TOLLEMACHE CONSULTANTS LTD.

To: Horsham Downs Estate Limited

From: Tollemache Consultants Limited

Date: June 2026

Subject: Planning Memorandum in relation to a referral application for a fast track by Horsham Downs Estate Limited

---

1.0 INTRODUCTION

1.1 Tollemache Consultants Limited has been asked to provide a summary of the relevant planning documents to support a referral application by Horsham Downs Estate Limited ("the Applicant") for a Fast Track process involving the *Horsham Downs Estate* ("the Project").

1.2 This memorandum constitutes a planning and effects assessment (including for the purposes set out in Schedule 5, clause 2 of the Fast-track Approvals Act 2024 ("FTAA"). It is to be read in conjunction with the referral application and its attachments.

1.3 This document provides a summary of the following matters:

(a) A summary of the Project;

(b) An overview of the application site, its surrounds and zoning context;

(c) A summary of potentially applicable resource consent requirements, under relevant statutory documents;

(d) An Assessment of Environmental Effects ("AEE"); and

(e) Commentary on the relevant National Planning Documents.

1.4 A summary of our qualifications and experience is provided in **Attachment A**. We have prepared this report in accordance with the Environment Court Code of Conduct.

2.0 SUMMARY OF THE PROJECT

2.1 The Project is a design-led, comprehensively master-planned, residential neighbourhood and directly responds to sustained housing demand in the Waikato region.

2.2 The Project Area is located at 319 Gordonton Road in Rototuna. It comprises approximately 54 hectares which is legally described as Lot 1 DPS 79016, Lot 1 DPS 9149 and Lot 1 DP 24870 (Records of Title SA3D/1116 and SA63A/920).

2.3 The Project has been deliberately designed to deliver a significant quantum of housing, and a range of housing options, in a highly accessible location, while contributing to a logical expansion of the Hamilton metropolitan area. A proportion of the household units (up to 5%) may be "live work units" which contain both a commercial / industrial component as well as a household unit.

2.4 At a high level, the Project seeks to enable the following activities:

(a) Residential development and subdivision to provide for approximately 850-950 residential lots/dwellings delivering a mix of housing typologies to support a range of household types, life stages, and budgets. It is intended that most dwellings/lots will contain stand alone, duplex or terrace dwellings, but at this stage the scope of the proposal is intended to cover all forms of residential activity (including "live-work units") irrespective of how it might be defined in the district plan.

(b) A neighbourhood centre located and designed to provide everyday services and employment opportunities, likely including retail activities, commercial, food and beverage premises, community facilities and other complementary uses that reduce travel demand and support local living. The live work units may also include light industrial/commercial type activities such as but not limited to servicing, repairs and light fabrication.

(c) An open space and green–blue network, incorporating low-lying areas, a neighbourhood park, and landscape buffers that enhance amenity and ecological outcomes.

(d) A range of associated or ancillary activities which are permitted under the district and/or regional plans.

2.5 The delivery of the Project also requires the following:

(a) Land modification across the sites (including potential watercourse works, wetland reclamation and offsetting works).

(b) Infrastructure including new roads, water and wastewater supply networks, and stormwater management devices and networks.

(c) Provision for "self-servicing" for wastewater treatment/disposal and water treatment and supply.

3.0 DESCRIPTION OF PROJECT AREA

3.1 The Project Area comprises approximately 54 hectares located at 319 Gordonton Road in Rototuna.

3.2 The Project Area is located within Waikato District and immediately adjacent a north-western edge of Hamilton City. Its southernmost boundary adjoins Haynes Place which is located in Hamilton City Council's ("HCC") jurisdiction.

3.3 The Project Area's main frontage is to Gordonton Road. Vehicle access to two existing dwellings and farm buildings is achieved off this road.

3.4 The legal descriptions are Lot 1 DPS 79016, Lot 1 DPS 9149 and Lot 1 DP 24870 (Records of Title SA3D/1116 and SA63A/920). Copies of the Records of Title are provided in **Attachment 3** to the Referral Application.

3.5 The Project Area is shown in the following aerial image.



Figure: Aerial image of the Project Area (purple lines = WDC/HCC boundaries)

3.6 Works may also occur on Gordonton Road and, potentially, on Haynes Place.

3.7 The majority of the Project Area is currently used for general farming purposes, predominantly for arable production and/or stock grazing.

3.8 The Project Area is divided into several paddocks by farm access tracks, fences and hedgelines. The paddocks are generally open with scattered trees. There are a series of artificial watercourses that define the paddocks and link with some wetlands.

3.9 Ecological Solutions Ltd indicate that there is an overall lack of indigenous vegetation, and that watercourses (artificial drains) and wetlands are of a modified and degraded nature, reflective of the Project Area's historic and current farming use.

Zoning and Overlays

3.10 In terms of the Part Operative Waikato District Plan 2025 ("WDP"), the Project Area is located in the General Rural Zone as shown in the following figure.

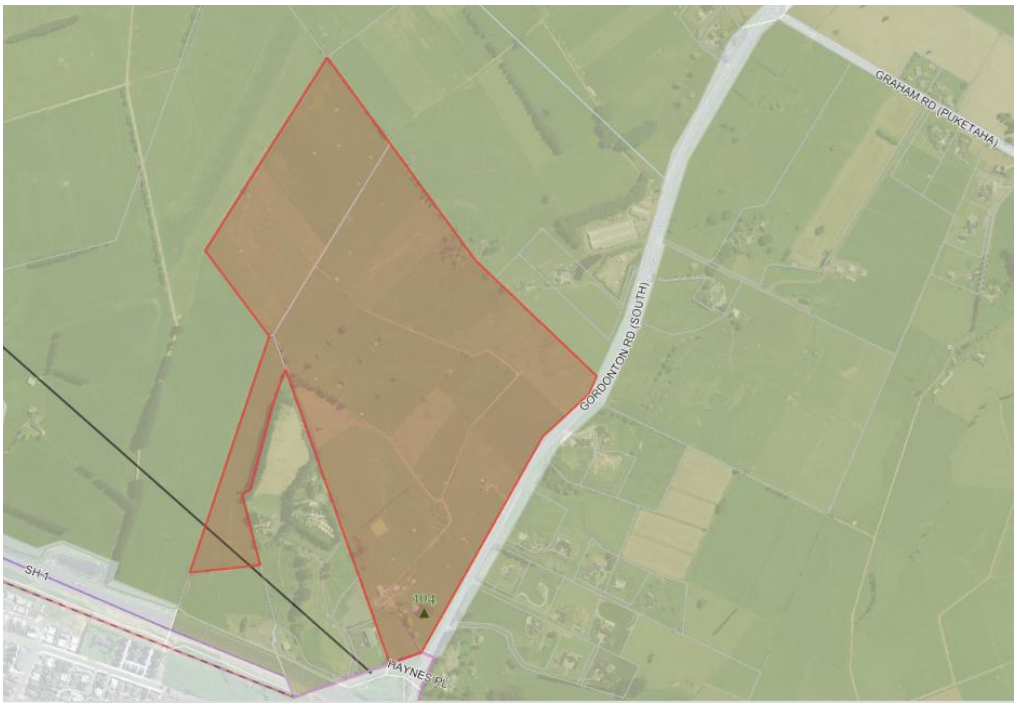


Figure: Zoning of the Project Area (olive green = General Rural Zone)

3.11 The Project Area is subject to the following overlays:

(a) National grid (shown by black line in figure above).

(b) Notable tree (Ref ID 104 – English Oak – identified by green triangle in figure above). It is understood that this tree was located alongside the existing villa but no longer exists.

(c) Waikato River catchment.

3.12 The WDP identifies Gordonton Road (from Taylor Road to the HCC boundary) as a regional arterial route.

4.0 APPROVALS SOUGHT

Resource consents

4.1 Based on our review, the Project works will or may trigger requirements for resource consents for the activities listed in **Attachment B**.

4.2 The substantive application will address all aspects of the Project that are considered to be permitted activities with respect to the above rules.

Other Approvals

4.3 The FTAA also enables the following "other approvals" as part of an overall package. Of relevance to this application, this would include:

(a) Archaeological Authority and approval of a person to carry out an archaeological activity.

(b) Permits from the Department of Conservation ("DoC") in respect to the Wildlife Act 1953.

