

21 May 2025

To: Te Kowhai East LP

s 9(2)(a)

CC: Bluehaven Holdings; Hounsell Group

s 9(2)(a)

Dear GD Jones and Nathan York,

FAST-TRACK REFERRAL APPLICATION FOR TE KOWHAI EAST

Thank you for meeting with Hamilton City Council on 31st March 2025 to discuss your Fast-track Referral Application for Te Kowhai East. Attached are the minutes of this meeting (Attachment 1).

This letter confirms that you have undertaken engagement and consultation with Hamilton City Council as a “relevant local authority” under section 11(1)(a) of the Fast-track Approvals Act 2024. We note that this a continuation of your preliminary engagement with us and if you are successful in your referral application, we ask that you work closely with Council on all matters related to this development proposal. In preparing this letter we have engaged with Waikato District Council and Waikato Regional Council to provide you an integrated response.

At the 8th April 2025 meeting of the Strategic Growth and District Planning Committee, our elected members directed that staff work with Te Kowhai East LP to commission modelling for water and wastewater and develop a servicing solution with findings to be reported back to the Committee at its meeting on the 12th August 2025. This engagement is ahead of confirmation of scheduling for Fast-track.

We also note that you are currently working with Hamilton City Council and Future Proof partners including Waikato District Council to explore potential urbanisation of Te Kowhai East as part of the Emerging Areas process (refer Attachment 2). The Te Kowhai East area is not currently in Hamilton City Councils jurisdictional control and there have been no resolutions passed by either Council to initiate a boundary transfer or to urbanise this area. It is noted however, that the Emerging Area process is on hold. This may resume in some form at a future time to resolve outstanding zoning and administration issues remaining after the Fast-track process is completed for various areas.

We also note that Hamilton City Council and Waikato District Council have proposed the establishment of an asset owning joint waters company and decisions on this are soon to be taken by both Councils. If established, this joint waters company will also be involved in future discussion about Te Kowhai East.

We would like to confirm the following:

1. Te Kowhai East is outside of the current Future Proof Settlement Pattern. However, Hamilton City Council is investigating this area in good faith with Te Kowhai East LP and Future Proof partners for potential urbanisation.
2. The Strategic Boundary Agreement (SBA) between Hamilton City Council and Waikato District Council, first agreed to on the 23rd March 2005 and subsequently updated on the 5th November 2020, does not include the Te Kowhai East land area. The SBA allows for other areas as may be nominated and mutually agreed between the two Councils to be transferred into Hamilton City Council’s jurisdictional control. The SBA establishes a framework for the transfer of land to occur in order to enable urban development to proceed.

3. Neither Hamilton City Council nor Waikato District Council have passed any resolutions to add the Te Kowhai East land area into the SBA or to urbanise this area. Hamilton City Council has passed a resolution to engage with Te Kowhai East LP.
4. Te Kowhai East LP has been actively engaging with Hamilton City Council, Waikato District Council and Waikato Regional Council for over 2 years regarding their development aspirations for this potential growth area.
5. If the Te Kowhai East LP is successful in their Fast-track Approvals Act referral application, Hamilton City Council wish to work collaboratively with Te Kowhai East LP, Waikato District Council and other relevant authorities regarding the urbanisation of this area. In this respect, Hamilton City Council requests that it be recognised at all relevant steps as a “relevant local authority” by Te Kowhai East LP and any appointed Fast-Track Consenting Panel. This is particularly important given that the subject land resources sit within Waikato District.

