



3 October 2018

**Submission to the Proposed Waikato District Plan**  
**Waikato District Council**  
**Private Bay 544**  
**Ngaruawahia 3742**

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Cc: Murray and Jennifer Allen - [allfab@xtra.co.nz](mailto:allfab@xtra.co.nz)  
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Dear Sir/Madam

**SUBMISSION TO THE PROPOSED WAIKATO DISTRICT PLAN ON BEHALF OF ALLEN FABRICS LIMITED**

**1. INTRODUCTION**

**1.1 Submitter Details**

Louise Feathers Planning Limited have prepared the following submission to the Proposed Waikato District Plan on behalf of Allen Fabrics Limited ("AFL").

AFL have owned land on Kimihia Road since 1987 and have undertaken lifestyle subdivision (2500m<sup>2</sup>-5000m<sup>2</sup> approx) on part of this, with balance land being grazed and Carbon Credit Forested. AFL have recently purchased the now defunct Huntly East Mine and have grand intentions of developing the majority of this land as a 100ha (approximately) recreation and events park to provide a community and sporting facility for not only the Huntly community, but to act as a regionally significant tourist attraction. The remaining land, located adjacent to the existing residential zone (south west) is sought to be rezoned from Rural to Residential for subdivision and sale to fund the development of what is to be known as the "Kimihia Lakes Recreation and Events Park."

It is important to note here that this submission to rezone land and provide specific provisions for that zone does not include the existing Lake Kimihia to the north of the site, which is a DOC owned and Gazetted site (for purposes of Wildlife Management). The new lake, central to this submission is in private ownership and is for recreation and events purposes.

Attached as Appendix 1 are plans to depict the site subject to this submission along with the proposed rezoning and an example of possible activities.

**1.2 Property Address Details**

The land subject to this submission includes the following:



Legal Description	Area
Section 3 SO 482553 and Lot 1 DPS 20619 (CFR805391)	89.6ha
Allotment 746 Parish of Taupiri (CFR:SA10D/800)	21.87ha
Section 1 SO Plan 60522 (CFR:SA61B/799)	0.38ha
Allotment 740 Parish of Taupiri (CFR:SA50A/762)	3.8ha
Lot 18-21 DP 347582 and Sec 3 SO Plan 400374 (CFR:195501)	21.35ha
Allotment 777 Parish of Taupiri (CFR:SA18B/1138)	2ha
Lot 23A Section 463 Parish of Taupiri (CFR:SA30A/356)	4.85ha
Allot 857 Parish of Taupiri (SA40D/985)	36.28ha
Allot 515 Parish of Taupiri (CFR:SA251/176)	0.75ha
Allot 789 Parish of Taupiri (SA26C/345)	1.7ha
Allotment 6 Parish of Taupiri (SA51/131)	0.51ha
TOTAL LANDHOLDING (Approx)	183ha

A copy of all Certificates of Title are attached as **Appendix 3**.

An aerial photo showing the location of the site and the surrounding area is provided in Figure 1 below:



Figure 1 Aerial Photo of the Site and the Surrounding Area (Source: ChowHill Architects)



### 1.3 Existing Land Use Zoning, Activities and Development

#### 1.3.1 Zoning

The subject site is (predominantly) zoned Rural under both the Operative District Plan and the Proposed District Plan (as notified July 2018), with the following overlays and notations fully or partially affecting the overall site as listed in the table below and as demonstrated in Figures (2 and 3) below:

Operative District Plan	Proposed District Plan (as notified July 2018)
Rural	Rural
Coal Mining Policy Area	
Waikato River Catchment	Waikato River Catchment
Designation (J19 – NZTA)	
Area of Interest (Energy Surface Facility)	
NB: Lot 18-21 DP 347582 and Sec 3 SO Plan 400374 (CFR:195501) is split Residential/Rural in both plans.	

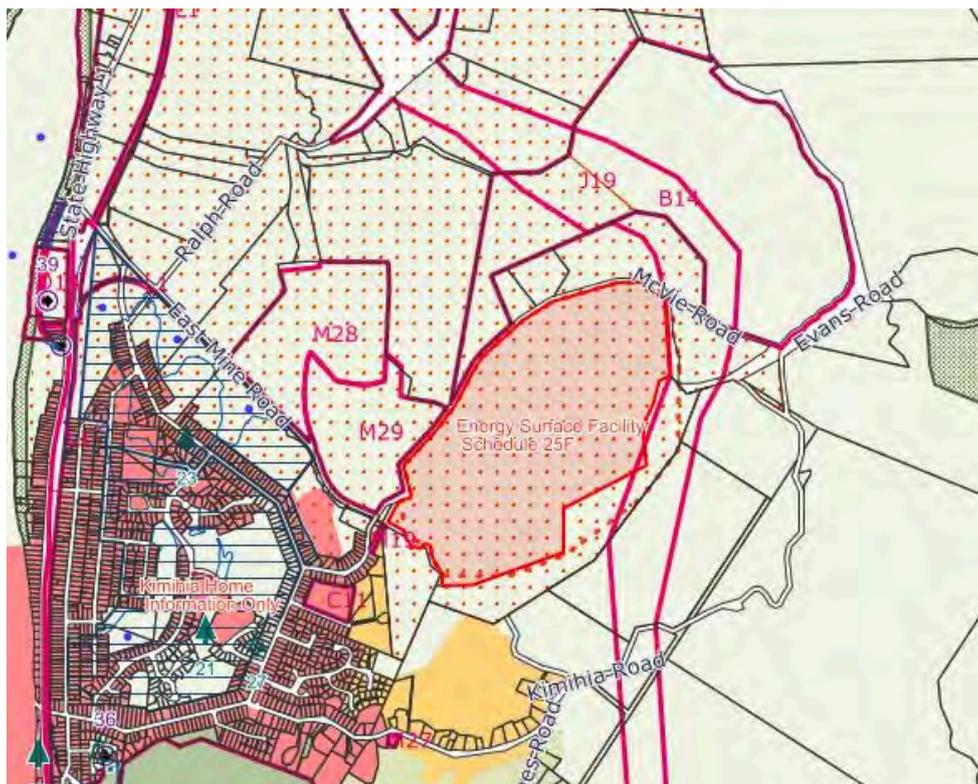


Figure 2 ODP Zoning

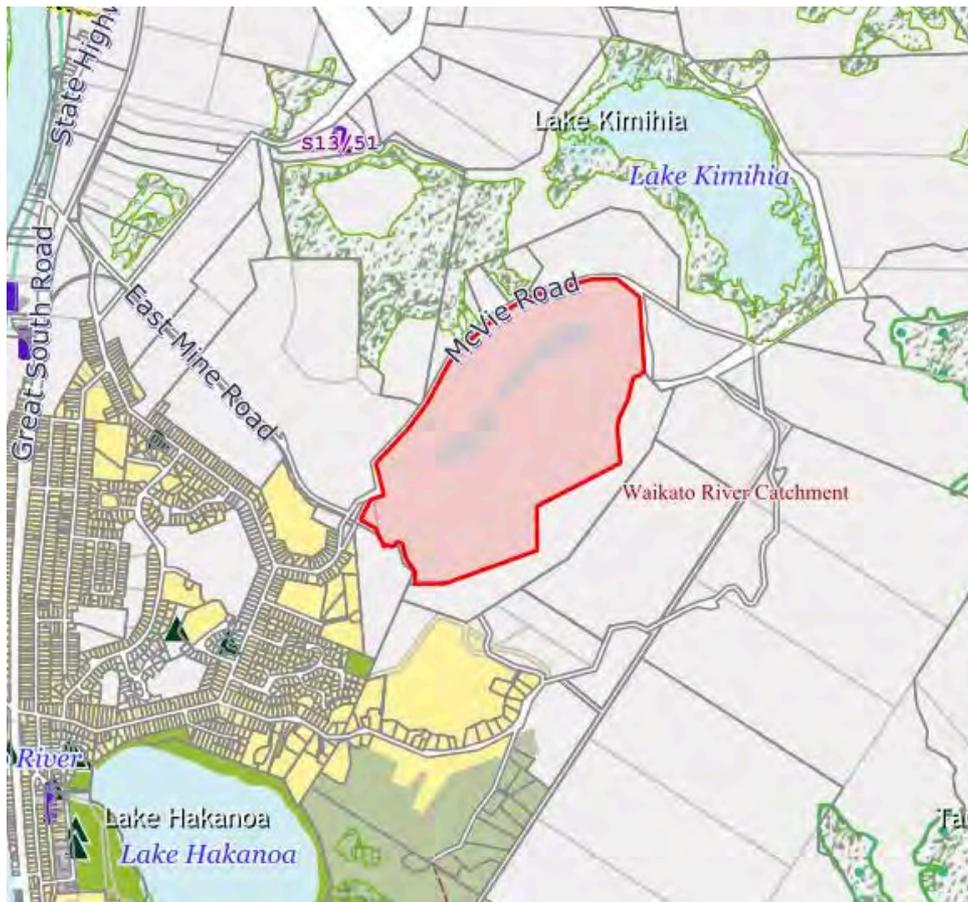


Figure 3 PDP (as Notified July 2018) Zoning

### 1.3.2 Historical Use and Development

There were several historic mines located on the subject land and prior to being the Kimihia Opencast Mine, the area was part of the natural Kimihia Lake. In 1944 the New Zealand State Coal Mines decided to develop an open pit. A stop bank was constructed across the lake, with water pumped out of the southern portion, then overburden removed from the coal seams underneath. The lake was reduced from 318 hectares to 58 hectares. After the coal was recovered from the pit, Coal Corp (later Solid Energy ownership) changed the mine to an underground operation with the name Eastmine which operated from 1978 until 2015.

At its peak, 200 direct employees and 50 contractors worked at the mine and 450 kilo-tonnes of coal was produced (in 2014). The site development comprised of rail lines, workers houses and significant infrastructure including 3 drift entries with roading up to 350m below river level.

Several large scale buildings and many ancillary buildings occupied the site to support the coal mining, with well formed and heavily compacted roading and access networks to accommodate the heavy machinery.

### 1.3.3 Closure

According to the 'Management Plan – Huntly East Mine' dated January 2018 (page 2) – copy attached as Appendix 2, a closure plan was developed to ensure that an appropriate sequence



for closure was implemented, and that the site would be left in good order for future utilisation by the new owners. The Plan states (page 2):

Conceptually it had been long envisaged that the old Kimihia Opencast area in which the majority of surface structures and the mine portals were situated would be allowed to flood and that this would result in a second Kimihia lake which would be connected...to the existing Kimihia lake and then ultimately connecting to the Waikato River.

AFL purchased the land from Solid Energy in 2017 with a clear intention to develop that second Kimihia lake as envisaged by Solid Energy. AFL have much broader aspirations for the site however, and we seek the re-zoning of the majority of the land to allow the Kimihia Lakes Recreation and Events park to become a reality.

#### 1.3.4 Current Use

AFL have been progressively improving the land through pest and weed control, installation of tracks and general maintenance. Minor grazing also occurs along with lifestyle activities on the residential zoned land.

As the pumping of water from the quarry has ceased, and the old opencast mine area is refilling with water and water will continue to rise until it gets to the drainage level and connects to the existing lake Kimihia to the north.

Many buildings have been removed, however some still remain and may be reused as ticketing booths and the like.



## 2. VISION OF AFL

AFL purchased the closed Huntly East Mine with a vision of developing the majority of this land as a recreation and events park to provide a community and sporting facility. The central premise to the park is the re-instatement and restoration of the historical Kimihia Lake and to enhance the wider environment, through education, experience and involvement. The scale of the vision is vast, as is the landholding area involved, which enables the development of a facility that is not only for the Huntly community, but as a regionally significant tourist attraction.

AFL recognise this project as a 'lifelong' legacy and in order to fulfil the vision funding is required, both at the outset to establish the infrastructure and continuously in order to maintain that infrastructure. To this end, AFL seek the retention of existing owned land as Residential along with an extension to the Residential zone, to allow for subdivision and development as a funding source. Commercial nodes are proposed within the area alongside the lake, from which leases would provide for that ongoing maintenance. It is envisaged as a natural 'playground' with the intention that clubs and charity organisations would have free use of a part of the property and be encouraged to provide facilities and events that will attract public ticket sales.

There is no end to the type of recreation and events that could be held here, with the one exclusion of power/motored activities. For example speed boats and dirt bikes are not envisaged. Rather activities such as rowing, waka ama and mountain biking are proposed to be provided for.

It is anticipated that it will take approximately 7 years to fill the lake, at which stage a total depth of 58 metres from its present depth of 16 metres at mid-September 2018 would be envisaged.

Existing infrastructure including roads and parking areas form the bones of this Park, with added accessibility should any off ramp be formed from the expressway in the immediate vicinity. Existing Council walkways connect to the site providing for connectivity with the existing Huntly community.

Essentially, the area will be known as the Kimihia Lakes Recreation and Events Park where there will be three key facilities/areas:

- I. The lake upon which all types of water based and waters-edge based sports, recreation activities including events (and non-powered boating) would occur;
- II. The Commercial Nodes immediately adjacent to the lake where a community and education focussed 'Aquatic Centre' would be built along with ancillary recreation and retail facilities such as cafes, hireage kiosks, administration and storage, visitor accommodation etc; and
- III. The remaining natural area where all types of non-motorised recreation activities and events could occur, including walking, biking, horsetrekking, freedom camping and environmental enhancement.

The Residential area is proposed to be located outside the Park.



AFL will develop this Park over time, therefore we do not wish to limit or list activities, however to assist the public and Council in understanding the opportunities that this facility would provide to the community, below is a list from AFL of 'possibilities'. Both formal/organised events and activities and informal recreation would be envisaged.

Water/Lake based	Land based	Environmental and Education based	Events based	Buildings and Structures
Waka ama	Freedom camping/motorhome sites	Nursery and native planting	Music festivals/concerts in the natural amphitheatres	Caretakers residence
Rowing, Kayaking Paddling etc	Zip Lines/flying foxes	Outdoor education/school trips	Races (Marathon, BMX, mountain biking)	Jetties/boat ramps, pontoons
Scuba Diving & Training	Luges	Bird sanctuary	Multi-sport type events	Hireage kiosks/ancillary offices and storage facilities, general administration and ablution facilities.
Water slides	Artificial Ski Slopes	Demonstration Farm	School sports	Retail / cafes
Fishing	Archery Range	Beekeeping	Regional competitions	Aquatic Centre
Model boats	Airsoft Gaming with biodegradable pellets	Any type of training/instruction.	Cultural activities and events	Confidence courses
Swimming	Forest run/walk/cycle tracks	Reinstatement of the Railway & move the historic Rail Station back from its redundant position at Puketurini	Arts/Sculpture,	Motel/visitor accommodation areas
Beach/sand activities and events	Pedestrian connections with adjoining networks	Regular lessons or training (ie not events) eg Swimming lessons and Sports Clubs	Fairs, fetes, markets.	Swing bridges and Jump platforms
				Storage and workshop sheds (Ancillary buildings)

It is envisaged that no more than 10,000 people would be accommodated on site at any one time, with 'large' activities/events of 5000 people more likely to be the norm.

Figure 4 below visually depicts a selection of envisaged activities and events at the Kimihia Lakes Recreation and Events Park.



Figure 4 – Selection of envisaged activities (Source – Chowhill Architects)



### 3.0 PROPOSED DISTRICT PLAN PROVISIONS

There is currently no zone or provisions in the Proposed District Plan (nor the Operative District Plan) that provides a good fit for the creation of a recreation and events based park such as this, on this scale. Neither are the provisions as contained within the existing zones or district wide rules able to be relied on in order to establish and operate this park.

For example, in the rural zone and reserves zone of the PDP, temporary events are restricted, and education, commercial and travellers accommodation are all either Discretionary or Non-Complying activities.

The District Plan provides for these 'out of the box' and significant developments through the creation of purpose-written Zones and provisions. Particularly I refer to the Hampton Downs Motorsport Park Zone and the Te Kowhai Airfield Zone. I believe an apt comparison can be made, given the scale of these areas/developments, the importance to the regional economy (in respect of Hampton Downs) and the specific activities that occur there and no-where else in the District.

To this end, our submission seeks the creation of a new Zone for the Park, with specific provisions to permit the development and operation as envisaged. The extension of the residential area is seen as a means to the end, as without a funding source, the creation of the park would not be achievable.



## 4.0 PROPOSED KIMIHIYA LAKES RECREATION AND EVENTS ZONE

### 4.1 Introduction and Approach

The submitter has considered various options for the establishment and operation of the Proposed Kimihia Lakes Recreation and Events Park

Options and alternatives included:

- Rezoning;- seeking a rezone to another zone already in the District Plan;
- Retain zoning but seek a specific overlay and rules within the Rural zone for the establishment of the Park;
- Retain zoning but seek a Schedule that addresses the specific activities;
- Resource Consents;- proceeding through various resource consents to develop the Park.

Relying on resource consents creates uncertainty, ongoing costs and time delays and given the charitable nature of the Park, was deemed an uneconomic option. As a comparable example, I refer to the Hampton Downs Motor Sport Park, which was governed by resource consent with in excess of a dozen resource consents granted (included several variations to existing land use consents) over its twelve years of development to date. The approach in the PDP is to provide this activity with its own zone due to the unique nature and recognition of the onerous resource consenting required to establish new activities.

Retaining the zoning but creating an overlay is feasible, however due the scale and type of Park activities, the Rural zone expectations (such as noise and vehicle movements) as contained in the PDP would not be achieved. It is also evident in the PDP format that overlays are more in relation to significant tracts of land covering various zones (such as the Tangata Whenua overlay, Infrastructure overlay, or Built Environment overlay).

