

**Before an Independent Hearings Panel**

**The Proposed Waikato District Plan (Stage 1)**

**IN THE MATTER OF** the Resource Management Act 1991 (**RMA**)

**IN THE MATTER OF** hearing submissions and further submissions on the Proposed  
Waikato District Plan (Stage 1):

**Topic 25 – Zone Extents**

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**HIGHLIGHTS PACKAGE  
MARK SEYMOUR MANNERS TOLLEMACHE ON BEHALF OF  
HAVELOCK VILLAGE LIMITED  
(Planning)**

**13 May 2021**

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## 1. SUMMARY OF EVIDENCE

- 1.1 My full name is Mark Seymour Manners Tollemache. I am a town planner.
- 1.2 I have provided primary and rebuttal evidence in support of the Havelock rezoning proposal.

## 2. HAVELOCK PROVISIONS

- 2.1 The approach outlined in the evidence is to adopt the Proposed Waikato District Plan (“**PWDP**”) provisions (including rules), zones, overlays and annotations<sup>1</sup> wherever possible. The approach utilises the Residential, Business (for a small neighbourhood centre) and Industrial Zones (for a buffer to 3 Yashili Drive – Yashili site) for Havelock associated with the rezoning of the land on Transmission Hill.
- 2.2 The proposal utilises the Rural Lifestyle Zone<sup>2</sup> for the Rural Lifestyle Precinct to provide for rural cluster housing development, within a framework of landscape and ecology enhancements in the area of the site known as the Havelock Tail.
- 2.3 The Havelock provisions insert the Havelock precinct plans (x2), incorporating the Significant Natural Area overlay (“**SNA**”),<sup>3</sup> the Environmental Protection Area (“**EPA**”) overlay,<sup>4</sup> the Indicative Road overlay<sup>5</sup> (including direct road connection from Pokeno to Bluff Road) and the Walkway/Cycleway/Bridleway overlay.<sup>6</sup>
- 2.4 The precinct plans include new annotations addressing the proposed Pokeno Industry Buffer<sup>7</sup> overlay, the lower density “Slope Residential” overlay,<sup>8</sup> the 40 dba LAeq noise contour,<sup>9</sup> Hilltop Park overlay<sup>10</sup> (retaining the hill top as a public space) and Rural Lifestyle Cluster overlay.<sup>11</sup>
- 2.5 **Annexure 1** includes the updated planning maps dated 10 May 2021.

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<sup>1</sup> Utilising the provisions on the PWDP as outlined in the Council Officers’ Right of Reply Version associated with the Section 42A reports for various topics.

<sup>2</sup> Was proposed to be renamed from Rural Countryside Living by the Hearing 12 S42A report to align to the National Planning Standards.

<sup>3</sup> Addressed by rules 16.2.4.3, 16.2.8, 16.4.8, 23.2.3.3, 23.2.8 and 23.4.5 of the PWDP.

<sup>4</sup> Rules 16.3.9.4, 16.4.16 and 23.4.11 of the PWDP outline the development standards that apply to planting within the EPA.

<sup>5</sup> Proposed new rules 16.4.18 RD1 (a)(i) and (ii).

<sup>6</sup> Addressed by rule 23.4.10 of the PWDP which outlines the requirements for walkways.

<sup>7</sup> Proposed new rules 16.3.9.2 P2 and 16.4.12 RD2, and for adjoining Yashili Rule 16.4.18 RD1 (iv).

<sup>8</sup> Proposed new rule 16.4.17 (provisions for the density and assessment of subdivision activity in the Slope Residential overlay).

<sup>9</sup> Proposed new rule 16.3.9.3 for the acoustic design of buildings between the 40 and 45 dba noise contours.

<sup>10</sup> Proposed new rules 16.4.18 RD1 (a)(iii) (the vesting of the park), 16.3.3.5 (a 5m height limit within 50m of the park) and 16.3.9.5 (a 9m yard setback).

<sup>11</sup> Proposed new rule 23.4.2A and 23.4.8 RD2 outlining the bespoke requirements for the design, density and engineering of subdivision activity.

- 2.6 The approach to avoiding and minimising reverse sensitivity (which includes the provisions outlined in the planning Joint Witness Statement with Mr Jones (for Yashili) dated 12 May 2021)<sup>12</sup> includes the following provisions:
- (a) The mapped annotation of the Pokeno Industry Buffer (as per Annexure 1).
  - (b) Rule 16.4.18 RD1 (iv) provides the method to implement the acoustic barrier adjoining the Yashili site prior to or concurrent with the first subdivision in the Precinct. This includes certification of the design through an acoustic report.
  - (c) Default activity status of non-complying for dwellings and building platforms within the Pokeno Industry Buffer (Rules 16.3.9.2, 16.4.12 and 16.4.18), and for not providing the acoustic barrier described above (Rule 16.4.18).
  - (d) New Rule 16.3.9.3 to address the acoustic design of dwellings between the 40 and 45 dba noise contours.<sup>13</sup>
  - (e) Consequential amendment to Rules 20.2.2.1A.P2.(b) and Rule 21.2.2.1A P2.(b) of the Topic 7 Hearing to apply the compliance point for noise from the industrial activities at the western edge of the Pokeno Industry Buffer and for Yashili the 45 dba<sup>14</sup> noise contour rather than at the new Zone boundary.
- 2.7 The discretions associated with roading and traffic generation for the Havelock Precinct (Rule 16.4.18(b)) to address:
- (a) The design and effects of the Havelock Precinct's Collector Road intersection with Yashili Drive.
  - (b) The safe and efficient operation of the existing intersections of Yashili Drive and Gateway Park Drive, Gateway Park Drive and Hitchen Road and Gateway Park Drive and McDonald Road, along with the railway crossing on McDonald Road.
  - (c) Accessible and safe pedestrian and cycle connections within the Precinct to locations outside of the Precinct.
  - (d) The design of roads to provide for future public transport opportunities.
- 2.8 **Annexure 2** includes the updated provisions as a response to Mr Mead's reply and the outcomes of the planning Joint Witness Statement.

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<sup>12</sup> Note that additional amendments were made in the JWS to the provisions in my earlier Rebuttal Evidence dated 3 May 2021.

<sup>13</sup> The 40 dba noise contour being mapped on the Precinct Plan as per Annexure 1, and the 45 dba contour being the western edge of the Pokeno Industry Buffer (and Figure 16.4.18B in the case of Yashili).

<sup>14</sup> Figure 16.4.18B.

## Statutory Assessment

- 2.9 I have reviewed the planning merits of the Havelock provisions on the basis of relevant National, Regional and District planning directives. I raised concerns in my primary evidence that the PWDP fails to provide for the expected, realistic future residential growth in Pokeno because the population and growth projections are unrealistic, and consequently inadequate areas are identified for future growth. I was also concerned about the misalignment with the Waikato 2070 Growth and Economic Development Strategy ("**Waikato 2070**") and the growth expectations in that document. This concern is now recognised by Dr Davey and Mr Mead.
- 2.10 Based on the assessments provided by Dr Davey and Mr Thompson, I do not consider that the PWDP, in its current form, gives effect to the National Policy Statement on Urban Development 2020 ("**NPS-UD**"). I accept that the rezoning recommendations of Dr Davey and Mr Mead in the Section 42A reports are likely to provide 9.2 years of supply, therefore addressing the NPS-UD.
- 2.11 Pokeno is ideally located to provide for urban growth, close to Auckland and adjoining major transportation networks. Spill over growth from Auckland, along with clear market demand has resulted in an all time high of 275 building consents for new dwellings being issued last year in Pokeno. I previously emphasised caution regarding predictions as previous planning documents have consistently underestimated market demand in Pokeno, and therefore I consider being conservative in the extent of rezoning may not in fact give effect to the NPS-UD.
- 2.12 In respect to the provisions of the PWDP, Havelock:
- (a) Can provide for up to 600 households in a high quality designed neighbourhood, contiguous with the existing settlement. Given the topography, it will offer residential sites with high amenity, views and vistas not currently accessible in Pokeno. It will also offer a bespoke approach to a Precinct Plan, utilising provisions from the PWDP and additional provisions to manage matters unique to the site.
  - (b) Has direct access to the town centre and key transport routes without being severed by the state highway. Pokeno East does not have the same level of connectivity.

