use.
FS1047.53	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1386.504	Mercury NZ Limited	Support
483.1	Frederick April	Amend the Proposed District Plan to create a multi-purpose recreation and events zone alongside a Residential Zone for the 183ha on East Mine Road, Huntly (CFR 805391, CFR SA50A/762, CFR SA 10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR

		SA 30A/356, SA 40D/985, CFR 251/176, SA 26C/345 and SA 51/131).
FS1047.54	Murray and Jennifer Allen - Allen Fabrics Limited	Support
511.1	Victoria Kemp on behalf of Huntly Districts Residents and Ratepayers Association	Amend the Rural Zone of 183ha on East Mine Road Huntly to a multi-purpose recreation and events zone alongside a residential zoning for the following properties: CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131.
FS1047.55	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1388.530	Mercury NZ Limited	Oppose
545.1	Bryce Mounsey	Amend the proposed Rural zoning of the 183ha area on East Mine Road, Huntly, comprising the following 11 titles to enable development of a recreation and events zone alongside a residential zone: CFR 805391, CFR SA 50A/762, CFR SA 10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, CFR SA 251/176, SA 26C/345 and SA 51/131
FS1047.56	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1388.767	Mercury NZ Limited	Oppose
554.1	Gaylene Himona	Add a specific zone called Kimihia Lakes Recreation and Events Zone, with a new Chapter 9.5 containing objectives and policies and a new Chapter 29 containing rules, and new definitions in Chapter 13 Definitions (as outlined in the submission from Louise Feathers Planning on behalf of Allen Fabrics Limited). AND Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA01D/80D, CFR SA 61B/799, CFR SA50A/762, CFR 195501, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from Rural Zone to Kimihia Lakes Recreation and Events Zone and Residential zone (as outlined in the submission from Louise Feathers Planning on behalf of Allen Fabrics Limited).
FS1047.41	Murray and Jennifer Allen - Allen Fabrics Limited	Support
555.1	Colleen Earby	Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from the Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.
FS1047.57	Murray and Jennifer Allen - Allen Fabrics Limited	Support
556.1	Alan Kosoof	Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road,

		Huntly from the Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.
FS1047.58	Murray and Jennifer Allen - Allen Fabrics Limited	Support
557.1	Bronwyn Kosoof	Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from the Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.
FS1047.59	Murray and Jennifer Allen - Allen Fabrics Limited	Support
561.1	Tracey Lolesi	Amend the zoning of the 183ha site (comprising CFR 805391, CFR SA50A/762, CFR 195501, CFR SA 61B/799, CFR SA18B/1138, CFR SA 30A/356, SA40D/985, CFR SA251/176, SA26C/345, SA51/131) on East Mine Road, Huntly from Rural Zone to a multi-purpose recreation and events zone alongside a Residential Zone.
FS1047.60	Murray and Jennifer Allen - Allen Fabrics Limited	Support
583.1	Katrina Langlands on behalf of Huntly Community Board	Amend the zoning of the 183ha sites on East Mine Road, Huntly (CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131) from Rural Zone to the appropriate zone(s) that will support the the Kimihia Lakes Restoration Re-development project.
FS1047.32	Murray and Jennifer Allen - Allen Fabrics Limited	Support
584.1	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new zone titled 'Kimihia Lakes Recreation and Events Zone' to the planning maps. AND Amend the zoning of the parcels of land with the legal descriptions Section 3 SO 482553, Lot 1 DPS 20619, Section 1 SO Plan 60522, Allotment 740 Parish of Taupiri, Allot 857 Parish of Taupiri and Allotment 6 Paris of Taupiri from Rural Zone to the proposed Kimihia Lakes Recreation and Events Zone (See Table 6.1 within the submission for details). AND Amend the Proposed District Plan to make consequential amendments as necessary to address the matters raised in the submission.
FS1277.65	Waikato Regional Council	Oppose
FS1108.161	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
FS1388.958	Mercury NZ Limited	Oppose
584.2	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new section 9.5 Kimihia Lakes Recreation and Events Zone within Chapter 9 Specific Zones containing objectives and policies specifically catering for the Kimihia Lakes Recreation and Events Zone as set out in section 4.2.2 of the submission. AND Amend the Proposed District Plan for any further or other

		consequential relief required to give effect to the relief sought in this submission
FS1277.66	Waikato Regional Council	Oppose
584.3	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new definition for "Ancillary Buildings (Kimihi Lakes Recreation and Events Park)" to Chapter 13 Definitions as follows: Means a supporting building that is subordinate and incidental to a permitted activity undertaken in the Park, including storage units, administration and ablution facilities and clubrooms. AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FS1388.959	Mercury NZ Limited	Oppose
584.4	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new definition for "Commercial Node Areas" to Chapter 13 Definitions as follows: Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas' AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FS1388.960	Mercury NZ Limited	Oppose
584.5	Murray & Jennifer Allen for Allen Fabrics Limited	Add a definition for "Community Activities and Facilities (Kimihi Lakes Recreation and Event Park)" to Chapter 13 as follows: Means in the Kimihia Lakes Recreation and Events Zone, land or building used for community activities, generally established on a not-for-profit basis, and includes buildings for educational purposes, community functions and public toilets or public rooms. AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FS1388.961	Mercury NZ Limited	Oppose
584.6	Murray & Jennifer Allen for Allen Fabrics Limited	Add a definition for "Operational Facilities" to Chapter 13 Definitions as follows: Means the construction and use of facilities and/or infrastructure to assist in the day to day operation of the Kimihia Lakes Recreation and Events Parks, including but not limited to car parking, internal access; ticketing offices, storage and maintenance sheds, and helipads. AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FS1388.962	Mercury NZ Limited	Oppose
584.7	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new definition for "Outdoor Education" to Chapter 13 Definitions as follows: Means in the Kimihia Lakes Recreation and Events Zone, land or buildings used for the formal or informal education or training and includes (but is not limited to) confidence courses. AND

		Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FSI388.963	Mercury NZ Limited	Oppose
584.8	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new definition for "Outdoor Pursuits" to Chapter 13 as follows: Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking. AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FSI388.964	Mercury NZ Limited	Oppose
584.9	Murray & Jennifer Allen for Allen Fabrics Limited	Add a definition for "Recreation Activity and Facilities" to Chapter 13 Definitions as follows: Means any non-motorised indoor or outdoor passive or active leisure, sports, entertainment, games or recreational pursuits and buildings in the Kimihia Lakes Recreation and Events Park Zone for participants and/or spectators, whether or not they are undertaken for profit or reward or for which no charge is made, and shall include such activities on or in water or land, or in the air and includes but is not limited to: Recreational events and activities Walking, running and cycling tracks Training or education Club Days and practice activities Organised Events and festivals Concerts Multi sport and off road running events Outdoor skate parks and playgrounds Informal Recreation Tourism related activities Outdoor Pursuits AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission.
FSI388.965	Mercury NZ Limited	Oppose
584.11	Murray & Jennifer Allen for Allen Fabrics Limited	Amend the zoning of the parcels of land with the legal descriptions Allotment 746 Parish of Taupiri, Lot 20 DP 347582, Lot 21 DP 347582, Allotment 777 Parish of Taupiri and Lot 23A Section 463 Parish of Taupiri from Rural Zone to Residential Zone (See Table 6.1 of the submission for further details). AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FSI277.67	Waikato Regional Council	Oppose
FSI108.162	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support
FSI388.966	Mercury NZ Limited	Oppose
584.12	Murray & Jennifer Allen for Allen Fabrics Limited	Retain the Residential Zone on the parcels of land with the legal descriptions Lot 18 DP 347582, Lot 19 DP 347582, Sec 3 SO Plan 400374, Allot 515 Parish of

		Taupiri and Allot 789 Parish of Taupiri (see Table 6.1 of the submission for further details).
FS1388.967	Mercury NZ Limited	Oppose
584.13	Murray & Jennifer Allen for Allen Fabrics Limited	Add a new Chapter 29 to Kimihia Lakes Recreation and Events Zone that contains rules for the Kimihia Lakes Recreation and Events Zone as outlined within section 4.2.4 of the submission. AND Amend the Proposed District Plan for any further or other consequential relief required to give effect to the relief sought in this submission
FS1277.68	Waikato Regional Council	Oppose
FS1388.968	Mercury NZ Limited	Oppose
595.1	Philip Parkes	Add provisions that would support any project suggested to improve the use of the Huntly East Mine and increase the availability to the public/community of Huntly.
FS1047.61	Murray & Jennifer Allen for Allen Fabrics Limited	Support
597.1	Shand Properties Ltd	Amend the Proposed District Plan to enable the Kimihia Lakes Restoration and Development Plan through a new specific zone and corresponding rules.
FS1047.33	Murray and Jennifer Allen - Allen Fabrics Limited	Support
605.1	Wendy Harlock	Amend zoning of 183ha around the former Huntly East Mine at East Mine Road, Huntly to accommodate a multipurpose development, including a recreation and events zone alongside a housing zone.
FS1047.34	Murray and Jennifer Allen - Allen Fabrics Limited	Support
615.1	David & Jill Messent	Amend the zoning to allow for the Kimihia Lakes and Events Zone and special overlay at 191 Kimiha Road, Huntly.
FS1387.9	Mercury NZ Limited	Oppose
FS1047.43	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1108.158	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support
616.1	Kim Bredenbeck	Amend the Rural Zone of 183 hectares on East Mine Road, Huntly to a multi-purpose recreation and events zone alongside a residential zoning for the following properties: CFR 805391, CFR SA50A/762, CFR SA10/800, CFR 1955501, CFR SA 61B/799, CFR SA18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131
FS1047.44	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1348.17	Perry International Trading Group Limited	Support

FS1387.10	Mercury NZ Limited	Oppose
618.1	William James Walker	Amend the zoning at East Mine Road, Huntly, to allow for the development of a multipurpose recreation and events zone, alongside a residential zoning for the following titles totaling 183ha: CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, SA 251/176, SA26C/345, SA 51/131.
FS1047.62	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1387.13	Mercury NZ Limited	Oppose
619.9	Dawn Walker	Amend the zoning at East Mine Road, Huntly, to allow for the development of a multipurpose recreation and events zone, alongside a residential zoning for the following titles totalling 183ha: CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA61B/799, CFR SA 18B/1138, CFR SA 30A/356, SA 40D/985, SA 251/176, SA26C/345, SA 51/131.
FS1047.63	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1387.14	Mercury NZ Limited	Oppose
FS1108.159	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
627.1	Gloria Jean Beverland	Amend the zoning of properties on McVie Road, Huntly to allow Kimihia Lakes Recreation and Events to develop.
FS1047.45	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1387.24	Mercury NZ Limited	Oppose
FS1108.163	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose
655.1	Robyn Harris for Rotongaro-Huntly Pony Club	Amend the zoning of the 183ha former Huntly East Mine area to be a Recreational and Events zone.
FS1047.35	Murray and Jennifer Allen - Allen Fabrics Limited	Support
656.1	Dianne & John Messent	Amend the Proposed District Plan to create a special activity zone in accordance with the provisions sought in the Allen Fabrics Ltd Submission for the 183ha former East Huntly Mine located at McVie Road, East Mine Road and 191 Kimihia Road.
FS1047.42	Murray and Jennifer Allen - Allen Fabrics Limited	Support
659.1	Helen Mahon	Amend the zoning of the 183ha sites along East Mine Road with the titles CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131 from Rural Zone to

		a multi-purpose designation to develop a recreation and events zone, alongside a residential zone.
FS1047.64	Murray and Jennifer Allen - Allen Fabrics Limited	Support
660.I	Owen Mounsey	Amend the zoning of the 183ha sites along East Mine Road with the titles CFR 805391, CFR SA50A/762, CFR SA10D/800, CFR 1955501, CFR SA 61B/799, CFR SA 18B/1138, CFR SA30A/356, SA 40D/985, CFR SA251/176, SA 26C/345, SA 51/131 from Rural Zone to a multi-purpose designation to develop a recreation and events zone, alongside a residential zone.
FS1047.65	Murray and Jennifer Allen - Allen Fabrics Limited	Support
661.I	Greg & Janice Allen for Allenmara Computers Ltd	Amend the zones and overlays around McVie Road and Kimihia Road, Huntly to enable the development of the Kimihia Lakes Recreation and Events Park; AND No specific decision requested, but submission seeks to recognise and celebrate the history of the Kimihia District, and restore and make available this amazing area for the entire community and visitors.
FS1047.36	Murray and Jennifer Allen - Allen Fabrics Limited	Support
784.I	Bryan Morris	Add a "Kimihia Lakes Recreation and Events Zone" and associated provisions to the former Huntly East mine complex to enable lake-associated activities and education, recreation and economic development. (Refer to the attachment to the submission prepared by Chow Hill which illustrates the area subject to this submission and the range of potential activities.)
FS1047.37	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1387.1238	Mercury NZ Limited	Oppose
786.I	Huntly Karioi Outdoor Trust Incorporated	Add a Kimihia Lakes Recreation and Events Zone and associated provisions to the former Huntly East mine complex to enable lake-associated activities and education, recreation and economic development (Refer to the attachment to the submission prepared by Chow Hill which illustrates the area subject to this submission and the range of potential activities).
FS1047.38	Murray and Jennifer Allen - Allen Fabrics Limited	Support
787.I	Steve Doyle	Add provisions to enable development of an events and recreation facility at the former Huntly East Mine.
FS1047.39	Murray and Jennifer Allen - Allen Fabrics Limited	Support
826.I	Kym Holland on behalf of Friends of Kimihia Lake	Reject the name 'Kimihia Lakes Recreation and Events Park' for the proposed development of the former mine as it is a Huntly East Mines Development.
FS1047.40	Murray and Jennifer Allen - Allen Fabrics Limited	Oppose