It is understood from previous discussions with WDC that site specific schedules are no longer desirable in the District Plan (refer to treatment of Hampton Downs MotorSport Park and Tamahere Eventide Rest Home).

Site specific, large scale and unique activities have been addressed by way of specific zoning and we seek to utilize the existing PDP format, to enable ease of comprehension. The establishment of a zone with supporting provisions is envisaged to 'fast forward' the development of the Park without onerous and numerous resource consenting processes.

A review of existing provisions in related zones and adoption into the Specific Zoning further endorses the format of the PDP. The Reserves Zone and HD Motorsport and Recreation Zone are the closest provisions that support the development and operation of the Park and so have largely been adopted, where relevant.

### 4.2 Submission

This submission seeks the introduction of a Specific Zone called the Kimihia Lakes Recreation and Events Zone. Despite the plurality of the name, it seeks to include only that privately owned land and lake and excludes the existing Lake Kimihia which is DOC owned and managed.

Submission Points:

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#### 4.2.1 Maps and Legend

Rezone the land legally identified (via legal description) in the table in 6.1 below from Rural to Kimihia Lakes Recreation and Events Zone.

#### 4.2.2 Chapter 9.5

Insert a new Section 9.5 Kimihia Lakes Recreation and Events Zone and adopt the following Objectives and Policies :

Objective: *Development and operation of the Kimihia Lakes Recreation and Events zone.*

- a) *The Kimihia Lakes Recreation and Events Park develops into a regionally-significant events and recreation facility.*

Policy: *Operation and development*

- a) *Enable the development of the Kimihia Lakes Recreation and Events zone by providing for the development of the Park, including facilities, buildings, structures and infrastructure to support recreation activities and events..*
- b) *Enable the operation of the Kimihia Lakes Recreation and Events Park by providing for recreational activities, facilities and events including a wide range of community, sporting, educational, environmental and educational activities.*

Policy: *Environment and Education*

- a) *Encourage environmental and educational initiatives within the Kimihia Lakes Recreation and Events Zone to enable the enhancement of the surrounding natural environment.*

Policy: *Commercial activity*

- a) *Provide for commercial activities in commercial nodes that support the operational needs of the park and its visitors, including cafes, tourism retail, visitor accommodation and function venues.*

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.*

Policy: *Management of adverse effects*

- a) *Manage adverse effects to ensure the operation of the Park does not detract from the amenity of surrounding land uses, in particular:*
- i) *Manage the interface of the zone with other zones so that adverse noise and lighting effects on the surrounding zones are minimised; and*
- ii) *Manage the adverse traffic safety effects to ensure the safe and efficient operation and functioning of the adjacent transport network and efficient access to surrounding facilities is maintained at all times; and*



- iii) Ensure signs that are visible from, or located in close proximity to, a public road are sited to ensure the safe functioning of the public road; and
- iv) Manage the effects of artificial outdoor lighting to enable night time use and security.

#### 4.2.3 Chapter 13 – Definitions

Insert the following definitions:

*'Ancillary Buildings (Kimihia Lakes Recreation and Events Park)'*:

*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.*

*'Commercial Node Areas'*

*Means those specified areas identified on Zone Maps in the Kimihia Lakes Recreation and Events Zone as 'Commercial Node Areas'*

*'Community Activities and Facilities (Kimihia Lakes Recreation and Events Park)'*.

*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.*

*'Operational Facilities'*

*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 Park, including but not limited to carparking, internal access; ticketing offices, storage and maintenance sheds, and helipads.*

*'Outdoor Education'*

*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.*

*'Outdoor Pursuits'*

*Means moving across land by non-powered means for example biking, orienteering, tramping, and horse trekking.*

*'Recreation Activity and Facilities'*

*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 practise 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

#### 4.2.4 Section C – Rules

Insert a new Chapter 29: Kimihia Lakes Recreation and Events Zone and adopt 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.
- Bee Keeping
- Temporary Event;
- A Conservation activity

##### 29.1.2 Restricted Discretionary Activities

- Any permitted activity which fails to achieve compliance with any Land Use Effects and Land Use Building rules
- Subdivision
- Commercial and retail activities outside of the Commercial Node Area

##### 29.1.3 Discretionary Activities

- Any other activity not provided for as a Permitted, Restricted Discretionary or Non-Complying activity.

##### 29.1.4 Non-Complying Activities

- Motorised recreation activities (excluding construction activities)

There are no 'Activity Specific Conditions' proposed.



## 29.2 Land Use – Effects

Adopt the following Reserve Zone rules (as notified):

- Noise standards 25.2.1.1, 25.2.1.2
- Glare and Artificial Light Spill standards 25.2.3
- Hazardous Substances standards 25.2.5

### 29.2.1.1 Noise - General

Insert new standards (underlined):

#### P4 Noise in the Kimihia Lakes Recreation and Events Zone

##### Activity Specific Condition

##### Site Noise Monitoring

- a) A Noise Management Plan shall be in place at all times, that details the measures to be implemented to ensure that noise does not exceed the limits specified in Rule xxx (ie the permitted Reserve Zone rules);
- b) The Noise Management Plan shall as a minimum, provide details of the following measures:
  - i) Procedures and protocols for the setting up, installation and monitoring responsibilities (including reporting) of the noise monitoring device (microphone) located within the Kimihia Lakes Recreation and Events Park
  - ii) Procedures for the ongoing testing and calibration of the noise monitoring device (microphone)
  - iii) The erection of any necessary barriers for the purpose of reducing noise emissions;
  - iv) The design and operation of the public address system with respect to management of noise emissions;
  - v) Procedures to monitor all activities and events that may meet the noise levels specified in Rule xxx (ie the permitted Reserve Zone rules)

#### Earthworks

<u>P1</u>	<p>(a)<u>Earthworks</u> within the <u>site</u> must meet the following conditions:</p> <p>(i)<u>Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;</u></p> <p>(ii)<u>Areas exposed by <u>earthworks</u> are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <u>earthworks</u> except where <u>earthworks</u> are for the purposes of creating infrastructure or facilities for recreation, events and access, no revegetation is required.</u></p> <p>(iii)<u>Sediment resulting from the <u>earthworks</u> is retained on the <u>site</u> through implementation and maintenance of erosion and sediment controls.</u></p>
<u>P2</u>	<p>(a)<u>The importation of <u>fill material</u> to a <u>site</u> shall meet all of the following conditions in addition to Rule 26.2.5.P1:</u></p> <p>(i)<u>Does not restrict the ability for land to drain;</u></p> <p>(ii)<u>Is not located within 1.5m of public sewers, utility services or manholes;</u></p> <p>(iii)<u>The sediment from <u>fill material</u> is retained on the <u>site</u>.</u></p>
<u>RD1</u>	<p>(a)<u>Earthworks</u> that does not comply with Rule P1 or P2.</p> <p>(b)<u>Council's discretion is restricted to the following:</u></p>



	<p><u>(i) Contamination of fill material;</u></p> <p><u>(ii) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</u></p> <p><u>(iii) Flood risk, including natural water flows and established drainage paths;</u></p> <p><u>(iv) Land instability, erosion and sedimentation; and</u></p> <p><u>(v) Proximity to underground services and service connections.</u></p>
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Signs

<u>P1</u>	<p><u>(a) A sign shall comply with all of the following conditions:</u></p> <p><u>(i) It does not exceed 3m<sup>2</sup>;</u></p> <p><u>(ii) The sign height does not exceed 10m;</u></p> <p><u>(iii) Illuminated signs visible from the outside of the site shall not:</u></p> <p style="padding-left: 40px;"><u>A. Have a light source that flashes or moves;</u></p> <p style="padding-left: 40px;"><u>B. Contain moving parts or reflective materials;</u></p> <p><u>(iv) It is set back at least 7.5m from an external zone boundary</u></p> <p><u>(v) It is set back at least 15m from State Highway 1;</u></p> <p><u>(vi) Is orientated to be internally facing so the main audience are spectators or visitors on site;</u></p> <p><u>(vii) Is screened from State Highway 1;</u></p> <p><u>(viii) Any sign visible from the outside of the site shall relate to:</u></p> <p style="padding-left: 40px;"><u>A. Any recreation or event within the Recreation and Events Zone; or</u></p> <p style="padding-left: 40px;"><u>B. A property name sign.</u></p>
<u>RD1</u>	<p><u>(a) Any sign that does not comply with P1;</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) Effects on amenity values;</u></p> <p><u>(ii) Effects on traffic safety;</u></p> <p><u>(iii) Effects of glare and light spill;</u></p> <p><u>(iv) Content, colour and location of the sign;</u></p> <p><u>(v) Proximity to the road.</u></p>

Managers/Caretakers dwelling

<u>P1</u>	<u>Up to 2 manager's/caretaker's dwellings are permitted in the Park.</u>
<u>RD1</u>	<p><u>Any managers/caretakers dwelling which fails to comply with P1.</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) Effects on amenity values.</u></p>

Commercial node

<u>P1</u>	<p><u>Commercial activities shall be limited to:</u></p> <ul style="list-style-type: none"> <li>• <u>Traveller's accommodation,</u></li> <li>• <u>hospitality (such as café, restaurant),</u></li> <li>• <u>functions,</u></li> <li>• <u>education,</u></li> <li>• <u>recreation activities and events,</u></li> <li>• <u>support facilities (such as ticketing, hireage kiosks and administration, offices and ablution buildings), and</u></li> <li>• <u>ancillary retail.</u></li> </ul>
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<u>RD1</u>	<u>Any commercial activity not listed in P1</u>  <u>Council's discretion is restricted to the following matters:</u> <u>(i) Effects on amenity values.</u>
<u>Note</u>	<u>Community activities, events and recreation are permitted in the Commercial Node.</u>

### 29.3 Land Use – Building

Adopt the following Rural Zone provisions (as notified) for the Kimihia Lakes Recreation and Events zone:

- 22.3.5 – Daylighting Admission; and
- 22.3.7.1 – Building setbacks.

No other rules are necessary given the unique nature of the type of buildings, such as jetties, ziplines etc.

### 29.4 Subdivision

Adopt the Rural Zone Subdivision (as notified) provisions for the Kimihia Lakes Recreation and Events Zone except for:

- provision 22.4.7 as no esplanade reserve or strip should be required to be vested, when the entire land holding is for recreation and environmental enhancement;
- In the commercial node, Every [allotment](#), excluding an [access allotment](#) or [utility allotment](#), shall have a [net site area](#) of at least 225m<sup>2</sup>

### 4.2.5 Chapter 14 Infrastructure and Energy

Adopt the following new provisions (underlined) to Chapter 14.12.1 Transportation, Permitted Activities:

P1 Vehicle access for all activities

Activity specific conditions 14.12.1.1

- e) On a [site](#) with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in [Tables 14.12.5.5](#) and [14.12.5.6](#) (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) except in the Kimihia Lakes Recreation and Events Zone where this rule does not apply.

P2 On-site parking and loading

Activity specific conditions 14.12.1.2

- 2) In the Kimihia Lakes Recreation and Events Zone the above standards do not apply providing that:



- a) A minimum of 1500 on-site parking spaces shall be provided except where activities are undertaken within the carpark area or where activity demand exceeds 1500 car parks, then temporary alternative on-site parking shall be provided.

#### P4 Traffic Generation

##### Activity specific conditions 14.12.1.4

- j) Within the Kimihia Lakes Recreation and Events Zone, there shall be no maximum traffic generation provided that:
- a) A certified Traffic Management Plan (which shall include, but is not limited to, the provisions of a wide area assessment) shall be in place and implemented for all activities. The Traffic Management Plan shall:
- i) Provide for the supervision and control of patrons entering and exiting the Kimihia Lakes Recreation and Events Park, and the transportation of patrons to and from the Park;
  - ii) Limit the speed of traffic within the Kimihia Lakes Recreation and Events Park to 30 km/h
  - iv) Provide for monitoring and reporting on the number of vehicle movements for all activities and events;
  - v) Include protocols for undertaking reviews of the Traffic Management Plan by an Implementation Monitoring Committee consisting of the New Zealand Police, the Council and the Kimihia Lakes Recreation and Events Park operator
  - vi) Be reviewed, certified and endorsed by the Council, by (date) of each year.
- b) For any activity or event, or combination of activities and events where there is likely to be in excess of 5,000 people, the operator of the park shall advise the Council a minimum of 10 working days before the activity and event occurs of the details of the activity and event and the relevant provisions of the Traffic Management Plan that are to be implemented.

#### P8 Off-road pedestrian and cycle facilities

##### Activity Specific Condition 14.12.1.8

- b) In the Kimihia Lakes Recreation and Events Zone there shall be no activity specific conditions.

#### 4.2.6 Other

It is noted that the Regional Infrastructural Specifications (RITS) and the WRC Regional Plan will be relevant documents for some developments in the park.

#### 4.2.7 Consequential

Appropriate consequential amendments to other provisions are expected.



## 5.0 RESIDENTIAL ZONED LAND

### 5.1 Introduction and Approach

In order to fund and facilitate the development and ongoing maintenance of the Park, it is sought to rezone an area of Rural land owned by AFL to Residential. This area is located abutting existing Residential zoned land and so forms a contiguous residential tract, ensuring services and infrastructure can easily be extended to the new residential area.

While no geotechnical specific testing has been undertaken, the owner/submitter advises that no tunnel mining was undertaken at the Huntly East Mine. On the subject site, the coal seams have been opencast mined and mining ceased when the hard clay slopes of the Kimihia hills and ridge line were encountered. Therefore no underground mining was carried out under the land subject to the residential application. Tunnel mining was undertaken west of the site and under the Huntly township including State Highway 1, Schools, the Power Station, the Waikato River and Riverine Lakes. Subsidence as a result of mining, as what has occurred in the past and may occur in the future west of the site would not occur in this location. Residential use of the land is therefore not subject to that risk.

### 5.2 Submission

This submission seeks to rezone land currently Rural to Residential, and to retain the Residential zoning of that land owned by AFL in the vicinity of the Huntly East Mine. The existing Residential zone standards for development and subdivision would apply to the rezoned land.

#### Submission Points:

##### 5.2.1 Maps and Legend

Amend the Planning Maps to rezone the land identified (via legal description) in the table in 6.1 below and as identified in Figure 5 below from Rural to Residential.

##### 5.2.2 Maps and Legend

Retain the land identified (via legal description) in the table in 6.1 below and as identified in Figure 5 below as Residential.

##### 5.2.3 Consequential

Appropriate consequential amendments to other provisions are expected.

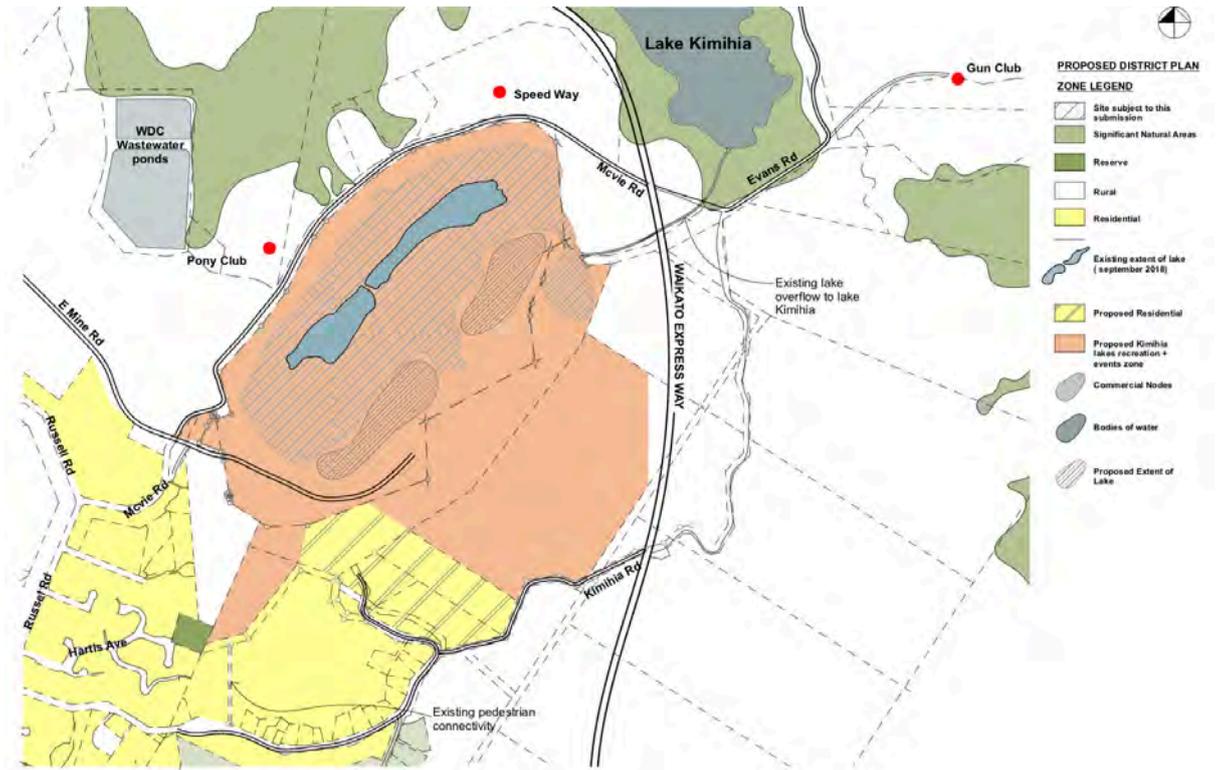


Figure 5 – Proposed and supported Zoning.



