

FORM 13

SUBMISSION ON A PUBLICLY OR LIMITED NOTIFIED
APPLICATION CONCERNING RESOURCE CONSENT

ROTORUA
LAKES COUNCIL

Section 96 Resource Management Act 1991

(Rotorua Lakes Council is the operating name of Rotorua District Council)

To:

Chief Executive
Rotorua Lakes Council
Private Bag RO3029
ROTORUA

Name of Submitter:

Waikite Valley Community
Collective

[Full Name]

This is a submission on an application from [name of applicant]:

Tikanga Aroro Charitable Trust

for a Resource Consent to [Briefly describe the type of consent, proposed activity, and location of the resource consent]:

To establish and operate a reintegration
housing activity in the Rural zone 1a of the
Rotorua Lakes District Plan.

at [The location of the resource consent]:

473 Puaiti Road, Waikite Valley

The specific parts of the application that my submission relates to are [Give Details]:

The full application




My submission is [include whether you **support** or **oppose** the specific parts of the application or wish to have them amended; and the reasons for your views]:

We oppose this application.
See attached for more information.

I seek the following decision from the consent authority [Give precise details, including the general nature of any conditions sought]:

To decline the application

- ☒ I wish to be heard in support of my submission
- ☐ I do not wish to be heard in support of my submission
- ☒ If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of submitter (or person authorised to sign on behalf of submitter): 	Date: 25/6/25
Address for service of Submitter: 	Telephone: 
Contact person: [name and designation, if applicable] Nick Hawken Chairperson	Fax/email:

Note to submitter:

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

The information you have provided on this form is required so that your submission can be processed under the RMA, and your name and address will be publicly available. The information will be stored on a public register and held by the Council, and may also be made available to the public on the Council's website. In addition, any on-going communications between you and Council will be held at Council's offices and may also be accessed upon request by a third party. Access to this information is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. If you have any concerns about this, please discuss with a Council Planner prior to lodging your submission. If you would like to request access to, or correction of your details, please contact the Council.

Attachment - Waikite Valley Community Collective submission

At the very start of this process when the rural community of Waikite Valley came together, the Waikite Valley Community Collective (**WVCC**) identified several core concerns specific to the environment in which this application is proposed. These include:

- the effects on rural character and amenity;
- traffic effects;
- social effects;
- reverse sensitivity effects;
- the remote and isolated location;
- delayed response times from emergency services;
- the unreliability of essential infrastructure;
- the potential consequences when something goes wrong;
- inconsistency with the purpose and objectives and policies of the Rotorua Lakes District Plan for the Rural Zone and the Waikato Regional Policy Statement and
- the precedent that approving this activity would set for the rural zone.

Our community is united on the concerns surrounding the application. The Waikite Valley Community Collective is an Incorporated Society that was established in response to concerns from over 520 residents from Waikite Valley and the surrounding rural communities, who have signed a petition to oppose the change in land use for a non-complying activity within the Rural Zone. Many of these people have put in their own personal submissions. Our concerns for the proposed development are extensive.

Attached to this submission is a letter from Rotorua Taupo Federated Farmers which outlines their concerns regarding the application and support of this submission.

This submission relates to the application in its entirety. WVCC opposes the application because it does not give effect to the purpose and principles of the Resource Management Act and is not provided for within the Rural Zone of the Rotorua Lakes District Plan. WVCC requests that the application be declined by Rotorua Lakes Council. Our reasons include, and are not necessarily limited to, the following:

- 1. The change in land use does not fit the rural character of the zone.** The land use change will create adverse effects on the rural character and amenity values. The proposed site is located in the heart of a large rural zone area dedicated to farming and agricultural activities, an area that is specifically supported by the Rotorua District Plan. The application has been approached with an urban perspective, failing to account for key rural considerations. These include but are not limited to concerns regarding traffic effects, considering visual effects from 'dwellings' only and the

reliance on a 3km radius versus the viewpoints from working farms and the adverse effects on daily agricultural activities which are key features of this environment.

