

# 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: Rotokauri Greenway & Minor Arterial  
Application number: PJ-0000853  
Date received: 27/01/2023

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: Hounsell Holdings Limited (with Hamilton City Council)

Contact person: Adriaan Vlok

Job title: Project Director

s 9(2)(a)

s 9(2)(a)

Postal address:

1Albert Street, Auckland CBD, Auckland 1010

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

Organisation: Barker & Associates

Contact person: Fraser McNutt

Job title: Partner

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

Postal address:

PO Box 9342, Waikato Mail Centre, Hamilton, 3240

## 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.

Rotokauri Road, Rotokauri, Waikato, New Zealand

The site is located in Rotokauri, Hamilton. (See Attachment 1).

Legal description(s):

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

- Part Lot 1 Deposited Plan 30552
- Lot 3 Deposited Plan 468484
- Lot 53 Deposited Plan 471831
- Lot 2000 Deposited Plan 519305
- Lot 2 Deposited Plan 540282
- Lot 3 Deposited Plan South Auckland 62700
- Lot 6 Deposited Plan 359488
- Part Lot 7 Deposited Plan South Auckland 15255
- Section 12 Survey Office Plan 464504
- Lot 1 Deposited Plan 540282
- Lot 2 Deposited Plan 567367
- Lot 190 Deposited Plan 541928
- Section 7 Survey Office Plan 464504
- Section 8 Survey Office Plan 478480

- Section 2 Survey Office Plan 511350
- Section 6-7 Survey Office Plan 478480
- Lot 1 Deposited Plan South Auckland 73878
- Lots 1, 2 and 3 Deposited Plan 535335
- Lot 2 Deposited Plan 12201
- Lot 1 Deposited Plan South Auckland 75261
- Lot 2 DPS 62537
- Lot 5 Deposited Plan 359488

Registered legal land owner(s):

- Hounsell Holdings Limited
- Rotokauri Development Limited
- S Nuich, S A Nuich & Others
- W M & M J Clarke
- Rotokauri North Holdings Limited
- S N & M R Gower
- R R Ratcliffe, C L Ratcliffe & Others
- J J Patterson, K Patterson & Others
- Hamilton City Council
- Rotokauri Farming No 1 Limited
- R N Ruske, P K Ruske & Others
- Hamilton JV (N3) Limited
- Rotokauri Investments Limited
- Watson Lands Limited
- T P Tan & O H Lee
- P R Laird & Franklaw Trust Limited

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:

Hounsell Holdings Limited owns a large area of land (51.62ha) in Rotokauri where this project is proposed. Hounsell Holdings Limited is leading the development of the Rotokauri residential development. Hamilton City Council is one of the territorial authorities. Hamilton City Council has identified Rotokauri as a growth area, therefore they require this development to be undertaken to facilitate the growth of the city.

## Part III: Project details

### Description

Project name: Rotokauri Greenway & Minor Arterial

Project summary:

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

The proposed project is for the construction of the Rotokauri Greenway, Minor Arterial, collector road, and the bulk watermain under the Minor Arterial and other roads, and wastewater rising main and strategic wastewater pipeline and pump station ('RG&MA').

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 scope of the project is to construct a Greenway and Minor Arterial transport corridor, forming Rotokauri Greenway and Minor Arterial ('RG&MA'). The RG&MA involves –

- a) constructing a 4.7km length greenway corridor between Lake Waiwhakareke (high point) and Lake Rotokauri (low point) to effectively manage and attenuate stormwater within the catchment; and
- b) constructing artificial wetlands; and
- c) constructing a 3.8km length Minor Arterial transport corridor from Te Wetini Drive to the northern boundary of Hounsell Holdings land, including the collector road to the Chalmers Road underpass and to the north to the underpass that links to Te Kowhai East Road; and
- d) constructing a 5-metre wide shared path on the southern side and a 3-metre wide secondary path on the northern side of the Rotokauri Greenway; and
- e) constructing supporting three waters infrastructure under the Minor Arterial, including –
  - - o bulk watermain under the Minor Arterial; and
    - o wastewater rising main; and
    - o strategic wastewater pipeline; and
    - o pump station; and
- f) upgrading the existing Rotokauri Drain and culvert below Exelby Road;
- g) undertaking landscaping, planting, and other activities to enhance the natural environment (including habitats) –
  1.
    - o along the length of the Rotokauri Greenway; and
    - o Lake Waiwhakareke; and
    - o Lake Rotokauri.

The purpose of this project is to provide the necessary infrastructure pertaining to stormwater management and discharge along with critical roading connectivity to enable the residential development of the Rotokauri, a 'live' zoned residential growth cell in Hamilton north. The Rotokauri growth cell has a planned capacity of approximately 7,000 homes for approximately 20,000 people (noting this could increase with the recent proposed change under HCC's Plan Change 12 which gives effect to the NPS UD). Appropriate and necessary infrastructure is required to enable the growth of this cell, which has been identified as a tier 1 authority, Hamilton City Council. The key objective of this project is to design, consent and enable high-quality infrastructure that supports a well-functioning urban environment that can provide for the social, cultural and economic well-being of the community and wider Waikato region.

The objectives of the Rotokauri Greenway and Minor Arterial are to:

- Give effect to the purpose of the FTCA to promote the social and economic recovery of Covid-19;
- Support the future residential development of Rotokauri;
- Contribute to employment opportunities in the short-term design and construction phases of the project as well as the long-term operation of the stores;
- Enable a comprehensively planned and high-quality residential development established on good urban design principles which appropriately responds to the existing site context; and
- Provide a multi-functional infrastructure development which enhances amenity, enables connectivity and accessibility, and incorporates the surrounding natural and cultural environments.