## 6.0 SUMMARY OF RELIEF SOUGHT

### 6.1 Summary of Proposed Changes of Planning Maps/Legend:

The relief sought by this submission is to rezone the land as summarized in the table below, and retain the zoning where no change is noted.

Legal Description	Title	Area	PDP Zoning	Zoning Sought by this submission
Section 3 SO 482553 and Lot 1 DPS 20619	CFR805391	89.6ha	Rural	Kimihia Lakes Recreation and Events Zone
Allotment 746 Parish of Taupiri	CFR:SA10D/800	21.87ha	Rural	Residential
Section 1 SO Plan 60522	CFR:SA61B/799	0.38ha	Rural	Kimihia Lakes Recreation and Events Zone
Allotment 740 Parish of Taupiri	CFR:SA50A/762	3.8ha	Rural	Kimihia Lakes Recreation and Events Zone
Lot 18 DP 347582	(CFR:195501)	21.35ha	Residential	Residential
Lot 19 DP 347582			Residential	Residential
Lot 20 DP 347582			Rural	Residential
Lot 21 DP 347582			Rural	Residential
Sec 3 SO Plan 400374			Residential	Residential
Allotment 777 Parish of Taupiri	CFR:SA18B/1138	2ha	Rural	Residential
Lot 23A Section 463 Parish of Taupiri	CFR:SA30A/356	4.85ha	Rural	Residential
Allot 857 Parish of Taupiri	SA40D/985	36.28ha	Rural	Kimihia Lakes Recreation and Events Zone
Allot 515 Parish of Taupiri	CFR:SA251/176	0.75ha	Residential	Residential
Allot 789 Parish of Taupiri	SA26C/345	1.7ha	Residential	Residential
Allotment 6 Parish of Taupiri	SA51/131	0.51ha	Rural	Kimihia Lakes Recreation



				and Events Zone
TOTAL LANDHOLDING (Approx)		183ha		

## 6.2 Provision Amendments

In summary of the relief sought by the submitter in relation to PDP provisions:

- Insert a new Section 9.5 Kimihia Lakes Recreation and Events Zone And adopt the listed Objectives and Policies as provided in section 4.2.2 above;
- Insert the new definitions listed in section 4.2.3 above into Chapter 13 (Definitions);
- Insert the new provisions listed in 4.2.5 above into Chapter 14 (Infrastructure and Transportation);
- Insert a new Chapter 29: Kimihia Lakes Recreation and Events Zone and adopt the listed activity status' and rules as provided in section 4.2.4 above;
- Make any consequential amendments as necessary.



7.0 OTHER

7.1 AFL wish to be heard in relation to this submission and welcome pre-hearing discussions with Council.

7.2 AFL would consider a joint submission with others.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Louise Feathers', with a small flourish at the end.

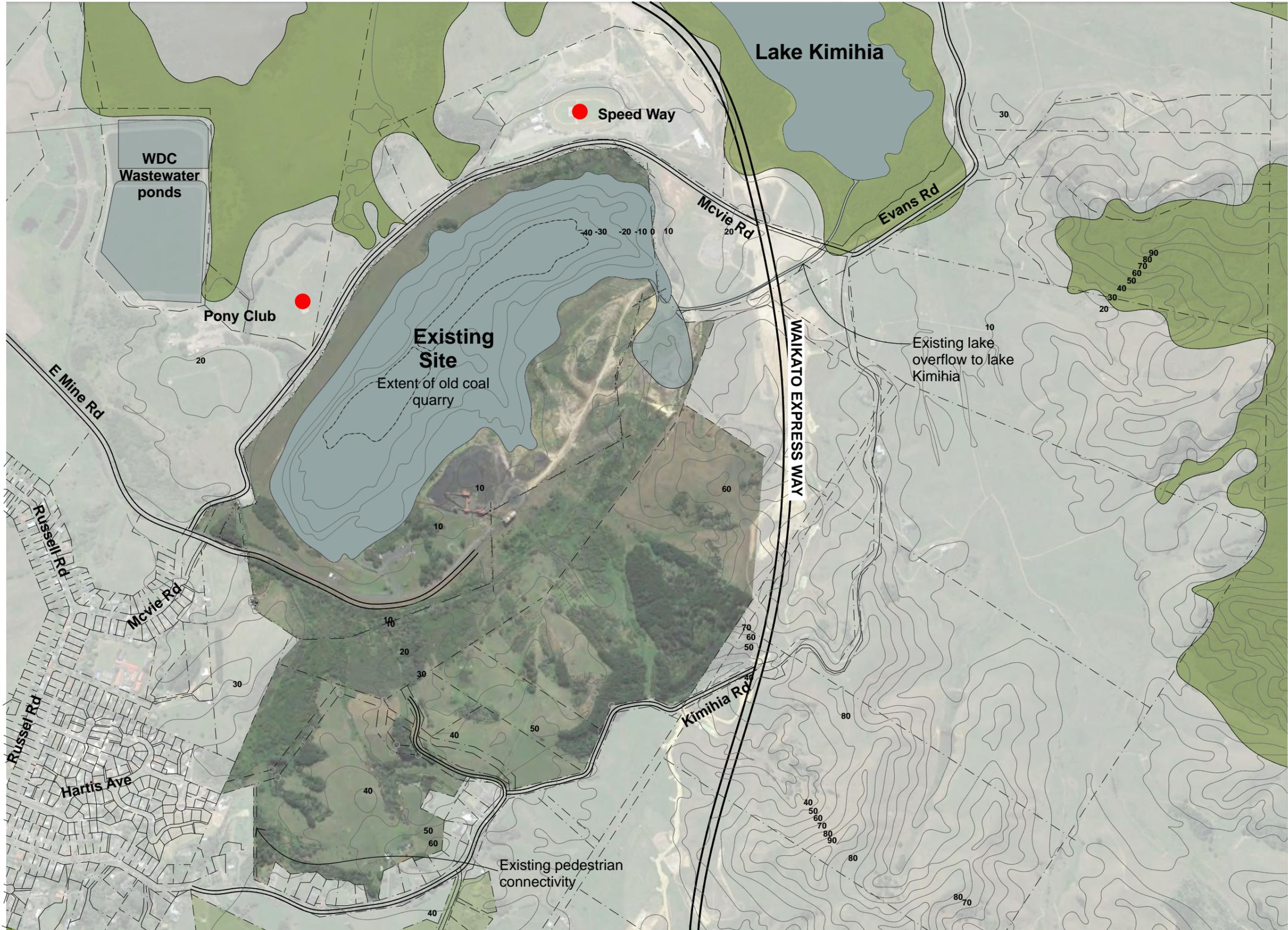
**Louise Feathers**  
**Louise Feathers Planning Limited.**



APPENDIX 1  
**Site and Concept Plans**

# KIMIHI LAKES RECREATION + EVENTS ZONE

Tuesday, 25 September 2018



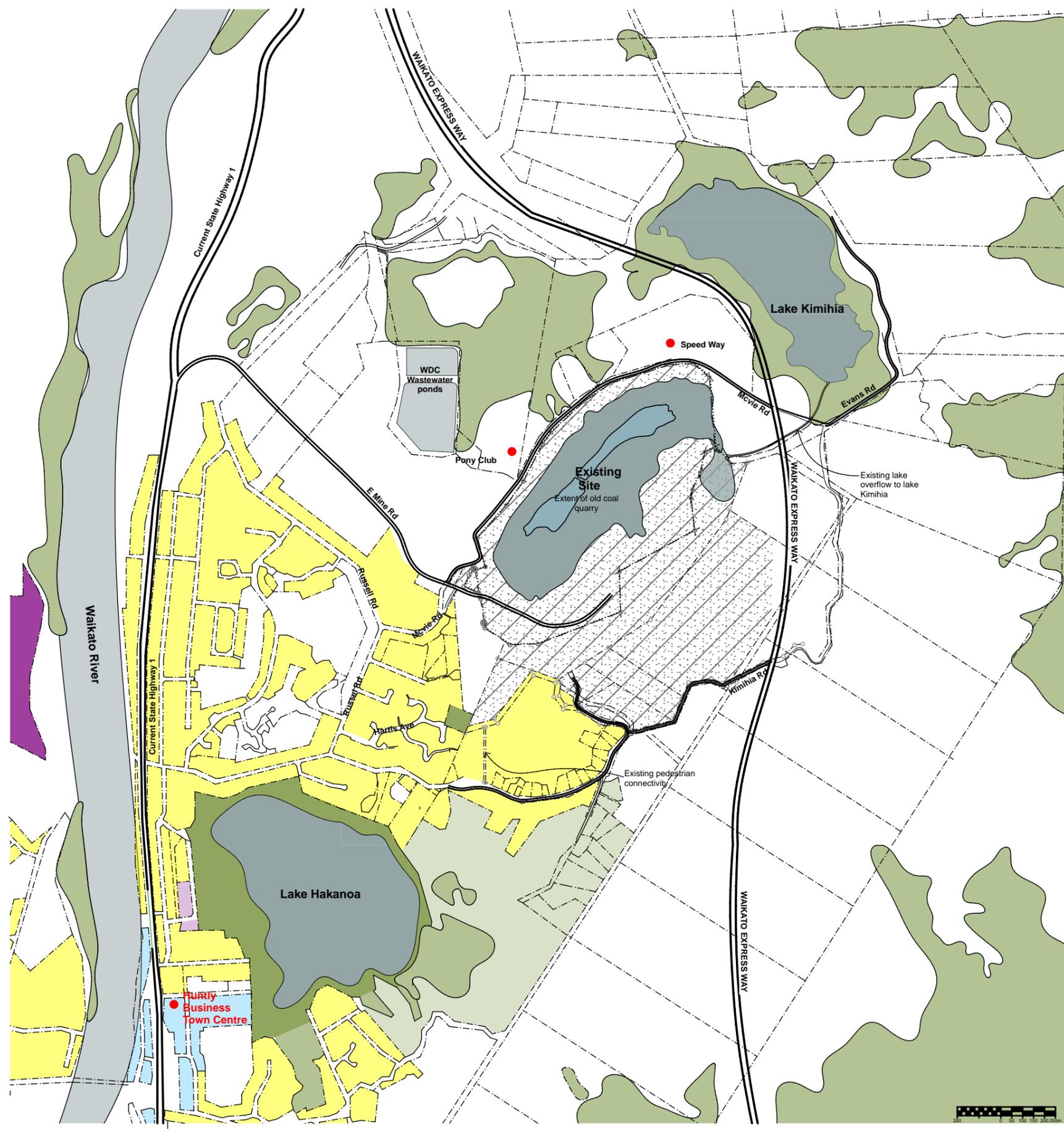
**EXISTING ZONE PLAN**  
 KIMIHIA LAKES RECREATION + EVENTS ZONE

Tuesday, 25 September 2018

Job: 18049

Scale:  
 1:10000@A3  
 1:5000@A1

Sheet:  
 A01-02  
 Rev:  
 A



**ZONE LEGEND**

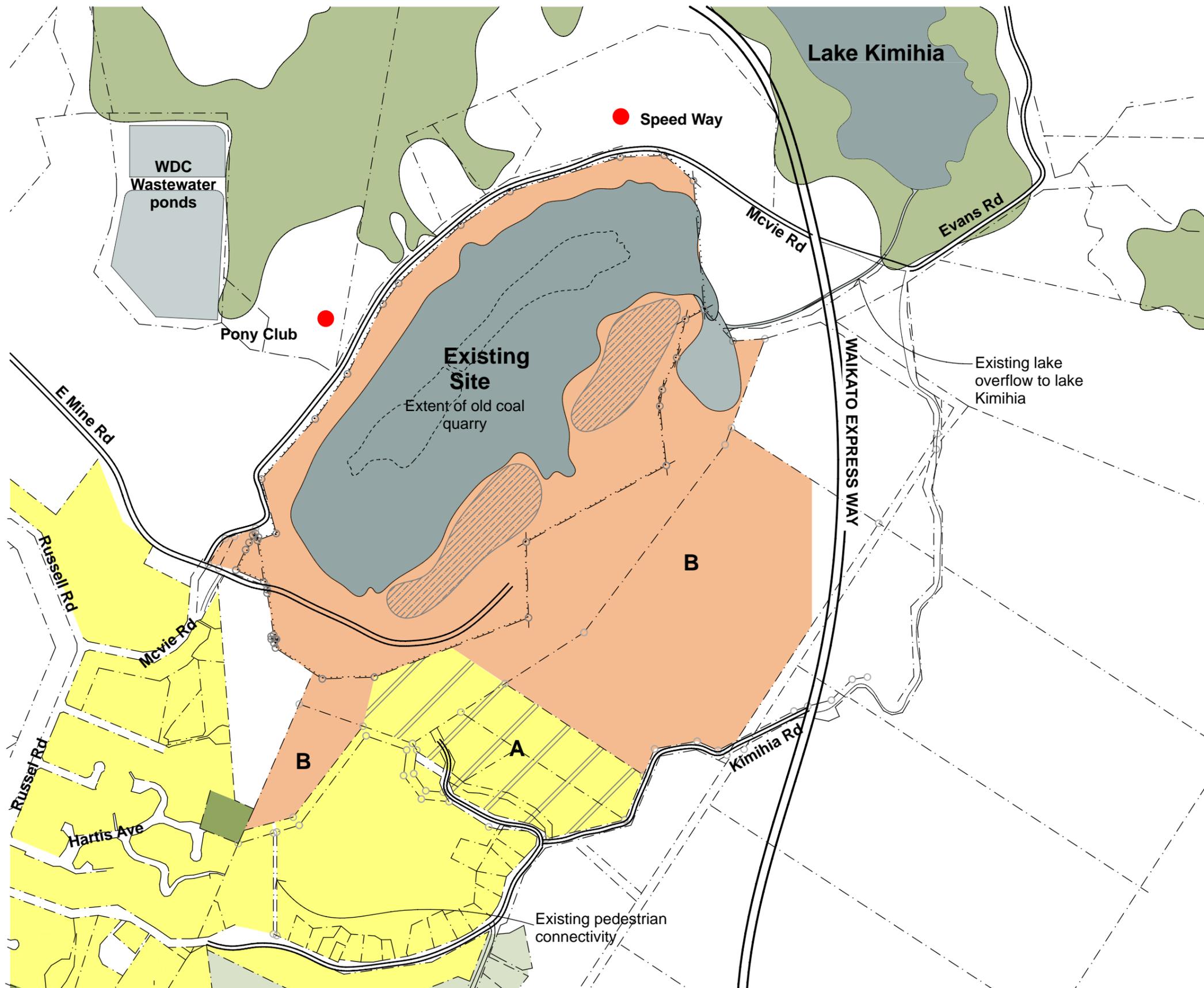
- Significant Natural Areas
- Reserve
- Rural
- Business Town Centre
- Residential
- Industrial
- Heavy Industrial
- Country Living
- Existing extent of lake (september 2018)
- Site subject to this submission

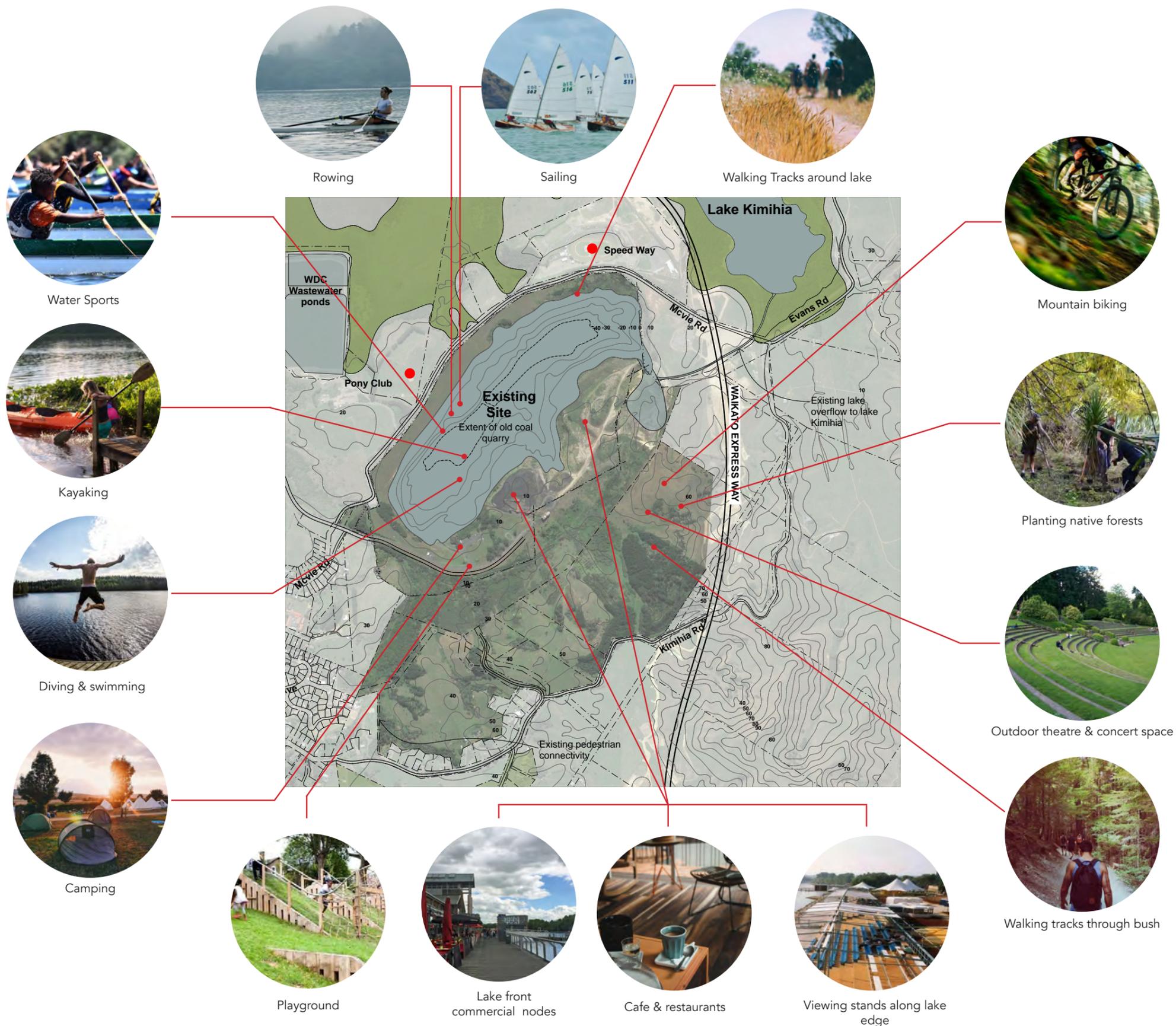


PROPOSED DISTRICT PLAN

ZONE LEGEND

- Significant Natural Areas
- Reserve
- Rural
- Business Town Centre
- Residential
- Industrial
- Heavy Industrial
- Country Living
- Proposed Residential
- Proposed Kimihia lakes recreation + events zone
- Commercial Nodes
- Bodies of water
- Existing extent of lake (september 2018)





APPENDIX 2

**Huntly East Mine Management Plan**

# MANAGEMENT PLAN

## HUNTLY EAST MINE

**By:** Solid Energy New Zealand (Subject to Deed of Company Arrangement)

**Date:** 15 January 2018

### PURPOSE

This management plan is written to provide the future land owner with information about the coal mining operation that took place at the site, the potential hazards associated with the mining activities that may remain on the site, and some recommendations for managing the risks.

