

Response ID ANON-URZ4-5F1C-4

Submitted to Fast-track approval applications  
Submitted on 2024-05-03 19:00:59

Submitter details

Is this application for section 2a or 2b?

2B

1 Submitter name

Individual or organisation name:  
Waikato District Council

2 Contact person

Contact person name:  
Nick Johnston

3 What is your job title

Job title:  
Advocacy and Investment Advisor

4 What is your contact email address?

Email:  
s 9(2)(a)

5 What is your phone number?

Phone number:  
s 9(2)(a)

6 What is your postal address?

Postal address:  
  
Waikato District Council, Private Bag 544, Ngaaruawaahia 3742

7 Is your address for service different from your postal address?

Yes

Organisation:  
Waikato District Council

Contact person:  
Nick Johnston

Phone number:  
s 9(2)(a)

Email address:  
s 9(2)(a)

Job title:  
Advocacy and Investment Advisor

Please enter your service address:  
  
Waikato District Council, 15 Galileo Street, Ngaaruawaahia 3742

Section 1: Project location

Site address or location

Add the address or describe the location:

Te Kowhai, Waikato District

Map and imagery included in supplementary material document to be provided through [listedprojects@mfe.govt.nz](mailto:listedprojects@mfe.govt.nz)

File upload:

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Who are the registered legal land owner(s)?

Please write your answer here:

Waikato District Council

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

Project is located on Council-owned land.

## Section 2: Project details

What is the project name?

Please write your answer here:

Te Kowhai Township Three Waters Upgrade

What is the project summary?

Please write your answer here:

Water and wastewater conveyance from Te Kowhai to Horotiu, connecting to the existing network, and undertake drainage improvements.

What are the project details?

Please write your answer here:

Te Kowhai is a township in the Hamilton-Waikato metro area, identified as a growth node in two key growth strategies: Waikato 2070 and Future Proof (2022). With a current population of 660 as of 2023, it has a possible future population of 5000 as a result of growth of residential and commercial activity in the Future Urban Zone in the Waikato District Plan.

The Te Kowhai Water Supply and Wastewater Servicing Options Assessment provided a series of conclusions and recommendations to support future growth in Te Kowhai. The recommended solution for water and wastewater is conveyance from Te Kowhai to Horotiu, connecting in to the existing scheme that covers Horotiu, Ngāruawāhia and Taupiri, as well as undertaking drainage improvements.

Physical works include a connection point into the existing Ngāruawāhia water supply network in Horotiu, and 7.2km water pipe to a new water reservoir in the Te Kowhai West Growth cell, as well as a pump station to connect a small existing treatment plant in Te Kowhai to Horotiu, for treatment at the Ngāruawāhia Wastewater Treatment Plant.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

Project could be delivered with certainty within the next three years. However, the current limitation is funding (\$40 million, with medium certainty on estimates) for the physical works. Council is progressing with investigation and modelling of stormwater issues to best understand the Te Kowhai area as well as wider catchment related issues.

Council is expressing interest in the fast-track approval process as it potentially provides some cost-efficiency savings and a streamlined process for unlocking this growth cell. Savings as a result of fast-track approval may be relatively minor in comparison to the overall infrastructure cost, but with the significant costs for infrastructure investment across the whole district, all opportunities that can reduce timeframes and project costs need to be considered and explored.

What are the details of the regime under which approval is being sought?

Please write your answer here:

RMA resource consent and notice of requirement.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Waikato District Council  
Waikato Regional Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

N/A

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

Proposed works covered in the scope of this application are on Council-owned land.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

The current limitation is funding (\$40 million, with medium certainty on estimates) for the physical works. However, from the point of funding confirmation (which would need to be assessed once any potential fast-track efficiencies and savings are factored into the project cost), the project can be delivered within three years with certainty.

Ideally, we would apply for this process after the funding is fully confirmed, however the timing for this application opportunity precedes the adoption of Council's upcoming annual plan, as well as Council's Long Term Plan which is scheduled to be adopted in 2025 – Waikato District Council accepted the Government's offer to delay the LTP by one year, as we believe the water infrastructure and local affordability implications need to be resolved before we can finalise our LTP.

### Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

- Waikato-Tainui and Ngaati Maahanga
- Waters Governance Board (overseeing Council's contract with Watercare Waikato)
- Waikato Regional Council
- Waikato District Council (elected representatives)
- Residents and ratepayers of Waikato District

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Note: names of iwi, hapū and marae uses double vowel spelling to indicate a long vowel sound instead of macrons, as this is the preferred standard of Waikato-Tainui for Te Reo Māori)

Waikato-Tainui, hapū and marae

Waikato District's area of responsibility sits across the majority of the traditional rohe of Waikato iwi (also referred to as Waikato-Tainui). Waikato is a tribal confederation that takes its name from Te Awa o Waikato. The Waikato iwi is one of the major groups descended from the voyagers of the Tainui waka, with 68 marae associated with 33 hapū. 39 of the 68 marae are located within Waikato District's boundaries. The unifying korowai for Waikato-Tainui is the Kīngitanga – the movement established in 1858 to unite tribes to cease the sale of land to Pākehā, to stop inter-tribal warfare, and to provide a springboard for the preservation of Māori culture in the face of Pākehā colonisation. The seventh and current monarch is Kīngi Tuheitia.