826.3	Kym Holland on behalf of Friends of Kimihia Lake	Request more information and assessment of major impacts before the change of zoning to ensure that development of the former Huntly East Mine is acceptable.
FS1047.51	Murray and Jennifer Allen - Allen Fabrics Limited	Oppose
880.1	Dave Falconer	Add to Chapter 9 Specific Zones, new zoning policies, rules and methods to create a specific Kimihia Lakes Recreation and Events park zone, for the Lake Kimihia project and for the restoration of the former Solid Energy Huntly East Mine.
FS1047.52	Murray and Jennifer Allen - Allen Fabrics Limited	Support
FS1348.29	Perry International Trading Group Limited	Support
FS1340.191	TaTa Valley Limited	Support
880.4	Dave Falconer	Amend zoning of a small portion of the land at Solid Energy's Huntly East Mine from Rural Zone to Residential Zone (not identified in the submission). This is to border historically Residential Zoned land.
FS1202.131	New Zealand Transport Agency	Oppose

4.1 Allen Fabrics Ltd (1047)

57. AFL seeks a rezoning to a special zone to enable a specific mix of low intensity land uses in the Kimihia Lakes area. The outcome sought is a privately owned but community-facing facility which will provide recreation, education and tourism benefits to the Huntly community. An excerpt from the submitter evidence of the possible finished form is provided below. The Panel are directed to the submitter's evidence for individual activities and the whole-site spatial layout.

Figure 9: Indicative masterplan for the site as included in submitter evidence



58. The submitter has provided significant evidence in support including:
- Planning evidence (including a section 32AA report, and proposed provisions to support the rezoning outcomes sought)
 - A site Master Plan
 - Economic assessment.
 - Site contamination assessment
 - Water servicing assessment
 - Integrated traffic assessment.
59. I have read and support the professional evidence submitted. I have undertaken an independent additional and complementary section 32AA report which is appended to this report.
60. Further submissions have raised concerns over transport and water services. An expert Integrated Traffic Assessment concludes that the site can be adequately serviced with the additional traffic movement cap in the suggested provisions. I am mindful that the existing road layout has serviced a heavy industrial site, with the resulting volumes and traffic types. Previous site traffic on East Mine Road entered the busy former State Highway 1. The submitter has tendered specific traffic management conditions for any large events. There are concerns over the site's exit visibility from the north on McVie Road, which are existing concerns. It is my conclusion that these are able to be mitigated and are not fatal to the rezoning decision. I accept the submitter's tendered provisions for site traffic management⁵, especially for any significant volume events.

⁵ Submitter evidence, Appendix 4 Tracked Changes Provisions

61. The water services assessment concludes that potable and wastewater can be adequately serviced. The zone change request is for a non-urban form and as a consequence, the flows generated in comparison to other local urban rezoning requests are of less impact than required for township solutions. A specialist review report of three waters infrastructure was commissioned by WDC and concludes that the site is serviceable if integrated and planned for in district solutions for wastewater and potable supply. I accept that assessment. New developments are unlikely to contribute significantly to inflow and infiltration issues intrinsic to historical existing reticulation.
62. Site stormwater is able to be accommodated by direction into Kimihia Lake for many years to come, or by other solutions. Adequate attention to stormwater quality mitigation will be needed at development stage to avoid enriching the lake with too many nutrients. That issue needs to be seen in perspective with the inputs from the rural landscape and low intensity grazing land that exists already. The degree of change in impervious surfaces over the existing or historical site layout is relatively minor. I conclude that stormwater volume and quality can be adequately managed by the proposal. There is an added incentive for the submitter to protect lake water quality in that it is central to the amenity and recreational uses they seek.
63. Further submitters have raised flooding hazards as an issue. Again, this needs to be assessed relative to the existing unique site history, the requested zone change and land use change. This issue is explored in the analysis of the relevant opposing submission [1386] regarding Defended Areas. I conclude the defended area overlay is potentially inaccurate for parts of the site. It does not account for the drainage volume that Lake Kimihia can accommodate and the PWDP Stage 2 development rules may not apply. It is my assessment that the issue is minor, able to be addressed in further consent processes and adequately assessed to enable the recommended decision.
64. The topic of new Lake Kimihia outflow is real, but will occur regardless of the land zoning. That is expected to occur more than 10 years, possibly 30 years away. The direction of flow will be to the east, under NZTA designated land and into existing remnant Lake Kimihia.
65. The proposal requires significant consideration for its potential social and economic effects. Those are likely to be positive. An expert economic analysis is provided by the submitter. What is less quantifiable is the significant positive benefits the special zoning will enable. The submitter evidence⁶ indicates relief the proposal will provide to Huntly's social, recreational, educational and economic wellbeing. The outdoor education opportunities (efficiently enabled via the rezoning) are likely to become significant subregional/multi regional assets. I consider the economically challenged local environment will be enhanced by the site's land use opportunities. Additionally, significant tourism opportunities and employment is likely to result from the proposal.
66. When weighing the risks of the proposed land use change, I have strongly considered the actual or potential benefits to the communities social and economic wellbeing. The site's ownership and land management via the charitable trust are relevant. The site Trust's structure and make up are likely to enhance the probability of the outcomes stated and significantly add the potential for Maaori cultural opportunity and outcomes. The environmental enhancement and resulting improvements in mauri and water quality are acknowledged. Some initiatives, like a native plant nursery (with attendant accruing education and social benefits) are already underway. Significant wetland restoration is tendered.

⁶ Evidence of Mr Cumberatch para 7.8 to 7.10

67. I conclude the benefits of the proposed special zone to the Huntly and district communities are significant and needed. The degree to which a special zone decision is required to enable those, is the subject of submitter expert evidence⁷. I note the positive outcomes from other special zones in the district. I conclude that greater confidence can be achieved in obtaining the outcomes sought through the proposed new zone, rather than via significant consent processes under Rural zone provisions. The attributes of the Rural zone, that provisions of the WDP and PWDP seek to protect and promote, are only partially applicable to the subject site which includes abandoned mining land, an adjacent expressway, neighbouring land uses, and urban proximity.

4.2 Submissions in opposition

68. Submissions in opposition were lodged by:

- a. Mercury NZ Limited [1387] [1386] [1388]
- b. Hamilton City Council [1379]
- c. Waikato Regional Council [1277]
- d. Waka Kotahi [1202]
- e. Waikato Tainui [1108]

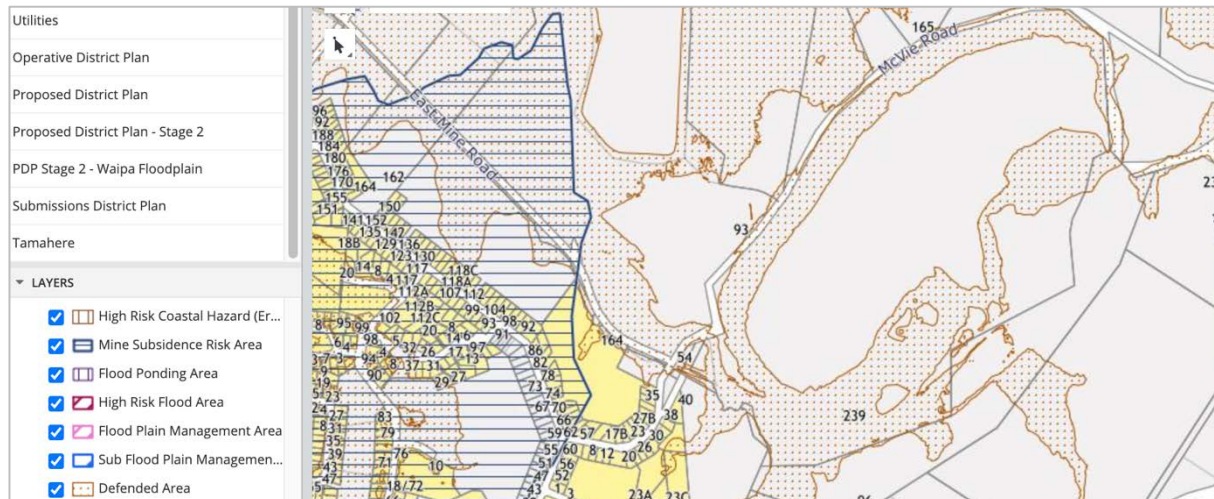
69. I note that there were no submissions in opposition from individuals, non-commercial or non-statutory bodies. That is, there are no community or individual oppositions raised. An analysis of the opposing submission issues follows.

4.2.1 Mercury NZ Limited

70. The blanket Further Submissions (FS) from Mercury Energy all state that, *at the time of lodging the further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective how effects from a significant flood event will be managed, or whether the land use zone is appropriate from a risk exposure. Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.*
71. I consider that the issues raised by Mercury are substantially not relevant to this particular site. The PWDP Stage2 hazard risk layer lists only part of the site in a Defended Area. The high-level concerns stated about the PWDP methodology could be critical in other locations. No technical evidence to support the submissions has been lodged to enable an analysis regarding the subject site. Along with most of existing Huntly, there is some Defended Area over the subject site, as shown below.

Figure 9: Extent of the Defended Area as contained in the PWDP planning maps

⁷ Evidence of Mr Cumberpatch, para 7.10 and others



72. Section 12 of Stage 2 of the PWDP states:

Residual Risk Areas are areas of land that would be at risk from a natural hazard event if it were not for a structural defence such as a stopbank. In the district plan, these are areas of land protected by stopbanks with a design level of service of at least a 1% AEP flood event, and are generally located along the length of the Waikato River. For the purpose of the district plan, these areas have been called Defended Areas. The district plan includes provision for land protected by stopbanks to ensure that the residual risk is understood and considered as part of any subdivision or development proposals, or any proposal to rezone land to a more intensive land use.

73. Due consideration of the natural hazard provisions is therefore required. The rezoning proposal creates no vacant lot subdivision, so the only relevant Defended Area rule (Rule 15.6.2) would not seem to apply. No construction works are required in the proposed zone near any flood infrastructure. All other activities are Permitted.
74. Stormwater in the site can be self-contained, with no significant change, for at least for the next 30 years. Issues of flood exacerbation or effects behind defended areas are likely to be less than minor. That view is based on the historically heavily modified environment and the proposal doesn't include significant percent changes to impervious surfaces.
75. If changes to the heavily modified drainage network are considered, those would be via consent application (district and regional) at a future time. Within the proposed zone, the elevation suggests less than minor potential for significant adverse effects on flood risk in Defended Areas. I note the AFL expert evidence⁸ concludes the issue is mitigated. I agree with that assessment for stormwater.
76. I recommend that the further submissions from Mercury Energy [1387, 1386 and 1388] be rejected.

4.2.2 Hamilton City Council

77. Submitter 1379 Hamilton City Council opposes the proposed Kimihia Lakes Zone as follows:

HCC opposes rezoning Residential Zoning that is outside the urban limits. Additionally, it is also premature to consider such zoning change requests, given the work currently underway within the Hamilton to Auckland Corridor Project, more specifically the Metropolitan Spatial Plan. This work involves Waikato

⁸ Section 6 of Lysaght Ltd, 3 Waters Report.