### BACKGROUND

#### History

Huntly East Mine was an underground coal mine located approximately 90km south of Auckland. The site offices and portals were situated approximately three kilometres north-east of Huntly.

Huntly East Mine commenced operations in 1978 and was owned and operated by Solid Energy New Zealand Ltd (SENZ) under Coal Mining Licence CML 37 152 and Coal Mining Permits CMP 41840 and CMP 50660. The mine had three (3) drift entries, which descended underground from a disused open cast mining void. (Kimihi Opencast)

The Huntly East Mine produced coal from 1979 until 2015 achieving peak output of 465Kt coal in 2004. Production then continued at approximately 450Kt per year until production was first cut to 100Kt in September 2013 and then the final coal being produced in Oct 2015 with the announcement of closure.

Although the mine entrances were situated on the east side of Waikato



Figure 1 Huntly East Mine Surface Structures Post Closure



Figure 2 Aerial View Huntly East Mine Prior to Closure

River, by 2012 all the mining was west of the River, with roadways being 150m to 350m metres below the river and surrounding farm land. Coal was mined by remote controlled continuous miners and taken to the conveyor belt in shuttle cars and then out to the mine entrance. Coal continued to be transported to the main customer New Zealand Steel in Glenbrook via the Kimihia branch railway and the NIMT (North Island Main Trunk).

Huntly East employed many people during its production life, peaking in 2014 with over 200 direct employees and approximately 50 contractors.



Figure 3 Plan of Full Mine Layout on Last Day of Production 2015

## MINE CLOSURE

Following the decision to close East Mine a closure plan was developed to ensure an appropriate sequence for closure that would meet all applicable safety, health and environmental regulations and that the site would be left in good order for future utilisation by new owners.

Conceptually it had been long envisaged that the old Kimihia Opencast area in which the majority of surface structures and the mine portals were situated would be allowed to flood and that this would result in a second Kimihia lake which would be connected via prepared drainage/stream system through to the existing Kimihia lake and then ultimately connecting to the Waikato River. The lake would be deep (47m) and of good quality, similar to the Lake Puketirini lake established by Solid Energy at the Huntly Weavers Opencast site located on the west side of the Waikato River in similar surface lithology.

The main hazard at East Mine is the potential for spontaneous combustion (the ignition of coal due to the natural reaction to oxygen in the air) of coal in the mine workings. This risk of this occurring is reduced to an almost negligible level once a mine is sealed and methane dilutes any oxygen to low levels. This risk is removed entirely once the mine workings are flooded.

For the East mine underground areas, the plan required a staged sealing and inertisation process, to ensure rapid depletion of oxygen to avoid any spontaneous combustion of the coal remaining in the mine. The workings will naturally fill with water over time.

Technical background information about sealing and underground mine gasses can be found in **Appendix 4**.

#### **Summary of Method of Closure**

The underground areas were progressively sealed off and inertised using nitrogen pumped into the voids behind stoppings (or seals).

Near the portals at the surface a permanent (rated) seal was constructed in each of the three mine entries. The mine seals were required to perform various functions throughout their lifecycle as follows:

- Short term (nominally 1 -2 years):
  - Prevent access,
  - Control the mine atmosphere (primarily oxygen ingress to prevent the development of spontaneous combustion in the workings),
  - Provide means for monitoring the sealed mine environment,
- Medium Term (nominally 2 – 5 years):
  - Maintain integrity while the mine workings fill with water, and surface lake fills
- Long Term (nominally +5 years)
  - Maintain integrity in a submerged environment including; of the overlying ground to prevent surface subsidence and localised instability,
  - Prevent the potential for the formation of cracks connecting the mine workings with the surface.

The surface portal bulkheads are the concrete structures that are visible on the surface. They are not the seals, which are actually situated approximately 40 metres further into the tunnels.

The void between the seal and the bulkhead in each of the drifts is filled with clay material and was then pumped with low density concrete to ensure that the void was completely filled. The arrangement is shown in **Figure 4**.

On the diagram below this rated seal is only the cross hatched area labelled "At Least Type E Rated Plug seal" The seals are rated to 365Kpa so in fact exceed Type D rating as specified in the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016 (see **Appendix 4**). All of the surrounding strata is solid rock and has been grouted. As such, leakage of oxygen into the seals is very unlikely.

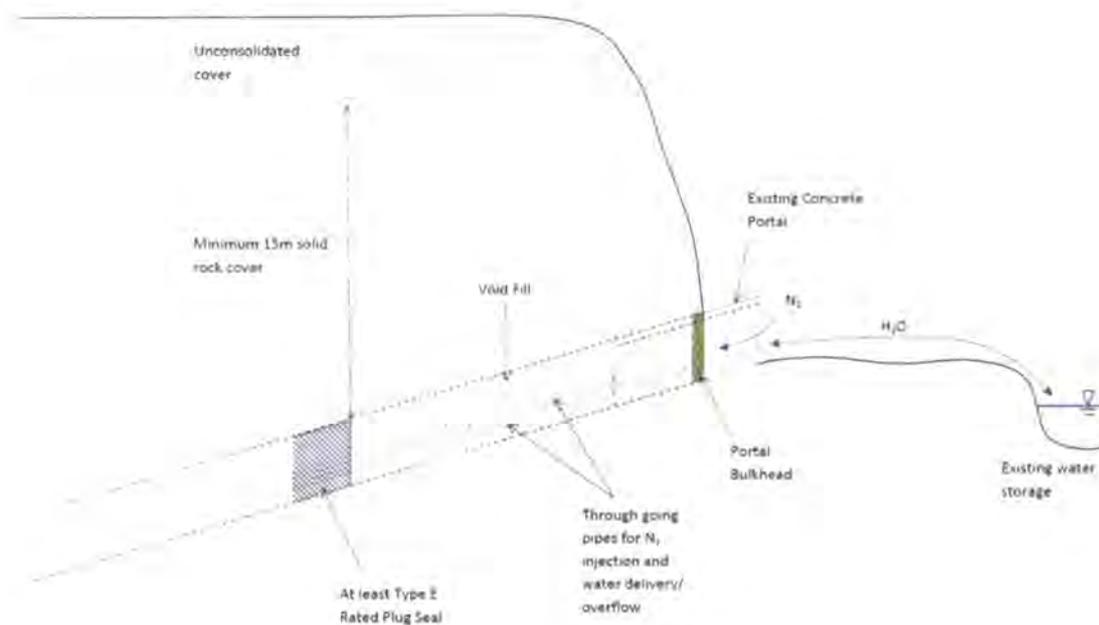


Figure 4 Cross Section of Seal Design

The only part of the "Seal" that remains visible on the surface is the three bulkheads.

It has been calculated that the sealed area behind the surface seals will flood completely in about 5 years through the inflow of water from within the mine. It is also calculated that the surface lake will take about 25 years to fill due to rainfall in the surface catchment. Due to these two independent flooding processes it was considered prudent to design the seals for a scenario which of a fully formed lake sitting outside of a 'yet to fill' mine. This is almost impossible to envisage but still formed the basis for design out of an abundance of caution. The seals are designed and constructed to withstand the full lake water head.

## POST SOLID ENERGY – HANDOVER TO NEW OWNERS

### Surface Terrain

Most buildings, the processing plant, and residual coal stockpiles have been removed from the site. A general tidy up has been carried out with some minor re-contouring of surface terrain to eliminate any unnecessary steep banks or holes to make easier safe movement of people walking or driving on the site. The more significant slopes are the old Kimihia Opencast high walls which were groomed for stability when East Mine was commenced and in some areas further shaped to reduce the risk of local weather related failures

In general the slopes are all stable and it is expected that the site landform will remain the same as the lake fills. Like any natural hilly terrain weather may cause some surface deterioration or minor slips. The post closure maintenance plan advises on simple visual inspections.





### **The Lake**

The East Mine lake is the old Kimihia Opencast Mine. The area before the opencast was developed was part of Lake Kimihia. This is the same area of the land that East Mine previously used to store water prior to pumping out into the East Mine wetland. With the decommissioning of the East Mine, power was turned off and pumping was discontinued in August 2017. The new Kimihia Lake will continue to rise until it gets to the drainage level to start flowing in the pre constructed culverts under SH 1 into the existing Kimihia Lake (Figure 5). The existing Kimihia Lake drains to the Waikato River.

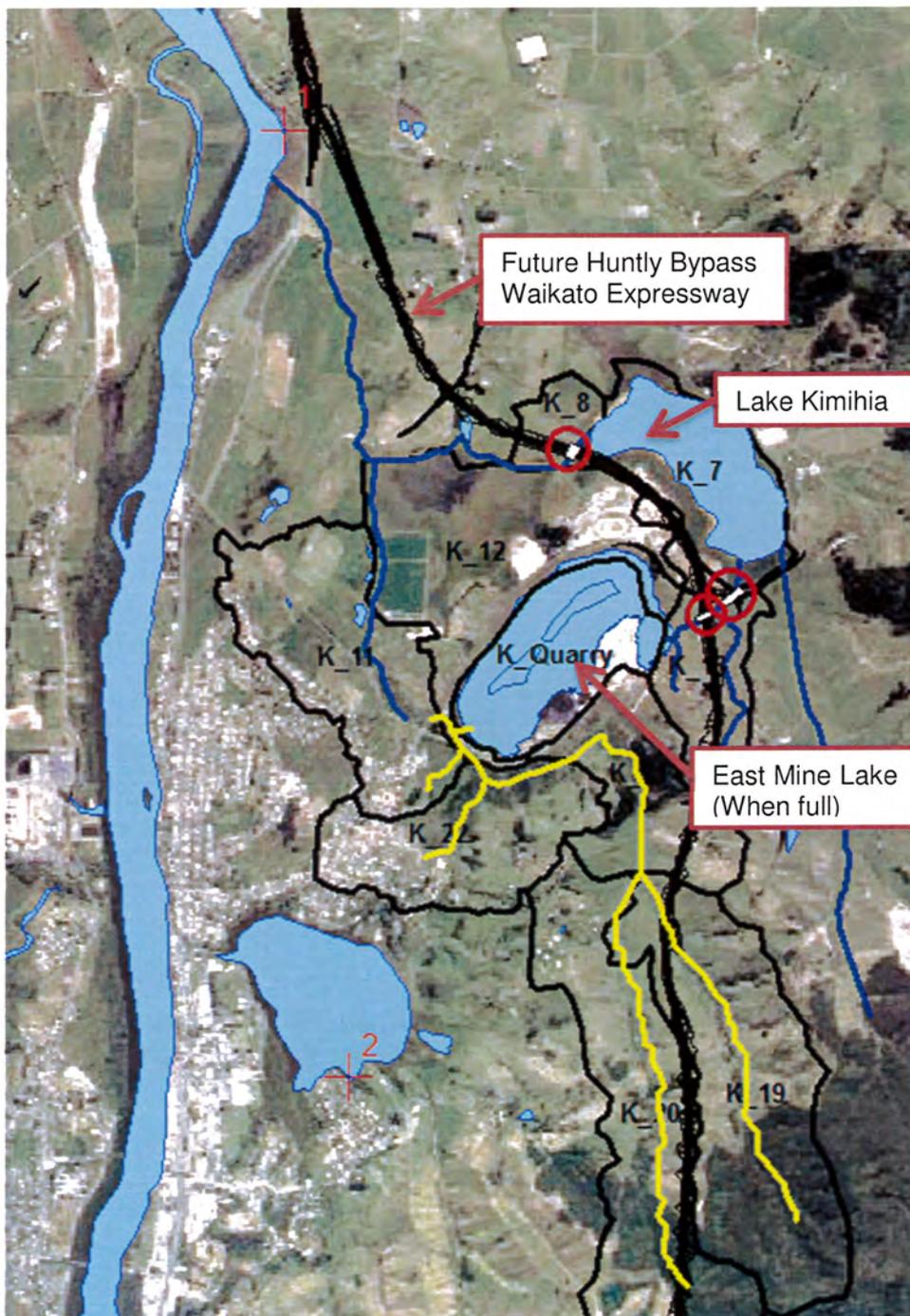


Figure 5 Regional Surface Water System Showing Culvert Locations

The current lake sits at a low level at this stage but will progressively rise as runoff fills the void.

The lake will eventually sit as shown in blue in Figure 6. Once the lake nears its eventual final level, it will be necessary to undertake some works to ensure an outlet channel is formed and flood waters are directed towards the downstream area.

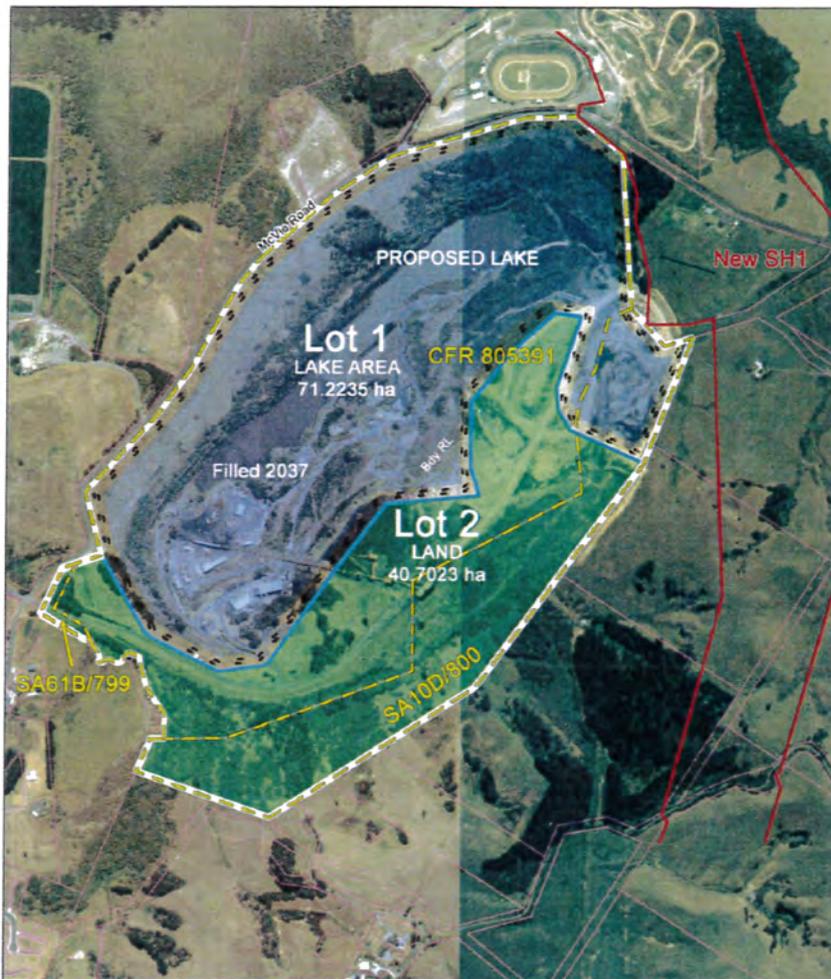


Figure 6 Extent of Final Lake

Depending on land use in the future, some protection for pedestrians approaching steep slope edges may be required during lake filling. The lake edge is envisaged to be planted with appropriate riparian plants at the time the lake is nearly filled.

