

Unique Application ref: **FTAA-2511-1139**

2 December 2025

Mark Tollemache
Tollemache Consultants Limited

s 9(2)(a)

Dear Mark

Decision on compliance of application for Pokeno Housing and Tourism project under section 14(2) of the Fast-track Approvals Act 2024

On 20 November 2025, you lodged an application for fast-track referral for the Pokeno Housing and Tourism project with the Ministry for the Environment (the Ministry) under the Fast-track Approvals Act 2024 (the Act).

Under delegation from the Secretary for the Environment, the Ministry is responsible for determining whether referral applications are compliant with section 14(2) of the Act. For an application to be compliant with section 14(2), the following criteria must be met:

- The application must comply with the requirements for referral applications in section 13 of the Act;
- The Ministry must consider that the project may be capable of satisfying the criteria in section 22 of the Act, and does not appear to involve an ineligible activity; and
- All fees and charges payable under regulations in respect of the application must have been paid.

The Ministry has determined that your application does **not** comply as it fails to meet the requirements in section 14(2) of the Act for the following reasons:

1. Section 13(4)(a) – does not comply. The requirement is to provide a description of the project and the activities it involves. The referral application provides a description of the project and the activities it involves, however there is conflicting information in the documents and plans provided and therefore it is currently unclear what the scope of the project and activities is. See Attachment A for details and clarification required.
2. Section 13(4)(b) – does not comply. The requirement is to provide an explanation of how the project meets the criteria in section 22. The referral application provides details on how the project meets the criteria in section 22, however there is conflicting information in the documents and plans provided and therefore it is currently unclear what the scope of the project and activities is. It is subsequently unclear how the project meets section 22. See Attachment A for details and clarification required.

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3. Section 13(4)(d) – does not comply. The requirement is to provide a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application. The referral application provides maps and plans of the project area, however there is conflicting information in the documents and plans provided and therefore it is currently unclear what the extent of the project area is. See Attachment A for details and clarification required.
4. Section 13(4)(f)(iii) – does not comply. The requirement is to provide an explanation of how each stage meets the criteria in section 22. The referral application provides details on how each stage of the project meets the criteria in section 22, however there is conflicting information in the documents and plans provided and therefore it is currently unclear what the scope of the project (and each stage) and activities is. It is subsequently unclear how each stage of the project meets section 22. See Attachment A for details and clarification required.
5. Section 13(4)(s) – does not comply. The requirement to provide a description of the applicant's legal interest (if any), or if the referral application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work. The referral application includes details of landholdings within the project area however there are two landholdings owned by third parties and it is currently unclear what the impacts on the applicant's ability to undertake the work will be. See Attachment A for details and clarification required.
6. Section 13(4)(t) – does not comply. The requirement is to provide an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant. The referral application states no other non-Act approvals are needed, however the details provided indicate otherwise. See Attachment A for details and clarification required.
7. Section 13(4)(u) – does not comply. The requirement is to provide details of whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,— (i) if an application has been made, details of the application, and (ii) if a decision has been made, the outcome of the decision and the reasons for it. The referral application details a previous consent that has been lodged with Waikato District Council however insufficient detail is provided to understand what activities involved in the project are the same or substantially the same as that previously lodged. There is also an indication in supporting documents of other related applications that are not discussed. See Attachment A for details and clarification required.
8. Section 14(2)(b)(i) – is not satisfied. The requirement is whether the project is capable of satisfying the criteria in section 22. The referral application provides details on how the project meets the criteria in section 22, however there is conflicting information in the documents and plans provided and therefore it is currently unclear what the scope of the project and activities is. It is subsequently unclear how the project is capable of meeting section 22. See Attachment A for details and clarification required.

Therefore, in accordance with section 14(5) of the Act, the referral application is deemed non-compliant, and the Act requires that the application must be returned to the applicant.

We are happy to meet with you to discuss this letter and the process. If you would like to meet, please email referral@fasttrack.govt.nz and refer to the Lead contact – Jess Hollis in the email.

