CKL Ref: B21052

EPA Ref: FTAA-2609-1298

2 November 2026

Environmental Protection Authority

Fast-track Applications

By email: info@fasttrack.govt.nz

Attention: Gabby Storey, Application Lead

Tēnā koe,

Re: R2 Growth Cell – Response to Request for Further Information (Completeness and Scope)

This letter provides a response to the Environmental Protection Authority's (EPA) request for further information dated 22 October 2026, issued under section 46(2A) of the Fast-track Approvals Act 2024 (FTAA), in relation to the R2 Growth Cell substantive application.

Outlined below are each of the further information requests, followed by the applicant's response. Where the information requested has already been addressed within the substantive application, reference is made to the relevant documents, sections and page numbers. Additional information is also provided in response to the matters raised, including a memorandum prepared by Boffa Miskell addressing the Wildlife Approval requirements, which is included as Attachment 1 and the archaeologists CV, Attachment 2.

The responses and supporting information are provided to assist the EPA in completing its assessment of the application's completeness and scope under section 46 of the FTAA.

Wildlife approval – section 43(3)(h) and Schedule 7, clause 2

1. *Regarding clause 2(1)(a) of Schedule 7, DOC raised that "The purpose of the application in its entirety is stated, as well as the proposed Wildlife Approval activity. However, it is not explicit what the purpose of the Wildlife Approval activity is."*

   a) *Please specify the purpose of the proposed activity, particularly the purpose of the Wildlife Approval activity.*

Response:

The Wildlife Approval is sought to enable the salvage and relocation of any protected indigenous lizards that are on the site and may be affected by vegetation clearance and earthworks associated with the proposed development. The approval will enable lizards to be relocated to an enhanced

habitat area within the development, where measures will be implemented to support their ongoing survival.

Further details regarding the purpose, scope and activities covered by the Wildlife Approval are provided in the Boffa Miskell memorandum included as Attachment 1.

2. *Regarding clause 2(1)(d) of Schedule 7, DOC raised that "The Applicant has not provided an indication of the numbers of lizards likely to be present at the project site or impacted by the application. The Applicant has also not provided an explanation in the instance that this information was not possible to gather. DOC has only considered species relevant to the applied for Wildlife Approval in this instance."*

   a) *Please provide a list of protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted.*

Response:

The protected species known or potentially present within the site are copper skink and ornate skink. Ecological surveys have confirmed copper skink at low densities, while ornate skink has not been detected but may be present.

As outlined in Attachment 1, it is not practicable to reliably estimate the number of lizards present or likely to be affected due to their cryptic nature and variable detection rates. The Draft Lizard Management Plan therefore adopts a precautionary approach, requiring salvage across all potential habitat affected by the works, with captures recorded and reported to the Department of Conservation.

3. *Regarding clause 2(1)(f) of Schedule 7, DOC raised that "The Applicant has identified best practice guidance and stated that this has informed the proposed Lizard Management Plan and Wildlife approval conditions. However, the Applicant has not drawn clear links between best practice and their proposal."*

   a) *Please provide a statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met.*

Response:

The proposed lizard management methods have been developed with reference to relevant Department of Conservation guidance and established best practice for lizard salvage and relocation.

As detailed in Attachment 1, the Draft Lizard Management Plan includes measures relating to the timing and methodology of salvage, handling and relocation, habitat enhancement, predator control and ongoing monitoring. The proposed conditions of the Wildlife Approval also require the Lizard Management Plan to be certified by DOC prior to works commencing.

4. *Additionally, section 10.7 of the Substantive Application document references section 4 of the Ecological Management Plan. Section 4 of Appendix 26 Ecological Impact Assessment is the Assessment of ecological value. The Ecological Management Plan looks to be referenced only in section 7 Recommended Conditions of Consent in Appendix 26. Please confirm where the Ecological Management Plan is located or otherwise provide it.*

Response:

The applicant confirms that no Ecological Management Plan has yet been prepared to support this application and that this will be prepared prior to construction as required by the proposed consent

conditions. The Substantive application document incorrectly references an Ecological Management Plan where it was intended to reference the Draft Lizard Management Plan contained within the Ecological Impact Assessment (Appendix 26). The Substantive Application document has been updated to correct this error and is provided in Attachment 2.

5. *Regarding clause 2(1)(o) of Schedule 7, DOC raised that "The Applicant has identified the experts who have contributed to the application. There is no clarification if additional written expert views, advice, or opinions have been sought."*

    1. *Please provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal, in accordance with clause 2(1)(o).*

Response:

As confirmed by Boffa Miskell in Attachment 1, no additional written expert views, advice or opinions concerning the Wildlife Approval have been obtained beyond the Ecological Impact Assessment and draft Lizard Management Plan already included in the substantive application.

