

# 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: Peachgrove Mixed-use precinct  
Application number: PJ-0000878  
Date received: 28/02/2023

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](mailto: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: Hamilton Campground Limited

Contact person: Tristan Jones

Job title: Director

s 9(2)(a)

s 9(2)(a)

Postal address:

Hamilton Campground Limited, PO Box 305002, Triton Plaza, Auckland 0757.

### Address for service (if different from above)

Organisation: Berry Simons Environmental Law

Contact person: Sue Simons

Job title: Partner

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

Postal address:

PO Box 3144, Shortland Street, Auckland 1140.

## 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.

The subject site comprises multiple contiguous property addresses located on the corner of Peachgrove and Ruakura Roads, Hamilton East, Hamilton, including:

- a) 104/104A/106/106A Peach Grove Road, Hamilton East, Hamilton;
- b) 108/108A/110/110A Peachgrove Road, Hamilton East, Hamilton;
- c) 112/112A/114/114A Peachgrove Road, Hamilton East, Hamilton ;
- d) 116/118 Peachgrove Road, Hamilton East, Hamilton;
- e) 14 Ruakura Road, Hamilton East, Hamilton; and
- f) 1-16 Emmadale Lane, Hamilton East, Hamilton.

The location and extent of the site are shown in Figure 1, which is included as Appendix C.

Legal description(s):

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

The Records of Title are attached as **Appendix D**.

In summary, the total site area is approximately 2.79 hectares. **Table 1** contained within **Appendix E** provides a consolidated version of the above information.

Registered legal land owner(s):

The Applicant, Hamilton Campground Limited ("HCL"), is the majority landowner of the site and owns all properties with Ruakura Road or Peachgrove Road addresses. The remaining properties on Emmadale Lane are owned by CB Trustees 2010 Limited and Jones Family Trustees Limited, as Trustees of the River City Rental Trust.

**Table 1** contained within **Appendix E** identifies the individual property addresses of each owner.

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:

As detailed above, HCL owns the majority of the sites that are included in the proposal. For the remaining properties, HCL has a sale and purchase agreement with River City Rental Trust to purchase all of the properties River City Rental Trust owns on Emmadale Lane. The Applicant has an agreement with River City Rental Trust and a copy of a sale and purchase agreement for the land currently owned by River City Rental Trusts can be provided if required.

Despite this, both ownership entities (HCB and CB Trustees 2010 Limited and Jones Family Trustees Limited as trustees of the River City Rental Trust) are ultimately related parties and represent interests controlled or managed by experienced Hamilton based property developers Tristan and Reghan Jones of Jones Group.

As such, this confirms that HCL has sufficient legal interest in the land to be able to implement the proposed development, and there is no impediment to the applicant commencing work on the project as soon as it obtains the necessary approvals for those works.

For comparison:

- The Resource Management Act 1991 does not require that an applicant be the owner; and
- The definition of owner under the Building Act 2004 includes a person who has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, and who is bound by the agreement because the agreement is still in force. CPM 2019 Ltd has an interest in land sufficient to be considered the owner under the Building Act 2004.

## Part III: Project details

### Description

Project name: Peachgrove Mixed-use precinct

Project summary:

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

The proposal involves the development of a high-quality, community focused mixed-use residential and visitor accommodation precinct, including two commercial facilities.

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 project is a 'design-led' proposal. The Applicant intends that the design will respect the neighbourhood and context while also looking towards the future intensification of the site and its surroundings.

### Details

At a high-level, the development design will comprise the following key activities:

1. Up to 170 residential units comprised of a mix of housing typologies, including apartments and terraced homes.
2. An up to 150 key commercial hotel located on the corner of Peachgrove Road and Ruakura Road; and
3. Two commercial units, comprising a recreational gym facility (up to 1,000m<sup>2</sup>) and a dairy (up to 100m<sup>2</sup>).

The work and activities to achieve the development design will include the following:

1. Construction of new buildings (up to) 4 storeys high (excluding basement parking) to accommodate the residential apartments, terraced homes and facilities;
2. Construction of a new building of 5 storeys (excluding basement parking) to accommodate the hotel and commercial activities;
3. Associated facilities and infrastructure, including parking, access, servicing infrastructure, etc;
4. Landscaping and ancillary works; and
5. Subdivision of “superblocks” underpinning the main development areas, access arrangements and further subdivision of the residential and commercial superlots following construction to create components required for the individual fee simple or unit titles.

The masterplan is provided at **Appendix F**, which shows the layout and size, housing type and size, access layout, and indicative landscaping.

### **Purpose**

To increase Hamilton’s housing supply and accommodation availability by establishing a master-planned mixed use residential and visitor accommodation precinct, optimizing an under-utilized land resource that is optimally located within the Hamilton City for intensification, and bringing them to the market quickly.

### **Objectives**

The objectives of the proposal are to establish a large-scale hotel facility to assist with servicing the current critical shortage of visitor accommodation options within Hamilton City. This will be carried out by developing a design-led mixed-use ‘pocket neighbourhood’ that maximises the potential of the site, encourages social engagement and fosters the concept of ‘community’ through the adoption of best practices in urban design and the implementation of carefully considered shared spaces and facilities.

