

Response ID ANON-URZ4-5FR1-K

Submitted to Fast-track approval applications
Submitted on 2024-05-02 20:30:20

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
702 Te Kowhai Limited Partnership

2 Contact person

Contact person name:
Greig Metcalfe

3 What is your job title

Job title:
Director

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

s 9(2)(a)

6 What is your postal address?

Postal address:

69 Harrowfield Drive
Harrowfield
Hamilton 3210

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

Yes

Organisation:
CKI NZ Ltd

Contact person:
Bevan Houlbrooke

Phone number:
s 9(2)(a)

Email address:
s 9(2)(a)

Job title:
Director

Please enter your service address:

PO Box 171
Hamilton

Section 1: Project location

Site address or location

Add the address or describe the location:

702 Horotiu Road, Te Kowhai
730A Horotiu Road, Te Kowhai

File upload:

Te Kowhai West Site Plan.pdf was uploaded

Upload file here:

Te Kowhai West Structure Plan Compressed.pdf was uploaded

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

Yes

upload file:

Te Kowhai West Records of Title.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

702 Horotiu Road: 702 Te Kowhai Limited Partnership
730A Horotiu Road: Jordan William Metcalfe and Kate Anna Webby

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:

The applicant owns 702 Horotiu Road, and a close family member owns 730A Horotiu Road. The applicant has authority to undertake the work that is required for the project.

Section 2: Project details

What is the project name?

Please write your answer here:

Te Kowhai West Growth Cell

What is the project summary?

Please write your answer here:

The proposal involves:

1. Provision of enabling infrastructure to open up Kowhai West, a significant growth cell in the Waikato District which will enable development of a new township; and
2. Applications for land use and subdivision consents which enable the project site to be developed for large-scale residential activities.

What are the project details?

Please write your answer here:

DETAILS OF PROPOSED PROJECT

The Te Kowhai West project enables a new 68ha growth cell to be opened-up for residential development in the Waikato township of Te Kowhai. Te Kowhai is located approximately 5km from Hamilton City and 6km from Ngāruawāhia.

The recent review of the Waikato District Plan resulted in the Te Kowhai West Growth cell being zoned Future Urban. This is under appeal with a live Residential Zone being sought as an outcome. To advance a live zoning, structure planning inclusive of technical assessments have been prepared.

Based on a minimum lot size of 450m², the Te Kowhai West Growth Cell is expected to yield around 925 new dwellings once it is fully developed and will be a transformational project for this existing settlement. There is potential to increase the yield further by providing a variety of housing typologies, including duplex and apartment dwellings.

The project also opens the possibility for the existing Te Kowhai village (inclusive of 85 existing dwellings, a school and 75 unit retirement village) to be connected with reticulated water and wastewater. Furthermore, the Te Kowhai Central growth cell could also be potentially serviced and made available for development. The Te Kowhai Central growth cell encompasses a further 32 ha of Future Urban zoned land which could yield a further 440 residential

lots.

PURPOSE

The purpose of the project is to unlock a new significant growth cell for the Waikato District through the provision of enabling infrastructure and the associated delivery of large-scale residential development.

OBJECTIVES

The objectives for the project are:

1. Provide Te Kowhai with a cost effective and sustainable water and wastewater solutions; and
2. Improve housing affordability in the Waikato District through increased housing capacity (supply) and a greater range of housing typologies, price points and locations.

ACTIVITIES

The proposed activities will include:

1. Enabling infrastructure inclusive of water and wastewater reticulation (most likely an extension of services from Horotiu, 6km away); and
2. Residential land uses (mixed densities) with capacity for approximately 925 new homes.

This scale of the project is regionally significant in terms of the number of new homes that can be enabled by it. It will be a transformational project for Te Kowhai township and allow the planned growth to be realised in the short to medium term.

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

Please write your answer here:

Given the scale of the Te Kowhai West growth cell (68ha) the project will be implemented over multiple years.

