

Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: Ngongotahā large scale housing development
Application number: PJ-0000855
Date received: 23/12/2022

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: Watchman Residential Limited

Contact person: Andrea Jacobson

Job title: Project Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

80 Sarsfield Street, Herne Bay

Address for service (if different from above)

Organisation: Campbell Brown Planning Limited

Contact person: Michael Campbell

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: s 9(2)(a)

Postal address:

PO Box 147001, Ponsonby, Auckland 1144 PO Box 147001, Ponsonby, Auckland 1144

Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

31 Ngongotaha Road, Ngongotahā, Bay of Plenty, 3010, New Zealand

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

Lot 2 DP 337743 (Title Reference 154895)

Attachment 1 Record of Title

Registered legal land owner(s):

His Majesty the King (Crown) - noting that legal settlement of the site has occurred. It is noted that a copy of the Record of Title recording the site as being within 'His Majesty the King's' ownership is not available at this stage and an updated Record of Title will be provided once available (anticipated after registration in early 2023)

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

The applicant is not the legal owner of the site (as above). His Majesty the King (Crown), who is the current owner of the site, has issued a Request for Proposal to Watchman Residential Limited to submit a housing

development proposal for the Site. If the project is referred under the Act, it is anticipated that the applicant will become the 'authorised person', and will apply for the subsequent resource consents. Matt Fraser of the Ministry of Housing and Urban Development (HUD) has provided written support for the application on behalf of the Crown, and support for the application through the Fast-Track Consenting process.

Part III: Project details

Description

Project name: Ngongotahā large scale housing development

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

Comprehensively masterplanned residential development ("the Project"). Construction and subdivision of 196 Household Units to be utilized as a mix of affordable housing for the private market, and public housing. Associated works include earthworks; and the construction and vesting of roading, three waters infrastructure, stormwater management devices (ponds and wetlands) and public open space. Approximately 392 residential car parks will be provided across the site.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

The application is for a referred project under Section 20 of the Act to enable the accelerated construction and delivery of the comprehensively masterplanned residential development. The Project will result in significant and on-going public benefits and will give effect to the purpose of the FTCA in terms of promoting employment in the construction sector and on-going operation of the residential development with significant FTE opportunities to support social and economic recovery from the impacts of Covid-19 while promoting the sustainable management of natural and physical resources.

The purpose of the proposed project is to carry out a housing development within an existing and growing residential catchment, to considerably increase the housing supply within the Rotorua district, which has experienced strong population growth in recent years with a resulting shortfall in housing that has driven up rents and house prices. This has increased the reliance on public housing and resulted in a significant growth of emergency motel usage. The project provides an opportunity to maintain the supply of build ready land by utilising greenfield land, and to enable delivery of an affordable development to address the shortage of housing in the district.

The infrastructure associated with the subdivision and development will include roads, pedestrian and cycle accessways, private accessways, public open space, stormwater management reserve/s, and reticulated infrastructure for three waters services. The proposed project will involve the following activities:

- Carrying out bulk earthworks and remediation of contaminated land;
- Constructing residential buildings;
- Constructing roads, pedestrian and cycle accessways, and private vehicle access;
- Carrying out comprehensive landscaping including open space restoration planting adjacent to the existing riparian corridor, and a mix of specimen trees, fruit trees, shrubs, lawn and other hard landscaping including fencing and decking throughout the site;
- Constructing three waters infrastructure, including a stormwater management pond and flood management works; and
- Subdividing land including vesting of roads and reserves.

Acknowledging the Rural Lifestyle zoning of the site and the proposed residential intensity, the proposed development has been carefully designed to be cohesive with the surrounding area, and significant landscaping and

open areas (including substantial landscaped riparian reserve areas), are proposed to ensure that the scale of development results in a natural transition between the existing Residential settlement and the wider Rural area. As the proposed residential density exceeds the maximum density that is anticipated by the Rural Lifestyle Zone, there are further opportunities to provide for additional landscaping bunding along the edges of the site as a temporary measure to largely 'screen' the development when viewed from the wider area, until such time that a future plan change to rezone the site to residential zoning progresses. However, following the design process which has taken place in preparation of this application, the expert consultant team are of the view that the proposed design (including mitigation measures) is appropriate within this location, and provides for an acceptable urban design response when taking into account the context of the site.