The mixed-use ‘pocket neighbourhood’ will challenge the status quo of the Hamilton single-family home by providing a mix of well-designed medium density housing options that are generally more affordable and accessible to purchasers facing the financial market pressures that have been brought about by the COVID-19 pandemic. The pocket neighbourhood will provide high-quality, affordable housing options on a large scale, contributing to the Waikato’s current housing shortage while also supporting future significant investment and growth in the Ruakura growth cell (including meeting Future Proof’s growth targets).

Overall, the objectives are to utilise the financial benefits provided by the scale of a master-planned development to provide high quality housing and amenities for residents. This will effectively and promptly deliver on the residential density and development anticipated and provided for by the changes to the Resource Management Act 1991 introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

Additionally, this will provide a meaningful number of jobs and job security to people within or looking to join the construction industry and other sectors related to the delivery of residential and commercial projects and long-term employment through commercial activities, including a hotel complex.

The proposal is a design-led development to be delivered by an experienced and award winning team with a common goal of achieving a high-quality urban outcome and set new standards for medium density living in Hamilton. To this end, the Applicant is confident that the project will deliver on the objectives if consent is granted.

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

As noted, the project will be delivered in a staged manner.

The arrangement of the site, including roading and infrastructure provision, has been intentionally designed to accommodate staged construction and project delivery. Staging will be accommodated by the construction of the spine road within the development and the creation of superlots which will be developed in a staged and sequential manner.

Overall, it is expected that the staging will enable:

- Earthworks within the first season following the issue of consent. Earthworks are expected to take up to 3 months.
- The completion of up to 50 dwellings within the 12 months following the completion of earthworks.

- The completion of the remaining dwellings will be completed within the following two years.
- The building commercial component would commence within the first two years, with completion depending on the final contractors programme of works and material availability.

### **Consents / approvals required**

A conservative approach has been taken to identifying applicable rules to ensure that all aspects of the final project are accounted for in this referral application. It may transpire that some of the rules identified as requiring consent or approval are not required for the establishment of the proposal, but the Applicant wishes to take a conservative approach to ensure that the referral order is all-encompassing. The project does not include any activity that is described as a prohibited activity under the RMA, regulations made under that Act, the operative Waikato Regional Plan ("WRP"), or the Hamilton District Plan.

### **Consents / approvals required**

Relevant local authorities: Hamilton City Council, Waikato Regional Council

Resource consent(s) / designation required:

Land-use consent, Water permit, 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
ALL  (Details of the zoning, overlays and other features relating to the site are identified in the Planning Memo prepared by Louise Feathers, dated February 2023 provided in Appendix L.)	Hamilton City Council District Plan	General Residential Zone	Sub-Catchment for Flood Hazard Modelling Areas  Overland Flowpath and Ponding Flood Hazard Areas (Low)	Three Significant Trees (T19.7, T19.8, T19.9)

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
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health)	Regulation 11	Disturbance of soil where there is no detailed site investigation	Discretionary	Whole site

Regulations 2011 ("NESCS")				
Hamilton City Operative District Plan, Chapter 4: Residential	4.3.1b	Apartment Building	Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 4: Residential	4.3.1v	Dairy	Restricted Discretionary	North western portion of the site
Hamilton City Operative District Plan, Chapter 4: Residential	4.3.1bb	Place Of Assembly / Gym	Discretionary	North western portion of the site
Hamilton City Operative District Plan, Chapter 4: Residential	4.3.1gg	Visitor Accommodation	Restricted Discretionary	North western portion of the site
Hamilton City Operative District Plan, Chapter 4: Residential	1.1.8.2c)	The following General Standards (in Rule 4.4) of the ODP are likely to be infringed by the proposed buildings and/or any accessory buildings and/or ancillary residential structures (e.g retaining walls, bike storage sheds etc): Rule 4.4.1 Density; Rule 4.4.2 Site Coverage; Rule 4.4.3 Permeable Surface; Rule 4.4.4 Building Height; Rule 4.4.5 Height to Boundary; Rule 4.4.6 Building setbacks; Rule 4.4.7 interface between public and private; Rule 4.4.8 fences and Walls; Rule 4.4.9 Separation and Privacy; Rule 4.4.10 Outdoor living area; Rule 4.4.11 Service Areas; and Rule 4.4.12 Residential Unit Size.	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 4: Residential	1.1.8.2c)	The following Specific Standards (in Rule 4.7) of the ODP are likely to be infringed: Rule 4.7.4 Dairies; Rule 4.7.8 Show Homes; and Rule 4.7.10 Visitor Accommodation.	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 18: Transport Corridor Zone	18.4	Any new works not in accordance with the function of the Transport Corridor	Discretionary	Ruakura Road or Peachgrove Road