- (c) Offers the only opportunity for future connections between Pokeno and the Waikato River without the need to utilise state highway 1. No other proposal offers this unique and potentially significant amenity benefit.
- (d) Will contribute to Council meeting its residential capacity targets under the NPS:UD in respect of Pokeno and to creating a well-functioning urban environment. Rezoning the Site for Residential will strongly give effect to the NPS-UD.
- (e) Implements part of the Council's growth management strategy for Pokeno.

2.13 The Site is an ideal location for growth in Pokeno and gives effect to the Waikato Regional Policy Statement (“**RPS**”), including the 6A Principles, in respect of the following matters:

- (a) It is located in an area of high growth.
- (b) Pokeno is already experiencing dwelling construction rates that exceed the medium and high projections of the District and Regional Councils.
- (c) It provides a logical extension of the existing urban area of Pokeno, forming a new neighbourhood contiguous with existing and planned growth.
- (d) It would be consistent with a compact urban form and support the existing town.
- (e) The Site is well connected to Pokeno and can support walking and cycling connections to the town and future public transport.
- (f) It includes a new local neighbourhood centre with a range of amenities and commercial services.
- (g) It does not involve versatile soils, or development within an Outstanding Natural Landscape, Outstanding Natural Feature or Significant Amenity Landscape.
- (h) It provides opportunities for open spaces and the protection and enhancement of SNAs.
- (i) Achieves an edge to urban Pokeno and significant enhancements as a transition from this edge to the Waikato River and Bluff Road.

2.14 Havelock is included within the Council's planned upgrades for bulk water and wastewater.

- 2.15 Having considered the efficiency, effectiveness, costs and benefits of the Havelock provisions I consider these to reflect the optimal outcome to address the objectives and policies of the PWDP and give effect to the RPS and NPS-UD. The urban land resource in Pokeno is scarce, and the Site is ideally located to provide a new residential neighbourhood. Havelock offers an optimal planning outcome based on the relevant statutory documents, and is an efficient solution to accommodate projected growth in this community. The Rural Lifestyle Zone aims to achieve significant environmental enhancements, along with access opportunities to the Waikato River.
- 2.16 Apart from structure plans in Te Kauwhata and Raglan, in my opinion no other Precinct proposes this level of positive outcomes secured through specific planning provisions.

### **3. POKENO VILLAGE HOLDINGS LTD**

- 3.1 In reviewing the submissions and evidence on behalf of PVHL, the overarching theme is that land should not be live zoned in Pokeno until technical studies have been completed (including those for three waters and transportation), along with a comprehensive structure plan process. If accepted, the consequence of this would be that no additional greenfields land would be identified in the PWDP beyond that zoned through the Plan Changes 21 and 24 to the Operative Waikato District Plan (“**OWDP**”).
- 3.2 I do not see a scenario, apart from using the current District Plan review process, to support the rezoning of additional land to provide the forecasted capacity required in Pokeno to give effect to the NPS-UD. Deferring the rezoning of land, or utilising a Future Urban Zone will result in constraining housing supply in the short to medium term.
- 3.3 In the case of Havelock, I consider that the technical reporting, evidence and Precinct Plan and associated rules are appropriate to provide for the rezoning of this land.
- 3.4 If the Commissioners were concerned with the potential for cumulative infrastructure effects, then I have suggested potential amendments to the general subdivision provisions in Pokeno as a whole to evaluate traffic and stormwater matters at the time of resource consent.
- 3.5 Finally, in relation to matters raised by PVHL, I do not consider that Mr Mead’s recommendations will result in an oversupply of housing and live zoned land. It is more likely that the reverse is true that even with Mr Mead’s recommendations to support the rezoning of land, this will need to be supplemented within a short time period to maintain a minimum 10 year available capacity.

#### **4. REVERSE SENSITIVITY (HYNDS AND YASHILI)**

- 4.1 Adjoining landowners have raised concerns with potential reverse sensitivity effects between residential development on the Site and the adjoining Pokeno Gateway Business Park.
- 4.2 The planning Joint Witness Statement dated 12 May 2021 includes the provisions agreed with Mr Jones to manage reverse sensitivity with respect to the Yashili/Havelock interface.
- 4.3 Mr Styles has modelled an appropriate separation distance which has generated the Pokeno Industry Buffer overlay, and the land within it at 88 Bluff Road is identified as Environmental Protection Area for enhancement planting (providing it with a specific use). Proposed rules 16.3.9.2 P2 and 16.4.12 RD2 apply to the management of noise sensitive activities, whereby these are not anticipated in the Buffer (being non-complying activities). The separation distance provided by the Buffer more than adequately addresses reverse sensitivity associated with lighting and air discharges from the Pokeno Gateway Business Park.
- 4.4 In my opinion setbacks are an appropriate and common method to manage the potential for reverse sensitivity effects. However, the separation distances should not be so great, as sought by Hynds, so as to result in the inefficient use of a scarce land resource in Pokeno, or a pattern of development that does not support the wellbeing of future residents. In the case of the Pokeno Industry Buffer, this aligns with the steeper areas of land which are not suitable from a geotechnical perspective. A specific boundary condition has been agreed adjoining Yashili where mitigation opportunities are available through the use of a General Industry Zone buffer together with a specified acoustic barrier.
- 4.5 I do not agree with the evidence and rebuttal evidence for Hynds that the proposed Pokeno Industry Buffer does not avoid and minimise reverse sensitivity effects. The evidence is not supported by empirical or expert assessments as relevant (for example noise, lighting and air discharge), and does not appropriately acknowledge the evidence of Messrs Curtis, King and Styles in respect to air quality, lighting and noise. For example, lighting measurements illustrate that the light spill received beyond the Pokeno Industry Buffer is less than 1/10<sup>th</sup> of the compliance limit of the OWDP. Notwithstanding this, the experts for Hynds still identify that lighting at these levels will generate complaints and in their opinion these will result in restricting Hynds' operations. I disagree.

- 4.6 The assertions of a range of adverse effects emanating from the Hynds site onto the proposed Havelock residential lots, resulting in the potential for neighbour complaints, and consequently the curtailing of Hynds operations, are materially overstated.
- 4.7 The evidence for Hynds does not acknowledge the permitted activity rules of the OWDP or the PWDP applying to the Hynds site, or that sensitive activities and significant residential development opportunities are already located in closer proximity to the Hynds site than the Havelock proposal. This includes sites within the existing residential and business land.
- 4.8 I do not support the argument forwarded by Ms de Lambert that visual effects are a reverse sensitivity matter, and that complaints regarding existing or new buildings would result in the curtailing of the Hynds operation.
- 4.9 The rebuttal evidence of Ms de Lambert includes a number of additional photos taken below her Areas 1 and 2 (where she considers the buffer should be expanded). The concern I have is the locations where the photos are taken are between 130 and 180m of the actual western edge of the Pokeno Industry Buffer, and therefore they do not reflect views from future dwellings over the industrial area. This affects the accuracy of any assessments or conclusions drawn from the photos. Mr Pryor will provide accurate photographs, however, to illustrate the contrast between the actual edge of the Pokeno Industry Buffer and Ms de Lambert's photographs, **Annexure 3** includes three additional photographs and the comparative locations of these with those from Ms de Lambert. I highlight that because of the landform Area 1 is oriented to the east and south-east, and does not have the claimed expansive views of the Synlait factory.
- 4.10 Ms de Lambert also provides (on behalf of Hynds) her views of the expansion opportunities associated with the Synlait activity. Mr Munro identifies the steep contours on the southern boundary of the Heavy Industry Zone, which includes the lower slopes of Transmission Hill with a grade of between 20 and 30 degrees. In addition, **Annexure 4** includes the approved landscape plan for the Synlait activity which illustrates the areas to be planted in native vegetation and hydroseeded. These areas relate to the slope identified by Mr Munro and are not indicative of any expansion plans in this area of the site.

