

To: Ministry for the Environment (MfE)

From: Briar Belgrave, Fraser McNutt & Kasey Zhai – Barker & Associates Limited

Date: 10 December 2025

Re: Planning Memorandum for **Orchard Grove**

1.0 Introduction

1.1 Orchard Grove

Gordon Litt Farms Limited, as the applicant, engaged Barker & Associates (**B&A**) to provide planning services for the masterplanning, consenting and design of **Orchard Grove**. The Orchard Grove site is located at the southern edge of the Waikato District, and approximately 10 kilometres from the Hamilton City Centre and seven kilometres from Te Rapa. The conceptual Orchard Grove Masterplan is shown in **Figure 1**, and contained within the Urban Design Memorandum.

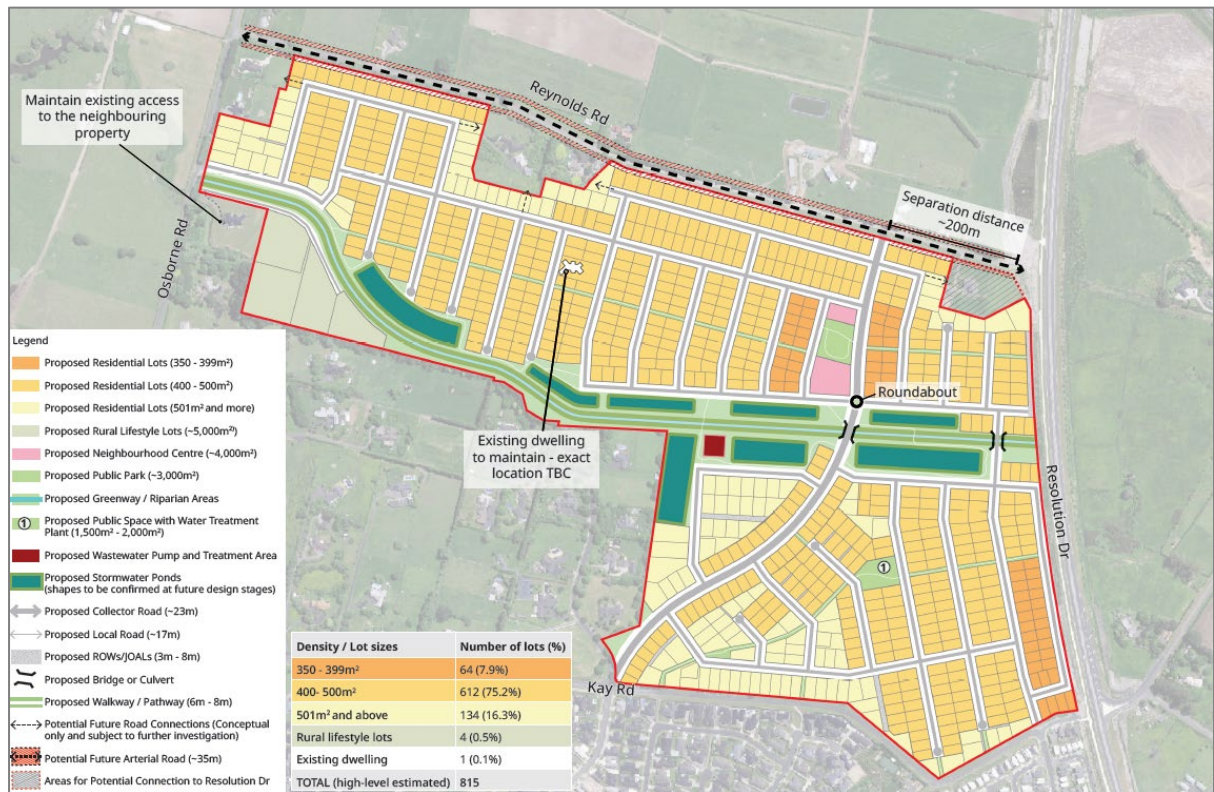


Figure 1: Conceptual masterplan.

The purpose of this project is to establish a new comprehensively planned residential environment. The key components of Orchard Grove are:

- Approximately 815 residential lots ranging from larger lots (over 500m²) and medium density lots (350m²-499m²);

- A new neighbourhood centre (approximately 4,000m²) to provide for the day-to-day needs of future residents;
- An integrated greenway network with stormwater management, active mode, ecological enhancement, and passive recreation functions;
- Associated roading and three waters infrastructure; and
- Provision for a future arterial road along the existing Reynolds Road corridor. In particular, the Orchard Grove masterplan provides for road widening along the Reynolds Road frontage, and does not preclude the delivery of a future arterial road within the HT1 growth cell.

Orchard Grove will be delivered through a carefully planned staged approach to align closely with infrastructure provision, and in particular stormwater and transport infrastructure. Orchard Grove will consist of 10 stages. Each stage will deliver residential lots or superlots with the required infrastructure and amenity facilities to ensure steady market absorption and continuity in development delivery. Apart from Stage 1 occurring first, the subsequent stages may be delivered in any order in response to market demand. The stage boundaries will be confirmed through the substantive application process subject to detailed technical assessments, infrastructure investigations, and further design refinement.

1.2 Site Description

The site is of irregular shape and is approximately 73 hectares, and situated within the Waikato District, directly adjoining the territorial boundary of Hamilton City to the south, as shown in **Figure 2**.

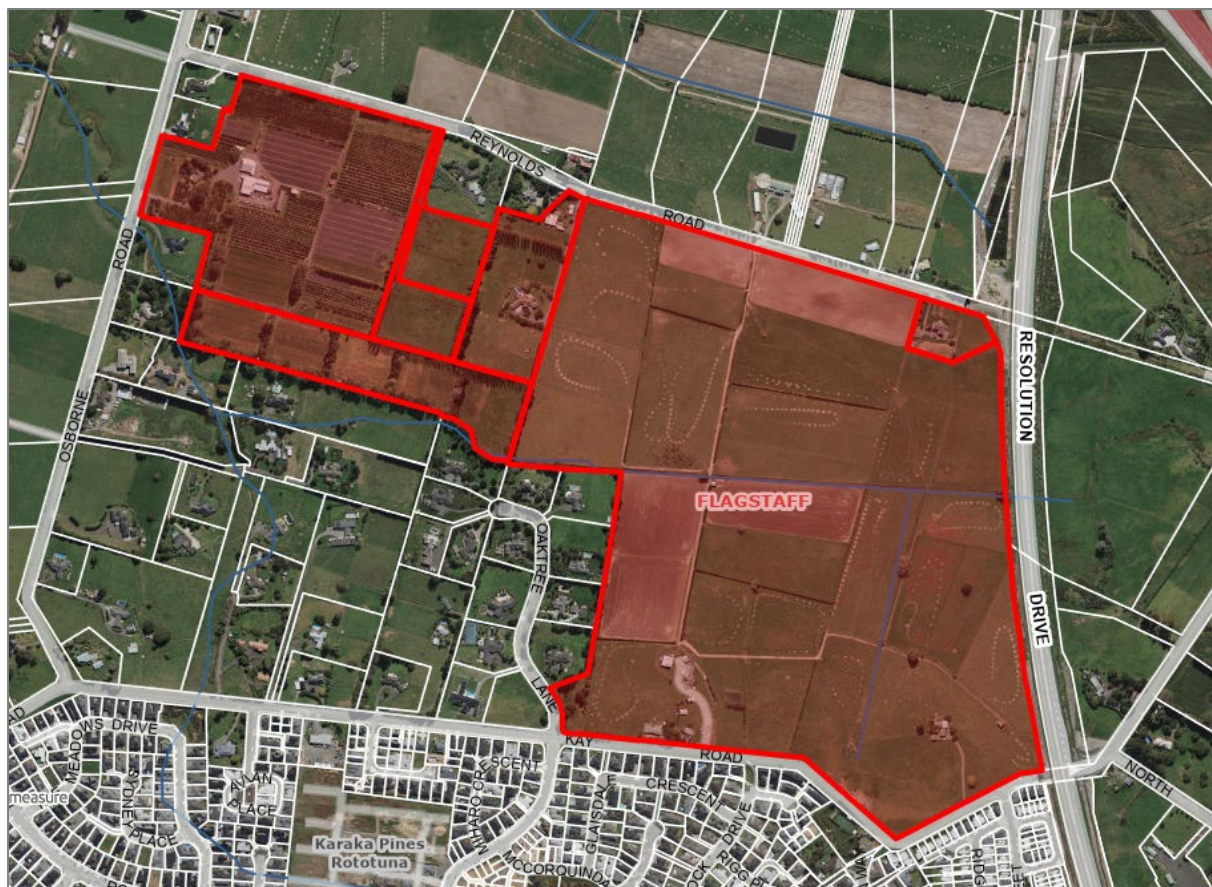


Figure 2: Site locality plan.

The site can be accessed by Reynolds Road to the north, Resolution Drive to the east, Kay Road to the south, and Osborne Road to the west. Kay Road lies within the shared jurisdiction of Waikato District and Hamilton City Councils.

The site is held in pasture and contains residential and accessory buildings within the 155 Kay Road land parcel. The westernmost land parcel (Lot 4 DP 440812) has historically been used for orcharding. All roads are classified as local roads within the Waikato District, and Resolution Drive is classified as an arterial route under the Hamilton City District Plan.

The topography is predominantly flat in the central part from the eastern boundary to the north western corner, and has a gradual sloping topography towards the western boundary. Two moderately steep hills are located along in the south east along Kay Road and at Reynolds Road. A shallow gully system is located along the western boundary and flows via a culvert located under Osborne Road.

In terms of vegetation, the site is dominated by exotic vegetation, shelterbelts, and grazed pasture, with the exception of individual native saplings and small trees located within the shelterbelts of the old orchard site located within the north western side of the site. A series of farm drains are interspersed throughout the site and a number of small wetlands are located in the south east corner.

As illustrated in **Figure 2**, the surrounding land includes rural land held in pasture to the north, east, and west. Established lifestyle living properties are located to the south, adjacent to Oak Tree Lane and Osborne Road. Urban residential development is located adjacent to the south and on the opposite side of Kay Road. These residential lots are approximately 600m² in size and are located within the Hamilton City territory.

Spatially, the site is well located to surrounding centres and business nodes, including at a local and sub-regional scale, including:

- The Borman Road Neighbourhood Centre (5-minute drive) and the Rototuna Suburban Centre (8-minute drive).
- The Te Rapa Sub-Regional centre (15-minute drive).
- The Hamilton City Centre (20-minute drive).
- The Te Rapa North Industrial area, a 200-hectare sized industrial growth area within Hamilton City.

1.3 Records of Title and Interests

The site consists of the Records of Title as identified in **Table 1** below.

Table 1: Legal description of the site parcel.

Legal Description and Address	Area (Hectares)	Landowner
Lot 15 DP 327052 155 Kay Road	50.5214	s 9(2)(a)
Lot 2 DP 353756 40B Reynolds Road	1.4411	s 9(2)(a)
Lot 3 DP 353756 40C Reynolds Road	1.3171	s 9(2)(a)
Lot 4 DP 440812 and Lot 2 DP 537963 78 Osborne Road	15.4968	s 9(2)(a)

Legal Description and Address	Area (Hectares)	Landowner
Lot 2 DP 356758 66 Reynolds Road	3.14	s 9(2)(a)
Lot 1 DP South Auckland 73950 126 Reynolds Road	0.8210	s 9(2)(a)

The Records of Title for the site are subject to a number of interests (refer **Attachment 1**), as detailed below. Overall, there are no interests which will prevent the proposed works from being undertaken.

Table 2: Existing interests.

Interest	Comment
155 Kay Road – 109911	
Section 8 Mining Act 1971	This interest under the Mining Act 1961 will not restrict or preclude development or subdivision activities from occurring within the site.
Section 5 Coal Mines Act 1979	This interest under the Coal Mines Act 1979 will not restrict or preclude development or subdivision activities from occurring within the site.
H315598.8 Water Supply Right <ul style="list-style-type: none"> 7767009.1 Partial Surrender of the water supply right easement created by Transfer H315598.8 8025114.2 Partial surrender of the water supply right 9200427.1 Surrender of the water supply right 	The easement will be superseded by the proposed development.
40B Reynolds Road - 219743	
Easement Instrument 6564744.5	The easements will be superseded by the proposed development.
Land Covenant 6902173.2	This is a private covenant which will be superseded by the proposed development and will be addressed outside of the FTAA.
Fencing Covenant 6902173.2	This interest is not affected by the proposal.
40C Reynolds Road - 219744	
Easement Instrument 6564744.5	The easements will be superseded by the proposed development.
Easement Instrument 6823985.2	The easements will be superseded by the proposed development.
Land Covenant 690273.2	This is a private covenant which will be superseded by the proposed development and will be addressed outside of the FTAA.
Fencing Covenant 6902173.2	This interest is not affected by the proposal.