4.4 For the avoidance of doubt this Application does not seek:

(a) A concession (Reserves Act approval) for use of, and works in, local purpose (esplanade) reserves.

(b) Approvals under the Fisheries Regulations 1983. If they are they will be sought under a separate process.

5.0 ASSESSMENT OF EFFECTS

5.1 The Applicant has received advice as to the anticipated and known effects of the Project on the environment from the technical experts referred to below. The relevant reports are attached to the application as:

(a) **Attachments 4, 11 and 12** prepared by Earl Design Ltd, providing a concept plan and addressing landscape and urban design matters.

(b) **Attachments 6**, **7 and 10** prepared by BBO addressing infrastructure matters, stormwater management and traffic.

(c) **Attachments 8 and 9** prepared by CMW addressing groundwater and geotechnical matters.

(d) **Attachment 13** prepared by Ecological Solutions Ltd addressing ecology.

(e) **Attachment 14** prepared by CFG Heritage Ltd addressing archaeology.

(f) **Attachment 15** prepared by Urban Economics addressing economic impact.

5.2 The Project is not considered to result in any significant adverse effects on the environment.

5.3 The Project can appropriately manage its adverse effects on the environment so that these are not significant. The supporting technical reports confirm that adverse effects generated by the Project can be managed. Details as to how these effects will be avoided, remedied or mitigated will be provided with the substantive application, including through the use of management plans.

5.4 The key potential adverse effects are addressed in general below.

Archaeology Effects

5.5 CFG Heritage's field assessment (**Attachment 14**) identifies no evidence of pre-European Māori archaeology. However, the site is on the margins of known garden lands, the Komokorau bog and the former Lake Tunawhakapeka which would have been attractive locations for settlement. Therefore, archaeological evidence in the form of shell middens, cooking areas and postholes outlining drying racks, and small houses may be present.

5.6 This matter would be further addressed with the substantive application, including the requirement to implement the accidental discovery protocol should earthworks reveal any previously unknown archaeological sites.

5.7 It is possible that the existing villa pre-dates 1900. Further archival research and investigation by a building specialist are recommended to determine its likely date of construction. This matter would be addressed by the substantive application.

5.8 An archaeological authority application would be accompanied by an Archaeological Management Plan to address the potential for unknown archaeological sites.

Earthworks

5.9 The memorandum from BBO in **Attachment 6** confirms the approximate extent of earthworks that will be required to facilitate the Project.

5.10 BBO confirms that earthworks associated with the Project will be undertaken in accordance with best practice erosion and sediment control measures to ensure that any potential adverse effects are either avoided or minimised. Best practice measures that will be deployed include the rapid stabilisation of earthworked surfaces, sediment retention ponds, decanting earth bunds, stabilised construction entrances from Gordonton Road, silt fences, and clean and dirty water diversions.

5.11 These measures will be detailed in an Erosion and Sediment Control Plan that reflect Waikato Regional Council's ("WRC") requirements and their implementation will be regularly monitored by the contractor's project supervisor, site engineer, and council representatives.

5.12 Any residual effects can and will be appropriately managed and mitigated through the implementation of a comprehensive Erosion and Sediment Control Plan.

5.13 In the longer term, the finished use of the site will reduce sediment discharges from the land as residentially used land tends to be more resilient to erosion than land which is actively farmed. This is anticipated to create long term benefits in the quality of water leaving the site.

5.14 Groundwater may be encountered at shallow depth in the low-lying areas. Future reporting undertaken as part of the substantive application will consider the need for any underfill subsoil drains or granular drainage blankets as mitigation measures.

Contamination Effects

5.15 There are no known areas of contamination from HAIL activities within the Project Area associated with historical farming practices. Notwithstanding this, the substantive application will provide results of a preliminary/detailed site investigation to address this matter, including any necessary remediation work should contamination be identified. It is anticipated that the land can be appropriately remediated through conventional land management practices, such that the resultant land is suitable for residential development.

5.16 Waikato Regional Council (WRC) commissioned an assessment of acid sulphate soil risk in the Waikato Region1. The mapping indicates that the site has pockets of land which have a "high probability" occurrence of acid sulphate soil. The substantive application will provide an Acid Sulphate Soil Management Plan to outline how any actual or potential acid sulphate soils will be identified, managed and mitigated during earthworks and construction activities. It is anticipated that the construction works can be appropriately managed through conventional treatment and management techniques.

Construction Effects

5.17 Construction is expected to result in temporary traffic effects on Gordonton Road. Construction-related traffic effects will be temporary and can be managed through a Construction Traffic Management Plan ("CTMP").

5.18 The CTMP will detail key measures including the anticipated number of daily truck movements, designated truck routes, and other mitigation strategies to ensure traffic impacts are appropriately addressed.

[1] Waikato Regional Council, 2024. Waikato region acid sulphate soils preliminary risk assessment (TR 2023/24).

5.19 During construction, dust may be generated as a result of land disturbance. These effects can and will be appropriately mitigated and managed, through dust suppression, taking into account wind conditions and direction. A Dust Management Plan will be prepared to address dust management techniques.

5.20 Noise and vibration are anticipated during construction activities. These effects will be managed in accordance with NZS 6803:1999 *Acoustics – Construction Noise* and DIN 4150-3:1999 *Structural Vibration – Effects of Vibration on Structures*.

5.21 A Construction Noise and Vibration Management Plan ("CNVMP") will be implemented, outlining mitigation measures such as restricted hours for noisy works, engagement with neighbouring properties, and the use of quieter equipment to ensure potential effects are appropriately managed.

Ecology

5.22 The assessment by Ecological Solutions Ltd (**Attachment 13**) describes the potential for the Project to generate adverse ecological effects.

5.23 Such adverse effects relate to:

(a) Vegetation clearance;

(b) Potential habitat for terrestrial fauna;

(c) Unavoidable loss or effects on low-quality wetlands;

(d) Changes in groundwater and overland flow paths that could affect wetland and watercourse hydrology;

(e) Removal or modification of artificial watercourses that may provide habitat for native fish;

(f) Short term effects on water quality as a result of sedimentation and dust from earthworks; and

(g) Potential for stormwater and wastewater discharges to affect downstream hydrology and water quality.

5.24 Potential adverse effects will be appropriately managed through a combination of avoidance, mitigation, and offsetting (as per the effects hierarchy). This includes:

(a) Management plans (e.g. for lizards, bats, fish and birds) with the timing of works adjusted to avoid sensitive periods.

(b) Best-practice erosion and sediment controls.

(c) Offsetting or compensation in terms of the effects hierarchy as a result of any unavoidable loss of wetlands and watercourses. Depending on the final design, these works may be considered to be remediation or mitigation.

(d) Provision for fish passage.

(e) Restoration planting and weed/pest control.

(f) Discharges (stormwater, wastewater and sedimentation from earthworks) being carefully managed in terms of Waikato Regional Council guidelines to ensure quality outputs align with the respective receiving environments.

5.25 The substantive application will include:

(a) Detailed ecological surveys and mapping.

(b) Application of the effects hierarchy.

(c) Site-specific ecological management plans covering fauna capture and release (in conjunction with Wildlife Act permits), restoration, enhancement, monitoring, and maintenance.

(d) Permits in terms of the Wildlife Act 1953.

5.26 With appropriate design and management, the Project's adverse ecological effects can be effectively mitigated (or offset where required) to ensure ecological values are protected and enhanced, supporting a net-positive ecological outcome. The substantive application will provide detailed assessments and plans to ensure ecological values are protected and enhanced, supporting a net-positive ecological outcome.

Stormwater Effects

5.27 The memorandum from BBO in **Attachment 7** confirms that the Project will make use of the Project Area's natural floodplain and implement a comprehensive stormwater strategy consistent with WRC guidelines TR2020/06 and TR2020/07, the Waikato Regional Infrastructure Technical Specifications ("RITS"), and requirements for climate change allowance.

5.28 Modelling confirms that the proposed strategy will deliver improvements in peak flood levels and enhance the resilience of the catchment to large storm events.

5.29 Potential stormwater impacts can be managed in the following ways:

(a) Pipe networks sized in accordance with the RITS to convey the 10-year storm peak rainfall (including allowance for climate change).

