

Pokeno Housing and Tourism Project

Pokeno Developments NZ Limited

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Application and Relevant Supporting Documents

The application is accompanied by the following technical reports/documents:

- (a) Referral Application Form – this document (**Attachment 1**)
- (b) Site plan (**Attachment 2**)
- (c) Records of Title (**Attachment 3**)
- (d) Concept Plan (**Attachment 4**)
- (e) Planning memorandum (**Attachment 5**)
- (f) Civil engineering memorandum (**Attachment 6**)
- (g) Wastewater Treatment Plant memorandum / Water Quality memorandum (**Attachment 7**)
- (h) Traffic memorandum (**Attachment 8**)
- (i) Landscape memorandum (**Attachment 9**)
- (j) Ecology memorandum (**Attachment 10**)
- (k) Archaeology/heritage memorandum (**Attachment 11**)
- (l) Economics memorandum (**Attachment 12**)
- (m) Summary of consultation (**Attachment 13**)
- (n) Letter of support from Ngāti Te Ata (**Attachment 14**)
- (o) Letter of support from Waikato District Council (**Attachment 15**)
- (p) Letter of support from IAWAI (**Attachment 16**)
- (q) Letter of support from Gambol (**Attachment 17**)
- (r) Consultation with Waikato-Tainui (**Attachment 18**)
- (s) Correspondence from Ministry for the Environment (**Attachment 19**)
- (t) Preapplication minutes Waikato District Council (**Attachment 20**)
- (u) Letter of support from Van den Brink (**Attachment 21**)
- (v) Letter of support from Ngati Tamaoho (**Attachment 22**)
- (w) Letter of support from Ngati Naho (**Attachment 23**)

1. INTRODUCTION

- 1.1 This document is to support a referral application by Pokeno Developments NZ Limited under the Fast-track Approvals Act 2024 (FTAA) for the “Pokeno Housing and Tourism Project” (hereafter referred to as “the Project”).
- 1.2 This document has been provided as a companion document (and as **Attachment 1**) to the Application Form, addressing those matters which require a detailed response and explanation, is and should be read together with the Application Form. Care has been taken to ensure the two documents are consistent, but if there is any inconsistency, the content in this document prevails. Collectively, the Application Form the attachments satisfy all of the statutory information requirements for referral under section 13 of the FTAA.
- 1.3 Pokeno Developments NZ Limited is the authorised person for the purposes of section 13(2)(b) of the Fast-track Approvals Act 2024 (FTAA). It holds all necessary land interests to deliver the Project.

2. PROJECT DESCRIPTION AND LOCATION

- 2.1. The following sections provide the required responses to the following matters:

- Section 2.2.1: Project Description
- Section 2.2.2: Provide a description or map of the whole project that identifies its boundaries in sufficient detail to enable consideration of the referral application

Project description (Referral Application Section 2.2.1)

- 2.2. The purpose of the Pokeno Housing and Tourism Project is to enable urban and tourism development on approximately 350 ha of zoned urban and tourism development land in Pokeno as anticipated within operative zones of the Waikato District Plan. This will deliver a wastewater treatment plan (WWTP – planned capacity of 10,000 m³ per day) to unlock infrastructure constraints, 2250 residential lots, a tourism resort and infrastructure including reticulated networks, new and upgraded roads, stormwater infrastructure and parks and reserves.
- 2.3. The referral application relates to consents and approvals to be sought under the RMA, Heritage New Zealand Pouhere Taonga Act and Wildlife Act. The Planning Memorandum (**Attachment 5**) outlines the approvals to be sought. The approvals include those under the Wildlife Act 1993 if protected species are identified within the site, and an Archaeological Authority and approval of a person to carry out an archaeological activity under the Heritage New Zealand Pouhere Taonga Act.
- 2.4. The Project comprises the following activities across three “Precinct” areas to be developed in stages. The Project will be delivered in stages, and these are discussed and assessed in section 7.

Pokeno West

- 2.5. The proposal for the Pokeno West Precinct includes:
- (a) Vacant residential lot subdivision within the operative Medium Density Residential Zone in stages to provide for 1500 residential lots, along with a superlot for a zoned neighbourhood centre.

- (b) Infrastructure including new roads, bridges, water supply networks, and stormwater management devices and networks.
- (c) Wastewater infrastructure with connections to a 'bulk' main.
- (d) Reserves and recreation trails.
- (e) Enhancement of streams and wetlands.

Pokeno South/Havelock

2.6. The proposal for the Pokeno South/Havelock Precinct includes:

- (a) Vacant residential lot subdivision within the operative Medium Density Residential Zone in stages for 750 residential lots.
- (b) Infrastructure including new roads, water supply networks, and stormwater management devices and networks.
- (c) Wastewater infrastructure with connections to a 'bulk' main.
- (d) Reserves and recreation trails (which include acknowledgements of the cultural landscape).
- (e) Enhancement of streams and wetlands.
- (f) Collector road connection to Yashili Drive.

Yes Valley Resort

2.7. The proposal for the 'Yes Valley Resort' is provided for within an operative special zone for tourism and recreation activities. The design complements and protects the immediately adjacent Waikato River and includes:

- (a) A 200-room hotel and glamping/motorhome areas.
- (b) A conference centre.
- (c) Spa and restaurant facilities.
- (d) A 'NZ-Made Hub' comprising a farm 'showground' (for example, sheep shearing/sheepdog herding) and an opportunity to showcase and retail NZ branded products.
- (e) Infrastructure including local road upgrades (Potter Road) vehicle access, stormwater management devices and reticulated networks.
- (f) Outdoor recreational activities – such as ziplining.

Centralised Wastewater Infrastructure to support the Project and additional regional capacity

2.8. A new centralised wastewater treatment plant (WWTP) is proposed which would service all of the Yes Valley Resort, and urban development in Pokeno West and Pokeno South/Havelock. The WWTP also has the ability to service wider areas outside the Precincts to support the continued growth of Pokeno as required. The following activities would be located within the Yes Valley Resort Precinct:

- (a) Wastewater treatment plant (WWTP).
 - (b) Treated wastewater disposal areas.
 - (c) Treated wastewater disposal 'land contact device' and associated 'outfall' for discharges to water, estimated at up to 10,000 m3 per day.
- 2.9. A management entity for the operation of the WWTP, identified as Pokeno Water Service Ltd, is anticipated.
- 2.10. At the present time, no developments can occur in Pokeno because Watercare Services Ltd and Waikato District Council will not permit new connections to the Pukekohe Wastewater Treatment Plant because of capacity restrictions. This has had significant effects for both landowners and developers, including the Applicant, who are not able to realise zoned opportunities to meet housing, commercial and industry demand. There is no plan from Watercare to address this infrastructure constraint.
- 2.11. To solve the critical wastewater issue for the Project and Pokeno, the first stage of the Project will involve the construction of a new centralised WWTP on the Applicant's land. This will be sized to service the proposed activities described above, along with providing the opportunity to accommodate future growth associated with Pokeno. Without this WWTP solution, which the Applicant is prepared to establish and fund, it would not be possible for any planned development, including the Project, to be realised in the short to medium term. As explained later in this application, the Project is supported by the Waikato District Council and IAWAI (**Attachments 15 and 16**), the Council-Controlled Organisation (CCO) water organisation for Waikato District Council (and Hamilton City Council).
- 2.12. With the discharge consent anticipated to seek a volume of 10,000 m3 of treated wastewater, there is the potential for this new WWTP to be designed and staged over time so that additional urban growth outside the Project area may also be serviced.
- 2.13. The quality of treated water from the new WWTP will be near drinking water standard and higher than discharges from Watercare's existing wastewater treatment plant.

Summary

- 2.14. In summary, the Project includes delivery of the following:
- 1) Three Precincts, being the Pokeno West and Pokeno South/Havelock Precincts predominantly for residential development and the third for tourism related activities. Pokeno West and Pokeno South adjoin and are connected to Pokeno, as planned extensions to this town to support the development of a well-functioning urban environment. Yes Valley adjoins Pokeno South.
 - 2) An MBR WWTP with capacity to serve all development within the Applicant's landholdings subject of the Project. This new WWTP is critical to unlock needed and anticipated development. This is necessary infrastructure to support urban development consistent with the National Policy Statement for Urban Development. The WWTP with a discharge of 10,000 m3 would provide additional capacity to address growth in other residential and industrial activities in Pokeno.