Interest	Comment
78 Osborne Road - 896911	
Easement Instrument 9160925.2	The easements will be superseded by the proposed development.
9755391.1 Variation of the conditions of the Land Covenant specified in/created by Easement Instrument 9160925.5	This is a private covenant which will be superseded by the proposed development and will be addressed outside of the FTAA.
Easement Instrument 9160925.5	
66 Reynolds Road - 231396	
Easement Instrument 6745579.4	The easements will be superseded by the proposed development.
Easement Instrument 6745579.5	The easements will be superseded by the proposed development.
Easement Instrument 7170425.1	The easements will be superseded by the proposed development.
126 Reynolds Road – SA59C/288	
Section 5 Coal Mines Act 1979	This interest under the Coal Mines Act 1979 will not restrict or preclude development or subdivision activities from occurring within the site.

1.4 Planning Context

The site is zoned Rural (Waikato) under the Waikato Operative District Plan (WODP) and General Rural Zone under the Waikato Proposed District Plan – Operative in Part (WDP-OP). The site is located within the Urban Expansion Area under both the WODP and WPDP-OP.

A New Zealand Transport Agency (NZTA) designation (Designation J17/NZTA-8) is located adjacent to the eastern boundary of the site, and partially over the south eastern corner of the site adjacent to Kay Road. This site is not subject to any other planning control or overlay as identified under the WODP and WPDP-OP.

No other planning controls or overlays are located over the site under the WODP and WDP-OP and Waikato Regional Plan and Waikato Regional Policy Statement (RPS).

The zoning pattern of the site and surrounding environment is illustrated in **Figure 3**. The adjacent land is zoned Rural under the WODP and General Rural under the WDP-OP. The urban residential land located within Hamilton City is zoned General Residential under the Hamilton City Operative District Plan (HODP).

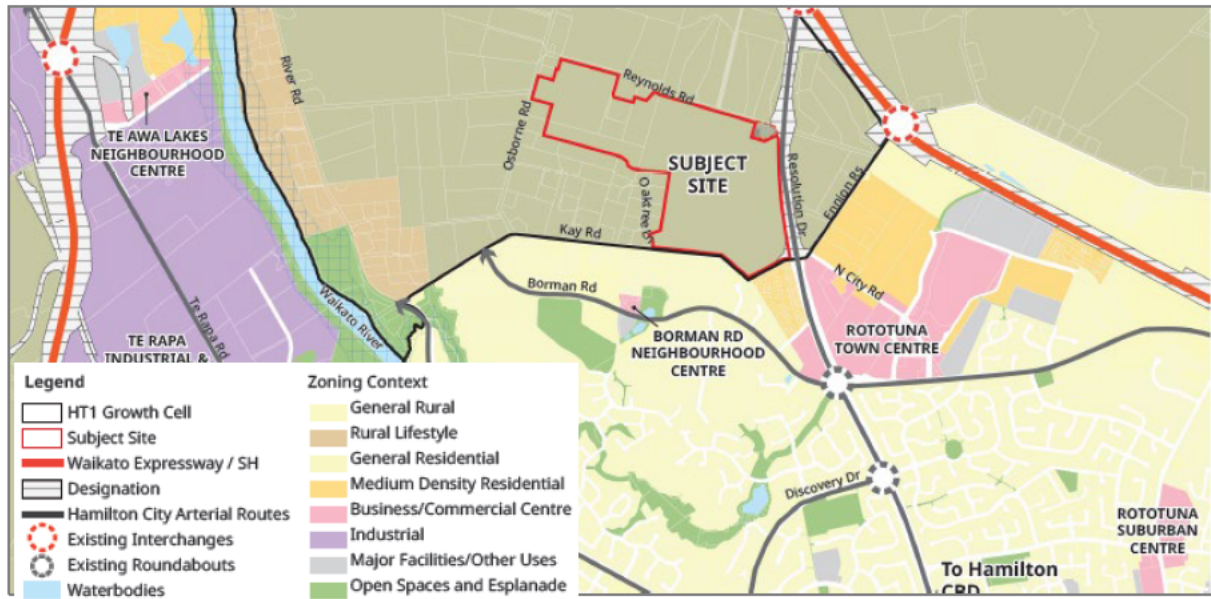


Figure 4 Strategic Context

1.5 Strategic Context

The site is located within HT1, a growth cell area that is identified under both Future Proof 2024 (Future Proof) and the Hamilton Waikato Metropolitan Spatial Plan 2020. The HT1 area encompasses the land to the north west of the existing Hamilton City territorial boundary between the Waikato River and the Waikato Expressway. The approximate HT1 area is shown in Figure 4 below.

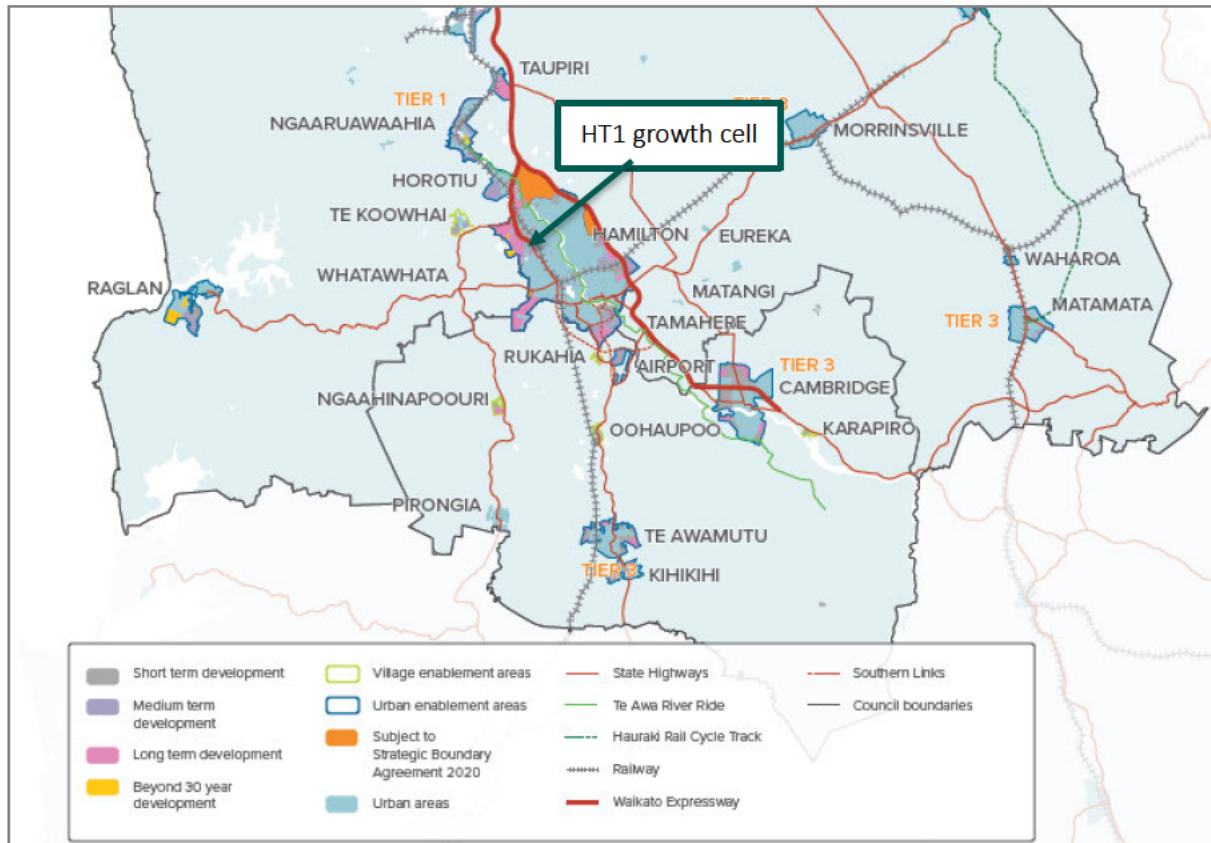


Figure 4: Approximate location of the HT1 growth cell area identified in orange and annotated as subject to Strategic Boundary Agreement 2020 (source: Future Proof Strategy).

The HT1 area has been identified by Waikato District Council (WDC) and Hamilton City Council (HCC) through a strategic boundary agreement as an area of land that is intended to become part of the HCC territory. Of relevance, the Agreement identifies the need for the HT1 land to facilitate urban growth and to provide for the long-term growth needs of Hamilton City, and anticipates that the land will be transferred from WDC to HCC in 2045 provided that the Expressway has been constructed.

In addition, the HODP Appendix 15 identifies an indicative east-west ‘Major Arterial Transport Corridor’ as shown in Figure 5 below. The route of this arterial is located within the Waikato District, and to date, there are no designations or Notice of Requirements for the major arterial corridor. The HODP also acknowledges that the alignment of corridors shown beyond the Hamilton City territorial boundary are for information only.

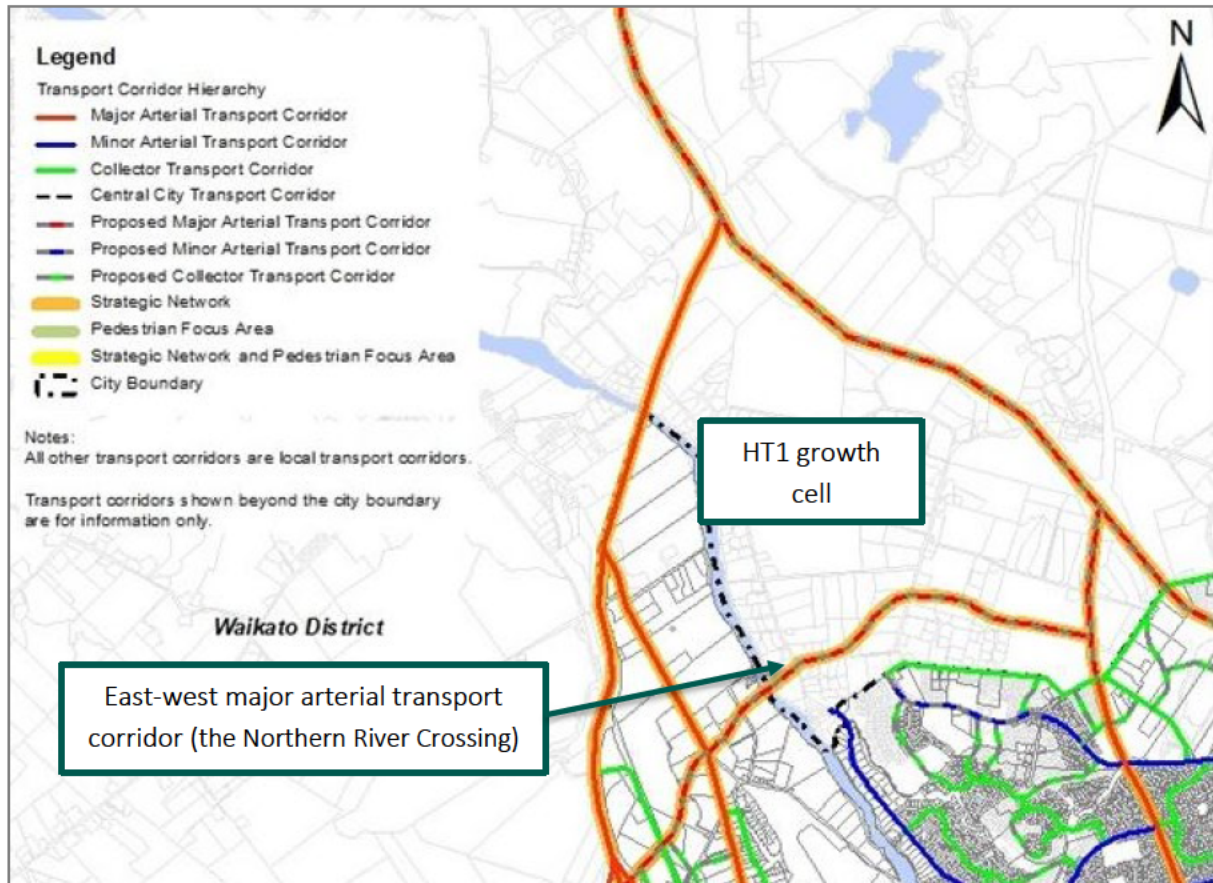


Figure 5: The location of the east-west major arterial transport corridor relative to the HT1 growth cell, as identified in Appendix 15 of the HODP.