(b) Design to safely convey the 100-year storm to the stream network, via roads or engineered overland flow paths/shallow-graded swale to ensure that the Project Area remains hydrologically neutral.

(c) Maintaining hydraulic separation of the treatment wetland and the flood storage pond/wetland to preserve treatment performance during large storm events.

(d) Application of a minimum freeboard of 500mm above the modelled 100-year ARI level for all habitable platforms.

(e) Stormwater quality treatment to ensure that development does not cause or increase stream pollution, including the construction of wetlands or raingardens.

(f) Attenuation storage to reduce peak flows discharged from the site.

(g) Hydrology mitigation – retention and extended detention to be typically provided within treatment wetlands so as to reduce stream flows in small, frequent storm events and without increasing stream erosion, and promoting groundwater recharge to maintain stream base flows.

(h) Use of the existing 'Freshfield Pumpstation' and an assessment with the substantial application that confirms that all post-development runoff can be managed to align with the capacity constraints of the pump.

(i) On-going engagement with Mana Whenua to reflect cultural values in the design of open water and treatment features.

5.30 The Ecology Assessment in **Attachment 13** also identifies that effects from stormwater discharges on ecology can be reduced through the stormwater design (including stormwater wetlands) ensuring that specific devices are in place to treat stormwater to meet industry practice. As noted above, the Project is expected to increase water quality in the medium to long term.

Wastewater Servicing and Discharge

5.31 The application is intended to enable two options:

(a) Connection to a public networks; OR

(b) A private wastewater treatment plant ("WWTP") and private network.

5.32 Hamilton City Council has a process for modelling capacity and network upgrades to service development which would be addressed with the substantive application.

5.33 A Membrane Bioreactor ("MBR") or similar technology would be utilised should a private WWTP be proposed (in the event that connections are not available to Hamilton City Council's reticulated network). These technologies can reliably achieve stringent nutrient and pathogen removal targets, consistent with best practice in New Zealand. Treated wastewater is expected to meet very high discharge standards, with >97% reductions in cBOD, TSS, TN, and TP, and near-complete pathogen removal. This is a conventional discharge standard in the Waikato region and is generally regarded as providing acceptable environmental and cultural effects, when used in conjunction with the discharge to land approach discussed below.

5.34 A private WWTP would include scalable capacity to provide for incremental expansion as development progressed. While contaminant concentrations from the residential component of the Project are expected to be in line with standard domestic strength wastewater, the commercial component will have a concentration that is approximately three times stronger. The Applicant has had preliminary discussions with a provider and these design details will be provided with the substantive application to demonstrate that the quality of the wastewater output will exceed those associated with standard WWTP used in New Zealand.

5.35 Discharge will be via a polishing/land contact device prior to surface water discharge to a watercourse tributary (which will ultimately drain to the Waikato River).

5.36 The Waikato River is a sensitive receiving environment subject to Te Ture Whaimana o Te Awa o Waikato. Discharge approaches will require cultural consultation, ecological assessment.

5.37 Effects from the discharge of treated wastewater will be carefully managed to ensure quality outputs align with the respective receiving environments. Specifically, the new technologies available for WWTP enable the quality of treated wastewater to avoid adverse effects on water quality, human health and aquatic ecology. Modern pathogen reduction techniques, such ultraviolet treatment, membrane filtration and ultra-filtration, are capable of reducing all pathogens to near undetectable levels.

5.38 The WWTP and reticulated network can be constructed by the Applicant and is not reliant on third party timing or funding.

5.39 Ownership and management of all wastewater infrastructure could be via private utility entity or body corporate/residents' association. A clear management framework will be required through the life of the resource consent.

5.40 There are numerous examples of consented/operating MBR WWTP in New Zealand, including those privately operated. Some of those include land contact devices prior to entering freshwater environments.

5.41 The option for a connection to a public wastewater network would involve an extension of existing infrastructure, along with a pump station. This option would provide upgrades to the network where capacity limitations are present. No changes to the internal reticulation would be required, meaning that the wastewater infrastructure system will be adaptable should a connection to the wastewater network be desirable in the future.

Water Supply

5.42 The application is intended to enable two options:

(a) Connection to a public network; OR

(b) Private network sourced from groundwater and on-lot rainwater tanks where possible[2].

5.43 The reticulated network can be constructed by the Applicant and is not reliant on third party timing or funding. Hamilton City Council has a process for modelling capacity and network upgrades to service development which would be addressed with the substantive application (if the reticulated network is to be relied on).

5.44 As a result of CMW's preliminary testing and knowledge of nearby production wells (**Attachment 6**), it is considered that abstraction of groundwater from a bore to supply proposed developments within the Project Area is feasible (including treatment of groundwater such as filtration and disinfection so as to comply with the required drinking water standards, and storage in a dedicated reservoir with booster pumps) and that this can be managed with appropriate limits to maintain long-term aquifer performance. A hybrid solution comprising bore extraction and on-lot rainwater tanks is feasible. These matters will be addressed in detail with the substantive application.

5.45 Water saving devices will also be considered through the substantive application. Stormwater re-use tanks could be dual plumbed back into the proposed dwelling to significantly reduce the total amount of water consumption.

5.46 Ownership and management of all water infrastructure could be via a private utility entity or body corporate/residents' association. A clear management framework will be required through the life of the resource consent.

5.47 The option for a connection to a public water network would involve an extension of existing infrastructure. This option would provide upgrades to the network based on modelling of demand and water pressure.

[2] On lot re-use is also likely in the event of a connection to a public network to align with Te Ture Whaimana o Te Awa o Waikato

5.48 No changes to the internal reticulation would be required to connect to a reticulated system in the future, meaning that the water infrastructure system will be adaptable should a connection to the water network be desirable in the future.

Risk of Natural Hazards

Land Stability

5.49 CMW's geotechnical assessment in **Attachment 9** identifies no hazards in terms of flooding or volcanic and seismic hazards.

5.50 Earthworks will be managed to minimise land stability risks. Inclusion of high or steep slopes for swales or cuts will need an assessment of slope stability as part of the detailed design with future resource consent processes. This includes adherence to the relevant technical standards including NZS4431:2022 compaction standards.

5.51 The substantive application will also provide advice on how to treat soft soils such as their removal and replacement, or ground improvement methods such as pre-loading or temporary surcharge filling, as is common for land development projects in the Hamilton area.

Flooding

5.52 No river flooding risk is identified, although it is noted that the Project Area is part of the Waikato Central Drainage Scheme and it contains a drain that is managed by WRC. The stormwater strategy accounts for this drain and details will be provided with the substantive application.

5.53 The memorandum from BBO in **Attachment 7** indicates that the flood potential across the Project Area can be managed, with existing low-lying areas identified as prone to water accumulation due to limited soil permeability. These areas are where the green network of stormwater and land treatment devices is proposed.

5.54 The proposed stormwater design includes engineered overland flow paths and retention/detention systems to ensure that post-development flows do not cause or exacerbate downstream flooding. All habitable buildings will be located outside of any mapped flood extents with suitable finished floor levels.

Traffic

5.55 The report provided by BBO in **Attachment 10** addresses the proposed access arrangements, integration with the existing transport network, and the internal design approach for the Project.

5.56 The Project Area is located on a regional arterial route (Gordonton Road) and close to State Highway 1 and other main traffic routes within Hamilton City.

5.57 The Project will generate additional traffic, which can be accommodated within the existing road network, subject to upgrades such as a roundabout within Gordonton Road where the main entrance into the site is intended. These upgrades will improve safety and support urban amenity without generating adverse transport effects.

5.58 An Integrated Transport Assessment will be prepared as part of the substantive application. It will include site-specific transport modelling, a Construction Traffic Management Plan, and details of any necessary upgrades to roads and intersections based on traffic surveys.

5.59 Any required upgrades, including intersection improvements and pedestrian connections, can be delivered by the Applicant within the existing road corridor or the Applicant's land and are not reliant on third-party land acquisition, timing, or funding, except for the usual approvals required by the relevant road controlling authority.

