

30 April 2026

Caland Holdings Ltd
C/- Sigma Consultants Limited
PO Box 553
Rotorua 3040

Attention: Richard Clare

RE: Fast Track Approvals Act Draft Referral Application – Caland Holdings Ltd Proposed Rural Residential Development, McFetridge Drive, Rotorua.

Dear Richard,

Thank you for providing a copy of this draft referral application for comment and for the meeting to discuss the application on the 14 March 2026. This letter provides Bay of Plenty Regional Council's (BOPRC) initial comments on the draft referral application. These comments follow on from previous pre application advice provided in 2024 and 2025.

Resource Consents Required

Section 4 of the draft application identifies all of the resource consents required under the Bay of Plenty Regional Plans. From the information provided in the draft application, I agree with this assessment and that all potential consents required have been identified, being an earthworks consent, temporary stormwater consent, water take consent and potentially both consent for the disturbance of contaminated land and consent under the National Environmental Standard for Freshwater (NES-F), which is discussed further below. There is insufficient information to confirm whether a long-term (post-earthworks) stormwater consent is required.

Improved Water Quality/ Nutrient Management

The Lake Rotorua Integrated Framework is a long-term, integrated programme led by the Crown, BOPRC, Rotorua Lakes Council (RLC) and Te Arawa Lakes Trust (TALT) to restore and protect Lake Rotorua's water quality. The framework seeks to reduce nitrogen inputs to the lake by around 320 tonnes per year in order to achieve the sustainable nitrogen load of 435 tonnes per year, which is required to meet the lake's water quality target (Refer to Table LR 1 below). The programme combines regulatory rules, financial incentives, gorse conversion, and engineering interventions, recognising that no single tool could achieve the required reductions on its own.

The Lake Rotorua Incentives Scheme has been a key of the Integrated Framework since 2015. It is a voluntary programme open to landowners within the Lake Rotorua groundwater catchment and supports permanent land-use change through financial incentives, helping landowners reduce nitrogen losses. To date, the Incentives Scheme has achieved approximately 46.4 tonnes per year of permanent nitrogen reduction (at-lake) and facilitated around 6,350 hectares of land-use change.

Table LR 1: Lake Rotorua Integrated Framework - annual catchment loads and reductions

Steady State Load to the Lake		Required Reductions			Sustainable Lake Load
755 tN/yr catchment load (includes rain on lake)	320 tN/yr reductions	50 tN/yr reduction from engineering solutions			435 tN/yr sustainable load (includes rain on lake)
		30 tN/yr reduction from gorse removal			
		240 tN/yr reduction from the pastoral sector	140 tN/yr reduction from on-farm reductions required by rules	96 tN/yr reduction from dairy sector	
				44 tN/yr reduction from drystock sector	
			100 tN/yr reduction from Incentives Scheme		

Table notes: (a) The values used are based on OVERSEER® 5.4 for pastoral land uses and reflect the best science estimates of nitrogen entering the lake;

(b) tN/yr is the load to the lake in "tonnes of nitrogen per year".

BOPRC acknowledges that the project will contribute to improved water quality within the Rotorua Catchment through the redevelopment of the approximately 83.3 hectare dairy farm to rural residential land with retired native planting areas and connection to the reticulated municipal wastewater system. This land use change will result in the removal of approximately 1,815.7 kg of nitrogen allocation per annum. When translated to nitrogen entering Lake Rotorua, this equates to approximately 1,107.8kg of nitrogen per year (1.1078 tN/yr) being prevented from reaching the lake.

The application proposes to sell an estimated the 1,108 kg nitrogen (at-lake) to the Incentives Scheme. This reduction has been calculated to contribute approximately 1.1% of the total nitrogen reduction sought through the incentives scheme, and a contribution of 0.27% to the total nitrogen reduction goal.

It is proposed to sell the excess Nitrogen Discharge Allocation to the Lake Rotorua Incentives Scheme prior to the retirement of the land with the intention to use the funds to finance the proposed fast-track process. BOPRC have previously advised an agreement in principle to this option, however formal arrangements still need to be made. It is noted, that should this sale proceed, whilst the overall contribution to the total nitrogen reduction goal is very small, when compared with Incentives transactions to date this sale would fall within the top 30% of nitrogen reductions achieved, representing a significant contribution to the programme. For further context, there have been 11 other reductions through the incentives scheme with contributions greater than 1,000 kg of nitrogen per year, with the largest being approximately 8,400 kg of N per year. Whilst the remaining approximately 70% of nitrogen reductions achieved through the incentives scheme range between 63 kg of N to 822 kg of N per year.

Water Take

The proposal intends to provide a water supply through either onsite water tanks, or a groundwater take from the existing bore. This proposed groundwater take is supported by a brief hydrogeological assessment (Appendix L). Whilst this assessment concluded the effects of the proposed groundwater take on other groundwater users, the environment and groundwater availability would be less than minor, the assessment was not informed by a constant-rate pump test and quantitative analysis which is the usual expectation for an assessment of effects for new groundwater takes through the usual RMA pathway. Given the cultural significance of the Taniwha and Hamaurana Springs, BOPRC recommends that a constant-rate pump test and analysis of the

results is undertaken to inform the assessment of environmental effects of the proposed take and confirm the conclusions made that any adverse effects will be less than minor.