Construction of enabling infrastructure will occur at the start of the project, with land development activities occurring concurrently to enable connections from new houses to occur soon after the infrastructure is operational.

The proposal will be broken down into stages, with approximately 50 lots being delivered at a time. Depending on demand, between 50 and 150 lots could be delivered each calendar year.

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

Please write your answer here:

Resource Management Act 1991

- Resource Consents (land use and subdivision)

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:

No applications have been made.

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

No

Please explain your answer here:

No, the applicant and a close family member own all land subject to this application.

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

Please write your answer here:

- Assuming consents are obtained in 2024, detailed design could occur in Q1-Q2 of 2025.
- Procurement could occur in the Q2-Q3 of 2025

- Funding could occur in Q2-Q3 of 2025
- Site works could commence Q3 of 2025
- Completion of initial stages would be Q4 of 2026

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Waikato District Council
 Waikato Regional Council
 Hamilton City Council
 New Zealand Transport Agency
 Waikato Tainui
 Ngaati Reko
 Waikeri Marae
 Ngaata Tamainupoo

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:

Waikato District Council
 • Significant and on-going dialogue has occurred with Waikato District Council over the last 10 years regarding the Te Kowhai West Growth Cell. This includes numerous planning processes, most notably the review of the Waikato District Plan.

Waikato Regional Council
 • Waikato Regional Council was a submitter on the Waikato District Plan Review.

New Zealand Transport Agency
 • NZTA was a submitter on the Waikato District Plan Review.

Waikato Tainui
 • Waikato Tainui have been consulted during the preparation of the Structure Plan and invited to an on-site hui.

Ngaati Reko, Waikeri Marae and Ngaata Tamainupoo
 • Ngaati Reko, Waikeri Marae and Ngaata Tamainupoo have been consulted during the preparation proposed Structure Plan and attended an on-site hui.

The various engagements along with technical assessments have heavily influenced the proposal and the general layout indicated on the Structure Plan. For example, initial discussions with Waikato District Council were about providing lower densities (rural-residential), however following input from Waikato Regional Council, Future Proof, and Hamilton City Council the proposal was reshaped to provide for residential densities.

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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:

N/A

Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

WAIKATO-TAINUI DEED OF SETTLEMENT 2005

The Te Kowhai West Growth Cell is located within the Waikato-Tainui Claim Area, as identified in the Waikato-Tainui Deed of Settlement. This area encompasses the project site.

The provisions of the Deed of Settlement do not result in any statutory acknowledgement areas, or in any specific obligations on decision makers under the Resource Management Act 1991.

WAIKATO-TAINUI DEED OF SETTLEMENT 2009

The Te Kowhai East Growth Cell is located in an area where its activities could affect Waikato River. As such, the Waikato-Tainui Deed of Settlement 2009 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, which gives effect to the settlement of raupatu claims under the Settlement Deed regarding the Waikato River, are relevant.

The Act provides for the overarching purpose of the settlement which is "to restore and protect the health and wellbeing of the Waikato River for future generations. Of particular relevance to the project is the requirement under section 17 of the Act for consent authorities to have particular regard to the Vision and Strategy for Waikato River where activities affect Waikato River. Under section 40 of the Act, a consent authority must also have regard to the Waikato-Tainui environmental plan if it considers it relevant and reasonably necessary.

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:

The project is not proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area.

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:

TRANSPORTATION

A preliminary Transportation Assessment has been completed by CKL. SIDRA analysis shows that the surrounding road network is expected to be able to accommodate traffic volumes associated with future development anticipated. It is recommended to reduce the speed limit across the site's frontage to Horotiu Road and Richards Road to 50km/h from 80km/h. Introduction of a new footpath along Horotiu Road linking the site with the rest of Te Kowhai village is also recommended.