#### **Land above RL100**

- 4.11 I do not support the argument made by Ms de Lambert that land above RL100 should be protected. This looks to be based on a misunderstanding by Ms de Lambert as to the statutory weighting of the Pokeno Structure Plan document (this being a



non-statutory document). The recommendations in that document which accompanied the Private Plan Change request were not included in Plan Changes 14, 21 and 24 or the OWDP.

- 4.12 I find no requirement in a National Policy Statement, the RPS, the OWDP or the PWDP, nor a recommendation in the Council's Section 42A report or through the Topic 21 landscape hearings for the protection of land above RL100 from development.
- 4.13 No land over RL100 associated with Transmission Hill is identified as an Outstanding Natural Landscape, Outstanding Natural Feature or Significant Amenity Landscape in the RPS, OWDP or PWDP. The HVL site was identified in the OWDP as an Aggregate Extraction and Processing Zone for quarrying, which generally results in outcomes that are the antithesis of the protection recommended by Ms de Lambert.

### **Iwi Evidence**

- 4.14 Karl Flavell and Lucie Rutherford for Ngāti Te Ata and Ngāti Tamaoho respectively provided primary evidence at the time of the circulation of rebuttal evidence. Consequently, this summary statement responds to the matters raised.
- 4.15 The archaeological report by Clough & Associates was provided with the HVL submission on the PWDP. This references the Clough & Associates archaeological report (April 1998) commissioned by Winstone Aggregates and the archaeological inspections (May 1998) undertaken by Mr Ian Lawler. The relevant matters referenced by Mr Flavell are included in **Annexure 5**. In summary:
- (a) The exact location of the Pa and signal station cannot be determined and could in fact be located completely offsite from Havelock. The Clough & Associates report indicates the signal station was likely occupied for approximately a year to support the British invasion of the Waikato.
  - (b) Notwithstanding that uncertainty, an assumed location of the signal station has been included within the Hilltop Park and will be maintained from any development through that overlay.
  - (c) An SNA overlay applies to the escarpment and forest below Potter Road. It is highly unlikely that any residential development or significant disturbance could occur there. This protects any koiwi that may be present in areas of original indigenous forest.

## Section 42A Rebuttal Report

- 4.16 I generally agree with the recommendations of Mr Mead, except where specifically identified in my evidence.
- 4.17 Mr Mead considers a “*buffer may need to be extended*” in the south-eastern corner (his Figure 33) although I acknowledge there may be some misunderstanding based on Ms de Lambert's recent photos. In my opinion the potential for reserve sensitivity effects in this location has been overstated, and as illustrated in Annexure 3, the line of sight is to the east and south-east. This area of land is outside of the 45 dB noise contour recommended by Mr Styles and the 150m separation recommended by Mr Curtis. The separation from the Hynds site is over 400m. I disagree with Mr Mead's amendment to Rule 16.4.18 RD1 (b)(xii) which seeks to identify this area as a no build area. I recommend that Mr Mead and I undertake a site visit to resolve this matter.
- 4.18 I accept Mr Mead's recommended amendment to Rule 16.4.18 RD1 (a)(iii) below:

*(iii) The proposal must include the provision of the Hilltop Park and the creation of the Pokeno Industry Buffer / Environmental Protection area (as identified on the planning maps).*

- 4.19 I partly agree with Mr Mead's amendments to Rule 16.4.18 RD1 (b)(xiii). As the clause relates to subdivision I consider its effect on land use activities is a step too far and based on the earlier concerns above is in part unnecessary. In addition, no dwellings or building platforms are proposed within the Pokeno Industry Buffer (the 45 dba noise contour) so it is unclear as to Mr Mead's intentions in the drafting. I assume he intends it to apply to the 40 dba noise contour.
- 4.20 I disagree that direct visual interaction is an adverse effect, or one which would result in a genuine reverse sensitivity effect in that residents could see other buildings and therefore complain about those activities and seeking the curtailing of activities. I do not consider that this would result, and therefore do not agree that it is appropriate or necessary to include a discretion on these matters. I recommend the following amendment:

*Design of earthworks (contours and aspect), lot orientation and landscape treatment to minimise possible reverse sensitivity effects on nearby Heavy Industrial Zoned activities*

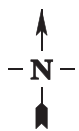
- 4.21 I do not agree to Mr Mead's amendments to Policy 4.1.11 (iv). I do not consider that lot sizes is a relevant matter outside of those areas already identified as Slope Residential. Lot sizes equates to a density matter, and where outside of the 45 dba noise contour the control is the acoustic attenuation of buildings.

*(iv) Subdivision and development shall minimise the potential for reverse sensitivity effects to arise on the Havelock Precinct's eastern boundary with Heavy and Industrial zoned land through a combination of physical separation, orientation, landscape treatment and building design.*

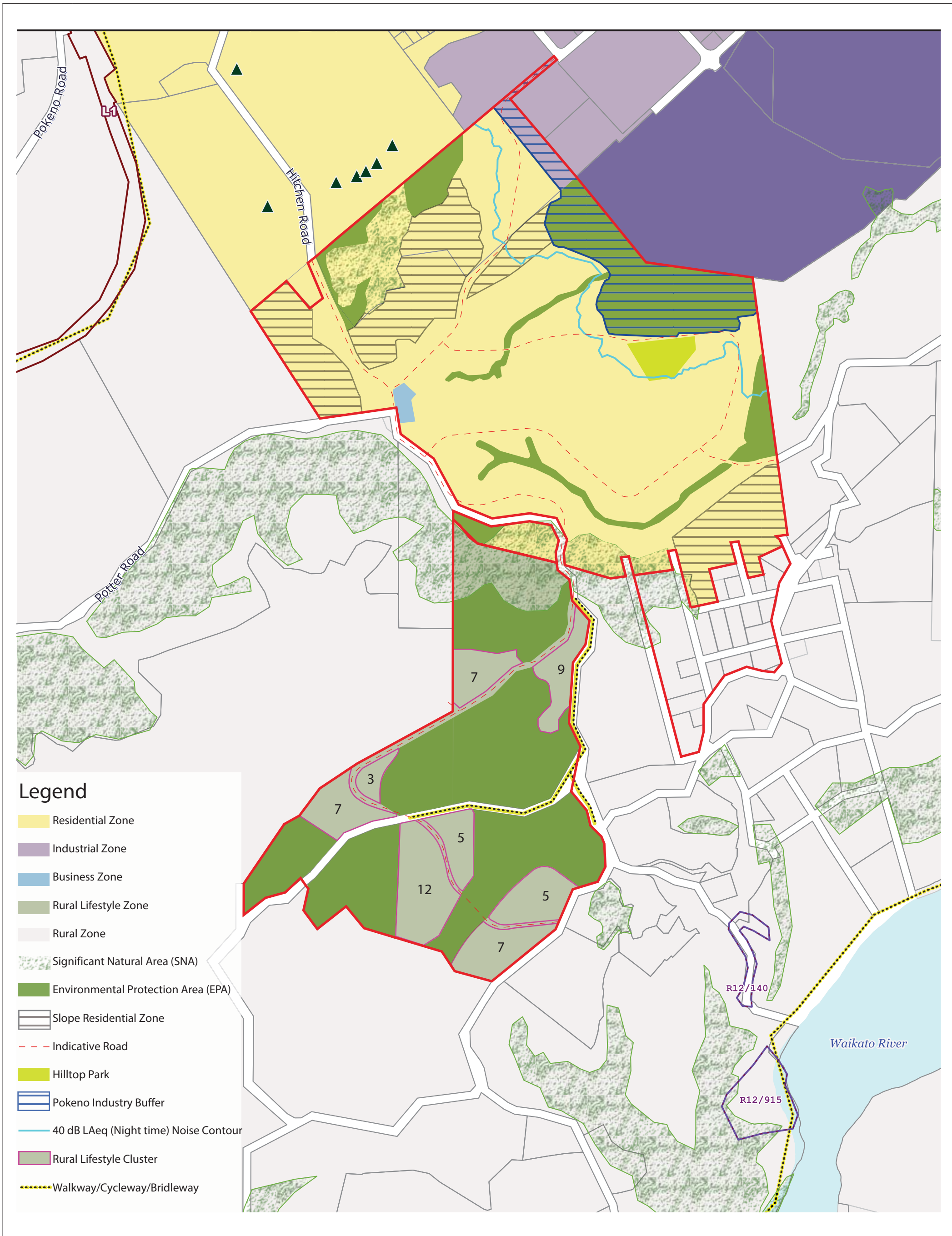
- 4.22 I accept Mr Mead's recommended amendment to Rule 23.4.2A (b) (viii).
- 4.23 I note that I have only had limited time to consider Mr Mead's report before preparing this summary statement. If on further reflection there are other matters that can be addressed or resolved prior to hearing then I will update the Panel at hearing.