Earthworks and Discharge of Stormwater

No earthworks, stormwater management plans or details of erosion and sediment control management has been provided in the draft application, and it is understood that these will be provided in the substantive application. Given the nature of the soils at the site and the sensitivity of the downstream receiving environment, information regarding the management of the earthworks and how any adverse effects will be avoided, remedied or mitigated is critical and it is expected that these matters, along with appropriate sediment erosion controls, dust controls, geotechnical matters and stormwater management are addressed. BOPRC would like to see long-term / post earthworks stormwater retention and treatment at the bottom of the catchment in the site to be included in the proposal. In the absence of this information BOPRC is unable to provide any further comments on these matters at this time.

BOPRC has already provided advice on the information requirements to support an application for these activities in earlier pre-application engagement.

Contaminated Land

The draft application identifies that consent may be required for the disturbance of contaminated land should a Detailed Site Investigation identify concentrations of contaminants that are above BOPRC Interim Ecological Guideline Value levels and/ or applicable human health guidelines. If consent is required, it would be expected that the matters of discretion under DW R25 of the RNRP are addressed and any adverse effects will be avoided, remedied or mitigated through the appropriate documents and controls in accordance with the Ministry for the Environment Contaminated Land Management Guidelines No.5 - Site Investigation and Analysis of Soils and No.1 - Reporting on Contaminated Sites in New Zealand.

Effects on the Wetland

Earthworks and the potential damming or diversion of water are proposed within a 100m setback of a wetland at the site. BOPRC has identified that some parts of the wetland would be considered a natural inland wetland (as per the definition in the National Policy Statement for Freshwater 2020), whilst other parts may have been created as a result of the pond onsite. Further information is required to confirm the extent of the natural inland wetland area and an assessment of whether the proposed activities within 100m of this area trigger consent under the NES-F Regulations 52 and/or 54.

Policy

The proposal needs to be considered against the relevant national, regional and district strategic policy direction. These include the National Policy Statement for Highly Productive Land (NPS-HPL), National Policy Statement for Urban Development (NPS-UD), NPS-FM, Regional Policy Statement (RPS), Regional Natural Resources Plan (RNRP), and Rotorua Future Development Strategy (FDS). Current policy generally seeks to protect highly productive land for primary production, focus urban growth 'up and out' from existing settlements, and retain rural zones for working rural uses. Policy UG 14B of the RPS relates to managing rural development and protecting versatile land for rural production activities which the proposal is not consistent with, however the policy does recognise that land-use change to achieve reduced nutrient losses within the Rotorua Te Arawa Lakes may justify overriding this policy.

The Kaitiakitanga direction of the RPS and RNRP seek to:

- encourage tangata whenua to identify their particular requirements to address sections 6(e), 7(a) and 8 of the RMA, in relation to their ancestral lands (rohe), sites or resources, and mauri;

- to ensure that resource management issues of concern to tangata whenua are addressed, where these concerns are relevant and within the functions of the Regional Council;
- to have particular regard to kaitiakitanga; to encourage resource consent applicants to consult directly with tangata whenua where it is necessary to identify the relationships of Māori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga, and the actual and potential adverse effects of proposed activities on that relationship;
- Using consultation in the identification and resolution of resource management issues; taking into account iwi and hapū resource management plans.

From the information we have about the proposal, it appears to align with RNRP policy direction in the Rotorua Lakes chapter, including Policy RL P1: *to promote and support land use change and/or land management practices in the catchments of the Rotorua Lakes that will achieve lake water quality improvement.*

The proposal could be designed to align with various other relevant RNRP policy direction, such as:

- The Land Management chapter policy direction: to protect soil health, water quality, protect erosion-prone slopes and sensitive soils when designing earthworks and stormwater management; and
- The Wetland chapter policy direction: to preserve and enhance remaining wetlands; and
- The Discharge chapter policy direction: to improve, where necessary, the quality of stormwater, to minimise the volume of stormwater discharges to streams, rivers and lakes; stormwater is discharged to land where appropriate; no net increase of nitrogen or phosphorus to lake catchments as a result of stormwater discharges, especially from new urban development; to encourage remediation of contaminated land where there is a significant risk of adverse effects; use nationally accepted environmental and health guidelines.

It is also noted that the RPS contains policy direction with regards to Urban Design, however, BOPRC defers to RLC for comment on this urban design policy direction.

Cultural Effects

Policy IW 2B of the RPS recognises that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. The site sits within the rohe of Ngati Raukawa and Ngati Rangiwehewhi. BORPC notes that Ngati Raukawa has advised the site is not within the Raukawa takiwā and they have no major concerns with the proposed application provided continued engagement with Ngati Rangiwehewhi. It is understood that a Cultural Impact Assessment (CIA) and position statement has been provided by Ngati Rangiwehewhi. It is noted that a copy of the CIA was not included in the draft application, only a position statement and the applicant's responses to selected matters raised in the CIA. We recommend the applicant continuing to engage with Ngati Rangiwehewhi and provide more details regarding the cultural effects and how any potential adverse cultural effects have been avoided, remedied or mitigated in the substantive application.

Conclusion

Thank you for the opportunity to comment on your draft referral application. Further comments will be provided when more information is received.

Kind Regards,



Luke Connor

Senior Consent Planner