Hamilton City Operative District Plan, Chapter 20: Natural Environments	20.3j	The following works within the Root Protection Zone ('RPZ') of any scheduled tree:  i. Earthworks; ii. The laying or forming of any impervious surface; iii. Additions to, or the replacement of, any existing building or structure that is proposed to exceed the envelope or footprint of the existing building(s) or structure(s); iv. The placement and/or construction of any building or structure; v. Directional drilling or boring; and vi. The storage of chemicals or other toxic substances.	Restricted Discretionary	Within proximity to scheduled trees
Hamilton City Operative District Plan, Chapter 20: Natural Environments	20.3k	Non-emergency works to, removal of, or transplanting of a scheduled tree	Discretionary	Within proximity to scheduled trees
Hamilton City Operative District Plan, Chapter 20: Natural Environments	22.3p	Earthworks not otherwise identified	Discretionary	Within proximity to scheduled trees
Hamilton City Operative District Plan, Chapter 22 Natural Hazards (pertaining to Low Flood Hazard)	1.1.8.2c)	The following standards are likely to be infringed: 22.4.1 Impermeable surfaces; 22.5.2 Earthworks ancillary to a Permitted Activity; 22.5.6 New Buildings (pertaining to displacement of flood water and minimum floor heights/freeboards); and 22.5.7 Vulnerable activities.	Restricted Discretionary	Within proximity to scheduled trees
Hamilton City Operative District Plan, Chapter Subdivision	23.3av)	Fee simple subdivision* (includes fee simple subdivision of apartment buildings)	Restricted Discretionary	Whole site

Hamilton City Operative District Plan, Chapter Subdivision	23.3a iv)	Subdivision to accommodate a network utility service or transport corridor	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter Subdivision	23.3a viii	Unit Title Subdivision	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter Subdivision	1.1.8.2c)	The following subdivision standards are likely to be infringed: 23.7.1 Allotment size and shape; 23.7.2 Subdivision Suitability; and 23.7.3 General Residential Zone (transport and access standards)	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.2. Earthworks and vegetation removal	1.1.8.2c)	Earthworks which fail to comply with general standards 25.2.4.1	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.3. Temporary Activities	1.1.8.2c)	Temporary buildings and structures incidental to a building or construction project that fail standard 25.3.4 and/or 25.3.5.8	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.5. Landscaping and Screening	1.1.8.2c)	Any activity that fails to comply with the landscaping general standards 25.5.3:Landscaping pertaining to carparking and loading adjacent to a transport corridor; Landscaping pertaining to external carparks; and Landscaping pertaining to service area screening.	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.5 Landscaping and Screening	1.1.8.2c)	Any activity that fails to comply with the landscaping specific standards 25.5.4: 25.5.4.1 Fences and walls; 25.5.4.2 Permeable fences; 25.5.4.3 Buffer Strips; 25.5.4.4 Planting strips; and 25.5.4.6 Internal planting.	Restricted Discretionary	Whole site
Hamilton City Operative District Plan,	1.1.8.2c)	Any activity that fails to comply with the	Restricted Discretionary	Whole site



Chapter 25 City Wide, 25.6. Lighting and Glare		General Standards 25.6.3 and 25.6.4		
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.7 Network Utilities	25.7.3qq)	Stormwater detention, treatment and/or soakage facilities to service more than 1 site	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.7 Network Utilities	1.1.8.2 c)	Any activity that fails to comply with General Standards 25.7.5	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.8. Noise and Vibration	1.1.8.2 c)	Any activity that fails to comply with the Specific Standards 25.8.3 including for construction noise and vibration and/or for noise sensitive activities	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.10. Signs	1.1.8.2 c)	Low Intensity signs failing to comply with the permitted standards	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.10. Signs	25.10.3g	High intensity signs	Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.10. Signs	1.1.8.2 c)	Any sign that fails the General Standards 25.10.4 and/or Specific Standards in 25.10.5	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.12 Solid Waste	1.1.8.2 c)	Any activity that fails the General Standard 25.12.3 pertaining to the provision of solid waste areas.	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.13. Three Waters	25.13.3a)	Any activity required to prepare a Water Impact Assessment	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.13. Three Waters	25.1.3.3b)	Any activity required to prepare an Integrated Catchment Management Plan	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.14. Transportation	25.14.3a)	Any activity required to prepare a simple or broad Integrated Transport Assessment	Restricted Discretionary	Whole site
Hamilton City Operative District Plan, Chapter 25 City Wide, 25.14. Transportation	25.14.3 b)	New Transport Corridors	Restricted Discretionary	Whole site

Hamilton City Operative District Plan, Chapter 25 City Wide, 25.14. Transportation	1.1.8.2c)	Any vehicle crossing or internal access which is non-compliance with development standards listed in 25.14.4.1	Restricted Discretionary	Whole site
Waikato Regional Plan, 3. Water Module	Rule 3.3.4.13	Groundwater diversion (de-watering during works)	Discretionary activity	Whole site
Waikato Regional Plan, 5. Land and Soil Module	5.1.4.13	Soil disturbance not able to comply with the permitted activity standards of Rule 5.1.4.11 and conditions 5.1.5	Discretionary activity	Whole site
Waikato Regional Plan, 5. Land and Soil Module	5.2.5.5	Large Scale Cleanfill Disposal outside High Risk Locations	Controlled	Whole site
Waikato Regional Plan, 5. Land and Soil Module	Rule 5.3.4.8	Discharges from Remediation of Contaminated Land	Discretionary activity	Whole 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.

The Applicant has not made any previous consent applications or notices of requirement relating to the project.

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

There are no other resource consents or designations required for the project other than those being applied for by the applicant.

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:

Whilst the body of consented works will occur on the subject site, some incidental works will be required beyond the site to enable the development and will include infrastructure connections, transport or 3-waters upgrades, landscaping works, and or tie-ins ("Ancillary Works"). These ancillary works will generally occur within vested road reserves (Peachgrove Road and Ruakura Road) or on Section 6 SO 468541, which is owned by Hamilton City Council. Hamilton City Council is aware of the project and supports the proposal, and has written a letter of support which has been provided in **Appendix A**.

