

Caland Holdings Ltd

Fast-track Approvals Act 2024 Referral Application



Image: Subject site looking towards Lake Rotorua

Rural Residential Development 66 and 70 McFetridge Drive and 89 Tauranga Direct Road, Hamurana, Rotorua

MAY 2026

PROJECT No. 9047

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**Rural Residential Development
66 and 70 McFetridge Drive and 89 Tauranga Direct Road,
Hamurana, Rotorua**

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**Caland Holdings Ltd – Rural Residential Development
Referral Application under Fast-track Approvals Act**

1. EXECUTIVE SUMMARY

- 1.1 This referral application seeks acceptance of a rural residential subdivision at 66 and 70 McFetridge Drive and 89 Tauranga Direct Road, Hamurana, Rotorua (the Site). The proposal involves subdivision of the Site to create approximately 92 rural residential lots with associated roading, earthworks, and infrastructure. The proposal also includes the planting and retirement of significant areas of native vegetation throughout the gully systems within the site, together with long-term environmental enhancement measures.
- 1.2 Water quality within the Rotorua Lakes has been under sustained pressure for over 50 years, primarily due to nutrient enrichment from historic and ongoing land use activities, as such water quality in Lake Rotorua is a regionally significant issue. A significant contributor to nitrogen loading within the catchments has been pastoral farming, particularly through long-term leaching of nitrogen to groundwater and subsequent discharge to receiving water bodies. Lake Rotorua and the wider Rotorua Lakes are regionally significant freshwater resources. Despite improvements, achieving and sustaining target water quality remains challenging due to legacy nutrient loads, groundwater lag effects, internal nutrient cycling, and climatic variability.
- 1.3 The proposal will permanently reduce nitrogen losses from the site, contribute to long-term water quality improvement objectives for Lake Rotorua, and align with regional nutrient reduction programmes and policy direction. The retirement and revegetation of gully systems and wetland areas will further enhance ecological connectivity, reduce runoff effects, and provide additional environmental benefits.
- 1.4 The project represents a strategic land use transition within the Lake Rotorua catchment from pastoral farming to rural residential use. The conversion will result in a permanent reduction in nitrogen discharge from the Site relative to the existing pastoral baseline, contributing to long-term water quality improvement objectives for Lake Rotorua. Bay of Plenty Regional Council (BOPRC) has acknowledged that the redevelopment of the approximately 83.3 hectare dairy farm to rural residential land connected to the reticulated wastewater network will result in an estimated reduction of approximately 1,107.8kg of nitrogen per year entering Lake Rotorua. BOPRC further recognised that this represents a meaningful contribution toward the wider

Lake Rotorua Incentives Scheme and catchment nutrient reduction programme.

1.5 The development delivers significant regional benefits, as assessed under section 22 of the Fast-track Approvals Act (FTAA), including:

- Permanent nutrient discharge reduction within the Lake Rotorua catchment;
- Provision of 92 additional lifestyle dwellings within a supply-constrained housing segment;
- Significant private infrastructure investment;
- Construction employment and associated GDP generation;
- Ongoing household expenditure from additional housing supporting the Rotorua economy;
- Diversification of the district's residential supply.
- Native planting and long-term environmental restoration within the site.

1.6 In addition, the report provides a comparison of the proposed land use against the current and other likely land uses (s22(6)). It finds that when compared to other likely land uses of the site, the proposed development represents a reasonable and efficient use of the land in circumstances where ongoing economically viable primary production is significantly constrained. Conforms with the Regional policy direction towards achieving lake water quality improvement outcomes.

1.7 The proposal is appropriately located within a modified rural-lifestyle environment, is capable of being serviced without adverse infrastructure effects, and is consistent with the relevant National Policy Statements, including the NPS for Highly Productive Land. The site is positioned on the outskirts of Hamurana where local services are established, and acts as a natural extension to the built form of the long developed low density residential locality. The proposal also enables environmental gains not typically associated with rural residential development through permanent reductions in pastoral nutrient loading, connection to reticulated wastewater infrastructure, native revegetation and enhanced stormwater management outcomes.

FAST-TRACK APPROVALS ACT 2024 CHECKLIST

1.8 The following provides cross-references to the information required for a referral application and where this can be found within this application.

Table 1: Application Summary

Information Required	
Fast-track Approvals Act 2024	Application reference (Section and Appendix)
11. Consultation requirements for referral application	
<i>(1)(a) Before lodging a referral application, the applicant must consult —</i>	
<i>(i) any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011; and</i>	Not applicable
<i>(ii) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou; and</i>	Not applicable
<i>(1)(b) Before lodging a referral application, the applicant must notify in writing —</i>	
<i>(i) the relevant local authorities; and</i>	See Section 12
<i>(ii) any relevant iwi authorities, hapū, and Treaty settlement entities,....</i>	See Section 12, Table 7
<i>(iii) relevant administering agencies;</i>	Not applicable
<i>(iv) Holder of an interest in the land</i>	Not applicable
<i>(c) Provide 20 Working Days to respond</i>	21/04/2026
<i>(d) Must not lodge prior</i>	{Confirm on lodgment}
13. Referral application	
General requirements	
<i>13(1) - A person or persons may apply to use the fast-track approvals process for a project by lodging a referral application with the responsible agency</i>	A referral application will be lodged with the responsible agency seeking access to the fast-track approvals process for the proposed 92-lot residential subdivision.
<i>13(2)(a) - Application lodged in approved form and manner approved by the responsible agency;</i>	The referral application will be lodged in the form and manner approved by the responsible agency.
<i>13(2)(b) - lodged jointly by all of the persons who are proposed to be authorised persons for the project</i>	The applicant is Caland Holdings Ltd

<i>13(2)(c) - include the information specified in subsection (4)</i>	This referral application includes all information required under section 13(4) of the Act. See section below.
<i>13(2)(d) - specify all of the proposed approvals, but need only provide a general level of detail about each proposed approval, sufficient to inform the Minister's decision on the referral application</i>	The application identifies the proposed resource consents and associated approvals at a general level sufficient to inform the Minister's decision. See section 4 of this report.
<i>13(2)(e) - All applicable fees paid</i>	Fees will be paid as required
<i>13(3)(a) - the applicant must be eligible to apply for any corresponding approval under a specified Act</i>	The applicant, Caland Holdings Ltd ¹ , is eligible to apply for the relevant consents.
<i>13(3)(b) – Multiple applicants – the person who is to hold the proposed approval must be a person who would be eligible to apply for any corresponding approval under a specified Act.</i>	The applicant is eligible to apply for the consents required. No other parties are applicants.
Proposal and Effects	
<i>13(4)(a) - Description of the project and activities</i>	See Section 3
<i>13(4)(b) - Explanation of how project meets s22 criteria</i>	See Section 6
<i>13(4)(c) - Demonstration that no ineligible activities are involved</i>	See Section 13
<i>13(4)(d) - Description or map identifying project boundaries</i>	See Appendix F
<i>13(4)(e) - Anticipated construction commencement and completion dates</i>	See Section 3.4
<i>13(4)(f) - Statement on staging (if applicable), including timing</i>	Not applicable
<i>13(4)(f)(i) - Outline of nature and timing of stages</i>	Not applicable
<i>13(4)(f)(ii) - Separate applications - Whether separate substantive applications are proposed</i>	A single substantive application is proposed.
<i>13(4)(f)(iii) - Explanation of how each stage meets s22 criteria</i>	Not applicable
<i>13(4)(g) - Identification if project is an alternative project in itself</i>	The project is not an alternative project.

¹ Caland Holdings Shareholdings: Stuart Milsom (99 shares), Priscilla Milsom (1 share)

<i>13(4)(g)(i) if so description of alternative component</i>	Not applicable.
<i>13(4)(g)(ii) - Explanation of how alternative meets s22 criteria</i>	Not applicable.
<i>13(4)(h) - Effects - Description of anticipated and known adverse effects</i>	See Section 7
<i>13(4)(i) - Prohibited activities - Statement on any RMA prohibited activities</i>	No prohibited activities.
Persons Affected	
<i>13(4)(j) - Affected parties - List of persons/groups likely to be affected</i>	See Section 12, Table 8
<i>13(4)(j)(i) - Local authorities - Relevant local authorities identified</i>	Rotorua Lakes Council Bay of Plenty Regional Council
<i>13(4)(j)(ii) - Iwi / hapū - Relevant iwi authorities and hapū groups</i>	Ngāti Rangiwewehi
<i>13(4)(j)(iii) - Other iwi - Other relevant iwi authorities</i>	Raukawa Settlement Trust
<i>13(4)(j)(iv) - Treaty entities - Relevant Treaty settlement entities</i>	Te Arawa Lakes Trust Te Arawa Lakes Strategy Group Affiliate of Te Arawa ('Other Party')
<i>13(4)(j)(v) - Customary rights - Protected customary rights / marine title groups</i>	Not applicable
<i>13(4)(j)(vi) - Ngāti Porou - Where applicable, Ngāti Porou hapū</i>	Not applicable
<i>13(4)(j)(v) - Customary rights - Protected customary rights / marine title groups</i>	Not applicable
<i>13(4)(j)(vi) - Ngāti Porou - Where applicable, Ngāti Porou hapū</i>	Not applicable
<i>13(4)(j)(vii) - MACA applicants - Relevant Takutai Moana applicant groups</i>	Not applicable
<i>13(4)(j)(viii) - Land interests - Persons with PWA land interests</i>	Not applicable
<i>13(4)(j)(vii) - MACA applicants - Relevant Takutai Moana applicant groups</i>	Not applicable
<i>13(4)(k) - Consultation - Summary of consultation undertaken</i>	See Section 12, Table 9

<i>13(4)(k)(ii) - Consultation outcomes - How consultation informed the project</i>	See Section 12, Table {Insert once complete}
<i>13(4)(ka) – Responses to notice under s11(1)(a)</i>	See Section 12, Table 9
<i>13(4)(l) Treaty settlements Applicable Treaty settlements and provisions</i>	See Section 12, Table 10
<i>13(4)(m) PWA processes Any Public Works Act processes undertaken</i>	Not applicable
<i>13(4)(n) Ngāti Porou Act Relevant provisions of Ngā Rohe Moana Act</i>	Not applicable
<i>13(4)(o) Māori land Identification of Māori land, marae, wāhi tapu</i>	Māori Land: 1. Jackson Road (Mangorewa Kaharoa 6E 3 No 2 H5A Blk XII Rotorua Sd) 2. 305 Hamurana Road (Mangorewa Kaharoa 6E3 Sec 2E 2A 1B2 Blk XII Rotorua S D) 3. 84C Central Road (Mangorewa Kaharoa 6E 3 2E 2A 2 Blk & 6E 3 2E 2B 1C Blk), 4. Jackson Road (Mangorewa Kaharoa 6E 3 Sec 2H No 7A Blk XII Rotorua Sd)
Determinations (Sections 23–24)	
<i>13(4)(p) s23 determination Whether determination sought; effects on Māori land</i>	Not applicable
<i>13(4)(q) s24(2) determination Existing electricity infrastructure effects</i>	Not applicable
<i>13(4)(r) s24(4) determination Alternative sites for new electricity lines</i>	Not applicable
<i>13(4)(r)(ii)(A–E) Alternatives assessment Costs, effects, mitigation, practicality, reasonableness</i>	See Section 10
What Is Needed to Complete the Project	
<i>13(4)(s) Legal interest Applicant's legal interest in the land</i>	The applicant owns the land.

13(4)(t) <i>Other approvals Other consents / authorisations required</i>	See Section 4
Other Matters	
13(4)(u) <i>Previous decisions Previous applications or decisions under specified Acts</i>	See Section 9
13(4)(v) <i>Climate & hazards Climate change and natural hazard effects</i>	See Section 12
13(4)(w) <i>Multiple applicants Allocation of approvals between applicants</i>	Not applicable
13(4)(x) <i>Compliance history Compliance or enforcement actions (if any)</i>	See Section 9
Specific Approval Matters	
13(4)(y) <i>Schedule requirements Information required under relevant Schedules (5–11)</i>	See Section 8

2. SITE DESCRIPTION

THE SITE

- 2.1 The site is located at 66 & 70 McFetridge Drive and 89 Tauranga Direct Road which is positioned to the west of Hamurana and to the north of Rotorua urban area. Figure 1 provides a broader spatial context for the site in relation to the Rotorua urban area and the surrounding settlements.
- 2.2 The site encompasses approximately 83 hectares across three fee simple titles and is accessed via an established legal road, McFetridge Drive, which obtains access from Jackson Road (see Appendix B: Title Records). It continues as a paper road through to State Highway 36. The legal descriptions of the titles are:
- Lot 8 DP 392696 (approximately 49.79ha, RT:371510)
 - Lot 7 DP 392696 (approximately 5.99ha, RT:371509)
 - Lot 2 DP 558193 (approximately 27.48ha, RT: 979716)
- 2.3 These titles are held in common ownership by the applicant and collectively form the area known as “the site”.

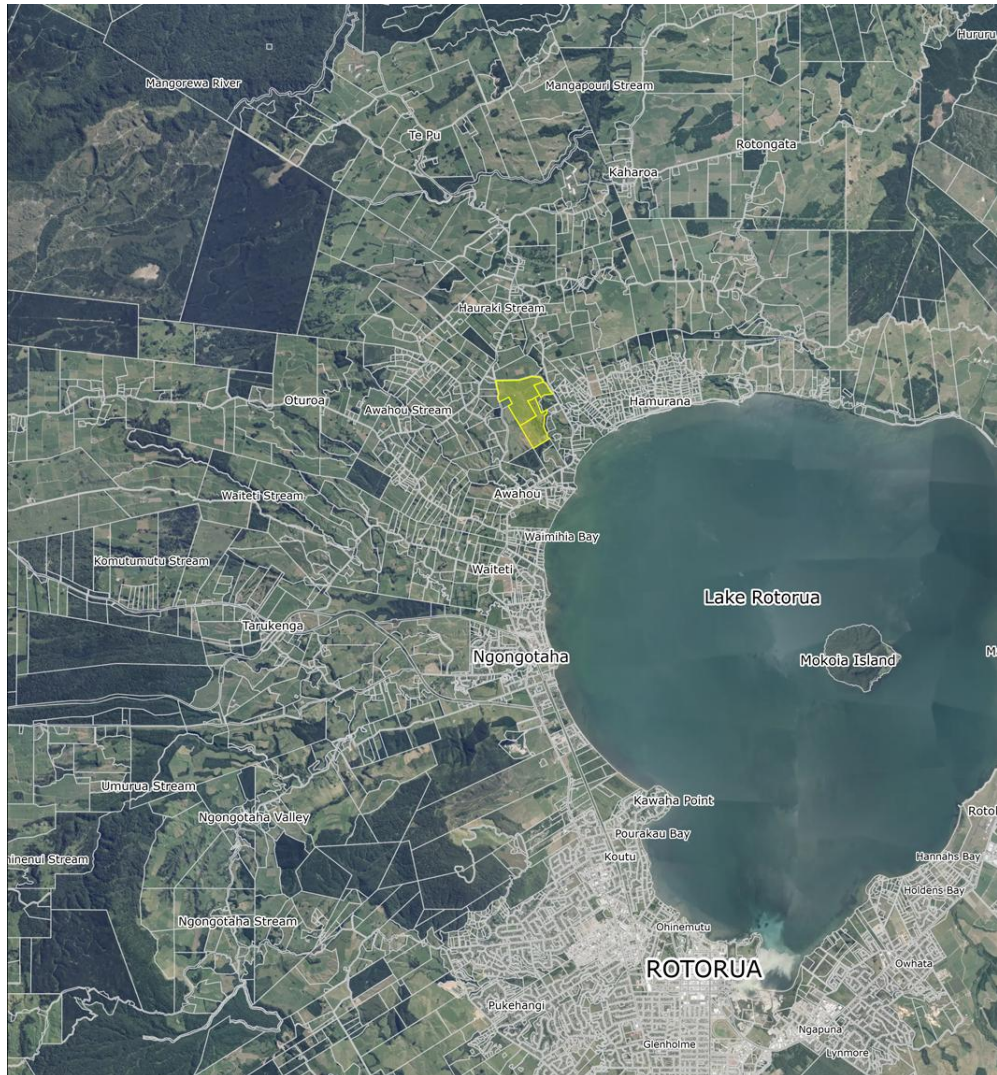


Figure 1: Wider Site Context

- 2.4 The site comprises rural land sloping south towards Hamurana Road, with a central gully system, existing wetlands, and areas of established revegetation. The site is located within the Kaikaitahuna / Hamurana Springs aquifer catchment, with the Awahou Awa located approximately 1.5 kilometres to the south.
- 2.5 The site currently comprises pastoral grazing land, with two dwellings and a cluster of dairy farm buildings located on the northwest portion of 66 McFetridge Drive.
- 2.6 The site slopes south towards Hamurana Road. With a general fall in elevation from 340msl down to 320msl. The northern part of the site comprises gradually sloping pasture. From there an east/west ridge rises 10m from the northern plateau before falling toward the Lake, with two main spurs that extend southward along the eastern boundary and western boundary, separated by a central gully system and a series of gully heads. The central gully system

extends southward down the eastern extent of the site toward two wetland features at the southern extent of the site.