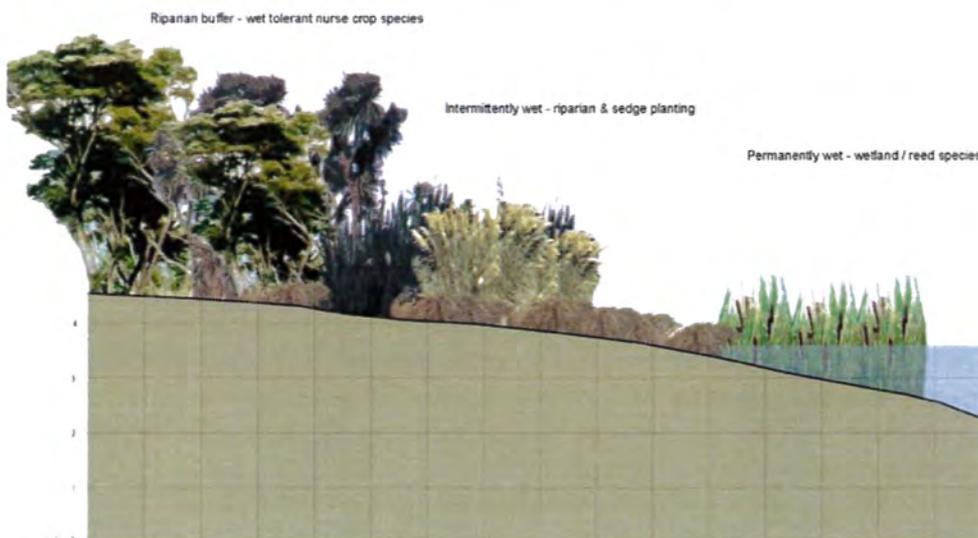


Figure 7 Concept for Eventual Vegetation at Lake Margin

## Portals

The only visual mine related structures on the site will be the exposed final bulkheads on each of the three mine entry tunnels. These will be covered with water in the first few years of the lake filling process.

These are referred to as the Men and Material (M&M), Belt Haulage (BH) and Return bulkheads.

Fastened to or nearby to each bulkhead is an enclosure which contains gas sampling pipes shown with blue arrow. On or close to each Bulkhead structure there is a sign board indicating where the sample point for each tunnel is located.

The gas sampling pipes allow a sample to be taken from directly behind (inbye) of the seals.



M&M Bulkhead



BH Bulkhead



Return Bulkhead

## MANAGEMENT PLAN

### General Site Inspection

Because the site is a dynamic environment (lake filling), the safety risk to personnel using the site will change over time. Solid Energy recommends that the entire site is periodically inspected to ensure site security is maintained and any hazards (including unstable slopes) are identified and addressed promptly. This ensures that any site users are protected from the hazards at the site. A checklist is provided in **Appendix 1**.

### Sealed Area Atmosphere Monitoring

Solid Energy recommends taking routine gas samples from each of the three mine portals to confirm that the sealed area remains low in oxygen and is not a spontaneous combustion risk. This is referred to as an "inert" state.

We recommend these tests are taken every two months until the portals are no longer accessible due to the rising lake level and the spontaneous combustion risk has been eliminated. This interval could be increased to say every 6 months after several cycles confirming a stable atmosphere is present.

All three of the exposed bulkheads have sample pipes which are labelled. These pipes run through the bulkhead and void fill and then through the rated seal into the sealed mine area. It is possible to use a small vacuum pump to suck a sample of the sealed area atmosphere into a sample bag which can then be analysed. A procedure for gas sampling is provided in **Appendix 2**.

Once the bulkheads are flooded by the rising lake or the area inside the mine floods, it will no longer be possible or necessary to sample the area as the tubes will be under water and/or the mine will be full of water with any spontaneous combustion risk eliminated.

Prior to the sampling procedure, Solid Energy recommends inspecting the portal bulkheads for any signs of gas escaping or structural deformation. A checklist is provided in **Appendix 3**.

The samples should be delivered to the NZ Mines Rescue Station in Huntly for analysis. Current Contact Information:

Mines Rescue Service  
Rotowaro Rd, Huntly 3771  
Phone: 07 828 9772

**Actions:** If methane is detected by gas detector, or gas can be heard hissing out from the seals or if cracks are found in the ground around the seals, advice should be sought from Mines Rescue or a local mining consultant such as Terra Firma. Contact information:

### Lincoln Smith; Craig Smith

Terra Firma Mining Limited  
PO Box 67,  
Ngaruawahia 3742  
+64 272 409 108  
[info@terrafirma.kiwi.nz](mailto:info@terrafirma.kiwi.nz)    <http://www.terrafirma.kiwi.nz/>

It is also advised to notify the Worksafe High Hazards Group. The current contact information:

Mark Pizey Chief Inspector - Extractives

High Hazards Unit

Level 2, 351 Lincoln Road, Addington, Christchurch 8024

+64 3 966 6630 +64 27 437 2636

[hhu@worksafe.govt.nz](mailto:hhu@worksafe.govt.nz) [www.worksafe.govt.nz](http://www.worksafe.govt.nz)

## APPENDIX 1: GENERAL SITE CHECKLIST

**Gates:** Ensure they open and close freely, and the locks are present

**Signage:** Ensure warning signage remains in place and replace if necessary.

**Fences:** Boundary fence to be maintained in stock proof state (regardless of stock) to ensure no easy access points for people on foot.

**Surface Roads/Walkways:** Clear of obvious hazards.

**High Wall Slopes:** every three months (or earlier if noticed) inspect slopes for signs of cracking of the ground above the slope, or signs of mass movement of slopes down dip. If movement is observed seek advice from a geotechnical consultant.

**Lake Water Edge:** maintain any temporary fences that have been deemed to be required along with signage or any other barricades (e.g. bunds) across roads leading down into the water.

## APPENDIX 2: GAS SAMPLING PROCEDURE

Obtain a suitable sample bag from Mines Rescue. Use a portable gas pump suitable for taking gas samples (consult Mines Rescue for suitable pump).



1. Prepare Sample Bag *Should be Fully Empty – Flat*
2. Unlock sample box
3. Connect bag to Sample Point snap fitting connection – the pipe with the red handle valve.
4. Open the red handle valve
5. Purge Line by clicking in open connection. Allow to vent for 5 minutes to fresh air
6. Close Valve and Disconnect open coupling
7. Connect bag coupling
8. Open valve
9. Allow bag to fill
10. When firm turn off valve
11. Disconnect sample bag.
12. Check valve is turned fully off
13. Close sample box lid

The sample bag should be sealed by folding and securing of the inlet hose and then transported to the Huntly Mines Rescue Station for analysis.

Solid Energy recommends testing the sample for oxygen, nitrogen, methane, CO<sub>2</sub> and CO content using a gas chromatograph. While the relative proportion of the gases may change over time, the sample results should confirm the gas behind the seals is non-explosive and that the oxygen content is at very low concentrations. Mines Rescue will identify if the results show any concern.

## **APPENDIX 3: PORTAL INSPECTION SHEET**

To be undertaken at the time that samples are taken.

### **Visual Inspection**

1. **Cracks** check for cracks on face of seals
2. **Surrounding land deformation**
  - a. Above portal Area – check for signs of cracking of the ground or mass movement of the ground above the portals
  - b. Around Concrete Structures – check for cracks that have appeared.

### **Audible**

3. Listen for noise from bulkheads

### **Gas Testing**

4. Use gas detector around all of structure and the perimeter areas of bulkheads – Testing for CH<sub>4</sub> leakage
5. If cracks appear on the face of the seals or in concrete structures they should be plastered over by a suitable contractor. TEST FOR GAS immediately around cracks.

## APPENDIX 4: BACKGROUND TECHNICAL INFORMATION FOR COAL MINE SEALING

### SEALING

#### Sealing – Inertisation

Inertisation is the exclusion of oxygen by means of an inertising agent. The inertising agent may be any gas or mixture of gases that will not support combustion. Inertisation may occur either as self-inertisation or as induced inertisation. It can be used as a proactive and/or reactive measure.

Self-inertisation is when the natural conditions in the goaf or abandoned workings cause the consumption of oxygen and replacement by nitrogen and methane. The early sealing of areas and allowing the natural inertisation process to occur has been used successfully for many years to minimise any occurrences of spontaneous combustion in worked out areas.

Induced inertisation employs the same basic principles as self-inertisation, except that the positive step is taken to actively control explosiveness level in the sealed area rather than relying on natural conditions to minimise it. This is achieved by injecting nitrogen into the sealed areas to achieve inertisation rapidly. Induced nitrogen inertisation changes the atmosphere into the “inert zone” of the Cowards chart instead of going through a “fuel rich” stage as in the case of induced inertisation. Note: the inert zone is the safest zone. In simple terms it is not explosive or easy to make explosive. See Coward’s chart – it requires addition of both fresh air and fuel to become explosive.

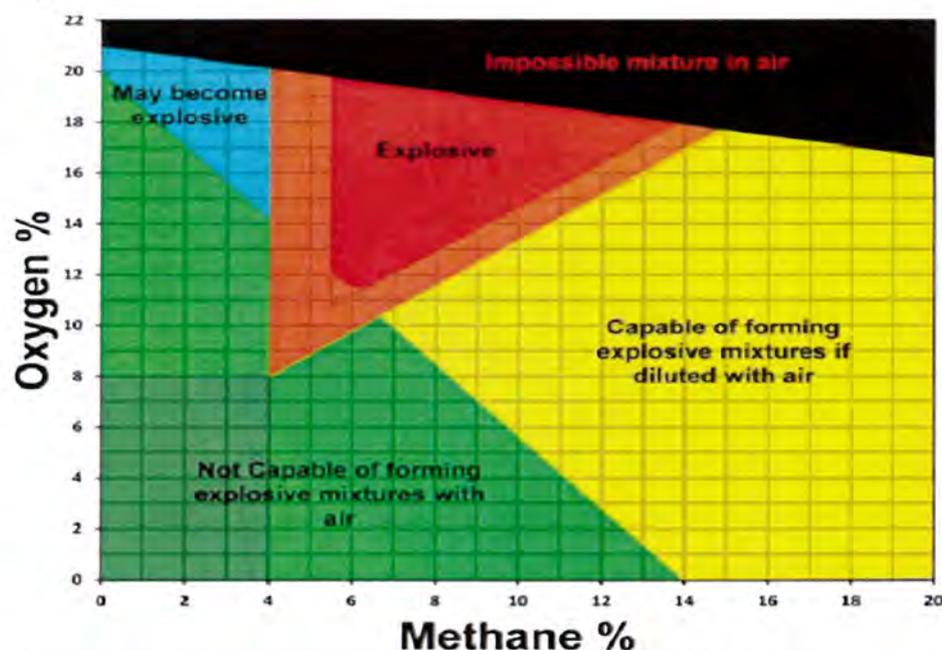


Figure 8 Coward's Chart

#### General Information - Seal Area Spontaneous Combustion Management

The most important gas to monitor once the sealed area has been inertised is oxygen. You must have oxygen for combustion and if the area is sealed the only source of oxygen into the sealed area is through leakage of the seals themselves or through the strata around the seals.

Detecting high levels of Methane is normal, as it is released from the coal, and in high concentrations is not flammable or explosive and in fact very high levels ensure that the sealed

area remains safe. You will also detect nitrogen (as it was injected) and as nitrogen will not burn and makes up 79% of normal air it will remain in the mine after oxygen is removed through natural oxidation. As seals get older and the methane coming out of the coal starts to reduce the percentage of nitrogen in the sealed area becomes higher

In a normal seal you may see some low quantities of carbon dioxide or carbon monoxide initially. These gases can be normal in small quantities.

In an ongoing mining situation the mine operator would monitor new seals for any changes in oxygen as the priority – rising trends of oxygen especially. In a situation where oxygen was rising it is likely that CO would also begin to rise. But remember that the CO is actually the result of the oxygen reacting with the coal (it is the start of a spontaneous combustion process) – CO cannot begin to rise without oxygen getting in.

What is also very important to note is that oxygen leakage is normally directly related to the type of seal constructed and the type and condition of surrounding strata. i.e., Rating dictates the quality of seals

Areas where seals are required to stay effective for many years must have high rated seals. To achieve a certified rating it is often required to treat the surround strata by injecting cements etc. to block off any potential leakage paths. The seal requirements are specified in the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016:

East Mine has the highest classification of seals.

### Schedule 4 Ventilation control devices and design criteria

r 182(1)

**Ventilation control device**

- Ventilation ducting
- Brattice line or temporary stopping
- Separation stopping for a primary escapeway
- Stoppings, doors, overcast, or regulator installed as part of the main ventilation system
- Stoppings, doors, overcast, or regulator installed as part of the ventilation system for a panel
- Mine entry airlock
- Type B seal
- Type C seal
- Type D seal
- Type E seal

**Design criteria**

- Anti-static and fire-resistant
- Anti-static and fire-resistant
- Anti-static, fire-resistant, and of substantial construction that will ensure minimal leakage
- Capable of withstanding an overpressure of 35 kPa
- Capable of withstanding an overpressure of 14 kPa
- Capable of withstanding an overpressure of 70 kPa while it is open
- Capable of withstanding an overpressure of 35 kPa
- Capable of withstanding an overpressure of 140 kPa
- Capable of withstanding an overpressure of 345 kPa
- Capable of withstanding an overpressure of 70 kPa

APPENDIX 3

**Copies of Certificates of Titles**



**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** SA61B/799  
**Land Registration District** South Auckland  
**Date Issued** 17 March 1997

**Prior References**  
GN B403789.1

---

**Estate** Fee Simple  
**Area** 3835 square metres more or less  
**Legal Description** Section 1 Survey Office Plan 60522

**Proprietors**  
Allen Fabrics Limited

---

**Interests**

Subject to Section 11 Crown Minerals Act 1991

Subject to Part IV A Conservation Act 1987

B403789.3 Certificate by the Chief Surveyor pursuant to section 26 State Owned Enterprises Act 1986 - 17.3.1997  
at 11.36 am

10918111.1 Encumbrance to Solid Energy New Zealand Limited - 3.10.2017 at 10:28 am



Identifier

805391

*W. I. Douglas*  
U. I. Amaru

Boundary of Lot 1 adjoining  
Pt. Allot. 463B being Crown Land,  
agreed to for title purposes  
by *W. I. Douglas*  
Assistant Commissioner of  
Lands  
14/4/75

Total Area 4864m<sup>2</sup>

Comprised in PT C.T. 3D/715 Ltd  
PT 5386/293 Ltd (Mines & Minerals)

I, *Reginald Brian Hollinger of Hamilton*  
Registered Surveyor and holder of an exempt practicing certificate  
herby certify that this plan has been made from surveys executed  
by me or under my direction: that both plans and surveys are correct  
and have been made in accordance with the regulations under the  
Surveyors Act 1974

Date of Amendment 18/4/75 by  
or Approval 18/4/75 Signature *R. B. Hollinger*

Field Book S. 224 & 172-73 (Volume Book 491 & 172)

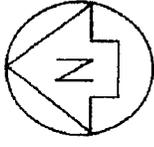
Reference Plan S.O. 4574/A, 34064, 44765  
S.O. 4200/A

Consent N.O. 9011L Date 18/4/75

Approved as to Survey *R. B. Hollinger*  
Chief Surveyor

Deposited this 14th day of May 1975  
*W. I. Douglas*  
Assistant Commissioner of Lands

File No. Rangiriri District Land Register  
Number 30, 375 D P S20619



PT 463B  
C.L.  
South of Section 25/1670

KIMIHIA LAKE  
(Now dry land)

LOT 1  
4864m<sup>2</sup>

PT 5  
S.O. 4200 (2)

PT 5 C.L.  
Proc. 942  
S.O. 34064

MAIVE ROAD  
over 20/22  
ROAD

LOCAL AUTHORITY WAIKATO COUNTY  
Surveyed by *R. B. HOLLINGER*  
Scale 1:500 Date FEB 1975

LOT 1 BEING PART ALLOTMENT 5 TAUPIRI PSH.

LAND DISTRICT SOUTH AUCKLAND  
SURVEY BLK. & DIST. XII RANGIRIRI  
RZHS SHEET No.