Effects on National Grid Infrastructure

5.60 A narrow part of the site is traversed by Transpower's transmission lines. Development within the transmission line corridor will be managed, including through the intended location of a new road within this corridor and appropriate setbacks of habitable buildings as indicatively shown on the concept plan to ensure compliance with the WDP rules and *ECP 34 New Zealand Electrical Code of Practice for Electrical Safe Distances* as well as the Resource Management (National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities) Regulations 2009

Landscape and Character Effects

5.61 The assessment by Earl Design Ltd (**Attachment 11**) identifies that the Project will result in changes in respect to landscape and character. This will involve a transition from a rural site that contains paddocks and a few dwellings/farm buildings to an urbanised site containing approximately 850 to 950 dwellings, new roading, and footpaths as illustrated by the Earl Design concept plan.

5.62 The substantive application will incorporate this range of responses to address the effects of change, where necessary:

(a) Vegetative buffers along the Project Area's perimeter boundaries to assist the integration of development into its broader rural landscape setting;

(b) Early-stage planting (including the restoration of steep slopes, gullies, streams, wetlands and drains) and appropriate setbacks from boundaries and adjoining rural developments;

(c) Provision of stormwater wetlands and street trees which will soften visual effects from urban development, enhance amenity and provide for a range of co-benefits including ecology, cultural values, recreation and landscape values; and

(d) Aligning public open space networks and walkway/cycleway routes alongside or throughout the landscape framework, and ensuring good connectivity to developed areas within Hamilton City

5.63 A comprehensive Landscape and Visual Assessment, along with detailed landscape and design plans will be submitted with the substantive application to ensure that the proposed developments integrates sensitively with the surrounding landscape and delivers positive visual and environmental outcomes.

Amenity Effects

5.64 The concept plan provides a high-level concept for development that will introduce a significant change to the site's current rural character, transitioning it into a well-integrated urban extension of Hamilton City.

5.65 Anticipated urban design effects include the need to manage the interface with neighbouring rural properties, ensure walkable access to open spaces and amenities, and provide a coherent and connected street and green space network.

5.66 The Project will avoid issues such as poor connectivity and inactive street edges.

5.67 The substantive application will address these effects through a master-planned approach that incorporates urban design principles, with the present master plan being designed on this basis. This includes:

(a) A mix of housing typologies and an appropriately located neighbourhood centre to provide residents with convenient access to goods and services that are required on a day-to-day basis.

(b) A street network that complements the orientation and configuration of the site to maximise permeability by vehicles and pedestrians, along with providing solar access.

(c) A neighbourhood park, stormwater wetland and open space.

(d) Interfaces with rural neighbours that will be managed through setbacks, planting, and open space buffers.

(e) Design controls to ensure consistency with the concept plan so that future built form contributes positively to the character and amenity of the area.

5.68 Overall, it is anticipated that the proposal will deliver a well-functioning neighbourhood that will integrate well with adjacent urban development in Hamilton City to support sustainable growth and improved quality of life for residents.

Reverse Sensitivity

5.69 State Highway 1 is in close proximity to the Project Area but outside the 'State highway noise control boundary' in terms of Waikato District Council's map overlays.

5.70 Development within the Project Area will be buffered from adjacent rural sites including through separation distances, the stormwater wetland area and plantings inside the site's perimeter boundaries. It will not result in reverse sensitivity effects on adjoining farming activities.

Cultural Effects

5.71 Consultation and engagement with Mana Whenua is continuing throughout the planning and development of the Project, with a commitment to on-going collaboration as the Project progresses.

5.72 Involvement by Mana Whenua ensures that cultural values, historical connections, and tikanga/kawa are meaningfully incorporated into the design and development process. This approach not only acknowledges the significance of Mana Whenua as kaitiaki of the land but also helps to embed cultural identity and heritage into the physical and social fabric of the development.

5.73 Design elements, such as landscaping, public spaces, and interpretive features, will be informed by Mana Whenua input to ensure that cultural narratives are expressed in a way that is authentic and educational.

Loss of high class soils

5.74 The NZ Land Resource Inventory 2021 ("NZLRI") indicates that approximately 24.9 hectares of the site contains land identified as Class 2ws with the balance 29.14 identified as Cl ass 4e2. The Waikato District Plan's definition of "*high quality soil*" would include the Class 2ws category. Land that is LUC 1, 2 and 3 is also identified as 'highly productive land' ("HPL") in terms of the National Policy Statement for Highly Productive Land 2023.

5.75 The Project earthworks and future development will prevent the use of the site for activities which would rely on the productive potential of the soils. The same scenario exists across Waikato and Hamilton on all land with Class 2 soils and for which land uses transition and change from rural productive to "other uses" – e.g residential industrial, open space.

5.76 The "loss" of Class 2 soils equates to an approximate 0.04 % loss of that class type across the Waikato District.[3] Any loss at this scale is neither a significant adverse effect, nor does it take any cumulative effect to any kind of tipping point.

5.77 Furthermore, the NZLRI's mapping of high class soils is broadbrush and it does not always reflect the actual situation. In this case, the site has been subject of significant drainage works in the past and its capacity for supporting multiple long-term sustainable agricultural production activities is limited – including for reasons that the sub-classes of 'w' (wetness) and 's' (soil physical or chemical limitations) for LUC 2 within the site represent the dominant factors that limit such production.

5.78 These factors combined mean that the land use classification system is not an accurate reflection on the viability of the use of the land for productive purposes.

6.0 RELEVANT PLANNING DOCUMENTS

6.1 The below assessment is provided pursuant to s13(4)(y)(i) of the Fast Track Approvals Act 2024, and cl 2 of Sch 5 to that Act.

6.2 A full statutory assessment of the Project, including against the relevant objectives and policies of the Waikato Regional Policy Statement, Waikato Regional Plan and Waikato District Plan, will be provided with the substantive application if referred.

Relevant National Policy Statements

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

6.3 Policy 6 of the NPS-UD highlights that planning decisions in urban environment should have particular regard to "(d) *any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*".

6.4 With regard to Objectives 1 to 8, and Policies 1, 2, 7, 9 and 10, the Project will:

(a) Directly contribute approximately 850 to 950 residential lots/dwellings which will enable a range of lifestyle choices to meet the needs of different households, thereby supporting competitive land and development markets.

(b) Enable good accessibility between housing, jobs and community services through delivery of residential growth in a location logically aligned with existing urban development (in Hamilton City), and noting the arterial route that is Gordonton Road, with the internal development patterns also enabling good recreation, amenity and open spaces.

[3] Using the totals provided in "*A review of high class soils in the Waikato District*" prepared by Landsystems dated August 2020 the total area of high class soils in Waikato District's Rural Zone is estimated at 62,383 ha.

(c) Supply land for residential housing and business opportunities which can take into account the future impacts of climate change, through siting of vulnerable activities outside of hazard areas and provision for climate change factors to build resilience into the design for stormwater infrastructure and overland flow paths.

(d) Involve on-going consultation/engagement with Mana Whenua to ensure that matters that are important to them are appropriately recognised in the detailed design of development.

6.5 Objective 6 refers to integration for infrastructure planning through public and private solutions. The Project specifically includes provision for either public or private infrastructure solutions.

6.6 With regard to Objective 4 and Policy 6, it is acknowledged that the Project will involve a change to the amenity and character of the area, from rural to urban. While this change will be noticeable, effects from such change, in themselves, are not considered to be adverse or reach a level that is significant because of the mitigation measures proposed. Such effects can be appropriately managed through the design and mitigation measures (including setbacks and landscaping) and will be addressed in detail in the substantive application.

6.7 For these reasons, the Project is consistent with the NPS-UD.

National Policy Statement for Highly Productive Land 2023 ("NPS-HPL")

6.8 The Project site contains some land that is Land Use Capability (LUC) Class 2 in terms of the NZ Land Resource Inventory 2021.

6.9 Approximately 10 ha of land meeting the definition of "highly productive land" is proposed to be developed and used predominantly for infrastructure such as stormwater ponds and land-contact devices for the disposal of treated wastewater. Areas will also be used for ecological enhancement of waterbodies. A small area will be used for residential development.

6.10 As a result, approximately 10 ha of highly productive land will be used for activities allowed by the NPS-HPL. In this regard, an incorporated society will be formed to own and operate the stormwater, wastewater and water supply infrastructure as well as the roading network. This is because these activities:

(a) are listed in Part B of the Civil Defence Emergency Management Act 2002 ("CDMA");

(b) are therefore lifeline utilities under the CDMA;

(c) are therefore specified infrastructure under the NPS-HPL; and

(d) are enabled to establish on highly productive land pursuant to clauses 3.8 and 3.9 of the NPS-HPL.