The key objectives and principles of the Project are to:

- Give effect to the purpose of the Act to promote the social and economic recovery of Covid-19. The total economic impact on business activity within Bay of Plenty from this Project over a 5-year period is estimated to be just over \$104 million (Net Present Value). The Project will also contribute to nearly 259 FTEs during the peak development and operation year within Bay of Plenty, with a total number of FTEs just over 886 over the 5-year development period.
- Provide a comprehensively planned development that will deliver 196 well-designed, high-quality Household Units within the Rotorua District. Watchman Residential Limited aims to meet the growing demands for housing within the Rotorua District by providing housing choice and variety;
- Provide a mixture of standalone, duplex and terrace housing to support the delivery of a considerable affordable and public housing supply in a location that has a significant shortage of affordable supply and is forecasting continued and sustained population growth;
- Rejuvenate Ngongotahā to further increase the vibrancy of the area;
- Provide an activated street frontage on Ngongotahā Road;
- Construct buildings that respond appropriately to the surrounding environment;
- Provide a residential development which maintains and enhances pedestrian amenity and safety around the site and immediate locality through strong pedestrian links at the street level;
- Provide high quality residential activity frontages to the neighbouring residentially zoned land to the south and to the east;
- Provide for immediate employment generation in the local suppliers for goods and materials and sub trades, as well as on-going jobs and employment opportunities with an emphasis on using the services of local builders and companies with apprenticeship programmes in place; and
- Increase the supply of housing through providing quality Household Units on a currently underutilised site within a well-established settlement that has access to a range of amenities and transport options.

The project will enable the development of approximately 3.9 hectares of the 15.927ha largely undeveloped and underutilised greenfield land to contribute to a well-functioning urban environment through the provision of a comprehensively planned residential development in a central location which is highly accessible by public and active transport modes to existing retail, commercial and education facilities, and the existing and growing residential catchment.

An Economic Impact Assessment has been prepared by Property Economics (included as **Attachment 6**). Property Economics estimate that the project will contribute to nearly 259 FTEs during the peak development and operation year within Bay of Plenty, with a total number of FTEs just over 886 over the 5-year development period. The direct impact on the Construction and Construction Services sectors associated with direct employment measure is approximately 479 FTE years over the 5-year construction period. Direct economic injection from construction and development phases equate to \$86.2m.

Attachment 4 - Architectural Plans

Attachment 5 Landscape Plans

Attachment 6 Economic Assessment

Where applicable, describe the staging of the project, including the nature and timing of the staging:

The timeline in **Attachment 7** illustrates the proposed staging and timing of the project in relation to the delivery of the first dwellings, and also compares this to the project timelines anticipated under the standard plan change and consenting processes.

All 196 Household Units and associated enabling works, infrastructure and subdivision will be applied for under a single resource consent. Establishment works, including remediation of contaminated land, bulk earthworks and the construction of roading and three waters infrastructure will be carried out across the entire project site. Should the project be accepted as a referred project under the Act, it is anticipated that establishment works will be carried out from mid-2023 to late-2024. Building consent preparation will commence from mid-October 2023, with lodgement planned following the approval of resource consent. Earthworks, civils and construction of buildings will be staggered across 4 stages, with earthworks for stages 3 and 4 being undertaken while the construction of buildings within stages 1 and 2 takes place. Subdivision will also be split into two stages. It is anticipated that the construction of the last stage will be completed in early 2027.

Attachment 7 Comparison Timelines

Consents / approvals required

Relevant local authorities: Bay of Plenty Regional Council, Rotorua District Council

Resource consent(s) / designation required:

Land-use consent, Subdivision consent, Discharge permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 2 DP 337743	Rotorua District Plan – Operative 2016	Rural 2 Zone - Rural Lifestyle	Onsite parking and turning overlay	Streams and floodplain (1 in 100 year) Statutory Acknowledgement Area - Affiliate Te Arawa Iwi and Hapu: Waiteti Stream 'Piece of land' under the NESCS Landslide susceptibility area Urban Primary Arterial (Strategic) Road
Lot 2 DP 337743	Bay of Plenty Regional Natural Resources Plan	Rural 2 Zone - Rural Lifestyle	Streams and floodplain (1 in 100 year)	'Piece of land' under the NESCS

Legal description(s)	Relevant plan	Zone	Overlays	Other features
			Statutory Acknowledgement Area - Affiliate Te Arawa Iwi and Hapu: Waiteti Stream	