- 3) 2250 new vacant residential lots in a medium density urban form and super lots for zoned neighbourhood and local centres. The urban form will connect to Pokeno, its town centre, education and recreation and employment opportunities. This residential development and urban form will contribute to a well-functioning urban environment.
 - 4) Tourism-related activities within the Applicant's 'Yes Valley Resort' as provided for by the operative (special purpose) Ta Ta Valley Zone. This will include a 200-room hotel and a 'NZ-Made Hub' to showcase and retail NZ-branded products. This will create a regional destination for tourism and recreation.
 - 5) Significant economic benefits for district and regional economies which include a total direct expenditure of \$1.84 billion and 8353 total FTE years over the 16-year development period.
 - 6) Roothing and infrastructure (three waters), along with trails within the Precincts to provide for people's recreation needs, including enhancement of their access to the Waikato River.
 - 7) Employment opportunities through construction works and the ability of new residents being close to Pokeno's existing commercial and industrial activities, new commercial activities within the Project area, and its close to main roads and the State Highway 1 and 2 network which provide convenient routes to other employment opportunities to - for example, Tuakau, Pukekohe and Auckland.
 - 8) Significant environmental enhancements that include planting within riparian margins and the protection and enhancement of Significant Natural Areas. The removal of stock from streams and wetlands, along with new planting and its protection will enhance ecosystem values, including creating ecological corridors between regionally significant areas of indigenous vegetation.
 - 9) Opportunities for Mana Whenua to continue to be involved to recognise the Applicant's commitment for an enduring partnership to deliver on the expectation for developments to be designed so as to reflect the history and cultural significance of Pokeno and its surrounds.
- 2.15. The Project will have significant regional benefits through providing the new WWTP, 2250 residential lots for houses and a regional tourism facility on the Waikato River. Letters from Waikato District Council and IAWAI (**Attachments 15 and 16**) support the significance of the project and the necessity for a wastewater solution for Pokeno.
- 2.16. Referral of the Project to the Fast-track approval process will enable the proposal to be processed in a more timely and cost-effective way than under normal processes, and is unlikely to materially affect the efficient operation of the FTAA process. Four stages are proposed, each with sufficient scale to be significant and distinct in its geographic area. The first stage is the provision of critical infrastructure (WWTP) for planned and zoned urban growth which is consistent with implementing the National Policy Statement for Urban Development. The Project therefore meets the criteria for referral under s22(1) of the FTAA.
- 2.17. Consents will be sought under the RMA, Heritage New Zealand Pouhere Taonga Act and Wildlife Act.

Site description (Referral Application Section 2.2.1)

- 2.18. The Project comprises three 'Precinct' areas (Pokeno West, Pokeno South/Havelock and Yes Valley Resort) the locations of which are described as follows:
- (a) **Pokeno West Precinct** – 53 Munro Road, and 87, 109 and 119 Helenslee Road (Lot 2 DP 459108, Lots 1 and 3 DP 211605, and Lot 2 DP 176087).
 - (b) **Pokeno South/Havelock Precinct** – 5 Hitchen Road, and 88, 242 and 278 Bluff Road, 3 Yashili Drive and an unnumbered site at Gateway Park Drive (Lot 2 DP 199997, Allotment 6 Section IX Havelock Village, Allotment 2 Section II Havelock Village, Lot 2 DP 184553 and Allotment 5 Section 11 Havelock Village, Lots 1, 3 and 5 DP 202491 and Lots 1-2 DP 23610, Allotment 9 Section X Havelock Village, Section 2 SO 513144, Lot 1 DP 199997, Lot 3 DP 463893, Lot 2 DP 401106, Lot 4 DP 202491, Lot 1 DP 165370, Lot 4 DP 492007 and Lot 30 DP 519003).
 - (c) **Yes Valley Resort Precinct** – 42A, 39 and 135 Potter Road, 242, 322, 324 and 370 Bluff Road, 35 and 89 Trig Road, 1 Hayward Road, and Crown-owned marginal strip (Section 1 SO Plan 501312, Lot 3 DP 476640, Lot 3 DP 176205, Lot 2 DP 401106, Lot 4 DP 202491, Lots 1, 2 and 4 DP 476886, Lot 2 DP 518134, Lots 3 and 4 DP 441406, and SO 233).
- 2.19. A map of the entire Project area is provided as **Attachment 2**.
- 2.20. The Records of Title are provided in **Attachment 3** to the Application. The interests associated with the titles are detailed in the planning memorandum (**Attachment 5**).
- 2.21. A more detailed site description, including zoning, is provided in section 3 of the planning memorandum (**Attachment 5**). The planning memorandum outlines that there is only one interest or restriction registered on the Records of Title that could affect delivery of the Project and that restriction can be easily addressed through ongoing engagement with the relevant neighbouring landowner.

3. NO INELIGIBLE ACTIVITIES

- 3.1. The following sections provide the required responses to the following matters:
- Section 2.3: .
- 3.2. The project does not involve any ineligible activities.
- 3.3. In terms of section 5(1)(j) and (k), the following additional explanation is provided:
- 3.4. Part of the Project is located on a marginal strip alongside the Waikato River (LINZ ID 5040742 - SO 233) owned by the Crown and administered under the Conservation Act 1987. As a result the margin strip is not a reserve managed or held under the Reserves Act 1977, and so is not an ineligible activity under these clauses.

4. SIGNIFICANT REGIONAL BENEFITS

- 4.1. The following sections provide the required responses to the following matters:

- Section 2.6.1: The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies that criteria.
- 4.2. The Project (and each of its proposed stages) meets this criterion. Section 7 outlines the assessment for each stage. This is because the WWTP provides the necessary wastewater infrastructure to support planned growth in Pokeno and the Project will directly deliver 2250 residential lots and the Yes Valley tourism resort. None of this development would be possible without the Project occurring due to the existing wastewater constraints, which will not be resolved in the foreseeable future.
- 4.3. The WWTP will enable anticipated growth with the Project area given the current wastewater capacity restriction. Without the WWTP, it is not possible to implement the Project in a timely manner and in terms of Waikato District Council's statutory obligation to provide for at least sufficient development capacity to meet expected demand for housing (and for business land) over a 30-year period (i.e. the short, medium and long terms). These outcomes are necessary to satisfy regional and national directives. Letters from Waikato District Council and IAWAI (**Attachments 15 and 16**) support the significance of the project and the necessity for a wastewater solution for Pokeno.
- 4.4. The Project is a large-scale development initiative that will deliver significant and enduring economic, social, cultural, and environmental benefits – not just to the Waikato region, but also the Auckland region given the location of Pokeno just south of the dividing jurisdictional boundary.
- 4.5. Key benefits include:
- 1) Increased housing capacity**
- 4.6. The Project will provide 2250 new and anticipated residential lots within the Applicant's landholdings. There is also potential for the WWTP to provide for increased housing capacity in other urban areas of Pokeno. It will enable a range of housing typologies and affordable housing. By providing an increased supply of housing, this would help create a more balanced housing market, making home ownership more attainable and easing the financial burden on renters. It increases competition in the market and the range of affordable housing options. Stage 2 proposes 1000 lots and stage 3 1250 lots.
- 2) Employment Opportunities (social, economic and cultural benefits):**
- 4.7. The Project will provide employment opportunities through construction works and for future residents/occupiers given the proximity to commercial retail centres and the proposed tourism-related activities within the Yes Valley Resort.
- 4.8. The economics assessment in **Attachment 12** identifies that a total of 8,353 FTE years would be provided over the 16-year development period. This comprises 2791 direct and 5562 indirect FTE years.
- 4.9. The breakdown per stage (FTE years would be provided over the 16-year development period) is:
- a) Stage 1 – 274 FTE
 - b) Stage 2 – 3193 FTE

c) Stage 3 – 3541 FTE

d) Stage 4 – 1345 FTE

3) Significant economic investment and subsequent economic impacts (including significant economic and social benefits):

4.10. The significant economic investments involved in the Project is explained in the economic assessment. This will deliver significant economic benefits for district and regional economies including a total direct expenditure of \$1.84 billion over the 16-year development period.

4.11. The breakdown per stage total direct expenditure over the 16-year development period is:

a) Stage 1 – \$51 million

b) Stage 2 – \$649 million

c) Stage 3 – \$811 million

d) Stage 4 – \$333 million

4.12. The Project will be a catalyst for further investment in and around Pokeno which will further stimulate economic activity and employment across multiple sectors.

4.13. The economic benefits of the Project will extend well beyond its construction phase and deliver a range of wider economic benefits that accumulate annually over the economic life of the assets. Property Economics has assessed those economic benefits as meeting the threshold of regional significance under section 22(2) of the Act.