6.11 As a result, only 10.4 ha of land classified as highly productive land will have housing established on it.

6.12 Where a referral application includes activities requiring resource consent, the proposal must be assessed against the NPS-HPL. However, as confirmed by the Courts in several decisions since the NPS-HPL came into effect, in the resource consent context, it is only one of a number of matters to which regard must be had.[4] The intent of the FTAA is to enable consent, even for activities classified as prohibited, provided that the environmental effects can be addressed and the regional significance demonstrated to be sufficient.

6.13 In addition, it is important not to lose sight of the correlation with the NPS-UD, in the context of this particular Project. This includes:

(a) The benefits in contributing towards provision of housing to meet require targets in a manner which is not just theoretical planned capacity – the Project will deliver housing to meet current demand.

(b) The ability of the Project to contribute to a well-functioning urban environment (as described above in terms of the NPS-UD).

6.14 Reliance on future urban zoned land is neither a reasonably practicable nor feasible option for providing at least sufficient development capacity within the same locality and market – given the many variables that exist to potentially militate against the development of that land (including land banking, landowner capacity constraints, and Council policy). The Project ensures delivery of development capacity.

6.15 Furthermore, Hamilton is largely surrounded by LUC Class 1 and 2 soils. There are very limited options for expansion which would not utilise highly productive land. As a result, this Project does not impact highly productive land to a greater extent than any other future expansion of Hamilton.

6.16 The Project will ensure delivery of development capacity – considering what is required for both Hamilton City and Waikato District.

6.17 In addition, the context of demand for living in close proximity to Hamilton City is important to the consideration of the NPS-HPL and the manner in which this Project provides solutions to the long-term issues facing the growth of Hamilton.

[4] See eg *Gray v Dunedin City Council* [2023] NZEnvC 45 at [199]-[201]. See also *Barbican Securities Ltd v Auckland Council* [2023] NZEnvC 174 at [55], and *Gibbston Vines Ltd v Queenstown Lakes District Council* [2023] NZEnvC 265.

6.18 Fundamentally, when determining what might be considered appropriate use and development or subdivision, the consistency or otherwise of this proposal with the NPS-HPL, must take into account the following matters:

(a) Significant economic investment in the Waikato region. In this respect, the economic impacts assessment in **Attachment 15** reports that the construction of the proposal would enable a $598.8 million development, contributing approximately $181.9 million to GDP and supporting approximately 1148 FTE jobs. When indirect effects are included, the total construction impact is estimated at approximately $355.6 million in GDP and 2014 FTE jobs.

(a) The Project would result in flow-on economic benefits to primary industries, including approximately $10 million in GDP and 6 FTE jobs.

(b) Once complete, on-going household expenditure associated with the Project is estimated to generate approximately $45.2 million per annum, contributing approximately $25.1 million to GDP per annum and supporting approximately 250 FTE jobs.

(c) Social and economic benefits of this Project which include a material contribution to the constrained greenfield housing market, increasing identified greenfield capacity from approximately 8.8 years to 10.1 years of greenfield demand, along with a range of affordable housing price points. The Project will assist in delivering an estimated 70 dwellings per annum, equivalent to approximately 10% of estimated annual greenfield dwelling demand and representing the fourth largest identified current or pipeline greenfield development in the Hamilton market.

(d) The Project will help fund growth-related infrastructure upgrades required to support Hamilton's continued urban growth, through increased development contributions and additional rateable units.

(e) The neighbourhood centre which is expected to provide for a range of goods and services that are required on a day-to-day basis. This will also provide for employment opportunities.

(f) Environmental, social and cultural benefits through delivery of a blue green network incorporating stormwater wetlands and pedestrian footpaths.

(g) Immediate leverage off Gordonton Road which is an existing arterial route providing direct and convenient access to Hamilton City and nearby State Highway 1.

(h) Better accessibility to jobs, goods and services, and recreation opportunities, and reduced vehicle kilometres travelled. This includes Hamilton City's centre, Te Rapa and Ruakura, all of which are within approximately 15-20 minutes' drive time of the Project Area.

(i) Opportunities to create a sense of place for a community.

(j) Health benefits through walking and cycling to access local goods and services.

6.19 A full description of the significant regional environmental, social, economic and cultural benefits has been provided in the Referral Application as **Attachment 1.** A fine-grained analysis of the proposed activities against the relevant provisions of the NPS-HPL will be provided during the substantive application phase.

New Zealand Coastal Policy Statement ("NZCPS")

6.20 The proposed development is not located within or near the coastal environment.

National Policy Statement for Freshwater Management 2020 ("NPS-FM")

6.21 The Project is consistent with the relevant policies (1 to 9 and 15) for reasons that include:

(a) The Project can minimise and mitigate its effects on ecosystems and waterbodies, through careful design and integration between engineering, ecology and planning practices. Specifically:

(i) The site contains degraded wetlands and artificial watercourses which have been installed as part of historic drainage works. The Project presents an opportunity to establish stormwater wetlands as an appropriate mitigation in terms of the effects hierarchy for any unavoidable loss of these features, including through the planting of indigenous vegetation in riparian environments which will, in turn, enhance ecological connectivity and the quality of aquatic and terrestrial habitats.

(ii) Sediment discharge will be minimised through the use of erosion and sediment control measures (consistent with Waikato Regional Council guidelines).

(iii) Stormwater and wastewater discharges will be appropriately treated to protect the health of freshwater environments.

(a) Stormwater and wastewater systems will be designed to meet best-practice standards, including climate change allowances, supporting broader efforts to reduce environmental impacts.

(b) The masterplan shows indicative pedestrian walkways, a neighbourhood park and streetscape plantings which will provide benefits in terms of amenity and ecological outcomes.

(c) Management Plans will be developed as part of the substantive application to ensure appropriate ecological outcomes.

(d) The on-going involvement of Mana Whenua, through cultural design integration and restoration initiatives will ensure that freshwater values that are of importance to them are recognised and integrated in the development.

National Policy Statement for Indigenous Biodiversity 2023 ("NPS-IB")

6.22 The Project is consistent with the NPS-IB objective and the relevant policies (1 to 5, and 10, 13, 14 and 15) for reasons that include:

(a) The site being absent of any Significant Natural Area.

(b) Ecological corridors being established and enhanced through the planting of indigenous species within riparian environments.

(c) Potential loss of habitat for indigenous species (including lizards and roosting locations for highly mobile species such as native birds and bats) being managed using the effects management hierarchy, including through conditions on the timing of vegetation removal, and the implementation of management plans.

(d) Other measures such as stock exclusion, and animal and plant pest controls to be implemented by the applicant (and detailed at the substantive application stage) so as to provide benefits for indigenous biodiversity species.

6.23 The substantive application would also include an assessment of habitat values in accordance with the Department of Conservation's bat roost protocols (as a precautionary approach) to manage any effects on bats.

6.24 The opportunities for ecological enhancement and restoration are identified in the ecological assessment (**Attachment 13**) and will provide multiple avenues for effectively managing the small scale of ecological impacts that may occur.

6.25 On-going consultation/engagement with iwi will ensure opportunities for them to exercise kaitiakitanga for indigenous biodiversity within their rohe.

6.26 Overall, the Project will result in an increased amount of indigenous biodiversity and it is consistent with the NPS-IB.

National Policy Statement on Natural Hazards 2025 ("NPS-NH")

6.27 The relevant provisions are considered to be Objective 1 and Policies 1, 2, 5 and 6.

6.28 The Proposal is consistent with the above provisions because:

(a) In terms of the risk matrix in Appendix 1 of the NPS-NH, natural hazard risk is not significant and can be satisfactorily managed, including through measures identified in the geotechnical and stormwater assessments (**Attachments 9 and 7**).

(b) The Project is supported by civil engineering, flood risk and geotechnical assessments which confirm that appropriate mitigation and design measures can appropriately manage the risk of hazards. These include adherence to Waikato District Council's Code of Practice for Land Development and Subdivision and compliance with NZS4431:2022 compaction standards.

(c) All geotechnical hazards have been assessed as either not present, or of acceptable risk provided that the isolation measures, mitigation measures and good practice recommendations are adopted.