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
National Environmental Standard for Managing Contaminants in Soil	Regulation 10(2)	Disturbance of soil and subdivision of a piece of land	Restricted discretionary	Application site
Bay of Plenty Regional Natural Resources Plan	DW R25 (Rule 35)	Remediation or disturbance of contaminated land	Restricted discretionary	Application site
Bay of Plenty Regional Natural Resources Plan	LM R4 (Rule 1C)	The disturbance of land and soil as a result of earthworks or a quarry, where the activity not permitted, controlled or restricted discretionary by a rule in the regional plan.	Discretionary	Application site
Rotorua District Plan – Operative 2016	RURZ-R9	Household Units where compliance not achieved with the performance standards in RURZ-R9(1), (2) or (3). Compliance is not achieved with RURZ-R9 (1), (2) or (3) as more than one household per site is proposed and the following performance standards cannot be met: <ul style="list-style-type: none"> RURZ-S2 (Yards) RURZ-S3 (Site coverage) RURZ-S4 (Density) 	Restricted Discretionary	Application site
Rotorua District Plan – Operative 2016	RURZ-R17	Community Housing where compliance not achieved with the performance standards in RURZ-R17. Compliance is not	Restricted Discretionary	Application site

		<p>achieved with RURZ-R17, as community housing is proposed and the following performance standards cannot be met:</p> <ul style="list-style-type: none"> • RURZ-S2 (Yards) • RURZ-S3 (Site coverage) • RURZ-S4 (Density) 		
Rotorua District Plan – Operative 2016	SUB-R25	<p>The subdivision of sites or buildings not otherwise stated where compliance cannot be achieved with the performance standards in SUB-R25(1). standards:</p> <p>a. Rural Zone site design SUB-S6</p> <p>c. Site serviceability SUB-S9</p>	Non-Complying	Application site
Rotorua District Plan – Operative 2016	SUB-R43	The subdivision of sites or buildings on land susceptible to inundation	Discretionary	Application site
Rotorua District Plan – Operative 2016	EW-R1	Earthworks that cannot achieve compliance with the performance standards for EW-R1(1)	Restricted Discretionary	Application site
Rotorua District Plan – Operative 2016	NOISE-R2	Construction Noise where compliance not achieved with the relevant noise levels stated in NZS 6803:1999.	Restricted Discretionary	Application site
Resource Management Act 1991	Section 221(3)(a)	Vary or Cancel conditions specified in consent notice	Discretionary	Application site

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

No applications for resource consent or NOR have been lodged in relation to this application. The site forms a logical extension to Ngongotahā and this project aligns with Councils strategic growth area in the Rotorua Spatial Plan 2018. In mid-2019, Council applied to establish the site as a SHA. The Minister declined this, largely due to flood risk. Flood modelling has since been undertaken and the applicant's experts consider that there is an engineering solution that can be designed to ensure that there are no downstream flooding effects and the any flooding hazards can be addressed as part of the fast track process if the minister is minded to refer this project to the EPA for consideration.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

Not applicable. There are no other resource consents or designations required for the project by someone other than the applicant. All proposed works can be delivered by the applicant, subject to obtaining the necessary resource consents as a referred project under this Act. The project is not impacted by any other projects.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

Building consents will be required in the future under the Building Act 2004. These consents have not been obtained but will be in due course as the project advances to the detailed design stages required to prepare and compile all the consent documentation. The applicant does not anticipate any challenges with obtaining the necessary building consents, nor would this process delay the ability to deliver this project.

Approval will be required from Waka Kotahi NZ Transport Agency (Waka Kotahi) for the proposed crossing onto State Highway 36. This is a standard procedural requirement and process given that Waka Kotahi is the road controlling authority for the transport network. The proposed intersections will be designed to comply with Waka Kotahi's relevant standards, and we do not anticipate any issues with obtaining the necessary approvals.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

A timeline has been included as **Attachment 7**. This anticipates that project delivery commences October 2023, with detailed design and building consenting complete by February 2024 and the construction period commencing immediately after. This sees construction of all stages complete by February 2027.

Watchman Residential Limited is the delivery arm of Watchman Capital, which is a New Zealand owned and operated company specializing in residential property development. Watchman Capital specialize in KiwiBuild developments and also work with community housing providers, with extensive experience in the construction and delivery of well built, architecturally designed sustainable homes, as evidenced by its expanding property portfolio. Current and recently delivered projects across the North Island including Wattle Park (112 homes include Community Housing Provider (CHP), KiwiBuild and market homes), Mountview Green (86 homes, including CHP, KiwiBuild and market homes) and Millbrook 44 (57 homes including KiwiBuild and market). Watchman Residential Limited confirms that it has sufficient funding capacity to successfully deliver this project in partnership with HUD.