- 2.7 As shown in Figure 2 below, while the site is located within the Rural Zone 1, it is situated within an area that has already undergone a degree of lifestyle subdivision. Existing lifestyle properties are established along Tauranga Direct Road, Jackson Road, and Central Road, which collectively form the immediate surrounding land use pattern.
- 2.8 The settlement of Hamurana lies to the east of the site and provides a range of local services and community facilities, reinforcing the semi-rural living environment of the locality.
- 2.9 In this context, the surrounding pattern of development has already transitioned from a purely productive rural landscape toward a more fragmented rural-lifestyle environment. The subject site therefore represents a logical and contained progression of this established development pattern and an extension of the lifestyle form of development typically associated with the Rural Zone 2 environment, rather than introducing a new or isolated form of land use.

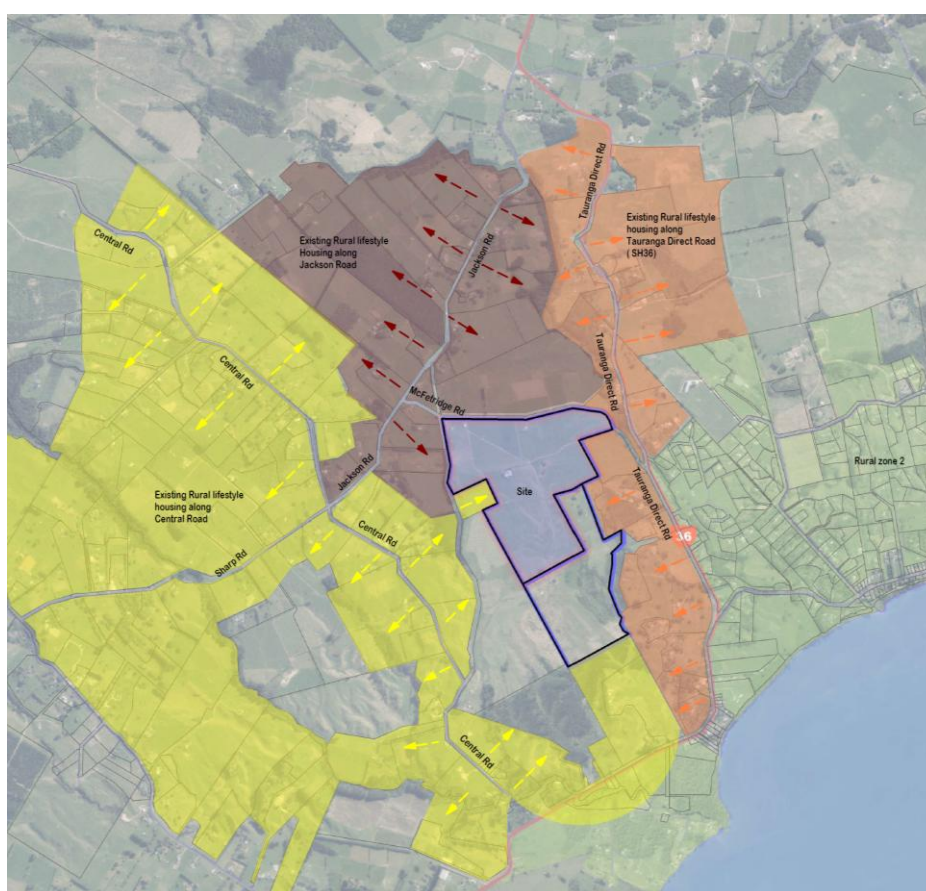


Figure 2: Surrounding Zoning and Land Use

Existing Ground Conditions

- 2.10 A geotechnical investigation was undertaken by Sigma Consultants Ltd to assess ground conditions and geotechnical constraints associated with the proposed subdivision of the site for approximately 92 rural residential lots (see Appendix B). Additional testing will be undertaken to support the substantive application.
- 2.11 The report identifies that the ground conditions for the site comprises gently to moderately undulating rural land underlain by volcanic-derived soils, typical of the wider Hamurana/Rotorua area. Subsurface investigations identified a profile generally consisting of topsoil and volcanic ash soils over more competent underlying materials. No significant rock outcrops were identified at shallow depth.

Water

- 2.12 There are three groundwater catchments within the local environment: Hamurana, Awahou, and an 'ungauged' catchment adjoining the lake (see Appendix C: Location of McFetridge Drive Property in Relation to Groundwater catchments).
- 2.13 The northern portion of the site is within the Hamurana groundwater catchment, the southern section of the site is within the 'ungauged' catchment.
- 2.14 There are also surface water catchments which flow directly towards the lake and the Awahou Stream to the south-west.
- 2.15 The site currently obtains its water supply as follows:
- The farm extracts 35m³/day for the dwellings, process water in the milking shed and livestock consumption.
 - Lot 2 DP558193 and Lot 8 DP 392696 (amalgamated) has an allocation from the Kaharoa Water Scheme of 24.1 m³ per day.
 - Lot 7 DP392696 has an allocation of 2.6 m³ per day.

Existing Buildings

- 2.16 The Site contains two existing residential buildings:
- A farm cottage located on a small knoll within the northern plateau area. This building sits within the open rolling rural land environment and is visually associated with the surrounding pastoral land use.

- The principal dwelling, which is positioned on the elevated ridgeline forming the highest point of the site above the northern plains. This dwelling has an elevated outlook toward Lake Rotorua.

2.17 In addition to the residential buildings, the property contains typical rural infrastructure associated with pastoral farming activities, including accessory storage and utility sheds, internal farm tracks and fencing.

Cultural

2.18 A Cultural Impact Assessment has been provided (see Appendix D). This provides a description of the cultural values of the surrounding area. The subject site is located approximately 1.1km northeast from Pekehāua Puna (Taniwha Springs). Runoff from the property discharges into the Awahou Stream downstream from the Taniwha Springs. These waters, known to Ngāti Rangiwewehi as Te Wai Mimi o Pekehāua, are recognised as a taonga of deeply significant cultural, spiritual, and ancestral importance.

2.19 Pekehāua Puna holds deep cultural meaning for Ngāti Rangiwewehi. It is associated with the traditions of the taniwha Pekehāua, whose story is central to iwi identity and whakapapa connections to the Awahou Stream and surrounding freshwater systems. The puna and stream are also valued as places of recreation, mahinga kai, and intergenerational connection, contributing to the wellbeing and identity of the iwi.

2.20 Ngāti Rangiwewehi maintain mana whenua and exercise kaitiakitanga over the Mangorewa–Kaharoa area, including the Awahou Stream catchment. Despite historical land loss, their responsibility to protect and restore the mauri of the land and waterways remains. This includes safeguarding water quality, biodiversity, and cultural values associated with the stream and springs.

2.21 Given the site's upstream location within the wider Awahou catchment, consideration of potential effects on water quality, ecological health, and cultural values below the puna is therefore an important component of the planning assessment.

Ecological/wetlands

2.22 The site contains two existing wetland areas identified on the Regional Council Mapping. These are located on the southern portion of the site within a gully area. Extensive planting has occurred along the gully edge. No earthworks are anticipated within a 25m setback of the wetlands. Treatment of stormwater via a treatment train will ensure no significant effects occur on the wetland areas.



Figure 3: Wetland on site



Figure 4: Extract from Bay of Plenty Regional Mapping showing two identified wetland features at southern portion of the site

National Grid Transmission Lines

2.23 Transpower's Arapuni – Edgecumbe B (ARI-EDG-B) 110 kV National Grid transmission line traverses the northern portion of the site. The location of the lines is shown on the Constraints Map below (See Appendix E also).

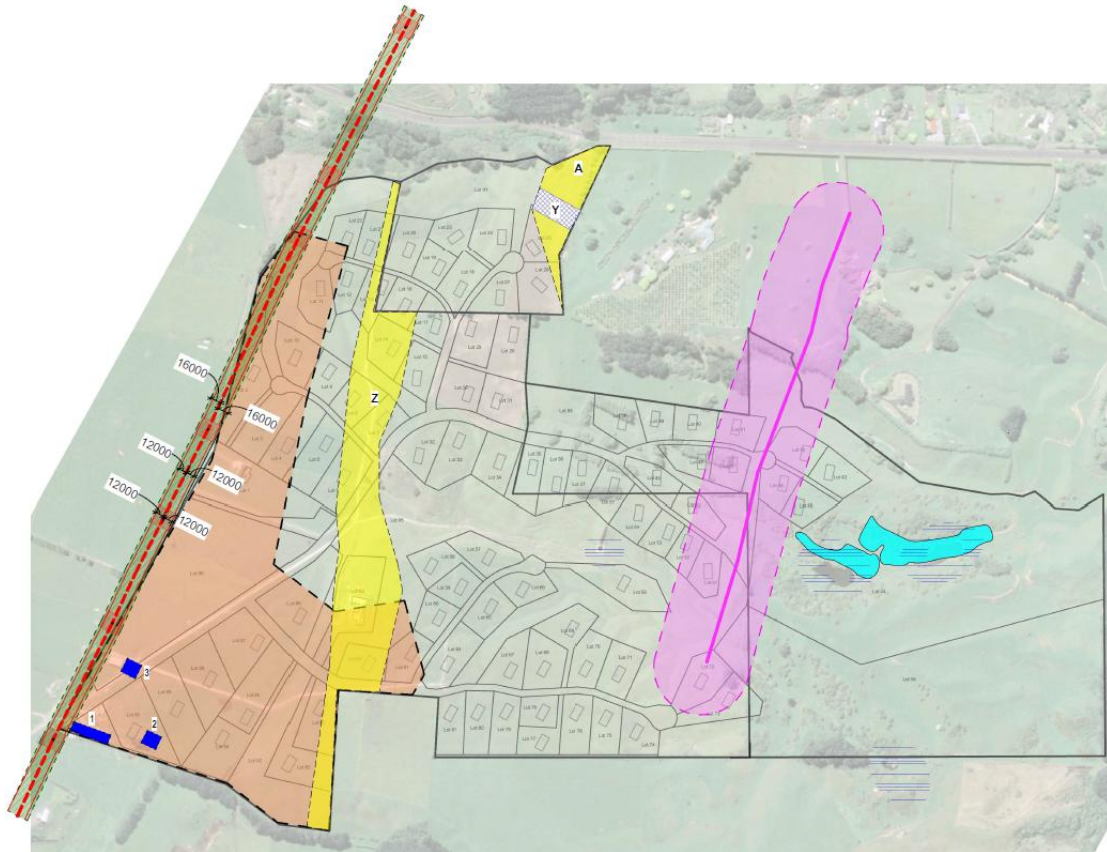


Figure 5: Location of National Grid Transmission Lines along northern boundary of site

SURROUNDING AREA

2.24 The surrounding area is predominantly characterised by:

- Rural and rural-residential land uses, including lifestyle properties and farming activities;
- Established low-density residential development in Hamurana;
- Areas of productive rural land and open space; and
- Localised community and recreational assets within Hamurana and Ngongotahā.

2.25 Specific activities of note include the Kaharoa Kennels at 67 State Highway 36 (adjoining site along eastern boundary) and the Gully School (located at No.3 McFetridge Drive) which is a small nature-based school with limited hours and student numbers.

2.26 The wider environment provides a transition between productive rural land uses and the northern edge of the Rotorua urban area, with strong connections to State Highway 36 (Tauranga Direct Road) linking through to the coastal Bay of Plenty to the north and Rotorua's employment, education, and service centres. The location also offers an extension to the low-density residential development in Hamurana.

3. PROPOSAL - DESCRIPTION OF THE PROJECT

3.1 This section provides a description of the proposal and the activities it involves (in accordance with section 13(4)(a) of the FTAA).

THE PROJECT

3.2 The project comprises:

- Subdivision of approximately 83 hectares;
- Creation of approximately 92 rural residential lots;
- Formation of internal roads, accessways and internal walking tracks;
- Earthworks to establish building platforms and infrastructure;
- Installation of stormwater treatment and attenuation systems;
- Reticulated wastewater connection;
- Potable water and power supply;
- Landscaping, planting, and boundary treatments;
- Vesting of roads and reserves where applicable.

3.3 A Landscape Concept Plan showing the proposed development is provided in Appendix F, while Appendix FA sets out the proposed lot sizes and use.

3.4 The development will be staged, with infrastructure constructed in phases aligned with lot release.

CONSTRUCTION TIMEFRAMES

3.5 Construction is anticipated to commence once consent is granted, and proceed over approximately 3-5 years, depending on staging and market conditions.

NATIVE PLANTING

3.6 Native planting is proposed within the valley and gully systems across the site. In addition to providing ecological restoration and landscape integration, these areas have the potential to qualify as post-1989 forest under New Zealand's Emissions Trading Scheme (ETS). Subject to meeting ETS eligibility criteria, the planting could generate carbon credits (New Zealand Units),

providing an additional environmental and economic benefit while reinforcing the natural landform and hydrological patterns of the site.

ROADING

- 3.7 The proposed subdivision will require new roads to be constructed within the development.
- 3.8 The primary access route to the subdivision will be from McFetridge Drive which lies adjacent to the north of the site and links to Jackson Road. It is envisaged that upgrades to form a sealed road in accordance with Council standards will be required generally along the alignment of the existing formed legal road. The alignment will move away from the legal road alignment at its eastern end so that it provides better access to proposed lots and fits better within the topography. Jackson Road provides a connection from Central Road through to State Highway 36. At the intersection with State Highway 36 there are some limitations. An upgrade to the intersection with SH36 is anticipated to improve the safety and efficiency of access to the strategic network.
- 3.9 Within the subdivision, new local roads will be formed to provide access to the new lots. As part of this, new roading infrastructure is anticipated to comply with design standards of the Regional Infrastructure Technical Specifications (RITS) for rural residential roads.

