

Waikato-Tainui Fast Track Application Consultation Form

Section 1: Applicant details

Is this Fast-Track application listed under Schedule 2, Part A or applying to be referred under Schedule 2, Part b? (Select option)

- ☐ Listed 2a:
- ☒ **Referred 2b: Applying to be Referred**

1. Applicant name (individual or organisation name)

Pokeno Developments NZ Limited

2. Contact person (name)

Joel McKinlay

3. What is your job title

Project Manager

4. What is your email address?

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5. What is your phone number

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6. What is your postal address?

13 Arwen Place, East Tamaki Auckland 2013

Section 2: Project location

Site address or location

Provide a cadastral map and/or aerial imagery to clearly show the project location. Add the address or describe the location.

Attachment 1 contains location maps and addresses.

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Who are the registered legal land owner(s)?

Please write your answer here

Various – but all are companies held under the same ownership as the Applicant.

Section 3: Project details

This part provides the details to the project.

What is your project name?

Please write your answer here

Pokeno Housing and Tourism Project

Is the project Regionally or Nationally significant?

Please write your answer here

Regionally (may have some national benefits due to tourism)

What is the project summary?

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

Please write your answer here

Attachment 1 contains further details. In summary: Residential development for approx 2250 lots, Yes Valley Tourism Resort and activities, Infrastructure to service the Project.

What are the project details?

Please provide details of the proposed project, its purpose, objectives, and the activities it involves (only a general level of detail is required).

Please write your answer here

Attachment 1 contains further details.

Have you engaged with mana whenua?

- ☒ **Yes**
☐ No

if yes, please describe your engagement (please attach any evidence for this engagement)

The applicant has made contact with mana whenua groups who have in the past had a key interest in Pokeno (Ngaati Te Ata, Ngati Tamaoho and Ngaati Naho).

This consultation is ongoing and is in the process of being expanded to any other Treaty Settlement Entities.

Describe the staging of the project, including the nature and timing of the staging Please write your answer here

TBA

What are the details of the regime under which approval is being sought?

The different regimes are:

- Resource Management Act 1991 ○ resource consent ○ notice of requirement ○ certificate of compliance
 - coastal permit that authorises aquaculture activities to be undertaken in the coastal marine area and requires decisions under Part 9A of the Fisheries Act 1996
- Wildlife Act 1953 ○ authority to do anything otherwise prohibited
- Conservation Act 1987 ○ approval
- Reserves Act 1977 ○ approval
- Freshwater Fisheries Regulations 1983 ○ approval
- Heritage New Zealand Pouhere Taonga Act 2014 ○ archaeological authority
- Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 ○ marine consent
- Crown Minerals Act 1991 ○ land access arrangement under section 61 or 61B
- Public Works Act 1981 ○ proclamation under section 26 to take or deal with land Please write your answer here

RMA, Wildlife, HNZPT

What applications have you already made for approvals on the same or a similar project? Please provide details and any decision made of:

- Applications
- Notices

Please write your answer here

Previous applications were made to WDC and WRC for activities associated with the Yes Valley Resort – these were made prior to the Waikato District Plan review and are on hold.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please provide a high-level timeline outlining key milestones:

Construction would commence in the first available construction season – however staging and development sequence for the Project is still being determined.

It is predicted that the Project would take 10 years to complete.

Please explain your answer here

NA

Section 4: Treaty settlements

What treaty settlements apply to the geographical location of the project?

Include a summary of the relevant principles and provisions in those settlements and any statutory acknowledgement areas.

Please write your answer here:

- Ngāti Tamaoho Claims Settlement Act 2018 (including a Statutory Acknowledgement Area over the Mangatawhiri River and its tributaries);
- Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010
- Waikato-Tainui Raupatu Settlement Act 1995; and
- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Key provisions relate to the Te Ture Whaimana o Te Awa o Waikato which is addressed in detail below.

Are there any identified parcels of Maaori land within the project area, marae, and identified waahi tapu?

☐ Yes

☒ No

If yes, what are they?

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Maaori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

☐ Yes

☒ No

If yes, what are they?

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

- ☐ Yes
- ☐ No

Please explain your answer here:

NA

Will the project deliver regionally or nationally significant infrastructure? (Select option)

- ☒ **Regional significant infrastructure**
- ☐ National significant infrastructure

Please explain your answer here

A WWTP for Pokeno.