STORMWATER

A preliminary Stormwater Assessment has been completed by CKL. The overall intention of the stormwater management plan would be to develop a green corridor, utilising different stormwater and landscape devices, across the site which will also create added amenity value as well as habitat for wildlife. Given the undulating nature of the site and several existing tributary channels, the site is divided into 14 sub-catchments that will apply for the proposed situation. This will ensure that the natural stream hydrology is maintained across the site, even in upper parts of the catchment. Additionally, this reduces the need for bridges or stormwater pipe crossings by keeping the management of runoff within these sub catchments rather than sharing this across several sub catchments. The existing natural wetlands will have a 10m buffer where no works are to be located. The proposed treatment devices within catchments with natural wetlands, will be upstream of the wetlands to ensure their (wetlands) hydrology is maintained, in accordance with the NES-FW.

FLOODING

A preliminary flood hazard assessment has indicated that the majority of site is free from any flood hazard. The identified significant flood hazard areas are generally located around the tributary streams and not on developable land.

ECOLOGICAL

A preliminary Ecological Assessment has been completed by 2Awa Ecology. The site is predominantly comprised of grazed pasture, with several waterways, wetlands and ponds. Established patches of mostly exotic vegetation, including clusters and rows of large mature trees are also a feature. The large exotic trees on site likely provide habitat for fauna species including Nationally Threatened species such as long-tailed bats. Other At Risk species potentially using the site include wetland bird species and copper skink. Freshwater features including streams and wetlands will need to be considered further during the detailed design phase. These features provide an opportunity for biodiversity enhancement.

CONTAMINATION

Historic and current activities on production land can result in contamination to soil on site above human health risk-based guideline values (guideline values). As the site has potentially been subject to HAIL activities, the NESCS requires a preliminary site investigation (PSI) for any proposed subdivision and/or change in land use. The PSI found that the site is subject to HAIL activity associated with accidental release of lead from lead-based paint on sheds and burn pits. A remediation action plan and/or site management plan will need to be in place to guide remedial works to ensure contaminated land does not present a risk to human health.

WATER AND WASTEWATER

A Water Supply and Wastewater Options Assessment has been completed by BTW. The water supply servicing strategy prepared assesses the feasibility and presents conceptual solutions for key aspects of supplying Te Kowhai from the water network at Horotiu. The options assessment for wastewater servicing of Te Kowhai focused on the collection and conveyance of wastewater to the Ports of Auckland wastewater pump station located in Horotiu.

GEOTECHNICAL

A Preliminary Geotechnical Assessment has been completed by AECOM. The key key geohazards identified during the investigation are:

- Settlement of soft soils and peats has potential to damage structures and infrastructure within the lowlands.
- Slope instability has the potential to affect the rolling hills and gully slopes
- Soil liquefaction due to ground shaking is a geohazard applicable to the lowlands. Soil liquefaction can result in vertical settlement and horizontal displacement.

Greatest care in respect of waahi toitu (areas where urban development should be avoided) has been undertaken through the structure planning process by recognizing that slope stability will influence the location of roads and lots, as well as the size of lots. The structure plan also proposes that large tracts of wetlands are protected from urban development.

OTHER EFFECTS:

- Cultural
- Archeological
- Construction
- Noise
- Visual

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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:

NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT

The NPS-UD took effect on 20 August 2020 and applies to all districts that have an urban environment within their district, and to all decisions that affect an urban environment.

The term 'urban environment' is defined in the NPS-UD as:

"Any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

(a) Is, or is intended to be, predominantly urban in character; and

(b) Is, or is intended to be, part of a housing and labour market of at least 10,000 people."

In terms of clause (a) of this definition, Te Kowhai is intended to be predominately urban in character. In respect to clause (b), Te Kowhai's population is predicted to grow to 4,000 people over the next 50 years (Waikato 2070 Strategy). It is therefore not projected to reach a population of at least 10,000 within the long term, this being a period of 10-30 years as defined by the NPS-UD.

NATIONAL POLICY STATEMENT ON HIGHLY PRODUCTIVE LAND

The NPS-HPL took effect on 17 October 2022.