As highlighted above, there are two key components to this proposal, the Greenway and the Minor Arterial, which integrate and need to be designed and consented in parallel. Both pieces of infrastructure are critical features of the existing Rotokauri Structure Plan contained in the Operative Hamilton City District Plan and the certified Rotokauri Integrated Catchment Management Plan ('ICMP'). It is unfeasible to conduct these pieces of infrastructure in isolation.

Further detail related to the proposal can be found in **Attachments 1 and 3**, including maps and designs.

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

The following high-level staging is proposed for the project:

- Resource consent granted: October 2023
- EPA approved: March 2024
- Construction
  - Civil works for Rotokauri Greenway (3 tranches): October 2023 through December 2028
  - Construction of Rotokauri Minor Arterial and the collector road: October 2024 through December 2028
  - Services and infrastructure: October 2025 through December 2028
- Project completion: December 2028

### Consents / approvals required

Relevant local authorities: Hamilton City Council, Waikato District Council, Waikato Regional Council

Resource consent(s) / designation required:

Land-use consent, Water permit, 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 6 Deposited Plan 359488; Part Lot 6 Deposited Plan South Auckland 15255	Hamilton City Operative District Plan	General Residential, Medium Density Residential, Natural Open Space, Business 6 – Neighbourhood Centre	Significant Natural Area (Schedule 9C)	Transport Corridor Hierarchy, Designations (E99 and E117)
Lot 6 Deposited Plan 359488; Part Lot 6 Deposited Plan South Auckland 15255	Hamilton City Proposed District Plan	General Residential, Medium Density Residential, Natural Open Space, Business 5 – Suburban Centre	Significant Natural Area (Schedule 9C), Rotokauri North Residential Precinct	N/A
Lot 1 Deposited Plan 415616	Waikato District Operative Plan	Rural	Waikato River Catchment	N/A
Lot 1 Deposited Plan 415616	Waikato District Proposed Plan	General Rural	Waikato River Catchment	N/A
Lot 1 Deposited Plan 449172	Hamilton City Operative District Plan	General Residential, Medium Density Residential, Natural Open Space, Business 6 – Neighbourhood Centre	Significant Natural Area (Schedule 9C)	N/A

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 1 Deposited Plan 449172	Hamilton City Proposed District Plan	General Residential, Medium Density Residential, Natural Open Space, Business 5 – Suburban Centre	Significant Natural Area (Schedule 9C), Rotokauri North Residential Precinct	N/A
Lot 2000 Deposited Plan 519305	Hamilton City Operative District Plan	General Residential, Medium Density Residential, Special Character, Business 5 – Suburban Centre Core	Rotokauri Ridgeline Area, Peat Lake Catchments	Transport Corridor Hierarchy
Lot 2000 Deposited Plan 519305	Hamilton City Proposed District Plan	General Residential, Medium Density Residential	Infrastructure Capacity Overlay	N/A
Lot 1 Deposited Plan 540282	Hamilton City Operative District Plan	Future Urban, General Residential, Industrial	Rotokauri Employment	N/A
Lot 1 Deposited Plan 540282	Hamilton City Proposed District Plan	Future Urban, General Residential, Industrial	Rotokauri North Residential Precinct	N/A
Lot 2 Deposited Plan 567367	Hamilton City Operative District Plan	Future Urban, General Residential, Industrial	Rotokauri Employment	Transport Corridor Hierarchy
Lot 2 Deposited Plan 567367	Hamilton City Proposed District Plan	Future Urban, General Residential, Industrial	Rotokauri North Residential Precinct	N/A
Lot 3 Deposited Plan South Auckland 62700	Hamilton City Operative District Plan	General Residential, Industrial, Future Urban, Special Natural	Rotokauri Employment, Rotokauri Ridgeline Area	Transport Corridor Hierarchy
Lot 3 Deposited Plan South Auckland 62700	Hamilton City Proposed District Plan	General Residential, Industrial, Future Urban	Rotokauri North Residential Precinct	N/A
Lot 1 Deposited Plan South Auckland 80361	Waikato District Operative Plan	Rural	Waikato River Catchment	N/A
Lot 1 Deposited Plan South Auckland 80361	Waikato District Proposed Plan	General Rural	Waikato River Catchment	N/A

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
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Waikato Regional Plan (Operative)	Rule 3.6.4.13	Temporary and permanent diversion of surface water including the Rotokauri Drain	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 3.6.4.9	Permanent offline damming of surface water	Controlled	Application site
Waikato Regional Plan (Operative)	Rule 3.6.4.14	Permanent online damming of surface water	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 3.6.4.13	Permanent damming and diversion of groundwater (changes to groundwater flows resulting from creation of the Greenway)	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 3.4.6.17	Temporary coffer dams associated with diversion of surface water and culvert construction	Controlled	Application site
Waikato Regional Plan (Operative)	Rule 3.8.4.7	Drilling for temporary water take and geotechnical and groundwater investigations	Controlled	Application site
Waikato Regional Plan (Operative)	Rule 3.3.4.24	Temporary groundwater take	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 3.3.4.23	Temporary net-zero surface water take	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 3.3.4.26	Temporary surface water take	Non-complying	Application site
Waikato Regional Plan (Operative)	Rule 3.5.4.5	Associated discharges with temporary water take	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 3.6.8.2	Geotechnical and groundwater investigations for well and aquifer testing discharges	Controlled	Application site
Waikato Regional Plan (Operative)	Rule 4.2.9.2	Culverts	Permitted	Application site
Waikato Regional Plan (Operative)	Rule 4.2.9.3	Culverts (where permitted standards not met)	Controlled	Application site
Waikato Regional Plan (Operative)	Rule 5.1.4.13	Soil disturbance and vegetation clearance outside of high risk erosion area	Discretionary	Application site
Waikato Regional Plan (Operative)	Rule 5.1.4.15	Soil disturbance and vegetation clearance within a high risk	Discretionary	Application site