The project may require the applicant to obtain approval from Hamilton City Council under section 176 of the RMA for any works to be undertaken within the boundaries of the existing designation A101 (District Plan ref) along Ruakura Road in order to provide appropriate access and infrastructure to the project. HCC will also need to provide landowner approval for any works proposed within the corner of Ruakura/Peachgrove roads (Section 6 SO 468541) which is not currently vested as a road). Hamilton City Council is aware of the project and supports the proposal as identified in **Appendix A**.

While it is not expected that authorities will be needed pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 (as there are no scheduled archaeological features within the site or immediately adjoining the site) or the Conservation Act 1987, the final detail of the project and the technical reporting completed once the project is referred may determine that these are desirable.

### **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.

Site work can commence within the first earthworks season following the granting of the resource consent, with no additional time required to secure funding. Earthworks are expected to take up to 3 months. Construction of the first tranche of homes (approximately 50) is expected to take 12 months, with the construction beginning following completion of earthworks. The completion of the remaining dwellings will be completed within the following two years. The commercial component of the building would commence within the first two years following the granting of consent(s), with completion depending on the final contractors programme of works and material availability. The Applicant's related group of companies is an experienced large-scale property developer with a proven track record of developing over 700 properties within Hamilton. It has the experience, capacity, and funding relationships to mobilise a project of this scale and will commence construction as soon as reasonably possible following the relevant consent approval(s).

## **Part IV: Consultation**

### **Government ministries and departments**

Detail all consultation undertaken with relevant government ministries and departments:

No consultation has been undertaken yet with government ministries and departments.

### **Local authorities**

Detail all consultation undertaken with relevant local authorities:

#### **Hamilton City Council**

Consultation with Hamilton City Council has been regular and ongoing over the course of the past year and has included discussions with multiple departments such as the Strategic Development Unit, the Engineering Department and the Planning Department, as well as with Council senior management, including Hamilton City Council's acting CEO, Sean Murray.

**Appendix B** provides a summary of the consultation undertaken, including key comments / outcomes, as well as a letter in support of the application from Sean Murray, Deputy Chief Executive Officer for Hamilton City Council.

### **Other persons/parties**

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

In accordance with section 20(3)(h) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, the following persons are likely to be affected:

1. Relevant iwi.

Detail all consultation undertaken with the above persons or parties:

Consultation with relevant iwi authorities is required. This consultation has commenced, and is concurrent and ongoing. Consultation is addressed in detail in **Part V: Consultation** below. It is noted that Mr Norm Hill (cultural specialist) will be preparing Cultural Impact Assessment on behalf of the various iwi groups, and these will be furnished at the next stage of the application process.

## 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
Waikato-Tainui	Waikato-Tainui is the relevant iwi authority, as the project falls within its rohe/tribal boundaries. Consultation is being undertaken concurrently via Norm Hill - cultural specialist, with the lodgement of this application.
Ngaati Wairere	Ngaati Wairere are the mandated Mana Whenua (Māori with historic ties to the Hamilton/Kirikiroa area), who work in partnership with HCC on issues relating to the management of Hamilton's natural and physical resources. Consultation commenced in July 2022 with Carolyn Hopa and Eric Pene as representatives of Ngaati Wairere and is ongoing and to be furthered by Norm Hill – cultural specialist. If formal correspondence is required this can be provided.
Te Haa o te whenua o Kirikiriroa ("THaWK"); Recognised group representing Ngāti Mahanga, Ngāti Tamainupo, Ngati Hauā, Ngati Koroki Kahukura	Te Haa o te whenua o Kirikiriroa ("THaWK") are the mandated Mana Whenua (Māori with historic ties to the Hamilton/Kirikiroa area), who work in partnership with HCC on issues relating to the management of Hamilton's natural and physical resources. Consultation commenced in July 2022 with Rawiri Bidois and Milton Ngaruhe as representatives of THaWK and is ongoing and will be furthered by Norm Hill – cultural specialist. If formal correspondence is required this can be provided.
Ngāti Hauā Iwi Trust	Ngati Hauā is part of THaWK but separately consultation has commenced with Ngāti Hauā Iwi Trust via Norm Hill – cultural specialist. Consultation is being undertaken concurrently via Norm Hill - cultural specialist, with the lodgement of this application.

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
Te Whakakitenga (entity for Waikato Raupatu Claims Settlement Act 1995 and Waikato-Tainui Raupatu Claim (Waikato River) Settlement Act 2010)	Consultation is being undertaken concurrently via Norm Hill - cultural specialist, with the lodgement of this application.
Ngāti Hauā Iwi Trust (entity for Ngāti Hauā Claims Settlement Act 2014)	Ngati Hauā is part of THaWK but separately, consultation is being undertaken via Norm Hill – cultural specialist, with the lodgement of this application.

### 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.

#### Relevant Treaty Settlements

Waikato-Tainui has signed two treaty settlements with the Crown. The first related to Waikato-Tainui's lands claim, and the second related to its Waikato River claim. Both settlements have now been enacted into legislation, as follows:

- Waikato Raupatu Claims Settlement Act 1995 (lands claim); and

- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (Waikato River claim).

The site is also within the area covered by an additional treaty settlement, being the Ngāti Hauā Claims Settlement Act 2014.