ENGINEERING

See Appendix G: Infrastructure Report

Wastewater

- 3.10 All proposed lots are intended to connect to the Rotorua Lakes Council reticulated wastewater system, with the most likely connection point along the Tauranga Direct Road (SH36) corridor. Council has confirmed that there is sufficient capacity within the network to accommodate the additional dwellings, subject to minor upgrades and detailed design.
- 3.11 Due to site topography, detailed design will be required to ensure compliance with low-pressure system head limitations, with alternative solutions available where required. Any necessary upgrades and extensions to the reticulation network would be undertaken by the developer.
- 3.12 Low pressure wastewater systems are comprised of:
- A low pressure grinder pump in each property that pumps sewage into the low pressure reticulation

- Low pressure reticulation, in the same style as a water distribution network which conveys the sewage from the grinder pumps to the bulk mains.
- Bulk rising mains, as typically employed in conventional wastewater networks.

3.13 The low pressure reticulation is designed for a relatively low operating pressure. The closest main is within a few hundred metres of the site, but at an elevation significantly lower than the development. Thus, there needs to be a pressure break / control to connect the proposed reticulation to the existing.

3.14 The new sewer pump station will provide this, in addition to pressure relief valves at the connection point.

3.15 There is no existing low pressure grinder pump that needs to be upgraded, but rather the system proposed as described above and as provide in the plans in Attachment D to the Application.

Water Supply

3.16 The existing potable supply available to the site (61.7m³/day) is insufficient to service 92 dwellings at standard demand rates which would equate to a requirement of 92m³/day. Additional design will be provided as part of the substantive application. However, the current proposed servicing strategy is intended to rely on either:

- An increased water take, or
- Water tanks consisting of:
 - rainwater harvesting for each dwelling, supplemented by a limited trickle top-up allowance, and
 - on-site water storage tanks to meet domestic and fire-fighting requirements.

Stormwater

3.17 Stormwater management is intended to achieve hydraulic neutrality, with flows maintained at or below existing levels. Measures to be evaluated in more detail and proposed within the substantive application will include:

- on-site rainwater tanks for each dwelling,
- soakage pits sized to accommodate the 10-year, 1-hour storm event,
- designated overland flow paths within road corridors, and
- detention ponds will be required in the southern portion of the site to provide additional attenuation and support groundwater recharge. The location and specific design of the attenuation pond will be determined as part of the detailed application.

3.18 The site's generally sandy soils are well suited to stormwater soakage.

Earthworks

3.19 Earthworks will be required predominantly over the northern half of the site to form roads and building platforms, but the specific design will be confirmed at the substantive application stage. Most of the earthworks relate to the formation of building platforms and access on the proposed lots and roading serving those lots. No earthworks are anticipated to be required within 40m proximity to any wetlands which exceeds the requirement for consent under the NES FW.

3.20 No off-site removal of material cut to waste is anticipated at this stage. Where feasible, all material will be used and retained within the site. Earthworks may be required to be undertaken during the winter season and the timing will be confirmed as part of the substantive application.

3.21 Earthworks will be managed in accordance with Bay of Plenty Regional Council rules and guidelines, especially in relation to sediment and erosion controls. These standard management approaches will minimise any potential adverse effects. A sediment and erosion control plan will be provided in advance of work commencing on site.

3.22 Dust during earthworks will be managed by water application, drawing water from within the site until vegetation has re-established on base surfaces.

4. APPROVALS REQUIRED (SECTION 13(2)(D))

4.1 This section sets out the proposed approvals required (in accordance with section 13(2)(d) and 13(4)(t) of the FTAA).

4.2 The project is anticipated to require the following consents:

Table 2: Summary of Consents Required

Plan/Standards	Rules triggered	Activity Status (most restrictive category)
RMA	Removal of consent notice under S221(3) RMA limiting lifestyle lots and additional household units.	Discretionary Activity
Rotorua District Plan	Subdivision consent Land Use consents: • Earthworks	Non-Complying

	• Internal boundaries (tbc) • Fault Avoidance Zones • National Grid Corridor - earthworks	
Bay of Plenty Regional Plan	• Land use consents: earthworks and contaminated land • Discharge consent stormwater • Water take consent	Discretionary
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health	Consent likely required. Detailed Site Investigation required to assess.	To be determined through DSI at the time of the substantive application.
National Environmental Standard for Freshwater	Potential approvals under NES Freshwater (not anticipated but have included in case required).	TBD

Additional Detail

4.3 Additional details are provided on the rules triggered under the Rotorua District Plan and the Bay of Plenty Natural Resources Plan.

Rotorua District Plan

4.4 The following zones and overlays are applicable to this site:

- Rural 1 Zone
- Rotorua Caldera Rim Less Sensitive Landscape Area
- Landslip Susceptibility
- Fault Avoidance Zone (Lot 8 DP 392696 and Lot 2 DP 558193)
- Transmission Lines (Lot 8 DP 392696)
- 25m setback from waterbodies

4.5 Resource consent is likely (subject to detailed design) to be required under the following rules of the District Plan:

Table 3: District Plan Rules Assessment

Rule	Requirement	Activity Status
Part 2		
General District Wide Matters		
EW-R1	Earthworks	Restricted Discretionary
Energy and Infrastructure		
EIT-R19	Earthworks within the National Grid Corridor Notes: Earthworks may be required for the formation of access within the National Grid Corridor. This will be confirmed through substantive application.	Non-Complying
Natural Hazards		
NH-R3	New buildings in the Fault Avoidance Area Overlay Notes: Residential properties are located within the Fault Avoidance Area Overlay.	Restricted Discretionary
Natural Environmental Values		
NFL-R22	Buildings in the Rotorua Caldera Rim	Permitted
Subdivision		
SUB-R25(2)	The subdivision of sites or buildings not otherwise stated below. Notes: Non-compliance with performance standards, in particular minimum lot size of 15ha usable land and number of lifestyle lots created.	Non-Complying
SUB-R38	Subdivision of sites within a national grid subdivision corridor Notes: subdivision is proposed within the national grid subdivision corridor. The activity is not Non-complying as building platforms are located wholly outside of the national grid yard	Restricted Discretionary Activity
Part 3: Area Specific Matters		
Rural 1 Zone		
RURZ-R9	Residential Units There is only one residential unit per site, excluding any permitted minor residential unit. Provided compliance with Performance Standards: a. Height RURZ-	Permitted (or Restricted Discretionary).

	S1; b. Yards RURZ-S2; c. Site coverage RURZ-S3; d. Parking, access and turning RURZ-S5; e. Reverse sensitivity RURZ-S6. Should the position of building platforms not comply with the performance standards, e.g. yard setbacks, consent will also be sought.	
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Regional Council Consents

- 4.6 Earthworks are proposed over the site to form the roads and building platforms. Most of the earthworks relate to the rural residential lots and roading serving those lots.
- 4.7 Stormwater design will be confirmed as part of the substantive application. Whether consent is required will be confirmed at that time. A water take will be required.

Table 4: BOPRC Natural Resource Plan Rules Assessment

Rule		Standard	Status
Earthworks and Quarries			
LM R42		The disturbance of land and soil not permitted, controlled or restricted discretionary under a rule in the regional plan	Discretionary
Discharges to Water and Land			
DW R22 or R23		Discharge of stormwater to Land Soakage	Permitted or Restricted Discretionary
DW R25		Disturbance of a contaminated site Consent may be required if DSI identifies concentrations of contaminants above BoPRC iEGVs levels.	Restricted Discretionary
Water Quantity and Allocation			
R 43		Take and Use of Water	Discretionary

- 4.8 Therefore, consent is required as a discretionary activity under Rule LM R4 (Rule 1C) and R43 for earthworks and water take, as well as DW25 as a Restricted Discretionary Activity.

5. RECORD OF TITLE, PROPERTY FILE AND OTHER RELEVANT DOCUMENT

Legal Description

5.1 66 and 70 McFetridge Drive and 89 Tauranga Direct Road, Hamurana, Rotorua (Appendix A) are comprised of three legally described parcels:

- Lot 8 DP 392696, held in Record of Title 371510;
- Lot 2 DP 558193, held in Record of Title 979716; &
- Lot 7 DP 392696 - Subject To Covenant DP 403211 held in Record of Title 371509

Table 5: Summary of Interests on the Titles

Record of Title	Interest	Requirement
Lot 7 DP392696 ID 371509	7715575.1 Consent Notice	▪ One household unit and no further household units permitted ▪ Daily water entitlement of 2.600m³/day with minimum 12-hour on-site storage. ▪ No objection to farming including kennels on adjacent site.
Lot	Area	Comment
Lot 8 DP 392696	49.7915ha	• CN 7715575.1 - 2008 - road access required before further HHU • CN 12313701.5 – 2021 - daily water entitlement with Lot 2 • CN 7715575.1 - 2008 - no further lifestyle lot in relation to Rule 13.10.3.2(d)
Lot 7 DP 392696	5.9874ha	• CN 7715575.1 - 2008 - one HHU and no additional or subsidiary HHU permitted • CN 7715575.1 - 2008 - Daily water entitlement
Lot 2 DP 558193	27.4817ha	• CN 12313701.5 – 2021 – held with Lot 8/ no further lifestyle lot in relation to Rule 13.10.3.2(d) • CN 12313701.5 – 2021 - road access required before titles separated • CN 12313701.5 – 2021 - daily water entitlement with Lot 8
Lot 7 DP392696	7715575.4 Land Covenant	• No trees to exceed a maximum height of 3m and no clusters of trees or shelterbelts.
Lot 7 DP392696	7828231.1 Land	• Not to erect or place or allow to be erected or placed any building or other

	Covenant - Easement	structure on the land covenant area marked A on DP403211 (adjacent to south-east boundary -no building platforms proposed in this area)
Lot 8 DP392696 ID 371510	7715575.1 Consent Notice	• All vehicle access must be from Jackson Road with no access to SH36. • Upgrade is required of the road shown as Lot 10 DP 392696 before further subdivision. • Cost of maintenance of unsealed portion of Lot 10 DP 392696 on owners until upgraded to RDC standards. • Daily water entitlement of 22.100m³/day with minimum 12-hour on-site storage • No further lifestyle lot created under rule 16.4.3.1(b) of the District Plan
Lot 8 DP392696	7715575.4 Land Covenant	No trees to exceed a maximum height of 3m within Area Z except that individual specimen trees may be up to 7m height within the residential curtilage of 2,500m ² .
Lot 8 DP392696	12313701.5 consent notice	• Lot 2 DP558193 to be held with Lot 8 392696 until suitable legal access is provided and adequate connections to network utilities. • Amalgamated Lot 2 DP 558193 and Lot 8 DP 39696 have a daily water allocation of 24.1m³ and flow restrictor of 16.75 litres/minute plus 12-hour on-site storage required • Firefighting water supply required for a dwelling
Lot 8 DP392696	12313701.6 Covenant	• Covenant to RDC Amalgamation – Lot 2 DP 558193 to be held in the same record of title with Lot 8 DP 392696 and is not to be sold separately until suitable legal access from a public road is provided and adequate provision of infrastructure
Lot 2 DP558193 979716	11398464.1 Encumbrance to BOPRC	• Agreement to an Environmental Programme with BOPRC
Lot 2 DP558193	12313701.5 consent notice	• Lot 2 DP558193 to be held with Lot 8 392696 until suitable legal access is provided and adequate connections to network utilities.

		• Amalgamated Lot 2 DP 558193 and Lot 8 DP 39696 have a daily water allocation of 24.1m³ and flow restrictor of 16.75 litres/minute plus 12-hour on-site storage required • Firefighting water supply required for a dwelling
Lot 2 DP558193	12313701.6 Covenant	• Covenant to RDC – Lot 2 DP 558193 to be held in the same record of title with Lot 8 DP 392696 and is not to be sold separately until suitable legal access from a public road is provided and adequate provision of infrastructure
Lot 2 DP558193	12313701.8 Land covenant	• Requirement to plant only NZ Native species trees and shrubs up to a maximum height of 6m on Lot 1 DP558193. (Does not affect this site - adjacent lot to south-east).

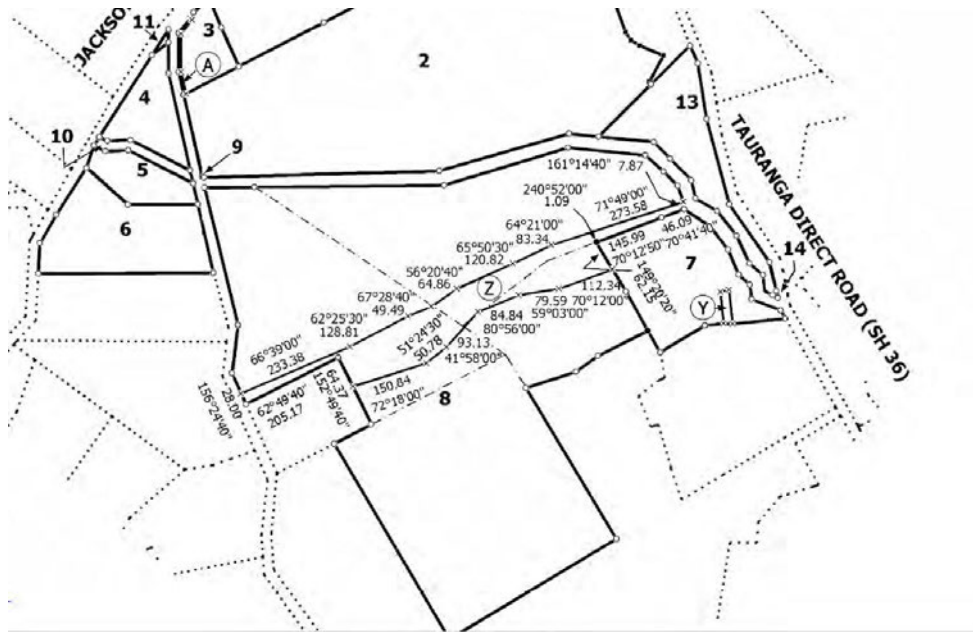
Land Covenants and Consent Notice

5.2 The effect of land covenants 7715575.4, 7828231.1 and 12313701.6, and encumbrance 11397464.1 and the potential impact on project timing and delivery are considered as follows:

Land Covenant 7715575.4

5.3 This land covenant imposes a height restriction on trees within Lot 7 of 3m and a maximum height of 3m within Area Z (shown below) on Lot 8 DP 392696, except for individual specimen trees within any residential curtilage up to 2,500m² within area Z.

5.4 The proposed planting will be designed to meet this requirement or a change sought as required.



Area Z on Lot 8 DP 392696

- 5.5 **Land covenant 7828231.1** - Not to erect or place or allow to be erected or placed any building or other structure on the land covenant area marked A on DP403211. No building platforms are proposed in this location.
- 5.6 **Land Covenant 12313701.6** - Covenant to RDC – Lot 2 DP 558193 to be held in the same record of title with Lot 8 DP 392696 and is not to be sold separately until suitable legal access from a public road is provided and adequate provision of infrastructure.
- 5.7 **Encumbrance 11397464.1.** - Access and utilities will be provided as part of this development and the covenant will no longer be applicable.