1.6 Regional Significance of the Project

The Fast-track Approvals Act 2024 has established a framework that differs from the Resource Management Act 1991. We acknowledge that the matters outlined in Sections 22(1)(a) and 22(2)(a) of the Fast Track Approvals Act direct the considerations available to the Minister when assessing a project’s eligibility for referral.

In summary, Orchard Grove is a development project that will create economic benefits and address housing needs in terms of supply, type, and price at a scale that will provide significant regional benefits. The substantial scale of Orchard Grove will enable approximately 815 new homes and directly address the identified housing shortfalls across two territorial jurisdictions within the Waikato Region, as it is located within the strategic HT1 area. Furthermore, Orchard Grove is generally consistent with the relevant strategic outcomes identified in local and regional planning documents, including Future Proof and the Hamilton Waikato Metropolitan Spatial Plan (**Metro Spatial Plan**).

We respond to the relevant Section 22(2)(a) considerations for Orchard Grove below.

Section 22(2)(a)(i) – has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list:

While the Orchard Grove project is not explicitly listed as a priority in a central government, local government, or sector plan or strategy, it fits well with the strategic intent and lens of the urgent need to increase housing supply in the Waikato Region. In this regard, the project aligns with the FTAA (2024) purpose of accelerating projects that deliver significant regional benefits, as set out below.

Section 22(2)(a)(iii) – will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020):

Orchard Grove will enable the delivery of approximately 815 new homes, making a significant contribution to regional housing supply. Given the location of the site within the identified HT1 growth cell, the development is well positioned to contribute to housing supply across both the Waikato and Hamilton City territorial areas.

As set out in the Economic Assessment prepared by Insight Economics and included at **Attachment 4**, residential shortfalls have been identified under the Housing and Business Capacity Assessment (**HBA**) within both Waikato District and Hamilton City, including:

- **Waikato District:** shortfalls across all scenarios and dwelling typologies; and
- **Hamilton City:** shortfalls of between 2,000-3,000 dwellings in the short-term and of around 4,500 dwellings in the medium term. Importantly, approximately 50 percent of Waikato’s short-term shortfall is concentrated in the north-east catchment of the city, which is proximate to Orchard Grove and HT1.

In terms of housing type, the Economic Assessment confirms that there are specific shortfalls in detached housing typologies, and significantly, approximately 50 per cent of the Hamilton City shortfall is for detached housing. There is an observed trend of housing delivery shifting towards higher density formats, where the number of townhouses has grown rapidly in recent years and making up more than 50 per cent of all new consents granted since 2016. The Orchard Grove development can directly contribute to providing additional detached housing stock. The masterplan includes mid-sized lots which will enable future construction of detached typologies. Insight Economics identify that this will help to fill a growing gap, where standalone houses have become increasingly scarce, and introduce a point of difference within the residential development market. By broadening the mix of available housing, the proposal helps address a growing mismatch between what is being delivered and the preferences of households.

With respect to housing price, Insight Economics identify that the Orchard Grove proposal will help to foster competition in the local land market, and encourage increased efficiencies and more affordable housing. Of significance, median housing prices in Greater Hamilton has more than doubled in the last decade, which has led to significant affordability issues. On average, it will take nine years to save the deposit on an average valued home.

In addition, Orchard Grove will contribute to achieving a well-functioning urban environment. The relevant matters under Policy 1 of the National Policy Statement on Urban Development 2020 (**NPS-UD**) are assessed in Section 4.4 below.

Section 22(2)(a)(iv) – will deliver economic benefits

The Economic Assessment sets out the economic benefits that will be delivered by Orchard Grove. In summary these include:

- A one-time boost in GDP of around **\$290 million**;
- The generation of up to 2,160 FTE-years over a ten-year period, or full-time employment for 216 people. The employment opportunities will be in:
 - **Design and consenting:** providing full time work for 5 people over ten years, generation approximately **\$5 million** in wages and salaries;
 - **Land development:** providing full time work for 34 people over ten years, generating approximately **\$32 million** in wages and salaries; and
 - **Residential construction:** providing full time work for 167 people over ten years, generating approximately **\$138 million** in wages and salaries.
- The provision of the new neighbourhood centre will also provide ongoing employment for an estimated 41 FTE employees once constructed and operational.
- Enabling the highest and best use of the land resource, particularly given the site’s location at the periphery of the Hamilton City urban area and adjacent to existing infrastructure and services. The economics assessment identifies that retaining the land in its current state would forgo the opportunity to meet identified urban growth needs in a location that can support efficient service provision, reduce per-dwelling infrastructure costs, and enable more sustainable travel patterns. The economic benefits of developing the site include:
 - Urban development that is contiguous with the existing urban area of Hamilton City;
 - Maximising the value of existing and planned infrastructure investments by increasing the number of households and businesses they serve; and
 - Avoiding leap-frogging development further from the existing urban area, which has the potential to create inefficient land use patterns.
- New residents will move into the area as the Orchard Grove development is completed in stages, which will help generate spending in the new Neighbourhood Centre as well as nearby centres, including The Base and Hamilton CBD. The annual spend per household is estimated to be over \$74,000, which equates to an annual spend of approximately **\$60.6 million** across the completed development.
- The proposal will deliver publicly vested infrastructure, funded by the applicant, that will generate wider benefits, including new reserves and open spaces, walking and cycling links, and local roading upgrades available to use by future residents and the wider community. These amenities will create measurable uplift in property values and user benefits, and are only enabled because the proposal is a large-scale, master-planned community. By comparison, individual piecemeal projects are too small to support the delivery of this infrastructure. The infrastructure that will be delivered by Orchard Grove therefore constitute a net benefit to the wider community.

Section 22(2)(a)(vii) – will support climate change mitigation, including the reduction or removal of greenhouse gas emissions:

Orchard Grove aims to minimise greenhouse gas emissions where possible through construction and within the masterplan design.

During construction, greenhouse gas emissions will be reduced through the following measures:

- Minimising the number of truck movements required to manage earthworks material by retaining as much as possible within the site; and
- A staged construction approach that allows for the appropriate management of effects on the environment.

Following construction, the ongoing reduction of greenhouse gas emissions will be supported by:

- Multi-modal transport corridors that prioritise pedestrians and cyclists and encourages active modes of transport;
- Enabling intensified urban development, including provision for services and amenities within the new neighbourhood centre to reduce the need for vehicle travel;
- Connectivity to existing centres within the vicinity, including:
 - The Borman Road Neighbourhood Centre (5-minute drive) and the Rototuna Suburban Centre (8-minute drive);
 - The Te Rapa Sub-Regional centre (15-minute drive);
 - The Hamilton City Centre (20-minute drive); and
- The development of block and lot layouts which encourage energy efficiencies, including through optimising passive solar gain and natural light.

Overall, the Orchard Grove proposal will contribute to efforts to mitigate climate change and reduce net emissions of greenhouse gases.

Section 22(2)(a)(x) – is consistent with local or regional planning documents, including spatial strategies:

Overall, Orchard Grove is consistent with the relevant local and regional planning documents, as set out below.

Strategic Agreement on Future Urban Boundaries between Hamilton City Council and Waikato District Council (2020)

The Strategic Agreement on Future Urban Boundaries between Hamilton City Council and Waikato District Council sets out the need for land located at the periphery of the Hamilton City territorial boundary and the need ensure future urban development can be facilitated in these locations. The goal of the Strategic Agreement is to ensure that the future expansion of Hamilton City takes place rationally in a well ordered and co-ordinated matter, and into the most suitable locations. The Agreement was initiated in 2005 and updated in 2020 in relation to areas that had not yet been transferred from Waikato District to Hamilton City.

The HT1 growth cell area remains to be identified as a land area that is necessary to provide for the long-term growth needs of Hamilton City. The 2005 Agreement identified that the HT1 growth cell be transferred to Hamilton City Council in 2045, provided that the Waikato Expressway has been constructed. The 2020

amendment deletes this timing and infrastructure prerequisite, and instead recognises that the transferring of HT1 will be commenced through written notice by the Chief Executive of Hamilton City Council. The agreement recognises the transfer is at the sole discretion of the Chief Executive, preceded by open and transparent dialogue between the Councils.

Orchard Grove is consistent with the goal of the Strategic Agreement, albeit the sequencing of urbanisation is proposed to occur prior to the transfer of this land from Waikato District to Hamilton City. Notwithstanding, the site is located at the southern boundary of the HT1 growth cell, which encompasses a wider area of approximately 890 hectares, and will be adjacent to urban residential development in Hamilton City. The extension from an existing urban environment will ensure that Orchard Grove can deliver growth that is ordered and co-ordinated, and located within a suitable location. In addition, the Infrastructure Memorandum prepared by Maven confirms that Orchard Grove can be appropriately serviced through infrastructure options as the development is progressed in stages.

Future Proof Strategy

Future Proof Strategy 2024 – 2054 (**Future Proof Strategy**) is a 30-year growth management and implementation plan for the Hamilton, Waipā, Waikato, and Matamata-Piako sub-region. It provides a framework to manage growth in a staged and coordinated manner, addressing complex planning issues, especially cross-boundary matters. The strategy seeks to ensure that housing, employment, and transport networks are well-aligned. It also provides a framework for responding to population growth, climate change, and economic challenges while supporting vibrant, liveable communities.

The key relevant objectives and principles of Future Proof Strategy are:

- To support compact urban development across the sub-region, focused within the identified urban enablement areas;
- Use defined urban enablement areas to encourage a more compact urban form, to integrate land-use with infrastructure and to send clear signals to the community about the preferred settlement pattern and the scale and extent of urban development;
- Meet diverse housing needs through a range of types and safe, inclusive design;
- Ensure urban growth does not increase the vulnerability of communities to climate impacts;
- Apply environmentally sustainable and water-sensitive design principles; and
- Provide a clear definition between urban and rural areas, including through directing urban development to defined urban enablement areas and village enablement areas.

Orchard Grove demonstrates strong alignment with these key objectives and principles as follows:

- The site is located within an urban enablement area identified in Future Proof Strategy (HT1 growth cell), and will be designed to integrate with adjacent residential land use on the opposite side of Kay Road. The location of the site, as well as the masterplan which includes a number of medium density lots, will contribute to delivering a compact urban form;
- As outlined in Section 1.5 above, the project will increase the supply of housing for a variety of housing typologies, including a significant share of detached housing typologies which is projected to have significant shortfalls in Waikato and Hamilton City. The project will directly contribute to improving housing choice and variety as well as housing affordability through increasing competition in the land market, benefiting the wider community; and

- As outlined above, the project will contribute to the reduction of greenhouse gas emissions through construction practices and elements of the masterplan design. The site is not located within a known flood hazard area, and all stormwater flows will be appropriately managed to avoid flooding and ponding effects on downstream environments. Overall, Orchard Grove will not increase the vulnerability of communities to climate impacts.

Hamilton Waikato Metropolitan Spatial Plan (2020)

The Metro Spatial Plan is one of the strategic initiatives being delivered as part of the broader Hamilton to Auckland Corridor Plan, prepared by Future Proof. The Metro Spatial Plan recognises the important role of the metro area in the prosperity and productivity of New Zealand given the strong links to Auckland, Bay of Plenty, and the wider Waikato Region, and aims to create a metro area where people can easily access employment, education and health facilities, serviced by reliable and efficient transport connections and great places. The Metro Spatial Plan also seeks to manage significant population growth in a way that supports compact, sustainable and resilient urban development while protecting the region's natural and productive environments.