The land where this project will occur is already owned by HUD which provide the applicants with full control to redevelop the land through a housing development proposal and subsequent Development Agreement. This will enable the works to commence immediately and be physically implemented following resource consent approval. We confirm that this project is construction ready subject to obtaining resource consent allowing for the enabling works to commence, and building consent allowing for physical construction of the buildings. The consultant team that will prepare all the necessary documentation for the resource consent has been appointed and is already underway with the necessary fieldwork or technical investigations to inform preparation of the necessary supporting resource consent documentation. Should this project be successfully referred by the Minister, the application is expected to be lodged with the Environmental Protection Authority (EPA) during the first quarter of 2023 or as soon as the Order in Council is issued, enabling the application to be formally lodged.

Target dates for key milestones of the project are as follows:

- Q1 to Q3 of 2023 – Application lodged with EPA, processing of application and decision issued.
- Q4 2023 to Q2 2024 – Stage 1-4 Building consent and EPA process with local authority
- Q4 2023 to Q4 2024 – Stage 1-2 Enabling works and bulk earthworks during the earthworks season between 1 October – 30 April

- Q1 2024 to Q4 2025 – Stage 1-2 Building construction and construction of the road and three waters infrastructure.
- Q1 2025 to Q4 2025 – Stage 3-4 Enabling works and bulk earthworks during the earthworks season between 1 October – 30 April
- Q2 2025 to Q1 2027 – Stage 3-4 Building construction and construction of the road and three waters infrastructure.

Based on this high-level timeline, the construction of this Project is planned to be completed by February 2027.

By utilising the COVID-19 (Fast-tracking Consenting) Act, the employment benefits and generation by the project will be delivered approximately 25 months earlier than utilising the normal resource consent process under the Resource Management Act 1991. This will provide significant public benefit by contributing to Rotorua and New Zealand's recovery from the economic and social impacts of COVID-19 by providing additional employment opportunities and bringing this forward in an accelerated timeframe to more quickly realise these economic benefits.

Attachment 7 Comparison Timelines

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

Engagement is underway with Waka Kotahi to discuss access to the site.

A pre-application meeting was held with the Ministry for the Environment on 22 December 2022 to discuss the Fast Track application.

Local authorities

Detail all consultation undertaken with relevant local authorities:

A pre-application meeting was held with Rotorua Lakes Council and Western Bay of Plenty Regional Council on 19 December 2022. The meeting discussion covered planning and flooding issues. Watchman Residential Limited has committed to working with the Local and Regional Councils to work through any technical issues to ensure that all issues are identified and address as part of the Stage 2 consent.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

With the exception of iwi authorities (which are detailed in the following section), no other persons or parties are considered to likely be affected by the project. The proposal is for a residential development on land that is earmarked to be residentially zoned through a plan change process, and currently zoned for 'rural lifestyle' purposes. While the proposed project will result in a change to the existing character of the surrounding area and is of a greater residential intensity than the anticipated outcomes of the underlying zoning, the proposed building design and layout have been carefully designed to be cohesive with the surrounding area. Proposed landscaping and edge treatment will largely screen and soften the proposed development when viewed from the wider area. The balance of the site will remain as open pastoral land as part of this project, which will provide a sense of openness and landscaping around the proposed development area. Further, the proposal is in keeping with the intent of the National Policy Statement on Urban Development 2020 ('NPS-UD') as well as the Rotorua Spatial Plan 2018.

Detail all consultation undertaken with the above persons or parties:

N/A

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to [Te Kāhui Māngai – Directory of Iwi and Māori Organisations](#).