Commentary

- 5.8 On Lot 7 DP 392696 there is a restriction on further household units within the lot. There is a process under section 221 of the RMA to change or cancel consent notices. This process will be completed in parallel to the FTAA process when the outcome is clearer i.e. referral on to the panel. It will then be a functional process to enable the residential development of the new lots within Lot 7. It does not restrict subdivision. This has been discussed with Rotorua Lakes Council and no benefit is seen in making application at this time. A condition would be acceptable to this effect.
- 5.9 On Lot 8 DP 392696 & Lot 2 DP 558193 there is a restriction in relation to there being no further entitlement to subdivision into lifestyle lots under rule

16.4.3.1(b) of the District Plan. This rule is not relied on for the proposed Milbrow Estate subdivision and therefore it does not restrict or prevent progress of the development.

5.10 Therefore, neither restriction is identified as a restriction on the ability for the panel to grant consent.

6. SECTION 22 ASSESSMENT – SIGNIFICANT REGIONAL BENEFIT

6.1 This section:

- Sets out how the proposal contributes to significant regional benefits (sections 22(1)(a) and 22(2) of the Fast-track Approvals Act 2024); and
- Compares the project to current and other likely uses of the space taking (section 22(6)); and

6.2 Overall, the proposal qualifies as a development project delivering significant regional environmental, housing, and economic benefits.

Environmental Benefits

6.3 Perrin Ag Consultants Ltd (see Appendix H) have assessed the water quality benefits of the proposal. Their conclusions are summarised below.

Catchment Context

6.4 The Site is located within the groundwater catchment of Lake Rotorua and is currently used for dairy farming. Existing pastoral land use generates diffuse nitrogen and phosphorus discharges through stock grazing and fertiliser application.

6.5 Lake Rotorua has experienced long-term water quality degradation due primarily to elevated nutrient inputs from pastoral intensification and historic wastewater discharges. In response, substantial regulatory, scientific, Treaty, and financial investment has occurred over several decades. This investment has come from Central Government, Regional Council, local council and other parties.

6.6 A sustainable nitrogen load of 435 tonnes per annum has been established for the lake, requiring a reduction of approximately 320 tonnes per annum from early-2000s land use levels. This reduction is being pursued through the Integrated Framework implemented via Plan Change 10, incorporating regulatory limits, engineered interventions, land use change, and the Rotorua Incentives Scheme.

- 6.7 Lake restoration is also a central component of the Te Arawa Lakes Deed of Settlement and is supported by significant public investment and co-governance arrangements. Achieving and maintaining nutrient reductions is therefore both an environmental and regional priority.

Nutrient Reduction Outcomes

- 6.8 The proposal involves subdivision and redevelopment of approximately 83.3 hectares currently used for dairy farming. As part of the development:

- A substantial proportion of the Site's nitrogen allocation will be permanently surrendered to the Rotorua Incentives Scheme;
- Pastoral grazing and associated fertiliser application will cease;
- Diffuse agricultural discharges will be replaced with managed residential stormwater systems designed to contemporary standards.

- 6.9 The development would result in the permanent removal of approximately 1,815.7 kg of nitrogen allocation per annum. When translated to nitrogen entering Lake Rotorua, this equates to approximately 1.1 tonnes of nitrogen per year being prevented from reaching the lake.

- 6.10 This represents:

- Approximately 1.1% of the total nitrogen reduction target of the Incentives Scheme; and
- Achieved from only around 0.4% of the pastoral land area within the Rotorua catchment.

- 6.11 The proposal would also result in a meaningful reduction in phosphorus losses through gully and swale retirement, reduced soil disturbance, and the cessation of intensive pastoral activity.

- 6.12 Importantly, the reduction is permanent and achieved through voluntary land use change while maintaining landowner equity. In the context of increasing funding constraints and diminishing cost-effectiveness within the Incentives Scheme, this represents a disproportionate and regionally significant contribution to lake restoration objectives.

- 6.13 Accordingly, the proposal addresses a significant environmental issue of regional importance and is consistent with regional and district planning provisions relating to water quality improvement and land use transition.

Housing Supply and Market Function

Housing Context

6.14 An independent economic assessment (see Appendix I) confirms that the Rotorua District is experiencing constrained supply in the premium lifestyle housing segment, particularly in Hamurana, Ngongotahā, and surrounding rural areas.

6.15 Current market evidence indicates:

- Approximately 10–15 lifestyle dwellings or lots available at any one time;
- Estimated demand of around 15 dwellings per annum;
- Less than one year of effective supply within this segment.

Contribution to Housing Supply

6.16 The proposal would deliver 92 premium lifestyle lots within an indicative price range of approximately \$1.095 million to \$1.75 million.

6.17 This represents:

- A material addition to district-wide lifestyle housing capacity;
- Approximately six years of supply based on recent uptake rates;
- A significant improvement in short- to medium-term development capacity in this market segment.

Economic Benefits

Construction and GDP Impacts

6.18 The proposal is estimated to generate approximately:

- \$27.2 million in GDP during construction;
- 175 full-time equivalent (FTE) jobs during the construction phase.

6.19 This represents a substantial short- to medium-term economic stimulus to the Rotorua District and wider Bay of Plenty region.

6.20 While the proposal does not directly address lower-cost housing supply, it contributes to overall market efficiency by:

- Increasing choice and typological diversity;
- Supporting relocation within the district;
- Enabling housing market fluidity across price brackets.

6.21 The scale of 92 lots is significant at a district-wide level and contributes to a well-functioning housing market in accordance with section 22(2)(a)(iii) of the Act.

Ongoing Economic Contribution

6.22 Once established, the development would support:

- Approximately 92 households;
- Around \$2.0 million in GDP per annum;
- Approximately 20 ongoing FTE jobs in retail, accommodation, food services, and related sectors.

6.23 The development is also expected to attract and retain higher-income households within commuting distance of employment centres, supporting business investment, local spending, and economic diversification.

6.24 Accordingly, the proposal meets section 22(2)(a)(iv) relating to significant economic benefits.

Tourism and Regional Economic Resilience

6.25 The Rotorua Lakes are central to the region's tourism economy, recreational identity, and cultural significance. Water quality is directly linked to visitor experience, environmental reputation, and economic resilience.

6.26 Public investment in nutrient reduction reflects both environmental and economic imperatives.

6.27 By permanently reducing nutrient inputs and supporting long-term water quality improvement in Lake Rotorua, the proposal aligns with protecting the environmental asset that underpins the region's tourism brand and broader economic vitality.

Overall Regional Benefits

6.28 The proposal meets section 22(1)(a) of the Fast-track Approvals Act 2024 as a development project delivering significant regional benefits. In particular, it:

- Addresses a significant environmental issue of regional importance;
- Permanently reduces nutrient inputs to Lake Rotorua;
- Contributes materially to a supply-constrained housing market;
- Generates substantial construction and ongoing economic benefits;
- Supports long-term regional economic resilience.

6.29 The proposal is also consistent with regional and district planning objectives relating to water quality, land use change, and housing supply, satisfying sections 22(2)(a)(iii), (iv), and (ix)–(x).

Comparison to other likely uses of the site

- 6.30 In assessing the regional benefits of the project, Section 22(6) enables the Minister to consider against the current and other likely uses of the site, including the economic benefits and environmental impacts of competing activities.
- 6.31 An independent economic assessment undertaken by Perrin Ag Consultants (Appendix J) considered the current and potential land-based primary production uses of the site. The assessment identified that the highest and best productive use of the land would ordinarily be intensive pastoral dairy farming. However, due to the scale of the property and the regulatory constraints applying within the Lake Rotorua catchment, particularly the progressively reducing nitrogen discharge allocations under Plan Change 10 (Lake Rotorua Nutrient Management), the continuation of a viable dairy production system on the property is unlikely to be economically sustainable over the long term.
- 6.32 While alternative primary production options such as horticulture, viticulture, berry production or pip fruit were considered, the report concludes that climatic conditions, soil characteristics (pumice soils), rainfall patterns and the absence of a recognised comparative advantage for these crops in the Rotorua district mean that these land uses are unlikely to be economically viable.
- 6.33 Conversion of the property to lower-intensity pastoral systems such as drystock finishing or forestry was also assessed. Although these activities could theoretically operate on the land, they would likely result in a substantial reduction in land value relative to dairy use and would not represent an economically viable outcome for the landowner under the long-term nitrogen discharge constraints applying in the catchment.
- 6.34 In addition, the report notes that only approximately 14 hectares of the site is identified as LUC Class 3 land, which represents a very small proportion of the approximately 14,959 hectares of land within the Rotorua catchment with similar production capability. In the context of wider catchment nutrient reduction objectives, which may require land use change across thousands of hectares, the loss of this area of highly productive land is considered insignificant.
- 6.35 Accordingly, when compared to other likely land uses of the site, the proposed development represents a reasonable and efficient use of the land in circumstances where ongoing economically viable primary production is significantly constrained.

7. DESCRIPTION OF THE ANTICIPATED AND KNOWN ADVERSE EFFECTS OF THE PROJECT ON THE ENVIRONMENT

7.1 This section assesses the significance of anticipated and known adverse effects of the project on the environment (section 13(4)(h) of the FTAA). The following effects have been assessed:

- Landscape and Visual Effects
- Water Quality Effects
- Hydrological Effects
- Transport Effects
- Stability and Geotechnical Effects
- Servicing Effects
- Cultural Values
- Climate Change and Natural Hazards
- Earthquake Fault Traces
- Overall Resilience
- Reverse Sensitivity Effects

Introduction

7.2 The proposed subdivision will lead to an increase in the number of house sites beyond the scale which might otherwise be anticipated in the Rural 1 Zone, where rural production activities and scattered buildings are more typical of the working rural environment. While up to 18 lots could result from subdivision in accordance with the framework provided for in the Rural Zone, through the use of the discretionary activity provisions for nutrient reduction and gully retirement, up to 92 house sites (including two existing houses) could result.

7.3 Throughout this section, commentary on the levels of effects reflect the relevant technical advice.

Landscape Values

7.4 The March 2026 Landscape and Visual Assessment (LVA) (see Appendix K) prepared by Boffa Miskell confirms that the site is located within the Western Rural Landscape Character Area identified in the Lake Rotorua Catchment Landscape Assessment (2010). This landscape is characterised by rolling pastoral landforms, rural land uses, and a pattern of rural residential development associated with key transport corridors.

7.5 The site also forms part of the wider Rotorua Caldera Rim landscape, which is addressed in the Rotorua Caldera Rim Rural Character Design Guideline (2012). While the caldera rim is recognised as a defining landscape feature of

the Rotorua area, the LVA confirms that the site is not located within any of the mapped Sensitive Rural Areas identified within the guideline. Instead, this part of the caldera rim is described as being less visually sensitive relative to other more prominent and visually legible sections of the caldera landscape.

- 7.6 The surrounding landscape contains an established pattern of rural residential development. In particular, lifestyle development is evident along Jackson Road, Tauranga Direct Road, and within the wider Hamurana settlement area. The LVA confirms that this pattern of rural residential development is a recognised and established component of the local landscape character. The proposed subdivision is located at a similar elevation to existing rural residential areas along Jackson Road and within Hamurana and therefore forms part of this broader clustered settlement pattern.
- 7.7 The LVA identifies varying degrees of landscape value across the site. The northern portion of the site is characterised by a relatively open plateau with gently sloping pastoral landform. This area is identified as having a higher landscape value due to the cohesive pastoral rural character and the visual prominence of the open plateau within the local landscape. The southern portion of the site comprises a more varied landform, deeply incised by gullies and spurs extending toward Lake Rotorua. This area has a moderate landscape value, with particular importance attributed to the natural hydrological patterns, biotic features, and the ridgeline landforms that structure the landscape.
- 7.8 The subdivision layout has been directly informed by this landscape analysis. Areas of higher landscape value, including the open plateau and key formative landform features, are protected from inappropriate built development. The design response reinforces natural landform expression, retains openness where it contributes to rural character, and integrates development within less visually sensitive areas associated with gullies and internal spurs.
- 7.9 The LVA also incorporates findings from the Cultural Impact Assessment prepared for Ngāti Rangiwewehi. The assessment identifies the cultural and environmental importance of natural landforms, gully systems, wetlands, and watercourses within the wider landscape. In response, the subdivision design incorporates clustered housing patterns separated by areas of native vegetation and ecological restoration. Eco-sourced indigenous planting is proposed particularly within gully systems, wetland margins, and ecological corridors to reinforce natural landscape patterns and support ecological restoration.

- 7.10 In assessing landscape effects, the LVA concludes that the proposal will result in a change to the existing pastoral rural character through the introduction of rural residential dwellings, accessways, and associated infrastructure. The most notable change occurs within the northern plateau area; however, this change is moderated through clustering of dwellings, generous separation distances, retention of open space, and the establishment of a comprehensive vegetation framework.
- 7.11 While there is an inherent degree of landscape change associated with the transition from pastoral farming to rural residential use, the LVA identifies positive landscape effects arising from the proposed vegetation framework and ecological restoration. Native planting within gullies, wetland margins and site boundaries is identified as critical to reinforcing natural patterns and supporting long-term integration of development into the landscape.
- 7.12 Overall, the 2026 LVA concludes that the potential adverse landscape effects on landscape character will be moderate initially, reducing to low-moderate and low within the wider landscape catchment over time as mitigation planting matures and the vegetation framework establishes. With recommended design controls and implementation of a Landscape Management Plan, the development will avoid dominance of built form and will settle into the surrounding rural and rural residential landscape.
- 7.13 In overall terms, once mitigation measures are implemented, the resulting level of adverse landscape effect is assessed as minor.

Visual Effects

Outstanding Natural Features and Landscapes (ONFL)

- 7.14 The Rotorua caldera landscape, including Lake Rotorua and its associated volcanic landforms, is widely recognised as a regionally significant landscape. However, the LVA confirms that the subject site is not identified as an Outstanding Natural Feature or Outstanding Natural Landscape within the Rotorua District Plan.
- 7.15 Although the site forms part of the wider caldera setting, the caldera rim in this locality is less visually defined and less sensitive than other parts of the caldera landscape. The proposal also lies outside the identified Sensitive Rural Areas associated with the caldera rim.
- 7.16 The proposed land use change from pastoral farming to rural residential development does not involve substantial modification of the underlying

landform beyond that typically associated with rural residential development. In many instances, pastoral farming has already modified the natural landscape through vegetation clearance and pasture establishment. Sensitive residential development, incorporating landscape planting, setbacks, and building design controls, can maintain or enhance landscape character relative to the existing pastoral environment.

7.17 The LVA concludes that, subject to recommended design controls and mitigation measures, the proposal will not adversely affect any identified Outstanding Natural Features or Outstanding Natural Landscapes. Development avoids prominent ridgelines and maintains the broader legibility of the caldera landform.

7.18 The LVA confirms that, subject to recommended design controls and mitigation measures, the proposal will not adversely affect any identified Outstanding Natural Features or Landscapes. The development avoids prominent ridgelines and maintains the broader legibility of the caldera landform.

7.19 Accordingly, the proposal is not anticipated to adversely affect the values associated with any identified Outstanding Natural Features or Landscapes.

Visual Amenity

7.20 Visual amenity relates to the effects that bulk, scale, form, reflectivity, location, privacy, and shading may have on the amenity values experienced by viewers. The proposed subdivision will enable additional dwellings to be constructed on the site, supplementing the two existing dwellings currently located on the property.

