

Response ID ANON-URZ4-5FK3-E

Submitted to Fast-track approval applications
Submitted on 2024-05-03 18:51:17

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Thames-Coromandel District Council

2 Contact person

Contact person name:
Aileen Lawrie

3 What is your job title

Job title:
Chief Executive

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:
s 9(2)(a)

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

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

The Tōtara Valley Road Upgrade Project is located approximately 1.8km north of Kopu and 2.4km south of Thames, extending from the intersection with the Ngati Maru Highway/State Highway 25 (SH25) to the eastern side of Sawmill Road. Totara Valley Road is a narrow no exit rural road that extends east from SH25. The formation of Totara Valley Road is sealed to approximately 5m wide and is un-marked from the intersection with SH25 to approximately 150m east of Sawmill Road, where the remaining eastern formation comprises of gravel. Totara Valley Road does not currently include any footpaths or kerb and channel. There are several existing swales, drains and culverts beside and across Totara Valley Road, all of which convey water from the road to the watercourses on the southern side of the road, through the culvert under SH 25 and ultimately to the Waihou River.

The land parcels required for the road widening are provided in the attachment.

File upload:

Site maps.PNG was uploaded

Upload file here:

Attachment - Land Requirement Plans.pdf was uploaded

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

Yes

upload file:

Legal titles and addresses.PNG was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Totara Valley Road is under the control of Thames-Coromandel District Council as the territorial authority. The land parcels require for the road widening are in being acquired under the Public Works Act and are in the final stages of settlement and title transfer. A list of properties required is provided in the attachment.

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:

Totara Valley Road is under the control of Thames-Coromandel District Council as the territorial authority. The land parcels require for the road widening are in being acquired under the Public Works Act and are in the final stages of settlement and title transfer.

Section 2: Project details

What is the project name?

Please write your answer here:

Tōtara Valley Road Upgrade Project

What is the project summary?

Please write your answer here:

Project involves expanding and improving Tōtara Valley Road (1.1kms) and putting in new three waters services and ancillary infrastructure. The project is urgently required to facilitate new private residential housing developments to tackle Thames-Coromandel's acute housing shortage.

What are the project details?

Please write your answer here:

The project aims to enhance road safety and capacity to support residential development in the area, involving substantial earthworks, road widening, and infrastructure installation such as wastewater, stormwater ponds and water supply mains. Land needed for the road expansion and public infrastructure has been mostly acquired by TCDC from private land owners through the Public Works Act. The Thames Spatial Plan estimates that up to 700 lots are possible in the current and proposed residential zones area. TCDC are aware of development plans for 200 lots in the near term.

There have been discussions about proposed subdivision / residential development of properties off Tōtara Valley Road to accommodate growth since the mid-1990s. Some of this land is already zoned for residential use and some is not. However, no subdivisions / developments have taken place so far.

Council's objective is facilitate and enable provision of housing in the near term by facilitating public infrastructure development required for growth through private development of residential housing in accordance with the Structure Plan and Thames Spatial Plan. The Tōtara Valley Road project in Kopu is an example of where Council has offered to do some infrastructure work that developers usually do to expedite the urgent demand for housing.

The LTP 10 year plan to be confirmed shortly presents \$14,391,000 of funding for the project. Land needed for the road expansion and public infrastructure has been mostly acquired by TCDC from private landowners through the Public Works Act.

The key constraint to commencing roading and infrastructure upgrades is gaining the approvals in a fast track time period.

According to the Thames Spatial Plan, the existing and planned residential zones area could accommodate up to 700 lots. TCDC are working closely with land developers who have immediate plans to create around 200 lots right after the project upgrades are finished.

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

Please write your answer here:

This project intends to be consented as a single Fast Track Approvals Act project.

The project entails the widening and realignment of Tōtara Valley Road, installation of necessary infrastructure, and environmental protection measures. Detailed design is well advanced. The necessary approvals required to enable construction to commence are taking an extended time to date.

The Tōtara Valley Road construction works has been split into three stages for delivery as follows:

Stage 1 Construction – Upgrading of the intersection and culverts under SH25 to meet NZTA standards. This stage has had all works including construction completed.