Section 5: Assessment

Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River and
Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Environmental Plan

Please assess the proposal against Te Ture Whaimana objectives A – M, and Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Environmental Plan. The assessment of the likelihood and, or magnitude of the effect should be undertaken from a Waikato-Tainui perspective.

The assessment should be undertaken prior to engagement and consultation with iwi and manawhenua. Ideally consultation aims to seek agreement between the applicant and iwi/manawhenua toward ensuring protection and restoration of Te Awa o Waikato and her environs. **The ultimate objective should be to avoid all detrimental effects.** All consents should demonstrate betterment over time. We recommend assessment against **all other relevant** Iwi an hapuu environmental plans.

Note: Te Tumu, Tai Pari, Tai Ao – Waikato Tainui Environmental Plan provides an overarching Waikato-Tainui perspective and, within the Waikato-Tainui rohe, marae and hapuu may have different perspectives on the relative importance of components of the Plan. It is critical to understand the perspectives of hapuu and marae as it relates to specific issues and matters and effective engagement with hapuu and marae will lead to this understanding. There is simply no ‘one-size-fits-all, uniform’ Waikato-Tainui wide view of environmental matters. However, the Plan provides key guidance for external and internal users and should serve as a baseline for approaching environmental matters of importance to Waikato-Tainui



TE TURE WHAIMANA O TE AWA O WAIKATO – VISION AND STRATEGY FOR THE WAIKATO RIVER

Please review Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River and provide an assessment within the following table:

Please fill if the project is within the Waikato River catchment, additionally, if you think this adds value feel free to fill out as it aligns to your project.

Te Ture Whaimana – Objectives	Assessment
A: The restoration and protection of the health and wellbeing of the Waikato River.	<p>The Project will assist in achieving the Te Ture o Te Awa o Waikato including via the following methods:</p> <p>(a) Engagement with iwi has commenced and will continue to ensure that mana whenua are able to promote their cultural, spiritual, and historic relationship with the Waikato River. This includes enabling maatauranga Maaori methods to be applied to aspects of the Project (i.e inclusion of “land contact devices” to receive treated wastewater).</p> <p>(a) The Yes Valley Precinct creates a significant opportunity for people to access the margins of the Waikato River for recreation and cultural uses. The Havelock Precinct provides opportunities to establish links between Pokeno and the Waikato River, providing greater opportunities for the community to interact with and enjoy the recreational values of the River.</p> <p>(b) The Project includes significant opportunities for restoration and enhancement of riparian margins of streams (approximately 5km) and natural inland wetlands and the Waikato River margins which will restore water quality and ecological integrity of waterways. These areas have been historically degraded by forest clearance and glazing. The planting of native vegetation will improve the quality of waterbodies, along with providing habitat for fauna (aquatic and terrestrial). The planting of the margins will also provide opportunities to establish</p>
B: The restoration and protection of the relationships of Waikato-Tainui with the Waikato River, including their economic, social, cultural and spiritual relationships.	
C: The restoration and protection of the relationships of Waikato River Iwi according to their tikanga and kawa with the Waikato River, including their economic, social, cultural and spiritual relationships.	
D: The restoration and protection of the relationships of the Waikato Region’s communities with the Waikato River, including their economic, social, cultural and spiritual relationships.	
E: The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.	
F: The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.	
G: The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.	
H: The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.	
I: The protection and enhancement of significant sites, fisheries, flora and fauna.	

<p>J: The recognition that the strategic importance of the Waikato River to New Zealand's, social, cultural, environmental and economic wellbeing requires the restoration and protection of the health and wellbeing of the Waikato River.</p>	
<p>K: The restoration of water quality within the Waikato River, so that it is safe for people to swim in and take food from over its entire length.</p>	
<p>L: The promotion of improved access to the Waikato River to better enable sporting, recreational and cultural opportunities.</p>	<p>ecological corridors, linking between areas of SNA and indigenous vegetation, creating wildlife corridors and green networks.</p>
<p>M: The application to the above of both maatauranga Maaori and latest available scientific methods.</p>	<p>(c) The direct benefits of changing land use activities from grazing will also be beneficial to the quality of the freshwater environment including the Waikato River and tributaries of the Waikato River within the Precinct Areas. The removal of stock, along with the planting and protection of waterbodies will improve water quality of tributaries of the Waikato River.</p> <p>(d) The Project reflects zoned opportunities for residential, industrial, local centre and tourism development. The Regional Plan and the District Plan require stormwater quality from new impervious surfaces to be managed through the use of treatment devices. Stormwater quality is also required to be managed to minimise erosion of streams.</p> <p>(e) The Project has integrated land use, water management, community wellbeing and consideration of the effects of climate change. Integration between these in the proposed concept plan results in comprehensively designed neighbourhoods for residential development and tourism activities, green corridors for waterways and ecological restoration alongside other features such as active mode connections with and between corridors (i.e providing access to tributaries of the Waikato River for passive recreation) which will promote community wellbeing. The stormwater solutions account for climate change.</p> <p>(f) Discharges will be managed to ensure that the health and wellbeing of the relevant tributaries where discharges will occur and the Waikato River is protected and restored. This includes:</p>