7.21 Careful consideration has been given to the layout and design of the development, informed by the Boffa Miskell Landscape and Visual Assessment. House sites have been located to minimise visibility between dwellings and to reduce visual exposure both internally within the site and from surrounding properties and roads.

7.22 The spacing between building platforms, the natural topography of the site, and the proposed native vegetation framework will work together to screen built form and soften views of development over time. As planting matures, the visual integration of development within the landscape will increase.

- 7.23 On this basis, the LVA concludes that visual effects associated with the proposed subdivision will be less than minor, particularly once the proposed vegetation framework becomes established.

Water Quality

- 7.24 The strong focus of the community, including both the regional and district councils and iwi, is on achieving an identified water quality target for Lake Rotorua. The proposed subdivision of the site will result in a subdivision that is connected to the Council wastewater system, but more significantly, reduces the land used for dairy farming use through conversion to rural residential lots. The retirement and planting of the site will also increase the beneficial effects on water quality. The resulting reduction will significantly enhance the cumulative reduction across the catchment.
- 7.25 In addition, the retirement of the gully system leading to the Awahou Stream is a positive contribution to ecological links and reducing runoff.

Land Use Change and Water Quality Implications

- 7.26 Water quality within the Rotorua Lakes has been under sustained pressure for over 50 years, primarily due to nutrient enrichment from historic and ongoing land use activities. A significant contributor to nitrogen loading within the catchments has been pastoral farming, particularly through long-term leaching of nitrogen to groundwater and subsequent discharge to receiving water bodies.
- 7.27 Lake Rotorua and the wider Rotorua Lakes are regionally significant freshwater resources, with substantial regulatory and financial investment directed toward achieving and maintaining target Trophic Level Index (TLI) levels. Despite improvements, achieving and sustaining target water quality remains challenging due to legacy nutrient loads, groundwater lag effects, internal nutrient cycling, and climatic variability.
- 7.28 In this context, the proposed development involves the conversion of land from pastoral farming to rural residential use. This change in land use is significant and beneficial from a nutrient management perspective. Pastoral farming is generally associated with higher nitrogen leaching rates compared to low-density residential development serviced by reticulated wastewater infrastructure.

- 7.29 Removal of the site from active farming:

- Eliminates ongoing pastoral nitrogen losses from the property;
- Reduces the long-term nutrient contribution to groundwater;

- Aligns with the broader catchment objective of reducing nitrogen inputs to the lake;
- Supports the intent of regional nutrient reduction programmes and regulatory frameworks.

7.30 While residential development introduces its own potential effects (e.g., stormwater management), these can be effectively mitigated through appropriate sustainable design, infrastructure servicing, and compliance with current engineering and environmental standards. Importantly, rural residential land use does not typically generate the same scale of diffuse nitrogen losses as pastoral farming.

7.31 Accordingly, when considered within the broader regional framework aimed at reducing nutrient inputs to the Rotorua Lakes, the proposed land use change is consistent with and supportive of long-term water quality improvement objectives. In this respect, the proposal does not exacerbate the existing regional water quality challenge and will contribute positively through the removal of pastoral nutrient inputs.

Hydrogeological Effects

7.32 A hydrogeological review prepared by Goff Groundwater Science Ltd (see Appendix L) concludes that the proposed groundwater take of 3.3 L/s (43,800 m³/year) from the existing 132 m deep bore at 66 McFetridge Road will result in less than minor environmental effects.

7.33 The existing bore is located within the Hamurana – Awahou – Waiteti Groundwater Management Unit (GMU) and demonstrated less than 6 metres of drawdown during a 12-hour pump test at the proposed rate. The static water level (42m below ground level) confirms abstraction occurs well below surface water features.

Effects on Springs

7.34 The bore is not considered hydraulically connected to either:

- Taniwha Springs (approx. 1.9 km south, in the Awahou Catchment), or
- Hamurana Springs (approx. 4.1 km east).

7.35 Differences in groundwater elevation, distance separation, and the limited drawdown confirm that measurable effects on these culturally significant spring systems are highly unlikely.

Saltwater Intrusion

7.36 The site is approximately 34 km inland, and the bore depth (bottom elevation approx. 218 masl) confirms there is no risk of saline intrusion.

Groundwater Quality

7.37 Stormwater will be managed on-site through swales and retention areas to allow natural treatment prior to infiltration. Given the significant depth to groundwater, effects on groundwater quality are expected to be less than minor.

Groundwater Availability

7.38 The relevant GMU allocation limit is 22.6 Mm³/year. Current allocated use across the wider Rotorua groundwater zone is approximately 1.1 Mm³/year, indicating substantial available capacity. The proposed take represents a very small proportion of the allocation limit.

Neighbouring Bores

7.39 The closest bore to the CHL production well is BN-3469 which is 790 m away and of similar construction with about 75 m of available drawdown. Drawdown effect, as a result of the proposed groundwater take at the nearest bore will be negligible based on the small amount of drawdown in the production well, the distance to the nearest bore and the significant amount of available drawdown in the neighboring bore.

Conclusion

7.40 The hydrogeological assessment concludes that the proposed groundwater take will have less than minor effects on surface water features, groundwater quality, groundwater availability, and neighbouring bore users. A full pumping test assessment is therefore not considered necessary to support the application.

TRANSPORT EFFECTS

7.41 A Transportation Assessment Report (Stantec, 2021) is provided in Appendix M and is summarised below.

7.42 The assessment examines the existing transport environment, expected traffic generation, and the effects of the proposal under two access scenarios. One of the scenarios assessed was for a direct access from the site onto the State Highway. This option has not been taken forward. Access to the site is onto McFetridge Drive then Jackson Road.

Existing Transport Environment

7.43 SH36 is a key regional route connecting Rotorua and Tauranga and operates as a rural two-lane state highway with moderate traffic volumes. Local roads in

the vicinity, including Jackson Road and Central Road, currently experience very low traffic volumes. Road safety analysis indicates that crashes in the area are primarily related to loss of control on SH36 rather than turning movements at intersections.

Traffic Generation and Effects

7.44 The subdivision is expected to generate approximately 1,000 vehicle movements per day, with up to 140 vehicle movements per hour during peak periods. The assessment concludes that these additional movements can be safely accommodated within the existing road network, with minimal impact on traffic efficiency or safety.

7.45 There are anticipated to be traffic increases on Jackson Road and Central Road would remain well within capacity. Delays at key intersections, including the SH36 / Central Road and SH36 / Jackson Road intersections, are expected to be low and consistent with good levels of service. Some minor operational effects would be perceptible due to the currently low baseline traffic volumes.

Transport Effects Conclusion

7.46 Overall, the Transportation Assessment concludes that the subdivision can proceed safely and efficiently with access via Jackson Road, without the need for a new intersection on SH36. Minor intersection improvements at the SH36 / Jackson Road intersection, including provision of a right-turn bay, are recommended to enhance safety.

STABILITY AND GEOTECHNICAL EFFECTS

7.47 A Geotechnical Report (Sigma Consultants, 2022) is provided in Appendix B and is summarised below.

7.48 The report includes geotechnical investigation and assessment of potential hazards associated with the proposed subdivision, including ground conditions, settlement potential, liquefaction susceptibility, and foundation design considerations. The engineering and geotechnical assessment for the subdivision will follow a staged investigation and design process consistent with standard engineering practice for developments of this scale. This staged approach enables geotechnical conditions and potential natural hazard risks to be progressively investigated and addressed as the project moves through the design, consenting, and construction phases.

7.49 The assessment did not identify any geotechnical constraints that would prevent residential development of the site. Key findings include:

- Liquefaction: Liquefaction analysis indicates that no settlement is expected under Serviceability Limit State (SLS) earthquake events, with limited settlement (approximately 25 mm) predicted under Ultimate Limit State (ULS) events. The site conditions are considered comparable with Technical Category 1 (TC1) land.
- Settlement: Settlement modelling undertaken as part of the assessment predicts relatively small settlements under typical residential loading. Estimated settlement for typical house loads ranges from approximately 1.9 mm to 5.4 mm, with long-term settlements estimated to be up to approximately 7 mm. The report concludes that structural damage due to load-induced settlement is unlikely.
- Faulting: An active fault is identified within the southern part of the wider property; however, previous assessment undertaken by GNS Science indicates that the fault is of low concern in relation to residential development.

Staged Geotechnical Investigation and Design

7.50 The geotechnical investigation and engineering design for the subdivision will occur in a staged manner as the project progresses. The 2022 geotechnical report represents the initial investigation stage, which confirms that the site can be developed subject to appropriate engineering design and further site-specific investigation.

7.51 Subsequent stages will typically include:

- Subdivision and engineering design stage: Further geotechnical input will inform earthworks design, building platform locations, and infrastructure design. This stage will confirm that earthworks, roading, and services can be constructed safely and in accordance with the recommendations of the geotechnical assessment.
- Detailed design stage: Detailed engineering plans will be prepared prior to construction, incorporating the geotechnical recommendations and any additional investigation required to support earthworks design and infrastructure construction.
- Building consent stage: The report recommends that further site-specific geotechnical testing be undertaken for individual lots to confirm ground conditions and foundation design requirements for dwellings.

Earthworks and Construction Considerations

7.52 The report confirms that residential development is feasible subject to appropriate design and construction practices. Key recommendations include:

- Building platforms are arranged to maintain appropriate setbacks from slopes and to accommodate a 1:3 regression plane from slope bases.
- Standard earthworks practices, including removal of topsoil and placement of engineered fill where required, should be undertaken prior to construction.
- Residential structures are expected to be suitably supported using raft slab foundations (such as Firth RibRaft or similar systems).
- Further site-specific geotechnical testing is recommended at the building consent stage for individual lots to confirm foundation design requirements.

Stability and Geotechnical Effects Conclusion

7.53 Overall, the geotechnical investigation indicates that the site can be developed for residential subdivision subject to the recommendations outlined in the geotechnical report and the staged investigation and design process described above.

7.54 The assessment confirms that:

- Predicted settlements are low and unlikely to result in structural damage for typical residential development;
- Liquefaction analysis indicates no settlement under serviceability earthquake events and limited settlement under ultimate limit state events; and
- Further geotechnical investigation and engineering design at later stages will ensure that site conditions and foundation requirements are appropriately addressed at the time of lot development.

7.55 On this basis, no geotechnical matters have been identified that would preclude the proposed subdivision, provided the recommendations of the geotechnical report are implemented.

SERVICING EFFECTS

- 7.56 An Infrastructure Assessment Report (Sigma Consultants, 2023) is provided in Appendix N.
- 7.57 The Infrastructure Assessment concludes that the site can be developed without the need for significant upgrades to receiving infrastructure networks. Subject to detailed design at subdivision stage, wastewater, water supply, and stormwater can be appropriately provided.
- 7.58 Reticulated wastewater services are available in the area that the development will connect to.
- 7.59 Wastewater will be connected to public reticulation to ensure quality is managed.

CULTURAL VALUES

- 7.60 Cultural values have been considered under two (overlapping) categories:
- Cultural values associated with the site and surrounding area, including the springs and waterways downstream of the site; and
 - Cultural values associated with Lake Rotorua, most notably, the water quality effects associated with long term land use change.
- 7.61 Consultation has been initiated with Ngāti Rangiwewehi as mana whenua. A Cultural Impact Assessment (CIA) has been completed (see Appendix D). This document summarises the key outcomes sought by Ngāti Rangiwewehi. Specific responses to the issues raised at this stage are included in Appendix DA and the Hydrogeological Assessment (Appendix L) has specifically addressed the potential effects on the Springs. It is anticipated that consultation with Ngāti Rangiwewehi will continue to address the issues raised.
- 7.62 It is noted that the retirement of the site from dairy farming and further planting of the gully system will provide a more vegetated link down the gully system to Awahou Stream (south of the puna). Enhancement to ecological values and to water passing through the site, by retiring and planting the gully, is considered to be a positive contribution to the values attributable to the locality.
- 7.63 In the wider context the site is located in proximity to Lake Rotorua. The Rotorua Lakes are of profound cultural and spiritual significance to Te Arawa iwi and hapū. Lake Rotorua (Rotorua-nui-ā-Kahumatamomoe) holds deep ancestral associations and is embedded in the history, identity, and traditions

of tangata whenua, including the well-known legend of Hinemoa and Tutanekai.

- 7.64 Water quality is intrinsically linked to cultural health indicators, including mauri (life force), customary use, and the ability to gather kai. Degradation of water quality directly affects cultural wellbeing.
- 7.65 Given the substantial regional effort to restore and protect lake health, development within the catchment must demonstrate that it does not undermine these objectives.
- 7.66 The conversion of pastoral land to residential use removes an ongoing source of nitrogen leaching and is therefore consistent with the long-term goal of restoring and protecting the mauri of the lakes. Engagement with tangata whenua, where appropriate, would further ensure cultural values are recognised and integrated into site design and management.

CLIMATE CHANGE AND NATURAL HAZARDS

- 7.67 Section 13(4)(v) requires identification of any climate change or natural hazard risks relevant to the project and how those risks are addressed.
- 7.68 The proposed subdivision has been designed having regard to the potential effects of climate change and the natural hazard profile of the Rotorua District, including the rural Hamurana locality.
- 7.69 A comparison can also be made between the greenhouse gas emissions associated with the existing dairy farming activity and the potential transport emissions generated by the proposed rural residential development. An AgResearch life-cycle carbon footprint assessment for the farm indicates total annual emissions of approximately 1.15–1.22 million kilograms of CO₂-equivalent per year (approximately 1,145–1,223 tonnes CO₂-e per year) based on production of around 95,000–96,000 kilograms of milksolids (Appendix N). By comparison, modelling undertaken for rural residential development along the SH36 corridor estimated that approximately 89 rural residential lots would generate approximately 1,057 tonnes of CO₂-equivalent emissions per year associated with vehicle travel.
- 7.70 On this basis, the overall scale of greenhouse gas emissions associated with the existing farming activity is broadly comparable to, and slightly greater than, the transport emissions anticipated from the proposed rural residential development.

Climate Change – Rainfall and Stormwater

7.71 Stormwater infrastructure will be designed in accordance with relevant BOPRC Stormwater standards and Council requirements, including:

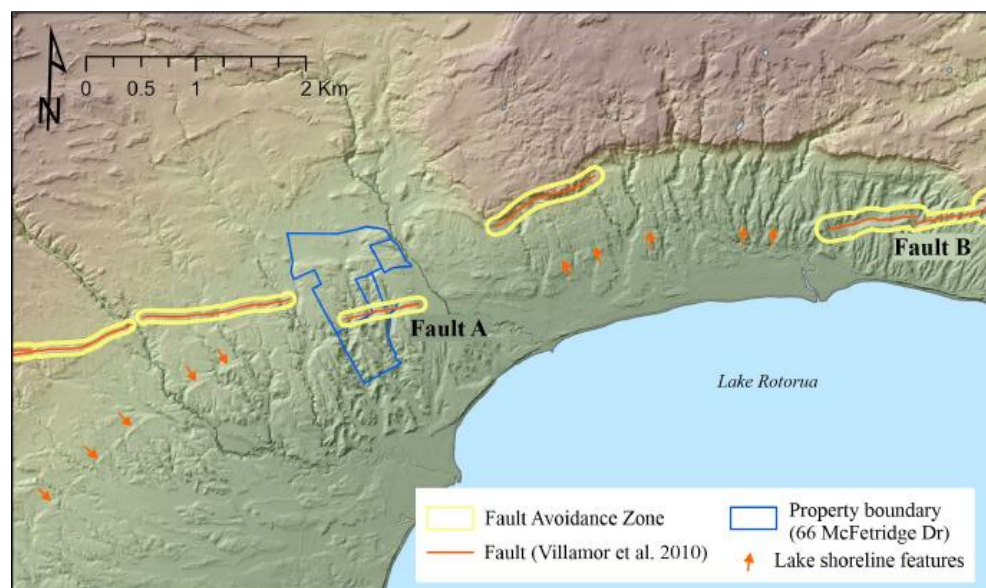
- Design for high-intensity rainfall events;
- Incorporation of on-site attenuation and controlled discharge systems;
- Treatment measures to manage sediment and contaminants;
- Overland flow path identification and protection.