Land Acquisition – Road widening needs land acquisition. 12 out of 14 properties have been agreed upon and it is anticipated that all land needed maybe secured by 30 June 2024. There may be a requirement to acquire further land rights for stormwater ponds above Sawmill Road intersection area.

Confirmation of this requirement is subject to completion of stormwater modelling and catchment management planning currently being progressed.

Stage 2 – Upgrading of the road and infrastructure on Tōtara Valley Road from the intersection work completed in stage 1 to just beyond Sawmill Road intersection. The road and infrastructure designs are well developed and subject to peer review and final design ready for a fast-track consent application for approvals. A resource consent has been lodged to WRC for this phase of works. The consent is currently on hold subject to s92 information requests.

Stage 3 – Upgrading of the road and infrastructure on Tōtara Valley Road from the Sawmill road intersection to the end of Tōtara Valley Road. The road and infrastructure designs are well developed and subject to peer review and final design ready for a fast-track consent application for approvals.

Subject to fast track approvals process and funding phasing approvals, construction is anticipated to start as early as October 2025 to coincide with the start of the earthworks season.

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

Please write your answer here:

Resource Management Act 1991

resource consent

notice of requirement

certificate of compliance

Wildlife Act 1953

authority to do anything otherwise prohibited

Heritage New Zealand Pouhere Taonga Act 2014

archaeological authority

Public Works Act 1981

proclamation under section 26 to take or deal with land

Resource Consents required for the project:

The Waikato Regional Plan rules which trigger the need for resource consent are needed to authorise the project as follows:

3.6.4.17 - Controlled activity - Cofferdams;

5.1.4.15 - Discretionary activity - Soil disturbance, roading, tracking and vegetation clearance, riparian vegetation clearance in high risk erosion areas; and

4.2.4.4 - Land use consent – culvert(s)

5.2.5.3 - Discretionary activity - Cleanfill disposal in high risk locations;

3.6.4.13 - Discretionary activity - Stop banks, diversions and any associated discharges of water

3.5.11.8 - Discretionary activity - Discharge of Stormwater. likely required for the sealing of Totara Valley Road

Stormwater Discharge Consent :

For the catchment development for land development, a stormwater discharge consent is needed for the TCDC owned stormwater devices. Each developer also needs subdivision/land use consents and stormwater discharge consents to connect to the central system.

National Environment Standards for Freshwater

Land use consent – disturbance of a wetland to construct specified infrastructure (Regulation 45)

Land use consent – culvert (Regulation 71).

Please be aware that the final plans and technical reports may have additional consent requirements. However, for now, the consents above will cover the main activities that need consent.

Designations required for road widening:

Notice of Requirement and Outline Plan of Works

Under the Thames-Coromandel District Plan a separate notice of requirement to designate the Site for the proposed works. Accordingly, an outline plan or outline plan waiver is required from the District Council to undertake the works.

Land Acquisition Public Works Act 1981:

TCDC is well progressed in the purchase of 14 parcels of land to be taken for road widening works under the Public Works Act 1981 to meet the needs of the Totara Valley Road Thames upgrade project.

Until design is complete, there may be additional land requirements under the Public Works Act that would be applied for with the fast track application.

Residential development within the structure plan area

Residential development with the structure plan area is anticipated that may require the following approvals under the regimes listed above:

Subdivision consents and ancillary activities and consent to enable residential land development may involve the following activities:

- removing vegetation:
- carrying out earthworks (including earthworks that disturb potentially contaminated soil):
- constructing artificial wetlands:
- constructing roads:
- constructing or installing other infrastructure or structures, including—
- infrastructure for three waters services; and
- a culvert in a watercourse:
- taking and diverting groundwater and discharging it onto land or into water:
- diverting surface water and discharging it onto land or into water:
- landscaping and planting.;

carrying out any other activities that are associated with the activities described in paragraphs (a) to (h).

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

Please write your answer here:

Waikato Regional Council WRC
Thames-Coromandel District Council
New Zealand Transport Authority NZTA

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

Please write your answer here:

A resource consent application for stage 2 was lodged with Waikato Regional Council (application No. APP144899) 12 September 2022. The resource consent is for the stage 2 construction works and is only partially covers the extent of the project works. The consent is subject to a s92 request for information regarding stormwater modelling of the catchment. No consent decision has been reached by WRC.