Should you intend to lodge a further application for this project we recommend you contact us to discuss prior to lodging. It will be treated as a new application in accordance with section 14(6)(a) of the Act.

Cost recovery

Under Regulation 5 of the Fast-track Approvals (Cost Recovery) Regulations 2025 you are liable for actual and reasonable costs incurred in processing your application. If the actual and reasonable costs are less than the application fee paid, then the Environmental Protection Authority (EPA) may issue you with a refund. Alternatively, if the actual and reasonable costs exceed the application fee, then the EPA may seek further fees from you. The EPA will provide you with information to advise you on this and can be contacted through the email address or phone number below. Further guidance is provided on the Fast-track website under '[Fees, charges and cost recovery](#)'. I recommend you contact the EPA to discuss any potential waiver prior to you submitting a new application.

Proactive release of application documents

As you are aware, we intend to publicly release application information on the Fast-track website, as part of our commitment to an open and transparent government. We have attached our Proactive Release Guidance document which outlines clauses and reasons for withholding information, and some tips to assist in your marking up of documents.

If you would like us to redact any information from your documents before we publish them, please provide your proposed redactions to referral@fasttrack.govt.nz no later than close of business 5 working days from the date of this letter. If we do not receive a response in this timeframe, we will treat this as approval to publish your application documents as received. Please Note: approval or rejection of your proposed redactions is at our discretion.

As indicated in the attached Guidance, we are taking the same approach to the proactive release of application documents as we would for a request under the Official Information Act 1982 (OIA). Further advice on the OIA and the reasons for withholding information can be found here¹: [The OIA for agencies.pdf](#).

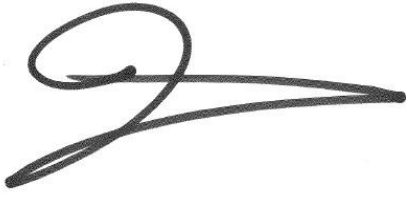
Timeframe and disclosure requirements

We intend to publish returned application documents in 10 working days. Remember: if you are a NZX or ASX listed company, you will need to meet your disclosure requirements in this timeframe.

If you have any queries about this letter, please email referral@fasttrack.govt.nz and refer to the name of the Lead contact – Jess Hollis. If you need assistance with the application portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

¹ We note that this information is intended as guidance information only and nothing in this information constitutes or substitutes legal or other professional advice. We recommend that you seek independent legal advice if you have any queries about the requirements of the OIA Act.

Yours sincerely

A handwritten signature in black ink, featuring a large, stylized loop at the top and a long, sweeping horizontal stroke extending to the right.

Ilana Miller
General Manager, Delivery and Operations

Attachment A

Attachment A – Information required to satisfy Section 14(2) of the Act

Section 13(4)(a) - a description of the project and the activities it involves:

- a) When addressing the following matters, please ensure the description of the project and the activities it involves is clearly reflected in the supporting plan set(s) provided, and remove (or clearly differentiate) those landholdings and activities that are not part of the project:
 - i. Attachment 4 Indicative Masterplan(s) shows a range of activities that are not included in the project description in Attachment 1, including a future school site understood to be subject to a Notice of Requirement in Pokeno West, an industrial zone in Pokeno South, and various activities in Yes Valley such as an amphitheatre, wedding venue, petting zoo and boat ferry facility. It is also noted that the list of required resource consents in Attachment 5 covers a wide range of activities, including a helicopter landing site and rural industrial activities, and it is unclear whether these are covered by the project description in Attachment 1.
 - ii. Attachment 8 Transport Memo (section 5.1.4) identifies transport network upgrades likely required for the project. Please confirm these upgrades are within the scope of the project and identify those legal road reserves that form part of the project area. Further, please confirm any other approvals that will be required to undertake works within the legal road reserves (section 13(4)(t)).
 - iii. Attachment 6 Civil Engineering Memo (section 5.2) identifies flood mitigation and protection works at Yes Valley including raising a stopbank. Please confirm whether these works are within the scope of the project and provide further details including location and approvals required.
 - iv. Clearly identify the location of the marginal strip on the proposed plans and confirm whether the marginal strip is located within the project area. Confirm what works, if any, are proposed within the marginal strip (including temporary or permanent access across the strip) and whether the project requires approval under the Conservation Act 1987 or other legislation for these works (section 13(4)(t)).
 - v. The proposed centralised wastewater infrastructure within Yes Valley is located some distance from Pokeno West in particular, and the plans refer to “any bulk main to connect to wider solution”. Advise whether bulk main(s) to connect to the centralised wastewater infrastructure are within the scope of the project, and if so, provide further details including consenting requirements and proposed locations/additional landholdings involved. If not, provide details on how this bulk main will be constructed to provide for wastewater servicing.
 - vi. The plans and information provided indicate that “an interim local solution may also be required” for wastewater. Are interim local solutions for wastewater within the scope of the project, and if so, please provide further details.