7.72 The master-planned nature of the development enables integrated stormwater management at a subdivision-wide scale, rather than reliance on fragmented or ad hoc solutions. This approach improves resilience to projected increases in rainfall intensity associated with climate change.

7.73 Native planting is proposed within the valley and gully systems across the site. In addition to providing ecological restoration and landscape integration, these areas have the potential to qualify as post-1989 forest under New Zealand's Emissions Trading Scheme (ETS). Subject to meeting ETS eligibility criteria, the planting could generate carbon credits (New Zealand Units), providing an additional environmental and economic benefit while reinforcing the natural landform and hydrological patterns of the site.

EARTHQUAKE FAULT TRACES

7.74 A Earthquake Fault Trace crosses through the centre of the site. The image below shows the fault trace and associated 'Fault Avoidance Zone' in relation to the subject site.



Map: GNS Letter Report: Active fault investigation for 66 McFetridge Drive, Rotorua.

7.75 GNS have completed a fault investigation in relation to the subject site (see Appendix O). The report finds that the recurrence interval of the fault is >8000 years. Using MfE's Guidelines for Buildings, the report finds that on a greenfield site, such as the subject site, buildings in Building Importance Categories 1, 2a and 2b are allowable. This includes:

Table 6: MfE Guidelines for Buildings

BIC	Description	Examples
2a	Timber-framed residential construction	Timber-framed single storey dwellings
2b	Normal structures and structures not in other categories	• Timber-framed houses with area > 300m² • Houses outside the scope of NZS 3604 'Timber framed buildings' • Multi-occupancy residential, commercial and industrial buildings accommodating <5000 people and < 10,000m² • Public assembly buildings, theatres and cinemas < 1000m²+ • Car parking buildings.

7.76 Rotorua is located within a seismically active region. A detailed geotechnical assessment has been undertaken to evaluate:

- Ground conditions;
- Potential seismic performance of soils;
- Building platform suitability;
- Infrastructure stability.

7.77 Subdivision layout and building platform design responds to identified ground conditions. Engineering design will support compliance with the Building Code and relevant seismic standards.

GEOTHERMAL RISK

7.78 Rotorua District contains areas of geothermal activity. The Site has no identified geothermal hazards and is located outside the identified geothermal systems (See Appendix B Geotech Report).

OVERALL RESILIENCE

7.79 The development will be constructed in accordance with modern engineering and environmental standards. The coordinated delivery of infrastructure through subdivision consent provides a structured mechanism to ensure:

- Hazard risks are identified and mitigated at design stage;

- Infrastructure is resilient to foreseeable climate change effects;
- Long-term safety and functionality of the development is maintained.

7.80 Accordingly, climate change and natural hazard risks have been appropriately considered and can be effectively managed through the detailed design and consent process.

REVERSE SENSITIVITY EFFECTS

7.81 The Kaharoa Kennels adjoining the site to the east. There is an existing consent notice on Lot 7 DP 392696 of the subject site protecting the ongoing operation of the kennels. This consent notice will be replicated onto all new lots within the proposed subdivision.

8. APPROVALS RELATING TO RESOURCE MANAGEMENT ACT

8.1 This section addresses the requirements of Schedule 5 of the FTAA, specifically:

- Section 2: An assessment of the project against relevant National Policy Statements and National Environmental Standards, and whether there are any existing resource consents.

ASSESSMENT OF THE PROJECT AGAINST ANY RELEVANT NATIONAL POLICY STATEMENT, NATIONAL ENVIRONMENTAL STANDARDS AND NZ COASTAL POLICY STATEMENT STATEMENTS (SECTION 2(1)(a)(i) – (iii))

National Policy Statement for Urban Development

8.2 The National Policy Statement on Urban Development (NPS-UD) relates to Urban Environments. The NPS defines what an urban environment² is, while RLC Housing and Business Development Capacity Assessment has mapped the extent of Rotorua's urban environment (see Figure 6 below). The site is therefore not subject to assessment under the National Policy Statement on Urban Development.

² The NPS UD defines an urban environment to mean 'any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people'

**Rotorua Long Term
Urban Environment
and Reporting Areas
(HBA 2024)**

Legend

- HBA 2021 Urban Environment
- HBA 2024 Urban Environment
& Reporting Areas

Reporting outside of these
identified areas comes under
the 'rest of district' label.

0 1 2 km



Figure 6: Urban environment as mapped in the Rotorua Housing and Business Development Capacity Assessment 2024 Update

Future Development Strategy

- 8.3 Rotorua's Future Development Strategy (FDS) has been developed under the NPS UD.
- 8.4 The purpose of a FDS is to provide a long-term strategic view of how the relevant local authorities intend to achieve well-functioning urban environments and ensure there is sufficient development capacity (NPS UD s3.13).
- 8.5 The applicant requested that the site be included in the identified growth areas of the Future Development Strategy. This was not accepted, and as such, is not identified as part of the Council's long term for creating well-functioning urban environments.
- 8.6 However, both the Regional Policy Statement³ and District Plan⁴ specifically include policies addressing land use change within the Rotorua Lakes Catchment aimed at improving water quality, and it was under these objectives and policies that the proposal was originally developed.

³ See [RPS](#) Urban Growth Policies: UG 14B, UG 15B

⁴ See Rotorua District Plan Objectives and Policies: [Subdivision](#): SUB-O1, P1 – 4, [Rural](#): RURZ-O1, P1 - 7

National Policy Statement for Highly Productive Land

- 8.7 The NPS for Highly Productive Land commenced on 17 October 2022 and applies to land zoned Rural, Land Use Capability Class 1, 2 and 3, that is not identified for future urban development or subject to a Council notified plan change to change the zoning. The site falls in part within the definition of Highly Productive Land, as shown in the Constraints Map (Appendix E). The affected land is part of Lot 8 DP 39696 and comprises approximately 14ha (estimated) of the site. Subdivision of highly productive land must be avoided except as otherwise provided in the NPS.
- 8.8 The NPS-HPL seeks to:
- Protect highly productive land for use in land-based primary production, both now and for future generations; and
 - Avoid inappropriate subdivision, use and development of HPL, particularly where it would result in fragmentation, reverse sensitivity effects, or loss of productive capacity.
- 8.9 Clause 3.10 (1)(a) of the NPS HPL states identifies sites can be excluded where they meet the following criteria:
- a) there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years.*
- 8.10 A report was undertaken by Perrin Ag Dated March 2023 (Appendix J). After examination of the geospatial data the report concludes that there is 14 ha of LUC 3 land under the proposed subdivision rather than the 18.6ha indicated by the 1:50,000 national dataset.
- 8.11 The highest and best land use for the property is assessed as dairy production. However, the scale of the property, required infrastructure investment and regulatory constraints result in this land use being economically unviable. Options to expand the productive capacity of the dairy farm through increasing the dairy platform and nitrogen trading are evaluated but not considered to be economically viable.
- 8.12 Operation as an intensive drystock finishing property is economically viable when the grazing area is expanded through lease or purchase opportunities however the likely resulting erosion in land value is economically unviable for the existing landowner or a potential purchaser.
- 8.13 Even where there are significant constraints on the economic viability of HPL land, the significance of the loss of HPL land must be considered. In the

context of the nitrogen reduction targets and the likely 7000 ha of land retirement necessary to achieve these water quality goals, the 14 ha of HPL land, out of a 14,959 ha with similar production capacity, is insignificant.

- 8.14 Overall, the proposal is consistent with the objectives and policies of the NPS-HPL.

National Policy Statement for Freshwater Management

- 8.15 The NPS for Freshwater Management manages freshwater to give effect to Te Mana o te Wai and protects and enhances wetlands and streams. As identified earlier in the report the subject site contains wetlands but does not contain any streams, only ephemeral watercourses. No works are proposed within proximity to the wetlands that would require consideration under the NPS Freshwater Management. There are gullies but no permanently flowing streams are located within the site. Substantial restoration of indigenous vegetation is proposed across the site as part of the retirement of the land from dairy farming and establishing the amenity and character sought for the subdivision including walkways which are proposed to be vested to Council. The proposal is therefore likely to increase the potential opportunity for habitat and reduce offsite effects arising from stormwater flow down through the catchment.

National Policy Statement for Electricity Transmission

- 8.16 The NPS on Electricity Transmission provides a high-level framework to guide the management and future planning of the national grid. There is a high voltage transmission line that crosses the northern boundary of the site. Therefore, it is relevant to consider the NPS. In particular, the objective requires the adverse effects of other activities on the network must be managed and policies 10 and 11 address reverse sensitivity and buffer identification. The proposed subdivision has been designed to set the only affected building platform back from the transmission line and provide the required buffer. Earthworks will either need to comply with the District Plan Requirements or be addressed through a consent as part of the Substantive Application. As such, the proposal is in accordance with the NPS Electricity Transmission.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

- 8.17 As detailed in Section 4 (above), resource consent is required under the NES CS.

- 8.18 A Preliminary Site Investigation (PSI) was undertaken by Hail Environmental dated June 2022 (see Appendix P).
- 8.19 The PSI confirms that historic land use activities will not preclude the proposed subdivision and land use change. However, it is noted that there are areas within the northwest portion of 66 McFetridge Drive which may have been subject to HAIL land use. These areas may be considered ‘pieces of land’ under Regulation 5(7) of the NES-CS.
- 8.20 If a change of land use or soil disturbance is proposed in these areas, further investigation (i.e. DSI) will be required and, depending on the results, potentially remediation. Furthermore, if additional investigations reveal concentrations of contaminants above the BoPRC iEGVs, remediation will require a restricted discretionary consent under Rule DW R25 of the BoPRC RNRP. This will be confirmed as part of the substantive application but is not considered to be a key constraint on the development which would preclude development.
- 8.21 Regarding the remainder of the site the findings of the PSI Report confirm pastoral grazing areas of the site do not meet the definition of a ‘piece of land’ under Regulation 5(7) of the NES-CS. This conclusion applies to the majority of 66 McFetridge Drive (i.e. with the exception of the northwest portion) and to the entirety of 53A and 89 Tauranga Direct Road.
- 8.22 Shallow soils from within the pastoral grazing areas at the site may not meet the definition of ‘cleanfill’. Consideration should be given to retaining topsoil onsite during future development, as the findings of the current investigation indicate that additional testing may be required on excess soil to determine appropriate offsite disposal options.

National Policy Statement for Natural Hazards

- 8.23 The engineering design for the proposed subdivision will follow a staged process consistent with good engineering practice for developments of this scale. This progressive approach enables natural hazards and geotechnical risks to be identified and addressed early, with increasing levels of technical detail provided as the project moves through the design and consenting stages.
- 8.24 This staged methodology aligns with the intent of the principles of the National Policy Statement for Natural Hazard Decision-making, which promote the identification, assessment, and management of natural hazard risk through appropriate investigation, assessment, and design.

Stage 1 – Concept / Enabling Design (approximately 15% complete)

- 8.25 At this stage preliminary geotechnical investigations and concept engineering plans have been prepared to confirm that there are no significant geotechnical or natural hazard constraints that would prevent the proposed subdivision from proceeding. The work typically involves a high-level assessment of ground conditions, slope stability considerations, and the likely extent of earthworks required.

Stage 2 – Developed Design (approximately 80% complete)

- 8.26 This stage generally aligns with the resource consent or subdivision consent phase. Additional site investigations and technical assessments are undertaken to confirm that the subdivision can be constructed safely and that earthworks and infrastructure can be appropriately managed. This stage typically includes further geotechnical investigation, preliminary earthworks design, identification of suitable building platforms, and infrastructure modelling for stormwater, wastewater, water supply, and roading. The outcomes are documented in technical reports supporting the consent application.

Stage 3 – Detailed Design (approximately 95% complete)

- 8.27 Detailed engineering design is prepared to support engineering plan approval and construction. At this stage the geotechnical model and infrastructure design are well established and refined to provide construction-ready plans, incorporating any changes arising from the consenting process.

Stage 4 – Construction and Finalisation (100% complete)

- 8.28 During tendering and construction, minor design refinements may occur in response to site conditions encountered during earthworks or infrastructure installation. These adjustments ensure the final works respond appropriately to actual ground conditions and existing infrastructure.
- 8.29 Overall, this staged approach ensures that geotechnical conditions, natural hazard risks, and infrastructure requirements are progressively assessed and managed throughout the design, consenting, and construction phases.

NZ Coastal Policy Statement

- 8.30 Given the site's location outside the coastal environment, the policy statement is not considered applicable to this proposal.

Existing Resource Consents for same activity

8.31 Section 2(1)(b) also requires confirmation as to whether there are any existing resource consents for the same activity (under Section 30). There are no other consents for this activity.

9. OTHER MATTERS

Previous Decisions

9.1 This section addresses previous decisions under specified Acts as required under s13(4)(u) of the FTAA.

9.2 This proposal has previously been declined under the Covid-19 Recovery (Fast-track Consenting) Act 2020⁵.

9.3 The reason provided for the Minister declining the application were:

- I cannot be satisfied that the project will help to achieve the purpose of the FTCA and therefore it does not meet the referral criteria in section 18 of the FTCA.
- It would be more appropriate for the project to go through standard consenting processes under the Resource Management Act 1991.⁶

9.4 In relation to the first point, this report (see Section 6) sets out how the proposal meets the criteria in s22 of the FTAA. These criteria differ from the Section 18 of the FTCA.

9.5 In relation to the 2nd point, that it would be more appropriate to go through the standard consenting process under the RMA, the development is consistent with the form of much of the development in the surrounding area which is either zoned to enable lifestyle development (land to east of SH36) or consented. In addition, the effects (as assessed above) are not considered to be such that they warrant wider public consultation than is enabled through this process.

Compliance History

9.6 This section addresses the compliance history associated with the site as required under s13(4)(x) of the FTAA.

9.7 Mr Milsom holds resource consent RM18-0698 relating to the discharge of dairy effluent to land and authorises farming land within the Lake Rotorua groundwater catchment. BOPRC have previously identified that there 'has

⁵ This is not a 'specified Act' under s13 FTAA however it is considered appropriate to address this.

⁶ [Letter](#) Hon David Parker (ref: BRF-3156)

only been relatively minor non-compliance recorded over the 5 years since the consent was granted, mainly related to record keeping. No enforcement action has been taken. Staff do not deem the non-compliance to be relevant to the activity for which this application is seeking⁷. Since then, an Abatement Notice has been issued relating to effluent disposal (See Appendix Q). The applicant was overseas at the time. The issues identified have subsequently been addressed.