Resource consent application information – section 43(3)(a) and Schedule 5, clauses 5(1)(d) and 5(6)

6. *The consultation report provided as Appendix 6 includes Appendix 2 Adjoining Landowners Plan. This appendix looks to include the required information about owners only and not occupiers. Please confirm this is the complete list for the purposes of Schedule 5, clause 5(1)(d) and 5(6) of the Act, or provide the full name and address of –*

    a) each owner of the site and of land adjacent to the site; and

    b) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry.

    If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).

Response:

The Applicant confirms that the list provided in Appendix 2 of the Consultation Report is a complete List for the purposes of Schedule 5 clause 5(1)(d) and 5(6) of the Act. Appendix 2 provides a complete list of the adjoining landowners which were identified through property searches and engagement. No occupiers of the adjoining sites have been identified to date through the reasonable inquiries undertaken during the consultation process.

In terms of occupiers of adjoining land who are not the registered landowners, the Applicant has undertaken reasonable inquiries to identify these persons in accordance with Schedule 5, clause 5(1)(d)(ii) of the Fast-track Approvals Act 2024 (FTAA).

As outlined in Sections 4 and 8 of the Consultation Report (Appendix 6), the applicant distributed consultation letters on 30 March 2026 to the owners and occupiers of properties within the wider R2 Growth Cell and adjoining the Project area.

The letters were specifically addressed to both owners and occupiers and provided an overview of the Project, including the proposed development, anticipated construction activities and the Fast-track

approval process. Recipients were invited to provide feedback, seek further information and provide their contact details for communication with the Environmental Protection Authority (EPA).

In addition to the written correspondence, CDL held a public open day, providing a further opportunity for adjoining landowners and occupiers to engage directly with the Project team.

Responses were received from a number of adjoining landowners or their representatives, as outlined in the Consultation Report. However, no individuals residing at adjoining properties who were not the registered landowners separately identified themselves through the consultation process.

The Applicant has also sought to identify occupiers through publicly available property information. While landownership details can be obtained through property and title records, there is no equivalent publicly accessible register which reliably identifies tenants or other persons residing at a property who are not the registered landowners.

As part of this response, CKL has reached out to both Waikato District Council and Hamilton City Council to request occupier details. Both Councils responded confirming that they cannot provide occupier information, the email correspondence confirming this is provided in Attachment 3. Consequently, the Applicant has been unable to independently establish the identities or contact details of any such occupiers.

Having regard to the direct correspondence addressed to both owners and occupiers, the opportunity for engagement through the public open day and the limited availability of information identifying residential occupiers through publicly accessible records, the Applicant considers that reasonable inquiries have been undertaken for the purposes of Schedule 5, clause 5(1)(d)(ii) of the FTAA.

Accordingly, the Applicant considers that the statutory requirement to undertake reasonable inquiry has been satisfied. The requirement does not impose an absolute obligation to identify every occupier where their identity cannot reasonably be established.

Scope of listed project – section 43(2)(c)

7. *In accordance with section 43(2)(c) of the Act, please provide an explanation of how the substantive application is within the scope of the listed project. In this explanation, please provide further information regarding any material differences, and any material differences in effects, between the proposal as described in the listed description and in the substantive application, including the difference between the number of dwellings (approximately 1,350 in the listed project description and 1,168 in the substantive application) and the difference in industrial land area (35 ha in the listed project description and 37 ha in the substantive application).*

Response:

The relationship between the listed project and the development proposed through the Substantive Application is outlined in Section 2.1 (pages 4–6) of the Substantive Application. A further assessment of the Project's scope is provided in Section 4 (pages 13–17) of the Legal Memorandum prepared by Ellis Gould, included as Appendix 1 of the Substantive Application.

As outlined in these documents, the Substantive Application remains consistent with the nature, location and overall development outcomes contemplated by the listed project description in Schedule 2 of the FTAA.

The differences between the listed project description and the Substantive Application primarily reflect the additional land acquired by CDL, together with the detailed master planning, infrastructure design and subdivision investigations undertaken since the Project was listed.

The principal differences are summarised as follows.

Project Area

The Project Area has increased from approximately 132 hectares to 140.5 hectares following the acquisition of approximately 9 hectares of additional land within the wider R2 Growth Cell.

As discussed in paragraphs 4.5–4.7 of the Legal Memorandum (pages 14–15), the additional land is adjoining the original project landholdings, falls within the wider R2 Growth Cell and has been incorporated into the development in an integrated manner.