4) Enhanced tourism revenue and profile (economic, social and cultural benefits):

4.14. The Project provides an opportunity to realise enhanced tourism revenue and profile through the development of the Yes Valley Resort. The activities (including a 200-room hotel, glamping/motorhome areas, conference centre, spa and restaurant facilities, 'NZ-Made Hub' and outdoor recreational facilities) will contribute towards the total \$333 million and 1345 FTE years which has been predicted by Property Economics as per **Attachment 12** over the 16-year development period.

4.15. The proposal for Yes Valley Resort provides opportunities to showcase and retail NZ-branded products and opportunities for Mana Whenua to be input into the design to reflect cultural elements that are important to them.

5) Achieving Te Ture Whaimana / Vision and Strategy for the Waikato River (environmental and cultural benefits):

4.16. The WWTP will produce a high quality level of treatment and consequently an acceptable discharge. The applicant has been deliberate in identifying technology for the WWTP to achieve this. The GWE wastewater memorandum in **Attachment 7** outlines the quality of the treatment proposed.

- 4.17. The proposal avoids direct discharge of wastewater into freshwater and provides for a more acceptable environmental outcome, including from a cultural perspective. The opportunity for land-contact devices contributes to the creation of wetland ecosystems and habitat.
- 4.18. Stormwater from impervious surfaces will be treated and attenuated to maintain water quality to manage erosion from increased flows. The Precincts will include stormwater treatment wetlands, consistent with the Regional Council standards.
- 4.19. Proposed plantings of the riparian margins of the streams and wetlands within the Precincts will enhance water quality and ecosystem values, creating habitat and ecological connections across the Precincts. The removal of stock from Pokeno West and Pokeno South, along with fencing of the margins of streams and indigenous vegetation including SNA will decrease nutrient runoff.
- 4.20. The Project is consistent with the objective of the Vision and Strategy as overall it will restore and protect the health and wellbeing of the Waikato River. The Planning memorandum in **Attachment 5** evaluates the Project against the Vision and Strategy for the Waikato River.

6) Environmental Sustainability (ecosystems):

- 4.21. The RMA Ecology Ltd memorandum (**Attachment 10**) has identified that the forest areas associated with the Yes Valley Precinct offer exceptional opportunities for protection and restoration of regionally and nationally important biodiversity, including native bats, rare plants and native lizard communities. Management plans for weed and pest control will assist in restoring these significant habitats, creating regionally significant benefits for rare and endangered species.
- 4.22. The proposed enhancement of 5km of streams within the Precincts with 10ha of plantings will provide significant biodiversity benefits for terrestrial and aquatic ecology. In addition, over 15 ha of additional native plantings are proposed in the Pokeno South Precinct to expand areas of SNA and create larger habitats. These plantings will create ecological corridors and increase the habitat available for regionally and nationally important biodiversity.
- 4.23. The Project will also provide a number of additional benefits (in terms of section 22(2) of the FTAA that are explained below in section 5 and in section 7 about non-monetary benefits. These include enhanced tourism revenue and profile, enhanced regional recreation profile, a more diversified economy and increased local employment.

5. APPROPRIATENESS FOR FAST TRACK APPROVALS PROCESS

- 5.1. The following sections provide the required responses to matters raised in Section 2.6.2 which requires an explanation of how referring the project to the fast-track approval process:
- Section 2.6.2.1: Would facilitate the project, including by enabling it to be -processed in a more timely and cost-effective way than under normal processes.
 - Section 2.6.2.2: Is unlikely to materially affect the efficient operation of the fast-track approvals process
 - Section 2.6.2.4: Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure

- Section 2.6.2.5: Will the project 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). If yes, explain how the project will achieve this.
 - Section 2.6.2.6: Will deliver significant economic benefits, and if so how.
 - Section 2.6.2.7: Will the project support primary industries, including aquaculture, and if so, how?
 - Section 2.6.2.8: Will the project support development of natural resources, including minerals and petroleum, and if so, how?
 - Section 2.6.2.9: Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?
 - Section 2.6.2.10: Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?
 - Section 2.6.2.11: Will the project address significant environmental issues, and if so, how?
 - Section 2.6.2.12: Explain how referring the project to the fast-track approval process: is the project consistent with local or regional planning documents, including spatial strategies, and if so, how?
- 5.2. Section 5 below addresses these matters for the Project as a whole, and section 7 addresses these matters for each stage.

Referral to the fast-track process would facilitate the project, including by enabling it to proceed in a more timely and cost-effective way than under normal processes (Referral Application Section 2.6.2.1)

- 5.3. The FTAA process offers a number of advantages in terms of time and cost savings over the standard RMA process. Without the time and costs savings afforded by the fast-track process, those component benefits described above, particularly in terms of urgently needing to provide capacity for new housing, would not be able to be offered to the community.
- 5.4. Resource consents for the entire Project would be expected to take at least 2 years, if not longer, to process through the regional and district council based on previous experience by the team for development in the Project area. For example, securing resource consent for Stage 1 in Pokeno West (for only 207 vacant residential lots) took nearly 1 year. The Project involves significantly more than this with 2250 new lots.
- 5.5. Without a fast-track process, the proposal would most likely be publicly notified for the WWTP and treated wastewater discharge. Comparisons with the other notified activities of scale in the Auckland/Waikato regions in recent years suggests that approximately 24 months from lodgement would be required to secure a hearing. Again, publicly or limited notified applications can be appealed by submitters to the Environment Court, adding another 1-2 years of process before consents are finally secured. Thus, it is estimated that the processes that will be replaced by a successful Fast-track Approvals Act referral would add up to 2 to 4 years.

- 5.6. The consenting timeframe under the fast-track process is likely to be in the order of six months from lodgement of the substantive application. This is a significant time saving, compared to a standard process and will enable the significant regional benefits (through works on the ground and employment) some two and a half to four years ahead of a standard process. In addition, the one-step nature of the fast-track approvals process is likely to lead to significant cost savings, especially when compared to the scenario of a comprehensive application for resource consents under the standard process, which may take up to 4 years (including the potential for appeals at multiple steps) to complete.
- 5.7. The FTAA process provides different criteria to those of the RMA. In this case, the process would create an opportunity to contribute to a well-functioning community in Pokeno with increased residential and business, development and helping to address the Waikato District's growth. The Project includes areas that Council has already confirmed as appropriate for urbanisation and the development of a tourism facility.
- 5.8. The purpose of the Fast-track Approvals Act is *"to facilitate the delivery of infrastructure and development projects with significant regional or national benefits."* This reflects a recognition that the RMA has not always enabled such developments to proceed in a timely manner, notwithstanding the policy direction provided by the National Policy Statement on Urban Development. There is an urgent need to approve a wastewater solution and a 2-4 year delay in consenting will result in additional delays and costs to the community. This issue is compounded by Watercare's wastewater restriction and failure to provide additional capacity, which significantly hampers Waikato District Council's ability to provide this service for anticipated new urban development.
- 5.9. The Applicant controls multiple and sizeable landholdings in Pokeno and is highly motivated to realise development the land as soon as possible based on the operative zones. The WWTP will enable urban development to progress as intended and without delay. There is also potential for the WWTP to service other urban areas and therefore provide a wider public benefit. The Applicant has already invested millions of dollars with technical evidence and hearings to achieve the operative zones, concept plans and further technical advice to support developments within the Project area. It wishes to continue with its significant investments to realise their developments, and at present the lack of a wastewater connection and less efficient RMA processes prevents this from being achieved.
- 5.10. The FTAA provides a mechanism to enable projects to progress in a way and in a timeframe that is not possible under the RMA. By referring the project to the FTAA process, it can be advanced in a more timely and cost-effective way, giving confidence that the investment and development will translate into delivery of land ready for businesses and homes, on the ground.
- 5.11. The FTAA will allow the application to be processed in a timelier manner. It will also enable for the potential consideration of prohibited activities (such as wetland reclamation) which is not enabled in terms of the RMA. The panel appointed to consider the substantive application will be guided by the wider imperatives of schedule 5, cl 17 of the Fast-track Approvals Act, enabling a more holistic approach to providing for growth to be taken.
- 5.12. The Applicant is committed to managing the anticipated and known effects of the Project through the substantive application (design, mitigation measures and management plans).