Thames–Coromandel District Council have lodged an application for a Notice of Requirement (NoR) to designate approximately 25.86 ha of land located on Totara Valley Road, Thames, and an associated Outline Plan of Work (OPW) (RMA/2022/0400) to enable the reconstruction of Totara Valley Road and the upgrade of infrastructure.

NZ Transport Agency Waka Kotahi have made a submission under Section 149ZCF of the Resource Management Act 1991 on the Notice of Requirement for the Totara Valley Road stormwater and road widening designation and Outline Plan of Works. The parties are in ongoing discussion. No decision has been made to date.

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

No

Please explain your answer here:

Assumes approvals will be provided by Expert Panel.

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

Please write your answer here:

The proposed accelerated programme is based on the approval through the fast track process. The current project programme based on the RMA consent process is for a longer approvals period resulting is site works to commence Feb 2027.

- detailed design Present – February 2025
- procurement February – April 2025
- funding – LTP adopted 1st July 2024
- site works commencement – October 2025
- completion.- June 2026

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Waikato Regional Council
Thames-Coromandel District Council
Ngāti Maru
Waka Kotahi/NZTA

A list and map of persons with a registered interest in land that may need to be acquired under the Public Works Act 1981 is provided in an earlier question and attachment files.

Susan Alexia Edens
Karen Jane Pickup and Todd Darren Murphy and Patrick John Clune
Leith Ian Simpson and Maree Alice Simpson
Shane Michael Wenzlick and Julie Ann Wenzlick
Kevin Paul Bates and Diane Bates
Ben Joseph Courtney, Kristy Anne Courtney and Sharp Tudhope Trustee Services No. 36 Ltd
John Cyrus Meharry, Sarah Jane Rattenbury, Rachel Ann Hales and Miller Poulgrain Trustees
William Arthur Judd and Stephanie Ann Judd
Ben Hall
Philip Grahame Grieve and Yvonne Jeanette Thurlby
Bo Wing Wong and Luen Maree Wong
Trevor George Dines and Adrienne Margarite Joyce Dines
Adrian Paul Ireland and Candy Gillespie Trustee Company Ltd
Paul Malcolm James and Shelley Linda James
Anne Elizabeth U

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:

Extensive consultation has been conducted with affected parties including local iwi authorities, relevant local government bodies, and the community. Special considerations have been taken to address the needs and concerns of Ngāti Maru, with ongoing engagement and agreements in place regarding cultural monitoring and protection of archaeological sites.

The existing residential zone in Totara Valley is within the Thames to Kopu Structure Plan 2010. A cultural values assessment for the structure plan area was conducted by Ngati Maru to inform the Structure Plan.

The Thames and Surrounds Spatial Plan 2022 signals the implementation of stage two of the Thames to Kopu Structure plan, expanding the development potential of the Totara growth node by up to 700 dwellings. The Spatial Plan has been developed considering feedback from mana whenua, the community, Waikato Regional Council, local businesses as well as input from Waka Kotahi/NZTA and Kainga Ora.

Ngati Maru are partners in the development and implementation of the spatial plan, this collaboration is reflected in the foreword from Ngati Maru Chairman Wati Ngamane and the Mana Whenua context on pages 8 and 9 of the spatial plan. Paul Majurey, Ngati Maru Treaty Negotiator and environmental lawyer ensured the direction set in the spatial plan is aligned with the aspirations of Ngati Maru.

Waikato Regional Council formally support the development of the Totara Valley growth area, noting that there are ongoing discussions on the management of stormwater discharge through WRC's flood control scheme. TCDC initially contacted Ngāti Maru in relation to the Totara Valley Road upgrades 27 November 2020. Ngāti Maru met with TCDC, Kinetic Environmental and Pinnacles Civil on 4 December 2020 and the various phases of the upgrades were discussed. Ngāti Maru have undertaken a Cultural Values Assessment (CVA) for the Totara Valley Road project. The CVA can be made available upon permission provided by Ngāti Maru. Ngāti Maru have confirmed a neutral position in relation of the Project and that while the area and waterways may contain wāhi tapu and sites of significance, current information and records indicate that the sites should not be directly affected. TCDC has confirmed they accept the above recommendations and that such measures can be included in the Project's contract documentation. Consultation with Ngāti Maru is ongoing in terms of the future phases of the Totara Valley Road project.