The governance body for the collective interests and assets of Waikato-Tainui is Te Whakakitenga o Waikato, the tribal parliament comprising two elected representatives from each of the 68 marae. The executive committee Te Arataura (comprising 10 representatives of the parliament and one appointee of Kīngi Tuheitia) directly oversees the tribe's operational activities.

Waikato District Council and Waikato-Tainui have a joint management agreement (JMA) to co-manage the Waikato River, to restore and protect the health and wellbeing of the river, and to provide an enhanced relationship between the parties on areas of common interest. A Joint Committee of the Waikato Rauapatu River Trust (representing Waikato-Tainui) and Waikato District Council is responsible for implementing the schedules of the JMA and provides a framework for Waikato-Tainui and Council working in partnership. The Joint Committee receives updates on the Waters Capital Works Programme, Three Waters Reform, and oversees the Joint Strategic Work Programme between Waikato-Tainui and Council. Consultation regarding capital works are standard recurring agenda items for all Joint Committee meetings. Agendas and minutes for the Joint Committee meetings are available on the Waikato District Council website.

Since 2019, Watercare Waikato has been contracted to deliver all drinking water, wastewater and stormwater services within Waikato District, with Council retaining ownership of the assets. An independent body, the Waters Governance Board, is responsible for managing the performance of Waikato District's water services. Led by independent chairperson David Wright, board membership includes Rukumoana Schaafhausen (former chairperson of Waikato-Tainui's executive board Te Arataura), Jackie Collier (current deputy chairperson of Waikato-Tainui's executive board Te Arataura), Garth Dibley (Chief Executive of WEL Networks) and Gavin Ion (Chief Executive of Waikato District Council). The contract with Watercare Waikato ends on 30 June 2026, with the next two financial years being a transitional period allowing time for a smooth transition for the delivery of all capital works and operational services.

Ngaati Maahanga is a hapū of the Waikato-Tainui tribal confederation. The principal rohe of Ngaati Maahanga largely corresponds with the area from the west side of Hamilton and Horotiu to the west coast (covering part of Whāingaroa Harbour and part of Aotea Harbour), with Te Kowhai located within this area.

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#### Waikato Regional Council

Waikato Regional Council's rohe covers the entirety of Waikato District. Waikato Regional Council is a key stakeholder in its role of managing the use of natural resources, as well as protecting and restoring natural biodiversity.

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#### Waikato District local governance

Residents and ratepayers in Te Kowhai are represented at a district-level in two Council wards – the Newcastle-Ngaaruawaahia General Ward and Tai Runga Takiwaa Maaori Ward. In the current triennium, Newcastle-Ngaaruawaahia General Ward is represented by Councillor Eugene Patterson and Councillor Janet Gibb, and Tai Runga Takiwaa Maaori Ward is represented by Councillor Tilly Turner.

There has been significant public consultation on development in Te Kowhai. Te Kowhai Development Plan is included in Waikato 2070 – the Council's growth and economic development strategy, with residential development timeframes within the 3-10 years and the 10-30 year timeframes (from the date of publication in 2020).

Waikato District Council notified its decisions on the Proposed Waikato District Plan in January 2022, and received over 1000 submissions covering more than 10,000 individual submission points. Variation 1 of the District Plan was focused on the Te Kowhai Airfield.

The District Plan identifies Te Kowhai Central and Te Kowhai West development cells as Future Urban Zone with the provision of urban services and structure planning being the precursor to a live residential zoning.

Subsequent structure planning work for Te Kowhai West has including an ecology assessment, transportation assessment, three waters assessment, geotechnical assessment. The final Structure Plan covers a development plan, road typology and walking/cycling strategy plan, open space framework and blue/green network plan, and a staging plan for 8 stages of development in the growth cell.

Waikato District residents and ratepayers have been consulted on three waters infrastructure as part of the 2021-31 Long Term Plan, and consultation has recently closed on the 2024/2025 Draft Enhanced Annual Plan. The Draft Enhanced Annual Plan 2024 highlights the Raglan WWTP upgrade in the capital project listing for 2024/25. Hearings on the Draft Annual Plan are being held in May, with the Annual Plan 2024 being finalised in June 2024.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

No processes have been undertaken under the Public Works Act 1981 in relation to the land on which the project will occur.

## Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

No treaty settlements apply to the geographic location of the project site.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

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## Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

There are no anticipated or known adverse effects as a result of the conveyance connection being constructed between Te Kowhai and Horotiu.

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## Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

There is a high degree of alignment between the project outcomes and the National Policy Statement for Freshwater Management, as well as the project enabling growth that has a high degree of alignment with the National Policy Statement on Urban Development.