The relevant objectives and outcomes of the Metro Spatial Plan focus on:

- Improve choices for the location and type housing;
- Improve access to employment, education and services;
- Assist emission reductions and build climate resilience;
- Enable quality-built environments whilst avoiding unnecessary urban sprawl;
- Improving housing affordability and choices;
- Enhancing the quality of the natural and built environments and the vitality of Auckland and Hamilton and the communities within the corridor;
- Improving access to employment, public services and amenities; and
- Planning in an integrated way based on communities of interest rather than existing council boundaries.

In addition, the Metro Spatial Plan acknowledges the need to expand existing growth patterns in order to meet the needs of growing and changing communities. The Metro Spatial Plan recognises growth will occur through a mixture of infill, brownfield, and greenfield areas. Growth in greenfield areas is focussed on providing a high-quality and high amenity built environment that provide for a range of housing types. The HT1 area is identified as a significant growth area located within the Eastern Corridor, where a total of 5,000-10,000 new dwellings are anticipated to be developed (**Figure 6**).

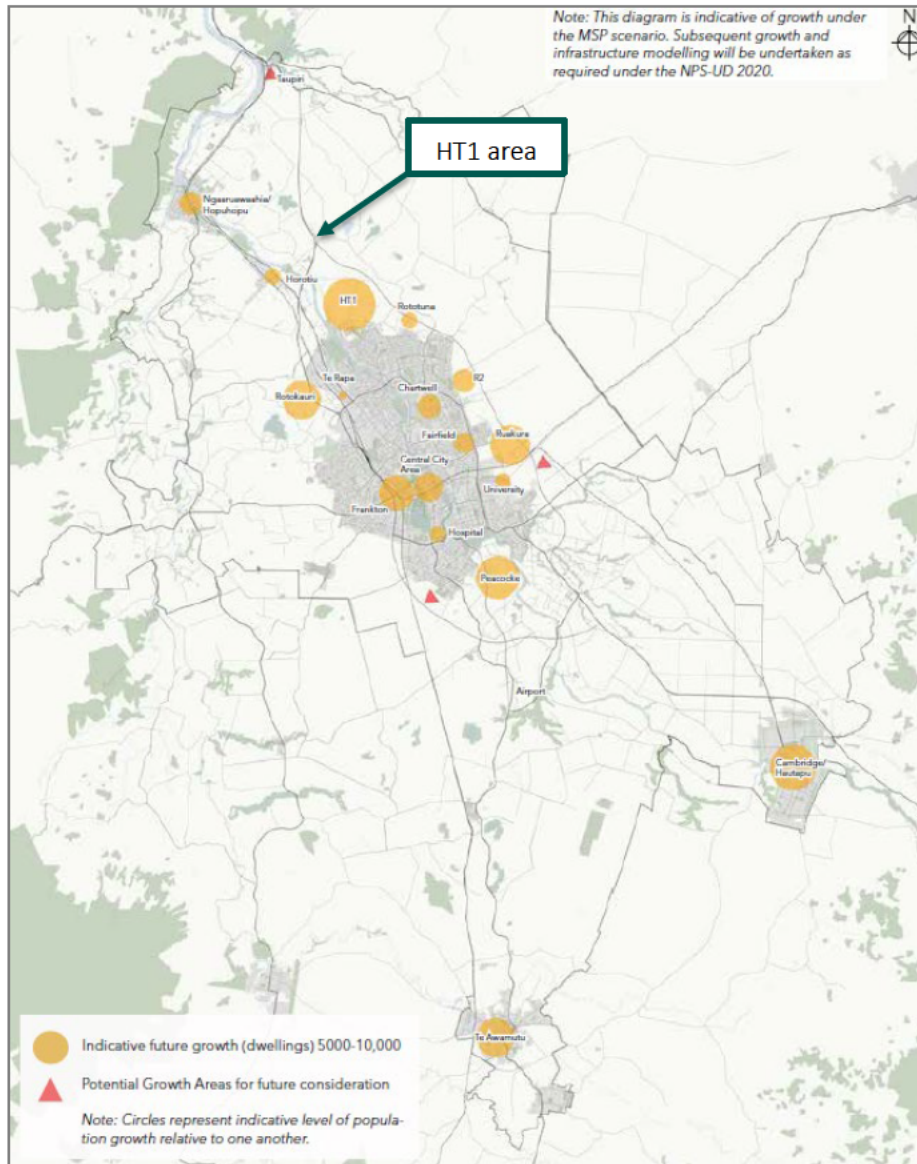


Figure 6: Future growth areas identified under the Metro Spatial Plan (source: Future Proof).

Orchard Grove is consistent with the strategic direction set out under the Metro Spatial Plan for the following reasons:

- As previously identified, the site is located within the HT1 growth cell consistent with strategic direction for the growth of Hamilton City. Of significance, the site is located adjacent to the southern boundary of HT1 and to existing urban residential development in Hamilton City. This will ensure the proposal is able to integrate cohesively with existing urban form and activities while avoiding unnecessary and sporadic urban sprawl;
- As outlined above, the project will increase the supply of housing for a variety of housing typologies and contribute to meeting housing needs in Waikato and Hamilton City;
- The site is accessible to existing centres and planned business nodes, as well as existing amenities including schools, early childcare centres, Rototuna Library, Horsham Downs Community Hall, and parks and reserves;

- Orchard Grove is a comprehensively and masterplanned residential development that enhance the quality of the built environment. The masterplan incorporates best practice urban design principles to provide for a high degree of on-site amenity for future residents while ensuring external effects on visual amenity and character are appropriately addressed; and
- Orchard Grove will contribute to enhancing the quality of the natural environment. As outlined in the Ecological Memorandum, the proposal presents an opportunity to enhance ecological values through planting of ecologically appropriate plantings. The proposal will also incorporate water sensitive design approaches in the management of stormwater.

Te Ture Whaimana o Te Awa o Waikato (Vision & Strategy)

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 gives effect to the Deed of Settlement signed by the Crown and Waikato-Tainui on 17 December 2009. The Settlement Act has an overarching purpose to restore and protect the health and wellbeing of the Waikato River for future generations. Section 9(2) of the Settlement Act confirms that the vision and strategy for Waikato River (Te Ture Whaimana o Te Awa o Waikato) applies to the Waikato River and activities within its catchment affecting the Waikato River.

As identified in the Engineering Memorandum prepared by Maven, the stormwater strategy for the site will incorporate the following key principles to manage stormwater quantity and quality:

- Provision of stormwater quality treatment;
- Limit peak flow from post development to 80% of pre-development levels;
- Secondary flow paths will be designed to dispose of stormwater runoff up to 100-year rainfall events; and
- Provision and active management of stormwater devices to maintain flood carrying capacity.

In addition, all earthworks will be undertaken in accordance with best practice erosion and sediment control measures to protect the health and wellbeing of the Waikato River.

The proposed stormwater strategy for the site will be refined through detailed design, and will be discussed as part of ongoing engagement with Ngāti Haua, Ngāti Warere, and Waikato Tainui to ensure that Orchard Grove supports the restoration and protection of the health and wellbeing of the Waikato River.

Iwi Planning Documents

Engagement correspondence was sent to hapū with resource management interest in the Orchard Grove site, and Ngāti Hauā, Ngaati Wairere, and Waikato Tainui have confirmed their interest in being involved in this project on an on-going basis.

Of these hapū, Waikato Tainui has an environmental plan, the Waikato-Tainui Environmental Plan. This planning document is assessed below.

Waikato-Tainui Environmental Plan

The Waikato-Tainui Environmental Plan (**WTEP**) provides a background to, and identifies key, resource-based issues for Waikato-Tainui. The plan sets out Waikato-Tainui's vision statement for environmental and heritage issues and key strategic objectives such as tribal identity and integrity, including "to grow our tribal estate and manage our natural resources." The plan is designed to enhance Waikato-Tainui participation in resource and environmental management.

Section 25 of the WTEP refers to land use planning and development activities and includes objectives and policies which accept that development activities will occur on the basis of achieving positive environmental outcomes and overall environmental enhancement initiatives. In this respect, the WTEP is considered to enable this type of development provided that the potential environmental effects are appropriately managed and the overall environmental management objectives of these documents are achieved.

Section 19.4 of the WTEP outlines water quality objectives to ensure that fresh waters within the rohe of Waikato-Tainui are drinkable, swimmable and fishable in all places. Based upon the methods proposed to address the potential water quality effects of the proposed activities, it is considered that these objectives of the WTEP will be achieved for the proposed development and water quality values of the Waikato River receiving environment will not be compromised.

Regular hui with representatives of Waikato Tainui have been held regarding Orchard Grove, and engagement will be ongoing through detailed design and the substantive application. A letter and Memorandum of Understanding for the Orchard Grove site has been developed with hapū, including Waikato Tainui, and is included as **Attachment 3**. Overall, it is considered that Orchard Grove will not be inconsistent with the objectives of WTEP.

Waikato 2070 – Growth & Economic Development Strategy

The Waikato 2070 Growth & Economic Development Strategy (**Waikato 2070**), outlines a 50-year vision for sustainable and strategic growth across the Waikato district. The strategy provides a framework for balancing economic development, community wellbeing, and environmental stewardship to create liveable, thriving, and connected communities. The project is strongly aligned with the focus areas identified under Waikato 2070. It reflects the strategy's core vision of creating liveable, thriving, and connected communities and contributes to all four focus areas outlined in the strategy.

The project is consistent with the relevant focus areas and opportunities identified under Waikato 2070, as identified below.

Growing Our Communities:

- **Housing supply and diversity:** The project will enable the delivery of a new masterplanned residential community with approximately 815 new dwellings across a range of typologies, including detached, duplex, and attached typologies. This supports Waikato 2070's objective to deliver a well-planned and people-friendly community focussed on quality urban form.
- **Compact growth pattern:** The project will support cohesive growth outcomes adjacent to existing urban residential development.
- **Infrastructure:** As outlined below, Orchard Grove will be supported by efficient transport and three waters infrastructure to serve the community now and into the future. The project includes on-site amenities such a new neighbourhood centre, park, and passive recreation opportunities within the greenway.

Build Our Business:

- **Economic uplift:** The project will deliver one-off and ongoing economic benefits, including employment opportunities.
- **Supporting regional infrastructure:** The proposal includes upgrades to surrounding transport infrastructure and integration with walking/cycling connections, enabling efficient movement of goods and people.

Embrace Our Identity:

- Rural identity: Orchard Grove has been carefully designed to integrate with, and protect the rural character of the surrounding area. Site design through the location of larger lots and the planting strategy in particular will soften the rural-urban transition edges of the development.
- Cultural integration: Ngāti Hauā, Ngaati Wairere, and Waikato Tainui have been engaged through the preparation of the Orchard Grove masterplan and referral application, and engagement will be ongoing as design details are confirmed through the substantive application. The masterplan includes opportunities to represent cultural values, and in particular through planting, artwork, and story boarding within the proposed greenway.
- Landscape and environmental design: Ecological enhancement, including selective native species within riparian areas will uphold the identity and natural character of the rural Waikato landscape. Through the opportunities to incorporate new planting, the project promotes ecological and environmental protection and restoration.

Overall, the Orchard Grove is a well-considered and strategically located development that supports the key pillars of Waikato 2070. It provides targeted housing, protects natural and cultural resources, supports economic development, and contributes to the long-term vision of connected and sustainable communities within the Waikato District. This alignment demonstrates the project's strategic merit and consistency with Waikato 2070.

Waikato District Housing Strategy (2024)

The Waikato District Housing Strategy (2024) is a comprehensive 10-year plan to address housing challenges across the Waikato District. The strategy acknowledges that the district is facing unprecedented growth, creating a housing challenge that needs to be addressed quickly. The project demonstrates a strong alignment with the Strategy. Specifically, the project's objectives and planned outcomes directly support the Strategy's vision that "everyone in our community has access to a home that is safe, healthy, and affordable, and is part of a prosperous, resilient, and connected community".

Orchard Grove is particularly aligned with the Strategy with respect to increasing housing supply and diversity and contributing to the provision of safe, healthy, and affordable homes to the community. The project helps to address core issues such as housing supply, infrastructure integration, and community connectivity while embodying the Strategy's principles of equity, sustainability, and holistic planning. Overall, this project is well-positioned to contribute meaningfully to the district's housing goals and is well aligned to the Strategy's framework.