**Mark Tollemache**

13 May 2021



# Waikato Proposed Plan



## Annexure 2 - Havelock Village Ltd amendments to Chapter 16 Residential Zone, Chapter 23 Rural Lifestyle Zone and Consequential Amendments

HVL amendments dated 17 February in [blue track changes](#).

HVL amendments dated 3 May responding to Evidence and Section 42A Report in [green track changes](#).

Yashili boundary amended rules dated 12 May (Tollemache / Jones) in [orange track changes](#)

Response to Mr Mead's Reply dated 12 May in [purple track changes](#)

Other amendments ([red track changes](#)) are recommendations from s42A reports for Topics 10 and 12.

### Amendments to Chapter 16 Residential Zone

#### 16.3.9.2 Building setback – Sensitive land use

P1	(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of: <ul style="list-style-type: none"> <li>(i) 5m from the designated boundary of the railway corridor;</li> <li>(ii) 15m from the boundary of a national route or regional arterial;</li> <li>(iii) 25m from the designated boundary of the Waikato Expressway;</li> <li>(iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site; <del>and</del></li> <li>(v) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed; <del>and</del>.</li> <li>(vi) <u>300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaruawahia.</u></li> </ul>
<a href="#">P2</a>	(a) <a href="#">Any new building or alteration to an existing building for a Sensitive land use must be located outside the Pokeno Industry Buffer illustrated on the planning maps.</a>
D1	Any building for a sensitive land use that does not comply with <a href="#">Rule 16.3.9.2. P1</a> <del>or</del> <a href="#">P2</a> .
<a href="#">NC1</a>	<a href="#">Any building for a Sensitive land use that does not comply with Rule 16.3.9.2. P2.</a>

**16.3.9.3 Building Design – Sensitive land use – Havelock Precinct Plan Area**

<p><u>P1</u></p>	<p>(b) <u>Any new building or alteration to an existing building for a sensitive land use located outside the Pokeno Industrial Buffer but within the 40 dB LAeq noise contour illustrated on the planning maps must:</u></p> <p><u>(i) be designed and constructed so that internal noise levels do not exceed 25 dB LAeq in all habitable rooms;</u></p> <p><u>(ii) where compliance with clause (a)(i) above requires all external doors of the building and all windows of these rooms to be closed, the design and construction as a minimum must:</u></p> <ul style="list-style-type: none"> <li>• <u>Be mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C. Mechanical cooling must be available for all habitable rooms provided that at least one mechanical cooling system shall service every level of a dwelling that contains a habitable room; or</u></li> <li>• <u>Provide a high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:</u> <ul style="list-style-type: none"> <li>- <u>6 air changes per hour for rooms less than 30% of the façade area glazed;</u></li> <li>- <u>15 air changes per hour for rooms with greater than 30% of the façade area glazed;</u></li> <li>- <u>3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.</u></li> </ul> </li> <li>• <u>Shall be provided with relief for equivalent volumes of spill air.</u></li> <li>• <u>Where mechanical ventilation and / or cooling systems are installed, they must be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system.</u></li> </ul> <p><u>(iii) be certified by a suitably qualified and experienced person as meeting that standard prior to its construction; and</u></p> <p><u>(b) Compliance with (a) shall be confirmed as part of any building consent application.</u></p>
<p><u>D1</u></p>	<p><u>Any building or alteration to an existing building for a sensitive land use that does not comply with Rule 16.3.9.3. P1</u></p>

**16.3.3.5 Height – Buildings or structures adjoining Hilltop park – Havelock Precinct Plan Area**

<u>P1</u>	<u>The maximum height of a building or structure must not exceed 5m above ground level where it is located within 50m (horizontal distance) of the boundary of the Hilltop park identified on the Havelock Precinct Plan.</u>
<u>D1</u>	<u>A building or structure that does not comply with Rule 16.3.3.5 P1.</u>

**16.3.9.5 Setback and Buildings – Hilltop park – Havelock Precinct Plan Area**

<u>P1</u>	<u>A building must be set back a minimum of 9m from the boundary of the Hilltop park identified on the Havelock Precinct Plan.</u>
<u>D1</u>	<u>A building that does not comply with Rule 16.3.9.5 P1.</u>
<u>NC</u>	<u>A residential activity within the Hilltop park identified on the Havelock Precinct Plan.</u>

16.4 Subdivision

(1) Rule 16.4.1 provides for subdivision ~~density and apply across~~ within the Residential Zone, ~~subject to compliance with the following:~~

- ~~(a) Rule 16.4.7 Subdivision – Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas;~~
- ~~(b) Rule 16.4.8 Title boundaries – Significant Natural Areas;~~
- ~~(c) Rule 16.4.9 Title boundaries – Maaori sites and Maaori areas of Significance;~~
- ~~(d) Rule 16.4.10 Subdivision of land containing heritage items;~~
- ~~(e) Rule 16.4.11 Subdivision – Road Frontage;~~
- ~~(f) Rule 16.4.12 Subdivision – Building Platform;~~
- ~~(g) Rule 16.4.3 Subdivision creating reserves;~~
- ~~(h) Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips;~~
- ~~(i) Rule 16.4.15 Subdivision of land containing mapped off-road walkways; and~~
- ~~(j) Rule 16.4.16 Subdivision of land containing an Environmental Protection Area.~~

~~(2) Rule 16.4.1 Subdivision – General does not apply where the following specific areas and/or activities rules apply:~~~~The following rules apply to specific areas and/or activities:~~

- ~~(a) Rule 16.4.2 - Subdivision - Te Kauwhata Ecological Residential Area;~~
- ~~(b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area); and~~
- ~~(c) Rule 16.4.4 (Subdivision – Multi-Unit development);~~
- ~~(d) Rule 16.4.5 Subdivision – Boundary adjustments; and~~
- ~~(e) Rule 16.4.6 Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold.~~

[\(f\) Rule 16.4.17 – Subdivision – Havelock Slope Residential Area](#)

(3) The following rules apply to specific areas and/or activities:

- (a) Rule 16.4.2 Subdivision – Te Kauwhata Ecological Residential Area (refer to Rule 16.4(4)):
- (b) Rule 16.4.3 Subdivision – Te Kauwhata West Residential Area (refer to Rule 16.4(4)):
- (c) Rule 16.4.4 Subdivision – Multi-unit development;
- (d) Rule 16.4.5 Subdivision – Boundary adjustments;
- (e) Rule 16.4.6 Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold;
- (f) Rule 16.4.7 Subdivision – Title boundaries natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming and aggregate extraction areas;
- (g) Rule 16.4.8 Title boundaries - Significant Natura Areas, heritage items, archaeological sites, sites of significance to Maaori;
- (h) Rule 16.4.9 Title boundaries – Maaori sites and Maaori areas of significance;
- (i) Rule 16.4.10 Subdivision of land containing heritage items;
- (j) Rule 16.4.13 – Subdivision reserves;
- (k) Rule 16.4.14 – Subdivision esplanade reserves and esplanade strips;
- (l) Rule 16.4.15 – Subdivision of land containing mapped off-road walkways; and
- (m) Rule 16.4.16 – Subdivision of land containing Environmental Protection Area
- (n) [Rule 16.4.17– Subdivision – Havelock Slope Residential Area](#)
- (o) [Rule 16.4.18 – Subdivision Havelock Precinct Plan area](#)

(4) Rule 16.4.4 Subdivision – Multi-unit development does not apply in the following areas:

- (a) Rule 16.4.2 – Subdivision – Te Kauwhata Ecological Area; and
- (b) Rule 16.4.3 – Subdivision – Te Kauwhata West Residential Area.
- (c) [Rule 16.4.17 – Subdivision – Havelock Slope Residential Area](#)

**16.4.12 Subdivision - Building platform**

RD1	<p>(a) Every proposed lot, other than one designed specifically for access, <u>or is a</u> utility allotment must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within either of the following dimensions:</p> <ul style="list-style-type: none"><li>(i) a circle with a diameter of at least 18m exclusive of yards; or</li></ul>
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	<p>(ii) a rectangle of at least 200m<sup>2</sup> with a minimum dimension of 12m exclusive of yards.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Subdivision layout;</p> <p>(ii) Shape of allotments;</p> <p>(iii) Ability of allotments to accommodate a practical building platform;</p> <p>(iv) Likely location of future buildings and their potential effects on the environment;</p> <p>(v) Avoidance or mitigation of natural hazards;</p> <p>(vi) Geotechnical suitability for building; and</p> <p>(vii) Ponding areas and primary overland flow paths.</p>
<u>RD 2</u>	<p>(a) <u>Every proposed lot, other than one designed specifically for access, or is a utility allotment must be capable of containing a building platform complying with Rule 16.4.12 RD1 located outside the Pokeno Industry Buffer illustrated on the planning maps.</u></p> <p>(b) <u>The Council discretion shall be restricted to the following matters:</u></p> <p><u>(i) The discretions of Rule 16.4.12 RD1</u></p>
D1	Subdivision that does not comply with Rule 16.4.12 RD1.
<u>NC1</u>	<u>Subdivision that does not comply with Rule 16.4.12 RD2.</u>

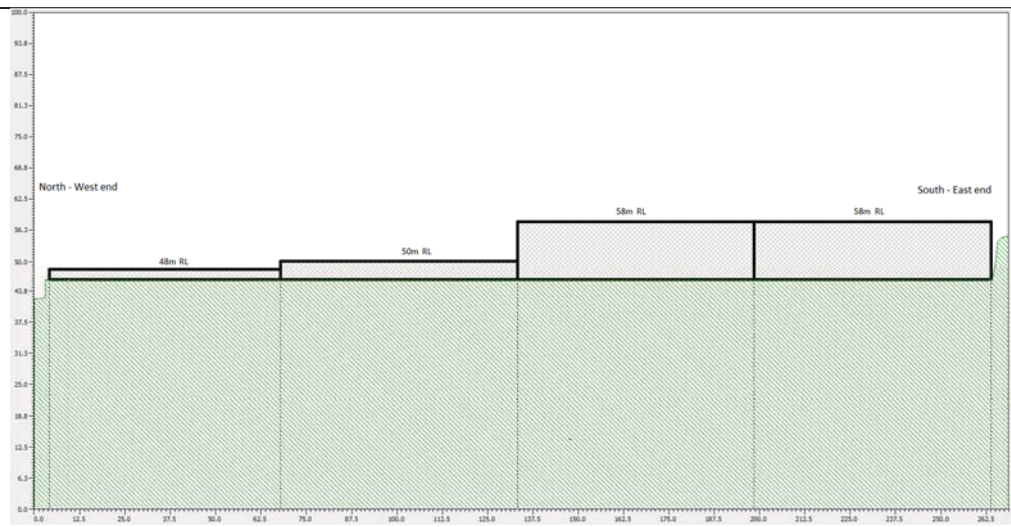
**16.4.17 Subdivision of land in the Havelock Slope Residential Area**

<u>RD1</u>	<p>(a) <u>Proposed lots, except where the proposed lot is an access allotment, utility allotment or reserve to vest, within the Havelock Slope Residential Area must comply with all of the following conditions:</u></p> <p>(i) <u>Be a minimum net site area of 2500m<sup>2</sup>;</u></p> <p>(ii) <u>Be connected to public-reticulated water supply and wastewater;</u></p> <p>(b) <u>Council's discretion shall be restricted to the following matters:</u></p> <p>(i) <u>Ability of lots to accommodate a practical building platform, including geotechnical stability for building;</u></p> <p>(ii) <u>Likely location of future buildings and their potential effects on the environment;</u></p> <p>(iii) <u>Avoidance or mitigation of natural hazards;</u></p> <p>(iv) <u>Amenity values and streetscape landscaping;</u></p> <p>(v) <u>Landscaping of steeper slopes to manage erosion and stability;</u></p> <p>(vi) <u>Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Design Guidelines);</u></p> <p>(vii) <u>Vehicle and pedestrian networks;</u></p>
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	<p>(viii) <a href="#">Consistency with the Havelock Precinct Plan; and</a></p> <p>(ix) <a href="#">Provision of infrastructure, including water supply for firefighting purposes.</a></p>
<a href="#">D1</a>	<a href="#">Subdivision that does not comply with 16.4.17 RD1</a>

**16.4.18 Subdivision: Havelock Precinct Plan Area**

<a href="#">RD1</a>	<p>(a) <a href="#">All subdivision within the Havelock Precinct Plan area (Appendix <del>XX</del>), must comply with all of the following conditions:</a></p> <p>(i) <a href="#">The first subdivision to create residential lots must include the indicative road connections as a road to vest, from Hitchen Road and Yashili Drive.</a></p> <p>(ii) <a href="#">The proposal must include the indicative roads as roads to vest, provided that this can be constructed and vested in stages.</a></p> <p>(iii) <a href="#">The proposal must include the provision of the Hilltop Park and the creation of the Pokeno Industry Buffer / Environmental Protection area (as identified on the planning maps).</a></p> <p>(iv) <a href="#">Either prior to or concurrent with subdivision in Lot 2 DP199997, an acoustic barrier (being a bund, building (including its roof) or structure, or any combination thereof) must be constructed within the Havelock Precinct Plan's General Industry Zone to mitigate potential noise from the adjoining Light Industry Zone (Lots 3 and 4 DP 492007) to achieve noise levels no greater than 45 dB L<sub>Aeq</sub> between 10pm and 7am in the Havelock Precinct Residential Zone. The specification of the acoustic barrier must be at a height of no less than that illustrated on figure 16.4.18A below and a length along the entire common boundary between Lot 2 DP199997 and Lots 3 and 4 DP 492007 (excluding the Collector Road on the Precinct Plan and 5m front yard setback – Rule 20.3.4.1). The application shall be accompanied by an acoustic design report to ensure that the acoustic barrier will meet the requirements listed in this rule and that it will perform as an effective acoustic barrier. The design and effectiveness of the acoustic barrier shall be based on the requirement to reduce the extent of the unmitigated 45 dB L<sub>Aeq</sub> noise contour illustrated on figure 16.4.18B below. The Pokeno Industry Buffer illustrated on Lot 2 DP199997 is based on compliance with and implementation of this rule.</a></p>
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*Figure 16.4.18A*



*Figure 16.4.18B*

(b) Council's discretion is restricted to the following matters:

- (i) Consistency with the Havelock Precinct Plan;
- (ii) Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Design Guidelines);
- (iii) Design and construction of the indicative roads and pedestrian networks;
- (iv) Design, location and timing of construction of the acoustic barrier within the Havelock Precinct Plan's General Industry Zone.