While outside the scope of this specific project, Council is working in partnership with iwi and hapū with updates and consultation on capital works and operational management of three waters infrastructure in Waikato District (as covered in Section 3). This approach is well aligned with the Freshwater NPS requirements for freshwater management that gives effect to Te Mana o te Wai though the involvement of tangata whenua, and its stated hierarchy that prioritises the health and wellbeing of water bodies, then the essential needs of people (including access to healthy drinking water), followed by other uses that provides for people and communities social, economic and cultural well-being). Council recognises and supports the concept of Te Mana o te Wai, the six principles that it encompasses: mana whakahaere, kaitiakitanga, manaakitanga, governance, stewardship, and care and respect.

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## Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Yes – given the importance of the project and the high cost of the capital works required (\$40 million), Council is requesting fast-track status that will not only reduce timeframes for project completion but also potentially provides some cost-efficiency savings.

Council is conscious of the need for public involvement and consultation on all major capital works infrastructure investment in Waikato District. With fast-tracked applications potentially bypassing consultative aspects of consenting process, Council is comfortable with this 'trade-off' given the ongoing engagement over the past four years with residents and ratepayers (through the 2021-31 Long Term Plan and 2024 Enhanced Annual Plan) and with our key stakeholders and iwi partners (through the Treaty settlement framework for co-management of the Waikato River and Joint Committee between Waikato-Tainui and Council), as well as the consultation stages of the Proposed District Plan, the Waikato 2070 growth and economic development strategy, and local structure planning.

Like most territorial authorities across New Zealand, Waikato District is considering a significant rates increase in the 2024 Draft Annual Plan (to be finalised in June 2024). With a resident population of 88,900 but a geographic area like the size of the Auckland Council area, Waikato District does not have the same economies of scale as some of the other high-growth cities/districts. It is for this reason that it is important for Council to seek fast-tracking opportunities that can provide cost-efficiency outcomes, especially if we are confident that our ongoing community and stakeholder engagement mitigates some of the risks regarding consultation in a fast-tracked process.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

If the application was referred, Council is ready to work with the Minister of Infrastructure, the Minister of Transport and the Minister of Regional Development, as well as ministerial advisor and officials, to work through the steps of the referral stage in a swift manner. Regarding Step 2 of the referral stage, in which Ministers may seek comments from certain groups (including others Ministers, Māori groups, local government), Council will promptly assist in providing contact information to any of the people or organisations mentioned in this application, or any other requests that support the Ministers (and their ministerial staff) to seek comment on the application.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

The project is the recommended solution from the three waters assessment of structure planning in Te Kowhai. The process to undertaking a structure plan is because the growth cell was rezoned as a Future Urban Zone in the Proposed District Plan and identified as a growth area in the Waikato 2070 - Waikato District Growth and Economic Development Strategy.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The Future Proof Strategy is a 30 year growth management and implementation plan for the Hamilton, Waikato, Waipā and Matamata-Piako sub-region. As the sub-region's population is projected to double over the next 50 years, collective planning and action across council boundaries has been critical for managing the complex issues of future urban and rural land use, transport, roads and essential infrastructure.

The Future Proof Strategy 2022 identifies Te Kowhai as a 'village enablement area' within the Hamilton-Waikato metro area with growth cells classed under short term development. This project addresses "linking water supply networks across the metro area to increase overall resilience", which is highlighted in the Three Waters Infrastructure section of the Future Proof Strategy.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

Yes - A key benefit of this project is unlocking and enabling growth in Te Kowhai residential growth cells. Information provided earlier in this application covers the process of zoning growth cells as Future Urban Zones, and the work that has been completed since to develop a structure plan that ensures a well-functioning urban environment.

Waikato 2070 - Waikato District's Growth and Economic Development Strategy identifies a future resident population at 5000, in comparison to the current 660 as of 2023, with this growth coming from greenfields developments within the Te Kowhai growth cells.

Will the project deliver significant economic benefits?

No

Please explain your answer here:

While there will be localised economic benefits as a result of the project and the unlocked residential growth, it is unlikely to be classed as 'significant' in isolation. However, addressing housing supply issues in the wider Hamilton-Waikato metro area will be significant for the sub-regional economy. In the wider regional context, it is contributing towards unlocking growth and development, and addressing one of the main constraints in the metro area for housing supply.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

No

Please explain your answer here:

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

The goal has been to build resilient infrastructure from the offset, seeing the project in this proposal will be primarily enabling greenfields development. Three waters infrastructure included in this application has been assessed through the structure planning work for Te Kowhai West, taking into account an ecology assessment, transportation assessment, three waters assessment, and geotechnical assessment.

Will the project address significant environmental issues?

No

Please explain your answer here:

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

As above, the project is informed and strongly aligned with all of Council's strategies and plans, as well as aligned with regional strategy and planning documents such as the Future Proof Strategy for the sub-region of Hamilton City, Waikato District, Waipā District and Matamata-Piako District.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

## Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

## Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

Included in application supplementary material document to be provided through [listedprojects@mfe.govt.nz](mailto:listedprojects@mfe.govt.nz).

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## Declaration

Do you acknowledge your submission will be published on [environment.govt.nz](http://environment.govt.nz) if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Nick Johnston

Important notes