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Ngati Rangiwewehi	<p>Consultation to date has been restricted to high level discussions regarding the history and key issues for hapu/iwi relevant to the subject site;</p> <p>Formal consultation is planned with key mana whenua groups. This is proposed to occur concurrently to the processing of this application for a referred project with the Minister.</p> <p>Detailed information has been researched and compiled to inform and facilitate the consultation and on-going engagement with mana whenua.</p> <p>Based on the known intrinsic connection to Te Puna o Pekehaua, Te Wai Mimi o Pekehaua, and the surrounding whenua, engagement with Ngati Rangiwewehi, will include (but not be limited to) specific detail and attention to:</p> <ul style="list-style-type: none"> - Acknowledging and respecting significant sites, particularly relating to Tawakeheimoa - Water supply to the proposed development and the impact this has on “Te Mana o Te Wai” and the “Kaitiaki Flows” concepts captured within the joint resource consent, with Rotorua Lakes Council, for water take from Pekehaua Puna (Taniwha Springs) - Positive outcomes for current and future generations of Ngati Rangiwewehi
Ngati Tuteaiti and Ngati Ngararanui (includes Ngati Rautao)	<p>Consultation to date has been restricted to high level discussions regarding the history and key issues for hapu/iwi relevant to the subject site;</p> <p>Formal consultation is planned with key mana whenua groups. This is proposed to occur concurrently to the processing of this application for a referred project with the Minister.</p> <p>Detailed information has been researched and compiled to inform and facilitate the consultation and on-going engagement with mana whenua.</p> <p>Based on the known intrinsic connection to the Waiteti Stream and the surrounding whenua, engagement with Ngati Ngararanui & Ngati Tuteaiti is proposed to be undertaken, including (but not limited to) specific consideration and attention to:</p> <ul style="list-style-type: none"> - Acknowledging and respecting sites of cultural significance within the site, along the Waiteti Stream and its tributaries and the surrounding whenua; - Acknowledging and respecting the spiritual and cultural significance of the Waiteti Stream, its tributaries and wider catchment; - Stormwater run-off increasing flood levels in the Waiteti Stream; - Stormwater run-off increasing flow rate and causing an increase in erosion to the Waiteti Stream; - Stormwater run-off increasing sedimentation and pollution of the Waiteti Stream; and - Positive outcomes for current and future generations of Ngati Ngararanui & Ngati Tuteaiti
Ngati Tura Ngati Te Ngakau	<p>Consultation to date has been restricted to high level discussions regarding the history and key issues for hapu/iwi relevant to the subject site;</p>

	<p>Formal consultation is planned with key mana whenua groups. This is proposed to occur concurrently to the processing of this application for a referred project with the Minister.</p> <p>Detailed information has been researched and compiled to inform and facilitate the consultation and on-going engagement with mana whenua.</p> <p>Based on the known intrinsic connection to the Ngongotaha Stream and the surrounding whenua, engagement with Ngati Tura Ngati Te Ngakau, requires specific detail and attention to:</p> <ul style="list-style-type: none"> - Acknowledging and respecting sites of cultural significance within the site, along the Waiteti Stream and its tributaries and the surrounding whenua; - Acknowledging and respecting spiritual and cultural significance of the Waiteti Stream, its tributaries, including the Tupapakuraa Stream and wider catchment; - Positive outcomes for current and future generations of Ngati Tura Ngati Te Ngakau
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Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
Ngāti Ngararanui	Refer to the above consultation summary

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

The project would not occur on land returned under a Treaty Settlement. The project will occur on land that is within a statutory acknowledgment area under the Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008. The location of interest is identified as Waiteti Stream. The Statement of Association states:

The association of Ngāti Ngararanui with the Waiteti Stream is one of deep cultural and spiritual significance. The Waiteti Stream identifies Ngāti Ngararanui as an autonomous iwi of Ngāti Whakaue, an iwi charged with the responsibility of kaitiakitanga of the waters and especially of the taonga, Hinetuahoanga, resting at Waiorotoki. It is the single most prominent landmark that signposts the heartland of Ngāti Ngararanui. The waters of the Waiteti Stream have ever been a source of physical and spiritual sustenance for the descendants of Ngāti Ngararanui. The life force of the Waiteti Stream is their life force, their pathway back to a rich history, their status symbol as tangata whenua, and their way home.

The Deed of Settlement Schedule states the purposes of the Statutory Acknowledgement as:

Under section 28, and without limiting the rest of this schedule, the only purposes of the Statutory Acknowledgements are to:

(a) require relevant consent authorities, the Environment Court, and the Historic Places Trust to have regard to the Statutory Acknowledgement, as provided for in sections 29 to 31;

(b) require relevant consent authorities to forward summaries of resource consent applications to the trustees, as provided for in section 33; and

(c) enable the trustees and a member of the Affiliate to cite the Statutory Acknowledgement as evidence of the association of the Affiliate with the Waiteti Stream, as provided for in section 34.

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

N/A

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

N/A

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

Refer to enclosed assessment of effects.

Part VII Adverse Effects

Attachment 8 Infrastructure Assessment

Attachment 9 Acoustic Assessment

Attachment 10 Contamination Assessment

Attachment 11 Geotechnical Assessment

Attachment 12 Urban Design Assessment

Attachment 13 Landscape Effects Assessment

Attachment 14 Transport Effects Assessment

Attachment 6 Economic Effects Assessment

Attachment 15 Ecology Assessment

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

National Policy Statement on Urban Development 2020 (NPS-UD)

The NPS-UD enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1).