	<p>(v) <u>The design of, and potential effects on the safe and efficient operation of the intersection of the Havelock Precinct Plan’s Collector Road and Yashili Drive, including the design to accommodate safe vehicle access and egress for activities in the adjacent General Industrial Zone.</u></p> <p>(vi) <u>Design of the Hilltop Park and adjoining roads;</u></p> <p>(vii) <u>Potential effects on the safe and efficient operation of Bluff and Pioneer Roads (including where these intersect with State Highway 1) from roading connections to Cole Road.</u></p> <p>(viii) <u>The design of, and potential effects on, the safe and efficient operation of the intersections of:</u></p> <ul style="list-style-type: none"> <li>a. <u>Yashili Drive and Gateway Park Drive;</u></li> <li>b. <u>Gateway Park Drive and Hitchen Road; and</u></li> <li>c. <u>Gateway Park Drive and McDonald Road.</u></li> </ul> <p>(ix) <u>Potential effects on the safe and efficient operation of the McDonald Road railway crossing.</u></p> <p>(x) <u>Accessible, safe and secure pedestrian and cycling connections within the Precinct and to the existing transport network and public facilities.</u></p> <p>(xi) <u>Provision within the Precinct design for future public transport.</u></p> <p>(xii) <u>Ownership and ongoing management of the Environmental Protection Area</u></p> <p>(xiii) <u>Design of earthworks (contours and aspect), lot orientation and landscape treatment between the 40 dba noise contour and the Pokeno Industry Buffer on the planning maps to minimise possible reverse sensitivity effects on nearby Heavy Industrial Zoned activities</u></p>
<u>D1</u>	<u>Subdivision that does not comply with Rule 16.4.18(a)(i) – (iii) RD1.</u>
<u>NC1</u>	<u>Subdivision that does not comply with Rule 16.4.18(a)(iv) RD1.</u>

**Consequential amendment to Rules 20.2.2.1A.P2.(b) and Rule 21.2.2.1A P2.(b) from the Council Section 42A Report Reply Version from Hearing 7:**

(b) Noise measured within any site in any zone, other than the General Industrial and Heavy Industrial Zone, that does not exceed the permitted noise limits for that zone. For sites adjoining the Havelock Precinct (Appendix XX), the noise rating level from any activity must not exceed:

- i. 55dB  $L_{Aeq}$  from 7am to 10pm every day, 45 dB  $L_{Aeq}$  from 10pm to 7am the following day and 75 dB  $L_{AFmax}$  from 10pm to 7am the following day measured from any site outside of the Pokeno Industry Buffer illustrated on the planning maps (compliance with the noise standard must not be measured from the Residential Zone boundary for this Precinct).
- ii. Until the acoustic barrier has been constructed and made acoustically effective in accordance with Rule 16.4.18 RD1 (a)(iv), the noise rating level from activities on Lots 3 and 4 DP 492007 must not exceed 55dB  $L_{Aeq}$  from 7am to 10pm every day, 45 dB  $L_{Aeq}$  from 10pm to 7am the following day and 75 dB  $L_{AFmax}$  from 10pm to 7am the following day measured from the unmitigated 45 dB  $L_{Aeq}$  noise contour illustrated on figure 16.4.18B. When Rule 16.4.18 RD1 (a)(iv) has been satisfied, clause (b)(i) above applies.

**Insert new Policy in Chapter 4 as follows:**

Policy 4.1.11 Policy - Pokeno

(iv) Subdivision and development shall minimise the potential for reverse sensitivity effects to arise on the Havelock Precinct's eastern boundary with Heavy and Industrial zoned land through a combination of physical separation, orientation, landscape treatment and building design.

## Amendments to Chapter 23 Rural Lifestyle Zone

### 23.4 Subdivision rules

~~(1) Rule 23.4.1 lists Prohibited Subdivision in the Country Living Zone.~~

(1) Rule 23.4.2 provides for General Subdivision in the ~~Country Living~~ **Rural Lifestyle** Zone and is subject to the following specific rules:

- (i) Rule 23.4.3 - Subdivision within identified areas
- (ii) Rule 23.4.4 - Title Boundaries – contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities and aggregate extraction areas
- (iii) Rule 23.4.5 - Site boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori
- (iv) Rule 23.4.6 - Subdivision of land containing heritage items
- (v) Rule 23.4.6B- Subdivision of land within the National Grid Corridor
- (vi) <sup>1</sup>Rule 23.4.7 - Subdivision - Road frontage
- (vii) Rule 23.4.8 - Subdivision Building platform
- (viii) Rule 23.4.9 – Subdivision for a Reserve
- (ix) Rule 23.4.10 - Subdivision of land containing mapped off-road walkways
- (x) Rule 23.4.11 - Subdivision of land containing all or part of an Environmental Protection Area
- (xi) Rule 23.4.12 - Esplanade reserves and esplanade strips

In the Havelock Rural Lifestyle Precinct Plan area, subdivision is subject to Rule 23.4.2A (as a replacement to the General Subdivision standards in 23.4.12) and is subject to the specific rules in 23.4.3 to 23.4.12 (as identified above), with the exception that Rule 23.4.8 – Building Platform has a specific standard for the Havelock Rural Lifestyle Precinct Plan (RD2).

### 23.4.2A Subdivision: Havelock Rural Lifestyle Precinct Plan

<u>RD1</u>	<p><u>(a) Subdivision within the Havelock Rural Lifestyle Precinct Plan area (Appendix <del>XX</del>) must comply with all of the following conditions:</u></p> <p><u>(i) The number of lots, whether in a single or several applications, must not exceed a total of 55 and must not exceed the maximum number identified in each cluster (Appendix <del>XX</del>).</u></p>
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	<p><u>(ii) All proposed lots must have a net site area of at least 2500m<sup>2</sup> (which may include land within the Environmental Protection Area) and the building platform located entirely within the cluster (Appendix XX).</u></p> <p><u>(iii) The proposal must include the indicative road as a road to vest, provided that this can be constructed and vested in stages to provide the connection to Bluff Road.</u></p> <p><u>(iv) The proposal must offer the provision of the walkway (complying with Rule 23.4.10), provided that this can be constructed in stages.</u></p> <p><u>(v) The proposal must include a 5m planted landscape yard adjoining any road or indicative road.</u></p> <p><u>(b) Council's discretion is restricted to the following matters:</u></p> <p><u>(i) Consistency with the Precinct Plan</u></p> <p><u>(ii) Adverse effects on amenity values;</u></p> <p><u>(iii) The provision of infrastructure, including water supply for firefighting where practicable;</u></p> <p><u>(iv) Standard of design and construction of the walkway;</u></p> <p><u>(v) Standard of design and construction of the indicative road;</u></p> <p><u>(vi) <del>Measures proposed for planting and management.</del> Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area.</u></p> <p><u>(vii) Provision of planting and management plans to mitigate and offset the landscape and ecological effects earthworks and vegetation removal associated with road construction.</u></p> <p><u>(viii) Legal mechanisms to retain in perpetuity Environmental Protection Areas and prevent further subdivision of them (such as appropriate covenants, consent notice or vesting in Council</u></p>
<u>D1</u>	<u>Subdivision that does not comply with Rule 23.4.2A(a)(iv) and (v) RD1.</u>
<u>NC1</u>	<u>Subdivision that does not comply with Rule 23.4.2A(a)(i) to (iii) RD1.</u>