- vii. With respect to water supply, wastewater, and roading, please confirm that all required infrastructure (both new and upgrades, and including local interim solutions if necessary) will be fully funded and delivered by the applicant if the project proceeds in advance of necessary upgrades (including for water supply).
- b) The project includes a range of activities at Yes Valley, including construction and operation of a 200-room hotel, a conference centre and wastewater treatment plant and disposal areas. Further detail is required on the likely scale of these more significant activities to inform the Minister's decision. General details such as the approximate floor/land areas and heights/storeys of significant buildings would be appropriate.

Section 13(4)(b) - an explanation of how the project meets the criteria in section 22; and Section 13(4)(f)(iii) - an explanation of how each stage meets the criteria in section 22:

- a) Attachment 12 Economic Impact Assessment provides key regional economic benefits for the project by stage (Table 2). Please clarify whether the benefits in stages 2 and 3 include any benefits from the construction of residential units, and if so, please differentiate these from the benefits associated with the subdivision. Please also clarify the scope of activities considered for stage 4 benefits, ensuring this aligns with the scope of the project (this is required for clarification given the number of questions outlined above regarding scope).

Section 13(4)(d) - a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application:

- a) Attachment 4 Indicative Masterplan(s) includes land at 37 Potter Road (Lot 2 DP476640), unknown Potter Road (Allot NE68 Parish of Mangatawhiri) and 56 Huia Road (Lot 1 DP 323377); however, these are not referred to in Attachment 1 or Attachment 5.
- b) There is land parcels referred to in Attachment 1 and Attachment 5, including 322, 324 and 370 Bluff Road, 39 and 135 Potter Road, that are not showing with any proposed activities on the masterplan(s) in Attachment 4. The wastewater memo in Attachment 7 indicates some of this land may be used for treated wastewater disposal areas, however, please clarify and describe and show the activities proposed on these additional landholdings.

Section 13(4)(s) - a description of the applicant's legal interest (if any), or if the referral application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work:

- a) The project area currently includes two land parcels at 3 Yashill Drive and Gateway Park Drive that are not owned by the applicant and are included to support road widening. Attachment 5 states

that discussions are ongoing for land acquisition, however, please provide comment on impacts on project delivery, including potential delays, if this land acquisition is unsuccessful.

- b) Attachment 5 also notes there is an existing caveat in favour of Hynds Foundation registered against 88 Bluff Road (a significant part of the Pokeno South development) that will require removal to allow the project to proceed. Whilst consultation is noted with Hynds there is no discussion on, or agreement to remove, the caveat. Please provide comment, with supporting evidence, on impacts on project delivery, including potential delays.

Section 13(4)(u) - whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and....:

- a) The application notes that a bundle of resource consent applications for the Yes Valley Resort have been lodged with Waikato District Council and have been on hold since 2019. Please provide further details on those lodged applications, including which of the activities are the same, or substantially the same, as those involved in the referral application. Please also advise whether those applications have proceeded through either limited or public notification.
- b) There are a range of resource consents for the site noted in the pre-application meeting minutes from Waikato District Council, and reference is made in the application to the eastern part of Pokeno West being consented as Stage 1. Please clarify the nature of these existing consents and whether any are relevant under section 13(4)(u).