- 2. The proposed activity does not fit the rural character of the zone.** The proposed activity(ies) will not maintain or enhance the rural character and amenity of the rural zone. Housing of ten legally restricted occupants and operating a reintegration facility is not rural or lifestyle / residential activity in nature and has no legitimate need to be located in a rural zone. Waikite Valley is a community centered around agriculture activity and introducing a non-complying activity in this region will have a detrimental impact on the ability for farmers and their support communities to engage in day-to-day rural activities.
- 3. The change in land use for intensive residential non complying activities will set a precedent.** The inclusion of 17 buildings and intensive use of the site to accommodate legally restricted people is out of place in this rural zone location. The rural zone of Waikite Valley is intended for rural activities. The application documents label this activity as an 'expansion'. A precedent using the rural zone will be established if resource consent is granted, for all other agriculturally focused communities within the wider Rotorua district, an industry critical to the NZ economy. An intensive and dense use of buildings lacking separation distances between dwellings and other buildings will not enhance the rural character and amenity of the area. The permitted baseline allows for one residential unit and one minor unit, typically accommodating a household, not a cluster of 17 buildings housing up to 14 people, with a large car park on a 2.39 ha site. The scale of traffic, infrastructure, supervision, and operational support required for the activity goes beyond the effects typically anticipated from a single household unit.
- 4. The remote location provides unmanageable safety concerns to access essential emergency services.** Waikite Valley residents living rurally accept they cannot rely heavily on essential emergency services to support their farming and lifestyle activities. The longer response times for police or ambulance services compared to those in more urban locations is a trade-off for rural life in Waikite Valley as access to essential emergency services is approximately 40 minutes from time of dispatch. Knowing that emergency services can take at least an hour to reach the proposed site on Puaiti Road at the end of Waikite Valley, community safety is a paramount concern for residents. Although the applicant claims to have a low probability of incident, when something does go wrong, the associated risks are significantly heightened. Community safety concerns have been inadequately addressed by the applicant. Locating legally restricted participants in a remote rural area with delayed emergency access raises serious safety and security concerns.

- 5. The remote location provides unmanageable safety concerns to access essential infrastructure.** The unreliable nature of core essential infrastructure (power and connectivity) poses a significant safety concern for the community and the ability of the facility to effectively operate. Power outages and periodic connectivity disruptions (cell coverage and internet connection) are unfortunately part of everyday life for residents of Waikite Valley. Again, a trade-off residents understand and accommodate when living in this rural zone. Residents are highly concerned they would need to rely on unreliable power and connectivity (cell coverage and internet) to take additional security measures to protect their properties and people due to the proposed activity when something goes wrong, or when visitors to the site take a detour. In many instances additional security measures are not feasible for residents and there has been no consideration for this. Although the application states that the site is 'technically feasible' for connectivity, lived experience of WVCC members shows this is not the case. Reliance on unreliable core infrastructure undermines the reliability of GPS monitored devices and heightens community concerns regarding the effectiveness of electronic monitoring. In particular, the use of starlink to provide uninterrupted GPS monitoring is unproven in this location, particularly given the disruptions caused by the highly volatile power connection creating outages and subsequent delays to any reboot requirements.
- 6. The intensification will lead to traffic flow that is highly unusual.** The estimate of 10 vehicle trips per weekday in and out of a rural property (for the movement to and from town) is highly unusual for this rural setting. The urban perspective relied on to determine what constitutes 'normal' activity appears to misrepresent the reality of a rural community. A rural resident travelling into town five times a day (totaling 10 trips), would be unusual. In addition to these weekday trips, the effects are especially heightened over weekends when an extra 20 vehicles come and go through the whole valley to access Puaiti Road, or at times during the week when visitation is 'at the discretion of the general manager' which provides no certainty in outcome. This proposed traffic generation will not enhance the rural character and amenity of the area, it will have a negative impact. This increased traffic from parties with no associated activity to the rural zone will complicate legitimate farm operations, as farmers frequently use the roads to access various points on their land.