Waikato Regional Policy Statement

The Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato (Waikato RPS) became operative in May 2016. The Waikato RPS provides an overview of the resource management issues in the Waikato region, and the ways in which integrated management of the region's natural and physical resources will be achieved.

Orchard Grove is consistent and well-aligned with the following objectives of particular relevance:

- IM-O7 recognises the relationship of tangata whenua with the environment. The project supports this by:

- Engaging with iwi and hapū with resource management interests in the site to incorporate cultural values throughout the development.
- UFD-O1 seeks that the development of the built environment occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural, and economic outcomes. The project achieves this by:
 - As outlined above, Orchard Grove is a masterplanned residential development that will enable growth that is ordered and co-ordinated, including with transport and three waters infrastructure;
 - Orchard Grove will create social and economic benefits, including through the provision of increased housing supply and choice and employment opportunities for the community; and
 - As further assessed in Section 5.0 below, potential environmental effects can be appropriately managed and avoided and/or mitigated.
- UFD-O2 seeks that housing bottom lines as identified under Future Proof can be met. The project supports this by:
 - As outlined above, Orchard Grove will contribute to housing supply in both Waikato District and Hamilton City, addressing identified shortfalls for housing across both the short, medium, and long terms and in particular across detached housing typologies.
- ECO-O1 requires a full range of ecosystem types, their extent and the indigenous biodiversity that they support to exist in a healthy and functional state. The project supports this by:
 - As outlined in the Ecological Memorandum and assessed in in Section 5.0 below, the effects of the Orchard Grove development on ecological values can be appropriately managed. There will also be opportunity to enhance ecological values through new planting across the site, including in the new greenway.
- LF-O1 seeks to maintain or enhance the mauri and identified values of freshwater bodies. The project will achieve this by:
 - Providing ecological enhancement in riparian areas through new planting located within the greenway; and
 - Ensuring potential effects on freshwater values can be appropriately managed, including through the effects management hierarchy, as further detailed in Section 5.0 below.
- LF-O5 and LF-O6 seek to safeguard the life supporting capacity of soil resources for existing and foreseeable uses and to recognise and protect the value of high class soils from inappropriate subdivision, use or development. The project has some inconsistencies with LF-O5 as outlined below:
 - The site contains extents of LUC class 2 soils, which is classified as high class soils under the Waikato RPS, and the proposal will result to the loss of this land for future primary production activities. However, as identified above, there are several limitations which affect the overall productive capacity of this land which reduces the productive capacity and versatility of the soils on site.
 - Notwithstanding the above, the proposed subdivision and use and development of the site for primarily residential activities is not considered to be inappropriate under LF-O6 given the identification in strategic documents of the HT1 area as a growth cell, including Future Proof Strategy and the Metropolitan Spatial Plan. While the project will bring the sequencing of growth

forward, it can be appropriately serviced by infrastructure, will integrate with the surrounding urban and rural environment, and will be located in an area earmarked for urban expansion.

- o The development of the site, located within the HT1 growth cell will also ensure that housing to accommodate growth will occur within land that has been earmarked for urban growth, and will contribute to the protection of productive land within the district for continued productive use.

Overall, it is considered that the project demonstrates broad and substantive alignment with the Waikato RPS. The inconsistency with LF-O5 is considered to be acceptable on balance with consideration to the suit or RPS provisions that the proposal will give effect to, and having regard to the significant regional benefits that will be delivered.

1.7 Benefit of the Fast-Track Approvals Act (2024) for Orchard Grove

As outlined in Section 22(1)(b)(i) and (ii), part of the determination for accepting a referral application includes outlining whether the FTAA (2024) process would facilitate a more efficient and timely delivery of the project;

(b) referring the project to the fast-track approvals process—

- i. would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and*
- ii. is unlikely to materially affect the efficient operation of the fast-track approvals process.*

As outlined in Section 3.0 below, Orchard Grove requires a range of resource consents (land use, subdivision, discharge) from Waikato District and Waikato Regional Council's, and a specific approval under the Wildlife Act 1953 for an Authority. The ability to apply for a comprehensive range of consenting requirements within one application, to be considered by one panel, offers significant efficiencies in planning and specialist inputs into managing and navigating the consenting process. The overall intent of the FTAA (2024), which is designed for regionally and nationally significance infrastructure and development projects, supports the scale and significant of Orchard Grove. The consolidated timeframes for engagement with interested stakeholders and parties, wider consultation requirements to support substantive applications, and the overall detail required support a more timely and efficient consideration of the project.

Outside of the FTAA (2024) process, it would be anticipated that Orchard Grove would not be able to obtain resource consent for subdivision as a Prohibited Activity, and other aspects would be subject to a challenging and complex consenting requirement that would test the current District Plan provisions. Our understanding of the FTAA legislation is to support regionally and nationally significant projects with a single consenting process. This would enable development commencing sooner and the economic, social and wider positive benefits to be realised sooner. The FTAA process is considered the right instrument for this scale of project, and the Orchard Grove project is not considered to materially impact on the intent or efficient operation of the FTAA process, more so it would reinforce the value and opportunity that the FTAA (2024) presents for regionally and nationally significant projects.

2.0 Experience

B&A have provided planning expertise on a wide range of developments, under the Resource Management Act 1991, COVID-19 Recovery (Fast-track Consenting) Act 2020, and the recent Fast Track Approvals Act. This includes, but is not limited to: providing planning advice; referral applications; obtaining resource

consents under District Plans, Regional Plans, and National Environmental Standards; consultation; and expert witness conferencing.

2.1 Rotokauri Greenway & Minor Arterial Fast-Track Consent

B&A were responsible for the planning inputs for the 'Rotokauri Greenway & Minor Arterial Transport Corridor' resource consent application. On behalf of Hamilton City Council and Hounsell Holdings Limited, B&A obtained a comprehensive suite of resource consents for the construction of the Rotokauri Greenway and Minor Arterial transport corridor, under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Located in Rotokauri, Hamilton, this development involved the construction of a 4.7 kilometre length greenway corridor between two lakes to effectively manage and attenuate stormwater within the catchment, construction of artificial wetlands for stormwater treatment, construction of a 1.3 kilometre Minor Arterial transport corridor, and supporting infrastructure.

This primarily infrastructure project was complex, particularly as it involved works within designation and notice of requirement areas, with several ecological matters (such as black mudfish and natural wetlands) that required offsetting and compensation.

B&A led and supported with the following:

- Coordination of specialist documentation;
- Consultation with stakeholders, including territorial authorities, Mana Whenua, and adjoining landowners;
- Preparation and filing of the referral application;
- Preparation and lodgement of the resource consent application;
- Participation in expert witness conferencing; Obtaining Section 176 Approval; and
- Review of draft conditions.

Resource consent was granted by the panel, subject to conditions of consent, on 17 July 2024.

2.2 Current Projects under Fast-Track Approvals Act

B&A continues to be actively involved in fast-track projects. We are currently engaged across a number of listed projects, several recently referred projects, and others that we are preparing for referral in collaboration with MfE and the EPA. Our team is well-versed and highly experienced in navigating the Fast-Track Approvals process to date.

3.0 Reason for Consent

3.1 Waikato District Plan

Resource consent may be required under the following modules and chapters of the WDP-OP and WODP:

- Subdivision of high class soil and land located within the Urban Expansion Policy Area (Prohibited Activity);
- Earthworks (Restricted Discretionary Activity);

- Three waters infrastructure and servicing (Restricted Discretionary Activity);
- New public roads in the Future Urban Expansion Area (Discretionary Activity);
- Buildings which do not comply with the building bulk and location controls of the Rural Zone under the WODP and General Rural Zone under the WDP-OP, including height in relation to boundary, building coverage, and setback (Restricted Discretionary Activity).

Detailed design work will confirm the specific rules which apply to the proposed development. The effects of any proposal will be assessed as part of a substantive application if successfully referred.

Overall, the proposal requires resource consent as a **Prohibited Activity** under the WODP and WDP-OP and the following resource consents:

- Section 9 land use consent; and
- Section 11 subdivision consent.

3.2 Waikato Regional Plan

Resource consent may be required under the following modules and chapters of the Waikato Regional Plan:

- 3 Water Module
 - 3.3 Water Takes
 - 3.4 Efficient Use of Water
 - 3.5 Discharges
 - 3.6 Damming and Diverting
 - 3.7 Wetlands
 - 3.8 Drilling
- 4 River and Lake Bed Module
 - 4.1 River and Lake Bed Management
 - 4.3 River and Lake Bed Disturbances
- 5 Land and Soil Module
 - 5.3 Contaminated Land

Detailed design work will confirm the specific rules which apply to the proposed development and the activity status with respect to the above modules and chapters. The effects of any proposal will be assessed as part of a substantive application if successfully referred.

Overall, the resource consents required under the Waikato Regional Plan include:

- Section 9 and section 13 land use consents;
- Section 14 water permit; and
- Section 15 discharge permit.

3.3 National Environmental Standards

3.3.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

Detailed site investigations will confirm the specific resource consents required under regulations 9-11 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (**NESCS**). The effects of any proposal for earthworks and subdivision will be assessed as part of a substantive application if successfully referred.

3.3.2 National Environmental Standards for Freshwater 2020

Detailed design work will confirm if work around wetlands require resource consent in accordance with Subpart 1 of the National Environmental Standards for Freshwater 2020 (**NESFW**), including Regulations 52, 53, and 54 as well as the overall activity status. The effects of any proposal will be assessed as part of a substantive application if successfully referred.

3.4 Other Approvals

Based on our Ecological Memorandum (**Attachment 8**), we anticipate that a Wildlife Act (1953) Authority would be sought from the Department of Conservation (**DOC**), for the management of native fauna. Further specialist reporting will determine if any other approvals will be sought under WAA. The details of the WAA approval are to be progressed with DOC as part of pre-lodgement consultation of the substantive application and would be outlined in detail as part of a Management Plan, or other type of plan as required, for a substantive application. Should any other WAA be required as part of further specialist reporting, this will be worked through in consultation with DOC.

As per **Attachment 11** and **Attachment 20**, no Archaeological Authority is required under the Heritage New Zealand Pouhere Taonga Act 2014, notwithstanding accidental discovery protocols and ongoing dialogue with HNZPT (where relevant) would continue to occur.

4.0 Statutory Planning Framework

This section is provided in accordance with subclause 2(1)(a)(i) – (iii) of Schedule 5. This requires that applications include an assessment of the activity against the relevant provisions and requirements of the following statutory documents:

- (a) any relevant national policy statements; and
- (b) any relevant national environmental standards; and
- (c) If relevant, the New Zealand Coastal Policy Statement.

4.1 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2020 (**NPS-FM**) seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities.

It is considered that the project is consistent with the relevant policies of the NPS-FM that relate to land development for the following reasons:

- The development of Orchard Grove provides opportunity for ecological restoration of an area that has particularly low ecological value.
- The project seeks to minimise greenhouse gas emissions where possible through this development. The nature of the proposal is to provide infrastructure that will enable efficiencies that will support the reduction of greenhouse gas emissions.
- The project seeks to improve the health and well-being of the Waikato River by treating stormwater prior to discharge through a number of best-practice stormwater management devices.
- Mana whenua have been involved and consulted to this point of the project, which will continue to occur. The project will incorporate cultural values in its design, using Mana Whenua expertise to integrate their values and cultural heritage.
- Maximising the opportunities within the proposed greenway and open space areas for future enhancement, particularly within buffer areas including ecological restoration and enhancement, replanting and offsetting.
- Significant opportunities for restoration and enhancement across the site, including through the maintenance of habitat and vegetation cover where possible.
- Ongoing monitoring will take place to ensure the condition of water bodies and freshwater ecosystems is not degraded.

Based on the assessment above, it is considered that the project is consistent with the NPS-FM.

4.2 National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land 2022 ('NPS-HPL') ensures the availability of New Zealand's most favourable soils for food and fibre production, now and for future generations. It is noted the NPS-HPL recently came into effect on 17 October 2022, and was amended in August 2024.

The Orchard Grove site is located within the HT1 area in Flagstaff, immediately north of Hamilton. The *Land Use Capability Classification Assessment (LUC Assessment)* supporting this application identifies the site to include a mix of Class 2, 3 and 4 soils. Given this, the site is considered highly productive under the NPS-HPL.