**23.4.8 Subdivision - Building platform**

RD1	<p>(a) Subdivision, other than an access allotment or utility allotment, must provide a building platform on <del>every the</del> proposed lot <del>that</del>: <u>The building platform must meet all of the following conditions:</u></p> <p>(i) has an area of 1000m<sup>2</sup> exclusive of boundary setbacks;</p>
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	<ul style="list-style-type: none"> <li>(ii) has an average gradient no steeper than 1:8;</li> <li>(iii) has vehicular access in accordance with Rule 14.12.1 P1;</li> <li>(iv) is certified by a geotechnical engineer as geotechnically stable; <u>and suitable for a building platform;</u></li> <li>(v) is not subject to inundation in a 2% AEP storm or flood event;</li> <li>(vi) a dwelling could be built on as a permitted activity in accordance with Rule 23.3.</li> </ul> <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Earthworks and fill material required for building platform and access;</li> <li>(ii) Geotechnical suitability for a building;</li> <li>(iii) Avoidance or mitigation of natural hazards;</li> <li>(iv) Effects on landscape and amenity;</li> <li>(v) Measures to avoid storm or flood events.</li> </ul>
RD2	<p>(a) <u>Subdivision in the Havelock Rural Lifestyle Precinct Plan area, other than an access allotment or utility allotment, must provide a building platform on every proposed lot. The building platform must meet all of the following conditions:</u></p> <ul style="list-style-type: none"> <li>(i) <u>has an area of 500m<sup>2</sup> exclusive of boundary setbacks;</u></li> <li>(ii) <u>has an average gradient no steeper than 1:8;</u></li> <li>(iii) <u>has vehicular access in accordance with Rule 14.12.1 P1;</u></li> <li>(iv) <u>is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform;</u></li> <li>(v) <u>is not subject to inundation in a 2% AEP storm or flood event;</u></li> <li>(vi) <u>a dwelling could be built on as a permitted activity in accordance with Rule 23.3.</u></li> </ul> <p>(b) <u>Council’s discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li>(i) <u>Earthworks and fill material required for building platform and access;</u></li> <li>(ii) <u>Geotechnical suitability for a building;</u></li> <li>(iii) <u>Avoidance or mitigation of natural hazards;</u></li> <li>(iv) <u>Effects on landscape and amenity;</u></li> <li>(v) <u>Measures to avoid storm or flood events.</u></li> </ul>
D1	<p>Subdivision that does not comply with Rule 23.4.8 RD1 <u>and RD2.</u></p>

Annexure 3: Photographs from Areas 1 and 2



Photograph from 1b



Photograph from 2a



Photograph from 2c



Waikato District Council  
Building Consent Number  
BLD0557/19  
**APPROVED**



- Native Mitigation Planting
- Hydroseed batter with grass
- Site Boundary

**RESOURCE CONSENT  
NO: LUC0403/18**  
Approved by Kelly Cattermole  
Date: 3/05/2018  
**NOT FOR CONSTRUCTION**

Annexure 5 - Excerpts from Clough & Associates Report (28 April 1998) and Ian Lawler Report on archaeological inspections (May 1998)

*Winstone Aggregates Proposed Pokeno Quarry:  
Archaeological Assessment*

*Prepared for  
Winstone Aggregates*

*by*

*Rod Clough (PhD)  
& Fiona Tarlton (MA)*

*28 April, 1998*

*Clough & Associates Ltd  
Heritage Consultants  
209 Carter Road, Oratia. AUCKLAND.  
Tel. (09) 818-1316. Fax. (09) 813-0112 Mobile (025) 850-059*

## **Archaeological and Historic Sites of Pokeno**

The general area of Pokeno has an interesting mixture of both historical and archaeological sites, deriving from its origins as a Maori village, which was utilised by the British troops for its strategic location during the Waikato Land Wars. After the war concluded, Europeans settled Pokeno in 1865. These settlers were brought to New Zealand on the ship *Helenslee*, received a quarter acre town block and 10 acre grants of land around Pokeno (Cyclopedia of N.Z. Vol. II, p. 695).

Part of this original Great South Road runs through the area from Razorback Road to the landing place at Te Ia-roa on the Waikato River, close to where Mangatawhiri River joins. The route of this old metalled road can be ascertained through the use of a gum spear (Lennard 1986:224). It ascends the ridge from the end of Hitchen Road, then crosses 'Pt 16' and continues to a saddle, slightly east of where the trig station (at NZMS 260, E 8865 N 3604) had previously been located (Spring-Rice 1989). The road is visible as it follows the hill around, before it descends cutting through Havelock township.

In July 1863 Wiremu Te Wheoro and his supporters built a pa and a signal station on the strategic location of what is now called Parker's Hill (Morris 1965:119). From this high vantage point the Havelock Bluff Stockade (on the Lower Waikato) and the Koheroa hills beyond the Mangatawhiri River could easily be viewed. The exact location of Parker's Hill is uncertain as there are two adjacent high points. However, the westernmost point is slightly higher and the most probable location.

Although Te Wheoro was related to the Maori King Te Wherowhero, he was extremely supportive of the Government. Indeed Te Wheoro had previously been the head magistrate at Kohekohe. Both Te Wheoro and Hori Kikutai of Te Kohanga and their followers were friendly to the government and provided services such as a canoe transport corp which carried military supplies along the Waikato (Morris 1965:122). In return they received government pay and rations (Lennard 1986:222). On occasions Te Wheoro also provided valuable advice. For instance, he reported to Governor Grey that he had heard that the local Maori were planning an attack on the Havelock Bluff Stockade, and how the Maori also intended to occupy the land which the European settlers had abandoned as they fled to safety (Lennard 1986:59). Later in 1869 Te Wheoro became a Major in the British forces, commanding his own redoubt, "Te Wheoro's Redoubt", at Rangiriri (Morris 1965:109).



The exact location of the pa is in some doubt. An approximate location of the pa on Parker's Hill was given as NZMS 260, E 8945, N 3617 (Spring-Rice 1989) and adjacent to the eastern boundary of Havelock town. However, local historian, Don Reynolds, identifies it as being on a higher knoll some 500m to the northwest of Havelock town.

Spring-Rice in her 1989 survey, found no surface evidence remaining, although she considered that an archaeological excavation might reveal further information.