		erosion area exceeding 1,000m <sup>3</sup> in volume and 2.0ha in area		
Waikato Regional Plan (Operative)	Rule 5.2.5.2	Clean fill in or outside of high risk areas	Controlled	Application site
Waikato Regional Plan (Operative)	Rule 5.2.5.3	Clean fill in or outside of high risk areas	Discretionary	Application site
Hamilton City District Plan (Operative)	Rule 25.2.4.1h	Earthworks	Restricted Discretionary	Application site
Hamilton City District Plan (Operative)	Rule 25.14.3(a) and (b)	New transport corridors - Minor Arterial and Collector	Restricted Discretionary	Application site
Hamilton City District Plan (Operative)	Rule 25.7.3(nn)	Pump station	Restricted Discretionary	Application site
National Environmental Standard for Freshwater 2020	Regulation 45	Temporary and permanent diversion of surface water including the Rotokauri Drain; permanent damming of surface water and groundwater; temporary water take Earthworks	Discretionary	Application site
National Environmental Standard for Freshwater 2020	Regulation 71	Culverts	Discretionary	Application site
National Environmental Standards for Assessing and Managing Contaminants to Soil to Protect Human Health 2011	Regulation 10	Works on potentially contaminated land	Restricted 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.

For completeness, it is noted that the Rotokauri Greenway is a designated corridor for the purpose of stormwater (Designation A114), administered by Hamilton City Council as the Requiring Authority. This designation provides for the Rotokauri Greenway and its primary function as a stormwater management system; however, it does including the shared path but not the artificial wetlands.

There is a live NOR processes currently active for the Minor Arterial which will not be lodged or processed as a part of this application. HCC are the relevant Requiring Authority and are in close contact with the applicant for this project.

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



As stated previously, consents are required from Hamilton City Council and Waikato Regional Council. There is a separate Notice of Requirement process underway in relation to the Minor Arterial, which is not currently designated. Hamilton City Council is aware and supportive of this referral application. Through consultation with Hamilton City Council staff, it is confirmed that an NOR for the Minor Arterial will be progressed as described in this referral application. The timing of this is uncertain at this point in time due to outstanding Third Party negotiations with key stakeholders. Discussions are ongoing with Hamilton City Council in terms of a likely timeframe to pursue the NOR through the RMA statutory process. At this point in time it is our view that the referral and subsequent fast track consenting process could progress in it's entirety as proposed free of any parallel Council process.

We consider this an appropriate approach as the applicant does not have the power to issue a notice of requirement and the design agreement with Hamilton City Council requires the applicant to obtain all relevant consents to enable construction. The NOR that would apply to the minor arterial is part of a much larger infrastructure project and a number of delays associated with that wider project (including Third Party Approvals from other Requiring Authority / key stakeholders) have delayed the timing so that it is not clear when that NOR will issue. Clause 28(3) of Schedule 6 to the Act does not apply to this issue because the applicant, Hounsell Holdings Limited is making the fast track application and will seek and obtain any relevant consents. Hamilton City Council is an entirely separate entity and is the only body that could issue a notice of requirement for the arterial. In any event, we anticipate that the timing may well not overlap.

We note that one of the Rotokauri Greenway Designation conditions requires that all Waikato Regional Council consents to be obtained prior to construction which this proposal encapsulates through a previous section.

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:

- Conservation Act 1987 - Wildlife Permits (should indigenous biodiversity be found)
- The Records of Title have been assessed, there is nothing within the title instruments that impact the ability for this project to be delivered or the timing of the delivery.

### **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.

As Hounsell Holdings Limited and associated companies own most of the land required to deliver the infrastructure, it is considered that this supports the readiness of this project. Further, Hamilton City Council also owns some relevant land and has agreed to that land being used as part of the construction PDA. All other landowners have been engaged and have shared their support for the project. Please note, the Minor Arterial only goes through the land of two relevant landowners, Hounsell Holdings Limited (the applicant) and Rotokauri Development Limited, who have a separate agreement to deliver the road so all necessary landowner approvals are held for the Minor Arterial (and the water infrastructure which sits under the Minor Arterial - wastewater pipelines, water supply pipelines, etc). The other landowner approvals support the entire project and signal a willingness to facilitate construction of the Greenway because it is only the Greenway which runs through their land.

In terms of construction readiness, Hounsell Holdings Limited notes:

1. It has been engaging with Hamilton City Council extensively over the last 12 months regarding this project.
2. The design PDA has been signed with a substantial total commitment well in excess of **S 9(2)(b)(ii)**
3. The project is listed in Hamilton City Council's Long Term Plan. Further details can be provided if necessary.
4. Hounsell Holdings Limited has asked to enter into a PDA with Hamilton City Council for the construction of the project. Hamilton City Council staff will be presenting that to Councillors shortly and a further update can be provided in February.