We would like to record several key matters;

1. The Councils have no funding currently allocated or available to fund the provision of public infrastructure in Te Kowhai East and so its urbanisation will require substantial third-party funding from Te Kowhai East LP and other agencies. Additionally, Hamilton City Council does not have funding in its 2024-2034 Long-Term Plan to fund any enabling infrastructure for this area or any wider upgrades that might be required other than the Pukete Wastewater Treatment Plant upgrade.
2. The provision of public infrastructure to service Te Kowhai East must be integrated with the Council’s relevant infrastructure strategies and growth strategies (e.g. Hamilton City Council’s Strategic Infrastructure Planning and Investment Strategy, the Hamilton Urban Growth Strategy and the Future Proof Sub-regional Growth Strategy). Failure to achieve this integration will undermine these strategies.
3. There is no potable water allocation available to service this area. Hamilton City Council’s existing potable water allocation lacks capacity to service this area. Te Kowhai East LP will need to secure a potable water allocation to enable this development. It is also noted, stormwater issues relating to the site are significant and will require considerable interaction to resolve adequately, and may result in changes to original plans and anticipated yield.
4. This area will require either upgrades to the Pukete Wastewater Treatment Plant (which are included in Hamilton City Council Fast-track Approvals Act application) or Waikato District Council’s Ngaaruawaahia Waste Water Treatment Plant. Upgrades for Pukete are included in Hamilton City Council’s 2024-2034 Long Term Plan. The Councils would expect the Te Kowhai East LP developers to contribute towards the cost of this infrastructure.
5. Urbanisation of Te Kowhai East will likely need:
 - a. a state highway connection
 - b. connections to Waikato District’s road network

- c. stormwater interventions to ensure the functionality of the remaining Waikato Regional Council drainage network is maintained
6. A local government boundary adjustment may be required to enable integrated servicing and funding and financing (i.e. the collection of development contributions and rates). If the Joint Ministers are to agree to this application, the Council's will need to consider a boundary transfer process.
 7. Growth in this location will likely bring forward the need for a range of transport upgrades including ultimately the Northern River Crossing which is identified in the 2024-2034 Infrastructure Strategy due to the east-west commuter flows.
 8. It is Hamilton City Council's preference for the predominant land-use within Te Kowhai East to be industrial to meet the potential medium term and long-term industrial supply deficit for Hamilton in the Business Capacity Assessment 2024 and to leverage its location close to the Te Rapa industrial node, Horotiu Inland Port (operated by Ports of Auckland) and the Waikato Expressway (SH1C) interchanges. The most recent Te Kowhai East LP masterplan provided to Hamilton City Council confirms this industrial land use.
 9. Hamilton City Council seeks value capture mechanisms for urban development of this scale to pay for infrastructure within and externally of the development area. This is particularly important given that development contributions cannot be required in relation to developments outside of the current territorial boundary. This value capture will need to be delivered via resource consent conditions — attached is our cost recovery agreement and development principals (refer Attachment 3).
 10. The following is also noted in relation to the site:
 - the Martin Udale study in Industrial Land demand identified the suitability of this site at a high level for industrial;
 - is located on an interchange;
 - is near the Ports of Auckland Inland Port;
 - is close to the Te Rapa Industrial node which is nationally significant as an economic and employment location;
 - is close to the Te Rapa Fonterra Operations
 11. In anticipation of scheduling for Fast Track, Hamilton City Council and its partners Waikato District Council and Waikato Regional Council, are open to entering into a Legal Agreement for Recovery of Costs incurred through interaction needed for the preparation of the Fast Track Application. The legal agreement also obliges adherence of interaction by all parties to several "Development Principles" that state at the outset expected outcomes and will guide working together towards any Private Developer Agreement and mutually acceptable conditions.
 12. This letter is a summarised statement of facts applying to the Te Kowhai East LP proposal. It does not constitute a letter of support and should not be used to predetermine outcomes of interaction. It is intended instead to help fully inform the potential scheduling of Te Kowhai East Fast Track,

indicates the high degree of interaction taken thus far and Council's commitment to further interaction.

Hamilton City Council wishes to record its appreciation of the Te Kowhai East LP's willingness to engage and consult in relation to its Fast-track Referral Application. We ask that this engagement continue, and that Hamilton City Council and the other Future Proof partners be recognised as a key stakeholder in this process.

Regards



Blair Bowcott
General Manager- Strategy, Growth and Planning

Council Building
Garden Place, Hamilton
Phone s 9(2)(a)
Email s 9(2)(a)
Website www.hamilton.govt.nz