Referral is unlikely to materially affect the efficient operation of the fast-track approvals process (Referral Application Section 2.6.2.2)

- 5.13. The Project is not expected to materially impact the operation of the fast-track approval process. The consents and approvals sought are those under the RMA, Heritage New Zealand Pouhere Taonga Act and Wildlife Act, which are explicitly listed in the Act, and are consistent with the purpose and design of the Act (as well as other similar projects which have either already been listed or referred under the Act). The Planning Memorandum (**Attachment 5**) outlines the approvals to be sought. The approvals include those under the Wildlife Act 1993 if protected species are identified within the site, and an Archaeological Authority and approval of a person to carry out an archaeological activity under the Heritage New Zealand Pouhere Taonga Act.
- 5.14. While regionally significant, it is not of a scale that is beyond the contemplation of the FTAA. It will not require the involvement of large numbers of commenters (for reasons that include the sizeable scale of the Applicant's landholdings and the areas within these that buffer the core developments within the Precincts). There are a number of larger and more complex projects that are currently being processed through the fast track process. The project involves development of fully zoned land and not an expansion of urban limits or unanticipated activities.
- 5.15. The applicant has been actively engaging with relevant Māori entities and bodies (which is on-going) and all other entities that the FTAA requires. To date, the consultation has indicated support in principle or at least no opposition to the project.
- 5.16. The Applicant's advisors are familiar with FTAA processes and will be able to efficiently meet the process requirements.

The Project will deliver new regionally or nationally significant infrastructure (Referral Application Section 2.6.2.4)

- 5.17. The Project includes new wastewater infrastructure to service the Project and potentially other parts of Pokeno, which is considered regionally significant in its own right.
- 5.18. Wastewater flows and loads from the Project are anticipated as a residential HUE (household equivalent unit) design horizon of approximately 5,000 HUEs. An additional allowance of 1,000 m³/day has been included to cover light/medium commercial, community and mixed-use development.
- 5.19. Scenarios have been examined for wastewater volumes of approximately 5000 m³ and 10,000 m³, in order to provide a wastewater solution for the needs of the Project, along with providing an opportunity for Pokeno as a whole. This includes allowance for a wider servicing catchment beyond the Project and an additional conservative volume for light/medium commercial activities.
- 5.20. Without the proposed WWTP, none of the anticipated development within the Precincts and Pokeno as a whole can proceed. Waikato District Council and Watercare themselves have no funding arrangement to either increase the capacity of the existing wastewater treatment plant or establish a new publicly-owned wastewater treatment plant.
- 5.21. Letters of support from Waikato District Council and IAWAI (**Attachments 15 and 16**) identify that the growth associated with Pokeno is regionally significant, and that the WWTP is regionally significant infrastructure.

- 5.22. Gambol, a potential significant investor in Pokeno (refer **Attachment 17**) highlight the effect of the existing wastewater restrictions on its ability to invest. Van den Brink are in a similar position and highlight the wastewater restriction (**Attachment 21**).

The Project will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (Referral Application Section 2.6.2.5)

- 5.23. The Project will increase the supply of housing, address housing needs, and will significantly contribute to the wider well-functioning urban environment of Pokeno.
- 5.24. Zones within the Project area are the result of the Waikato District Plan review process. The decisions for these zones are an acknowledgement that development within them will contribute to a well-functioning urban environment as per Objective 1 of the National Policy Statement for Urban Development and the required short, medium and long-term housing supply in Pokeno.
- 5.25. The Project will deliver:
- (a) 2250 lots which can be developed for a variety of houses.
 - (b) Good accessibility between Pokeno's existing community and the Precincts which will enable active transport between housing, jobs, community services and open spaces. Immediate leverage can be obtained off existing roads and community facilities. Pokeno has a range of existing infrastructure and recreational facilities which will support a growing population. The Ministry of Education has recently lodged a Notice of Requirement for a new (additional) school within the Pokeno West Precinct.
 - (c) The release of land for residential housing and business opportunities which will support the competitive operation of land and development markets.
 - (d) Land for residential housing and business opportunities which can take into account the future impacts of climate change (through siting of vulnerable activities outside of hazard areas and provision for climate change factors in the design for stormwater infrastructure).
- 5.26. As above, the Project provides employment opportunities through construction works and resulting commercial developments which will contribute to the wider well-functioning urban environment.
- 5.27. Well-functioning urban environments anticipate urban environments that are well-supported by infrastructure and additional infrastructure. The Project supports both the provision of infrastructure (water, wastewater, roading) and community infrastructure including public open space, green corridor walkways and connections to the Waikato River. The Project also includes superlots for planned local and neighbourhood centres to meet the day-to-day needs of residents.
- 5.28. Overall, the Project will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment.

The Project will deliver significant economic benefits, (Referral Application Section 2.6.2.6)

- 5.29. Significant economic investments and impacts are outlined above in section 4 of this document and explained in the economics assessment prepared by Property Economics provided as **Attachment 12**.

- 5.30. There will be direct benefits for construction workers and project managers, architects, engineers, landscapers, builders and health and safety consulting service providers.

Economic benefits during construction

- 5.31. Property Economics has assessed that the Project represents a total expenditure of \$1.84 billion over the 16-year development period. It also identifies a total of 8353 FTE years over this period. This will include jobs in the construction phase which will provide other jobs and flow-on economic benefits. There will also be associated financial and development contributions for Waikato District Council, as well as an increased ratepayer base.

Economic benefits during operation

- 5.32. The Project will provide economic benefits during operation including through construction works and employment during that phase (such as jobs for service professionals in the local area).
- 5.33. As noted, the Project will provide an estimated 2791 FTE jobs directly. These employment outcomes will support economic resilience and growth across the Waikato region, but is also expected to provide economic benefits for the Auckland region as well given the proximity of Pokeno to the dividing jurisdictional boundary.

Other Economic Benefits

- 5.34. In addition to these quantifiable regional contributions, Property Economics identifies that the Project is also expected to generate a wide range of qualitative economic benefits for the broader market and communities, including:
- (a) increased regional residential capacity;
 - (b) increased and diversified choice of housing location;
 - (c) potential for lower residential prices in the Waikato and Auckland regions;
 - (d) enhanced tourism revenue and profile;
 - (e) enhanced local, district and regional recreation profile;
 - (f) potential for more diversified economic composition;
 - (g) increased economic activity / local employment;
 - (h) impetus for greater levels of growth;
 - (i) increased amenity;
 - (j) catalyse investment in the area;
 - (k) unlocks Pokeno's growth.

- 5.35. The economic benefits of the Project would extend well beyond the construction phase of the project itself and would deliver a range of wider economic benefits that cumulate annually over the economic life of the assets. Property Economics has confirmed that advancing the proposed development, given its scale, would yield economic benefits for the regional economy that are significant.

The Project will support primary industries (Referral Application Section 2.6.2.7)

- 5.36. The Project will indirectly support primary industries, through the purchasing of raw materials that are required for the construction of the infrastructure associated with the Project (e.g. aggregate for roads) which will positively contribute towards primary sector GDP and FTE employment.

The Project will support development of natural resources (Referral Application Section 2.6.2.8)

- 5.37. As above, the Project will indirectly support those primary industries involved in natural resources, through the purchasing of raw materials that are required for the construction of the infrastructure associated with the Project (e.g. aggregates for roading) which will positively contribute towards primary sector GDP and FTE employment.

The Project will support climate change mitigation, including the reduction or removal of greenhouse gas emissions (Referral Application Section 2.6.2.9)

- 5.38. Once operational, the Project is expected to reduce the distance travelled by some Pokeno residents to get to work and to local services and retail (thus reducing Vehicle Kilometres Travelled and consequently CO² emissions from vehicles).
- 5.39. In addition, the project intends, if practical, to:
- (a) utilise local contractors as much as possible;
 - (b) utilise local suppliers as much as possible;
 - (c) utilise renewable energy solutions on buildings such as solar panels and EV charging; and
 - (d) eco-source the planting as far as practicable (and depending on timing may be able to co-locate growing facilities with an onsite garden centre).

- 5.40. The Project will provide for active modes of transportation to access the site, including extensions to the existing pedestrian/cycling network.
- 5.41. These cumulative reductions align with New Zealand's national carbon targets and contribute meaningfully to climate change mitigation.

The Project will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards (Referral Application Section 2.6.2.10)

- 5.42. The rezoning process through the Waikato District Plan addressed the risk of hazards (at a high level). Specifically:

- (a) Earthworks and future development works would be undertaken to ensure that potential effects on land stability are minimised.
 - (b) The potential for flood hazards (from Waikato River and streams, for example) will be accounted for with appropriate setbacks.
- 5.43. Climate change effects have been accounted for as identified in the civil engineering memorandum in **Attachment 6**.
- 5.44. All stormwater devices to be utilised on the site will also be designed to account for climate change.
- 5.45. Site-specific details will be provided with the substantive application.