5. Crown Investment Partners / IFF is supportive of the project and this would be an ideal project to secure that funding, however, given the consenting complexities it is not possible to advance the funding negotiations until the consents are secured, the consenting removed and a reliable cost established.
6. Given the size of the project, it could take 12 months from consenting to complete construction drawings, obtain relevant building consents, etc, and so the IFF process would suit the timing of the project - even though the consents may only have a 12 month lapse period.

The following high level timeline is proposed for the project

- Resource consent granted: October 2023
- EPA approved: March 2024
- Construction
  - Civil works for Rotokauri Greenway (3 tranches): October 2023 through December 2028
  - Construction of the Rotokauri Minor Arterial: October 2024 through December 2028
  - Services and infrastructure: October 2025 through December 2028
- Project completion: December 2028

## Part IV: Consultation

### Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

A pre-application meeting was held with the fast-track consenting team at the Ministry for the Environment on 29 September 2022 to discuss the project. The following individuals were in attendance:

- Samantha Maxwell (Ministry for the Environment)
- Jess Hollis (Ministry for the Environment)
- Adriaan Vlok (Hounsell Holdings Limited)
- Andrew Braggins (The Environmental Lawyers)
- Fraser McNutt (Barker & Associates)
- Joe Holden (Maven Associates Limited)
- Grace Forno (Barker & Associates)

### Local authorities

Detail all consultation undertaken with relevant local authorities:

#### Hamilton City Council

Hamilton City Council ('HCC') has been a part of this project since the establishment of the Rotokauri Structure Plan in 2007. Rotokauri is the planned and enabled future residential area under both the Operative and Proposed District Plans. Hounsell Holdings Limited and Hamilton City Council (**'the applicants'**) has contracted with HCC to deliver the consents for this project, through the design Private Development Agreement ('PDA'). Ongoing correspondence with HCC has been had over an extensive period of time, particularly in regard to the provision of infrastructure for Rotokauri and enabling residential development in this area. On 2 November 2022, HCC was sent a letter seeking their support of the application to use the fast track consent process, that all infrastructure that forms part of the project will ultimately be vested in and operated by HCC, that all of the designs have to meet HCC's specifications as per the PDA, that Rotokauri Minor Arterial is regionally significant infrastructure, and the purpose of the Rotokauri Greenway is stormwater collection, detention, and conveyance (see **Attachment 5**). On 22 November 2022, HCC responded and agreed their support of the application to use the fast track consent process and agreement of the Rotokauri Greenway and Minor Arterial are 'specified infrastructure' (see **Attachment 6**).

*"HCC confirms that it:*

- *supports the proposed approach to use the fast-track process for the Project as outlined in your letter.*
- *HCC acknowledges that all of the infrastructure in relation with the Project is expected to be vested in and operated by HCC, subject to a robust process and assessment of the application and the normal quality control processes of HCC with respect to vesting assets.*

- supports HHLs view that RGC and RAR in their entirety should be considered ‘specified infrastructure’ under the National Policy Statement on Freshwater Management.
- supports point c, and confirms HCC has a contract with HHL to project manage the design and obtain resource consent for the RGC, RAR and supplementary water services infrastructure [Rotokauri Greenway and Minor Arterial].“

Overall, HCC is supportive of this project being processed under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

#### Waikato District Council

A small section of the Greenway runs through the jurisdiction of Waikato District Council (‘WDC’) before discharging into Lake Rotokauri. While, at this stage, consent is not considered to be required from WDC as a result of the designation, WDC have been engaged in relation to the proposal. On 16 November 2022, WDC was sent a letter explaining the project and the intent to apply for consent being processed under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (see **Attachment 7**).

#### Waikato Regional Council

Ongoing consultation has been carried out with Waikato Regional Council (‘WRC’) in relation to this project and have shared their support for this project. On 2 November 2022, WRC was sent a letter seeking their support of the application to use the fast track consent process and agreement of the Rotokauri Greenway and Minor Arterial are ‘specified infrastructure’ under the National Policy Statement on Freshwater Management (see **Attachment 8**). On 18 November 2022, WRC responded and agreed their support of the application to use the fast track consent process and agreement of the Rotokauri Greenway and Minor Arterial are ‘specified infrastructure’ (see **Attachments 9**).

*“On the first matter, we agree for the reasons advanced in your letter, that the projects are likely to qualify as “specified infrastructure” under the NES Freshwater 2022. We note that the consequence of this is that Regulation 45 (a discretionary activity) of the NESF would generally apply to the various activities “caught” by the regulations. However, if you haven’t done so already, it may be prudent to seek legal advice on this matter given that the activities would otherwise default to “non-complying” under Regulation 54.*

*On the question of Council support, we offer support in principle at this stage, acknowledging that, as yet, we have had only limited information regarding, or exposure to, the project. Support in principle reflects that, at this stage, we have no specific basis for opposing fast-track processing, however, this also leaves room for reconsideration of that position once we have viewed the application and the effects assessment in full.”*

Overall, WRC is supportive of this project being processed under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

#### **Other persons/parties**

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

- Landowners
- Mana Whenua
- Waka Kotahi New Zealand Transport Agency

Detail all consultation undertaken with the above persons or parties:

#### Landowners

The applicants have been in regular consultation with the landowners in relation to this project. All affected landowners are aware of and supportive of this project and this resultant application. For simplicity, written support of this application was sought by the applicant from all affected landowners and has been attached (see **Attachment 2 and 2-1 to 2-16**), with the exception of T Tan & O Lee (Record of Title Lot 2 DPS 62537). Overall, the affected landowners are supportive of this project being processed under the COVID-19 Recovery (Fast-track Consenting) Act 2020. The area of the property of T Tan & O Lee (Record of Title Lot DPS 62537) affected is very small. If agreement cannot be reached then it may be possible to design around this property, or alternatively Hamilton City Council could seek to acquire the land as it has already been designated.