It is considered that the Project is consistent with the relevant objectives and policies of the NPS-UD and will contribute to a well-functioning urban environment. In particular, the development will provide for 196 residential units on the periphery of an established residential area. The Project will provide housing on land that has good access to goods and services, recreation spaces, and to existing employment opportunities and new employment

opportunities. Further, the Site is well served by bus routes, as well as pedestrian and cycle infrastructure. It is considered that the Project will rejuvenate the amenity of the existing area.

Overall, the Project will achieve both additional housing and business capacity in the short to medium term.

National Policy Statement for Freshwater Management 2020 (NPSFM)

The purpose of the NPSFM is to provide local authorities with direction on how to manage freshwater under the RMA. In particular and of relevance to the project, the NPSFM seeks to ensure that tangata whenua are actively engaged in freshwater management and Maori freshwater values are identified and provided for (Policy 2). It also seeks to ensure that freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis (Policy 3), and that communities are able to provide for their social, economic and cultural wellbeing (Policy 15).

The proposal is consistent with the NPSFM, and in particular the relevant policies above. With respect to tangata whenua engagement (Policy 2), the applicant will be consulting with the relevant iwi authorities and it is anticipated that this will facilitate involvement by tangata whenua in freshwater management.

In terms of managing stormwater in an integrated way (Policy 3), a SMP is expected to be developed with stormwater management principles to ensure that freshwater is managed in an integrated manner and whole of catchment basis with stormwater treatment, stormwater conveyance and flood risk management measures proposed.

The proposal is also considered to provide for the social, economic and cultural-well-being of people and communities as it will deliver retail and supermarket choice, as well as employment opportunities, while meeting the purpose of the NPSFM (Policy 15).

National Environmental Standards for Freshwater 2020 (NESF)

The NESF sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. In relation to the project, the NESF seeks to protect existing inland wetlands. The proposal is consistent with the intent of the NESF as the assessment above confirms the project is consistent with the policy framework of the NPFM, and as the project has been designed to protect freshwater systems.

There are no identified natural wetlands or other natural ecological features within the site that warrant further assessment under the NESF. Accordingly, no consents are required under the NESF regulations for this project.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The NES-CS ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed, and if necessary, the land is remediated or the contaminants managed to ensure there are no adverse effects on human health. As previously discussed in Part VII of this application, consideration will be given to the relevant provisions, with consent being sought under the NES-CS as relevant and required in order to manage the effects of contaminants in soil in order to protect human health.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to “urgently promote employment to support New Zealand’s recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

The proposed development will result in direct and indirect economic benefits for people and industries affected by COVID-19 through providing both direct and indirect employment. Property Economics have assessed the economic benefits and costs of the proposal in the COVID-19 environment in their Economic Impact Assessment at **Attachment 6**. Property Economics has concluded that the total economic impact on business activity within Bay of Plenty as a result of this Project over a 5-year period is estimated to be just over \$104 million (NPV). In terms of employment multipliers this would contribute nearly 259 FTEs during the peak development and operation year within Bay of Plenty, with a total number of FTE years at just over 886 over the 5-year development period.

The direct impact on the Construction and Construction Services sectors associated with direct employment will measure approximately 479 FTE years. Direct economic injection from construction and development phases equates to \$86.2m.

In addition, in terms of economic benefits, Property Economics note that the proposal will contribute to the following economic benefits:

- *Increased Land / Dwelling Supply: The proposed land area has the ability to supply the market with an additional 196 dwellings increasing capacity within a single master-planned area. This provides not only the ability for the area to improve its responsiveness to growth demands but itself facilitate further growth within the area with an increase in overall competitiveness and efficiency due to the intensity of the proposed development. This is in keeping with one of the key purposes of the FastTrack Act of increasing overall housing supply (s19(d)(ii)). Additionally, this provides clear direction to the market regarding both its ability to meet future demand pressures and its provision through an efficient site location and size.*
- *More Affordable Housing: The potential provision of additional feasible residential development capacity within the wider area is likely to have the impact on reducing counterfactual land values. A significant contributor to residential property values is the underlying land values impact by growth expectations and supply. The identification of additional residential land areas suitable for development is likely to reduce price pressure in the local and surrounding markets.*
- *Decreased Marginal Infrastructure Costs: Once again the opportunity to masterplan an area has the potential to bring with it, economies of scales and lower marginal infrastructure costs. Additionally, the 'future provision and identification' of this area allows for the future proofing of the area and the community and private infrastructure requirements.*
- *Impact on Current Employment Levels: While Covid-19 has had a less significant impact on the general economy than initial estimated, it is clear that the next few years represent uncertain times with several crucial sectors likely to experience significant downturns and considerable restricting.*

The project will deliver a significant residential development in an accessible location that is serviced appropriately.