Despite the LUC-2 classification for some of the site, the LUC Assessment identifies several limitations affecting the overall productive capacity of this land including:

- Soil wetness and drainage constraints across much of the site, reflecting a history of artificial drains, culverts, and a highly modified hydrological network.
- Small and fragmented areas of HPL, with Class 2 soils occurring in isolated patches rather than as contiguous, large-scale tracts of versatile soil.
- Existing modification from orchard and farming activity, including intensive cropping and grazing that have degraded soil structure and reduced flexibility for alternative production.
- Urban edge context, with the land adjoining Hamilton's existing urban boundary and surrounded by committed urban growth cells, limiting its long-term viability for efficient production use.

In light of these constraints, the productive capacity and versatility of the soils on site are reduced compared with other HPL in the district. The supporting assessment indicates that when Hamilton City Council and Waikato District Council undertake their regional-scale mapping required under the NPS-HPL, parts of the site may not meet the threshold for ongoing classification as HPL.

Notwithstanding this, as areas of the site are currently classified as HPL, consideration of the NPS-HPL is required. The NPS-HPL provides for urban development on highly productive land where:

- Urban rezoning or development is needed to provide sufficient development capacity to give effect to the NPS-UD.
- No other reasonably practicable or feasible options exist to provide the required capacity in the same locality and market while achieving a well-functioning urban environment.
- The environmental, social, cultural, and economic benefits of development outweigh the associated costs of losing the HPL.

The NPS-HPL also provides an exemption pathway allowing highly productive land to be subdivided, used or developed for activities not otherwise enabled through the NPS where there are permanent or long term constraints that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years.

The Orchard Grove proposal satisfies these policy tests:

- Capacity and demand – Orchard Grove (within HT1) is a strategically identified growth cell needed to meet Hamilton’s long-term housing demand. Orchard Grove can deliver around 815 dwellings, including medium-density typologies, in a timely and integrated manner.
- Location and alternatives – The site is directly adjacent to existing urban areas, close to centres and employment, and within an area earmarked for growth. There are limited alternative options in the same market that would deliver comparable capacity without dispersing development onto other rural/HPL areas. The use of the site for residential uses will also allow for other more productive areas of LUC land to be protected for primary production in the long term.
- Balanced outcomes – The proposal incorporates a central greenway, stormwater treatment ponds, riparian planting, ecological enhancement, and open space. Together with cultural design inputs and proximity to community facilities, these provide environmental, social, cultural, and economic benefits that are assessed to outweigh the long-term costs of developing on land containing HPL.
- Permanent or long term constraints - The site is constrained by widespread soil wetness and drainage issues, fragmented pockets of HPL, and degradation from past orchard and farming activities, while its location on Hamilton’s urban edge further limits its long-term productive potential.

Accordingly, while Orchard Grove does involve the urbanisation of land currently classified as highly productive, the soils are constrained and fragmented, and the site’s urban context limits its long-term productive value. Additionally, given the site’s identification in key strategic documents as a future growth area, the land is effectively treated as already allocated for development rather than for the retention of highly productive land.

Based on the assessment above, it is considered that the project is not inconsistent with the NPS-HPL.

4.3 National Policy Statement for Indigenous Biodiversity

The National Policy Statement for Indigenous Biodiversity (**NPS-IB**) ensures that protection, maintenance and restoration of New Zealand's most threatened indigenous species. The NPS-IB came into effect on 4 August 2023.

It is considered that the project is consistent with the relevant objectives and policies of the NPS-IB for the following reasons:

- The proposal commits to avoiding adverse effects where practicable, mitigating through sensitive design and management, and offsetting/compensating where residual adverse effects remain.
- The project seeks to enhance biodiversity across the site through indigenous vegetation planting.
- There are no mapped Significant Natural Areas on the site or adjacent sites.
- Potential low quality wetland areas will be avoided where practicable and where loss is unavoidable, biodiversity offsetting/compensation is proposed.
- Management plans will be prepared through a substantive application to address any potential adverse effects on birds, lizards and bats.
- The proposed naturalisation and enhancement of a realigned watercourse, riparian buffers, and stormwater treatment wetlands will increase habitat quality and connectivity for indigenous species.
- The project will involve revegetation of riparian areas to enhance the quality of habitat for indigenous fauna throughout the catchment and wider landscape in the medium-long term and improve overall ecological resilience and integrity.
- The incorporation of street trees, greenway planting, and restoration planting in open space and riparian areas, increasing indigenous vegetation and habitat availability.
- Culverts will be designed to meet national fish passage guidelines, and fish management plans (capture/relocation) will address potential adverse effects during drain modification.
- The proposal will enhance water quality, support native fauna in the Otama-ngenge catchment, and contribute to indigenous biodiversity outcomes beyond the current degraded pastoral/orchard baseline.

Based on the assessment above, it is considered that the project is consistent with the NPS-IB.

4.4 National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 (**'NPS-UD'**) ensures New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It removes overly restrictive barriers to development to allow growth 'up' and 'out' in locations that have good access to existing services, public transport networks and infrastructure. It is noted that this legislation was amended in accordance with section 77S(1) of the RMA and notified on 11 May 2022.

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

It is considered that the project is consistent with the relevant objectives and policies of the NPS-UD and will contribute to a well-functioning urban environment for the following reasons:

- Orchard Grove will deliver an integrated residential development that includes approximately 815 new homes of varying housing types, locations and prices in a logical and accessible location.
- The Housing and Business Capacity Assessment identifies that there are capacity shortfalls in the short-term, medium-term and long-term for Hamilton, which are driven by capacity constraints within existing urban areas and because the greenfield areas require significant economic investment in infrastructure to enable capacity to be “reasonably expected to be realised”. The shortfalls are in the order of 4,500 dwellings, so additional capacity is clearly needed. Orchard Grove can deliver housing to respond to this shortfall in the short-term in a timely and affordable manner.
- Orchard Grove enables to people to provide for the social, economic and cultural wellbeing, with the small neighbourhood centre servicing the day-to-day needs of residents, with the site well-located to Hamilton’s central city which is 10 kilometres from the site.
- The site has good accessibility for all people to services, activities and amenity. In addition, it encourages and promotes active transport through a range of walking and cycling options to housing, employment, schools, community services and open space.
- The project takes into consideration climate change, particularly through the stormwater management provided by the stormwater basins and multi-functional greenway, and incorporates measures to support the reduction of greenhouse gas emissions (such as mode transport infrastructure).
- 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 and services in an integrated manner.
- The *Soil and Land Use Capability Classification Assessment* supporting this application identifies drainage and land stability issues limiting the ability of the land to support primary production activities in areas. In addition, areas within the site have been identified to be LUC-4 soils of which the National Policy Statement for Highly Productive Land do not apply.
- The *Preliminary Geotechnical Assessment Report* supporting this application confirms the majority of the land is suitable for residential development with no geotechnical constraints identified that would prevent the site from urban development.
- The *Infrastructure Memorandum* supporting this application confirms that the development can be serviced from an infrastructure perspective by either connecting into the existing Hamilton City network or through on-site solutions should that be required.

Based on the assessment above, it is considered that the project is consistent with the NPS-UD.

4.5 National Environmental Standards for Air Quality

The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (**‘NES-AQ’**) sets standards to guarantee a minimum level of health protection for people living in New Zealand.

No specific consents relating to this standard are required for the Project, although the relevant regulations in the NES-AQ have informed the assessment of construction and operational air quality effects. The potential for effects on air quality in relation to the project relate primarily to dust during the construction

phase. Measures are proposed to manage potential effects in response to the air quality objectives and policies.

The management of dust and odour will be addressed in the Construction Management Plan and an Erosion and Sediment Control Plan. As such, ambient air quality will be maintained once Orchard Grove is constructed.

4.6 National Environmental Standards for Freshwater

The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 ('NES-F') sets standards to regulate activities that pose risks to the health of freshwater and freshwater ecosystems. Of particular relevance to the project are provisions which prohibit works in and around natural wetlands. Resource consent will be required under the NES-F as works are proposed in and around natural inland wetlands.

Potential natural inland wetlands have been identified on the site with the extent to be determined by further ecological investigation, however this may relate to vegetation clearance and earthworks within or around natural inland wetlands, drainage of natural inland wetlands, and loss of natural inland wetlands. Offsetting and compensation, if appropriate, can be assessed as part of a further Ecological Assessment that would be included as part of a substantive application.

4.7 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NESCS') sets a nationally consistent set of planning controls and soil contaminant values.

Swiftsure Consultants Ltd have undertaken a Preliminary Site Investigation (PSI) for the site, as appended to the referral application. The key findings of the PSI are:

- The site comprises two distinct land use areas: an operational dairy farm and a market garden/nursery. The PSI has identified several historical and current activities that are considered to fall within the scope of the HAIL, either directly or through associated practices.
- Within the dairy farm area, the most likely area of potential contamination is the southern portion of the site, where a disused milking shed, livestock pens, and ancillary farm buildings are located. These structures are suspected to contain asbestos-containing material (ACMs). There is also potential that agrichemicals and other hazardous substances were historically used and/or stored in this area.
- Two residential dwellings constructed in the 1970s are present along the Kay Road boundary which based on age are likely to contain ACMs which may present a potential for localised contamination of surrounding soils due to weathering or degradation.
- The market garden and nursery area present a higher likelihood of contamination due to more intensive current and historical land use. Routine application of agrichemicals is likely to have occurred over an extended period. On-site observations of small chemical drums, waste burn areas and farm machinery for example, collectively represent a contamination risk.

- While there is no documented evidence of superphosphate fertiliser application, the site is located within the Waikato region, which is known to have elevated background cadmium accumulation in soils due to historical intensive agriculture.

Based on the findings of the PSI, it is considered more than likely that there is the potential for contamination associated with HAIL activities, including:

- Use and storage of agrichemicals.
- Livestock and horticultural operations.
- On-site fuel storage.
- Presence of asbestos-containing materials.

A detailed site investigation is recommended and will be progressed under the substantive application to determine the exact extent and locations of any contamination. The PSI confirms that the presence of any contaminated land associated with HAIL activities within the site can be appropriately managed to accommodate urban development, including through a Remediation Action Plan (**RAP**) and Site Management Plan (**SMP**).

Resource consent will be required under Regulation 10 of the NES-CS as a Restricted Discretionary Activity. On this basis, any requirements of the NESCS can be addressed as part of an application post-referral and potential risks to human health can be appropriately managed and mitigated.

4.8 New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement ('**NZCPS**') sets out a number of objectives and policies for achieving the purpose of the RMA in relation to the coastal environment of New Zealand. As the site is not located within close vicinity to the coastal environment, it is considered that the NZCPS is not relevant to the proposed activity.

5.0 Assessment of Effects

The proposal 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. The key potential adverse effects are addressed in general below and should be reviewed in conjunction with the supporting technical expert memorandums accompanying this application.

5.1 Construction

Earthworks

Earthworks will be carried out in accordance with best practice appropriate erosion and sediment control measures to avoid and mitigate adverse environmental effects. All sediment and erosion control measures will be designed in accordance with the Waikato Regional Council 'Sedimentation and Erosion Control Guideline'. All earthworks will also be managed in accordance with an Erosion and Sediment Control Plan ('**ESCP**') and any adverse dust effects can be appropriately managed with standard conditions of consent.

Construction Noise & Vibration

During construction, noise and vibration is anticipated to occur as a result of the works proposed to be carried out on the site. Construction will be managed in accordance with the NZS 6803:1999 Acoustics – Construction Noise and German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures.

Construction noise and vibration will be managed in accordance with a Construction Noise and Vibration Management Plan ('**CNVMP**'). The CNVMP will outline measures, such as restrictions on days and hours of noisy works, consultation with neighbours and use of quieter machinery (among others) to ensure that potential construction noise effects of the project are appropriately managed.

Contaminated Land

As outlined above, a PSI has been undertaken by Swiftsure Consultants, which confirms the likely presence of contamination associated with HAIL activities as a result of the use of the site for rural production activities and historic building materials. Activities including earthworks and subdivision is therefore likely to trigger resource consent under the NESCS and WRP at the locations where HAIL activities have been identified.