Please note, the Minor Arterial only goes through the land of two relevant landowners, Hounsell Holdings Limited (the applicant) and Rotokauri Development Limited. Hounsell Holdings Limited and Rotokauri Development Limited have a separate agreement to deliver the Minor Arterial, so all necessary landowner approvals are held for the Minor Arterial (and the water infrastructure which sits under it - wastewater pipelines, water supply pipelines, etc). The other landowner approvals support the entire project and signal a willingness to facilitate construction of the Greenway which runs through their land).

#### Waka Kotahi New Zealand Transport Agency

Correspondence with Waka Kotahi is underway in relation to gain Requiring Authority under Section 176 of the RMA in relation to the Waikato Expressway (Designation 99).

A letter of support has also been provided by CIP and Ministry for Education as **Attachments 10 and 11**.

## 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
Te Haa o te Whenua o Kirikiriroa, which is made up of the following Hapuu and Iwi: Ngaati Maahanga, Ngaati Tamainupoo, Ngaati Wairere, Ngaati Koroki Kahukura, Ngaati Hauaa	<p>A Cultural Impact Assessment ('CIA') was prepared by Te Haa o te Whenua Kirikiriroa for the designation of land and the construction and operation of the Rotokauri Greenway. Written contribution was made to the CIA by the respective representative of each of the Hapuu and Iwi. Te Haa o te Whenua o Kirikiriroa outline their support for the project and confirms an ongoing relationship for the life of the project. Mitigation recommendations were made which will be included in the design of this project.</p> <p>A hui was held with Mana Whenua on the 25/11/2022 in regards to the proposal.</p> <p>Initial feedback from mana whenua:</p> <ul style="list-style-type: none"> <li>☑ Protection for whenua and wai is paramount</li> <li>☑ Te Ture Whai mana and mana whakahaere</li> <li>☑ Best practise for swale and treatment</li> <li>☑ Treatment before enters swale is an exemplar</li> <li>☑ Naming opportunities for connection of Rotokauri and Waiwhakareke lakes</li> <li>☑ Mauri to be restored</li> </ul> <p>Consultation is ongoing and the relationship between Mana Whenua and the applicant is strong.</p> <p>Iwi engagement is underway, there was significant engagement with iwi authorities through the Rotokauri Greenway Corridor designation process and so they are aware of the project (and they did not appeal the designation). Hounsell Holdings Limited is aware of the greater importance of engagement with Iwi authorities in the context of a fast-track application.</p>

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
No details	

## 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.

### Waikato Raupatu Claims Settlement Act 1995

The Waikato Raupatu Deed of Settlement 1995 is a hugely relevant piece of legislation today. The Waikato Raupatu Settlement is largely based around events that took place 1863 onwards that relate to land confiscation; an event that has echoed in the hearts, souls and minds of Waikato-Tainui as a tribal entity.

The Waikato River Deed of Settlement was a part of the initial Raupatu claim, but was carried over for settlement from 1995 until 2010. The attention required to complete the river claim section of the wider Raupatu Act was considered to be a task that required concise and focused attention.

The Waikato River Deed of Settlement signing (2009) and legislating (2010) heralded a new era of co-management with respects to the Waikato River and its tributaries (lakes, streams, wetlands, lands, waahi tapu and minerals).

The preparation and compilation of the stories and historical accounts that Waikato-Tainui tribal elders provided over 30 years to support the intrinsic value and integrity of the Waikato River was evident when the Office of Treaty Settlements (OTS) and Judge for Treaty Settlements ruled in favour of Waikato-Tainui treaty claim for the Waikato River. Without prejudice, the historical accounts from Kaumaatua have ensured the return of the Waikato River back to Waikato-Tainui and its tribal benefactors who have fought tirelessly for many years, with many sacrificing their own lives and families to fulfil their roles and responsibilities of kaitiakitanga and stewardship over the domain of Papatuanuku and Ranginui.

### Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The Waikato River Deed of Settlement signing (2009) and legislating (2010) heralded a new era of co-management with respects to the Waikato River and its tributaries (lakes, streams, wetlands, lands, waahi tapu and minerals).

The preparation and compilation of the stories and historical accounts that Waikato-Tainui tribal elders provided over 30 years to support the intrinsic value and integrity of the Waikato River was evident when the Office of Treaty Settlements (OTS) and Judge for Treaty Settlements ruled in favour of Waikato-Tainui treaty claim for the Waikato River. Without prejudice, the historical accounts from Kaumaatua have ensured the return of the Waikato River back to Waikato-Tainui and its tribal benefactors who have fought tirelessly for many years, with many sacrificing their own lives and families to fulfil their roles and responsibilities of kaitiakitanga and stewardship over the domain of Papatuanuku and Ranginui.

## 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.

The project will not generate significant adverse environmental effects, as any adverse effects on the environment will be appropriately avoided, remedied or mitigated to be minor or less than minor in nature. See supporting technical expert memorandums accompanying this application, included as **Attachments 12 to 21**. The full assessment is attached as **Attachment 24**.

## 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:

See **Attachment 25**.