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

R. W. Muir  
Registrar-General  
of Land

**Identifier** 805391  
**Land Registration District** South Auckland  
**Date Issued** 22 September 2017

### Prior References

711606

---

<b>Estate</b>	Fee Simple
<b>Area</b>	89.6640 hectares more or less
<b>Legal Description</b>	Section 3 Survey Office Plan 482553 and Lot 1 Deposited Plan South Auckland 20619

### Proprietors

Allen Fabrics Limited

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### Interests

Subject to Section 11 Crown Minerals Act 1991 (affects Lot 1 DPS 20619)

Subject to Part IVA Conservation Act 1987 (affects Lot 1 DPS 20619)

Subject to Section 3 Geothermal Energy Act 1953 (affects Section 3 SO 482553)

Subject to Sections 6 and 8 Mining Act 1971 (affects Section 3 SO 482553)

Subject to Section 8 Atomic Energy Act 1945 (affects Section 3 SO 482553)

Subject to Section 3 Petroleum Act 1937 (affects Section 3 SO 482553)

Subject to Section 5 and 261 Coal Mines Act 1979 (affects Section 3 SO 482553)

Subject to mining and incidental rights reserved by Conveyance 249228 (R.257/517) - 6.6.1916 at 12:00 pm  
(affects Lot 1 DPS 20619)

B042740 Coal Mining Licence term 40 years commencing on 1.4.1987 embodied in Register CIR SA47A/756 -  
16.9.1991 at 2:00 pm

9798526.1 Notice pursuant to Section 18 Public Works Act 1981.- 20.8.2014 at 8:42 am (affects Section 3 SO  
482553)

Pursuant to Section 107(9A) Public Works Act 1981 Lot 1 DPS 20619 is included in the within title, see  
Certificate 10437662.8 - 19.5.2016 at 11:34 am

10918111.1 Encumbrance to Solid Energy New Zealand Limited - 3.10.2017 at 10:28 am

Subject to a right (in gross) to convey electricity and telecommunications over Lot 1 DPS 20619 marked A on DP  
517814 and over Section 3 SO 482553 marked B on DP 517814 in favour of WEL Networks Limited created by  
Easement Instrument 10955966.1 - 21.11.2017 at 12:54 pm





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir  
Registrar-General  
of Land

**Identifier** SA10D/800  
**Land Registration District** South Auckland  
**Date Issued** 15 August 1969

**Prior References**  
SA377/240

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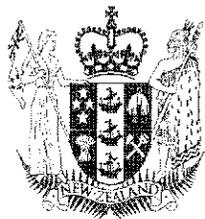
**Estate** Fee Simple  
**Area** 21.8783 hectares more or less  
**Legal Description** Allotment 746 Parish of Taupiri  
**Proprietors**  
Allen Fabrics Limited

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**Interests**

Subject to Section 3 Petroleum Act 1937  
Subject to Section 8 Atomic Energy Act 1945  
Subject to Section 3 Geothermal Energy Act 1953.  
Subject to Section 6 and 8 Mining Act 1971  
Subject to Section 5 and 261 Coal Mines Act 1979  
Mining Licence embodied in Register CT SA47A/756 - 16.9.1991 at 2.00 pm  
10918111.1 Encumbrance to Solid Energy New Zealand Limited - 3.10.2017 at 10:28 am  
Subject to a right (in gross) to convey electricity and telecommunications over part marked C on DP 517814 in favour of WEL Networks Limited created by Easement Instrument 10955966.1 - 21.11.2017 at 12:54 pm

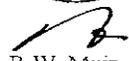




**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

  
R.W. Muir  
Registrar-General  
of Land

**Identifier** SA40D/985  
**Land Registration District** South Auckland  
**Date Issued** 23 March 1988

**Prior References**

SA37B/513

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**Estate** Fee Simple - 2/3 share  
**Area** 36.2800 hectares more or less  
**Legal Description** Allotment 857 Parish of Taupiri

**Proprietors**

Allen Fabrics Limited

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**Interests**

Subject to Section 8 Mining Act 1971

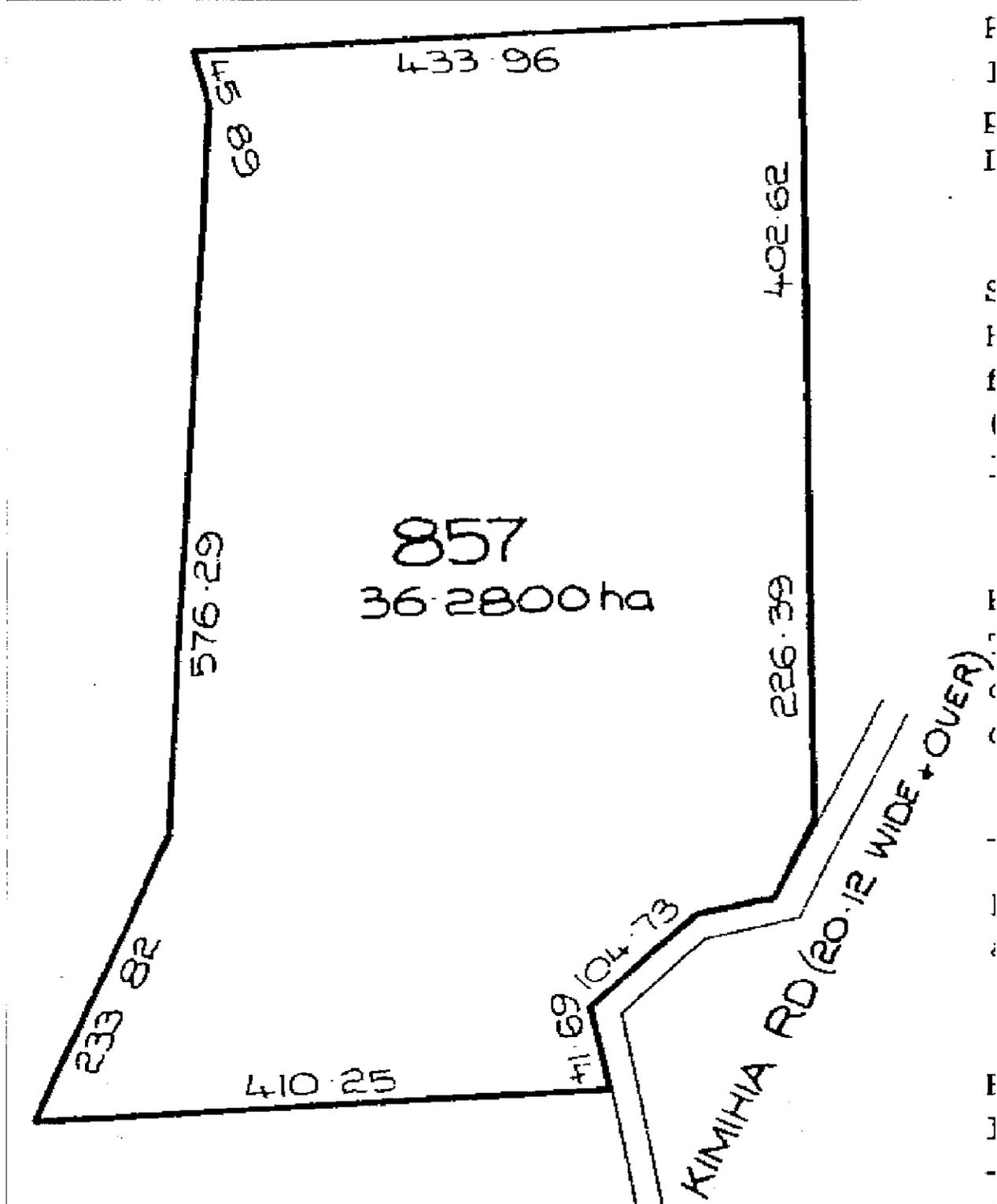
Subject to Section 5 Coal Mines Act 1979

S103502 Lease of part Term from and including 15.8.1955 to 31.12.2895 (save the last day) Leasehold CT  
SA1253/33 issued - 20.4.1956 at 1.45 pm

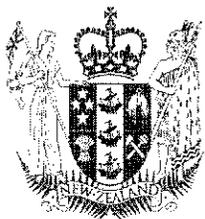
S103578 Lease of part Term from and inclusive 15.8.1955 to 31.12.2895 (save the last day) CIR 420534 issued -  
23.4.1956 at 12:20 pm

B233222.2 Mortgage to (now) Rabobank New Zealand Limited - 11.10.1994 at 2:30 pm

6711339.1 Variation of Mortgage B233222.2 - 5.1.2006 at 9:00 am



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**COMPUTER INTEREST REGISTER  
UNDER LAND TRANSFER ACT 1952**



*R. W. Muir*  
Registrar-General  
of Land

**Search Copy**

**Identifier** SA1253/33  
**Land Registration District** South Auckland  
**Date Registered** 20 April 1956 12:00 am

**Prior References**

SA168/165

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<b>Estate</b>	Leasehold	<b>Instrument</b>	L S103502
		<b>Term</b>	from and inclusive of 15/8/1955 to 31/12/2895 (save the last day)

**Legal Description** Part Lot 23B Section 463 Parish of  
Taupiri

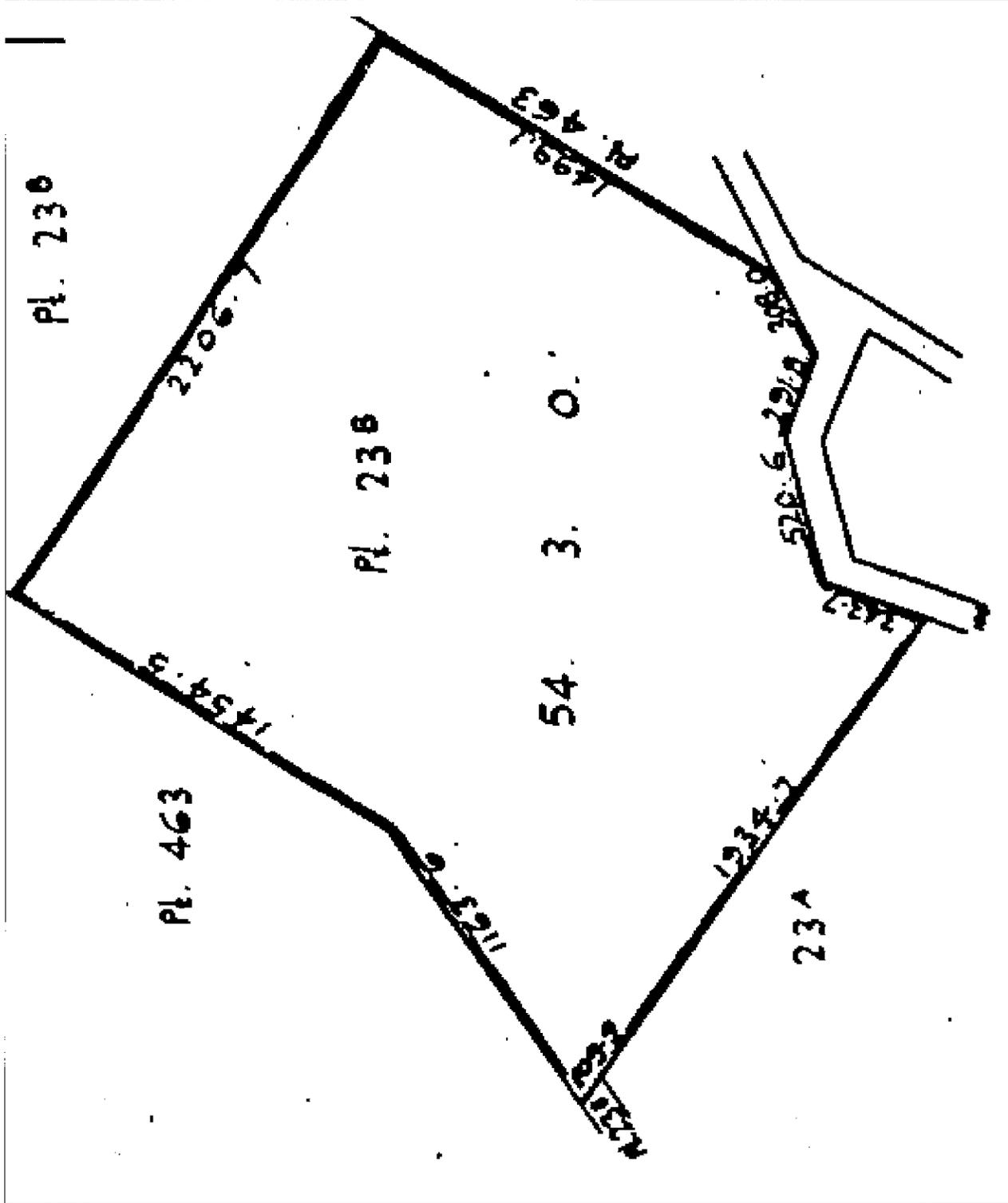
**Proprietors**

Allen Fabrics Limited

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**Interests**

B233222.2 Mortgage to (now) Rabobank New Zealand Limited - 11.10.1994 at 2:30 pm  
6711339.1 Variation of Mortgage B233222.2 - 5.1.2006 at 9:00 am





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** SA30A/356  
**Land Registration District** South Auckland  
**Date Issued** 14 July 1983

**Prior References**

SA168/164

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**Estate** Fee Simple  
**Area** 4.8562 hectares more or less  
**Legal Description** Lot 23A Section 463 Parish of Taupiri

**Proprietors**

Allen Fabrics Limited

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**Interests**

Subject to Section 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

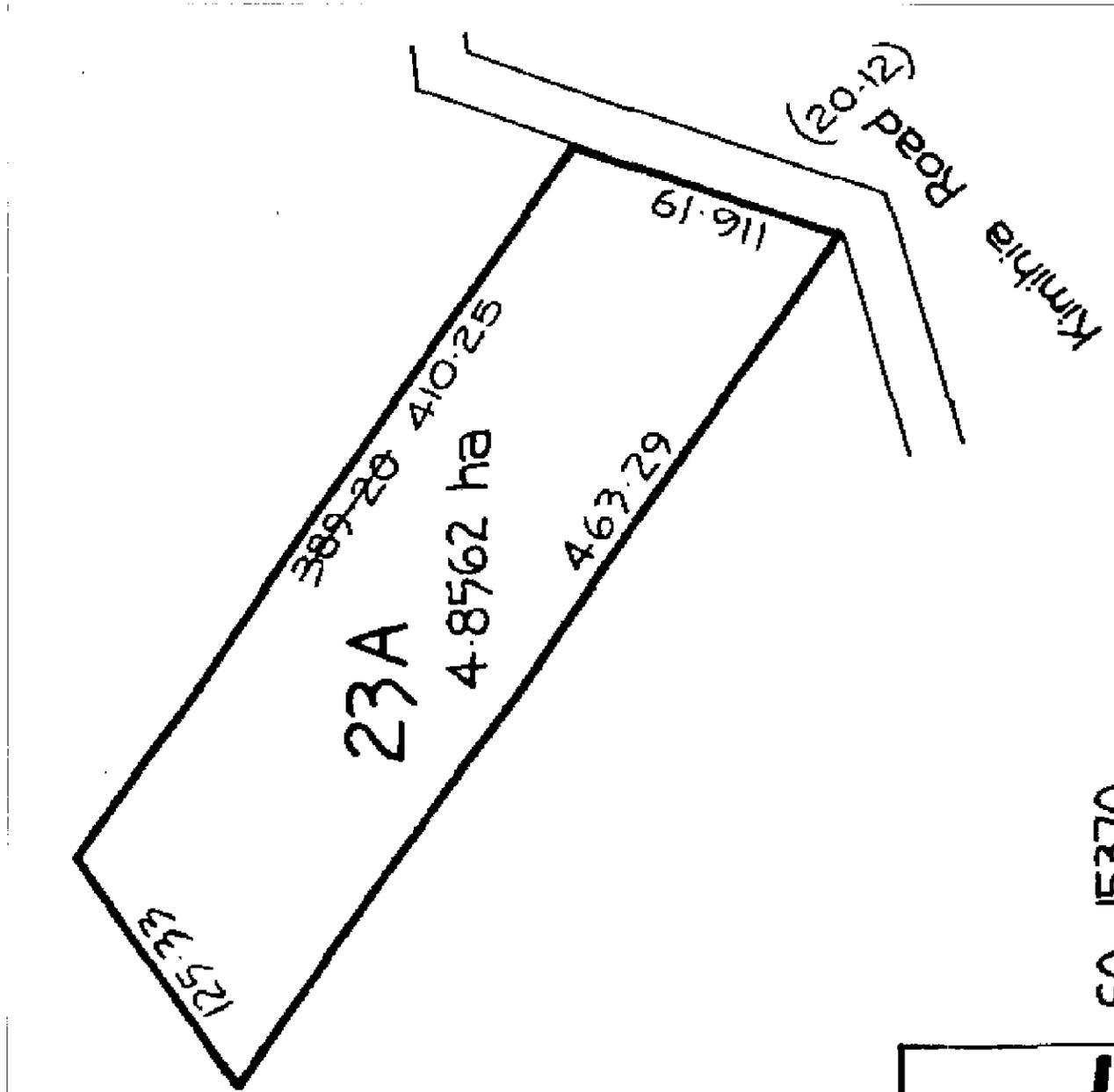
S655279 Mining Licence by the Minister of Mines to Winstone Minerals (Huntly) Limited - 19.4.1974 at 9:30 am

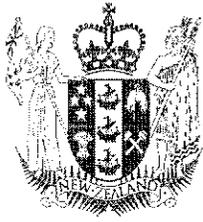
B233222.2 Mortgage to (now) Rabobank New Zealand Limited - 11.10.1994 at 2:30 pm

6711339.1 Variation of Mortgage B233222.2 - 5.1.2006 at 9:00 am

Identifier

SA30A/356





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



Search Copy

  
R. W. Muir  
Registrar-General  
of Land

Identifier **SA18B/1138**  
Land Registration District **South Auckland**  
Date Issued 07 March 1975