District Council, other sub-regional partners and a variety of Crown Agencies. It will put in place a spatial plan and key considerations for the future form and function of the area, and other mechanisms to best support the growth of the wider Metropolitan Area. Ad hoc development and zoning changes at this stage could undermine the achievement of sub-regional planning aspirations.

78. The further submission relates to matters no longer included in the AFL submission, as the scope has been narrowed to exclude any urban zoning and cohesive spatial planning initiatives.
79. I note that a Kimihia Lakes special zone is signalled in Waikato 2070 and the Local Board plan (submission in support 583). The extent to which the proposed Kimihia Lakes Zone could impact on the matters raised by Hamilton City Council is considered minor. The HCC submission does not acknowledge the significant social and economic potential of the recreation/education/open space nature of the proposal. The proposed new zone has little ability to undermine the achievement of sub-regional planning aspirations as raised. That is due to the non-urban nature of the special zone, low density form and activities, as well as the uncontested AFL expert evidence with respect to safe and efficient transport solutions.
80. I recommend that the further submission point by Hamilton City Council [1379] be rejected. [MH1]

4.2.3 Waikato Regional Council (1277)

81. The body of Waikato Regional Council's further submission reads:

It is anticipated that the H2A project, including the Hamilton-Waikato Spatial Plan, the Huntly Spatial Plan, and the Pokeno Spatial Plan, will inform decisions about the location, timing and form of future development. Decisions on the rezoning of land within the H2A corridor should be deferred until the relevant component of the corridor plan is complete to avoid undermining this important strategic planning process.

82. The AFL submission has, in part, been considered in the recent Huntly Blueprint, which is a component of the Huntly spatial planning process. The proposed zone and activity type has been further recognised in Waikato 2070. The issue in the WRC submission would be critical, if the rezoning were principally to urban zone. As now amended, the recreation/education/open space land uses are unlikely to significantly impact on the direction or outcomes of the H2A project. That view is based on the expert report on transport suitability⁹ and the low intensity land use requested for the zone. While the WRC submission has merit for other plan zone extent decisions, the issue is largely irrelevant with respect to the Kimihia Lake Zone proposal.

⁹ Evidence of CKL Ltd page 33

83. The WRC as submitter has supplied evidence and amended their position, as below:

26.1. The proposed rezoning allows for a non-urban form of development. WRC's concerns in this instance are not at the strategic level but rather at a technical level relating to the management of the existing and proposed lakes and impacts on the existing drainage land area.

Table 25.1

Sub #	Submitter name	Request	Reason originally opposed	Evidence?	Current position
584.1, 584.2, 584.11, 584.13	Murray & Jennifer Allen	Rezone rural land to recreation and commercial to allow for the development of the Kimihia Lakes Recreation and Events park.	Decisions on the rezoning of land within the H2A corridor should be deferred until the relevant component of the corridor plan is complete to avoid undermining this important strategic planning process.	Yes	Neutral
Reason: Withdraw opposition provided that WRC concerns around flooding and drainage can be addressed: <ol style="list-style-type: none"> 1. The stormwater reticulation for the proposed residential area having potential effects on the existing land drainage area. 2. Residual risk of flooding resulting from the possibility of a stopbank breach or overtopping in extreme events. The Waikato River current 100 year flood level affecting the area is RL 11.34 m. The area is protected from such a flood by the Huntly North Stopbank. 3. That minimum building platform levels can be established on the basis of modelling/ assessments of the following scenarios: <ol style="list-style-type: none"> a. Potential ponding levels resulting from a future (climate change) 100 year flow in the Waikato River causing a stopbank breach or overtopping b. Potential ponding level resulting from a future (climate change) 100 year flow within the catchment with the drainage outlet (eg. Kimihia Floodgate) closed c. Potential flood level for New Lake Kimihia resulting from a similar flood within the lake catchment. 					

84. The evidence from WRC is somewhat distant from the original submission point and there is a disconnect between the further submission, which was concerned about the management of growth, versus the evidence which focuses on the management of natural hazards.

85. Regardless of the scope issue, the residential area alluded to in Point 1 is no longer part of the proposed Kimihia Lakes Zone. Points 2 and 3 provide potential technical points of assessment. AFL may wish to provide the panel with technical analysis of the issues raised in those. Item 2 is, I believe, the Defended Area overlay, which is discussed in section 4.2.1. Risks over the 1%AEP scenarios are applicable everywhere in the layer and there is no technical evidence to consider that issue for the subject site.

86. The PWDP Stage 2 provisions provide guidance here:

Policy 15.2.1.1 - New development in areas at significant risk from natural hazards

Stage 2 Content

1. Avoid new subdivision, use and development where they will increase the risk to people's safety, well-being and property in the following areas identified as being at significant risk from natural hazards:

1. High Risk Flood Area;
2. High Risk Coastal Hazard (Inundation) Area;
3. High Risk Coastal Hazard (Erosion) Area.

87. I note none of the proposed Kimihia Lakes Zone is mapped as High Risk Flood Area.

Policy 15.2.1.2 - Changes to existing land use activities and development in areas at significant risk from natural hazards

In areas of High Risk Flood, High Risk Coastal Hazard (Erosion) and High Risk Coastal Hazard (Inundation), ensure that when changes to existing land use activities and development occur, a range of risk reduction options are assessed, and development that would increase risk to people's safety, well-being and property is avoided.

88. I note that none of the proposed Kimihia Lakes Zone is mapped as High Risk Flood Area and so Policy 15.2.1.2 would not apply.

89. Policy 15.2.1.6 would seem to apply to the zone:

Policy 15.2.1.6 - Managing natural hazard risk generally

Provide for rezoning, subdivision, use and development outside High Risk Flood, High Risk Coastal Hazard (Inundation) and High Risk Coastal Hazard (Erosion) Areas where natural hazard risk has been appropriately identified and assessed and can be adequately avoided, remedied or mitigated and does not transfer or exacerbate risk to adjoining properties.

90. The proposed Kimihia Lakes zone is outside the listed areas, so consideration is required. The Policy requires a *natural hazard risk to have been appropriately identified and addressed*. There is currently no evidence on this matter on how any issue can then be adequately avoided etc. AFL as submitter may wish to provide further information.

91. From the AFL submission's Three Waters expert report, I conclude that there will be only minor changes in impervious area or drainage pattern, over the historical land use. In doing so, I recognise with respect to submitter point 3c, that Lake Kimihia will continue to fill and eventually discharge, independent of the PWDP zoning decision.

92. I recommend that submission point 548.I and further submission point FSI388.958 from Waikato Regional Council (1277) be rejected.

4.2.4 Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) (1108)

93. The entity "*Opposes the amendment in principle*". No other information is available for analysis and evidence was not filed. In the absence of any further clarification from Waikato-Tainui I have considered the following matters that may be of concern:

- a. The Vision and Strategy for the Waikato River
- b. Waikato-Tainui's iwi management plan Tai Timu Tai Pari Tai Ao

94. I note the AFL submitter evidence that the rezoning and land use is consistent with and gives effect to the Vision and Strategy of the Waikato River¹⁰. I concur with that assessment and consider the rezone and enabled land use change will give effect to the document.
95. I concur with the analysis of AFL¹¹ in that there are four provisions most relevant to the proposed rezoning:
- a. Section 6 (Consultation and engagement);
 - b. Section 19 (Freshwater);
 - c. Sections 25 (Land use planning); and
 - d. Section 29 (Recreation and tourism).
96. AFL has consulted with local iwi and further created a management structure for the site activities which provides for ongoing participation, input and consultation. The freshwater improvements that will occur from a Kaitiakitanga ethos will be consistent with the Iwi Management Plan. Wetland restoration and waterway restoration will be enabled by the land use change, enhancing freshwater outcomes.
97. In terms of land use planning, I note Objective 25.3.3 of the management plan requires that “*Land use and development has positive environmental and cultural effects*” which I consider will be met by the proposed rezoning and land use change.
98. The positive environmental effects will be significant over that of the existing land use, with significant opportunity provided for ongoing positive cultural effects.
99. Objective 20.3 Is also relevant:
- Wetland mauri and condition, hauanga kai, habitat 20.3.1*
- Existing wetlands are protected and enhanced*
- Policy – improvement to the condition of existing wetlands 20.3.1.1*
- To encourage improvements to local hydrology (where possible) to support healthy wetland function, and restoration of locally appropriate wetland biodiversity within local planning and land management practice.*
100. The new land use (efficiently enabled by the rezoning) will create improvements to the wetland and streams on-site.
101. The proposed Kimihia Lakes Zone is not inconsistent with the Iwi planning document(s), and is an especially complementary fit with the restoration of water quality and whenua. AFL is encouraged to further update the hearings panel on any recent discussions with Waikato-Tainui. Waikato-Tainui is invited to provide further information to the panel if they remain dissatisfied with the proposed recreation/education/open space land uses, with attendant social, ecological and economic benefits to the community.

¹⁰ Evidence of Mr Cumberpatch, Section 8.44

¹¹ Evidence of Mr Cumberpatch, Section 8.49

102. The grassroots ecological enhancements already in progress, plus future restoration and social opportunity ambitions, are relevant to the recommendation. Cognisance of the existing abandoned mine landscape as the baseline, is also a factor in the recommendation.

103. I recommend that submission point 584.1 and further submission FSI 108.161 are rejected.

4.2.5 New Zealand Transport Agency (1202)

104. The agency lodged a further submission stating:

Any rezoning of land which enables more development than currently provided for must be planned to ensure that adverse effects (for example, on the transport network) including cumulative effects, are identified and addressed. The effects upon surrounding transport infrastructure from the rezoning have not been addressed.

105. NZTA also filed evidence which states:

10.7 In relation to submission 880.4, I am not aware of any additional technical information that has been provided. In particular, no ITA has been provided, and there is no analysis of the effects of the rezoning on the transportation network. Accordingly, I oppose this submission and in my view this submission should be rejected.

106. The AFL submission provides an expert assessment of the potential for impacts from the rezoning on transport. I note that this evidence is uncontested. The first request of the original submission is considered met, initially via comparison with the previous land-use traffic and the lodgement by AFL of the specialist transport assessment. The conclusion from that report is that the second issue of the NZTA submission is met.

107. In essence, the low intensity and scale of the proposed zone ensures that the concerns of the submission are met. Therefore, my recommendation is that NZTA's concerns can be adequately avoided and/or mitigated and that their further submission [FSI 202] should be rejected.

4.3 Submissions/Further Submissions in support

108. The AFL submission for a special purpose zone is supported in whole or part by 40 submissions/further submissions as set out in the submission table. They include substantial submissions from individuals, several local companies, community organisations, regional entities, Council entities and resident associations.

4.3.1 Submissions from Organisations

109. Organisations in support include:

- a. Huntly Districts Residents and Ratepayers Association
- b. Huntly Residents and Ratepayers Association
- c. Huntly Community Board
- d. Hamilton and Waikato Tourism
- e. Rotongaro Huntly Pony Club

- f. Huntly Karioi Outdoor Trust Inc
- g. Raglan Chamber of Commerce

- I 10. Apart from the Friends of Kimihia Lake, which I will address shortly, all organisations support the proposed special zone for the recreation/education/open space and tourism outcomes anticipated. Many also specifically support the ecological restoration and training/employment/community and cultural opportunities the AFL submission seeks to enable.
- I 11. The submitter list identifies several local commercial companies who also support the opportunities the AFL submission seeks to enable.
- I 12. I recommend that all the above submissions in support be accepted.
- I 13. Turning back to the submission from Friends of Kimihia Lake [826], they raise an issue in respect to the naming of any special zone. I note the key submitter (AFL) has already amended the proposed name from that of the original submission. The name of the zone is not, to my knowledge, a substantial matter to be considered, nor is it specified in the National Planning Standards. The second clause of the submission 826 regards sufficient information on the proposal. Significant further information is now available to council upon which to make a decision.
- I 14. I recommend that submission 826 from the Friends of Kimihia Lake therefore be rejected.

4.4 Submissions from Individuals

- I 15. Individual submissions and further submissions strongly support the AFL submission. While each is not individually examined here, I would like to recognise their contribution to the process and this assessment. I recommend the panel accept the submissions. There is a common theme of forward-looking positivity expressed in the submissions, further submissions and comments. I interpret this as the local community, who are most likely to be affected by the decision, being clearly in favour of a special zone/precinct with attendant enabling objectives, policies and rules. The inclusion of the project in the Waikato District Blueprints and Waikato 2070 documents also indicates a high level of community support. Overall, this is interpreted as a strong community voice seeking enablement of opportunities and benefits, via the mechanism of a new Special Zone.