## 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:

As outlined in the detailed business case for Rotokauri Stage 1, extensive economic and employment benefits will be generated by the project, as discussed in **Attachment 21**. The detailed business case for Rotokauri Stage 1 provides a thorough economic and employment analysis, however, it is noted that this document was prepared for a different purpose (to consider the acceleration of delivering critical Bulk Housing Infrastructure in Rotokauri Stage 1 using the Infrastructure Funding and Financing (‘IFF’) tool in combination with traditional funding mechanisms). Regardless, this document provides a clear indication of the significance of the project and its importance to Hamilton, particularly in relation to the economic benefits it enables. The following addresses both the economic benefits of this project:

The purpose of the FTCA 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”, which this project can achieve. Due to the impact of Covid-19, several projects have been delayed due to restrictions related to Covid-19, that have been exacerbated by supply chain delays and skilled worker shortages. Historically, construction

has enabled economic growth within New Zealand, with up to 278,300 people employed within the construction industry in December 2020[1].

This project supports the ongoing investment locally and nationally, with the total impact on business activity within Waikato as a result of this project estimated to be just under s 9(2)(b)(ii) over a 3-year period. The project will result in 470 FTE jobs during the peak development period, with a total number of 840 FTE jobs over the project period. This investment will result in further flow-on economic benefits for the local community. The construction industry will benefit significantly, but the hospitality and accommodation sectors (who have also experienced widespread job losses as a result of Covid-19) will also benefit with workers employed by the project coming from outside of Hamilton. There will be direct benefits for those employed by the project such as construction workers, project managers, architects, engineers, and health and safety consulting service providers.

There will also be associated development contributions as required by HCC, WDC and WRC that will enable city-wide benefits and further investment in services and infrastructure.

HHL will enable indirect benefits through this project, with the majority of contractors and materials sourced locally, through the engagement of contractors and purchasing of supplies. These include wholesale and retail building supplies, and legal, communications, administration, accounting and other professional services. In the future, once the infrastructure is in place and the residential development of Rotokauri has occurred, there will be other services that will benefit, such as builders, real estate and conveyance services.

Aside from the direct economic and employment benefits generated by the construction of the RG&MA, the following flow on effects will indirectly arise:

- The proposal is estimated to generate approximately 840 employment opportunities across the duration of construction;
- Increased business for local and national suppliers of goods and services for the construction of RG&MA;
- Expenditure within the local economy as a result of salaries earned by those employed through the construction of the RG&MA; and
- Increased housing enabled by the construction of the RG&MA, that will provide infrastructure to the Rotokauri area that has been prioritised for future urban development by HCC. This presents further opportunities for the construction industry, with a planned capacity of between 7,000 to 8,000 homes for approximately 20,000 people estimated (noting this could increase with the proposed changes under HCC's Plan Change 12 as a result of the NPS-UD), which will require the construction industry to deliver.

[1] <https://www.stats.govt.nz/news/high-rises-in-construction-jobs/>

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

The proposal enables a range of positive effects on the social and cultural wellbeing of current and future generations. In terms of the current generation, it generates significant employment opportunities, that enable the ability for individuals to provide for themselves and their communities. Further, the RG&MA enables the delivery of between 7,000 to 8,000 homes for approximately 20,000 people (noting this could increase with the proposed changes under HCC's Plan Change 12 as a result of the NPS-UD). Given the current housing market, with high demand and low supply, this will provide high-quality, safe and warm housing to a significant number of people, now and into the future. The Minor Arterial will provide for lighting and visibility to support the safety and security of its users, ensuring future residents and users can use the walking, cycling and other micro-mobility corridor safely and public transport users can wait at bus stops safely. This will be in accordance with Crime Prevention through Environmental Design.

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

In accordance with the purpose of the FTCA, it is considered that this project would progress faster under the FTCA as opposed to the RMA. The FTCA offers several advantages, including:

- Public and limited notification is precluded;
- Resourcing to process the application efficiently
- The Panel is only permitted to invite comments from specified persons, with a short timeframe provided for comment; and

- The timeframes under the FTCA are shorter and stricter than that of the RMA, which could be between four to six months (potentially more).

Given this proposal is not considered to result in any affected persons/parties, the process under the FTCA in relation to the provision of comments at both the referral and Expert Consenting Panel stage (if the referral is achieved) is appropriate and adequate to address any concerns that arise due to this project.

While it is considered, based on advice to date that supports the proposal being processed on a non-notified basis, both WRC or HCC could ultimately notify the application. It is noted that due to the scale of the works and number of consent triggers, WRC could inevitably notify the application, although one of the most significant milestones of this proposal has already been achieved, being the designation of the Greenway. If notified, this would create significant delays through process and associated timeframes and increases the likelihood of an Environment Court appeal. If this was to occur, the two-stage RMA process (resource consent application and Environment Court appeal) would extend the consenting timeframe significantly and increase delay risk, which could likely be avoided under the FTCA. If the proposal was to be appealed under the FTCA, this would be limited to points of law and only to those who provided comments, the relevant local authorities, and persons who have an interest in the decision greater than that of the general public.