**Part-Cancelled**

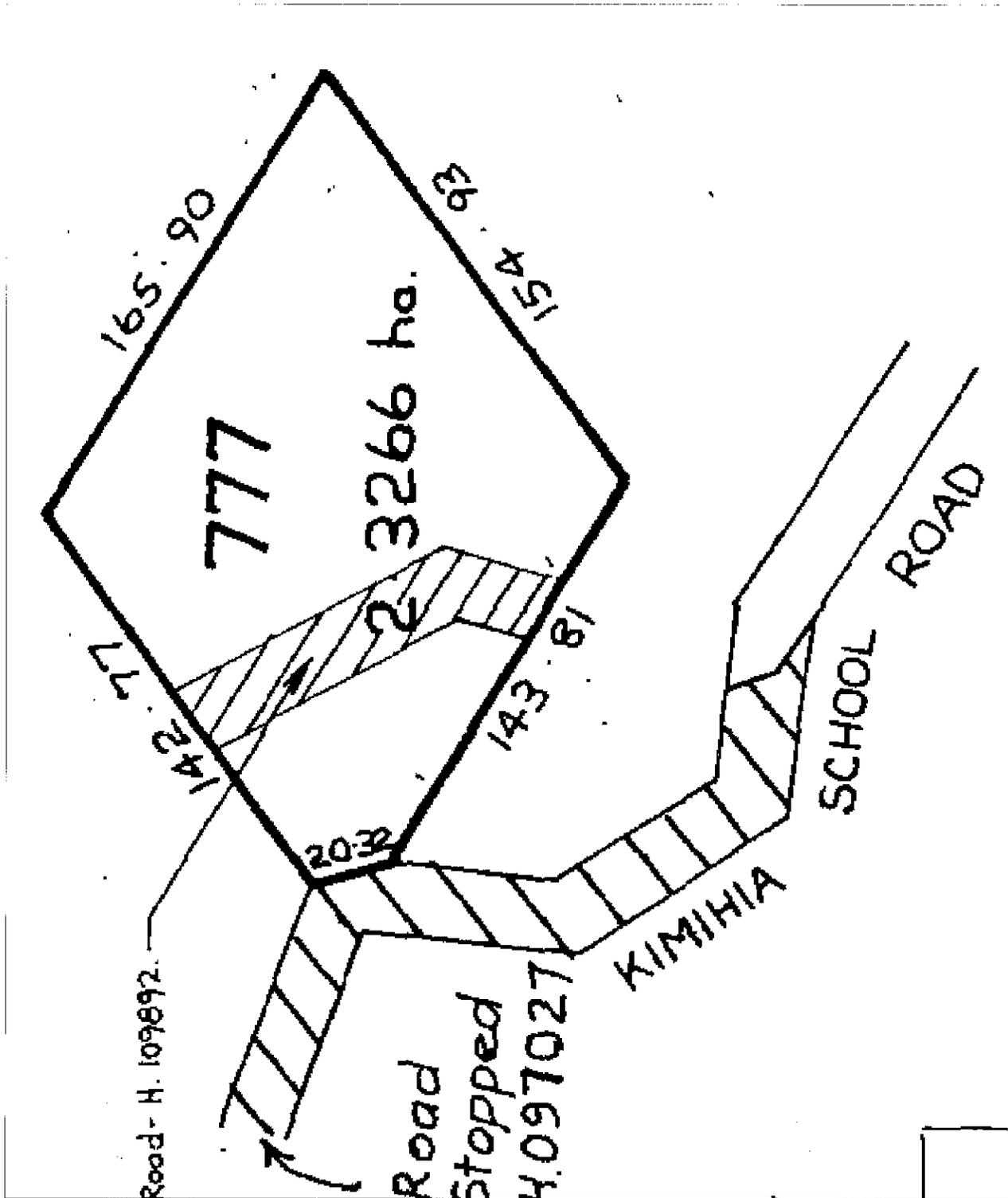
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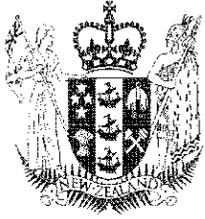
**Estate** Fee Simple  
**Area** 2.3266 hectares more or less  
**Legal Description** Allotment 777 Parish of Taupiri  
**Proprietors**  
Allen Fabrics Limited

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**Interests**

Subject to Section 8 Mining Act 1971  
Subject to Section 168A Coal Mines Act 1925  
H109892 Gazette Notice proclaiming part within land (2361m<sup>2</sup>) as road and vesting the same in the Waikato County Council - 30.11.1976 at 10.41 am





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



Search Copy

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** SA251/176  
**Land Registration District** South Auckland  
**Date Issued** 09 May 1916

**Part-Cancelled**

**Prior References**

WA 1843

---

**Estate** Fee Simple  
**Area** 7942 square metres more or less  
**Legal Description** Allotment 515 Parish of Taupiri

**Proprietors**

Allen Fabrics Limited

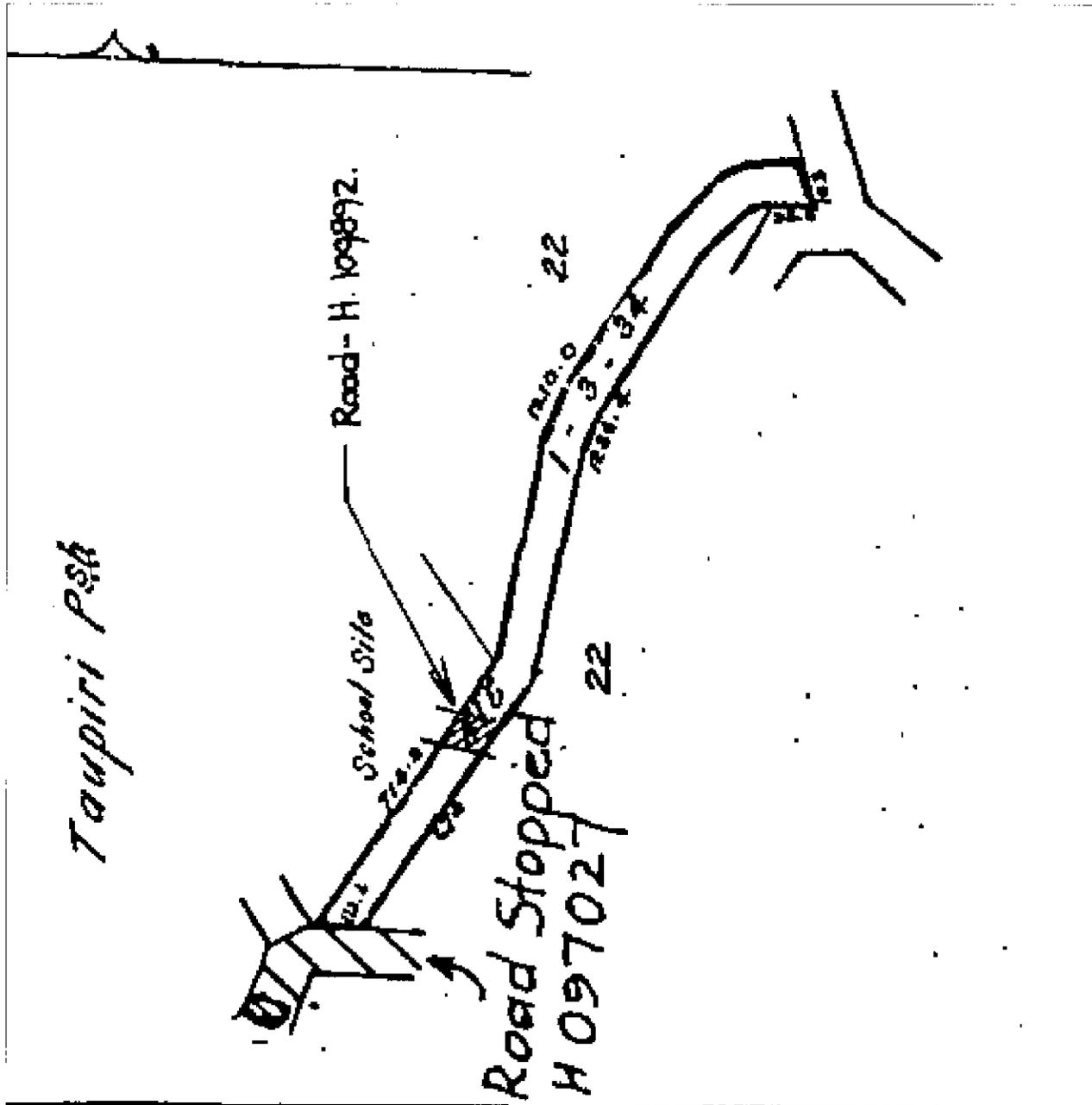
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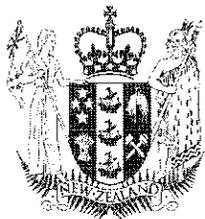
**Interests**

S602945 Transfer excepting all deposits of aluminous refractory clay and aluminous materials including bauxite gibbsite diasphore and corundium aluminous refractory clays fire clays halloysite and kaolins and reserving mining rights in respect of the said materials and rights ingress egress and regress for all persons lawfully engaged in working the same - 15.5.1973 at 1.55 pm

H109892 Gazette Notice proclaiming part within land (419m<sup>2</sup>) as road and vesting the same in The Waikato County Council - 30.11.1976 at 10.41 am

H855013.3 Transfer of the minerals excluded in Transfer S602945 to Allen Fabrics Limited - 24.2.1989 at 9.15 am  
Coal Mining Licence embodied in the Register SA45A/948 - 30.11.1989 at 11.27 am





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

  
R.W. Muir  
Registrar-General  
of Land

**Identifier** SA26C/345  
**Land Registration District** South Auckland  
**Date Issued** 01 December 1980

**Prior References**

SA21C/736

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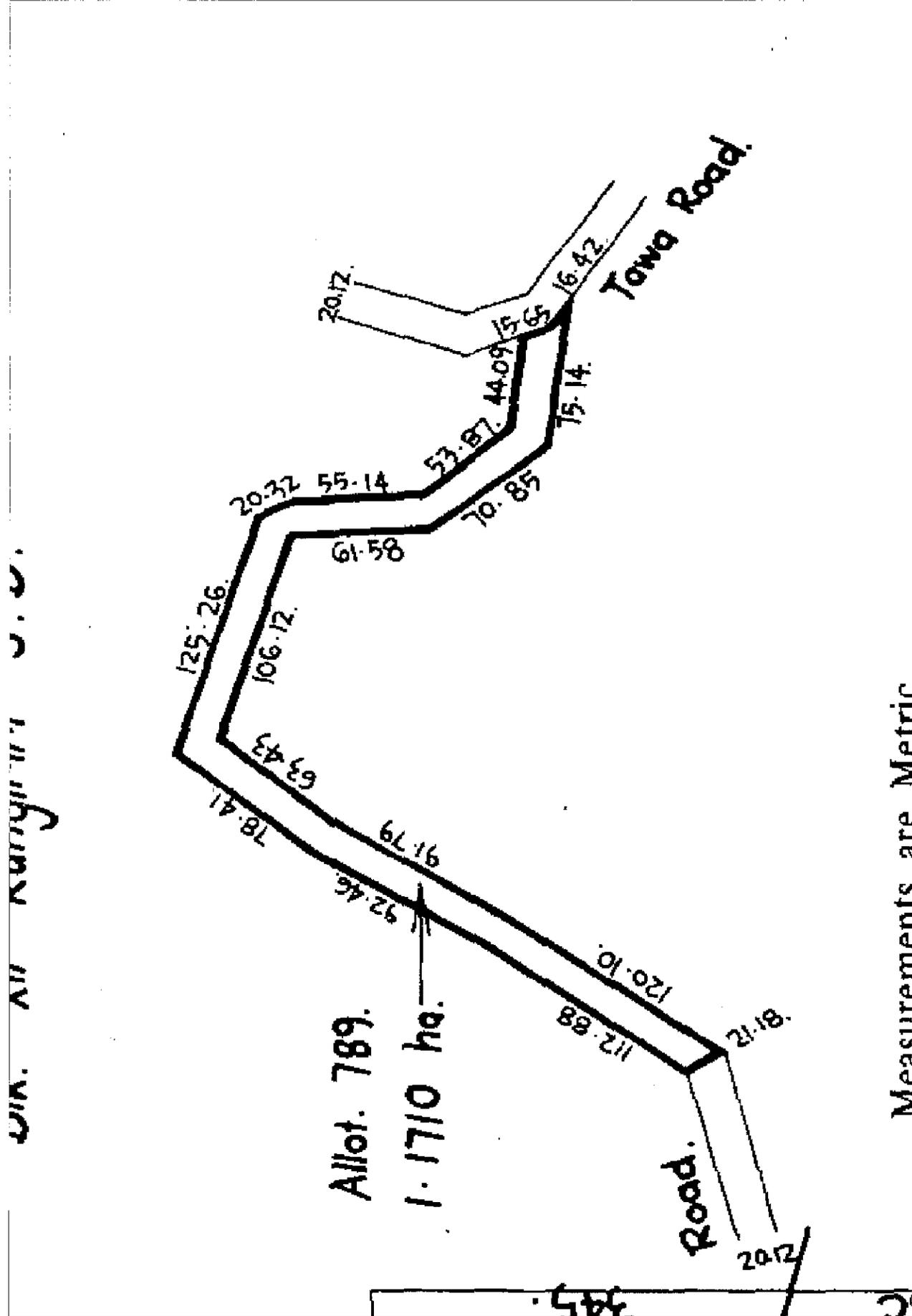
**Estate** Fee Simple  
**Area** 1.1710 hectares more or less  
**Legal Description** Allotment 789 Parish of Taupiri

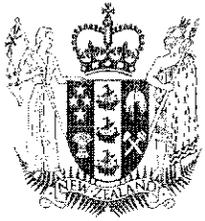
**Proprietors**

Allen Fabrics Limited

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**Interests**





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

  
R.W. Muir  
Registrar-General  
of Land

**Identifier** SA50A/762  
**Land Registration District** South Auckland  
**Date Issued** 03 March 1992

**Prior References**

SA5C/1497

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**Estate** Fee Simple  
**Area** 3.8319 hectares more or less  
**Legal Description** Allotment 740 Parish of Taupiri

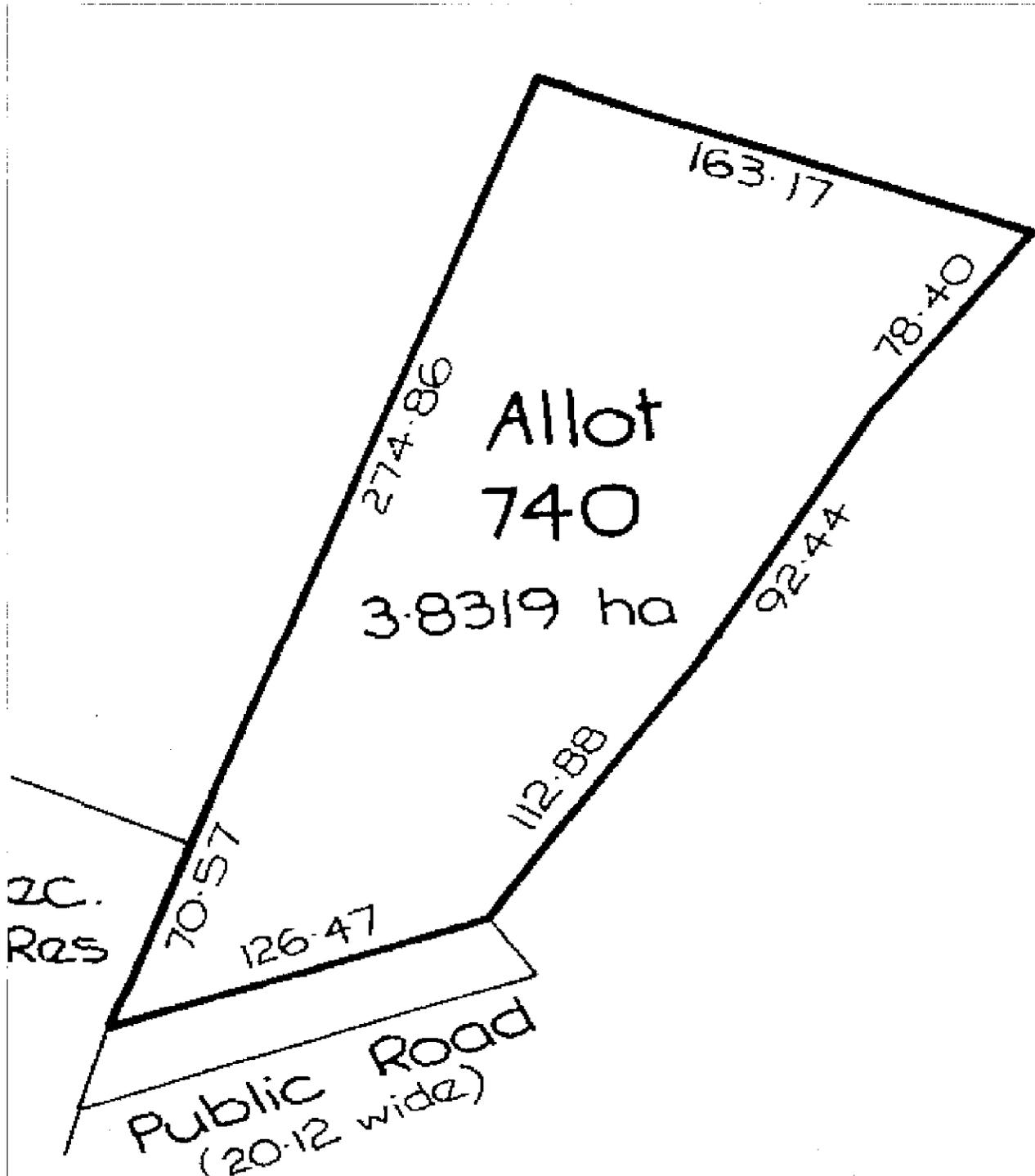
**Proprietors**

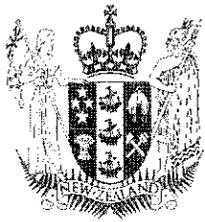
Allen Fabrics Limited

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**Interests**

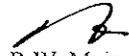
Subject to Section 11 Crown Minerals Act 1991  
Subject to Part IV A Conservation Act 1987  
B233222.2 Mortgage to (now) Rabobank New Zealand Limited - 11.10.1994 at 2:30 pm  
6711339.1 Variation of Mortgage B233222.2 - 5.1.2006 at 9:00 am