4.6 Analysis

116. This section provides an assessment of the proposed Kimihia Lakes Zone against the higher order policy documents.
117. The AFL submission is supported by significant expert and technical documents and these have been used in the statutory analysis below. The submission evidence considered includes:
- a. Planning evidence of Mr Andrew Cumberpatch (Boffa Miskell)
 - b. An AEE and s32AA evaluation and appendices
 - c. A Master Plan
 - d. Tracked changes provisions
 - e. Revised Zoning Map
 - f. The original AFL submission (October 2018)
 - g. Substantive technical reports including a site contamination assessment, three-waters assessment, traffic assessment and an economic assessment.
118. Submission and technical matters will be further presented and expanded at the hearing by AFL (AFL personal communication, site visit 25 March 2021).

4.6.1 National Policy Statement for Freshwater Management 2020

119. The document must be given effect to, to the extent that it is relevant to the rezoning.
120. The submitted Master Plan identifies waterbodies relevant to the NPS-FM. Those have been mapped and will be protected from inappropriate development. If the wetland is confirmed as a natural inland wetland, the NES will apply regardless of underlying zone. Te Mana o Te Wai will be enhanced by the restoration of the riparian areas and the wetland. I consider the same for Kimihia Lake, which the land use types will support or promote. I note the educational, passive recreational and enhancement potential of the proposed land use¹², which will provide for many of the attributes implementation of the NPS by the region will seek.
121. On that basis I conclude that the rezoning and land use will give effect to the NPS-FW.

4.6.2 The National Planning Standard 2019

122. The NPS document is relevant to the submission in that the case for rezoning must meet section 8.3 of that document. I agree with the submitters evidence¹³ that the rezoning will enable a land use of regional significance to education, recreation, tourism¹⁴, training and community positive community outcomes. The opportunity afforded to the district by the landowners vision and actions to date is also significant and should be weighted. I am satisfied that the proposed zone meets this criterion as

¹²Section 7.8 Evidence of Mr Cumberpatch

¹³ Section 7.10 Evidence of Mr Cumberpatch, and Submitter S32AA report section 6.6

¹⁴ Submitter 324 Hamilton and Waikato Tourism

the activities provided for under the zoning will deliver economic and employment benefits that are significant to the district¹⁵

123. It would not be practical for the landowner to execute the Master Plan via Urban or other zone rules. Many necessary detail rules would apply, in circumstances where effects would most likely be internalised to the owned properties. I have not explored alternative zone rules fit or conformity here. WDP rules 14.12.1.1(e), 14.12.1.4 and 14.12.1.8 are exemplified as problematic for the proposal¹⁶. In my opinion, it is unlikely that applying urban or other zone rules to the open space development will be efficient or effective and may lead a site owner to reconsider some aspects of the proposal. There is no evidence at this time to accurately weigh that concern, or its risk to the significant positive social and community outcomes. The unique land use proposed would seem unlikely to occur again elsewhere in any existing zone. I concur with the submitter that it would be inefficient to make specific adaptations to those other zones provisions to accommodate the proposal.
124. I note in the evidence¹⁷ that the proposal is unique in form and considered impracticable to manage through a combination of spatial layers. Proposed WDP overlays include managing areas with stated values, hazards or such as SNA, SAL and Flooding. I also consider that it is impractical, and less efficient, to manage the activities proposed via multiple overlays in the PWDP containing unique Kimihia provisions. There may also be a greater danger that adaption or evolution of the Master Plan may conflict with overlays determined now.
125. The reason for the original submission is to enable a land use mix not already envisaged by the rural or other zones. I consider other existing zones such as urban, industrial, commercial, with attendant objectives, policies and rules are not suitable. That view is based on the need for resource consents (potentially non-complying) under the Rural Zone, the poor fit of Urban/Industrial and the significant constraints or mismatch of the policies and rules of each. I agree with the submitter's section 32AA evaluation of the options as listed in Table 6 (page 34) of that report. In that evidence, there are no identified reasonably practicable options to achieve the objectives, over rezoning and I agree. There are no submissions challenging the rezoning approach and substantial submitter support is evident for the approach.
126. The proposal meets the criteria for the National Planning Standards on the basis that district and regional significance is considered to have been established, the inappropriate fit of other existing zones and finally, no combination of spatial layers meets the purposes of the proposal. That is, other mechanisms (other zones, other layer mixes) are considered impracticable. The submitter's evidence is accepted and weighted with respect to these matters. I note that the evidence referred to above is unopposed. The proposal for a special purpose zone is considered to meet the NPS tests and is therefore supported.
127. Overall, I recommend that on balance, the Kimihia Lakes Zone gives effect to the National Planning Standard and that the criteria for NPS 8.3 is met.

¹⁵ Kimihia Lakes Project Economic Impact Assessment, section 5.

¹⁶ Section 6.33 Evidence of Mr Cumberpatch

¹⁷ Section 6.6 AEE and s32AA report

4.6.3 National Policy Statement on Urban Development.

128. As the submitter (AFL) has noted¹⁸, the requirement in the NPS-UD to remove parking provisions is the only possible relevant consideration. . The proposed special zone (as amended) does not increase or decrease urban land areas and has ample parking options and configurations. The proposed special zone is considered consistent with and gives effect to the NPS UD.

4.6.4 Waikato Regional Policy Statement.

129. There are 27 objectives in the RPS, with attendant policies listed. Almost all but coastal matters, could be relevant in some way. The matters considered most relevant to the rezoning request are examined below.
130. I concur with the submitter analysis¹⁹ with respect to Objective 3.12 [Built Environment] (a – k). I particularly agree with the conclusion reached for 3.12(f), that the potential for reverse sensitivity is adequately minimised by the low intensity land use and proposed compact design. Additionally for 3.12, traffic matters now include adequate volume controls and nest within an recent history of industrial servicing via the same roads. I would further note the high degree of conformity of the proposal with Built Environment objective 3.12 K [range of commercial development]. One core purpose of the land owner submission to provide a small scale commercial hub, to support the social and economic wellbeing of Huntly.
131. Objective 3.4 [Health and wellbeing of the Waikato River] is relevant. The objective is:
- 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.*
132. The impacted site will be enhanced with respect to terrestrial and freshwater ecology by the proposed land use and improvements. The proposal is assessed supporting all of the 23 related policies listed to achieve that objective.
133. The proposal achieves the Objective 3.8 [Ecosystem Services] by restoring and enhancing the site in an appropriate manner.
134. The submitter has demonstrated that Objective 3.9 [Relationship of tangata whenua with the environment] is achieved by recognising the relationship and providing for active input via the site management structure. The proposal also meets the Objectives 3.14[Mauri and values of freshwater], 3.16 [Riparian areas and wetlands], 3.18 [Historical and cultural heritage] and 3.19 [Ecological integrity and indigenous biodiversity]. I have applied the available supporting evidence to the above objectives and conclude they are given effect to.
135. Further, the WRPS objectives of Soil protection [3.25-3.26], Public access [3.23], Natural character [3.22] and Amenity [3.21] are, in my opinion, adequately given effect to by the land use. I have not identified any inconsistencies with any other relevant Objectives or their attendant policies.
136. I conclude that the Objectives and Policies of the Waikato RPS (as relevant to this proposal) are given effect to.

¹⁸ Section 8.4 evidence of Mr Cumberpatch.

¹⁹ Section 8.10-20 evidence of Mr Cumberpatch

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

I37. The iwi planning documents are topical in the submission and the proposal must have adequate regard to those. I think that the proposal does have adequate regard to Waikato-Tainui Environmental Plan. Particular weight is given to the proposal's positive environmental outcomes as well as improved amenity, educational and recreational opportunities over the current situation.

I38. Section 25 of the Waikato-Tainui Environmental Plan sets out Tainui's requirements for Land Use Development. I place emphasis on **Objective 25.3.2 Urban and Rural Development**, where the following outcome is sought:

Urban and rural development is well planned and the environmental, cultural, spiritual, and social outcomes are positive.

I39. I consider this outcome is likely to be achieved by the development, as enabled by the rezoning request. Particular guidance is given in the Waikato-Tainui Environmental Plan's Policy 25.3.2.2 rural development:

To ensure that rural development is well planned and the environmental, cultural, spiritual and social outcomes are positive.

I40. I consider the AFL submission is likely to achieve this Objective 25.3.2 and Policy 25.3.2.2 because the development would enable the Huntly community to restore a site, recreate, provide educational opportunities, and create employment and training opportunities. There is potential for expanded opportunities regarding tourism (as supported by Hamilton/Waikato Tourism) with potential training and job opportunities. The governance structure²⁰ of the land should ensure positive outcomes for Waikato-Tainui, in sharing the benefits of land use change.

I41. In summary I believe the proposal adequately takes into account the Waikato-Tainui Environmental Plan.

4.6.6 Vision and Strategy for the Waikato River

I42. The document has the status of a NPS. I agree with the assessment in the evidence of Mr Cumberpatch below, that:

8.44 When considering the future lake against the specific objectives of the Vision and Strategy for the Waikato River, the following is observed:

a) The Project will assist with the restoration and protection of the relationships of the Waikato Region's communities, including Waikato-Tainui, with the site;

b) The protection and enhancement of flora and fauna is proposed;

c) The restoration of water quality is proposed; and

d) The promotion of improved access to better enable sporting, recreational, and cultural opportunities is proposed

I43. I consider the proposal gives effect to the Vision and Strategy via being both compliant with Waikato Regional Plan's Proposed Plan Change I, and by not negatively impacting on the 80 year vision for the Awa. Significant improvements to the Waikato River and its catchment are expected to accrue from

²⁰ Section 8.51 evidence of Mr Cumberpatch

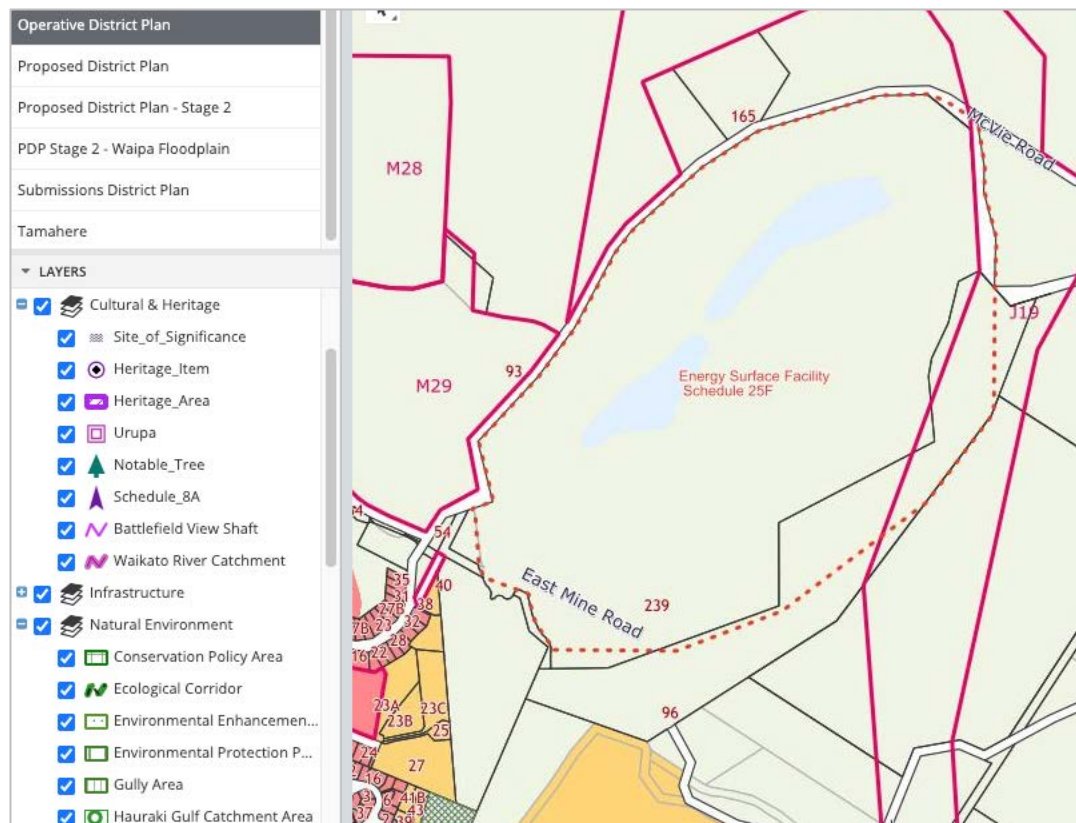
environmental restorations and further public use and enjoyment of what is likely to become a significant district amenity. I consider the development, via a rezoning, will positively contribute to attaining the Vision and Strategy for the Waikato River. It will do that by restoring modified land, regaining public access to Kimihia Lake, and carrying out extensive planting along waterways. It will help reconnect people to the waterways of the Waikato, educate about the past human impacts on them, and create a connection between people and water.