10. ASSESSMENT OF ALTERNATIVE SITES CONSIDERED

10.1 An assessment of alternative sites has been undertaken to inform consideration under the Fast-track Approvals Act 2024 and to address clause 3.10 of the National Policy Statement for Highly Productive Land (NPS-HPL) in relation to subdivision involving LUC Class 3 land.

10.2 The assessment has been proportionate to the scale of the proposal and the referral stage of the process. It focuses on whether there are any reasonably available, practicable alternative sites within the Rotorua District that could accommodate a residential lifestyle subdivision of comparable scale and market typology while avoiding or materially reducing impacts on highly productive land.

Subject Site – McFetridge Drive (Preferred Option)

10.3 The subject site comprises a large, contiguous landholding within a modified rural environment already influenced by rural-residential development. Approximately 14 hectares of LUC Class 3 land are present (as refined from the national 1:50,000 mapping dataset).

10.4 Independent economic assessment confirms that:

- The highest and best use of the LUC 3 land is dairy production;
- Due to permanent and long-term nitrogen discharge constraints under Plan Change 10, ongoing reductions in nutrient allocation, and required capital investment, dairy production is not economically viable over a 30-year horizon;
- Alternative land-based primary production systems (including horticulture, drystock or forestry) would result in significant capital erosion and are not economically viable in the current regulatory context;
- The regulatory requirement to reduce catchment nitrogen loading means large-scale land use change (in the order of thousands of hectares) is anticipated within the Rotorua catchment

⁷ [BOPRC comments in FTCA application](#)

- 10.5 The proposal also provides broader environmental outcomes that are directly relevant to the Rotorua catchment context. Consultation responses from the Bay of Plenty Regional Council (BOPRC) acknowledge that redevelopment of the site from an approximately 83.3 hectare dairy farm to rural residential land connected to the reticulated municipal wastewater system would result in a reduction of approximately 1,107.8kg of nitrogen per year entering Lake Rotorua. BOPRC identified this as a meaningful contribution toward the wider Lake Rotorua nutrient reduction programme and noted that the proposal aligns with regional policy direction seeking land use change that improves lake water quality outcomes.
- 10.6 The proposal would therefore not simply remove productive land from use, but would facilitate a strategic land use transition specifically anticipated within the Lake Rotorua catchment to achieve long-term environmental outcomes. This distinguishes the site from other potentially available rural landholdings where productive use remains economically and environmentally sustainable.
- 10.7 In that context, the loss of approximately 14 hectares of LUC 3 land is not significant relative to the 14,959 hectares of similar pastoral land within the catchment, nor relative to the anticipated scale of land retirement required to meet nutrient targets.
- 10.8 The subdivision layout has also been designed to minimise development on Class 3 land where practicable whilst enhancing environmental features including native planting and stormwater management areas.
- 10.9 The subject site therefore represents a location where:
- Productive capacity is already constrained long-term by regulation;
 - Environmental outcomes are improved relative to the pastoral baseline;
 - Significant reductions in nitrogen discharge to Lake Rotorua can be achieved;
 - Development can occur without displacing viable long-term primary production **in the catchment**; and
 - The proposal supports strategic catchment outcomes sought by regional policy and the Lake Rotorua Integrated Framework.

OTHER RURAL LOCATIONS

- 10.10 Other rural areas within Rotorua District have been considered for the purposes of this assessment, including Hamurana, Ngongotahā, Ngakuru and Rerewhakaaitu. These areas generally present one or more of the following constraints:

- Fragmented land ownership and lack of sufficiently large contiguous sites;
- Infrastructure servicing limitations;
- Equal or greater proportions of LUC Class 2 or 3 land;
- Absence of long-term economic and regulatory constraints as discussed above comparable to those applying to the subject site; and
- Lack of equivalent nutrient reduction and catchment water quality benefits associated with retiring an existing dairy farming operation within the Lake Rotorua catchment due to the ability for the subject site to be connected to the public wastewater system which typically will not be the case for other potential developments.

10.11 In many instances, development in these areas would not avoid highly productive land and could result in greater productive loss than the proposal site.

URBAN INFILL AND GREENFIELD EXPANSION

10.12 Urban infill and greenfield areas within Rotorua were also considered. While these contribute to overall housing supply, they:

- Do not accommodate rural-lifestyle typology at the proposed scale;
- Are subject to zoning, density and structure plan constraints;
- Involve different housing markets and delivery pathways; and
- Do not provide the same opportunity for integrated land use change and nitrogen reduction within the Lake Rotorua catchment.

10.13 In addition, providing lifestyle opportunities away from urban areas avoids compromising future urban growth around existing urban areas.

10.14 They are therefore not realistic or functional alternatives for the purposes of clause 3.10.

CONCLUSION ON ALTERNATIVE SITES CONSIDERED

10.15 The assessment confirms that:

- No reasonably available alternative site exists that would accommodate a development of similar scale and character while avoiding equal or greater highly productive land impacts;
- The subject site is subject to long-term regulatory constraints that materially limit the economic viability of primary production for at least 30 years; and

- The proposal achieves additional strategic environmental benefits through permanent reductions in nitrogen discharge to Lake Rotorua and retirement of an existing dairy farming operation.
- 10.16 Accordingly, the proposal is consistent with the intent of clause 3.10 of the NPS-HPL. The subject site represents the most appropriate and practicable location for the proposed residential lifestyle subdivision when balancing housing supply, environmental outcomes within the Lake Rotorua catchment, and the protection of highly productive land

11. BENEFIT OF THE FAST-TRACK APPROVALS ACT 2024

11.1 As outlined in Section 22(1)(b)(i) and (ii) of the Fast-track Approvals Act 2024 (FTAA), part of the determination for accepting a referral application includes outlining whether fast-track approvals process would facilitate a more efficient and timely delivery of the project;

(b) referring the project to the fast-track approvals process—

- i. would facilitate the project, including by enabling it to be processed in a more timely and cost effective way than under normal processes; and*
- ii. is unlikely to materially affect the efficient operation of the fast-track approvals process.*

11.2 As outlined in Section 4, the site requires a range of resource consents (land use and subdivision) from Rotorua Lakes District Council and Bay of Plenty Regional Council, including under NES CS. The ability to apply for a comprehensive range of consenting requirements within one application, to be considered by one panel, offers significant efficiencies in planning and specialist inputs required for managing and navigating the consenting process. The overall intent of the FTAA, legislation designed for regionally and nationally significant infrastructure and development projects, supports the scale and significance of the development. The consolidated timeframes for engagement with relevant stakeholders and parties, wider consultation requirements to support substantive applications, and the overall detail required support a more timely and efficient consideration of the project.

11.3 Our understanding of the FTAA legislation is to support regionally and nationally significant projects with a single consenting process. This would enable development commencing sooner and the economic, social and wider positive benefits to be realised sooner than under the traditional Resource Management Act 1991 (RMA) path. The FTAA process is considered the right instrument for this scale of project, and the proposed site is not considered to materially impact on the intent of the FTAA process, more so it would reinforce the value and opportunity that the FTAA presents for regionally and nationally

significant projects, and reinforces the strategical significance and contiguous nature of the land holding.

12. PERSONS AFFECTED

- 12.1 Section 11 of the FTAA sets out the parties that must be consulted and notified before the referral application is lodged.
- 12.2 Section 13 of the FTAA addresses who is considered to be affected (s13(4)(j)), what consultation has been undertaken (s13(4)(k)) and the responses to consultation.

CONSULTATION REQUIRMENTS FOR REFERRAL APPLICATION

Table 7: Section 11 Parties That Must Be Consulted and Notified Before the Referral Application is Lodged

Parties to be consulted		
Relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011	Not applicable	
Ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou	Not applicable	
Parties to be notified in writing	Who	Date notice given
Relevant local authorities:	Bay of Plenty Regional Council Rotorua Lakes District Council	Draft Referral application provided: 19/03/2026. In response Rotorua Lakes Council officers reviewed the draft referral application, assessments and plans, and confirmed support for the proposal being considered as a “referred project” under the Fast-Track Approvals Act, based on the size and scale of the development. Council

		also provided a letter from Mayor Tania Tapsell to Hon. Chris Bishop expressing support for fast-track selection of the development. Council advised that further comments would be provided through the formal referral process once the application is lodged. In Response Regional Council provided initial comments on the draft Fast-Track referral application and generally agreed that the required regional resource consents had been appropriately identified, including earthworks, stormwater, water take and potential contaminated land and NES-F consents. Council acknowledged the proposal's positive contribution to improved water quality within the Lake Rotorua catchment through the conversion of the dairy farm to rural residential development connected to the reticulated wastewater network, including a reduction in nitrogen discharge allocation. Council noted the proposal aligned with policy direction seeking improved lake water quality outcomes and recognised the significance of the proposed nitrogen reduction contribution to the Lake Rotorua Incentives Scheme. The letter also identified further information requirements relating to groundwater testing, earthworks and stormwater management, wetlands, contaminated land, and cultural effects, and
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		recommended ongoing engagement with tangata whenua and further technical assessment through the substantive application stage. On behalf of Regional Council, PDP undertook an independent technical review of the hydrogeological assessment prepared for the proposed groundwater take associated with the development. The review concluded that the proposed groundwater take is unlikely to result in more than minor adverse effects on neighbouring bores, nearby wetlands, streams, or the Hamurana Springs and Taniwha Springs due to the separation distances, elevation differences and relatively small scale of the take. PDP also confirmed that saline intrusion effects would be negligible and generally agreed with the applicant's conclusions regarding groundwater and surface water effects, while noting that additional stormwater management information would be required to assess groundwater quality effects associated with construction and long-term stormwater management
(a) Relevant iwi authorities, hapu, and Treaty Settlement entities, including: (i) iwi authorities and groups that represent hapū that are parties to	Iwi Authorities, hapu and Treaty Settlement entities. The following parties were identified by MfE in relation to the previous application under the	The draft application was provided to all identified parties on: 19/03/2026. Ngāti Rangiwewehi acknowledged the Cultural Impact Assessment and recognition of mana whenua values

relevant Mana Whakahono ā Rohe or joint management agreements; and (ii) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a mātaihai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996;	Covid-19 (Fast-track Consenting) Act 2020 (See Appendix X: Section 17 Report – Application 2022-136 Milbrow Estate Project). • Ngāti Rangiwewehi (NW) • Te Arawa Lakes Trust (TALT) • Te Arawa Lakes Strategy Group (TALSG) • Raukawa Settlement Trust • Affiliate Te Arawa	associated with Pekehāua Puna (Taniwha Springs), the Awahou Awa, groundwater systems, wetlands and downstream effects on Lake Rotorua. The iwi authority recognised potential cultural and environmental benefits arising from retiring pastoral land and reducing nutrient inputs to the lake. However, Ngāti Rangiwewehi advised it could not support the application in its current form due to ongoing concerns relating to groundwater abstraction and cumulative effects, stormwater and sediment management, long-term water supply arrangements, cultural monitoring and accidental discovery protocols, and ensuring meaningful iwi engagement through the Fast-track process. The response sought enforceable consent conditions, ongoing iwi involvement in monitoring and management, and noted that a reduction in the scale or number of lots may also assist in addressing concerns. No response was received from the other iwi entities.
The relevant administering agencies; and	Not applicable	
If the proposed approvals for the project are to include an approval described in section 42(4)(f) (land exchange), the holder of an interest in	Not applicable (application does not include a land exchange)	

the land that is to be exchanged by the Crown.		
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12.3 All parties were provided with 20 working days to respond before the application was lodged 20.03.2026 to 30.04.2026.

LIST OF PERSONS AND GROUPS CONSIDERED TO BE LIKELY TO BE AFFECTED

Table 8: Section 13 Parties considered to be affected (Section 13(4)(j))

12.4 Section 13(j) requires a list of persons and groups that the applicant considers 'likely to be affected by the project'. Certain parties are specifically identified for consideration, while the wording of this section also requires a more general identification of other persons and groups. The table below provides an assessment of both.

Persons considered to be affected under Section 13(4)(j) Schedule	
(a) Relevant local authorities:	(a) Bay of Plenty Regional Council (b) Rotorua Lakes District Council
(b) – (vii) Iwi authorities, Treaty Settlement Entities, protected customary rights groups and marine title groups, Ngāti Porou and groups under the MCA Act.	(a) Ngāti Rangiwewehi (NW) (b) Te Arawa Lakes Trust (TALT) (c) Te Arawa Lakes Strategy Group (TALSG) (d) Raukawa Settlement Trust (e) Affiliate Te Arawa
(viii) Persons with a registered interest in land that may need to be acquired under the Public Works Act 1981 :	Not applicable
Other Parties considered to be affected	
(a) Adjacent owners and occupiers	Properties identified include all adjoining sites, plus sites on the opposite side of McFetridge Drive and those separated by the paper road to the east. (a) 3 McFetridge Drive (b) 6 McFetridge Drive (c) 102 Jackson Road (includes Lot 2 DP 392696) (d) 72 Jackson Road (e) 30 Jackson Road (f) 137 SH36/Tauranga Direct Road (g) 67 SH36/Tauranga Direct Road

	(h) 21 SH36/Tauranga Direct Road (i) 359 Hamurana Road (j) Trustees of four separate Māori land parcels: Jackson Road (Mangorewa Kaharoa 6E 3 No 2 H5A Blk XII Rotorua Sd) 305 Hamurana Road (Mangorewa Kaharoa 6E3 Sec 2E 2A 1B2 Blk XII Rotorua S D), 84C Central Road (Mangorewa Kaharoa 6E 3 2E 2A 2 Blk & 6E 3 2E 2B 1C Blk), Jackson Road (Mangorewa Kaharoa 6E 3 Sec 2H No 7A Blk XII Rotorua Sd) Trustees of three separate Maori land parcels, being Mangorewa Kaharoa 6E3No2H5A, being located to the west of the subject site
(b) Infrastructure Providers	(a) Transpower (if works are within the transmission corridor (as per NES) (b) NZTA (c) Other Infrastructure providers

Section 13 Parties considered to be affected (Section 13(4)(k))

12.5 Section 13(4)(k) requires:

- a summary of the consultation undertaken for the purposes of Section 11 and any other consultation undertaken on the project with the parties identified above (s13(j)); and
- how the consultation and responses to the notices provided in Section 11 has informed the project

Table 9: Section 13 Summary of Consultation and Responses (s13(4)(k) and (ka))

Parties	Consultation Undertaken (s11)	Other Consultation (s13(j))	How consultation has informed the project	
Bay of Plenty Regional Council	Yes Draft Application sent on the 20.03.2026, Comments received on 30.04.2026.	There has been consultation in relation to the previous application lodged under the FTCA, along with subsequent conversations regarding the subdivision generally.	Prior to Section 11 consultation, written response was provided June 2024 summarised below:	
			Issue	Response
			NPS HPL – compliance with clause 3.6.	See Section 8 above. Note, the application is now for the subdivision of land and needs to be considered against clauses 3.8 – 3.10.
			NPS UD – compliance with clause 3.8	See Section 8 above. Note, the site is outside of the ‘urban environment’ as defined under the HBA ⁸
			BOP RPS - inconsistent with Policy UG 14B	Policy framework ⁹ identifies that within the Rotorua Lakes, land use change to achieve reduced nutrient losses may justify over-riding this policy. (See also UG 15B).
			Rotorua Future Development Strategy – site not identified for future development.	The site is not identified for development in the FDS.
			Lake Rotorua Catchment Nutrient Management	The applicant has agreed to sell excess nitrogen to the Lake Rotorua Incentives Scheme.