A summary of the relevant principles and provisions in those settlements is contained in **Appendix N**.

## 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.

The proposal is not located in the Coastal Marine Area; therefore, this is not applicable.

### 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.

The proposal is not located in the Coastal Marine Area; therefore, this is not applicable.

## 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.

In summary, the potential adverse effects are mainly those typically associated with large-scale redevelopment of brownfield sites, including:

1. Visual effects of the intensification of the site;
2. Increased local traffic on the road network;
3. Temporary works during the construction and development of the site (i.e., noise, vibration, traffic);
4. Infrastructure effects in terms of wastewater and water supply demand and capacity;
5. Stormwater discharges; and
6. Cultural value impacts.

Any potential effects are anticipated to be addressed through the proposed design and/or mitigation measures during works or through consent conditions imposed, including:

1. A high standard of urban design providing a high intensity of residential use at a scale complementary to the surrounding area;
2. Accessibility to public transport, the available on-site parking, and the capacity of the existing roading network to absorb additional traffic;

3. Use of standard engineering measures for earthworks and construction of infrastructure (roads and services); and
4. Upgrading local infrastructure as required (which is typical for a development of this size).

No significant adverse effects are anticipated.

Preliminary assessments have been undertaken, including:

#### **Urban Design**

A preliminary assessment of the urban design effects has been undertaken by Mr Ian Munro of the proposed development for the Site. Mr Munro's memorandum included an assessment of the proposals' design, layout, context and location with respect of urban design principles. Overall, Mr Munro concluded:

*"The proposed concept successfully demonstrates an outcome that maximises development potential while not visually dominating or overshadowing adjoining sites; proposes an appropriate graduation of building heights and steps for the Site; and provides convenient attractive and safe pedestrian connections based on a logical movement network."*

A copy of the urban design assessment is attached as **Appendix G**.

#### **Traffic**

A preliminary assessment of the traffic effects of the proposed development has been undertaken by Mr Mark Apeldoorn of Stantec. Mr Apeldoorn's assessment addressed the transport environment, trip demand and effects management and transport effects. His assessment concluded that:

*"Overall, there are no traffic or transport effects planning reasons that preclude the subject sites from being considered for the fast-track consenting process."*

A copy of the traffic assessment is attached as **Appendix H**.

#### **Landscape**

A preliminary assessment of the landscape effects of the proposed development has been undertaken by Mr Nick Jones of Wraight + Associates (Wā) Landscape Architects. Mr Jones' memo included an assessment of the key landscape features of the proposal and ultimately found:

*"Overall, we do not consider there to be any landscaping reasons that would preclude the application from being considered for the fast-track consenting process."*

A copy of the landscape assessment is attached as **Appendix I**.

#### **Geotechnical**

A geotechnical assessment of the proposed development for the site has been undertaken by Mr Ben Smith of HD Geo to determine the suitability of the site for the proposed development. Overall, the assessment found:

*"Based on our assessment, the site is geotechnically suitable for the proposed development, subject to the recommendations outlined PGR (specific testing, assessment and design being undertaken for each of the buildings)."*

A copy of the geotechnical assessment is attached as **Appendix J**.

#### **Engineering and Servicing**

A preliminary engineering assessment of the proposed development in terms of wastewater, stormwater and water supply for the site has been undertaken by Mr James Oakley and Mr Hayden Vink of Wainui Environmental Ltd.

Ultimately, the assessment concluded:

*"An assessment of the three waters' infrastructure servicing has been undertaken for the proposed development. There is sufficient infrastructure surrounding the site to enable development of the site in accordance with the proposed master plan.*

*Where issues and effects have been identified in the surrounding network, these are not significant and can be adequately managed through subsequent design processes. We consider that, in terms of servicing the development, there are no reasons why the application cannot be considered for the fast-track consenting process."*

A copy of the engineering assessment is attached as **Appendix K**.

#### **Planning**

A detailed analysis of adverse effects is provided in the Planning Assessment in **Appendix L**. The planning summary concluded that:

*"The project is not contrary to the Objectives and Policies of the Hamilton District Plan and the actual and potential effects can be mitigated to a level where effects are less than minor. Overall, the project will provide*

*immediate construction employment benefits to the city and will offer long-term employment through the mixed uses proposed”.*

## 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 (“NPSUD”)**

The Planning Assessment (**Appendix L**) has provided a brief summary of the proposal in urban design terms, which confirms that the proposal achieves the objectives of the NPSUD by facilitating an increase in the range of housing available to the market and contributing to a well-functioning urban environment. Supported also by the Urban Design Assessment (**Appendix G**).

Additionally, an analysis of the proposal’s establishment / contribution to a well-functioning urban environment, consistent with Policy 1 of the NPSUD has been included in Mr Adam Thompson’s Economics Assessment, and this is included as **Appendix M**.