Many of the roads leading to the site are high school and primary school bus routes that the rural community relies on for transport of children from their rural properties to schools. This service is a necessity for the rural community and the out of character nature of visitors and the occupants associated with the site presents significant safety concerns for young children standing alone at the end of their driveways.

- 7. Proposed lighting is inadequate and is not appropriate for the rural zone.** It is understood that there is no security lighting proposed for the site. The proposed lighting for safety and security is inadequate for a facility of this nature and safety will be compromised. Furthermore, the absence of indoor ablutions in the cabins means sensor lights will turn on and off throughout the night. The activation of sensor lights due to the movements of 10 people is highly unusual on such a small, concentrated site in this isolated rural environment where the natural landscape currently has no artificial light. This will likely cause alarm among people in the area at night. While the applicant states the level of illumination complies with consenting guidelines, the frequent activation of a high number of sensor lights throughout the night on an intensified site is inconsistent with the rural character of this area and has the potential to generate nuisance effects. The intermittent illumination from the site will further heighten safety and security concerns for those in proximity, as this will simply indicate that there is movement taking place.
- 8. Vegetation will take years to mature.** We have significant concerns regarding the visual and landscape impacts of the proposed facility given the reliance on vegetation to essentially conceal the facility and activity. Planting to screen the site is stated to take two to three years to provide visual mitigation of the facility, however, based on local knowledge it is highly likely that meaningful coverage will take significantly longer. The proposed plantings will have an effect of drawing more attention to the site, which is situated immediately on the roadside and amidst open farmland.
- 9. The provision for carparking is inadequate.** The site plan indicates provision for 14 parking spaces, with no designated accessible parking. Considering the anticipated number of residents and visitors, there is insufficient parking capacity for weekend visits, Powhiri, hui, or other events throughout the year. Increased numbers of people coming to the site with limited parking capacity would lead to roadside parking, creating hazards for road users and interfering with agricultural activities. Additionally, if parking occurs on permeable surfaces within the site, it risks erosion and sediment runoff during adverse weather conditions. There will be a significant change in the landform as a result of the proposed earthworks. An erosion and sediment plan has not been provided.
- 10. The change in land use fundamentally changes the rural character and potential useability of the site.** This site was recently subdivided from a large working farm to serve as a rural lifestyle block. Although subdivided, in its current state, the land has the potential to continue as a productive agricultural and/or horticultural asset or support site conducive to the rural zoning. The applicant has stated in their application that the land is not large enough to support rural activities but has provided no evidence to support this. Throughout the valley, many similar sized, 2ha

blocks are actively maintained for farming, horticulture, and flower growing businesses upholding the rural character of the zone. Such blocks continue to provide viable productive land use, and particularly given the site being so deep within the rural zone.

- 11. The social impact assessment provided (on behalf of the applicant) fails to consider the community's rural perspective.** We strongly disagree with the conclusions and recommendations of the social impact assessment. The recommendations are highly inappropriate for the location and the whole of the Waikite Valley community. It is evident the assessor has not fully considered the range of community concerns and has failed to understand or acknowledge the unique values and fabric of the Waikite Valley community.

Introducing an intensive land use to accommodate legally restricted participants into the area will compromise that safety and disrupt the freedoms that define our rural lifestyle. This change threatens the lifestyle and community values which the community relies on to balance the demands of living rurally and underscores the inappropriateness of locating such a facility in this rural setting. The proposal has already caused anxiety in the community and for members because of their safety and security concerns. This is particularly the case for the properties in the immediate vicinity of the proposal.

- 12. The land use and activity will have reverse sensitivity implications.** We disagree with the applicant's assessment that the potential for adverse reverse sensitivity effects on rural activities resulting from the proposed development will be less than minor. The applicant has acknowledged that the site is subject to a reverse sensitivity consent notice, which highlights the tension between the proposed activity and its rural setting. While the clause prevents future landowners from complaining about typical rural production effects such as noise, odour, sprays, or dust, it does not reduce those effects. The proposed development significantly increases the potential for reverse sensitivity effects and may create future conflicts between neighbours, rural contractors and the wider community.