(d) The Project can be developed in a manner that does not cause or exacerbate existing flood risk.

National Policy Statement on Infrastructure 2026 ("NPS-I")

6.29 The relevant provisions are considered to be Objective 1 and Policies 1, 2, 4, 7, 8, 9,10 and 11.

6.30 New infrastructure will be developed within the Project Area and extensions will be made to existing infrastructure. Infrastructure design will be well-functioning, resilient and compatible, as far as practicable, with existing infrastructure so as to support the Project and enable the outcomes of a well-functioning neighbourhood and providing for people's general wellbeing.

6.31 Design details for the above will be provided with the substantive application.

6.32 For these reasons, the Project is consistent with the NPS-I.

National Policy Statement for Electricity Networks 2008 ("NPS-EN")

6.33 The NPS-EN sets out the objective (2.1) and associated policies that manage Transpower's electricity transmission and distribution network.

6.34 With regard to relevant Policies 1, 5, 7, 11 and 12, the Project will:

(a) be designed to ensure that sensitive activities are located outside of the National Grid corridor; and

(b) accommodate Transpower's required routine maintenance of the transmission lines that traverse the Project Area (such as the placement of a new public road within the National Grid corridor).

6.35 Design details will be provided with the substantive application to confirm the above outcomes.

6.36 For these reasons, the Project is consistent with the NPS-EN.

ATTACHMENT A: Qualifications and Experience

Mark Tollemache, Director

M.Plan (Merit)

With 29 years' experience as a practicing planner, Mark has the knowledge and skills to move complex projects successfully through the resource consenting process. He has prepared numerous plan changes, structure plans, resource consent applications and evidence for Environment and High Court cases.

Mark has worked in both public and private sector roles, and appreciates the need to collaborate with the client, technical specialists and stakeholders to ensure a project is successful.

Jane Macartney, Senior Planner

BRP (First Class Hons)

With 39 years' experience as a practicing planner in the public and private sectors in New Zealand and Australia, Jane has considerable experience in dealing with complex resource consent applications and policy changes. Jane has prepared evidence for District Court, Environment Court and High Court cases.

Renee Fraser-Smith, Senior Planner

M.Plan.Prac (Hons)

With 18 years' experience as a practicing planner, Renee's strong analytical skills and attention to detail means clients can trust Renee to deliver high quality advice.

Renee has been the lead planner on many multi-disciplinary land development projects and has developed a particular depth of expertise in the preparation of complex subdivision, land use and regional resource consent applications. She has also been involved in a number of rezoning proposals for large greenfield development areas. Renee has also been involved in and prepared applications under the COVID-19 Recovery (Fasttrack Consenting) Act 2020 for large scale residential and industrial development as well as assisting decision making Panel's on several fast track projects.

ATTACHMENT B: List of Required Resource Consents

Table 1: NATIONAL ENVIRONMENTAL STANDARDS

Relevant NES	Relevant regulation	Reason for consent	Activity status	Location of proposed activity
Resource Management (National Environmental Standard for Freshwater) Amendment Regulations 2022	Regulation 45B Clauses (1), to (5)	Vegetation clearance/earthworks or land disturbance/taking, use or discharge of water for the purpose of constructing or operating a cleanfill area.	**Discretionary**	Areas within, or within 10m/100m of a natural inland wetland.
	Regulation 47 Clauses (1) to (3A)	Vegetation clearance/earthworks or land disturbance/taking, use, damming, diversion or discharge of water for the purpose of operating specified infrastructure or other infrastructure	**Restricted Discretionary**	Areas within, or within 10m/100m of a natural inland wetland
	Regulation 52	Earthworks resulting in the complete or partial drainage of all or part of a natural inland wetland. Taking, use, damming or diversion of water.	**Non-complying**	Areas within 100m of a natural wetland
	Regulation 53	Earthworks resulting in the complete drainage or all or part of a natural wetland. Taking, use, damming or diversion of water.	**Prohibited**	Areas within a natural wetland
	Regulation 54	Vegetation clearance/earthworks/taking, use, damming or diversion of water or discharge of water into water.	**Non-complying**	Areas within 10m/100m of a natural inland wetland
	Regulation 57	Reclamation of the bed of any river	**Discretionary**	Reclamation of the bed of any river

Relevant NES	Relevant regulation	Reason for consent	Activity status	Location of proposed activity
	Regulation 71	Culverts that do not meet the conditions for a permitted activity.	**Discretionary**	Project Area
Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011	Regulation 9	Disturbance of soil/subdivision where a DSI states that soil contamination does not exceed the applicable standard in regulation 7	**Controlled**	Project Area
	Regulation 10	Disturbance of soil/subdivision where a DSI states that soil contamination exceeds the applicable standard in regulation 7	**Restricted Discretionary**	Project Area
	Regulation 11	An activity described in regulation 5(2) to (6) that is not permitted, controlled or restricted discretionary	**Discretionary**	Project Area

Table 2 - OPERATIVE WAIKATO DISTRICT PLAN (WAIKATO SECTION)

Note: The subdivision rules in Table 2 are relevant because they have not been superseded by the identified subdivision rules in Table 3 (SUB-R40, SUB-R41, SUB-R43, SUB-R50 and SUB-R56) which are subject to appeal.

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
Part 2: **Chapter 25 Rural Zone Rules**	Subdivision Rule 25.5 (d) Subdivision of land resulting in more than 2 additional allotments (excluding a utility allotment, access allotment or conservation house allotment) containing high quality soils from any allotment with a Certificate of Title issued prior to 6 December 1997, unless the land forms part of the Hampton Downs Motorsport Park as shown on the Planning Map and is	RT SA3D/1116 issued on 19 November 1964. The Project involves the creation of more than 2 additional allotments from this RT which contain high class soils.	**Prohibited**	RT SA3D/1116

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	developed in accordance with Schedule 25D.			
	Subdivision Rule 25.5 (e) Subdivision of land resulting in any additional allotments (excluding a utility allotment, access allotment or conservation house allotment) containing high quality soils from a Certificate of Title issued after 6 December 1997, except where the allotment being subdivided (i) Was created by a process other than subdivision under the Resource Management Act 1991, or (ii) Was created by a boundary adjustment between land parcels contained in certificates of title issued prior to 6 December 1997, or (iii) Was created by subdivision consent granted between 28 April 2001 and 25 September 2004, solely for a boundary relocation under the former district plan, or (iv) Is land that forms part of the Hampton Downs Motorsport Park as shown on the Planning Map and is developed in accordance with Schedule 25D.	RT SA63A/920 issued on 29 January 1998. The Project involves the creation of additional allotments from this RT which contain high class soils and none of the exemptions in clauses (i) to (iv) apply.	**Prohibited**	RT SA63A/920
	Rule 25.77.1 Building platform	Subdivision that complies with the conditions.	**Restricted Discretionary**	Project Area
	Rule 25.77.2 Building platform	Subdivision that does not comply with a condition for a restricted	**Discretionary**	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
		discretionary activity in Rule 25.77.1.		
	Rule 25.77.2 Building platform	Subdivision that does not comply with a condition for a discretionary activity in Rule 25.77.2.	**Non-complying**	Project Area

Table 3 - PART OPERATIVE WAIKATO DISTRICT PLAN 2025

Note: The subdivision rules identified in Table 3 as SUB-R40, SUB-R41, SUB-R43, SUB-R50 and SUB-R56 are subject to appeal. Therefore, the default rules in the Operative Waikato District Plan (Waikato Section) in Table 2 must also be considered.