In summation, it is believed that the proposal meets the requirements of the NPSUD due to the following:

- The proposal will contribute an additional 170 dwellings, providing a range of dwelling types including 1-3 storey terraced houses to 3-5 storey apartment buildings and including a 150-key hotel complex. Providing a range of housing typologies to meet a wide variety of needs and preferences helps to meet expected demand as directed in Policy 1(a)(i) of the NPSUD.
- The proposed site is located in a highly accessible area with respect to employment education, recreation, social, retail and commercial areas of Hamilton City. The proximity to public transit will discourage unnecessary vehicle trips, to some degree mitigating potential greenhouse effects by reducing potential emissions from vehicles.
- The project will foster the concepts of community, connection, and inclusion through intentional urban design, the establishment of a common green, connected shared spaces and amenities that will encourage gathering and foster the social fabric of the residents within the development.
- The proposal will provide employment and a diverse range of housing types and would particularly contribute to the social and cultural well-being of current and future generations. Estimated that the proposal will generate 439 Full Time Equivalent Jobs, in roading, construction, landscaping, planting, land surveying, administration, support services and other related activities and sustain approximately generate 114 Full Time Equivalent Jobs on an ongoing basis across the development.

Overall, the proposal aligns strongly with the outcomes anticipated under the NPSUD.

### **National Policy Statement for Fresh Water Management 2020 (“NPSFWM”)**

This is not relevant to this proposal as the proposal is not expected to compromise any outcomes anticipated in the NPSFWM. The Planning Assessment (**Appendix L**) also concludes that the proposal does not present any notable adverse environmental effects in terms of freshwater.

### **New Zealand Coastal Policy Statement 2010**

This is not relevant to the proposal

### **National Policy Statement for Renewable Electricity Generation**

This is not relevant to this proposal.

### **National Policy Statement on Electricity Generation**

This is not relevant to this proposal.

### **National Environmental Standard for Air Quality 2004**

The proposal will not likely result in discharges exceeding specified standards in the Air Quality NES, particularly as this is already future urban zoned land. The Planning Assessment (**Appendix L**) also concludes that the proposal does not present any notable adverse environmental effects in terms of air quality.

### **National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“NESCS”)**

This is not relevant to this proposal, as the proposal will avoid adverse effects on human health arising from contaminants in soil. The Applicant will engage a suitably qualified expert to undertake a Detailed Site Investigation at the resource consent stage.

**National Environmental Standard for Sources of Drinking Water**

This is not relevant to this proposal.

**National Environmental Standard for Telecommunication Facilities**

This is not relevant to this proposal.

**National Environmental Standards for Electricity Transmission Activities**

This is not relevant to this proposal.

**National Environmental Standards for Plantation Forestry**

This is not relevant to this proposal.

## 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 proposal’s economic costs and benefits have been assessed by Mr Adam Thompson of Urban Economics (“the Urban Economics Assessment”), and this is included as **Appendix M**, which specifically addresses the project’s economic benefits and costs for people or industries affected by COVID-19.

**Economic benefit to Hamilton City:**

Hamilton City currently has a known significant shortage of suitable visitor accommodation, and this undersupply of available rooms is hindering the city’s ability to host a number of large-scale events, which is curtailing economic activity. The hotel proposed as part of the application therefore has the ability to have significant positive economic effects well beyond the site extents and these economic effects are likely to provide a regular and ongoing economic benefit to the city. This will provide the much-needed assistance with its planned growth.

**Employment/Job creation:**

The project would create a considerable number of jobs within the construction industry and industries that support the construction industry (e.g., professional services), with an estimated 439 Full Time Equivalent Jobs created. These jobs would be generated in stages over the course of construction, with employment increases being enjoyed by different construction industries at different stages: more jobs would be generated in professional services at the start of the project, and more jobs in building construction and construction services across the middle and end of the project.

Although the construction industry itself has seen an increase in jobs over the COVID-19 period, continuing to support job opportunities within the sector is a critical part of recovering from the social and economic impacts of COVID-19 because employment opportunities in the construction sector can offset declines in employment seen in other sectors.

Although not specifically addressed by Urban Economics, the project would logically have a positive flow-on effect on employment for supply industries such as factory operations and retail outlets that supply items associated with internal fit outs.

It is intended to utilise local contractors for the majority of the works, however some of the specialist areas (e.g parts of the hotel building and fitout and specialist structures) may require scouring beyond the local area.

Beyond the immediate economic benefits and jobs created for the construction of the project, the hotel and other commercial aspects will generate long term-employment and small business owner opportunities, equating to an estimated 114 Full Time Equivalent Jobs being created.

**Offset from disestablishment of current site activities:**



Because the proposal requires the disestablishment of the existing campground facilities, 10 Full Time Equivalent Jobs will be lost. The loss of jobs caused by the disestablishment of the campground has been considered in the Urban Economics Assessment. In this regard, the Urban Economics Assessment, when considering the net positive gain upon completion of the project in relation to the overall Full Time Equivalent Jobs being created, correctly accounts for any job loss as a result of the disestablishment of the existing campground.

#### **Support certainty of on-going investment**

If the project is authorised pursuant to the COVID-19 Recovery (Fast-track Consenting) Act 2020, it would result in significant financial investment into New Zealand's economy in the form of employment, the purchase of materials, and ultimately through the sale of dwellings. Furthermore, the hotel complex will fill a significant market gap and will provide ongoing benefits to the greater Hamilton and Waikato Region by supporting major events and conferences and fill a current significant gap in market.

Hamilton is a rapidly expanding city, and the project site lies within an identified strategic economic corridor. The provision of high-quality visitor accommodation will provide much needed support to a currently underserved industry and help provide further options to assist Hamilton's continued growth trajectory.

The Urban Economics Assessment estimates that the net present value of the project is \$186.6 million over a 30-year period and that its value-added contribution to GDP is \$58.9 million. The Applicant is committed to completing the project, so the realisation of this investment is as certain as possible.