**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



  
R.W. Muir  
Registrar-General  
of Land

**Search Copy**

**Identifier** 195501  
**Land Registration District** South Auckland  
**Date Issued** 15 March 2006

**Prior References**

SA43A/907

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**Estate** Fee Simple  
**Area** 21.4874 hectares more or less  
**Legal Description** Lot 18-21 Deposited Plan 347582

**Proprietors**

Allen Fabrics Limited

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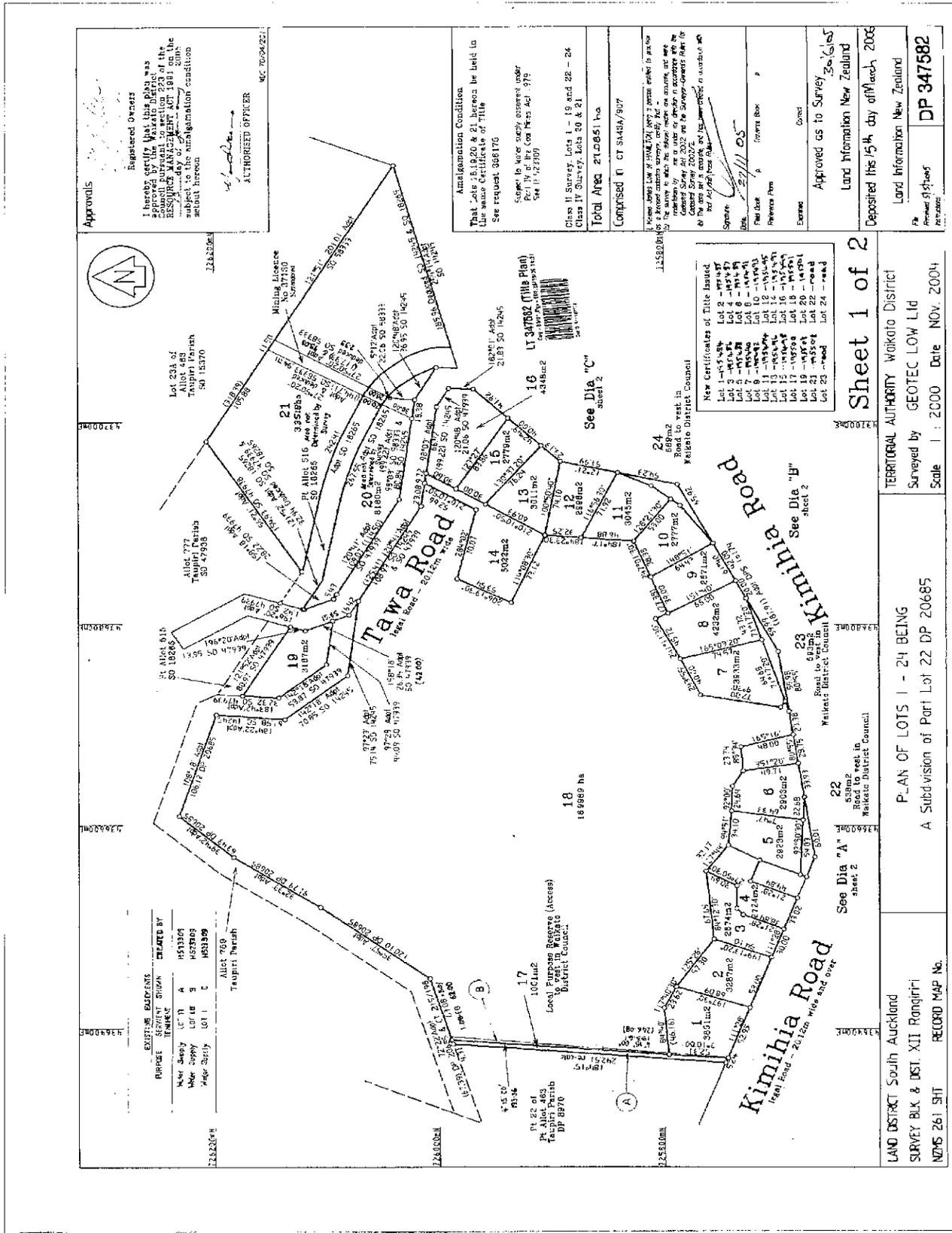
**Interests**

S555736 Proclamation defining the middle line of the Auckland - Hamilton motorway - 2.5.1972 at 9:25 am (affects Lot 18 DP 347582 only)

Subject to a water supply easement (in gross) over the part marked B on DP 347582 for coal mining operations under part IV Coal Mines Act 1979 in favour of the Crown created by Gazette Notice H523309 - 8.5.1984 at 9:11 am

Subject to Section 241(2) Resource Management Act 1991 (affects DP 347582)

7754421.1 Certificate of consent pursuant to Section 115 Public Works Act 1981 - 18.3.2008 at 9:00 am



**Approvals**

Registered Owners  
 I hereby certify that this plan was approved by the Waikato District Council on 14/12/2004 in accordance with the Resource Management Act 1991, and is subject to the amalgamation condition set out herein.

\_\_\_\_\_  
 AUTHORIZED OFFICER

**Amalgamation Condition**

That Lots 18, 19, 20 & 21 hereinafter be held in the same Certificate of Title.

See request 066170

Subject to basic survey, assessed under Part IV of the Land Act 1948.

See 11/12/2009

Class II Survey: Lots 1 - 19 and 22 - 24

Class II Survey: Lots 20 & 21

**Total Area 210,651 ha**

Comprised in CT 8448A/307

When the Law of Survey 1977 is applied to the survey in which the above lots are included, the area of the lots will be as follows:

Class II Survey: Lots 1 - 19 and 22 - 24

Class II Survey: Lots 20 & 21

**Total Area 210,651 ha**

Comprised in CT 8448A/307

Approved as to Survey 30/12/05

Land Information New Zealand

Deposited this 15th day of March 2006

Land Information New Zealand

DP 347582

**Sheet 1 of 2**

TERRITORIAL AUTHORITY Waikato District

Surveyed by GEOTEC LOW Ltd

Scale 1:2000 Date Nov. 2004

PLAN OF LOTS 1 - 24 BEING  
 A Subdivision of Part Lot 22 DP 20685

LAND DISTRICT South Auckland

SURVEY BLK & DIST. XII Rangitiri

NZMS 261 SH1 RECORD MAP No.

**New Certificates of Title Issued**

Lot 1 - 100.1m <sup>2</sup>	Lot 2 - 100.1m <sup>2</sup>
Lot 3 - 100.1m <sup>2</sup>	Lot 4 - 100.1m <sup>2</sup>
Lot 5 - 100.1m <sup>2</sup>	Lot 6 - 100.1m <sup>2</sup>
Lot 7 - 100.1m <sup>2</sup>	Lot 8 - 100.1m <sup>2</sup>
Lot 9 - 100.1m <sup>2</sup>	Lot 10 - 100.1m <sup>2</sup>
Lot 11 - 100.1m <sup>2</sup>	Lot 12 - 100.1m <sup>2</sup>
Lot 13 - 100.1m <sup>2</sup>	Lot 14 - 100.1m <sup>2</sup>
Lot 15 - 100.1m <sup>2</sup>	Lot 16 - 100.1m <sup>2</sup>
Lot 17 - 100.1m <sup>2</sup>	Lot 18 - 100.1m <sup>2</sup>
Lot 19 - 100.1m <sup>2</sup>	Lot 20 - 100.1m <sup>2</sup>
Lot 21 - 100.1m <sup>2</sup>	Lot 22 - 100.1m <sup>2</sup>
Lot 23 - 100.1m <sup>2</sup>	Lot 24 - 100.1m <sup>2</sup>

**EXISTING SURVEYS**

ORIGINATOR	DATE	CREATED BY
Water Supply	10/11/04	A H513309
Water Supply	10/11/04	B H572063
Water Supply	10/11/04	C H531399

Aliot 799  
 Taupiri Parish

27th SEPT 05

22-4-08

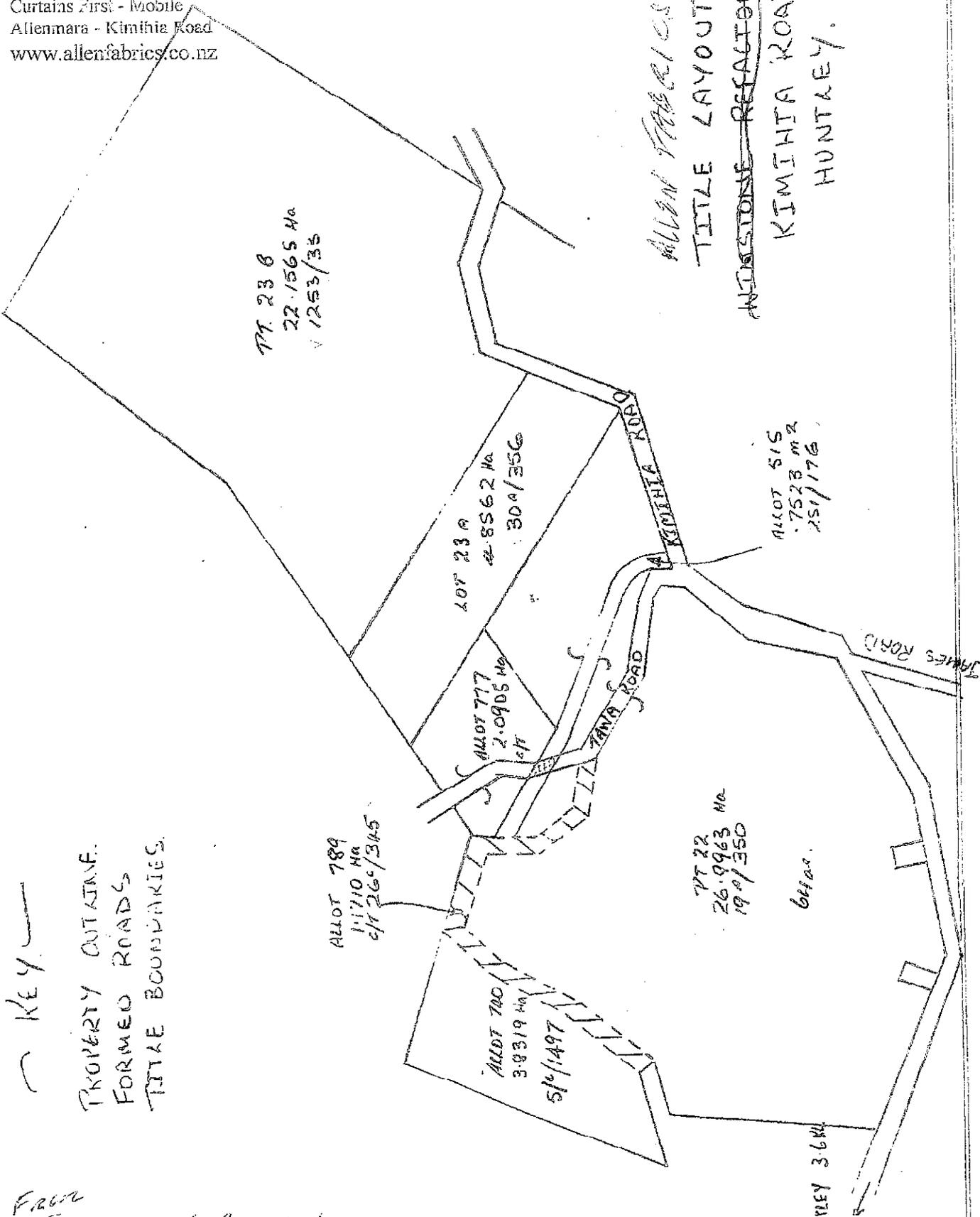


To WDC FAX 07 826 5091  
ATTN ADRIAN JAMIE  
2, 3 PAGES

Phone (07) 828-7219  
Fax (07) 828-6115  
64 Main Street  
Box 241

INCORPORATING:  
Curtains First - Mobile  
Allenmara - Kimihia Road  
www.allenfabrics.co.nz

ALLEN FABRICS LTD  
TITLE LAYOUT  
~~ANIMSTONE REFACTORIES LTD~~  
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KEY  
PROPERTY OUTLINE.  
FORMED ROADS  
TITLE BOUNDARIES.

FROM  
MURRAY ALLEN PH 0274 579 025



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



**Guaranteed Search Copy issued under Section 172A  
of the Land Transfer Act 1952**

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** SA51/131  
**Land Registration District** South Auckland  
**Date Issued** 09 September 1888

## Part-Cancelled

### Prior References

SA51/49

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**Estate** Fee Simple  
**Area** 7259 square metres more or less  
**Legal Description** Allotment 6 Parish of Taupiri

### Proprietors

Allen Fabrics Limited

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### Interests

Subject to Section 3 Petroleum Act 1937

Subject to Section 8 Atomic Energy Act 1945

Subject to Section 3 Geothermal Energy Act 1953

Subject to Sections 6 and 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

Subject to Section 261 Coal Mines Act 1979

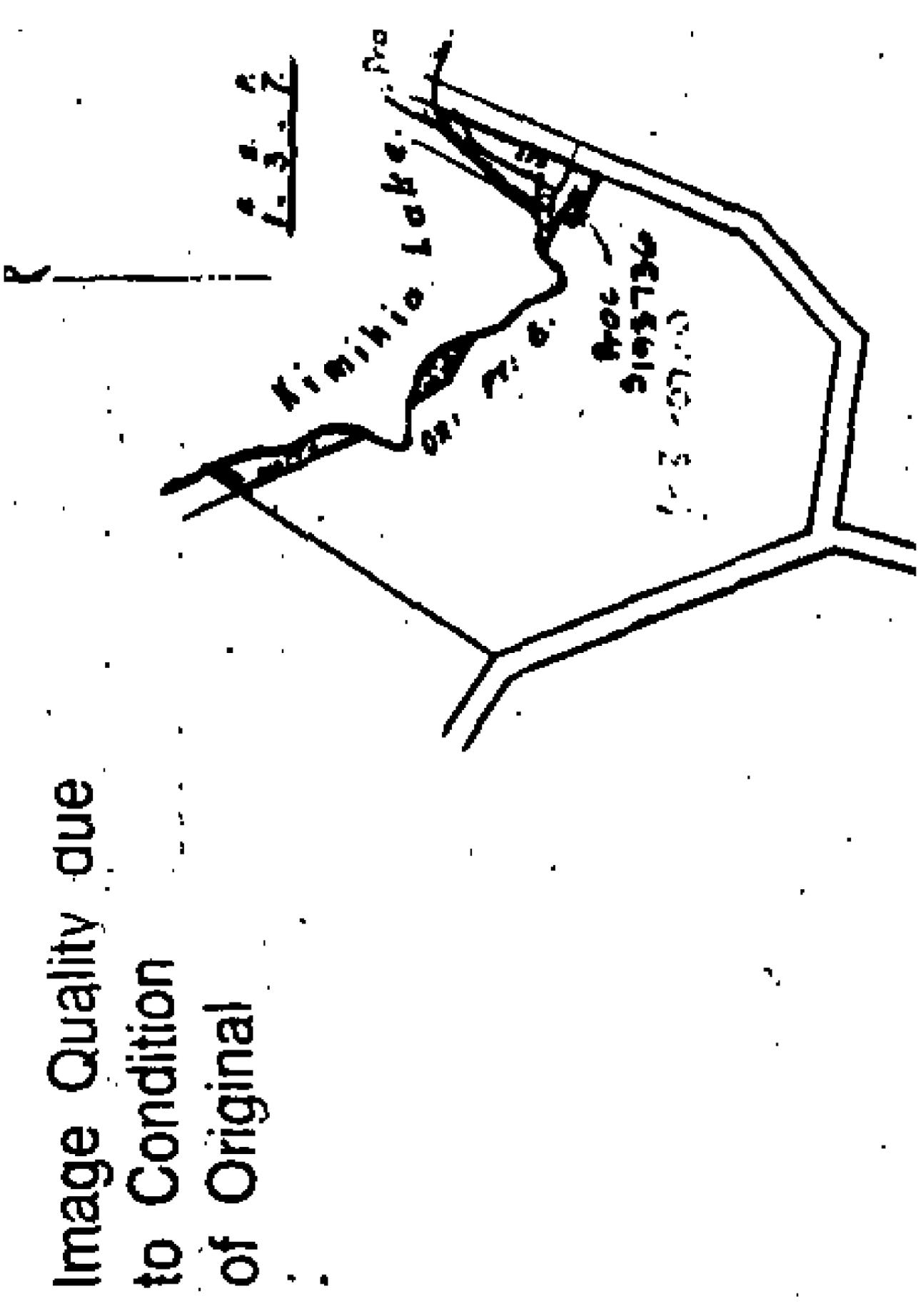
S193736 Proclamation proclaiming part as road - 2.11.1960 at 2.30 pm

S505832 Gazette Notice proclaiming 1 Rood 25 Perches as road - 13.1.1971 at 9.45 am

Coal Mining Licence embodied in Register SA47A/756 - 16.9.1991 at 2.00 pm

B677928.2 Gazette Notice (2001 p2336) declaring part within land (2400 m<sup>2</sup>) is acquired for road and vested in The Waikato District Council, excepting all minerals contained in CsT SA51/131, SA1298/46 and SA1298/47 - 14.9.2001 at 11.20 am

10918111.1 Encumbrance to Solid Energy New Zealand Limited - 3.10.2017 at 10:28 am



**Image Quality due  
to Condition  
of Original**