Policy 5 states that urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

Because the Te Kowhai West Growth Cell is land identified for future urban development within 10 years by Waikato 2070, as defined in section 1.3 of the NPS-HPL, it is not considered to be Highly Productive Land. Furthermore, the site is not zoned General Rural or Rural Production (it was zoned Future Urban on the Proposed Waikato District Plan Decisions version).

NEW ZEALAND COASTAL POLICY STATEMENT

Te Kowhai West is not located near the coast.

NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

The fundamental concept of the NPS-FM is the Te Mana o te Wai, which refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

The NPS-FM largely provides direction to Regional Authorities to manage water. Section 3.5 (4) however, directs: "Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments." These directives will be incorporated into the design and construction of the Te Kowhai West growth cell.

NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER

Rules and regulations for activities in and around wetlands are covered in the National Environmental Standards for freshwater (NES-F) for Urban development specifically Regulation 45C. Whereby vegetation clearance and earthworks within or within a 10 m setback as well as the taking, use, damming, diversion or discharge of water within a 100 m setback from a natural wetland are restricted discretionary activities.

Resource consents for the aforementioned activities within or within close proximity to natural wetlands will need to show demonstratable avoidance of wetland areas as a first step and then any effects will need to have the mitigation hierarchy applied (i.e. offset or compensated). In terms of the Structure Plan for Te Kowhai West, both the roading alignment and the stormwater treatment network have been through a collaborative process of design to avoid (as best they can) the natural wetland areas onsite showing demonstratable avoidance.

NATIONAL POLICY STATEMENT OF INDIGENOUS BIODIVERSITY

There are no previously identified Significant Natural Areas (SNAs) within the Te Kowhai West Growth Cell. While the majority of the vegetation on site is comprised of exotic specimen trees, it is possible that these provide habitat for threatened species such as long-tailed bats. Threatened wetland birds such as spotless crane may be using the wetland habitats at the northern end of the site. The wetland areas are proposed to be retained, which will protect their habitats. The proposal will seek to protect and restore indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity in accordance with the NPS-IB.

NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Historic and current activities on production land can result in contamination to soil on site above human health risk-based guideline values (guideline values). As the site has potentially been subject to HAIL activities, the NESCS requires a preliminary site investigation (PSI) for any proposed subdivision and/or change in land use. The PSI found that the site is subject to HAIL activity associated with accidental release of lead from lead-based paint on sheds and burn pits. A remediation action plan and/or site management plan will need to be in place to guide remedial works to ensure contaminated land does not present a risk to human health.

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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. The site is currently zoned Future Urban under the Waikato Proposed District Plan. This zoning is under appeal with a live Residential Zoning being sought by the applicant to this Fast Track application. The fast-track process would enable resource consent applications (subdivision and land use) to be

applied for without the need for a further Plan Change should a Future Urban zone be retained. A plan change process could add a further 2-3 years to project delivery timeframes, while under the process enabled by the Fast Track Approvals Bill it is anticipated it would take a maximum of 6 months to approve the project.

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

Please write your answer here:

The project is relatively straightforward. It does not present any unusual issues and the effects are known and easily quantifiable. The appropriateness of urban development of development in this location has been identified for some time in strategic planning documents and more recently in the Proposed Waikato District Plan.

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

Local government plan or strategy

Please explain your answer here:

The Waikato 2070 Growth Strategy identifies the Te Kowhai township as having a current population of 500 and a possible future population of 5000. Waikato 2070 identifies three future development cells at Te Kowhai, including "Te Kowhai West" which is earmarked for "stand alone dwellings" (450m2 lots) with a development timeframe of 10-30 years.

Furthermore, Te Kowhai is identified in the Waikato Regional Policy Statement and Future Proof Growth Strategy as a "village enablement area" with a net density target of 12-15 dwellings per hectare where reticulated services are provided.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

Yes, provision of three waters infrastructure for Te Kowhai township.

Will the project:

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

Please explain your answer here:

The project will enable approximately 925 homes to be developed. This is a significant contribution to housing supply within the Waikato District and to that extent will address housing needs, in particular by providing greater housing choice in proximity to employment areas in Ngaruawahia, Horotiu, and Te Rapa (Hamilton).