144. For the reasons above, I conclude that the proposal will give effect to the Vision and Strategy for the Waikato River.

4.6.7 Other matters and potential effects

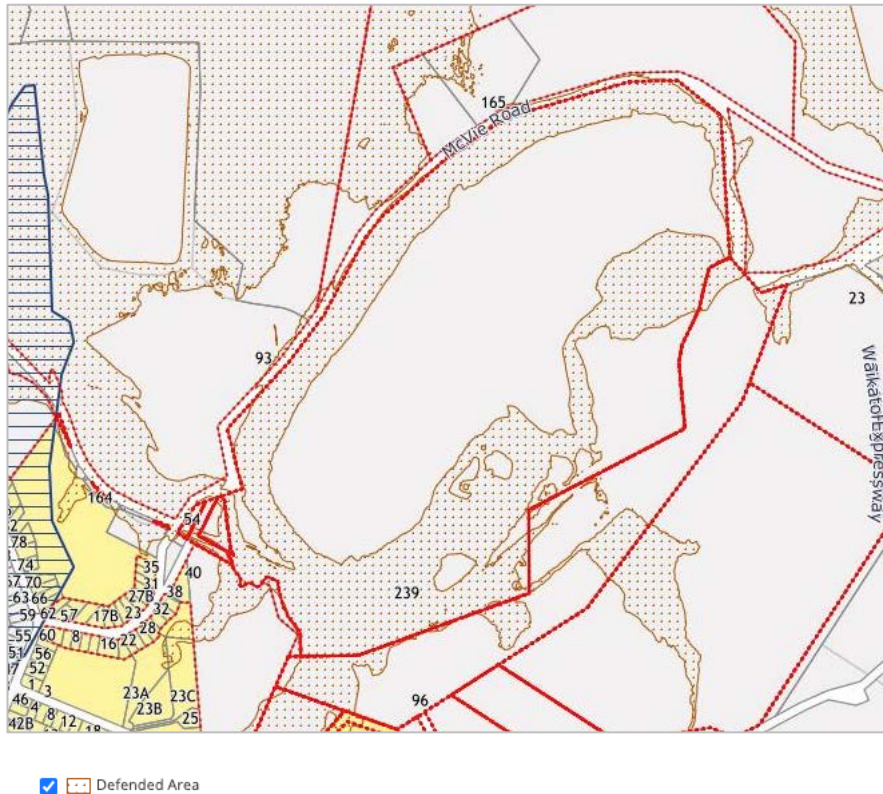
145. With respect to the operative plan zoning, the area within the proposed Special Zone does not contain any overlays such as:
- Significant Natural Areas (SNA), nor
 - Listed sites of significance to tangata whenua, as demonstrated below.

Figure 10: Operative District Plan: Waikato Section



146. Parts of the site are currently identified as 'Defended Area' in terms of Stage 2 of the PWDP. There is some discrepancy between the operative Defended Area overlay and the observed on-site elevations. Council maps for Stage 2 indicate the 'Defended Area' below.

Figure 11: PWDP planning maps indicating the extent of the Defended Area



147. AFL may wish to address or update this matter at the hearing. In this assessment, the Defended Area (if correct) relevant to the proposed Development Precinct, is assumed to be able to be mitigated by site-specific building designs. That view is based on both the bespoke Development Precinct plan as currently presented and the opportunities for mitigation observed on the site visit (alternative drainage opportunities). Deferred development decisions such as to whether to re-divert the main site waterway, will have greater consequence to final design risks over the current apparent risk from Council database Defended Area overlay .
148. As a further illustration, the subject site land adjacent to McVie Road, I consider appears incorrectly as Defended Area, despite its topography. The council map layer may also have elevated the concerns of Mercury NZ (opposing submitter 1386-1388). This matter will need to be addressed as part of the Stage 2 hearings.
149. There are no other “Stage 2 Hazards” overlaying the subject land.

4.6.8 Reverse sensitivity

150. This potentially significant issue was noted as part of my site visit. My conclusion is that significant reverse sensitivity effects are unlikely to be created by the Special Zone or Development Precinct given the nature of the activities proposed and the finalised Development Precinct potential, and the nature of the surrounding environment.
151. I concur with the AFL submission evidence, that reverse sensitivity is of minor potential and that if it were to occur, the social, economic and potentially cultural benefits to the community and region may outweigh it. I weigh the uncontested economics report by the submitter AFL, in that risk assessment. From the site visit I note very limited viewshafts of a proximity likely to be significantly affected by the recreation/education/ open space/ tourism land use. I acknowledge positive ITA transport assessment

in so far as it might relate to reverse sensitivity and note the land use (non-motorised recreation) plus the surrounding modified landscape (expressway, speedway, Pony club, distant urban fringe, rural). The AFL proposed noise limits²¹ and glare limits, further confirm for me that the reverse sensitivity risk is likely to be minor. I do not believe further amended provisions, beyond those proposed by the submitter, are necessary to minimise reverse sensitivity potential.

4.6.9 National Environmental Standard for Assessing and Managing Contaminants in Soil (NES-CS)

- I52. The NES applies regardless of the underlying plan zone or rezoning decision.
- I53. The subject site has an extensive mining history. In anticipation of potential soil quality issues, the AFL submission has expert evidence on the matter which examined the risks and states:

8.1.5 Therefore, it is highly unlikely that there will be a risk to human health if the site is developed into a lake with associated commercial and recreational facilities and rural residential.

8.2 Recommendations

8.2.1 No further contaminated land investigations are required for this site.

- I54. I note the contamination site assessment dates from when rural residential subdivision formed part of the submission. That land use is now excluded, and the uncontested expert report indicates site suitability for the land uses proposed. The land uses proposed are also very unlikely to generate significant vegetable growing or ongoing exposure to soil, which are the principal exposure pathways assumed, and mitigated, by the NES.

4.6.10 NES Freshwater 2020 (Wetlands etc)

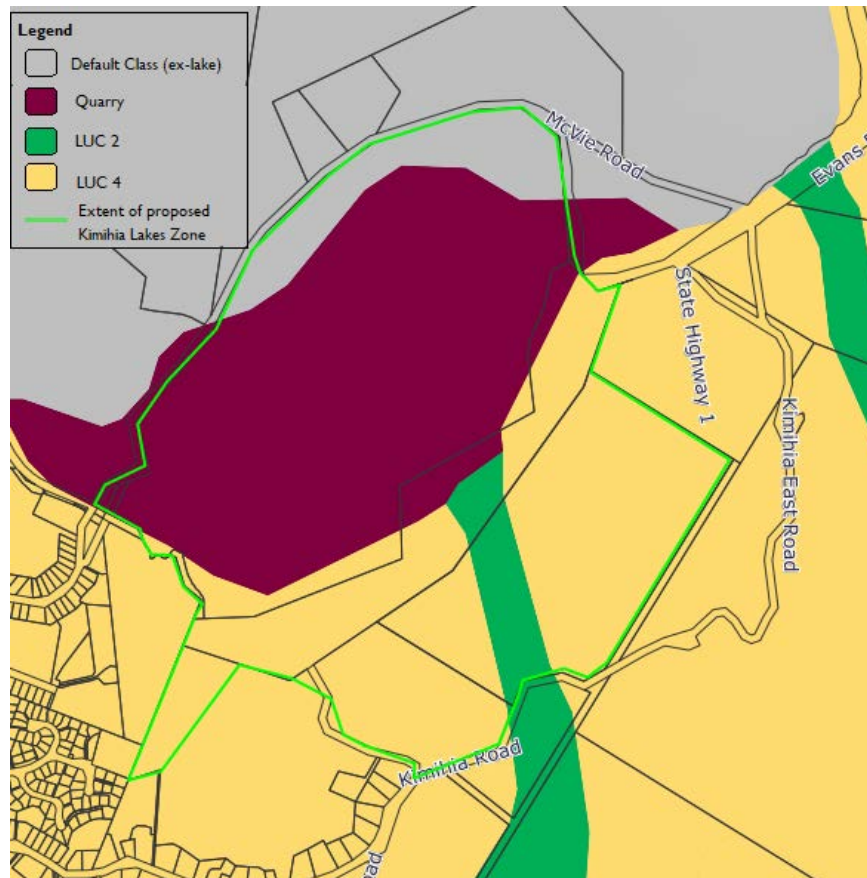
- I55. The NES will apply to any relevant land regardless of the plan zone.
- I56. The subject site is a highly modified environment. While a significant wetland area now exists where the diverted major stream is less disturbed, it is not considered to be a natural inland wetland to which the NES applies. Regardless, AFL has indicated that the restoration of the wetland (largely upstream of the major site development area), is a priority for them. That would have very beneficial environmental effects. If the subject area or developments are later deemed to be covered by the NES freshwater 2020, regional consents may or may not be required to undertake the restorations or nearby works. That is independent of the rezoning decision.

4.6.11 High Class soils

- I57. The subject land is substantially modified due to previous mining activities. Areas beyond the proposed Development Precinct will remain available for rural land use which are already broadly determined by soil suitability. Council's map data does not indicate that the subject site contains any high class soils (i.e. Classes 1, 2 and 3). No NPS relating to high class soils existed at the time of writing this report.

²¹ Cumberpatch evidence, Appendix 1, Table 6, General Performance Standards

Figure 12: Soil classes within proposed Kimihia Lakes Zone:



Source: Waikato District Council's Intramap

4.6.12 Existing or proposed structure plans

158. The subject land is not affected by any structure plan. AFL has produced a Master Plan to guide the rezoning decision on the activities across the site. This Master Plan indicates sensible linkages to transport and services. Infrastructure matters are further supported by expert reports and evidence on water services, stormwater, traffic and roading, including electricity supply. Spatial planning is indicated by the Master Plan at this time. If certain developments subsequently require a structure plan due to specific provisions, that is not precluded. No examples of such development are known at this time.

4.6.13 Infrastructure Services

159. AFL has provided expert technical assessments of water services and transport effects. Those reports indicate that the proposed Kimihia Lakes Zone can be adequately serviced. The conclusions are assisted by the low intensity of the proposal and the nearby services, which have all been assessed as having capacity to accommodate the Special Zone activities.
160. The separate three waters zones assessments (undertaken by Beca) are also available for consideration. The Kimihia Lakes Zone assessment concludes the three waters servicing of the initial stage is feasible with recommendations that:

- a. *Considering the full development's water demand and wastewater and stormwater discharges during design of the initial community facilities for which the land use change is sought.*
- b. *Considering the water quality of the lake and contaminants that may adversely affect its water quality and whether controls on nutrients, on site wastewater discharges and earthworks may be required.*
- c. *Considering future lake levels assuming full development during design of the initial community facilities for which the land use change is sought.*

161. These conclude that servicing for stormwater, wastewater and potable water can be appropriately accommodated, if integrated into district solutions. Those will need to be integrated into Huntly and subregional solutions. They are not considered substantive to change the recommendation for this rezoning and proposed change from rural to low intensity land use.
162. Where residual concerns exist, I consider that the degree to which to the zone contributes to water service complexities is relevant. That is, the site's flow contribution to the wider issues is modest compared with the nearby rural to urban rezoning being considered in nearby zones. At this time of writing, I understand that solutions are likely to be able to be implemented by council to accommodate the projected Kimihia Lakes Zone flows and their timing.

4.6.14 Schools, Parks, other infrastructure

163. The AFL submission is for a low intensity recreation, education, and open space form. The proposal is considered to have only a minor potential effects on other community infrastructure. One of the purposes of the zone is to provide for social and economic wellbeing of the town and surrounds. Those positive effects have been assessed in an economic report submitted by AFL. I note that expert assessment is uncontested. On that basis I consider that the proposed Special Zone provisions will not adversely affect other existing infrastructure and may assist in its use and efficiency.