The PSI concludes that the presence of HAIL activities is not likely to preclude the future development of the site for urban activities. The remediation of contaminated land can be adequately addressed through the preparation of a Detailed Site Investigation, SMP and RAP in support of the substantive application. It is therefore considered that any potential contaminated land effects can be appropriately managed through the resource consent requirements under the NESCS and WRP.

Stability

A Preliminary Geotechnical Desktop Report has been prepared by CMW Geosciences. With respect to site stability, CMW identify that earthworks and foundation design solutions can be adequately addressed through further investigations at the time of detailed engineering design. Based on these findings, it is considered that the site can accommodate the proposed development and that any land stability effects can be avoided and mitigated.

5.2 Archaeology

An Archaeology Assessment has been prepared by RedOx. There are no existing records of archaeological or other historic heritage sites being recorded within Orchard Grove, with the closest recorded sites being located more than 500m away.

Fieldwork and onsite surveying was completed by RedOx to identify the potential for any unrecorded archaeology site. The results of the survey did not identify any presence of archaeological soils. On the basis that there are no recorded archaeological sites or areas of identified unrecorded archaeology, RedOX consider that there are no archaeological values associated with the site. The potential for unrecorded archaeology is very low to nil and an Authority from Heritage New Zealand Pouhere Taonga is not required. The proposal would apply accidental discovery protocol conditions as part of the substantive application.

On this basis, it is considered that the proposed development will not adversely affect archaeology values.

5.3 Infrastructure & Servicing

The preliminary infrastructure and servicing strategy for Orchard Grove is summarised below and is further detailed in the Engineering Memorandum prepared by Maven and included at **Attachment 15**.

- **Stormwater:** A new public stormwater network will be created to service the site and control stormwater flow, and will include stormwater ponds designed to mitigate flows up to the 10-year ARI event. The ponds will also provide stormwater water quality treatment, and will be designed in accordance with the Waikato Regional Infrastructure Technical Specifications (**RITS**) and other relevant technical standards. In addition, a new multi-functional greenway, as shown in the Masterplan, will flow from east to west within the Orchard Grove site, and will capture runoff from rainfall events. The greenway will be sized to accommodate the 100-year ARI event, and will provide treatment prior to discharging back into an existing land drain within the site.
- **Water Supply:** Maven has investigated options for potable water supply, including service from the public network and through on-site water bores. The potential effects associated with utilising on-site water supply have been assessed by WGA in the Hydrogeological Assessment. Their initial assessment confirms that new water supply bores on site can provide drinking water without adversely affecting other bores within the surrounding area. Detailed investigations and water quality testing will be undertaken to support any new bores required for water supply.
- **Wastewater:** Similar to water supply, Maven has investigated options for reticulated wastewater management as well as a decentralised system and confirm that both options are feasible. Connection into the reticulated network will be supported by a combination of new pump stations and gravity networks, dependent on the catchment location and site topography. Should capacity constraints within the reticulated network be confirmed through detailed design, a decentralised treatment plant will be proposed to provide for treatment and disposal within the site.

Overall, the Engineering Memorandum confirms that the site can be adequately serviced. Therefore, it is considered that there will not be any significant adverse effects in relation to infrastructure and servicing.

5.4 Groundwater

A hydrogeological assessment has been prepared by WGA to assess potential effects on groundwater resulting from earthworks and on-site infrastructure, as well as potential new water supply bores. WGA's preliminary assessment confirms that those activities which have the potential to interact with groundwater are well understood and can be appropriately managed through detailed design to avoid adverse drawdown, mounding, and discharge effects. Based on regional hydrogeological data, site specific assessment, and data from comparable nearby developments, WGA conclude that there is no indication of significant constraints that would prevent the development from proceeding.

5.5 Transportation

A Transportation Memorandum has been prepared by Commute and is included as **Attachment 7**. In summary, their assessment identifies:

- The proposed development will improve access to existing public transport services by way of providing new walking and cycling facilities;

- The proposed roading cross-section designs are fit for purpose to accommodate new urban development within the site;
- There is sufficient capacity within the existing transport network to enable the initial stages of development without the need for any additional transport infrastructure upgrades;
- New transport infrastructure upgrades will be required to support subsequent stages as development is progressed on a staged basis, including the following potential upgrades:
 - An additional link between Kay Road and Reynolds Road;
 - The urbanisation of Kay Road, including pedestrian facilities;
 - A new roundabout at Kay Road and Hare Puke Drive; and
 - Urbanising road frontages adjacent to development;
- The exact timing and triggers for these works will be determined in the development of the Integrated Transport Assessment (ITA) prepared as part of the substantive application;
- A new “Proposed Major Arterial Transport Corridor” (Northern River Crossing) as identified under the HODP can be accommodated in the future through the use of the Reynolds Road corridor and linking to Resolution Drive. In particular, provision has been made in the masterplan for future road widening of 7.5m on the southern side to accommodate this link. This will enable an appropriate ‘mid-block’ location within the middle of the wider HT1 growth cell; and
- The methodology for undertaking further assessment to inform the ITA and substantive application, as set out at Section 4 of the Transportation Memorandum.

In addition to Commute’s assessment, the following comments are made with respect to the Northern River Crossing:

- The location of the Northern River Crossing identified in the HODP is indicative, and at this time, there are no confirmed designations or lodged notice of requirements to guide or provide certainty as to its future location;
- The arterial route traverses through the HT1 growth cell area which comprises of multiple existing land parcels. It is anticipated that the final alignment of the arterial road will be confirmed through detailed scoping and design and in collaboration with New Zealand Transport Agency, land owners, and the District Councils; and
- As outlined above, the Orchard Grove masterplan includes provision for road widening along Reynolds Road in order to accommodate a future arterial road alignment in this location, and this aspect of the masterplan was incorporated following consultation with Hamilton City Council and other Future Proof Partners; and
- As identified by Commute, the Reynolds Road corridor provides a suitable ‘mid block’ location for an arterial road within the HT1 growth cell, should this be confirmed through further investigations to be the preferred location and alignment. In this regard, the inclusion of road widening within the Orchard Grove masterplan does not preclude the delivery of this route.

Overall, Commute conclude that there are no significant transport effects that would preclude the development from occurring. On this basis, it is considered that any transport effects can be appropriately avoided and mitigated.

5.6 Character & Amenity

An Urban Design Memorandum has been prepared by Barker & Associates (**Attachment 5**), and includes an assessment of the urban design aspects of the proposal and conceptual masterplan. The Memorandum includes identification of potential effects associated with the proposed street network and block structure, density, built form, and future building typologies, the neighbourhood centre, and the provision of open space. The findings of the Urban Design Memorandum are summarised below:

- The Orchard Grove masterplan layout creates a connected movement network that is integrated with the surrounding road network. A number of design measures have been adopted to support a well-functioning urban environment, including appropriately sized blocks, provision of perimeter streets to principal open spaces and the greenway, and a two-way cycleway along the collector road;
- The proposed greenway will function as the key feature of the proposed open space network, and will include shared paths which can connect directly to the neighbourhood centre and park, as well as existing walking paths on Resolution Drive. This feature will contribute positively to the overall connectivity network and on-site amenity for future residents;
- The masterplan includes provision for a range of lot sizes that will help provide variety in future dwelling sizes to help meet more diverse household needs;
- It is noted that over time, the land surrounding Orchard Grove located within the HT1 growth cell will be urbanised for residential activities, and a change to the existing character is anticipated; and
- The proposed neighbourhood centre area is positioned beside the central park, and will contribute to creating a civic hub within walking distance for most residents. It is of a regular shape and appropriate size that will provide design flexibility and achieve high quality design outcomes, including provision to address traffic and noise effects at new residential interfaces.

Overall, the Memorandum finds that Orchard Grove has been appropriately designed to achieve a comprehensively masterplanned neighbourhood that can provide a well-functioning urban environment. On this basis, it is considered that any potential character and amenity effects can be appropriately avoided and mitigated through the implementation of detailed design measures.

5.7 Landscape & Visual

A Landscape and Visual Effects Memorandum has been prepared by Barker & Associates (**Attachment 6**), identifying the potential effects of the development on character and visual amenity and potential measures which can be implemented to appropriately address the resulting change in the landscape and to the urban form.

These identified measures include:

- Strengthened green infrastructure, including through enhancing the Otama-ngenge stream corridor and its riparian margins;
- A carefully considered design strategy at the perimeter of the site to soften the rural-urban transition and reduce visual dominance of built form when the developed is viewed from the surrounding area. This can be achieved through edge planting, open space buffers, and larger lots along the site boundary;
- Incorporating comprehensive planting designs within the site, including new streets, to respond to the local context and landscape pattern;

- The use of varied setbacks, rooflines, and façade treatments;
- Manage sensory changes by maintaining high activity areas such as playgrounds away from rural boundaries. Planting and landscape design can be further implemented to mitigate noise and light spill effects to adjacent rural properties; and
- Reflecting mana whenua values in public realm design.

Overall, the Landscape Memorandum confirms that the Orchard Grove masterplan will allow for a softened transition to the surrounding rural environment. The development site is able to achieve a strong sense of place and become a functional attractive neighbourhood through implementation of the identified measures. On this basis, it is considered that any potential landscape and visual effects can be appropriately avoided and mitigated through targeted design and landscaping measures and responses.

5.8 Noise

An Acoustic Assessment has been prepared by Styles Group (**Attachment 14**) which identifies the likely noise effects resulting from the proposal and the potential mechanisms available to manage those effects. In summary, their assessment finds:

- Construction noise and vibration can generally be undertaken in compliance with the relevant noise and vibration limits. Exceedances are likely to be temporary and intermittent, and can be appropriately managed through the preparation of a Construction Noise and Vibration Management Plan;
- Future residential activities will be able to comply with the relevant noise standards, including with respect to receiving sites within both Waikato District and Hamilton City and the relevant district plan requirements. Overall, the proposed residential activities will be in keeping with the character of the existing and anticipated noise environment in this location;
- Noise limits in the new neighbourhood centre will need to be carefully considered to ensure an appropriate level of operational noise is enabled while protecting sensitive residential receivers. Styles Group has identified a range of mechanisms to manage land use compatibility in this location, which can be refined through the substantive application. These include adopting separation distances through design and providing acoustic treatment to sensitive activities that may locate within the neighbourhood centre; and
- All proposed on-site infrastructure can be designed to comply with the underlying noise limits. Styles Group confirm that compliance can be readily achieved through common engineering methods and construction materials. Therefore, noise generated from new infrastructure will not create adverse amenity effects on adjacent lots.

Styles Group finds that the proposal can achieve a high level of compatibility with the level of acoustic amenity provided for and anticipated under the relevant district plans for the Waikato District and Hamilton City. It is therefore considered that any potential noise effects associated with the proposal can be appropriately managed through design details.

5.9 Cultural

The project is not located on land returned under a Treaty Settlement, nor does it fall within a Treaty Settlement Statutory Acknowledgement area.

Extensive engagement has been undertaken with Mana Whenua throughout the life of the project and will continue as it progresses. As detailed in **Attachment 3**, letters of support confirm that Mana Whenua have been actively involved and consulted to date. Through continued, meaningful engagement, it is anticipated that any potential adverse cultural effects can be appropriately avoided, remedied, or mitigated.

Mitigation measures include the implementation of appropriate cultural protocols (such as karakia, cultural monitors, and site-specific procedures), Mana Whenua involvement in the design process, and the incorporation of indigenous planting. These measures collectively ensure that cultural values are embedded within the project's design and delivery.

While there remains a potential risk of encountering archaeological material during construction, this will be effectively managed through an established Accidental Discovery Protocol. The project also represents an opportunity to reflect and celebrate the area's cultural heritage through design. This will be achieved by incorporating Mana Whenua expertise to express cultural narratives and values which is currently not visible in the landscape through built form, public spaces, artworks, indigenous flora, and materials that signify the re-establishment of Mana Whenua presence and aspirations.

The Applicant and Ngāti Wairere have entered into a Memorandum of Understanding (MOU) for the site. The MOU provides a record of intent and understanding, confirming Ngāti Wairere's support in principle for the project, subject to the completion of a Cultural Values Assessment (CVA). The MOU also formalises the commitment to prepare a CVA to inform and support the substantive application.