- Stormwater can be managed through treatment devices and appropriate detention to manage flooding (and also stream erosion) in accordance with best practice and Council design guidelines.
- Wastewater can be managed through treatment by an MBR (or similar device) and any other measures to align with cultural values. The treatment quality to be achieved from the device will be tailored to the receiving environment including treatment to a higher standard than the current receiving environment.
- Erosion and sediment controls during will be implemented in accordance with best practice and Council design guidelines.

The MBR provides high quality treatment of wastewater. This includes reductions in contaminants, along with near elimination of faecal coliforms. The level of treatment will be superior to that of the existing Pukekohe wastewater treatment plant, providing a step shift in the investment in newer and more appropriate technologies than the older traditional methods employed at the Pukekohe wastewater treatment plant. The use of land-contact devices provides opportunities to enhance the mauri of water, by discharging these to constructed wetland areas.

Is the project consistent with Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River?

- ☒ Yes
- ☐ No

Please explain your answer here:

Refer to the above assessment.

TAI TUMU, TAI PARI, TAI AO - WAIKATO-TAINUI ENVIRONMENTAL PLAN

“Hoki ake nei au ki tooku awa koiora me ngoona pikonga, He kura tangihia o te maataamuri” - The river of life, each curve more beautiful than the last.

Assess the potential and actual adverse effects of the proposed activity against the vision of the plan (to restore and protect the environment), Chapter 7 - towards environmental enhancement, and the relevant objectives and policies in Section C and D, in particular Chapter 10. The assessment should be documented in the provided table. Ensure you reference and review the relevant sections of WTEMP that are specific to the proposed activity.

Clearly list the applicable objectives and policies and provide a thorough assessment of the proposed activity against each.

VISION OF THE PLAN – KIINGI TAAWHIAO, HE MAIMAI AROHA		
Vision		Assessment/ Comment
He Maimai Aroha	<p>The Vision of the Plan is taken from a maimai aroha of the second Maaori King, Taawhiao, where he laments with a heavy heart his longing for and adoration of the taonga; natural resources of his homeland.</p> <p>The maimai aroha of Kiingi Taawhiao is the key driver and indicator of environmental health and wellbeing in this Plan.</p> <p>Waikato-Tainui aspires to the restoration of the environment to the state that Kiingi Taawhiao observed when he composed his maimai aroha.</p> <p>Please provide commentary on how your project achieves the vision of the plan.</p>	<p>The forthcoming assessments detail how the Project and ongoing consultation achieves this vision. The Project area involves significant landholding that can achieve restoration of ecosystems, habitat and the improvement of water quality.</p>
SECTION B: KETE MAATURANGA – TOOLBOX		
Chapter		Assessment/ Comment
Chapter 7: Whakapakari i te Taiao – Towards environmental enhancement	<p>The goal of Waikato-Tainui is to ensure that the needs of present and future generations are provided for in a manner that goes beyond sustainability towards an approach that enhances the environment. Please review Chapter 7 and provide an assessment or commentary on how your project aligns with this goal.</p>	<p>The Project will align with the Chapter 7 goal though:</p> <ul style="list-style-type: none"> • Enhancement of riparian margins of streams and natural inland wetlands; • Ecological corridor enhancement including restoration of native forest areas within the Project area • Regionally significant economic benefits (which have the potential to flow on to social and cultural wellbeing) through the provision of housing in a location identified for growth and the direct benefits from the tourism activities:
SECTION C: ISSUES, OBJECTIVES, POLICIES AND METHODS – GENERAL WAIKATO-TAINUI ENVIRONMENTAL MATTERS - NGAA TAKE, NGAA WHAAINGA, NGAA KAUPAPA HERE, NGAA TIKANGA AA-TAIAO WHAANUI		
Chapter	Identify and list relevant Objectives and Polices within this column	Assessment/ Comment