Extensive consultation and negotiations have been entered into with the land owners under the Public Works Act with the majority of the land parcel agreements agreed and settled.

Upload file here:
Land owner names.PNG was uploaded

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:

TCDC is well progressed in the purchase of 14 parcels of land to be taken for road widening works under the Public Works Act 1981 to meet the needs of the Totara Valley Road Thames upgrade project.

As part of these works, various sections of road legalisation works have been identified to allow for the requirements of the modern-day road and infrastructure upgrading of Totara Valley Road, meeting the future development needs within this area. These areas include land being acquired for road having an approximate total area of 7,914 square metres (subject to survey) over 14 adjacent properties parcels in addition to other land already purchased for roading purposes.

These land parcel requirements for the entire project are indicative only until design is complete, and there may be additional land requirements under the Public Works Act.

Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

The schedule for the Ngāti Maru settlement deed has been verified and does not include any areas of interest within 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:

No file uploaded

Section 5: Adverse effects

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

Please describe:

A summary of types of effects anticipated include: Erosion and sedimentation, dust, ecological effects arising from wetland and stream works, potential archaeological disturbance, potential contamination remediation, potential short term and long term ground water changes, bulk earthworks creating noise, sedimentation and construction traffic , vegetation clearance and replanting, visual amenity from rural to urban , wetland disturbance and stream modification.

An Environmental Impact Assessment has been completed for the section of phase 2a section of the works , detailing potential adverse effects and the comprehensive mitigation strategies planned. Please note that the section of works above Sawmill Road and the mid catchment stormwater ponds are not included in the AEE and need further design and assessment before lodging for consent approval.

The AEE for stage 2 works (partial) concluded that overall, the potential adverse effects of the proposed coffer dams, culverts and earthworks can be appropriately mitigated via erosion and sediment control measures in accordance with WRC's guidelines, recommendations by Ngāti Maru, and archaeological authority requirements during construction.

The AEE for stage 2 works (partial) has considered the proposal in terms of the relevant planning documents, particularly the National Policy Statement

for Freshwater Management, Waikato Regional Policy Statement, the Waikato Regional Plan and the Resource Management Act 1991. The proposal is not considered to be inconsistent with the above documents.

The AEE body of work is being further developed and updated to include the entire project area complete scheme upon completion of design.

Upload file:

Totara Valley Rd Phase 2A - WRC AEE (12092022).pdf was uploaded

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:

A general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard is provided in the attached file.

File upload:

National policy statements and national environmental standards.docx was uploaded

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, this is an infrastructure project that needs to be facilitated and delivered promptly to provide housing benefits in the near future. Since lodging the the WRC resource consent application for the first half of the road widening works , the processing time to date is 20 Months with no certainty of when consent will be granted. There is no certainty that the remaining consents required will be processed within the RMA statutory timeframes.

The proposed accelerated programme is based on the approval through the fast track process. The current project programme based on the RMA consent process is for a longer approvals period resulting in site works to commence Feb 2027.

- detailed design Present – February 2025
- procurement February – April 2025
- funding – LTP adopted 1st July 2024
- site works commencement – October 2025
- completion.- June 2026

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

Please write your answer here:

The impact referring this project will have on the efficient operation of the fast-track process is as follows:

Allows the works to be completed earlier and as such avoiding inflationary related costs of construction activities.

Allows private land owners to develop within the structure plan area with certainty of timelines to secure funding and implement works and release residential lots and housing in the near term.

The project design is well developed, most land secured and support from iwi, community and stakeholders to be in a position to efficiently complete a fast track to submission in the near future.

The project has a well known footprint and range of effects, consenting this project under the legislation will not impose an undue burden on the operation of the fast tracking process.

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

Local government plan or strategy

Please explain your answer here:

The project is consistent with the local long-term plans and regional policy statements which prioritize infrastructure improvements and residential development within the district.

The Long Term Plan LTP 10 year plan to be formally adopted by TCDC Council before 30 June 2024 presents \$14,391,000 of funding for the project.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

Yes the project will deliver regional significant infrastructure that will enable housing development. Public infrastructure includes roading, stormwater, water and wastewater utilities. Thames which is close to Kopu is one of the largest towns on the east coast of the Waikato Region and enabling a substantial step-up for much needed residential housing for people who live and work in Thames will have regional significance.