For the applicant, the FTCA process provides greater certainty of the timing of the granting of the consent in comparison to the RMA. Through this certainty, the applicant is able to ensure the project remains 'shovel ready' and generates the significant benefits that can be achieved. If, for any reason, the project could not be assessed against the FTCA and required assessment under the RMA, significant delays are expected, including:

- Supply chain constraints: Following Covid-19 restrictions, the construction industry experienced unmanageable demand for construction materials that placed significant pressure on supply chains and the availability of materials to deliver projects. This, combined with increased global shipping costs, increased construction delays, and reduce supply capacity, means greater delays are anticipated within the construction industry. This uncertainty can be better managed through the FTCA process, as it reduces the risk of delays and any future material cost increases that could see the feasibility and design of the project requiring revision.
- Seasonal constraints: Significant earthworks are required as part of the proposal, which need to be carried out during the summer period. If this cannot be completed in 2023/24 summer, then a delay of up to two years is anticipated. In comparison to the RMA, the FTCA process allows the applicant to provide earthwork contractor's with certainty to ensure the necessary earthworks can be undertaken at the appropriate time.
- Planning framework: HCC is currently giving effect to the NPS-UD, under Plan Change 9 and 12 of their Hamilton City Operative District Plan, which is results in changes to resource management in Hamilton. Inevitable debates are currently occurring in relation to how the proposed provisions should be applied in practice, which are anticipated to result in further delays to the resource consent process under the RMA.

Overall, the statutory framework of the FTCA to determine a fast-track application presents a far more efficient process which will expedite the consenting process, save unnecessary costs, and provide certainty as an outcome. As shown in **Attachment 23**, the FTCA process will expedite the process to enable housing and development by at least 3 years.

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 proposal represents an approximate investment of just under **s 9(2)(b)(ii)** over the course of its construction, which includes the provision of a significant number of jobs in various sectors, such as construction, earthworks and professional services. This will generate flow on effects for employment and job creation in local services and industries through the supply and goods to the construction of the RG&MA and future residential development of Rotokauri.

An employment analysis will be prepared based on current design plans, however, it can already be concluded that the project will have direct and indirect employment benefits.



Bulk earthworks and civil infrastructure construction will commence shortly after receiving approved consent (if approved by the Environmental Protection Authority), completed in stages over a 2-year period that will require a robust workforce to deliver.

The project will result in 470 FTE jobs during the peak development period, with a total number of 840 FTE jobs over the project period. This is on top of the already growing number of professional staff who are already involved with the design and consenting of the project. This is expected to increase as site works begin to be undertaken and site specialist carry out their works (e.g., engineers, surveyors, environmental consultants), further increasing when construction of the RG&MA occurs.

Indirect employment benefits will also occur. Purchasing of supplies and services, engagement with numerous contractors and enablement of future real estate will have vast benefits for the local economy. Those involved in the project will generate millions of dollars in GDP, which will support more jobs within other industries as workers spend their income in the local, regional and national economy. Services in the area, such as cafes, are considered to experience an influx of visitors as a result of the construction.

#### Housing supply:

Based on central government direction from the National Policy Statement on Urban Development (NPS-UD) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act, HCC was required to update their District Plan to enable increased housing development density across the City. Hamilton City is experiencing tremendous growth, with a population of 168,600 people in 2018 estimated to rise by 68,000 people to 236,600 by 2048 (this is the medium project)[1]. Several areas have been identified as growth areas to support this anticipated growth, including Rotokauri.

To enable the development of Rotokauri to support growth, significant infrastructure, including the RG&MA is required. Once the RG&MA has been constructed and other enabling infrastructure, the Rotokauri area can be developed for residential purposes, with a planned capacity of between 7,000 and 8,000 homes for approximately 20,000 people. It is noted that this estimation could increase with the recent proposed changes under HCC's Plan Change 12 as a result of the previously mentioned national direction through the NPS-UD and other supporting legislation.

[1] <https://www.stats.govt.nz/information-releases/subnational-population-projections-2018base2048>

#### Contributing to well-functioning urban environments:

The site is largely vacant, generally zoned General Residential Zone and Medium Density Residential Zone under the Hamilton City Operative District Plan and HCC Plan Change 12, which is consistent with the anticipated future development of the Rotokauri growth area.

The RG&MA is an appropriate and anticipated use of the land, as it is necessary infrastructure to ensure future residential development can occur. The design has taken into consideration the future development of the area, in accordance with the masterplan, to ensure a well-functioning urban environment is created. It will contribute to an increase in housing capacity, intensity and choice for future residents. Further, this proposal will enhance and support the social, cultural and economic well-being of the current and future communities.

The scale of this project is acknowledged, given it involves two large built corridors in the surrounding environment, with careful consideration throughout the design to respect its relationship with the wider environment. The ability to understand the future intent of the wider environment provides the opportunity to ensure the RG&MA is well integrated into the future built form of Rotokauri.

The proposal is considered to achieve a positive interface with the surrounding environment and future residential development, with high quality design and consideration of the provision of amenity to ensure the RG&MA is a pleasant addition to the area.

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

The overarching purpose of this project is to deliver high-quality infrastructure necessary to facilitate the residential development of Rotokauri. This project ensures the most productive development of the Rotokauri area. As

aforementioned, several beneficial economic, employment, and environmental outcomes occur as a result of this proposal, which could not happen without providing this infrastructure.

HHL will also provide development contributions to HCC, WDC and WRC, as well as any other Council controlled organisations where required), which will support local public growth infrastructure, public community reserves and employment from these projects to occur.