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
Part 2: District-wide matters **AINF – All infrastructure**	Rule AINF-R1 (2) New infrastructure	New infrastructure and associated structures that do not meet the standards.	**Restricted discretionary**	Project Area
	Rule AINF-R2 (2) Construction noise	Construction noise that does not comply with NZS 6803:1999 Acoustics – Construction noise	**Restricted discretionary**	Project Area
	Rule AINF-R6 (2) Minor upgrading	Realignment, configuration, relocation or replacement of infrastructure and associated structures that do not meet the standards.	**Restricted discretionary**	Project Area Road reserve
	Rule AINF-R8 (2) Earthworks activities associated with infrastructure	Any earthworks associated with infrastructure, including formation and maintenance of access tracks that do not meet the standards.	**Restricted discretionary**	Project Area Road reserve

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	Rule AINF-R9 (2) Trimming, maintenance or removal of vegetation or trees associated with infrastructure	Trimming, maintenance or removal of vegetation or trees associated with infrastructure, including access tracks, that do not meet the standards.	**Restricted discretionary**	Project Area Road reserve
	Rule AINF-R10 (2) Pipe and cable bridge structures for the conveyance of electricity, telecommunications, water, wastewater, stormwater and gas	Pipe and cable bridge structures that do not meet the standards.	**Restricted discretionary**	Project Area Road reserve
	Rule AINF-R16 (2) Service connections for subdivision	All new lots (other than utility, access or reserve allotments) where provision is not made for access and service connections up to the lot boundary for wastewater, water supply, stormwater, electricity, telecommunications and vehicle access.	**Restricted discretionary**	Project Area
	Rule AINF-R17 (2) Subdivision to create a utility allotment for accommodating infrastructure	The subdivision is not undertaken by a network utility operator as defined by the RMA 1991 (as would be required for a controlled activity in terms of Rule AINF-R17 (1))	**Discretionary**	Project Area
Part 2: District-wide matters **GRID – National Grid**	Rule GRID-R1 (2) Buildings, structures and sensitive land use within the National Grid Yard	Buildings, structures and sensitive land use within the National Grid Yard that do not comply with the activity-specific standards.	**Non-complying**	Project Area
	Rule GRID-R2 (2) Earthworks within the National Grid Yard	Earthworks within the National Grid Yard that do not satisfy the	**Restricted discretionary**	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	All zones (including roads)	activity-specific standards.		
	Rule GRID-R3 (1) Below ground transmission lines associated with the National Grid All zones (including roads)	Below ground transmission lines associated with the National Grid not located within identified areas.	**Restricted discretionary**	Project Area
	Rule GRID-R5 (1) Subdivision of land within the National Grid Subdivision Corridor All zones (including roads)	Subdivision of land within the National Grid Subdivision Corridor that does comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule GRID-R5 (2) Subdivision of land within the National Grid Subdivision Corridor All zones (including roads	Subdivision of land within the National Grid Subdivision Corridor that does comply with the activity-specific standards in Rule GRID-R5(1)	**Non-complying**	Project Area
	Rule GRID-R9 (1) Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard	Development as described in Rule GRID-R9 (1)	**Non-complying**	Project Area (including roads)
	Rule GRID-R10 (1) Any change of use of an existing building to a sensitive land use within the National Grid Yard	Development as described in Rule GRID-R10 (1)	**Non-complying**	Project Area (including roads)
	Rule GRID-R11 (1) The establishment of any new sensitive	Development as described in Rule GRID-R11 (1)	**Non-complying**	Project Area (including roads)

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	land use within the National Grid Yard			
	Rule GRID-R13 (1) Any building or sensitive land use within the National Grid Yard that is not addressed by any other rule in this Chapter.	Development as described in Rule GRID-R13 (1)	**Non-complying**	Project Area (including roads)
Part 2: District-wide matters TRPT - Transportation	Rule TRPT-R1 (2) Vehicle access for all activities All zones	Activities that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule TRPT-R2 (2) On-site parking and loading	On-site parking and loading that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule TRPT-R3 (2) On-site manoeuvring and queuing	On-site manoeuvring and queuing that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule TRPT-R4 (2) Traffic generation All zones	Traffic generation that exceeds 50 Equivalent Car Movements per day for a site that gains access from a regional arterial and exceeds 200 daily vehicle movements from a site/more than 15% of these being heavy vehicle movements	**Restricted discretionary**	Project Area
	Rule TRPT-R5 (2) Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities All zones	Minor upgrading of existing public roads and associated road network activities that do not comply with the activity-specific standards.	**Restricted discretionary**	Adjacent roading network

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	Rule TRPT-R6 (2) New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities All zones	New roads and associated road network activities that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule TRPT-R8 (2) Off-road pedestrian walkways and cycleways that are not located within the road network All zones	Off-road pedestrian walkways and cycleways that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
Part 2: District-wide matters **WWS- Water, wastewater and stormwater**	Rule WWS-R1 (2) Stormwater systems for new development or subdivision All zones	Stormwater systems that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule WWS-R2 (2) Wastewater servicing for new development or subdivision All zones	New development or subdivision that does not comply with the standards in Rule WWS-R2 (1).	**Restricted discretionary**	Project Area
	Rule WWS-R3 (2) Below ground pipelines for the conveyance of water, wastewater and stormwater All zones	Below ground pipelines for the conveyance of water, wastewater and stormwater that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area Road reserve
	Rule WWS-R5 (2) Pump stations for the conveyance of water, wastewater and stormwater All zones	Pump stations for the conveyance of water, wastewater and stormwater that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	Rule WWS-R7 (2) Stormwater ponds or wetlands All zones	Stormwater ponds or wetlands where their area exceeds the equivalent site building coverage standards applicable to the zone.	**Restricted discretionary**	Project Area
	Rule WWS-R10 (2) Water supply servicing for new development or subdivision All zones	New development or subdivision that does not comply with the activity-specific standards for water supply servicing	**Restricted Discretionary**	Project Area
	Rule WWS-R19 (1) Wastewater treatment plants located within the General Rural Zone	Development as described in Rule WWS-R19 (1) clause (d)	**Discretionary**	Project Area
	Rule WWS-R22 Wastewater treatment plants located within road and unformed road	Development as described in Rule WWS-R22	**Non-complying**	Road or unformed road
Part 2: District-wide matters **Historical and cultural values** **TREE – Notable trees**	Land Use Rule TREE-R1 (2) Removal or destruction	Removal or destruction of a notable tree where certification is not provided to Council from an arborist that states that the tree is dead, dying, diseased or unsafe in accordance with APP6-Tree removal certificate.	**Restricted discretionary**	Notable Tree (Reference #104)
	Subdivision Rule TREE-R4 (2) Subdivision of land containing a notable tree listed in SCHED2 – Notable trees	Subdivision that involves the notable tree not being wholly contained within one Record of Title.	**Non-complying**	Project Area
Part 2: District-wide matters	Rule ECO-R11 (2) Vegetation clearance outside a	Indigenous vegetation clearance that does not comply with the	**Restricted discretionary**	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
Natural environmental values **ECO – Ecosystems and indigenous biodiversity**	Significant Natural Area	standards in Rule ECO-R11 (1)		
	Rule ECO-R15 (2) Clearance of manuka or kanuka outside a Significant Natural Area	Removal of manuka and/or kanuka that does not comply with the standards in Rule ECO-R15 (1)	**Restricted discretionary**	Project Area
	Rule ECO-R16 (1) Indigenous vegetation clearance outside a Significant Natural Area for any reason not specified in Standards ECO-R11 to ECO-R15.	Activities described in Rule ECO-R16 (1)	**Restricted discretionary**	Project Area
Part 2: District-wide matters **SUB – Subdivision** **GRUZ – General Rural Zone**	Rule SUB-R40 (1) Prohibited subdivision	Subdivision of land for which a Record of Title was issued prior to 6.12.1997, which results in the land comprised in more than one addition RT being located on any high class soil	**Prohibited**	Record of Title SA3D/1116 within the Project Area (Issued 19.11.1964)
	Rule SUB-R41 (1) Prohibited subdivision	Subdivision of land for which a Record of Title was issued after 6.12.1997, which results in the land comprised in any additional allotment being located on any high class soil. <u>Except that clause (c)(ii) in this rule states that the above standard does not apply to a process other than subdivision under the RMA 1991</u>. Because this application is being made in terms of the Fast Track Approvals Act 2024, it is considered that Rule SUB-R41 does not apply	**Prohibited**	Record of Title SA63A/920 (Issued 29.1.1998)