The Urban Economics Assessment is provided as **Appendix M**.

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

Overall, it is considered that the project will result in substantial social and cultural wellbeing effects for people in Hamilton due to the provision of employment (discussed above) along with a development that provides the market with a diverse range of housing types and visitor accommodation. The proposal will therefore have a positive impact on the social and cultural benefits. The proposals' positive social and cultural wellbeing effects include:

- The site's close proximity to community and cultural facilities will enable residents to become active members of the community and have convenient access to the facilities and services they need. For example:
  - Being part of a localised community with access to internal recreation and communal areas;
  - Close to local bus services; and
  - Less than 1.5km from local intermediate and high schools.
- Providing the market with a diverse range of housing types will help address the social pressures caused by inadequate housing supply and quality. For example, illness due to damp or poorly ventilated homes or increased pricing of housing due to insufficient supply.
- The project will foster the concepts of community, connection, and inclusion through intentional urban design, the establishment of a common green, connected shared spaces and amenities that will encourage gathering and foster the social fabric of the residents within the development.
- The opportunity to support a cultural narrative within design elements of the proposal or culturally inspired road naming suggestions pending conclusion of the current iwi consultation discussions.
- Generation of employment for approximately 439 Full Time Equivalent Jobs during the construction period and 114 Full Time Equivalent Jobs on a long-term basis through the employment provided by the commercial activities. Thus, the project will support a pipeline of work in the construction industry for the foreseeable future.
- The above positive effects are highly likely to be intergenerational because of the nature of the outcomes arising from employment during the construction of the proposal, ongoing employment benefits from the operation of the hotel activity and the flow-on effect this will have beyond the initial construction and establishment phase of the development.

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

The experience of the Applicant's team is that applications of this nature can take between 1-2 years to progress under the RMA process, if not longer. HCL understands that there is a risk of greater delay due to councils around the country struggling with staffing shortages due to COVID-19, illness, and isolation. This has understandably caused

delays in the processing of consent applications. In addition to this, HCL has received advice from Hamilton City Council that, given the intensity of the development proposed, it is highly likely that it would require public notification, which will increase the potential delays in securing consents. Should Hamilton City Council proceed on a limited notified basis, HCL anticipates that the application would be notified to a large number of parties, such that (in a practical sense) it is likely that the outcome of the limited notification process would be the same as if it had been publicly notified.

For an associated company of the Applicant's, a 41 dwelling application took 12 months of processing (non-notified). Comparably, the fast-track process for a recently approved Hamilton based project took 3 months (being Rotokauri North). The pre-application discussions with Hamilton City Council were encouraging of the use of the fast track pathway and offered workshop arrangements on the design and conditions to assist the speed of any process (similar to the working arrangement the Rotokauri North fast track applicant entered into, to avoid delays in the timeframe). A further benefit of the fast-track process is that appeal rights are restricted to points of law only under the Act, as opposed to the merits appeal to the Environment Court that is available under the RMA. Overall, use of the fast-track process means the proposal is likely to be under construction at least 12 to 18 months earlier than if following the standard RMA consenting process.

This means the project is likely to be under construction in earnest in the summer of 2023-2024. This is significantly faster than would be anticipated under the RMA process. As such, the Applicant is choosing the fast-track process over the ordinary RMA process in order to significantly speed up the consenting process, save unnecessary costs, and provide certainty of process.

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:

This matter overlaps with the comments above regarding the additional employment that the project will generate in the construction industry. We note that the calculations outlined above only cover direct, not indirect, employment opportunities. In that regard, it is anticipated that, as always follows from the creation of direct employment, there will be a range of indirect employment opportunities generated, for example in roles such as roading, landscaping, planting, land surveying, administration and support services.

The project will contribute up to 114 Full Time Equivalent Jobs on a long-term basis through the employment provided by the commercial activities. In addition, Hamilton has a shortage of high-quality medium-large-scale visitor accommodation due to growing visitor demand and a large number of hotels and motels being repurposed for social housing. The development will provide a high-quality, 150-key hotel (max), helping to assist in attracting a large number of tourists, which will generate significant economic and employment flow-on effects for the city.

Housing supply:

The project will result in the addition of approximately 170 new homes to the market, comprising a mix of dwelling types (terraces and apartments), contributing to the targets for growth accommodation set by Future Proof and the Waikato Regional Policy Statement. The range in housing typologies will contribute to the housing supply in Hamilton and assist with meeting the appetite for more affordable housing products.

Contributing to well-functioning urban environments:

The NPS-UD defines a "well-functioning urban environment" (in Objective 1) as an environment that:

*"enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future."*

As stated above the Urban Economic Assessment, provided as **Appendix M** outlines that the proposal helps achieve the NPS-UD objectives by increasing the range of housing available on the market. Additionally, the provision of new dwellings constructed in accordance with modern building standards reduces the social pressures caused by inadequate housing.

The proposal is located in an area with easy access to public reserves and parks, public transport connections, educational facilities and new and planned employment areas. It is also located near the Hamilton City Centre.

The Urban Design Assessment prepared by Ian Munro (**Appendix G**) found that the proposal will result in the supply of additional housing choice to the area and thus support diversity, and the proposed density will provide for the sustainable use of land in a form that does not result in more than minor adverse effects.