The project will address significant environmental issues (Referral Application Section 2.6.2.11)

- 5.46. The lack of a new WWTP for Pokeno is a significant issue. Currently the Council and Watercare have issued letters to landowners and developers indicating that no new wastewater connections are available to support zoned and planned development in Pokeno.
- 5.47. Many streams in the Precincts do not have riparian vegetation, and stock can access these. This degrades water quality and ecosystem values.
- 5.48. The delivery of 2250 residential lots that can be developed with various housing typologies represents an increase in the overall residential capacity for the local and broader regional market and contributes to accommodating anticipated population growth.
- 5.49. The proposed increase in housing supply may lead to downward pressure on house prices, benefiting first-home buyers and renters. This increase in supply would help create a more balanced housing market, making home ownership more attainable and easing the financial burden on renters.

Local or regional planning documents (Referral Application Section 2.6.2.12)

- 5.50. The planning assessment in **Attachment 5** addresses the local and regional planning documents. The Project is consistent with the planned growth and development anticipated by the Regional Policy Statement, and the regional and district growth strategies - Future Proof and Waikato 2070. The zoning of the site was thoroughly tested over 6 years through the preparation of the District Plan, variations and appeals to the Environment Court. The Project seeks to develop zoned opportunities from the District Plan that are currently curtailed by infrastructure constraints.

6. PROJECT DETAILS

- 6.1. The following sections provide the required responses to the following matters:
- Section 3.0: For construction activities, please state the anticipated commencement and completion dates
- 6.2. The Applicant has funding for the delivery of the Project. It therefore has strong levels of control over the timing of the Project.

- 6.3. The Applicant will be able to carefully manage the design and quality of construction and is experienced in these areas.
- 6.4. Detailed design planning will begin immediately following referral of the application into the FTAA process. The final design and layout will be refined with technical input from a range of different expert consultants as the substantive application is finalised for submission.
- 6.5. Once consents are granted, pre-start conditions and management plans will be satisfied and complied with, so that earthworks could begin in the first available construction season, or at an earlier stage if winter earthworks approvals can be obtained.
- 6.6. The construction and completion programme for the stages of the development are anticipated as:
- Stage 1 – wastewater treatment plant and associated infrastructure (lodgement of application 2026, commissioning of WWTP 2028)
 - Stage 2 – 1000 residential lots (lodgement of application 2027, completion of physical works and issue of titles 2031)
 - Stage 3 – 1250 residential lots (lodgement of application 2028, completion of physical works and issue of titles 2033 to 2036)
 - Stage 4 – Yes Valley Resort (lodgement of application 2028, construction 2030 to 2035)
- 6.7. Funding is available to meet the timelines that are outlined, as identified above.
- 6.8. The Application is based on four stages. Stage 1 must occur first because this is critical infrastructure. Stages 2 to 4 may occur in any order as they relate to distinct Precincts which with stage 1 could be developed independently. These stages are outlined below.

7. PROJECT STAGES

- 7.1. The following sections provide the required responses to the following matters:

- 3.2 Project Stages
- 3.2.1 If the Project is planned to proceed in stages, provide:

A statement of either the project is planned to proceed in in stages, including:

a. an outline of the nature, scale and timing of the stages; and

b. a statement of whether you intend to lodge a separate substantive application for each of the stages

i. If a substantive application is intended to be lodged for each stage, address the questions under the section (Appropriateness for fast track approvals process) for each stage of the project.

- 7.2. The Project is to be delivered in 4 stages with substantive applications for:

Stage 1 – wastewater treatment plant and associated infrastructure

Stage 2 – 1000 residential lots – Pokeno West Precinct

Stage 3 – 1250 residential lots – Pokeno West Precinct and Pokeno South/Havelock Precinct

Stage 4 – Yes Valley Resort

- 7.3. The Application is based on four stages. Stage 1 must occur first because this is critical infrastructure. Stages 2 to 4 may occur in any order as they relate to distinct Precincts which with stage 1 could be developed independently.
- 7.4. The stages would be lodged as separate substantive applications.
- 7.5. Table 1 below outlines the assessment of Section 2.6.2 for each stage.

Table 1 Assessment of Section 22 FTAA for each stage

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
Section 2.6.2.1: Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes.	<p>The assessment in paragraphs 5.2 to 5.14 applies.</p> <p>The purpose of the Fast-track Approvals Act is “to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.” This reflects a recognition that the RMA has not always enabled such developments to proceed in a timely manner, notwithstanding the policy direction provided by the National Policy Statement on Urban Development. There is an urgent need to approve a wastewater solution and a 2-4 year delay in consenting will result in additional delays and costs to the community. This issue is compounded by Watercare’s wastewater restriction and fail to provide additional capacity, which</p>	As an example of the current council timeframes, securing resource consent for Stage 1 in Pokeno West (for only 207 vacant residential lots) took nearly 1 year. The Project involves significantly more than this with 2250 new residential lots (1000 of which are within Stage 2).	As an example of the current council timeframes, securing resource consent for Stage 1 in Pokeno West (for only 207 vacant residential lots) took nearly 1 year. The Project involves significantly more than this with 2250 new residential lots (1250 of which are within Stage 3).	The applicant has been seeking to consent the tourism activities since 2019.

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
	<p>significantly hampers Waikato District Council’s ability to provide this service for anticipated new urban development.</p> <p>The WWTP will enable urban development to progress as intended and without delay. There is also potential for the WWTP to service other urban areas and therefore provide a wider public benefit.</p> <p>The WWTP and discharge would likely involve a notified process, with the potential for appeals. The expected timeframe to consent the WWTP would be between 2 to 4 years.</p>			
Section 2.6.2.2: Is unlikely to materially affect the efficient operation of the fast-track approvals process	The assessment in paragraphs 5.15 to 5.18 applies. The scale of each stage is significant compared to many other fast track projects, but by themselves are not large enough to impact the efficient operation of the entire process.			
Section 2.6.2.4: Will the project deliver new regionally	The Project includes new wastewater infrastructure to			

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
<p>or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure</p>	<p>service the Project and potentially other parts of Pokeno, which is considered regionally significant in its own right. This is because, without the proposed WWTP, none of the anticipated development within the Precincts and Pokeno as a whole can proceed. Waikato District Council and Watercare themselves have no funding arrangement to either increase the capacity of the existing wastewater treatment plant or establish a new publicly owned wastewater treatment plant.</p> <p>Letters of support from Waikato District Council and IAWAI (Attachments 15 and 16) identify that the growth associated with Pokeno is regionally significant, and that the WWTP is regionally significant infrastructure.</p>			

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
	Gambol, a potential significant investor in Pokeno (refer Attachment 17) highlight the effect of the existing wastewater restrictions on its ability to invest.			

Section 2.6.2.5: Will the project 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). If yes, explain how the project will achieve this.

Provision of a WWTP which is critical infrastructure currently unavailable to support planned and zoned growth in Pokeno. The subsequent stages of the project cannot be delivered without the WWTP in place, given the existing situation with Watercare.

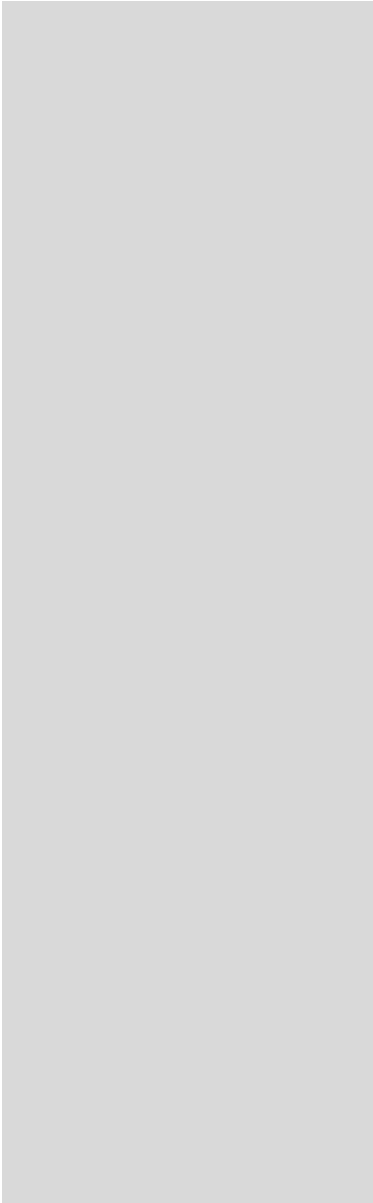
The Project will increase the supply of housing, address housing needs, and will significantly contribute to the wider well-functioning urban environment of Pokeno.

Zones within the Project area are the result of the Waikato District Plan review process. The decisions for these zones are an acknowledgement that development within them will contribute to a well-functioning urban environment as per Objective 1 of the National Policy Statement for Urban Development and the required short, medium and long-term housing supply in Pokeno.