The timely planning, design and implementation of bulk infrastructure and upgrade of existing infrastructure in the right location at the right time, will enable and facilitate development. Under the current 2021-2031 LTP, the Councils approach to enable Thames and Surrounds Growth is to invest in new infrastructure only where demand is certain and long term. During the workshop held with Council staff on 9 November 2023, it was evident that the Totara Valley Road infrastructure service extension project was the only infrastructure upgrade works currently proceeding in the growth areas. These works, involving the extension of water and wastewater, and the widening of Totara Valley Road, are set to continue into the next budget cycle.

This project will provide the necessary infrastructure to serve a growing residential population within Totara Valley.

Will the project:

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

Please explain your answer here:

A lack of suitable housing supply has been a long-standing challenge for Thames and its surrounds. The cumulative effects of this under delivery, is impacting the district's ability to maintain an agile workforce which, will only worsen with inaction. Motivated by the goals of the Thames and Surrounds Spatial Plan (2022), this project provided public infrastructure that enables the delivery of a pipeline of around 700 homes that addresses an acute housing shortage whilst contributing to a well functioning urban environment.

The project will contribute to a well-functioning urban environment identified within the Thames Spatial Plan. The aim is that the improved infrastructure will make possible various types of homes that suit the preferences, in terms of kind, cost, and location, of different whanau to address the severe shortage of housing supply from increasing real and present business and employment in the nearby area. The Thames structure plan identifies various sites that can accommodate different business sectors based on location and site dimension; and offer good access for everyone from housing, jobs, community services, natural areas, and open areas, using public or active transport modes; and enhance, and minimise potential negative effects on, the efficient functioning of land and development markets; and support lower greenhouse gas emissions; and can cope with the expected present and future impacts of climate change.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Thames is the economic powerhouse of the Coromandel. Wood processing, industrial engineering, and marine services for the aquaculture sector underpin a growing economy. However, decades long underinvestment in infrastructure and new constraints on land from flood hazards make development of existing zoned areas challenging and expensive. While steady growth has occurred in nearby communities the Thames and Kopu population is stagnant, the workforce is shrinking (through demographics). Businesses such as Kopu Marine, Cirtex and others have all advised their expansion is constrained, not by ability to secure good workers, but by the inability of those workers to find housing. By improving road access and providing upgraded infrastructure, the project directly supports the development of approximately up to 700 new residential lots, significantly impacting the local housing supply and addressing regional housing needs.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

Investment in Homes for Jobs in Thames will leverage the earlier Kanoa investment in the Kōpū marine development that is due for completion in May this year, and re-invigorate the local economy. It may also provide opportunity to support the aquaculture industry operating from Te Ariki Tahi Sugarloaf wharf (also previous Kanoa investment).

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?

No

Please explain your answer here:

Will the project address significant environmental issues?

Yes

Please explain your answer here:

With an environmental management plan, the project will also contribute positively by enhancing local environmental standards and managing traffic flows more effectively.

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

Yes

Please explain your answer here:

The project is consistent with the local long-term plans and regional policy statements which prioritize infrastructure improvements and residential development within the district.

The existing residential zone in Totara Valley is within the Thames to Kopu Structure Plan 2010.

The Thames and Surrounds Spatial Plan 2022 signals the implementation of stage two of the Thames to Kopu Structure plan, expanding the development potential of the Totara growth node by up to 700 dwellings.

In October 2022 council adopted a spatial plan that identifies new growth areas, and the enabling infrastructure that is required to support growth. Investment in enabling road and waters infrastructure for the Totara Valley growth area can deliver up to 700 new homes in the long term and will directly enable 200 new homes in the short term. We would also seek ways to ensure there was access to market median typology.

Anything else?

Please write your answer here:

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

No

If yes, please explain:

The project does not include any activities that are ineligible under the Fast-Track Approvals Bill. It respects all legal and customary rights, with no activities proposed on land returned under a Treaty settlement without appropriate consents.

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:

Thames-Coromandel District Council is a fairly small organisation that covers a large area. We have sometimes received some abatement notices, but we have quickly taken steps to find and fix the issues. We have not faced any prosecutions in the last three years.

Load your file here:

No file uploaded

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:

Aileen Lawrie

Important notes