4.6.15 Significant Constraints

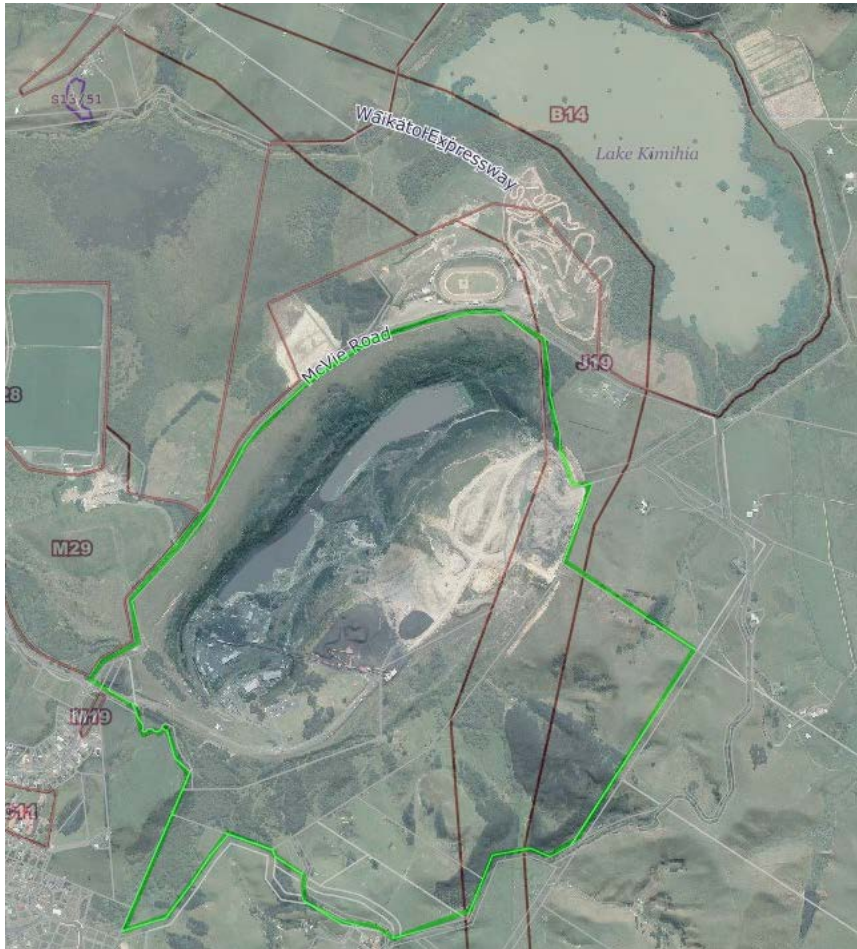
164. There are no known natural constraints across the heavily modified landscape that could preclude the rezoning. The history of the site - from lake drainage, to opencast, then to traditional mining - has greatly modified the natural environment. It may be that the existing zone (rural) is also a poor fit for the realities of this site. There are no known sites of cultural significance remaining on the modified landscape. A potential hazard constraint may exist from low AEP flood events if the operative plan map layers were confirmed as correct. As discussed in the submissions section, there is doubt the proposed 'Defended Area' constraints are accurate. The residual risk, if any, can be managed via the detailed planning documents, expert assessments or consents to accompany the Development Precinct implementation process. The proposed development is not within a high-risk natural hazard area, and the development would be permitted under the natural hazards section of the PWDP. Therefore, the proposal should not require further management of risks from natural hazards.
165. I conclude that there are no significant geophysical constraints known that would preclude the rezoning.

4.6.16 Zone Boundaries

166. One matter to be clarified is the eastern boundary of the proposed Special Zone which is subject of discussion between NZTA and AFL. That will have to be clarified in extent and detail for the eastern edge of the Special Zone. At this time, the land parcel in question is a mix of disturbed or undisturbed pasture.
167. The other Zone boundaries are considered logical and reasonably necessary to achieve the objective land uses.

168. I note that the eastern boundary of the proposed Kimihia Lakes Zone is not finalised because that boundary is being discussed between AFL and NZTA.

Figure 13: The NZTA Designation J19 (Waikato Expressway) in the vicinity of Lake Kimihia



169. Following the site visit, I have concerns with the accuracy of the mapped Designation J19 boundaries above.
170. NZTA have not submitted on RMA section 176 issues (effect of designation). It is expected that AFL will provide an update on this matter at the hearing or potentially through rebuttal evidence. Other non-NZTA boundaries of the proposed zone are clearly identified. The proposed zone boundaries mostly follow parcel boundaries, with some small exceptions. Those exceptions are proposed to be split between zones. I consider that these minor zone split adjustments would not create any appreciable adverse effects.

4.6.17 Deferral or delay of rezoning.

171. There have been no identified reasons why a deferred decision would be beneficial to any party. Delaying a zoning decision will not greatly affect resolutions for infrastructure (if required) and may have a negative effect by postponing the positive benefits of the proposal for the community and region. Those benefits include, recreation, educational facilities, ecological enhancement, accommodation, employment, commercial services to the above and tourism. The activities cannot be accommodated under the existing zoning and delay will adversely affect the speed of development and attainment of the outcomes sought.

172. I therefore do not recommend deferring a zone decision.

4.6.18 Zone specific provisions

173. The AFL submission evidence contains a suite of provisions which have evolved from the original submission. Those are provided to create bounds on the activities and ensure the effects of the Special Zone are contained within the boundaries of the site. Expert planning evidence is provided which set these out²².

174. Mr Cumberpatch's evidence sets out two new zone objectives²³. I agree with those suggested Objectives on the basis that they capture the outcomes sought by the submissions.

175. Submitter 324 (Hamilton and Waikato Tourism) seeks an additional Policy on Tourism significance.

Add a new section, 9.5 Kimihia Lakes Recreation and Events Zone, to Chapter 9 Specific Zones, to enable the development of a regionally-significant events and recreation facility at the former Huntly East Mine.

AND

Add a policy entitled "Tourism Significance" as follows: Policy: Tourism Significance (a) To promote the on-going development of the Kimihia Lakes Recreation and Events Park as a venue for regional, national and international events and outdoor pursuits, whilst providing for the general public to use and enjoy the facilities.

176. I note that the AFL submission also relies on tourism and camping to achieve some of the anticipated social, employment and economic outcomes for the town. That policy intent is captured in AFL's proposed suite of policies, specifically in KLZ-P6 Tourism Significance.

177. In addition, the AFL submission sought a further seven tables of Zone specific provisions, an amendment to the PDP Appendix 5 Hazardous substances section, and four new or amended Definitions. All are intended to facilitate the Zone in achieving its outcomes. The full list of provisions and amendments sought is in Appendix 2 of this report. In my view, the proposed provisions mitigate the potential for significant effects, especially those raised by submitters and are appropriate.

4.6.19 Summary

178. The rezoning proposal gives effect to, regard to, and takes into account the relevant statutory documents. The adverse effects of the proposal are assessed as minor. Significant positive effects on the environment, people and their community are likely. The rezoning and land use change are considered sustainable management. I recommend the submission by AFL be accepted.

²² Evidence of A. Cumberpatch, Appendix 1, Proposed Kimihia Lakes Zone Provisions

²³ Evidence of A. Cumberpatch, Table 2, Proposed Kimihia Lakes Zone Provisions

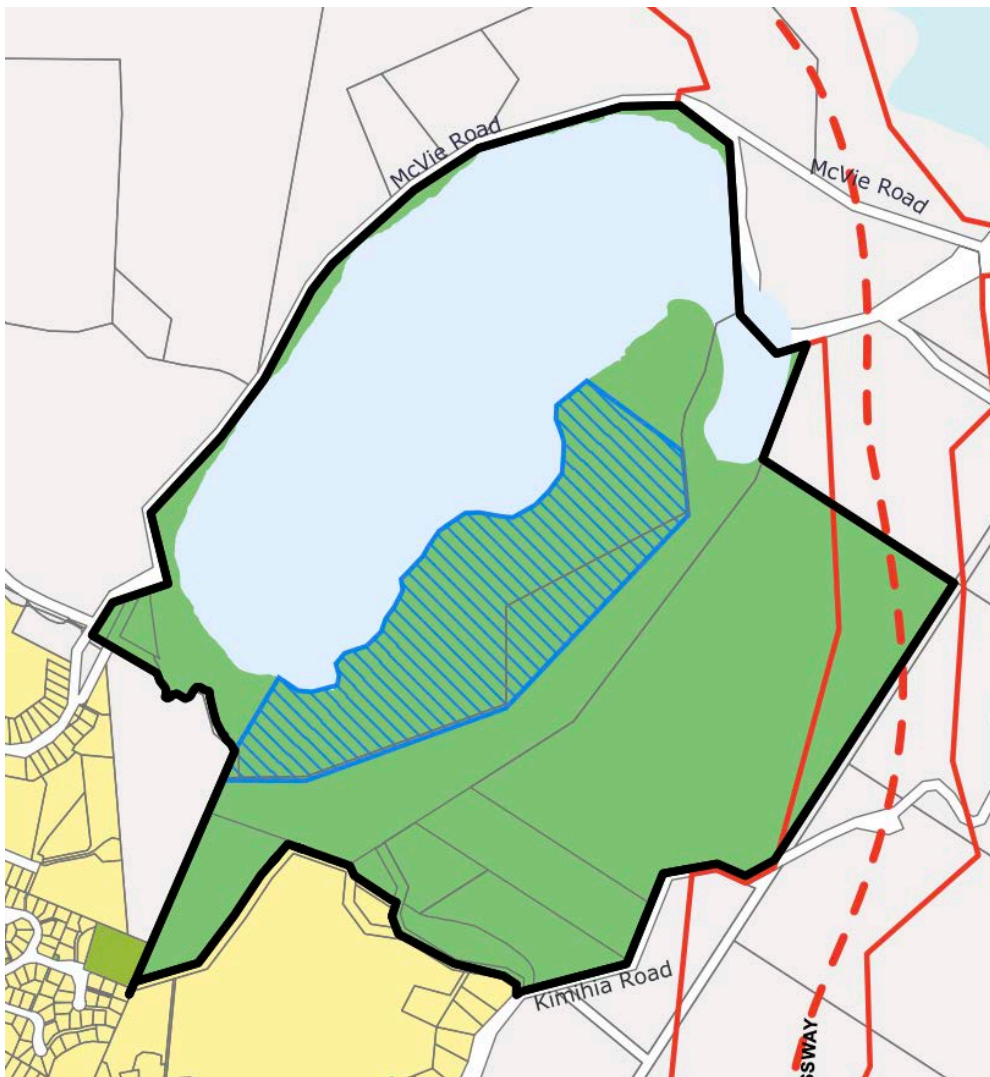
4.7 Recommendations

179. For the reasons above I recommend that the Hearings Panel:

- (a) **Accept** the AFL submission for a special zone and land use change, and all submissions and further submissions not opposed to the AFL submission.
- (b) **Reject** the submissions listed in section 4.2 of this report (which are in opposition), on the basis that they are either met, beyond scope or will be adequately avoided or mitigated by the provisions attached to the rezoning if adopted.

4.8 Recommended amendments.

180. I recommend the Kimihia Lakes special zone be accepted as shown below, subject to the bespoke and changed provisions listed in Appendix 2 of this report.



Proposed Kimihia Lakes Zone (green) including Development Precinct (blue).

4.9 Section 32AA report

181. A section 32AA report is required and the submitter has provided evidence in this respect²⁴. I concur with that assessment and have identified the following additional matters.