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

In addition to the positive environmental outcomes generated by the project with regard to climate change, to be discussed in a subsequent section, the project improves other environmental outcomes. The Rotokauri Greenway is being provided for the Rotokauri area as a necessary tool to improve environmental outcomes, particularly for freshwater quality and indigenous biodiversity. Once constructed, the Greenway will operate to treat stormwater runoff before it reaches Lake Rotokauri to ensure filtration occurs. They direct and slow stormwater across the ground cover and through the soil, to support the filtration of sediments, nutrients and contaminations from incoming stormwater before discharging into the Lake.

Evidently, the Greenway provides several beneficial environmental outcomes, including:

- Removing pollutants from incoming stormwater before discharging to the Lake;
- Allowing vegetation to absorb nutrients from incoming stormwater;
- Efficiently managing stormwater;
- Providing a green space with a development and presenting urban design opportunities; and
- Reducing the impact the anticipated urban development will have on the natural environment.

The Minor Arterial's provision for alternative transport, such as walking, cycling and public transport, will support a reduction in vehicle trips and the resultant carbon emissions. This will benefit the air quality of the area.

#### Minimising waste:

Delivery of the project will be carried out in an efficient manner that seeks to minimise waste, with land and construction resources used carefully and considerately to ensure unnecessary waste does not occur. The development of Rotokauri will be developed in a way that optimises intensity to ensure land is not under utilised and a greater amount of housing can be provided for with equivalent building materials. This approach will be taken with the construction of RG&MA, with the proposed design ensuring the most efficient use of land and resources.

#### 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 construction of the RG&MA promotes "the sustainable management of natural and physical resources" in accordance with the FTCA. As previously mentioned, construction of the RG&MA will be carried out in a manner that minimises waste and ensures the most efficient use of land and resources. With regard to sustainable management, climate change and a transition to a low-emissions economy, measures have and will continue to be explored and implemented to align with these outcomes in terms of the construction of the RG&MA and the future development of Rotokauri. An example of this includes the earthworks approach, the cut to fill exercise is proposed to be neutral, with fill retained and utilized on site. This reduces the project's carbon footprint and is only achievable as we are undertaking subdivision earthworks in parallel on the applicant's land.

The Greenway supports the management of stormwater, which will reduce the risk of flooding hazards (an impact of climate change). The Greenway incorporates planting and vegetation to support the reduction in greenhouse gas emissions. 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. This will be beneficial for the future residential development of Rotokauri.

The Minor Arterial will provide for alternative transport options, such as public transport, walking, cycling and other micro-mobility options, with the proposed designs including wide separated off road walking and cycle ways and in lane bus stops. Provision of this infrastructure at the start of the Rotokauri development will maximise the use of these facilities and encourage future residents of the area to consider alternative transport modes. We consider this is a beneficial approach, as opposed to providing the infrastructure as an addition to the Minor Arterial in future when the development has already been constructed.

The project is well suited to the local area and is strongly aligned with delivering a well-functioning urban environment that reduces climate change through providing infrastructure in a location that is close to the main trunk railway (now with regular connections to Auckland through the Te Huia service) and a high quality bus network.

In addition, the future residential development enabled by the RG&MA will be delivered in a manner which produces less greenhouse gas emissions than a typical residential development, as Rotokauri will be developed in a way that optimises intensity which means a greater volume of housing can be provided for equivalent building materials. As such, it is expected that on a per house basis, the development overall will produce significantly less greenhouse gas emissions.

#### Promoting the protection of historic heritage:

In accordance with zoning maps published by HCC and WDC, it is considered the project site does not contain any identified sites or items of historic heritage value. Any works to date have not identified any historic or archaeological discoveries, and the landowners are not aware of any.

It is considered that appropriate accidental discovery protocols, through conditions of consent, can be applied to ensure in the event of an archaeological discovery the correct procedures can be followed.

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

The Rotokauri Greenway strengthens the environmental, economic, and social resilience of the area, in terms of managing the risks from natural hazards and the effects of climate change. Through the provision of the Greenway, the current and future development of Rotokauri will be able to better manage stormwater and its associated risks.

#### Other public benefit:

The Rotokauri Greenway and Minor Arterial will result in a public benefit and provide positive effects on the economic, social, cultural and environmental wellbeing of people, communities and environments of Rotokauri and wider Hamilton. Rotokauri will be a future suburb of Hamilton, visible to visitors and travellers via the Waikato Expressway, that will provide appealing entrance to Hamilton.

In addition to the public benefits covered more comprehensively in other responses in relation to Part XI of the application, the following best summarise the public benefit of the RG&MA:

- The project will enable the much needed delivery of housing supply through the provision of infrastructure needed to service the Rotokauri growth area, resulting in between 7,000 to 8,000 homes for approximately 20,000 people (noting this could increase with the proposed changes under HCC's Plan Change 12 as a result of the NPS-UD).
- The development will provide a high quality, activated recreational facility area that will provide a sense of identity, place and be a focal point for the community.
- Multi-functional corridor that provides for connectivity for pedestrians and cyclists.

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

As outlined in Part VII of this application, it is considered that this proposal will not have significant adverse environmental effects. Based on an assessment of environmental effects, it has been determined that any adverse effects of the proposal can be appropriately avoided, remedied or mitigated through both the design of the RG&MA and through conditions of consent.

## 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 **not** located within proximity of the coast. 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.

There is significant flooding already occurring and the Greenway (swale) is the proven solution to managing this hazard, which also helps provide certainty for future urban development free of flood hazards.

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 transport, thereby reducing greenhouse gas emissions, to ensure that the chances of the project being affected by climate change and natural hazard 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.

Fraser McNutt (Consultant) & Adriaan Vlok (Applicant)

27/01/2023

**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.
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.