### *Burials*

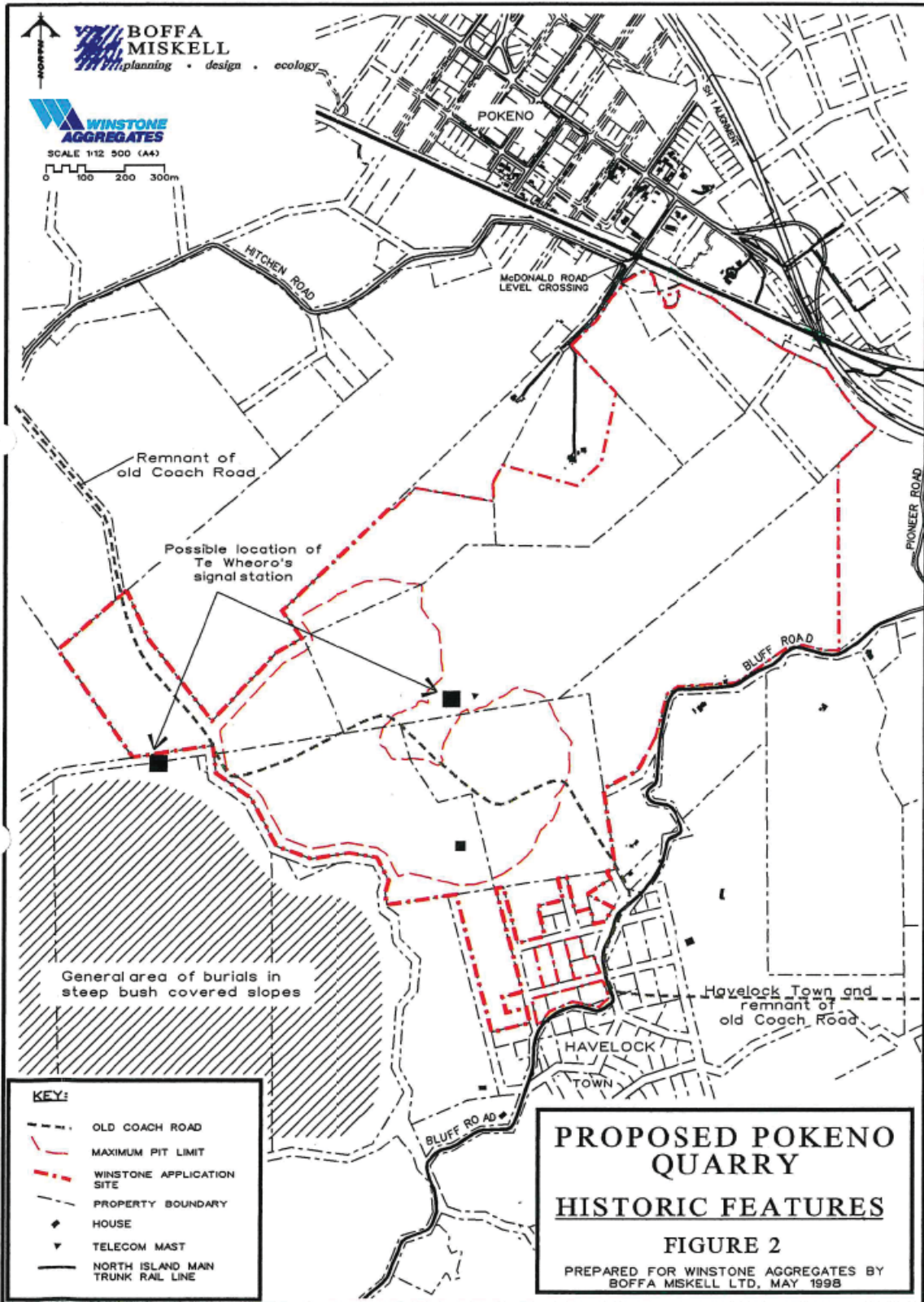
Remains of burials have been frequently unearthed in the course of farming or as a result of erosion. Koiwi were found below the former trig station (discussed above) on the southward steep scarp, as well as in the area north of the proposed quarry site (Spring-Rice 1989). The remains were ceremonially reburied. During the present survey the general area where these burials had been located was pointed out by Don Reynolds. This is located within 500m of the proposed quarry on steep slopes to the southwest of the area and to the west of Havelock Town (Figure 2).

### Survey

The land within the Winstone Aggregates property boundary (Figure 2) was surveyed in October 1996 in detail with the exception of the densely bushed and steep slopes to the east of the Telecom mast, which in parts was impenetrable. Most of the property was in pasture and is currently grazed by horses, dairy cattle or sheep, and hence visibility was high and surface features would have been easily identified.

In the survey particular emphasis was placed on all high points in the immediate location of the proposed quarry, but no direct evidence of Te Wheoro's pa/signal station was revealed. The pa/signal station was a short-lived event, established temporarily may not have had such distinguishing features such as terraces or ditches which would leave their physical imprints. There appeared to be two main possible locations for the pa/signal station: one where the current telecom mast is situated and a slightly higher knoll to the west of the property, but outside of the quarry site. Don Reynolds (pers. comm.) identified the latter as the location of the pa/signal station. As both possible locations are outside of the area to be quarried they will not be impacted.

The steep slopes to the south of the property have been identified as the location of burials. However, although these slopes are close to the proposed quarry pit they were not surveyed as this area will not be impacted by quarrying operations.



ARCHAEOLOGICAL INSPECTIONS OF PART OF THE  
PROPOSED POKENO QUARRY, OCTOBER 14 AND  
NOVEMBER 19, 1997

(Report prepared for Winstone Aggregates and Huakina  
Development Trust, Pukekohe)

Ian Lawlor

Tuesday, May 05, 1998

## 1 INTRODUCTION

This brief report presents the results of two archaeological site inspections that were completed of the proposed Winstone Aggregates Ltd. Auckland (hereafter Winstones) Pokeno Quarry. They were undertaken at the request of Winstones (Bernie Chote) and Huakina Development Trust (Bunch Oti) of Pukekohe (hereafter Huakina) on the 14<sup>th</sup> of October 1997 and the 19<sup>th</sup> of November 1997.

The objectives of the inspections were:

- (a) to meet on site (14<sup>th</sup> October) with representatives of Winstones to identify development options and specific areas that would be impacted by earthworks (e.g. staged quarry areas, primary processing plant, internal access road, conveyor track, water management ponds and processing and distribution plant);
- (b) to meet on site (14<sup>th</sup> October) with Tangata Whenua to complete a preliminary walk-over and identify areas of particular concern for further archaeological site inspection; and
- (c) to complete a more thorough archaeological inspection (19<sup>th</sup> November) of both the development options and areas of concern, and make recommendations to Winstones to avoid, remedy or mitigate any adverse effects on identified cultural heritage resources.

### **3.2 November 19**

On the 19<sup>th</sup> of November I completed a detailed inspection of the primary areas of concern to Huakina Development Trust. These were located in the southern quarry and downstream areas (Figure 1) and the Trig point identified as a likely pa location in the northern quarry area (Figure 2). Traverses were made along the 'Internal Access Road (Haul Road)', the conveyor track, the secondary processing and distribution plant area, and across the Trig point. Survey was relatively easy in the open pasture areas and beneath mature bush. However, visibility was very limited in the long grass, within patches of dense gorse, and in low scrub. Some areas of thick impenetrable gorse were not surveyed.

The inspection did not reveal any archaeological site evidence. The occasional bones of pig, sheep and cattle were identified among the rocks. Although there were many rock scatters beneath some of the natural scarps and steep vegetated slopes, there was no evidence to suggest that the rocks had been placed together to build walls or retain earthwork terraces. Some rocks had been displaced from their natural positions, but these areas were directly associated with recent (i.e. historic) farm management activities. These included the building of fences and the digging of drains and springs. In addition, some rocks had been shifted within the last two years through the construction of at least two marijuana cultivation plots evidenced by flattened chicken wire enclosures, black polythene bags and remnant potting mix.

## **4 CONCLUSION AND RECOMMENDATIONS**

Research and consultation has shown that the Pokeno area has a rich history. However, no direct evidence has been uncovered, historical, archaeological, oral or otherwise, that would suggest the earthworks associated with the Winstones Proposed Pokeno quarry will adversely effect a significant historic place. Historic records, and reports from members of the local community, suggest that the quarry pit is in close proximity to a Maori settlement known as Te Wheoro's Pa and an area where human skeletal remains have been found. Nevertheless, systematic survey of both these areas has not revealed any physical evidence.

Notwithstanding this intensive examination, it is still possible that works, if they proceed, will uncover remains of human activities and occupation. It is therefore recommended that a protocol be developed with Tangata Whenua to ensure that in this event the correct procedures are followed and adhered to. If archaeological remains are uncovered (e.g. human remains, pits, postholes or shell midden), work should cease in the area of the find, and both Tangata Whenua and the New Zealand Historic Places Trust contacted to deal with the finds.