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
		to RT SA63A/920, and that Rule SUB-R43 (2) below applies instead.		
	Rule SUB-R43 (2) General subdivision	Subdivision that does not comply with the standards	**Non-complying**	Record of Title SA3D/1116 within the Project Area (Issued 19.11.1964)
	Rule SUB-R51 (1) Title boundaries – existing buildings	Subdivision of sites containing existing buildings that complies with the activity-specific standards	**Restricted discretionary**	General Rural Zone
	Rule SUB-R51(2) Title boundaries – existing buildings	Subdivision of sites containing existing buildings that do not comply with the activity-specific standards	**Discretionary**	General Rural Zone
	Rule SUB-R52 (2) Subdivision – road frontage	Subdivision that creates lots that satisfy the minimum width along a road boundary.	**Restricted Discretionary**	General Rural Zone
	Rule SUB-R52 (2) Subdivision – road frontage	Subdivision that creates lots that do not satisfy the minimum width along a road boundary.	**Discretionary**	General Rural Zone
	Rule SUB-R56 (2) Subdivision – building platform	Subdivision that meets the activity-specific standards for a building platform	**Restricted Discretionary**	General Rural Zone
	Rule SUB-R56 (2) Subdivision – building platform	Subdivision that does not meet the activity-specific standards for a building platform	**Discretionary**	General Rural Zone
	Rule SUB-R57 Subdivision within the National Grid Subdivision Corridor	Refer to rules identified above in respect to Infrastructure.	Refer to rules identified above in respect to Infrastructure.	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
Part 2: District-wide matters **General district-wide matters** **EW-Earthworks**	Rule EW-R19 (2) Earthworks required to form a building platform General Rural Zone	Earthworks that do not satisfy the activity-specific standards	**Restricted discretionary**	Project Area
	Rule EW-R21 (2) Earthworks – general General Rural Zone	Earthworks that do not satisfy the standards.	**Restricted discretionary**	Project Area
	Rule EW-R22 (2) Earthworks – general General Rural Zone	Earthworks that do not satisfy the standards for the importation of cleanfill material, concrete or brick	**Restricted discretionary**	Project Area
Part 2: District wide matters **General district-wide matters** **LIGHT - Light**	Rule LIGHT-R1 (2) Glare and artificial light spill	Glare and artificial light spill that does not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule LIGHT-R2 (2) Glare and artificial light spill	Glare and artificial light spill that does not comply with the activity-specific standards (for any other site in the General Rural Zone)	**Restricted discretionary**	Project Area
Part 2: District wide matters **General district-wide matters** **NOISE - Noise**	Rule NOISE-R8 (2) Noise – general	Noise that does not comply with the activity-specific standards.	**Discretionary**	Project Area
Part 3: Area-specific matters **General Rural Zone**	Rule GRUZ-R21 Buildings, structures and sensitive land use within the National Grid Yard	Refer to identified rules above regarding Infrastructure – National Grid	**Refer to activity status above regarding Infrastructure – National Grid**	Project Area
	Rule GRUZ-R22 (2) Construction or alteration of a building for a sensitive land use	Construction or alteration of a building for a sensitive land use that does not comply with the activity-specific standards.	**Restricted discretionary**	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	Rule GRUZ-R37 (1) Community Facility	A community facility which is not located in an Urban Expansion Zone	**Restricted discretionary**	Project Area
	Rule GRUZ-R52 (1) Any new building for a sensitive land use, or addition to an existing building that involves an increase in the building envelope or height for a sensitive land use, within the National Grid Yard	Development described in Rule GRUZ-R52 (1)	**Non-complying**	Project Area
	Rule GRUZ-R53 Any change of use of an existing building to a sensitive land use within the National Grid Yard	Refer to identified rules above regarding Infrastructure – National Grid	**Refer to activity status above regarding Infrastructure – National Grid**	Project Area
	Rule GRUZ-R54 The establishment of any new sensitive land use within the National Grid Yard	Refer to identified rules above regarding Infrastructure – National Grid	**Refer to activity status above regarding Infrastructure – National Grid**	Project Area
	Rule GRUZ-R59(1) Industrial Activity, excluding a rural industry activity	Light Industrial Activities associated with live-work units	**Non-complying**	Project Area
	Rule GRUZ-60 (1) Commercial activity, excluding a produce stall or rural commercial activity	Commercial activity, excluding a produce stall or rural commercial activity	**Non-complying**	Project Area
	Rule GRUZ-61 (1) Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity.	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity.	**Non-complying**	Project Area

Part / Chapter	Rule	Reason for consent	Activity status	Location of proposed activity
	Rule GRUZ-S1 (3) Number of residential units	Residential units that do not comply with the standards.	**Non-complying**	Project Area
	Rule GRUZ-S3 (2) Building height – general	Buildings or structures that do not comply with the activity-specific standards.	**Restricted discretionary**	Project Area
	Rule GRUZ-S8 (2) Height in relation to boundary	Buildings or structures that do not comply with the activity-specific standards	**Restricted discretionary**	Project Area
	Rule GRUZ-S9 (2) Building coverage	Buildings that do not comply with the activity-specific standards	**Restricted discretionary**	Project Area
	Rule GRUZ-S12 (2) Building setbacks – all boundaries	Buildings that do not comply with the activity-specific standards	**Restricted discretionary**	Project Area
	Rule GRUZ-S13 (2) Building setbacks – sensitive land use	Buildings for a sensitive land use that do not comply with the activity-specific standards	**Restricted discretionary**	Project Area
	Rule GRUZ-S15 Building setback - waterbodies	Buildings that do not comply with the activity-specific standards	**Restricted discretionary**	Project Area

Table 4: WAIKATO REGIONAL PLAN – REGIONAL PLANNING RULES

Section	Rule	Reason for consent	Activity status	Location of proposed activity
3.3 Water Takes	Rule 3.3.4.21	Surface water take	**Restricted discretionary**	Project Area
	Rule 3.3.4.23	Surface water take	**Discretionary**	Project Area
	Rule 3.3.4.24	Ground water take	**Discretionary**	Project Area
	Rule 3.3.4.26	Temporary dewatering associated with construction activities which involve removal of 100% of surface water that	**Non-complying**	Project Area

Section	Rule	Reason for consent	Activity status	Location of proposed activity
		accumulates in the excavations.		
3.5 Discharges	Rule 3.5.4.5	Discharge of a contaminant into water, or onto or into land, which does not meet the conditions for a permitted or controlled activity (Includes potential on-site wastewater plant)	**Discretionary**	Project Area
	Rule 3.5.4.6	Discharges into other water bodies	**Non-complying**	Project Area
	Rule 3.5.7.7	Discharge of domestic sewage effluent from on-site domestic sewage treatment and disposal systems onto or into land and any subsequent discharges of contaminants into air, in a manner which does not comply with Rules 3.5.7.4 to 3.5.7.6 and Rules 3.10.6.1 to 3.10.6.4 (Includes potential on-site wastewater plant)	**Discretionary**	Project Area
	Rule 3.5.10.3	Flood Pump (Discharge of pumped drainage water)	**Discretionary**	Project Area
	Rule 3.5.11.8	Discharge of stormwater to wetlands and streams where catchment area exceeds 1 ha	**Discretionary**	Project Area
3.6 Damming and Diversion	Rule 3.6.4.13 Rule 3.6.4.14	Diversion/damming of surface water Use, erection, and placement of any structure	**Discretionary**	Project Area
3.7 Wetlands	Rule 3.7.4.7	Wetland drainage	**Discretionary**	Project Area
	Rule 4.2.9.3	Culverts that do not meet the permitted standards in Rules 4.2.9.1 or 4.2.9.2.	**Controlled**	Project Area
5.1 Accelerated Erosion	Rule 5.1.4.13	Soil disturbance that does not comply with the permitted activity standards of Rule 5.1.4.11 and conditions 5.1.5	**Discretionary**	Project Area
	Rule 5.1.4.11 Rule 5.1.4.15	Soil disturbance in a high risk erosion area which exceeds 1000m^3	**Discretionary**	Project Area

Section	Rule	Reason for consent	Activity status	Location of proposed activity
5.2 Discharges to land	Rule 5.2.5.3	Discharge of spoil to land, including discharges to air and water	**Discretionary**	Project Area
	Rule 5.2.5.6	Importation of cleanfill (and discharge of cleanfill onto land and any subsequent discharge to water) that is not provided for as a permitted or controlled activity	**Discretionary**	Project Area
5.3 Contaminated Land	Rule 5.3.4.7	Any discharge arising from remediation of contaminated land that does not comply with Rule 5.3.4.6	**Controlled**	Project Area