The project is consistent the definition of a well-functioning urban environment in Policy 1 of the NPS-UD. It will deliver a mix of residential densities, will provide a high level of internal accessibility in terms of walking and cycling that will link to existing village amenities. Gully restoration and open space informs the overall layout of the development, and the project will be designed in a manner which enables it to be resilient to the likely current and future effects of climate change. In addition, it will support the competitive operation of land and development markets by bringing much needed residential capacity to the market.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Yes. The project will open a new growth cell which will in turn enable the construction of approximately 925 new homes. This will provide significant economic benefits to the Waikato District through:

- Provision of new lead infrastructure to an identified residential growth area, with potential to offer wider community benefit/development yield.
- The construction of new housing which generates construction-related jobs.
- More affordable housing through increased supply and variety in typologies.
- Increased amenity for the local community through new walking and cycling paths.
- Increased consumer spending at local business and services.
- Increased skilled labour for nearby employment areas of Ngāruawāhia, Horotiu and Te Rapa (Hamilton).

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?

Not Answered

Please explain your answer here:

The Te Kowhai West Growth Cell is not in an area at particular risk from natural hazards.

The project will support adaptation and resilience from climate change induced natural hazards in that it is located away from the coast, is on geotechnically suitable ground, and will be designed in a manner that recognises and responds to climate change.

Ultimately, the project will provide a significant network of open space which will provide opportunities for the planting of vegetation providing a carbon sink for the area, and mitigation of flooding effects. It will take a catchment wide approach to flooding and stormwater issues. Sustainable forms of transport can be incorporated into the growth cell therefore enabling a reduction of carbon emissions.

Will the project address significant environmental issues?

No

Please explain your answer here:

N/A

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

Yes

Please explain your answer here:

The project is considered to be consistent with all the key, higher level strategic planning documents on the basis that these documents anticipate urbanisation of the land, will provide an economic, social, cultural and environmental benefit to the community, and will have an overall positive effect on the health and wellbeing of the Waikato River.

For example, the project is considered to be consistent with:

- The Waikato 2070 Growth Strategy which identifies the Te Kowhai township as having a current population of 500 and a possible future population of 5000. Waikato 2070 identifies three future development cells at Te Kowhai, including "Te Kowhai West" which is earmarked for "stand alone dwellings" (450m2 lots) with a development timeframe of 10-30 years.
- the Waikato Regional Policy Statement and Future Proof Growth Strategy which identifies Te Kowhai East as a "village enablement area" with a net density target of 12-15 dwellings per hectare where reticulated services are provided.
- The Proposed Waikato District Plan that identifies the Te Kowhai West as a Future Urban Zone.
- Te Ture Whaimana o Te Awa o Waikato and the Waikato-Tainui Environmental Plan, in that the project will have an overall positive effect on the Waikato River (e.g.: through restoration of gullies and improvements in water quality) and that Waikato-Tainui involvement is anticipated.

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:

Geotechnical investigations have already been completed and have identified settlement of soft soils and peats, slope instability and soil liquefaction as potential geohazards. Greatest care in respect of waahi toituu (areas where urban development should be avoided) has been undertaken through the Structure Plan process by recognizing that slope stability will influence the location of roads and lots, as well as the size of lots. The structure plan also proposes that large tracts of wetlands are protected from urban development.

A preliminary flood hazard assessment has indicated that the majority of site is free from any flood hazard. The identified significant flood hazard areas are generally located around the tributary streams and not on developable land.

Te Kowhai West is not subject to any unusual risks from climate change. It is well placed compared to other locations to address the risk from extreme weather events given its distance from the coast, is on suitable ground, and will be designed in a manner that takes account of climate change.

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:

The applicant operates in full compliance of New Zealand Laws and is unaware of any historic or current compliance or enforcement action taken against the company.

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Declaration

Do you acknowledge your submission will be published on 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:

Greig Metcalfe

Important notes