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

As outlined above in the economic benefits section, the proposal will contribute to the local economy through increased population, long term employment and the supply of quality visitor accommodation in the critically undersupplied Hamilton market.

Stormwater, wastewater, and water supply servicing are all available via the existing public networks and/or can be managed through appropriate engineered solutions.

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

The proposal will not create any significant adverse environmental effects in terms of freshwater terrestrial ecology or air quality.

Due to the location of the site, this minimises the distance required to travel in order for people to access their day-to-day needs. This small distance encourages the use of alternative and energy efficient transport options, such as walking or cycling. The proposal further encourages this by providing bike storage areas within the development as well as communal charging stations for vehicles (cars, ebikes, scooters etc).

Minimising waste:

The applicant will ensure it is a requirement of their engagement that all contractors minimise waste during construction and recycle material where possible. That said, it is acknowledged that the proposed use of the site and its dense urban form leave little or no opportunity to re-use existing buildings on the site.

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):

Emissions from the project will occur during the construction, residential occupation, and commercial usage phases. The Planning Assessment (**Appendix L**) outlines in further detail these matters, but in general, emissions and efforts to mitigate climate change have been considered at all levels of the project (construction, residential occupation and hotel and commercial uses).

Emissions from construction will be minimised to the maximum extent possible through a number of different methods. These include sourcing materials close to the site, keeping trucks and equipment on site to reduce transport emissions, minimising haul distances for cut-to-fill, achieving a cut-to-fill balance and keeping machinery well maintained to reduce fuel consumption. All contractors will minimise waste during construction and material will be recycled where possible.

When it comes to residential occupation once the project is complete, key design features will contribute to efforts to mitigate climate change and transition more quickly to a low-emissions economy, in particular through providing for multi-mobility paths and facilities for storage of bicycles and micro mobility devices and supporting the use of active transport such as cycling, scootering, walking, running, etc. The sites' proximity to the existing transport network will ensure efficient connections and availability of public transport options, and as a result, it will assist in efforts to mitigate climate change.

Promoting the protection of historic heritage:

The site contains three trees, which are protected by the Waikato District Plan. The project includes retention of these features and works in proximity to the trees will not comprise their health or wellbeing. All other buildings on the site have been assessed by Hamilton City Council as a precursor to Plan Change 12 (a response to the NPS-UD/enabling housing supply and other matters directive), and under this assessment, none have met the threshold for retention or protection under the Waikato District Plan.

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

The site is relatively flat and has been assessed as not subject to significant geotechnical constraints, such that there should not be any land stability issues, as outlined in the geotechnical assessment contained within **Appendix J**. The effects of climate change will be taken into consideration in the provision of stormwater infrastructure as required by the Regional Engineering Standards (as all devices will be sized to include additional capacity for climate change), and the effects of flooding will be taken into account during the site works and final floor levels for habitable buildings. Overall, the project does not present any risk in terms of climate change or natural hazards.

#### Other public benefit:

The project's public benefits are addressed above and can be summarised as follows:

- Provision of additional housing stock in response to the housing supply shortage in Hamilton, assisting to address the associated adverse social and well-being effects by providing approximately 170 housing units;
- Creating employment opportunities in the construction sector and long-term employment for commercial uses;
- Contributing to the availability of overnight commercial accommodation options within Hamilton which will; help relieve the critical shortage of accommodation, help attract higher number of visitors and support major events and conferences within the city and have significant flow on positive economic benefits for the city.

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

The project's potential adverse effects are outlined in detail in **Part VII** above. For those reasons, it is anticipated that the project will not have any potential significant adverse environmental effects.

## Part X: Climate change and natural hazards

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

The Site is highly suitable for the proposed development in relation to natural hazards and climate change. The risks to the project from climate change or natural hazards are from stormwater, flooding, and earthquake risk/liquefaction. With regards to stormwater management and flooding, an extensive assessment has been undertaken of the Site, its surrounding catchment and the downstream infrastructure. This assessment examined the effects of the increased stormwater discharges from the site from the proposed development and as a result of increased rainfall intensities due to climate change. Detailed flood modelling was undertaken of the site and surrounding catchment to understand whether the site was subject to flooding now and if there was any future flood risk as a result of climate change and future development within the catchment. The assessments confirmed that the site is not currently subject to flooding and that the future risk of flooding due to climate change-induced rainfall is low. Adherence to building code standards with respect to building floor levels and sound engineering practices in the detailed design will be sufficient to mitigate any incidental risk due to climate change and natural hazards. In relation to flooding, the assessment found that:

*"Overall, the flood risk present on the site is considered low risk. Any flooding can be managed through the design process to ensure there are no adverse effects to the development, the surrounding built environment, and the downstream stormwater network."*

The detailed assessment is outlined in the engineering assessment, prepared by Wainui Environmental Ltd (**Appendix K**).

The geotechnical assessment (**Appendix J**) further confirms that suitable building foundations and/or appropriate site works can be designed, to ensure stability, as well as manage liquefaction and lateral spread hazards for future buildings and devices.

## 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
Hamilton City Council	The Applicant has never been the subject of compliance or enforcement actions taken by a local authority under the Resource Management Act 1991.

## 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.

Tallulah Parker

28/02/2023

**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](http://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)
Yes	Correspondence from persons or parties you consider are likely to be affected by the project
Yes	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
Yes	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.
Yes	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.