The Project will deliver:

- (a) 2250 lots which can be developed for a variety of houses.
- (b) Good accessibility between Pokeno's existing community and the Precincts which will enable active transport between housing, jobs, community services and open spaces. Immediate leverage can be obtained off existing roads and community facilities. Pokeno has a range of existing infrastructure and recreational facilities which will support a growing population. The Ministry of Education has recently lodged a Notice of Requirement for a new (additional) school within the Pokeno West Precinct.
- (c) The release of land for residential housing and business opportunities which will support the competitive operation of land and development markets.
- (d) Land for residential housing and business opportunities which can take into account the future impacts of climate change (through siting of vulnerable activities outside of hazard areas and provision for climate change factors in the design for stormwater infrastructure).

N/A as the resort is not located in an urban environment.



As above, the Project provides employment opportunities through construction works and resulting commercial developments which will contribute to the wider well-functioning urban environment.

It is acknowledged that well-functioning urban environments anticipate urban environments that are well-supported by infrastructure and additional infrastructure. The Project supports both the provision of infrastructure (water, wastewater, roading) and community infrastructure including public open space, green corridor walkways and connections to the Waikato River. The Project also includes superlots for planned local and neighbourhood centres to meet the day-to-day needs of residents.

Overall, it is considered that the Project will increase the supply of housing, address housing needs, and contribute to a well-functioning urban environment.

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
Section 2.6.2.6: Will deliver significant economic benefits, and if so how.	Significant economic investments and impacts are explained in the economics assessment prepared by Property Economics provided as Attachment 12 .			
	Economic benefits during construction	Economic benefits during construction	Economic benefits during construction	Economic benefits during construction
	<p>Property Economics has assessed that the Project represents a total Net Present Value of \$34 million (at 8%) over the 16-year development period. It also identifies a total of 86 direct FTE over this period.</p> <p>These benefits may be less than later stages but the WWTP unlocks subsequent stages 2 to 4 and so none of the other benefits can be achieved without it.</p>	<p>Property Economics has assessed that the Project represents a total Net Present Value of \$277 million (at 8%) over the 16-year development period. It also identifies a total of 1088 direct FTE over this period.</p> <p>This will include jobs in the construction phase which will provide other jobs and flow-on economic benefits. There will also be associated financial and development contributions for Waikato District Council, as well as an increased ratepayer base.</p> <p>Other Economic Benefits</p> <p>In addition to these quantifiable regional contributions, Property Economics identifies that the Project is also expected</p>	<p>Property Economics has assessed that the Project represents a total Net Present Value of \$302 million (at 8%) over the 16-year development period. It also identifies a total of 1199 direct FTE over this period.</p> <p>This will include jobs in the construction phase which will provide other jobs and flow-on economic benefits. There will also be associated financial and development contributions for Waikato District Council, as well as an increased ratepayer base.</p>	<p>Property Economics has assessed that the Project represents a total Net Present Value of \$152 million (at 8%) over the 16-year development period. It also identifies a total of 418 direct FTE over this period.</p> <p>This will include jobs in the construction phase which will provide other jobs and flow-on economic benefits. There will also be associated financial and development contributions for Waikato District Council, as well as an increased ratepayer base.</p> <p>Other Economic Benefits</p> <p>In addition to these quantifiable regional contributions, Property</p>

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
		<p>to generate a wide range of qualitative economic benefits for the broader market and communities, including:</p> <ul style="list-style-type: none"> (a) increased regional residential capacity; (b) increased and diversified choice of housing location; (c) potential for lower residential prices in the Waikato and Auckland regions; (d) enhanced local, district and regional recreation profile; (e) potential for more diversified economic composition; (f) increased economic activity / local employment; (g) impetus for greater levels of growth; (h) increased amenity; (i) catalyse investment in the area; (j) unlocks Pokeno’s growth. 		Economics identifies that the Project is also expected to generate an enhanced tourism revenue and profile for the area.
Section 2.6.2.7: Will the project support primary industries, including aquaculture, and if so, how?	N/A	The assessment in paragraphs 5.35 to 5.36 applies.		
Section 2.6.2.8: Will the project support development of natural resources, including minerals and petroleum, and if so, how?	N/A	The assessment in paragraph 5.37 applies.		

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
<p>Section 2.6.2.9: Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?</p>	<p>N/A</p>	<p>Once operational, the Project is expected to reduce the distance travelled by some Pokeno residents to get to work and to local services and retail (thus reducing Vehicle Kilometres Travelled and consequently CO² emissions from vehicles).</p> <p>In addition, the Project intends, if practical, to:</p> <ul style="list-style-type: none"> (a) utilise local contractors as much as possible; (b) utilise local suppliers as much as possible; (c) utilise renewable energy solutions on buildings such as solar panels and EV charging; and (d) eco-source the planting as far as practicable (and depending on timing may be able to co-locate growing facilities with an onsite garden centre)., <p>The Project will provide for active modes of transportation to access the site, including extensions to the existing pedestrian/cycling network.</p> <p>These cumulative reductions align with New Zealand’s national carbon targets and contribute meaningfully to climate change mitigation.</p>		

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
<p>Section 2.6.2.10: Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?</p>	<p>N/A</p>	<p>The rezoning process through the Waikato District Plan addressed the risk of hazards (at a high level). Specifically:</p> <ul style="list-style-type: none"> (a) Earthworks and future development works would be undertaken to ensure that potential effects on land stability are minimised. (b) The potential for flood hazards (from Waikato River and streams, for example) will be accounted for with appropriate setbacks. <p>Climate change effects have been accounted for as identified in the civil engineering memorandum in Attachment 6.</p> <p>All stormwater devices to be utilised on the site will also be designed to account for climate change.</p> <p>Site-specific details will be provided with the substantive application.</p>		
<p>Section 2.6.2.11: Will the project address significant environmental issues, and if so, how?</p>	<p>The lack of a new WWTP for Pokeno is a significant issue. Currently the Council and Watercare have issued letters to landowners and developers indicating that no new wastewater connections are available to support zoned and planned development in Pokeno.</p> <p>Many streams in the Precincts do not have riparian vegetation, and stock can access these. This degrades water quality and ecosystem values.</p>			

Section 2.6.2	Stage 1 – wastewater treatment plant and associated infrastructure	Stage 2 – 1000 residential lots	Stage 3 – 1250 residential lots	Stage 4 – Yes Valley Resort
<p>Section 2.6.2.12: Explain how referring the project to the fast-track approval process: is the project consistent with local or regional planning documents, including spatial strategies, and if so, how?</p>		<p>Access to housing is a significant environmental issue. The Project addresses this through:</p> <ul style="list-style-type: none"> (a) The delivery of 2250 residential lots that can be developed with various housing typologies represents an increase in the overall residential capacity for the local and broader regional market and contributes to accommodating anticipated population growth. (b) The proposed increase in housing supply may lead to downward pressure on house prices, benefiting first-home buyers and renters. This increase in supply would help create a more balanced housing market, making home ownership more attainable and easing the financial burden on renters. 		
	<p>The planning assessment in Attachment 5 addresses the local and regional planning documents.</p>			

8. PERSONS AFFECTED

8.1. The following sections provide the required responses to the following matters:

- 3.5.1 Provide a list of persons, groups and/or entities who you consider are likely to be affected by the project;
- 3.5.2 Provide a summary of consultation undertaken with the above persons and/or groups who you consider are likely to be affected by the project, and any other groups required to be consulted with under section 11 of the Act and how the consultation has informed the project
- 3.5.3 List any Treaty settlements that apply to the project area and provide a summary of the relevant principles and provisions in those settlements

Persons, Groups, Entities likely to be affected (Referral Application Section 3.5.1)

8.2. The persons, groups, or entities likely to be affected are as follows:

- (a) The iwi authorities whose area of interest includes the area in which the project is located are:
- (i) Hako Tūpuna Trust (Ngāti Hako);
 - (ii) Ngāti Maru Rūnanga Trust (Ngāti Maru);
 - (iii) Ngāti Pāoa Iwi Trust (Ngāti Pāoa);
 - (iv) Ngāti Tamaoho Trust (Ngāti Tamaoho);
 - (v) Te Ākitai Waiohū Waka Taua Inc (Te Ākitai Waiohū);
 - (vi) Ngāti Te Ata;
 - (vii) Ngāti Tamaterā Treaty Settlement Trust (Ngāti Tamaterā);
 - (viii) Te Whakakitenga o Waikato Incorporated (Waikato-Tainui);
 - (ix) Waikato Raupatu River Trust;
 - (x) Waikato River Authority.
- (b) The applicant has also contacted relevant marae and hapu associated with Pokeno. These include:
- (i) Te Taniwha o Waikato;
 - (ii) Ngaati Naho ki te Paina;
 - (iii) Ngaati Tiipa;
 - (iv) Pookeno Marae;

- (v) Huakina Trust.
- (c) Waikato Regional Council (as regulator) (“WRC”).
- (d) Waikato District Council (governance and regulator roles) (“WDC”).
- (e) IAWAI - Flowing Waters - a new publicly owned and joint Council-controlled organisation which, from 1 July 2026, will have the responsibility of building, managing and maintaining drink water and wastewater services across Hamilton City and Waikato District.