This will, in turn, contribute to Ngongotahā as a vibrant and increasingly more attractive local settlement to visit, and increase the variety and supply of affordable housing, which in turn will create economic activity and facilitate residential growth in the wider area.

The project is therefore considered to be a significant stimulator for economic benefits. It will provide immediate economic benefits for people that have become unemployed as a consequence of Covid-19; people in the professional services sector with respect to the planning and design of the residential development; immediate economic benefits in the construction sector and long-term economic benefits of full-time employment opportunities in the operations and maintenance of this residential development.

Attachment 6 Economic Assessment

Project's effects on the social and cultural wellbeing of current and future generations:

The Project will generate significant positive social effects on current and future generations. The Project will enable the accelerated delivery of a significant number of residential units to the Rotorua housing market where population growth and affordability issues continue, thereby providing for the social wellbeing of current and future generations. In addition, the proposed development will be of a high-quality design, providing an attractive focal point within the local settlement of Ngongotahā. This will stimulate further economic activity, benefitting both current and future generations.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

The Project is estimated to progress faster under the Act than otherwise would be the case. Under the Fast-Track, it is anticipated that works would be completed by Q1 2027, whereas under standard RMA processes it is anticipated works would not be complete until Q1 2029. A programme of works is included as **Attachment 7** and estimates that the fast-track processes under the Act therefore provides the benefit of advanced progression by 25 months.

Attachment 7 Comparison Timelines

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

The Project will bring forward in time significant employment opportunities in the civil and construction industry and supporting sectors, with construction being one of the key sectors filling the unprecedented unemployment generated by the COVID-19 pandemic. The economic assessment included as **Attachment 6** outlines that during the construction phase, up to 479 FTEs will be created, with a total employment count of approximately 886 FTEs over the five-year development period.

Attachment 6 Economic Assessment

Housing supply:

The Project will bring forward in time and accelerate the availability and delivery of housing stock supply. There will be 196 residential units provided at a time where there are significant shortages of housing in the Bay of Plenty region, which experiences some of the highest reliance on public housing and resulting growth of emergency motel usage in the country, as a result of stress on existing supply, including higher levels of crowding. In addition, the development will likely result in some release of land containing standalone dwellings in areas zoned for intensification. This will release this land for redevelopment, and such this redevelopment will have the same effect in turn.

Contributing to well-functioning urban environments:

The Project is in keeping with the NPS-UD objective of having well-functioning urban environments as the Project will provide for an architecturally designed, mixed use development of greater intensity and increased height in a location that is highly accessible and adequately serviced. The Site has strong active transport connections to the Rotorua CBD, as well as having good access to the bus network. Further, Ngongotahā is an attractive residential settlement that has access to a range of good recreational amenities within walking distance.

The development has been well designed, through the use of urban design characteristics detailed in **Attachment 12**. Most importantly, the development will provide for a significant number of dwellings on the periphery of an established residential settlement. This being one of the key requirements of a well-functioning urban environment.

Attachment 12 Urban Design Assessment

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

The project includes only small transport infrastructure upgrades to provide access points to the site, and any increased demand on existing Council infrastructure can be incorporated through existing capacity or planned future upgrades. As a result, the proposal does not require any major infrastructure installation or off-site upgrades to the surrounding road network. The infrastructure within the site will be fully funded and established by Watchman Residential Ltd. It is noted that the establishment of a roading network within the site that will connect with the existing road network on State Highway 36 and will provide for a safe and efficient transport network. A likely increase in public transport options facilitated by an improved road network will also contribute to improved environmental outcomes by the use of more sustainable travel modes and a reduction in carbon emissions. Coupled with local employment opportunities in the development area, this will create a development that reduces the reliance on private vehicle use and improves environmental outcomes.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The Project will not result in any adverse outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity. The project will likely improve environmental outcomes for freshwater quality as it will remove historical farming activities from the land and treat stormwater from new impervious areas to a high level. The project will adopt water sensitive stormwater management approaches which will work to preserve, protect and enhance streams within the site. Water quality treatment will be provided to eliminate and minimise generation of contaminants and hydrological management will reduce potential for in-stream erosion. Overall, the site has low indigenous

biodiversity values, and no significant native vegetation removal or ecological modification is required. The proposal includes a large area of native landscape planting that will increase the net biodiversity values of the site.