Provisions sought to be amended	Efficiency and effectiveness in achieving the objectives of the PWDP				
The rezoning proposal	The 164 ha land parcels described in submission evidence (section 3.2 of the submitter s32AA evidence), is sought to be rezoned as Kimihia Lakes special zone				
The relevant Objectives of the PWDP	<p>Key objectives relevant to the submission are:</p> <p>The rezoning proposal is not inconsistent with the PWDP Objectives particularly Chapter 3 Objectives (natural environments), Objective 6.4.1 (integration of infrastructure) and Objectives 5.1.1 (rural environment) 5.2.1 (rural resources) and 5.3.1 (rural character and amenity). All are considered to be continued to be given effect to, by the requested addition of the special zone. That view is also supported by the evidence presented, which demonstrates the rezoning avoids or adequately mitigates the potential for impacts on the Objectives of the notified plan.</p> <p>I agree with the submitter's assessment of the proposal in terms of the WRPS in the s32AA evidence.</p> <p>New additional Objectives KLZ-01 and KLZ-02 are proposed. They are complimentary to the existing PWDP Objectives.</p> <table border="1" data-bbox="459 1133 1318 1240"> <tr> <td data-bbox="459 1133 635 1189">KLZ-01</td><td data-bbox="635 1133 1318 1189">The Kimihia Lakes Zone develops into a regionally significant facility, that provides for the recreational needs and well-being of people and communities.</td></tr> <tr> <td data-bbox="459 1189 635 1240">KLZ-02</td><td data-bbox="635 1189 1318 1240">Buildings, structures and activities do not adversely affect the amenity values or landscape character of the surrounding environment.</td></tr> </table> <p>Those are supported by 7 new Policies in support covering; the Operation and Development, the Development Precinct, Open space, Environmental enhancement, Education, Tourism significance and overall management of potential adverse effects.</p>	KLZ-01	The Kimihia Lakes Zone develops into a regionally significant facility, that provides for the recreational needs and well-being of people and communities.	KLZ-02	Buildings, structures and activities do not adversely affect the amenity values or landscape character of the surrounding environment.
KLZ-01	The Kimihia Lakes Zone develops into a regionally significant facility, that provides for the recreational needs and well-being of people and communities.				
KLZ-02	Buildings, structures and activities do not adversely affect the amenity values or landscape character of the surrounding environment.				
Scale and significance of the rezoning proposal	<p>164 ha of rural zone is proposed to be rezoned to a special zone termed Kimihia Lakes Zone. The land parcel extent is presented in the submitter evidence. The proposed zone is of small spatial significance to regional and district growth outcomes, but of potentially substantial significance to district and regional recreation, education, open space use and tourism. Social and economic needs will be enhanced by the rezoning, as supported by expert assessments in the submitter evidence. The unique land uses proposed add diversity to regional and district services, as well as regenerating an abandoned site.</p> <p>The rezoning has been assessed in the s42A reports of both submitter and council, as being aligned with the higher order planning documents and of minor potential for significant adverse effects. Numerous positive outcomes for land use,</p>				

²⁴ Kimihia Lakes Development Project - Rezoning under Proposed Waikato District Plan Assessment of Environmental Effects and Section 32AA Evaluation Prepared for Allen Fabrics Limited 16 February 2021

	<p>community, economics and tourism have similarly been identified in those documents.</p> <p>There are no effects more than minor on the matters in Section 6 RMA. That has been adequately demonstrated in the submitter's supporting planning evidence.</p> <p>The scale of the development allowed by the rezoning will not have significant adverse effects on infrastructure and transport issues. That has been adequately demonstrated in the supporting evidence, particularly the Integrated Traffic Assessment and Three Waters assessment. All services are accepted as being able to be accommodated, chiefly due to the low density land use being sought.</p> <p>There is no indication that the rezoning will limit or adversely impact the future development of the surrounding area.</p>
<p>Other reasonably practical options to achieve the WDP objectives/ alternative options.</p>	<p>The rezoning will assist in the achievement of the plan Objectives by providing for social and economic wellbeing and re-use of an existing legacy industrial site, while supporting community objectives and resilience.</p> <p>The alternative of retaining the rural zone is not preferred as set out in the submitter evidence (rural zone provisions mostly preclude or inhibit the land uses proposed).</p> <p>Alternative 1. Do Nothing; the Rural Zone provisions will protect and promote only rural activities for which this site is a poor fit due to legacy industry. I agree with the submission evidence that this alternative is unlikely to yield the benefits sought by the submission for rezoning. Many of the proposed land uses may be non-complying due to their nature and being unspecified in the current Rural provisions.</p> <p>Alternative 2. Retain only the Development Precinct with Rural surrounds. The submitter has demonstrated that the use of the site requires a mix of uses and that the Precinct Only approach will not achieve the development plan. Most of the site would still be at risk of activities requiring consents, which may be non-complying. That is not effective or efficient to achieve the outcomes sought, either on-site and for the community outcomes anticipated.</p> <p>Alternative 3. Amend Rural provisions. I agree with the Submitter that the proposed activities are site specific, and are not likely to occur in other areas that are zoned Rural across the district. Therefore, amendments to the Rural Zone chapter may complicate provisions. This would be an inefficient method if the final land use mix were later identified to clash with existing rural provisions, especially the higher Objectives or Policies for rural economic activity. I concur with the submission evidence that: <i>"There is no zone currently within the PDP or within the National Planning Standards that is suitable for the proposed activities"</i>.</p> <p>This assessment recommends the application of a special zone, with attendant appropriate provisions. The special zone proposed is considered to meet the gateway tests of the National Planning Standard.</p>

Costs/Benefits of Rezoning Proposal	Benefits	Costs
General	<p>The activities enabled by a special zone will benefit the local community. I consider that without the benefit of a specific zone and provisions, executing the vision will be hindered by costs or provisions and the community</p>	<p>Costs to Council are one-off in the creation of the Special Zone. Costs to the land owner are lowered by the avoidance of arbitrary consent applications which might be necessary for the very different activities proposed, over</p>

	benefits may be compromised. I concur with the submission evidence and note the expert evidence on the significant economic benefits at risk.	that of notified Rural Zone land provisions.
Environmental	<p>The requested special zone is likely to enable the land owner to commit to environmental initiatives and enhancements with certainty. Many of those create education, community engagement and/or employment opportunities. The submitter notes: <i>The rules and policy framework seek to provide for environmental initiatives across the site. For example, conservation activities and environmental initiatives, are all permitted activities in the zone that will provide environmental benefits.</i></p> <p>I concur with that assessment.</p> <p>The effective re-use of the degraded site will be better enabled while providing for social and economic wellbeing.</p>	<p>There is a cost in the absence of environmental enhancement to biodiversity, and also to the community, including wellbeing. Costs of achieving education and recreation outcomes plus tourism benefits, are lower to council and community by creating the proposed zone. That is considered efficient and effective. An increase in intensity of use over the current, will produce additional 3 waters effects. Traffic volumes will be increased by a quantified degree and impact.</p> <p>A change of landscape use is proposed which is negative for Rural Zone Objectives. That has been quantified by the submitter versus the opportunities created.</p>
Social	<p>A bespoke special zone will (relative to alternatives) more efficiently provide for the recreation, education and open space, plus tourism outcomes. The submitter states “<i>The site is of significant size and whilst it is privately owned, it will be leased to the Kimihia Lakes Community Charitable Trust and will be available for the public to use at no cost. The provision of free outdoor recreation and green open space will bring a range of positive health benefits to a community that is relatively deprived</i>”. I concur with that assessment.</p> <p>The submission states “<i>the site will provide outdoor education to primary and secondary school students from Huntly as well as the wider catchment of the Waikato District, Hamilton and Auckland. It is also expected to provide skill training opportunities for local youth on site (e.g. through “on the job” training, or as part of school and tertiary education courses) in environmental restoration, construction, hospitality, and the</i></p>	<p>There are no identified direct costs associated. Potentially significant costs could be borne elsewhere if such facilities and outcomes are not provided for by efficient means.</p>

	<p><i>operation of commercial recreation activities”.</i></p> <p>I concur with the assessment of accrued benefits facilitated by a special zone, over that of alternative plan mechanisms.</p>	
Economic - general	<p>The following is uncontested expert evidence.</p> <p><i>“Economic value added through construction and operation of the Project’s facilities and the resultant increased visitor spending on goods and services in Huntly and the wider district. Based on the financial estimates in the Kimihia Lakes draft Business Plan 2020, the Project’s economic impact in quantitative terms is assessed as:</i></p> <ol style="list-style-type: none"> <i>1. Construction contribution to Waikato District’s GDP: \$3.361m (or an increase of 0.11% of the district’s 2019 baseline GDP of \$2,954m). The GDP impact would be limited to the duration of the construction period;</i> <i>2. Tenant activities contribution to Waikato District’s GDP: \$1.01-1.37m per annum (or 0.3-0.5% of the district’s 2019 baseline GDP);</i> <i>3. Multiplier (indirect and induced) economic impacts based on a Type II multiplier of 1 would generate an additional 50% value-added GDP contribution in the order of \$500,000-\$683,000. Taking total GDP impacts to \$1.5- \$2.0m per annum.</i> <p><i>In terms of the RMA requirements, the economic effects of the Project on the core Huntly community and the secondary ‘rest of Waikato district’, are assessed to be ‘low to moderately’ positive.”</i></p> <p>I rely on that view in recommending the rezoning over alternatives as the above may be at risk from landowner costs or less efficient statutory barriers. For the Huntly community, the benefit of doubt should lie with the submission, over the status quo and alternative zone provisions.</p>	<p>Rezoning will remove Rural Zone land. The current use is abandoned mine and non-intensive grazing. The area is far from high production land and is not high class soils.</p> <p>The submission evidence notes a risk of diversion of expenditure from town centre. I consider that cost far from certain to eventuate, and more likely to be complimentary due to longer visit length opportunities. There are no opposing submissions regarding this matter.</p>

	The rezoning is supported by the Local Board and ratepayer groups and some local businesses.	
Economic growth	Rezoning as a special zone would efficiently enable increased visitor numbers which would facilitate other economic growth initiatives.	I can identify no other costs to economic growth from the submission requested.
Employment	<p>I concur with the economic analysis submitted with regard to employment (below). A bespoke zone will better facilitate the outcomes over the alternatives.</p> <p><i>“Increased local employment and training opportunities for the local labour-force in a community that is relatively deprived with a high concentration of youth, unemployment, Māori, low income, single parent and rental tenure households. In accordance with above, the Project’s employment growth is assessed as:</i></p> <ol style="list-style-type: none"> <i>1. 46 full-time and part-time jobs generates during the construction period. This is limited to the duration of the construction period only; and</i> <i>2. Tenant activities generating 28 – 36 full time and part time jobs on a sustainable basis.”</i> 	None
Cultural	<p>Expert evidence suggests;</p> <p>“Restoration of the natural environment will bring cultural benefits. A partnership with Te Whangai Trust is proposed to establish an on-site commercial native plant nursery, which can assist with habitat restoration and local employment. • Opportunity to partner with tāngata whenua and introduce Te Aranga Design principles into the development, as well as cultural recognition (i.e. through trails and identification of cultural landmarks). • The Kimihia Lakes Community Charitable Trust has a trustee seat dedicated to local iwi/hapu representation”</p> <p>The submission has regard to the relevant Iwi management plan objectives. Again, rezoning to the most efficient and effective zone</p>	The submitter notes that an increase in visitor numbers may increase pressures on other resources, if not appropriately managed.