Residential Development

The listed project description identifies approximately 1,350 dwellings, compared with the 1,168 residential allotments/dwellings proposed through the Substantive Application.

As outlined in Section 2.1 (pages 4–6) of the Substantive Application, this difference is primarily attributable to detailed subdivision design, servicing and infrastructure constraints, the allocation of additional land to industrial activities, and the creation of residential balance lots.

The three residential balance lots, RBL01–RBL03, comprise approximately 7.84 hectares and are anticipated to accommodate approximately 225 additional dwellings, subject to separate future approvals. These balance lots have been retained to enable more efficient and integrated development once the relevant landownership, servicing and subdivision constraints have been resolved.

The combined residential development capacity of the Substantive Application and the balance lots is therefore approximately 1,393 dwellings, which is comparable with the indicative yield identified in the listed project description.

Industrial Development

The listed project description identifies approximately 35 hectares of industrial land, compared with approximately 37 hectares of net industrial land proposed through the Substantive Application.

As outlined in paragraphs 4.7–4.8 of the Legal Memorandum (pages 15–16), this increase reflects the additional land acquired by CDL and refinements to the allocation of residential and industrial land through detailed design. The increase is approximately 6% and maintains the overall industrial development outcomes contemplated by the listed project.

Differences in Environmental Effects

The principal difference between the listed project and the Substantive Application relates to the increased development area, from approximately 132 hectares to 140.5 hectares. Notwithstanding this increase, the proposal remains fundamentally the same as that contemplated by the listed project description, comprising an integrated residential, industrial and neighbourhood centre development.

The listed project description was indicative in nature and was not accompanied by a comprehensive assessment of environmental effects equivalent to that now provided with the Substantive Application. As such, a direct quantitative comparison of environmental effects between the two proposals is not readily available.

However, given that the nature, scale and overall layout of the proposed development remain substantially consistent with the listed project, the types of environmental effects anticipated are also considered to be largely unchanged. The primary difference relates to the increased extent of land subject to development, rather than any fundamental change in the activities proposed or their associated environmental effects.

Importantly, all technical assessments supporting the Substantive Application have been undertaken based on the full 140.5-hectare Project Area and the detailed development now proposed. These assessments consider the actual and potential effects associated with the increased development footprint, with specific mitigation and management measures proposed to appropriately address those effects.

The environmental effects of the proposal are comprehensively assessed in Section 6 (pages 94–121) of the Substantive Application, supported by the specialist assessments included in the application appendices.

Accordingly, the Applicant considers that the refinements to the development, including the increased land area, do not materially alter the nature of the Project or the types of environmental effects anticipated from the listed project. The proposal remains consistent with the listed project description, with the effects of the development now proposed having been comprehensively assessed and addressed through the proposed mitigation measures and consent conditions.

Archaeological authority – Schedule 8, clause 7

8. *Please provide any further information you wish to have considered in response to these comments by HNZPT received on 20 October 2026: "HNZPT requests further information regarding the applicant's person nominated to undertake that activity under the authority (Schedule 8, clause 7 of the FTA Act). In particular the inclusion of a CV that sets out their experience undertaking similar work to that proposed under this authority application."*

Response:

In response to the request from HNZPT, the Applicant confirms that Matthew Campbell of CFG Heritage is the person nominated to undertake archaeological work authorised under the proposed authority.

Mr Campbell is an experienced archaeologist and Director of CFG Heritage, with extensive experience undertaking archaeological assessments, investigations and monitoring associated with major infrastructure and land development projects throughout New Zealand.

A copy of Mr Campbell's CV is included as Attachment 2. The CV outlines his qualifications, relevant professional experience and examples of comparable archaeological projects.

Mr Campbell has also confirmed his agreement to conform to accepted archaeological practice and that he meets the criteria to undertake archaeological work under an authority, in accordance with clause 7(5) of Schedule 8 of the FTAA.

We trust that the above responses and accompanying information address the EPA's request for further information for the purposes of its completeness and scope assessment under section 46 of the FTAA.

Nāku noa, nā



Daan Blokker

Planning Manager | Associate

CKL Planning | Surveying | Engineering | Environmental

Attachments:

Attachment 1: Boffa Miskell – R2 Growth Cell: Response to EPA Request for Further Information, Wildlife Approval Items 1–4 (27 October 2026)

Attachment 2: Matthew Campbell, CFG Heritage – Curriculum Vitae

Attachment 3: Further Council Correspondence

Attachment 4: Further Council Correspondence - Redacted