Summary of Consultation (Referral Application Section 3.5.2)

- 8.3. **Attachment 13** contains the summary of consultation undertaken by the Applicant. This summary addresses:
- a) Consultation with Regional and District Councils;
 - b) Consultation with other authorities and Administrative Agencies;
 - c) Consultation with Pokeno landowners;
 - d) Consultation with Mana Whenua.
- 8.4. The Applicant has satisfied all consultation requirements in sections 11 and 13 of the FTAA.
- 8.5. The applicant has contacted all relevant iwi authorities identified above as having an interest in the Project area. First contact was made with Ngāti Tamaoho, Ngāti Te Ata and Ngaati Naho as the Applicant has ongoing agreements (MOU) regarding consultation and engagement with these iwi as a consequence of the rezoning of the precincts and the concept of the tourism resort. Engagement with Ngāti Tamaoho, Ngāti Te Ata and Ngaati Naho has included meetings and site visits over a long period of time, and more recently specific meetings have been undertaken regarding the Project.
- 8.6. Waikato-Tainui has a protocol for FTAA referrals. Their preapplication form was completed and sent to Waikato-Tainui on 14 October 2025. The preapplication form provided a detailed assessment of the Project against the Vision and Strategy for the Waikato River and the relevant Iwi Management Plan.
- 8.7. A copy of the summary of the Project and the completed Waikato-Tainui preapplication form was sent to all the iwi authorities. A request was made to provide any feedback within 10 working days, being 25 October 2025.
- 8.8. The Applicant is committed to ongoing engagement with iwi and Mana Whenua.
- 8.9. Responses have only been received from Ngāti Tamaoho (**Attachment 23**), Ngāti Te Ata (**Attachment 14**) and Ngaati Naho (**Attachment 22**). Letters received support the Project in principle.
- 8.10. The Applicant has also received letters from:
- (a) Waikato District Council (governance) dated 14 October 2025;

- (b) IAWAI - Flowing Waters Ltd dated 24 October 2025.
- 8.11. The Applicant has also been in contact with Waikato District Council and Waikato Regional Council in their role as regulator. Feedback from these councils is set out in the consultation summary in **Attachment 13** and the minutes of the preapplication meeting with Waikato District Council are included in **Attachment 20**.
- 8.12. The applicant has also consulted with the following administering agencies:
- (a) Heritage New Zealand Pouhere Taonga (“Heritage NZ”) with a meeting held on 20 October 2025;
 - (b) Department of Conservation with meetings held on 31 October and 3 November 2025; and
 - (c) Ministry for the Environment (“MfE”) with a letter received on 29 October 2025.
- 8.13. A preapplication meeting was held with the Environmental Protection Agency on 4 November 2025.

How consultation has informed the Project (Referral Application Section 3.5.2)

- 8.14. Feedback received through consultation has shaped the project so far. This includes:
- (a) Consultation with WDC and WRC has informed the identification of consent triggers in Attachment D to the Planning Memo.
 - (b) Consultation with WDC and IAWAI has highlighted the significance of a WWTP solution for Pokeno, and the opportunity for the WWTP in this Project to not only provide for the Applicant’s development but also support future growth in Pokeno. The technical memos by GWE (**Attachment 7**) confirm the ability for the WWTP and receiving environment to accommodate treated wastewater from the Project and Pokeno and a whole. Letter in support have been received from WDC and IAWAI.
 - (c) Consultation with Ngāti Tamaoho, Ngati te Ata and Ngati Naho has confirmed agreement in principle on the use of an MBR type WWTP, along with opportunities for land contact devices (for example constructed wetlands). Ngāti Tamaoho and Ngāti Te Ata have recent experience with MBR WWTP and land-contact devices, and this has informed the approach of selecting a WWTP that can achieve high levels of treatment.
 - (d) Consultation through the District Plan review with Ngāti Tamaoho, Ngati te Ata and Ngati Naho confirmed the hilltop parks within the Pokeno South/Havelock Precinct as opportunities for provide for cultural landscapes. The Pokeno South/Havelock Precinct Plan was developed through detailed engagement with Ngāti Tamaoho and Ngāti Te Ata. The concept plan for the Project reflects this Precinct Plan and those cultural values identified through the District Plan review process.
 - (e) A precautionary approach is being undertaken to the potential for unrecorded archaeological finds. Discussions with Heritage New Zealand Pouhere Taonga focussed on the site analysis undertaken to date, along with the likely need to authorities to investigate potential areas of archaeological interest. This has informed the need for an archaeological authority with the Substantive Application.

- (f) A precautionary approach is also being undertaken to matters relevant to the Wildlife Act administered by the Department of Conservation. A detailed understanding of the ecosystems of the Precincts has been established through many surveys. Further work for a substantive application will be required, including baseline monitoring of water quality, eDNA testing for the presence of specific aquatic species and bat monitoring to understand the distribution of species. This has informed the need for a Wildlife Act permit with the Substantive Application.
- (g) The Ministry for the Environment responded to a request for a preapplication meeting with the letter included in **Attachment 19**. The application has addressed the matters the Ministry has outlined is required for a referral application.

Treaty Settlements (Referral Application Section 3.5.3)

- 8.15. There is one Treaty Settlement Statutory Acknowledgement Area identified within the Project area or the surrounding neighbourhood. This relates to Ngāti Tamaoho and OTS-129-15, being the Mangatawhiri River and its tributaries. Pokeno West and part of Pokeno South /Havelock precincts drain into the tributaries of the Mangatawhiri River. The applicant has met with Ngāti Tamaoho.
- 8.16. The application falls within areas of interest covered by the following Treaty Settlements:
 - (a) Ngāti Tamaoho Claims Settlement Act 2018;
 - (b) Ngāti Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010;
 - (c) Waikato-Tainui Raupatu Settlement Act 1995; and
 - (d) Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.
- 8.17. The relevant principles and provisions of these settlements are set out below.

Ngāti Tamaoho Deed of Settlement (signed 30 April 2017)

- 8.18. The Deed of Settlement acknowledges that Ngāti Tamaoho suffered injustices that impaired the economic, social and cultural development of Ngāti Tamaoho and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Tamaoho.
- 8.19. The Settlement seeks to provide redress to Ngāti Tamaoho in the form of land and money, an agreed historical account, statutory acknowledgements, a deed of recognition, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown.
- 8.20. There are a number of protocols and relationship agreements provided for by the Deed, including:
 - (a) A Crown Minerals protocol, the subject matter of which is not relevant to the application.
 - (b) A taonga tūturū protocol. This is an accidental discovery protocol.

- (c) A relationship agreement with the Minister of Conservation and the Director-General of Conservation. This states that in administering the conservation legislation Te Papa Atawhai (the Department of Conservation) must give effect to the principles of Te Tiriti o Waitangi in accordance with section 4 of the Conservation Act, which is deemed to include involving Ngāti Tamaoho in conservation decision making in matters of importance to them, ensuring Ngāti Tamaoho interests are fairly reflected. That will involve Ngāti Tamaoho and Te Papa Atawhai identifying the types of decisions that Ngāti Tamaoho will be involved in; Ngāti Tamaoho and Te Papa Atawhai maintaining open exchanges of information; Te Papa Atawhai providing Ngāti Tamaoho sufficient information and time for Ngāti Tamaoho to identify the nature and extent of their interest in an issue, while taking into account the importance of timely and efficient decision-making; and Te Papa Atawhai providing feedback on how Ngāti Tamaoho interests have been reflected in particular decisions (clause 1.7). The deed states that Ngāti Tamaoho is particularly interested in exploring and increasing opportunities to work more closely with te Papa Atawhai in relation to range of management activities including reserves management; statutory authorisations and marine mammals. This may have relevance to the application for a wildlife approval.
 - (d) A relationship agreement with the Ministry for the Environment. This applies to all functions, powers, responsibilities and actions of the Secretary for the Environment that are exercised in relation to managing the use, development and protection of natural and physical resources within, or that affect, the Ngāti Tamaoho Area of Interest. It sets out ways in which to establish and maintain effective and efficient communication; including provision for an annual relationship meeting.
- 8.21. This Treaty settlement contains protocols and relationship agreements with the following agencies/Ministers that may be relevant to the project site: Ministry for Culture and Heritage (via Taonga Tūturu protocol), Department of Conservation, Ministry for the Environment and Minister for Energy and Resources.
- 8.22. There is one Treaty Settlement Statutory Acknowledgement Area identified within the Project area or the surrounding neighbourhood. This relates to Ngāti Tamaoho and OTS-129-15, being the Mangatawhiri River and its tributaries. Pokeno West and part of Pokeno South /Havelock precincts drain into the tributaries of the Mangatawhiri River. The Applicant has a long standing relationship with Ngāti Tamaoho and has met about this Project. The Project will adopt best practice measures to treat and attenuate stormwater, and plant the riparian margins of streams that are tributaries of the Mangatawhiri River. This will ensure that all stormwater is treated prior to discharge, that stormwater is attenuated to mitigate downstream erosion and flooding and ecological corridors are created to improve terrestrial and aquatic ecology associated with the streams.
- 8.23. Ngāti Tamaoho provided a letter supporting the Project in principle (**Attachment 23**).