	<p>(special zone) will be a benefit to achieve that.</p> <p>Efficiently and effectively providing for the proposal will assist Waikato-Tainui in achieving the objectives of the iwi planning document, as well contributing to the achievement of the Vision and Strategy for the Waikato River.</p>	
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Reasons for selection of preferred option	<p>I consider the balance of benefits lies considerably with the facilitation of the proposal. The outcomes may be at risk from alternative zone mechanisms, over the rezoning requested. The success of special zones elsewhere in the district has proven the potential merit of the requested mechanism.</p> <p>A suitably constraining set of Objectives, Policies and Rules has been recommended to minimise any adverse effects anticipated. In arriving at the recommendation to create a special zone, I weigh the social, economic and environmental benefits and particularly the risk of not achieving those outcomes.</p> <p>I agree with the Table 8 (p39) comments, regarding the selection of preferred option over others, within the Submitter expert evidence (s32AA). There is no submission or evidence to the contrary.</p> <p>There are sufficient Objectives, Policies and Rules proposed for the mitigation of significant adverse effects. It is considered that the creation of a special zone is the most efficient and effective mechanism to ensure the benefits of the proposal accrue for the community. There is community and PDP outcomes risk in the alternatives.</p>
Extent proposal is the most appropriate way to achieve the purpose of the Act	<p>The proposal promotes sustainable management over the existing use and zoning. It does so by efficiently and effectively allowing the use and development of a largely abandoned site. The proposal will protect natural and physical resources and enable a community to enhance social, economic and potentially cultural wellbeing. Given the nature of the current land use, the proposal promotes a better use of natural resources such as open space and restoration initiatives. The proposed land use change, most appropriately via a special zone, will enhance the life supporting capacity of the land and waterways. The land use will meet a recognised need for social and economic enhancement via tourism, education and recreational facilities (with attendant services). Potentially significant local employment opportunities are proposed. There are considered few direct adverse effects on the environment and where there is that potential, appropriate provisions and mitigations are available.</p> <p>I consider the zone change requested to better met the purposes of the Act than the existing use and zone allocation. For the reasons stated above, the proposal is considered the most efficient and effective way to achieve sustainable management for the subject land and for the surrounding community.</p>
Risk of acting/not acting and insufficient information	<p>I consider council has sufficient information on which to determine this matter. Significant evidence and expert evidence has been submitted for consideration. Submissions and further submissions also provide council with guidance on community sentiment and risks. Strong and widespread community support is indicated in submissions.</p>

	A risk of not acting exists, in that the land owner may chose an alternative land use or intensify rural activities. Significant lost opportunity may exist for the community by non-action, where a need has already been identified in local statutory documents and strategies.
Conclusion	<p>The proposed rezoning will be efficient and effective in achieving the objectives of the proposed district plan by:</p> <ol style="list-style-type: none"> 1. Providing Objectives, Policies and Rules for the particular land uses and doing so more efficiently than alternative zone mechanisms. 2. Avoiding unnecessary constraints or process for future activities which do not fit within existing or other plan zone provisions. 3. Will be appropriate for the scale and regional significance of the proposal. 4. The rezoning will contribute to achieving cultural, employment, economic, social and environmental benefits. 5. Most efficiently achieving sustainable management, over the alternatives. 6. Recognise that sufficient information exists on which to make a decision. 7. Meet the tests of, take into account, or have sufficient regard to the higher order statutory documents. 8. It is therefore recommended that the AFL submission for rezoning to a special zone, be accepted.

5 Conclusion

182. The recommendation is to accept the proposed rezoning. The conclusion of the statutory analyses is that the rezoning and land use submitted can be accepted subject to amended provisions.
183. The issues within the submissions in opposition have been adequately considered, and have been or can be mitigated or avoided by the proposal.
184. An issue of one zone boundary is yet to be clarified and requires a third party outcome to finalise that. The issue is not critical to the substantive decision on the rezoning or provisions, nor does it materially impact the balance of benefits of the submission or recommendation.
185. Further evidence is likely to be presented to the hearing by the submitter (AFL) and potentially others.

6 List of Recommendations

186. For the reasons above, I recommend that the hearings panel:
187. **Accept in part** Vera Wennekers [184.1] to the extent that the new zone shall be titled 'Kimihi Lakes Zone'
Accept in part Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.46]
Accept in part Mercury NZ Limited [FS1386.173]
188. **Accept in part** Vera Wennekers [184.2]
Accept in part Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.47]
189. **Accept** Vera Wennekers [184.3]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.48]
Reject Mercury NZ Limited [FS1386.174]
190. **Accept** Vera Wennekers [184.4]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.67]
Reject Mercury NZ Limited [FS1386.175]
121. **Accept** Vera Wennekers [184.5]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.1 and FS1047.49]
Reject Mercury NZ Limited [FS1386.176]
191. **Accept** Vera Wennekers [184.6]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.2]
Reject Mercury NZ Limited [FS1386.177]
192. **Accept** Vera Wennekers [184.7]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.3]
Reject Mercury NZ Limited [FS1386.178]
193. **Accept** Vera Wennekers [184.8]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.4]
Reject Mercury NZ Limited [FS1386.179]
194. **Accept** Vera Wennekers [184.9]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FS1047.5]
195. **Accept** Ta Ta Valley Limited [FS1340.31]
Reject Mercury NZ Limited [FS1386.180]

196. **Accept** Vera Wennekens [184.11]
Reject *Hamilton City Council* [FS1379.46]
Reject *Mercury NZ Limited* [FS1386.181]
197. **Accept** Vera Wennekens [184.12]
Reject *Mercury NZ Limited* [FS1386.182]
198. **Accept** Vera Wennekens [184.13]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.6]
Reject *Mercury NZ Limited* [FS1386.183]
199. **Accept** Chris Ryan [195.1]
Accept *Perry International Trading Group Limited* [FS1348.1]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.11]
200. **Accept** John Wiltshire [200.2]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.12]
201. **Accept** Marisa Ibanez [203.1]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.13]
202. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.1]
Accept *Perry International Trading Group Limited* [FS1348.2]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.14]
Reject *Mercury NZ Limited* [FS1386.261]
203. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.2]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.15]
204. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.3]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.16]
Reject *Mercury NZ Limited* [FS1386.262]
205. **Accept** The Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.4]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.17]
Reject *Mercury NZ Limited* [FS1386.263]
206. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.5]
Accept *Murray and Jennifer Allen – Allen Fabrics Limited* [FS1047.18]
Reject *Mercury NZ Limited* [FS1386.264]

207. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.6]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.19]
Reject Mercury NZ Limited [FSI 386.265]
208. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.7]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.20]
Reject Mercury NZ Limited [FSI 386.266]
209. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.8]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.21]
Reject Mercury NZ Limited [FSI 386.267]
210. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.9]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.22]
Reject Mercury NZ Limited [FSI 386.268]
211. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.11]
Reject Hamilton City Council [FSI 379.53]
Reject Mercury NZ Limited [FSI 386.269]
212. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.12]
Reject Mercury NZ Limited [FSI 386.270]
213. **Accept** The Pam Fergusson Charitable Trust and Allen Fabrics Limited [260.13]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.23]
Reject Mercury NZ Limited [FSI 386.271]
214. **Accept** Brian Curle [262.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.24]
215. **Accept** Rosemary Curle [263.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.25]
216. **Accept** Dave and Fransiska Falconer [271.1]
Accept Perry International Trading Group Limited [FSI 348.3]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.26]
Reject New Zealand Transport Agency [FSI 202.64]
217. **Accept** New Zealand Transport Agency [274.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.27]
218. **Accept** Hamilton & Waikato Tourism [324.1]

Accept *Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.28]*
Accept *Ta Ta Valley Limited [FSI 340.42]*

219. **Accept** *Hamilton & Waikato Tourism [324.2]*
Accept *Perry International Trading Group Limited [FSI 348.7]*
Accept *Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.29]*
Accept *Ta Ta Valley Limited [FSI 340.43]*
Reject *Mercury NZ Limited [FSI 386.377]*
220. **Accept** *Willemien Wennekers [335.1]*
Accept *Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.30]*
221. **Accept** *Willemien Wennekers [335.2]*
Accept *Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.31]*
Reject *Mercury NZ Limited [FSI 386.464]*
222. **Accept** *Willemien Wennekers [335.3]*
223. **Accept** *Willemien Wennekers [335.4]*
Reject *Mercury NZ Limited [FSI 386.465]*
224. **Accept** *Willemien Wennekers [335.5]*
Reject *Mercury NZ Limited [FSI 386.466]*
225. **Accept** *Willemien Wennekers [335.6]*
Reject *Mercury NZ Limited [FSI 386.467]*
226. **Accept** *Willemien Wennekers [335.7]*
Reject *Mercury NZ Limited [FSI 386.468]*
227. **Accept** *Willemien Wennekers [335.8]*
Reject *Mercury NZ Limited [FSI 386.469]*
228. **Accept** *Willemien Wennekers [335.9]*
Reject *Mercury NZ Limited [FSI 386.470]*
229. **Accept** *Willemien Wennekers [335.12]*
Accept *Hamilton City Council [FSI 379.88]*
Accept *Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) [FSI 108.160]*
Reject *Mercury NZ Limited [FSI 386.471]*

230. **Accept** Willemien Wennekers [335.13]
Reject Mercury NZ Limited [FSI 386.472]
231. **Accept** Willemien Wennekers [335.14]
Reject Mercury NZ Limited [FSI 386.473]
232. **Accept** Willemien Wennekers [335.15]
Reject Mercury NZ Limited [FSI 386.474]
233. **Accept** Tony Perkins for HRRA [350.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.53]
Reject Mercury NZ Limited [FSI 386.504]
234. **Accept** Frederick April [483.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.54]
235. **Accept** Victoria Kemp on behalf of Huntly Districts Residents and Ratepayers Association [511.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.55]
Reject Mercury NZ Limited [FSI 388.530]
236. **Accept** Bryce Mounsey [545.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.56]
Reject Mercury NZ Limited [FSI 388.767]
237. **Accept** Gaylene Himona [554.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.41]
238. **Accept** Colleen Earby [555.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.57]
239. **Accept** Alan Kosoof [556.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.58]
240. **Accept** Bronwyn Kosoof [557.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.59]
241. **Accept** Tracey Lolesi [561.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.60]

242. **Accept** Katrina Langlands on behalf of Huntly Community Board [583.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.32]
243. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.1]
Reject Waikato Regional Council [FSI 277.65]
Reject Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) [FSI 108.161]
Reject Mercury NZ Limited [FSI 388.958]
244. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.2]
Reject Waikato Regional Council [FSI 277.66]
245. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.3]
Reject Mercury NZ Limited [FSI 388.959]
246. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.4]
Reject Mercury NZ Limited [FSI 388.960]
247. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.5]
Reject Mercury NZ Limited [FSI 388.961]
248. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.6]
Reject Mercury NZ Limited [FSI 388.962]
249. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.7]
Reject Mercury NZ Limited [FSI 388.963]
250. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.8]
Reject Mercury NZ Limited [FSI 388.964]
251. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.9]
Reject Mercury NZ Limited [FSI 388.965]
252. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.11]
Reject Waikato Regional Council [FSI 277.67]
Reject Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) [FSI 108.162]
Reject Mercury NZ Limited [FSI 388.966]
253. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.12]
Reject Mercury NZ Limited [FSI 388.967]

254. **Accept** Murray and Jennifer Allen for Allen Fabrics Limited [584.13]
Reject Waikato Regional Council [FSI 277.68]
Reject Mercury NZ Limited [FSI 388.968]
255. **Accept** Philip Parkes [595.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.61]
256. **Accept** Shand Properties Limited [597.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.33]
257. **Accept** Wendy Harlock [605.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.34]
258. **Accept** David and Jill Messent [615.1]
Reject Mercury NZ Limited [FSI 387.9]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.43]
Reject Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) [FSI 108.158]
259. **Accept** Kim Bredenbeck [616.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.44]
Accept Perry International Trading Group Limited [FSI 348.17]
Reject Mercury NZ Limited [FSI 387.10]
260. **Accept** William James Walker [618.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.62]
Reject Mercury NZ Limited [FSI 387.13]
261. **Accept** Dawn Walker [619.9]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.63]
Reject Mercury NZ Limited [FSI 3187.14]
Reject Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) [FSI 108.159]
262. **Accept** Gloria Jean Beverland [627.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.45]
Reject Mercury NZ Limited [FSI 387.24]
Reject Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) [FSI 108.163]
263. **Accept** Robyn Harris for Rotongaro-Huntly Pony Club [655.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.42]
264. **Accept** Dianne and John Messent [656.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI 047.42]

265. **Accept** Helen Mahon [659.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.64]
266. **Accept** Owen Mounsey [660.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.65]
267. **Accept** Greg and Janice Allen for Allenmara Computers Limited [661.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.36]
268. **Accept** Bryan Morris [784.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.37]
Reject Mercury NZ Limited [FSI387.1238]
269. **Accept** Huntly Karioi Outdoor Trust Incorporated [786.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.38]
270. **Accept** Steve Doyle [787.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.39]
271. **Reject** Kym Holland on behalf of Friends of Kimihia Lake [826.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.40]
272. **Accept** Kym Holland on behalf of Friends of Kimihia Lake [826.3]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.51]
273. **Accept** Dave Falconer [880.1]
Accept Murray and Jennifer Allen – Allen Fabrics Limited [FSI047.52]
Reject Perry International Trading Group Limited [FSI348.29]
Accept Ta Ta Valley Limited [FSI340.191]
274. **Accept** Dave Falconer [880.4]
Reject New Zealand Transport Agency [FSI202.131]

Appendix I: Table of submission points

Appendix 2: Recommended amendments

Appendix 3: Technical Reports

Technical Specialist Review, Three Waters – Kimihia Lakes

Technical Specialist Review, Transportation – Kimihia Lakes

Appendix 4: Pre-Hearing Meetings

A site visit was undertaken by the author of this report on 25th March 2021.

Waikato District staff and contractors undertook a site visit on 3rd February 2021.