- 13. Concerns about the factual accuracy of the application.** An example of an inaccuracy is that in the original application (the AEE) it stated that the *"...housing facility is under the operation of Department of Corrections (DoC)..."*. This was later amended in the S92 response by the applicant *"... all operations are carried out by staff employed through the Tikanga Aroro Charitable Trust"*.

Other examples of factual inaccuracies have been identified from Official Information Act requests and confirm:

- a. the applicant has operated from 80 Rotokawa Road, and
- b. offenders have been granted parole to continue their sentence outside of prison while undertaking the Puwhakamua programme.

These facts are contrary to statements made in the application. This adds a significant lack of transparency about the previous operations, and therefore what is expected to be undertaken on the new site. There is no certainty provided.

14. The effects on the newly created lifestyle lot (lot 2). The effects on Lot 2 immediately adjoining the proposal are significant, in terms of the impact on that owner who can build a house on the property as of right. This owner purchased their property with anticipation that development on the adjoining lot would be a compliant activity in keeping with the rural amenity and character of the rural zone.

15. The application is inconsistent with the Rotorua Lakes District Plan. As a non-complying activity the proposal is not provided for or foreseen with the Rural Zone. The proposal is contrary to the purpose, objectives and policies of the District Plan for the Rural Zone.

16. The application is inconsistent with some of the relevant policies and objectives of the Waikato Regional Policy Statement (RPS). In particular those relating to resource use and development, the sustainable and efficient use of resources and amenity.

17. Resource Management Act (RMA) and granting of consent. We are advised that in order for a non-complying activity to be approved under section 104 of the RMA, it must first pass the “Gateway Test” under section 104D of the RMA, whereby effects must be no more than minor and/or the application must not be contrary to the objectives and policies of the District Plan. In WVCC’s view, the application is unable to meet either of these pre-requisites and cannot therefore be assessed and approved under section 104 RMA. The application must therefore be declined.

25 June 2025

Rotorua Lakes Council

1061 Haupapa Street,

Rotorua, 3046

Via email: planning.submissions@rotorualc.nz

Dear Councillors,

Re: Letter of support for Waikite Valley Community's submission on The Tikanga Aroro Charitable Trust resource consent application.

Federated Farmers of New Zealand - Rotorua Taupo Province Incorporated (**FFNZ-Rotorua/Taupo Province/The Province**) writes to support the Waikite Valley Community Collective's submission which opposes Tikanga Aroro Charitable Trust's (**TACT**) resource consent application to establish and operate a reintegration facility at 473 Puaiti Road, Ngakuru, Rotorua.

FFNZ-Rotorua/Taupo Province represents approximately 230 members in Rotorua District including members in the Waikite Valley. These members operate farming businesses which rely on a well-functioning rural environment and a cohesive rural community.

While FFNZ Rotorua/Taupo Province is not opposed to the reintegration facility itself, it is concerned with the proposed location and the effect this will have on existing and new farming businesses in the Waikite Valley.

Rural zoning exists to manage land use in rural areas. Its purpose is to minimise the impact of inappropriate development on rural areas. Our concern is that approving this facility in the rural zone will erode the policy protections currently in place under the Rotorua Lakes District Plan for existing and future farming businesses who have a functional relationship with rural zones.

The aspects of Waikite Valley Community submission we support are that:

- The change in land use does not fit the rural character of the zone.
- The proposed activity does not fit the rural character of the zone.
- The proposed activity will not contribute to the rural economy
- The change in land use for an intensive residential non-complying activity will set a precedent potentially affecting other rural zone in the district and rest of New Zealand.
- The change in land use fundamentally changes the rural character and potential useability of the site

- The application is inconsistent with the Rotorua Lakes District Plan and some of the relevant policies and objectives of the Waikato Regional Policy Statement.

We support Waikite Valley Community's submission that TACT resource consent application be declined.

Kind Regards,

FFNZ Rotorua/Taupo Provincial Executive

A handwritten signature in black ink, appearing to be 'B. Edwards', written over a horizontal line.

If you would like to contact us for any purpose please contact us at