Chapter 10: Whakatupuranga Waikato-Tainui 2050 - Tribal Strategic Plan	Collaboration and consistency	The purpose of engagement with mana whenua (including Waikato Tainui) is to enable collaboration and to incorporate tribal history, maatauranga, reo and tikanga into the Project and its implementation.
Chapter 11: Te Ture Whaimana o te Awa o Waikato – The Vision and Strategy for the Waikato River	Te Ture Whaimana prevails	An assessment of Te Ture Whaimana has been provided above.
Chapter 12: Right of first refusal on crown lands	Protecting the integrity of the RFR	NA. The Project does not seek to transfer and Crown land.
	A 'sale' by another name	
	Crown land administered by or transferred to local authorities	
Chapter 13 Ngaa Papakaainga me ngaa Marae – WaikatoTainui Communities	Papakaainga development in rural and urban areas	NA. The Project does not include Papakaainga housing.
Chapter 14 - Ngaa Mahi Tuku Iho a Waikato-Tainui Customary Activities	Waikato-Tainui able to access and undertake customary activities	Access to customary activities (and ability to undertake these) forms part of the overall engagement with mana whenua (including Waikato Tainui). For example the Project will enhance access to the Waikato River and other tributaries of the Waikato River which creates opportunities for customary activities to occur.
	Waikato-Tainui customary activities are protected and enhanced	
Chapter 15 Ngaa Taonga Maaori tuku iho me te Aarai Taiao – Natural Heritage and Biosecurity	Indigenous Biodiversity	The recent District Plan review, and rezoning of the Precincts has included mapping of Significant Natural Areas (SNAs). Mapped SNAs apply across all three Precincts. Development of the Precincts will avoid development within mapped areas of SNA, and where works are necessary within an SNA (for example infrastructure) an effects management hierarchy will be followed. Ecological corridors will be enhanced through the planting of indigenous species within riparian margins (alongside streams and the Waikato River). The valley systems included within the Project area support some of the best examples of native forest and indigenous environments in the Ecological
	Landscape planning and natural heritage	

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		<p>District, and the restoration works in these sites that come about as a direct result of the Project will restore, connect, enhance, and protect a range of regionally important native forests areas and the biodiversity within them. Potential loss of habitat for indigenous species (including lizards and roosting locations for highly mobile species such as native birds and bats) will be managed using the effects management hierarchy, as may include measures such as conditions on the timing of vegetation removal, and the implementation of management plans.</p> <p>Other measures such as stock exclusion and animal and weed pest control will also be able to be implemented by the applicant (and detailed at the substantive application stages) which will create additional benefits indigenous biodiversity species.</p>
	Control agents	Weed and pest management controls will be further detailed as part of the substantive application - however it is acknowledged that careful selection of any biological control agents is required to align with the concern that they may kill non-target species or bio-accumulate in the environment.
	New organisms and genetically modified organisms	NA.
Chapter 16 Ngaa Taonga tuku iho, ngaa Waahi Tapu, ngaa Waahi Tuupuna – Valuable historical items, highly prized sites, sites of significance	Site management protocols	<p>The Project area includes sites of cultural significance, including the potential for Te Wheoro's Pā (R12/1220). The Project concept has avoided this area and sought to enhance the surrounds – however it is acknowledged that further consultation and archaeological assessments are required to determine extent as part of the substantive application process.</p> <p>Other site management protocols, including accidental discovery are anticipated to form part of the consultation with mana whenua.</p>
	Managing waahi tapu and waahi tuupuna	
	Discovery of taonga (including archaeological sites)	
	Areas and sites of significance	
Section 17 Ngaa Moorearea Ao Tuuroa – Natural Hazards	Land use and structures	<p>The potential risk of natural hazards and climate change can be taken into account for the Project (flooding, geotechnical, sea level rise etc), including ensuring that adverse effects on water bodies and aquatic life are mitigated.</p>
	Risk management	
	Climate change	