Minimising waste:

Watchman Residential Limited Ltd recognises the importance of minimising waste and avoiding unnecessary use of resources, and have their own sustainability and environmental policies in place. The Project will commence with the preparation of a comprehensive Site Waste Minimisation Plan. The Site Waste Minimisation Plan will ensure the management of construction processes as to reduce, reuse, recycle and properly dispose of waste. This will be implemented from demolition stage through to completion of construction. This is one of the target items in achieving a Homestar 6 rating. In terms of on-site operations, centralised waste management and recycling systems will be implemented to ensure appropriate waste management that can also adapt to sustainable waste strategies over time.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

The accessible location of the Project within Ngongotahā will contribute to a reduction in driving and distances driven for residents to meet their needs and increase in active transport modes, thereby contributing to a reduction of greenhouse gas emissions. The central location of the Project itself represents a contribution to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy, noting that were the new supermarket and Warehouse store located on a more peripheral site, that would increase private vehicle trips, contributing to greater net emissions.

In addition to the above, Watchman Residential Limited are committed to actively responding to climate change through sustainability initiatives and will seek to implement such initiatives to this Project by incorporating these sustainable design and construction elements. They are currently investigating the inclusion of rain water harvesting, solar panels and the provision of electric vehicle charging stations to the Project. Collectively, these measures will contribute to mitigating the effects of climate change, help contribute to a low emissions economy and help reduce greenhouse gases.

Promoting the protection of historic heritage:

As noted in Part VII above, the site is located within an area with a long and rich history for local Maori, with numerous iwi and hapu groups having whakapapa intrinsically linked to the surrounding whenua. Watchman Residential Ltd are proactively engaging with Iwi authorities whose area of interest includes the area in which the project will occur as set out in Part V of this application. The project would not occur on land returned under a Treaty Settlement and it is anticipated that engagement and consultation with all Iwi authorities who register their interest in this project will continue throughout the life of the project. Further, it is noted that the site is covered by the accidental discovery protocols of Pouhere Taonga for archaeological sites, taonga and koiwi tangata.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

The project will be designed to manage flood hazards on the site and maintain these so that there will be no increase in flood hazard or risk up or downstream of the development.

This has been discussed in Part VII above and is further detailed within **Attachment 8**. As well as raising floor levels for habitable spaces, to further compensate any displacement of flood waters additional earthworks will be carried out to lower the ground level within the revised floodplain extents to provide additional volume. It is also proposed to prepare a flood/inundation management plan for the Site which will be peer reviewed as part of a future consent application.

Attachment 8 Infrastructure Assessment

Other public benefit:

As discussed throughout the application, there are various public benefits generated by the development. In the short term, employment opportunities in the construction sector will be increased, this has been identified as one of the key

sectors in assisting with the social and economic recovery of COVID-19. In the longer term, the Project will provide residential housing supply, job opportunities, and amenities.

The project will result in a significant improvement to the amenity values of the area through a new comprehensively planned and architecturally designed residential development. The site is a scarce and underutilised land resource in this central and connected part of Rotorua. The project will result in the revitalization and transformation of the site through the activation of the Ngongotahā Road frontage and provision of a residential development providing much needed housing choice to the surrounding residential catchment.

Whether there is potential for the project to have significant adverse environmental effects:

It is not considered that the Project has the potential to result in significant adverse effects. The effects assessment within Part VII and the supporting technical memos confirm that the potential adverse effects of the development are able to be avoided, managed or remedied.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

All stormwater modelling prepared to date for this project by McKenzie and Co has taken into account the long-term effects of climate change. The site is not located within proximity to the coast, however, is affected by natural flooding hazards. This matter will be addressed in detail by engineering experts and will be taken into account with the flood modelling that has been undertaken for the project. The flood modelling will inform the civil and stormwater design for the project to ensure the project is protected from the effects of climate change and natural flood hazards.

The stormwater management approach for the site takes into account climate change, with flood modelling scenarios and stormwater events having been undertaken taking into account future rainfall and climate change scenarios.

There are no known other natural hazards that are applicable to the site, or latent hazards that could be exacerbated through climate change. Overall, the proposal is designed to reduce dependency on private motor vehicles and encourages the residential population of this catchment to take up more sustainable modes of public transport, thereby reducing greenhouse gas emissions, to ensure that the chances of the project being affected by climate change and resulting natural hazards would be minimal.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
No details	

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

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.

Michael Campbell

23/12/2022

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

Yes	Correspondence from the registered legal land owner(s)
No	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.