Waikato-Tainui Raupatu Settlement Act 1995

- 8.24. The relevant provision of this Act is that it provides ‘right of first refusal’ on all Residual Crown Land. As none of the Project area involves any such land, this Act has no bearing on this application.

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

- 8.25. This Act gives effect to the Deed of Settlement signed by the Crown and Waikato-Tainui on 17 December 2009. Its overarching purpose is to restore and protect the health and wellbeing of the Waikato River for future generations through a co-governance framework.
- 8.26. Section 9(2) of the Settlement Act confirms that the Vision and Strategy (Te Ture Whaimana o Te Awa o Waikato) applies to the Waikato River and activities within its catchment. As well as being deemed part of the RPS in its entirety pursuant to section 11(1), the Vision and Strategy prevails over any inconsistent provision in a national policy statement and sections 11 to 15 prevail over sections 59 to 77 of the RMA.
- 8.27. The Vision and Strategy (Te Ture Whaimana o Te Awa o Waikato) has been evaluated in the Planning Memo in **Attachment 5**.

Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010

- 8.28. This Act complements the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. It enables the people of Ngati Tuwharetoa, Raukawa and Te Arawa to participate with Waikato-Tainui in co-governance arrangements which aim to protect and restore the health of the Waikato River.

Unsettled Claims

- 8.29. The claims of Waikato-Tainui (within the Waikato/Auckland regions) and Ngaati Te Ata are yet to be settled. Information from Te Kāhui Māngai confirms the Project's location is within the area of interest for these groups (although the areas of interest may be refined and confirmed throughout the course of treaty settlement negotiations).
- 8.30. Waikato-Tainui is an iwi whose remaining area of interest (which excludes those already settled) includes the Project site based on the areas of interest for the remaining historical Treaty of Waitangi claims of the March 2020 Waikato-Tainui Remaining Claims mandate. Waikato-Tainui and the Crown signed this Terms of Negotiation on 14 December 2020 to begin negotiations to settle remaining historical Treaty of Waitangi claims on behalf of Waikato-Tainui. These negotiations are on-going, and the area of interest for the remaining claims includes the Project location.
- 8.31. With respect to Ngaati Te Ata, available information suggests the Project location may be within the area of interest for Ngaati Te Ata who have a Terms of Negotiation with the Crown (Ngaati Te Ata 2010 Terms of Negotiation). They are yet to settle their historical Treaty of Waitangi claims and so the area of interest of the group is not confirmed through a Treaty settlement. Note this area of interest may be refined and confirmed throughout the course of Treaty settlement negotiations. The Applicant has received a letter in support from Ngaati Te Ata for the application (**Attachment 14**).

9. LEGAL INTERESTS

- 9.1. The following sections provide the required responses to the following matters:
- 3.6.1 Provide a description of any legal interests you or any others applying, have in the land on which the project will occur, including and statement of how that affects your ability to undertake the work.

- 9.2. The Application sites are generally owned (or under unconditional purchase agreements) by the Applicant. In some instance the land owning entity is a separately named company which is under the effective control of the Applicant. Small parts of the sites are owned by other private land owners (in relation to a small part of Havelock South) and the marginal strip in Yes Valley controlled by the Crown. Sites adjoining the access to Yashili Drive owned by third parties in included to support road widening.
- 9.3. There is only a single registered interests in the sites that would affect the ability to implement the Project. The relevant interest is held by Hynds Foundation and related entities. The Applicant is in positive discussions with Hynds Foundation. In addition, if necessary, parts of the Project can be commenced prior to the approval being obtained or the interest removed.
- 9.4. The analysis of the instruments on the records of title in provided in Attachment C of the planning memorandum (**Attachment 5**).

10. OTHER MATTERS

- 10.1. The following sections provide the required responses to the following matters:
- Section 3.7.1: Have the activities included in the project, or any that are substantially the same as those involved in the project, previously been the subject of an application or a decision under a specified Act?
 - Section 3.7.4 Provide a description of whether and how the project would be affected by climate change and natural hazards

Previous Applications / Decisions (Referral Application Section 3.7.1)

- 10.2. There is currently a bundle of resource consent applications for the Yes Valley Resort which the Applicant lodged with Waikato District Council but have been on hold since 2019. This referral application is not considered to compete with those lodged applications because all are controlled by the Applicant, however it is intended that the already lodged applications will be withdrawn when the substantive application is lodged. On this basis, there are no competing applications for the purposes of section 21(5)(g) of the FTAA.
- 10.3. None of the other proposed activities identified in this application/planning memorandum have previously been subject of an application or a decision under a specified Act.

How the project would be affected by climate change and natural hazards (Referral Application Section 3.7.4)

- 10.4. Climate change effects have been accounted for as identified in the civil engineering memorandum in **Attachment 6**. Finished floor levels can be set for residential development to ensure houses are clear of floodplains and overland flow paths. The stormwater attenuation measures outlined in the civil engineering memorandum include the attenuation of stormwater form impervious surfaces, to ensure that post development flows are 80% of pre-development flows. This is consistent with the stormwater management approaches adopted by WDC and WRC for Pokeno.

- 10.5. The rezoning process through the Waikato District Plan review comprehensively addressed the suitability of the sites for development. The WDC in Variation 3 prepared flood models addressing the flooding associated with urban zoned land in Pokeno. These areas are well-understood, and development can avoid locating vulnerable activities in floodplains.
- 10.6. Preliminary geotechnical reporting associated with the District Plan review concluded that the sites were suitable for development. The Pokeno South/Havelock Precinct includes areas where additional geotechnical reporting will be necessary (and is anticipated by the District Plan) and a lower density of residential development is anticipated. The remainder of the Pokeno West and Pokeno South/Havelock Precincts are suitable for standard and medium density residential development. Preliminary geotechnical reports would be prepared as part of the substantive application. These would support the development of lots, infrastructure along with earthworks activities.
- 10.7. WDC has also modelled the flood hazard associated with the Waikato River. This affects part of the Yes Valley site, and the concept plan illustrates that buildings and infrastructure can be located outside of this area of flooding.
- 10.8. All stormwater devices to be utilised on the site will also be designed to account for climate change. Site-specific details will be provided with the substantive application.

The project does not meet any reasons to decline per clause 21

- 10.9. For the purposes of clause 21 of the FTAA, there are no reasons to decline the project:
- (a) Each stage meets the criteria in section 22 of the FTAA, for the reasons outlined in section 7 above;
 - (b) The project does not involve any ineligible activities – see section 3 above;
 - (c) Adequate information has been provided in this application and supporting materials;
 - (d) The project is not inconsistent with any Treaty settlements – see section 8 above;
 - (e) The FTAA process is the most appropriate process to acquire the necessary approvals for the project – see section 5 above;
 - (f) As outlined in the accompanying Planning Memorandum, the project is not considered to have any significant adverse effects on the environment;
 - (g) The Applicant does not have a history of poor compliance under any of the specified Acts that relate to the proposed approvals (refer section 4 of Minutes in **Attachment 20**);
 - (h) The project area does not include land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes;
 - (i) A substantive application for this project would not have any competing applications and there are no existing resource consents for the same activity.
- 10.10. While the project involves a prohibited activity (reclamation of a wetland) under the Resource Management (National Environmental Standard for Freshwater) Amendment Regulations 2022:

- a) There is a functional need for reclamation relating to geotechnical considerations, avoiding areas of peat soils.
- b) There are significant opportunities for mitigation and offsets available with the protection and enhancement of other wetlands within the site. No net loss of biodiversity values can be achieved.
- c) Ecology management plans can protect fauna from harm.
- d) Significant regional benefits result from the project.