SECTION D: ISSUES, OBJECTIVES, POLICIES AND METHODS – SPECIFIC ENVIRONMENTAL AREAS - NGAA TAKE, NGAA WHAAINGA, NGAA KAUPAPA HERE, NGAA TIKANGA –TAIAO WHAAITI

Chapter 19 – Te Waai Maaori - Water	The relationship between Waikato-Tainui and water	Refer to the assessment of Te Ture Whaimana.
	Water quality	
	Water quality (integrated catchment management)	
	Water quantity and allocation	
Chapter 20: Ngaa Repo - Wetlands	Wetland mauri and condition, hauanga kai, habitat	Works in proximity to wetlands can be carefully designed to ensure that the potential risk for adverse effects are minimised as far as practicable. The effects management hierarchy will be followed for works associated with wetlands and streams

	Access	
Chapter 21 Te Whenua - Land	Effectively manage soil erosion	Earthworks associated with the Project will be undertaken in accordance with best practice erosion and sediment control measures to ensure that any potential adverse effects are either avoided or minimised. This includes the rapid stabilisation of earthworked surfaces, sediment retention ponds, decanting earth bunds, stabilised construction entrances from main roads, silt fences, and clean and dirty water diversions.
	The life supporting capacity of land and soils	The Project areas have recently been rezoned for urban and tourism development (which relieves pressure in other areas within the District which have high class soils for food production).
	Effectively manage land contamination	Any contamination can be effectively managed as part of the substantive application process (including via any required management plans).
	Achieve integrated catchment management, including floodplain and drainage management	Earthworks catchments can be managed as far as practical to avoid effects on hydrology of natural inland wetlands. The area of earthworks can be designed to avoid, where practical, areas of wetlands and streams. Streams

		crossing using bridges and culverts can be designed to minimise effects on the stream and their values, including providing for fish passage.
Chapter 22 – He Mahinga Ika - Fisheries	Holistic and coordinated approach	The Project’s response to any potential effects on the Waikato River health and wellbeing has been addressed under the assessment of Te Ture Whaimana. This also acknowledges the potential that the degradation of the Waikato River is linked to a decline of taonga fish and shellfish species.
	Taonga species	
	Fisheries management tools	NA
Chapter 23 – Te Ararangi – Air	Discharge Quality and Amenity	NA
Chapter 24 – Te Taiao Moana - Coastal Environment	Water quality	NA
	Coastal erosion	
	Coastal access	
	Activities in the coast area	
	Integrated management and relationships	
Chapter 25 – Ngaa whakaritenga moo ngaa whenua o Waikato-Tainui – Land Use Planning	Approach to land use and development	<p>The Project areas have recently been rezoned through the Waikato District Plan review process for urban and tourism development. The Project also adopts an integrated management approach which includes:</p> <ul style="list-style-type: none"> • Delivering a coordinated approach to delivery of large scale residential development and tourism related activities; • Managing and recognising the interrelationship and values of water bodies (which is addressed in more detail under the Vision and Strategy section); • Unlocks development which meets the needs for future generations for housing and which will be designed to manage the effects of climate change;
	Urban and rural development	
	Positive environmental and cultural effects	

		<ul style="list-style-type: none"> Enables extensive habitat restoration and ecological enhancement including in areas identified as outstanding landscapes (under the District Plan); Ensures that the relationship of tangata whenua is recognised and provided for (which will be further enabled by continued consultation).
Chapter 26 – Waihanga Matua – Infrastructure	Waikato-Tainui engagement	The Project includes infrastructure solutions (including for wastewater) which are based on environmental outcomes and for which cultural and spiritual values can also be provided for (which is to form part of this consultation).
	Infrastructure development, upgrade and maintenance	
	Liquid, solid and hazardous waste	
	Transportation	
Chapter 27 – Whakaputa hiko – Electricity Generation	Electricity generation and transmission	NA
	Alternative electricity generation sources	
	Local cost, local benefit	
Chapter 28 – Keri Oopapa – Mining and Quarrying oil, gas, minerals	Mining	NA
	Local cost, local benefit	
Chapter 29 – Ngaa Mahi Paarekareka Me Te Manaaki Manuwhiri - - Recreation and Tourism	Adverse effects	The Yes Valley activities will contribute towards tourism for the Waikato Region.
	Authenticity	Adverse effects of activities can be suitably managed through the substantive application process (and further consultation with mana whenua).



Is the project consistent with Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan?

☒ Yes

☐ No

Please explain

Refer to assessment above.

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