⁸ See Section 1.4 (pg 20)

⁹ Explanation to policy states: *In the Rotorua Te Arawa Lakes area, protecting water quality from increased nutrient losses may also be given priority over protection of versatile land. Water quality in Rotorua Te Arawa Lakes’ catchments has been degraded mainly by human activities and nutrient losses from pastoral farming and sewage leachate from residential areas. Reducing nutrient losses into these lakes is a priority. Rotorua District Council, regional councils, central government and Te Arawa Lakes Trust are working together on a range of initiatives designed to mitigate the effects of nutrients into these lakes. The need to avoid nutrient losses into the receiving waters of some regional catchments at risk may result in rural lifestyle subdivision being a preferred option. However, forward planning and care is needed to prevent the loss of rural character and inefficient land, infrastructure and energy use.*

			Soils highly mobile and prone to erosion Agree that the design and management of earthworks will be critical to this project. It is anticipated that this information will be submitted and assessed as part of the Substantive Application. Sensitivity of downstream environment (Taniwha Springs and Lake Rotorua), noting municipal water takes and cultural significance. See Hydrogeological Assessment in Appendix L. As above, design and management of earthworks and stormwater design are anticipated to be provided as part of the Substantive Application. It is agreed that the design of these aspects of the application will be critical.
			There have been two subsequent meetings with BOPRC (and RLC).
Rotorua Lakes District Council	Yes Draft Application sent on the 20.03.2026, Comments received on 30.04.2026.	There has been consultation in relation to the previous application lodged under the FTCA, along with subsequent conversations regarding the subdivision generally. - The applicant has consulted the Deputy Chief Executive, District Development, Jean Paul Gaston, on several occasions. Mr Gaston has provided a letter in support of the project, dated 24 July 2022, which is attached as Attachment D. - a meeting was held on 14 July 2021 with the staff from the Planning consents and development engineering sections where information on the project was provided and advice was received in relation to potential sewer connection which was stated to have capacity (subject to financial contribution and possible upgrade), geotechnical, stormwater and roading investigations required.	No additional changes
Ngāti Rangiwewehi (NW)	Yes	Cultural Impact Assessment completed, and response to issues raised in CIA provided by application.	1. Scope of hydrological memo widened to address: - Effects on Taniwha Spings and Hamurana Springs - Ground water quality

	Draft Application sent on the 20.03.2026, Comments received on 15.04.2026.	There have also been a number of meetings with NR, including: • Site meeting 25 Jan 2022 • Meeting 30 March 2022 • Meeting Tarimano Marae on 20 September 2022	2. Substantive application will: • Provide the design of stormwater management. This will incorporate green infrastructure and ensure the changes do not adversely affect landforms or water systems. • Provide details on earthworks. It is anticipated this will involve predominantly minor earth shaping within the lots but more substantive earthworks will be required to form the roadways. • Additional details provided in Section 7: Cultural Effects above. 3. Agreed to consult with NR on design of road upgrades The applicant is happy to continue to engage with Ngati Rangiwewehi, and is happy for cultural monitoring of the works and for the inclusion of accidental discovery protocols. Regarding water quality our engineers are comfortable the concerns can be addressed through appropriate design progressed with appropriate consultation.
Te Arawa Lakes Trust (TALT)	Yes Draft Application sent on the 20.03.2026, No response received.	No prior consultation undertaken.	
Te Arawa Lakes Strategy Group (TALSG)	Yes Draft Application sent on the 20.03.2026, No response received.	No prior consultation undertaken.	
Raukawa Settlement Trust	Yes Draft Application sent on the 20.03.2026, No response received.	High level email to determine if the site was of interest to Raukawa (December 2025). Raukawa confirmed the site is not within the Raukawa takiwā, but is within the Raukawa Area of Association and lies within a shared area of interest with Ngati Rangiwewehi and Ngāti Whakaue (see Appendix R).	

		Confirmed that their ‘ <i>position on this occasion is neutral on the proviso that the applicant continues engagement with Ngati Rangiwewehi and Ngāti Whakaue who will represent mana whenua interests for this application</i> ’.					
Affiliate Te Arawa	Yes Draft Application sent on the 20.03.2026, No response received.	No prior consultation undertaken.					
Adjacent owners and occupiers	Not applicable	The applicant has had some discussions with adjacent landowners (in relation to the FTCA application). This can be summarised as follows: • 3 McFetridge Drive, Craig Snodgrass, lifestyle landowner and leasee of family land to the north across McFetridge Drive, does not support the proposal. • 6 McFetridge Drive, Davies, lifestyle landowner to the west, does not support the proposal • 67 SH36 (Kaharoa Kennels) has been receptive to the proposal. • 102 Jackson Road, Peter Schweizer, has been receptive to the proposal. • 359 Hamurana Road, Doug Senior, adjacent landowner to the south, is receptive to the proposal. • 21 SH36, Darrell Meyer, adjacent landowner to the east, is supportive of the proposal. • Central Road, Jopesh Tuhakaraina, chairperson of our local Iwi, Ngāti Rangiwewehi, who has provided the CIA.	67 SH36: the applicant has advised that an existing reverse sensitivity consent notice applying to Lot 7 would be applied to all resulting lots to protect the ongoing operation of the kennels.				
NZTA	Not applicable	NZTA were consulted on the previous FTCA application. The applicant has also met with NZTA staff (June 2023).	Key issues raised:<table><tr><th>Issue</th><th>Response</th></tr><tr><td>Access location: * NZTA do not support direct access from the site to the SH</td><td>Accept – no direct access provided.</td></tr></table>	Issue	Response	Access location: * NZTA do not support direct access from the site to the SH	Accept – no direct access provided.
Issue	Response						
Access location: * NZTA do not support direct access from the site to the SH	Accept – no direct access provided.						

			* additional vehicle generation to and from State Highway 36 via Jackson Road and Central Road was supported Concerns relating to reliance on private vehicles (VKT) and limited provision for active modes and public transport/not consistent with the NPS UD and the Emissions Reduction Plan Density unanticipated by the District Plan and growth policies. Given this, consent process would benefit through wider public engagement through notification. Concerns relating to lack of appeal rights under FTCA. Given fundamental policy concerns, questions whether this process is appropriate. FDS assessed growth in Hamurana and found growth in Hamurana performed poorly. See Section 7: 'Climate Change Effects' and Section 8: NPS UD See Section 9: Other Matters Current process enables consideration of applications where there are significant regional benefits. It is noted that the Government Policy Statement on Land Transport 2024/2025 has adopted a different approach to the previous GPS .
Transpower	Not applicable	MfE consulted Transpower in relation to the FTCA application.	Transpower identified: - Protection of line is achieved through NPSET (Policies 2,10 and 11). Note: Land use consent is also required under the District Plan for buildings and earthworks associated with the transmission corridor (see Section 4) along with the NPSET. - Potential for significant adverse effects if development around the line is not appropriately designed and constructed. A number of concerns are specifically noted. Response: The issues raised are appropriate and can be addressed as part of the Substantive application (once earthworks design is complete). Also noting that NZECP34:2001 controls construction activities.

Other Infrastructure Providers	Not applicable	No prior consultation undertaken. Anticipate that consultation will occur as part of preparation of substantive application.	Not applicable
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Table 10: Treaty Settlements that apply to the project area (s13(4)(l))

12.6 The following Treaty Settlements, including relevant principles and provisions, are applicable to the project area¹⁰:

Treaty Settlements	Relevant Principles and Provisions
Te Arawa Settlement Act 2006 Entity: Te Arawa Lakes trust	The Crown makes this apology to Te Arawa, to their ancestors, to their descendants and to the people and hapū of Te Arawa: The Crown profoundly regrets and unreservedly apologises to Te Arawa for the breaches of te Tiriti o Waitangi (the Treaty of Waitangi) and its principles. The Crown profoundly regrets that past Crown actions in relation to the lakes have had a negative impact on Te Arawa's rangatiratanga over the lakes and their use of lake resources, and have caused significant grievance within Te Arawa. The Crown recognises that Te Arawa value the Te Arawa lakes and the lakes' resources as taonga. The Crown acknowledges the spiritual, cultural, economic, and traditional importance to Te Arawa of the lakes and the lakes' resources. The Crown acknowledges that the introduction of exotic fish species significantly depleted the indigenous species upon which Te Arawa depended for food, hospitality, trade, and koha; and Te Arawa petitioned the Crown for several years concerning the depletion of the indigenous species and access to the new species; and some Te Arawa were prosecuted for fishing without a licence in the lakes during this time; and its failure to legislate for a sufficient number of licences for Te Arawa in 1908 (when it promoted legislation to address the problem of hardship) was in breach of te Tiriti o Waitangi (the Treaty of Waitangi) and its principles.

¹⁰ Based on Section 17 Assessment in FTCA, MFE in consultation with Office for Māori Crown Relations – Te Arawhiti. Treaty Principles are quoted directly from this document (see Appendix S for Full Assessment).

	The Crown acknowledges that its deliberate delays in providing survey plans and public maps to Te Arawa for the Native Land Court hearings caused a sense of grievance within Te Arawa that is still held today. The Crown further acknowledges that it failed to review the annuity paid to Te Arawa as part of the 1922 agreement regarding the lakes when it materially lost value as a result of inflation and this was a breach of te Tiriti o Waitangi (the Treaty of Waitangi) and its principles. The Crown acknowledges that Te Arawa has honoured its obligations and responsibilities under te Tiriti o Waitangi (the Treaty of Waitangi), especially, but not exclusively, in its war service overseas and the gifting of portions of the annuity for the national good in the 1930s and 1940s; and Te Arawa has demonstrated a record of co-operation with the Crown in relation to the lakes, but the benefits that Te Arawa expected to flow from its relationship with the Crown were not always realised; and past Crown actions in relation to the Te Arawa lakes have had a negative impact on Te Arawa's tino rangatiratanga over the lakes and their usage of the resources of the lakes; and the pollution and degradation of several of the lakes have caused a sense of grievance within Te Arawa. The Crown acknowledges the significant contribution that the Te Arawa lakes have made to tourism and the wealth of New Zealand and of the Rotorua district in particular. The Crown also recognises the longstanding grievances of Te Arawa in relation to Crown acts and omissions concerning the Te Arawa lakes, expressed through petitions to the Government and the Stout-Ngata Commission. The Crown acknowledges that it has failed to deal with those grievances in an appropriate way and that recognition of Te Arawa's grievances is long overdue. Accordingly, with this apology, the Crown seeks to atone for these wrongs and begin the process of healing. The Crown looks forward to building a relationship of mutual trust and co-operation with Te Arawa in respect of the lakes.
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	Note: Te Arawa Lakes Strategy Group has been established under this Settlement Act as a committee which oversees the coordination of policy and actions to improve the Rotorua Lakes.
Ngāti Rangiwewehi Settlement Act 2014 Entity: Te Tāhuhu o Tawakeheimoa Trust	The Crown hereby makes this apology to Ngāti Rangiwewehi, the people who descend from Tawakeheimoa and his son, Rangiwewehi. For too many years, the Crown has failed to respond to your grievances in an appropriate way. The task of pursuing justice for the Crown's wrongs has been the work of generations of Ngāti Rangiwewehi. The Crown now recognises a solemn duty to apologise to you for its failure to honour its obligations to Ngāti Rangiwewehi under Te Tiriti o Waitangi/the Treaty of Waitangi and its principles. In the 1850s, the bond between the great Ngāti Rangiwewehi leader Wiremu Maihi Te Rangikaheke and Governor George Grey was characterised by goodwill, respect, and co-operation. It was a partnership that should have set a tone for the overall relationship between Ngāti Rangiwewehi and the Crown, but history took a different, unhappy course. Ngāti Rangiwewehi were drawn into, and divided by, the wars of the 1860s. Ngāti Rangiwewehi warriors died fighting against the Crown at Te Ranga in 1864. Through the Tauranga raupatu, the Crown extinguished customary title in Ngāti Rangiwewehi lands without the consent of Ngāti Rangiwewehi. Time and again Ngāti Rangiwewehi sought to retain tribal authority over their lands, but the native land laws introduced by the Crown worked directly against their wishes and against their rangatiratanga. These laws, and the actions of Crown purchase agents, facilitated the loss of much of the rohe of Ngāti Rangiwewehi, including Hamurana Springs, one of the great treasures of Ngāti Rangiwewehi.

	Through all these travails, Ngāti Rangiwewehi kept hold of another cherished taonga, Pekehāua Puna. Yet, in 1966, this too was taken from them. The Crown regrets deeply the trauma and anguish this loss caused for Ngāti Rangiwewehi. Over the generations, the Crown’s breaches of the Treaty compromised your social and traditional structures, your autonomy, and your ability to exercise your customary rights and your responsibilities. With great sorrow, the Crown apologises for its actions and for the impact they had on the individuals, whānau, and hapū of Ngāti Rangiwewehi. 58. A better future beckons. Through this apology, and this settlement, the Crown turns its face towards that future and hopes to establish a new relationship with Ngāti Rangiwewehi based on mutual trust, co-operation, and respect for Te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
Raukawa Settlement Act 2014 Entity: Raukawa Settlement Trust	The Crown makes this apology to Raukawa, to their ancestors, and to their descendants. The Crown profoundly regrets and unreservedly apologises to Raukawa for its actions and omissions that led to the virtual landlessness of Raukawa in the Waikato, and which caused suffering and hardship to generations of Raukawa. The Crown deeply regrets its actions during the New Zealand wars of the 1860s, which resulted in the loss of life and was destructive and demoralising to Raukawa. Section 17 Report – Application 2022-136 Mi brow Estate Project 7 The Crown acknowledges that the loss of land had a negative impact on the ability of Raukawa to participate in new economic opportunities and challenges emerging within their rohe in the twentieth century. The Crown acknowledges that it did not recognise the iwi status of Raukawa until the late twentieth century and this failure to respect the rangatiratanga of Raukawa created an ongoing grievance.

	The Crown apologises for its past failures to acknowledge the mana and rangatiratanga of Raukawa and looks forward to building an enduring relationship of mutual trust and cooperation with Raukawa that is based on respect for the Treaty of Waitangi and its principles.
Common Principle across the above Acts	As part of all of the identified Treaty settlements, the Crown offers acknowledgements and an apology as part of Treaty settlement redress to atone for historical wrongs, restore honour, and begin the process of healing.

13. INELIGIBLE ACTIVITIES

13.1 Section 13(4)(c) of the Fast-track Approvals Act 2024 requires identification of whether the project includes any activity that is ineligible for referral under the Act.

13.2 The proposed 92-lot lifestyle residential subdivision does not include any ineligible activities as defined under the Act.

13.3 In particular:

- The proposal does not involve prohibited activities under the Resource Management Act 1991.
- The project does not include activities within Schedule 3 of the Fast-track Approvals Act 2024 (ineligible projects).
- The proposal does not involve coal mining, petroleum extraction, or other extractive activities identified as excluded.
- The development does not include activities on land that would otherwise be excluded from referral eligibility under the Act.
- The proposal does not require approvals that are expressly excluded from the Fast-track regime.

13.4 The project comprises residential subdivision, associated earthworks, infrastructure installation, and servicing works all of which are activities capable of being authorised under the Fast-track Approvals Act 2024.

13.5 Accordingly, the proposal is eligible for referral and does not trigger any statutory exclusion provisions.

MAY 2026