5.10 Ecology

An Ecological Memorandum has been prepared by EcoLogical Solutions (**Attachment 8**), which identifies the existing terrestrial and freshwater ecological features across the site, and provides an overview of their value.

The key features include wetlands located within the south eastern corner of the site and a modified stream which runs in an east-west direction from the south western corner to the centre of the site. As previously outlined, there is a limited extent of native vegetation in the form of saplings and small trees within existing exotic shelterbelts.

EcoLogical Solutions has identified the potential effects of the proposed development on ecological values, as well as potential approaches to ensure these effects can be appropriately managed. Overall, this includes:

- The preparation and implementation of management plans with respect to impacts on native fauna, bats, lizards, and native fish;
- The implementation of necessary erosion and sediment control measures to manage sediment and contaminant discharge to downstream receiving environments;
- The design of new culverts in accordance with best practice solutions to manage fish passage; and
- The implementation of the effects management hierarchy with respect to natural inland wetland habitat.

In addition, the project presents an opportunity to enhance ecological values through planting of ecologically appropriate plantings in riparian areas and new indigenous vegetation, including in the greenway, open spaces, and as street trees.

On this basis, it is considered that actual and potential effects of the proposal on ecological values can be appropriately managed, including in accordance with the effects management hierarchy where this is applicable.

5.11 Soils

As detailed in the LUC Classification Assessment and outlined above, the site is underlain by class 2, 3, and 4 soils, as shown in **Figure 5** below. The class 3 soils are limited to classes 3e3 and 3w1.

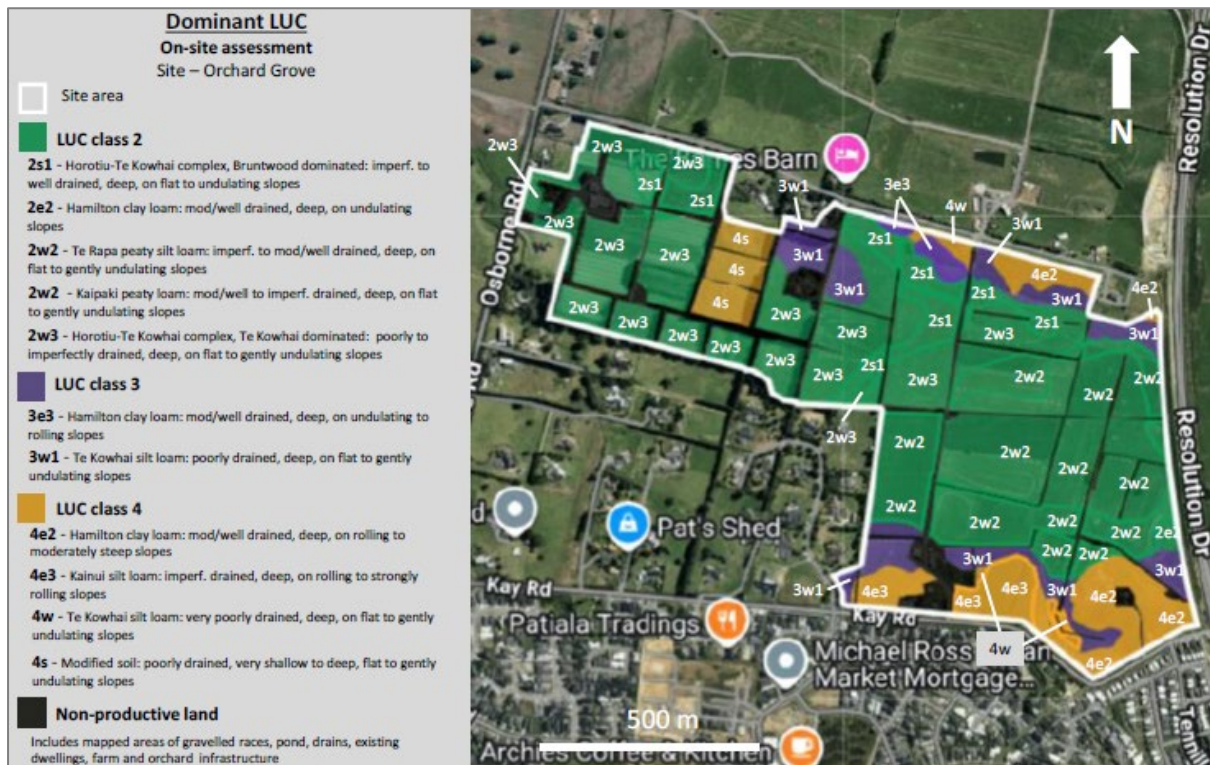


Figure 7: Distribution of dominant soils, LUC classes, and LUC units (source: Landsystems).

The class 2 and 3 soils within the site meet the definition of highly productive land under the NPS-HPL, however there are classes, namely 2w3, 3e3, and 3w1, which do not meet the definition of ‘high class soil’ under the WDP-OP and only partially meet the definition of ‘high quality soil’ under the WODP.

Overall, Landsystems’ assessment identifies that the extent of highly productive land, and in particular class 2 soils, shown at a regional scale is overstated at 74%. Detailed mapping of the site confirms that the extent of highly productive land includes 63% class 2 and 9% class 3 soils. In accordance with the WDP-OP, the extent of high-class soil within the site is limited to 49%.

Having regard to the above and the actual extent of high-class soil present, it is considered that the potential adverse effects of urban development and the loss of highly productive and high class/high quality soil are outweighed by the benefit of providing needed housing supply and variety within the strategic HT1 location.

5.12 Effects on Greenhouse Gas Emissions

Orchard Grove aims to minimise greenhouse gas emissions where possible through construction and within the Masterplan design.

During construction, greenhouse gas emissions will be reduced through the following measures:

- Minimising the number of truck movements required to manage earthworks material by retaining as much as possible within the site; and
- A staged construction approach that allows for the appropriate management of effects on the environment.

Following construction, the ongoing reduction of greenhouse gas emissions will be supported by:

- Multi-modal transport corridors that prioritise pedestrians and cyclists and encourages active modes of transport;
- Enabling intensified urban development, including provision for services and amenities within the new neighbourhood centre to reduce the need for vehicle travel;
- Connectivity to existing centres within the vicinity, including:
 - The Borman Road Neighbourhood Centre (5-minute drive) and the Rototuna Suburban Centre (8-minute drive);
 - The Te Rapa Sub-Regional centre (15-minute drive);
 - The Hamilton City Centre (20-minute drive); and
- The development of block and lot layouts which encourage energy efficiencies, including through optimising passive solar gain and natural light.

Overall, the Orchard Grove proposal will contribute to efforts to mitigate climate change and reduce net emissions of greenhouse gases.

5.13 Positive Effects

Orchard Grove will deliver a number of positive effects, including but not limited to:

- Increasing housing supply within a location that will benefit people and communities in both the Waikato District and Hamilton City;
- Enabling the delivery of a diverse mix of housing typologies to suit families of various sizes and different lifestyle choices to address housing needs. In particular, Orchard Grove includes provision for detached housing, which accounts for approximately 50 per cent of deficit identified in Hamilton City. In the Waikato, the shortfalls are identified across all dwelling typologies;
- Provisions of new walking and cycling facilities, including linkages to existing public transport infrastructure;
- Enhancement of ecological values through new planting within riparian areas, the proposed greenway, open spaces, and within the road corridor;
- Generation of a wide range of economic benefits, including providing new employment opportunities and GDP value add, as identified in Section 1.5 above;
- Provision of new open spaces within the new public park and greenway, which will provide for active and passive recreation needs of future residents;

- Provision of a new neighbourhood centre, including new retail and commercial uses and employment opportunities within a walkable catchment to the proposed residential lots; and
- With respect to the above, the creation of a well-functioning urban environment that will contribute to the social, economic, and cultural wellbeing of people and communities.

5.14 Mitigation

This memorandum and supporting information from technical experts identify a range of measures to address potential adverse effects of the proposal, and ensure that those effects are avoided, remedied, or mitigated.

This includes the application of standard and well-established mitigation measures as well as targeted responses to manage the effects of this proposal. These can be addressed through design, conditions of consent, and monitoring through a substantive application.

6.0 Engagement and Consultation

The applicant has undertaken engagement and consultation with key stakeholders and iwi and hapū, as set out in the Consultation Summary included as **Attachment 16**. A copy of the consultation pack that was presented and shared is also included at **Attachment 16** and copies of the meeting minutes and feedback received from stakeholders are included at **Attachments 17-23**.

Key outcomes and discussions are also set out below.

- **Iwi and hapū:** Ongoing engagement and consultation has been undertaken with Ngāti Wairere, Ngāti Hauā, and Waikato-Tainui. A series of hui have been held to discuss the project and the referral application, complemented by a site walkover on 8 September 2025 to review the masterplan and overall proposal. Following these discussions, letters of support for the referral application has been received, and a MOU has been signed between the applicant and the hapū to formalise the preparation of a CVA. Refer to **Attachment 16** and **Attachment 17** for supporting documentation.
- **Future Proof Committee** – On 11 September 2025, a meeting was held online with the Future Proof Partners (including Hamilton City Council, Waikato District Council, Waikato Regional Council and NZTA) to discuss the Orchard Grove consultation pack and masterplan. Key discussion points included:
 - Transport and indicating the Northern River Crossing;
 - Servicing strategy for water, wastewater and stormwater;
 - Urban design of the masterplan;
 - Application documents being supplied to Future Proof once it is lodged.

Refer to **Attachment 17** for pre-lodgement consultation undertaken with the Future Proof Partners.

- **Hamilton City Council** – Several meetings have been held with Hamilton City Council in relation to Orchard Grove, specifically relating to the potential of road stopping on Kay Road and the Northern River Crossing. Following these meetings, amendments to the proposal and masterplan were made to accommodate a future arterial road alignment along Reynolds Road through the provision of road widening at this frontage. Hamilton City Council is a Future Proof Partner and a record of consultation is included at **Attachment 17**.

- **Department of Conservation (DoC)** – Pre-lodgement consultation initiated via formal application to DoC email at Fasttrackapplicationenquires@doc.govt.nz. Subsequently, we have provided DoC with a copy of the consultation pack and supporting specialist ecological report. We are engaging with DoC on the Wildlife Act Authority as part of this consultation and will continue to meet further with the DoC project lead as we move towards a substantive application. Evidence of pre-lodgement consultation is outlined in **Attachment 19**.
- **Heritage New Zealand Pouhere Taonga (HNZPT)** – Pre-lodgement consultation initiated via formal email. Based on the advice and request of HNZPT, an archaeology assessment for the site was prepared by RedOx, and is included as **Attachment 11**. The Archaeology assessment confirms that there are no archaeological sites or areas of unrecorded archaeology with the Orchard Grove site. Accordingly, an Authority from HNZPT is not recommended. HNZPT has confirmed their support for the recommendations contained in the RedOx Archaeology Assessment, and their confirmation is included in **Attachment 20**.
- **Ministry for the Environment (MfE)** – Pre-lodgement consultation initiated via formal email to MfE at AdminAgencyFTAA@mfe.govt.nz. The email provided an overarching description of the proposal and a copy of the masterplan. MfE replied via email confirming the consultation request with a Section 11 letter attached outlining the national direction under the RMA that requires consideration and the relevant matters have been considered and assess above in Section 4. Evidence of pre-lodgement consultation is outlined in **Attachment 21**.
- **Ministry of Education (MoE)** – Pre-lodgement consultation initiated via formal email. Subsequently, we had a meeting with key MoE representatives to present the consultation pack and discuss any feedback or concerns specifically from a schooling perspective as well as the broader proposal. Following the meeting, the consultation pack and meeting minutes were circulated to MoE. Subsequently, B&A received email confirmation to confirm that MoE were supportive of the proposal and had no further feedback. Evidence of the pre-lodgement consultation is outlined in **Attachment 22**.

7.0 Conclusion

Having undertaken a high-level planning assessment, it is considered that there are no planning related reasons why Orchard Grove could not proceed under the Fast-Track Approvals Act 2024. Through strong design and technical input, Orchard Grove can achieve an urban environment that positively impact future residents and the wider Waikato and Hamilton City community, without having adverse environmental effects.

It is acknowledged that a full and comprehensive Assessment of Effects will be undertaken as part of the resource consent application, however at this stage, no more than minor adverse effects have been identified that preclude the development from occurring.