

Response ID ANON-URZ4-5FR3-N

Submitted to Fast-track approval applications  
Submitted on 2024-05-03 11:16:00

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:  
Heretaunga Connect Limited

2 Contact person

Contact person name:  
Phil Stickney

3 What is your job title

Job title:  
Technical Director - Principal Planner - Consultant to Heretaunga Connect Limited

4 What is your contact email address?

Email:  
s 9(2)(a)

5 What is your phone number?

Phone number:  
s 9(2)(a)

6 What is your postal address?

Postal address:  
  
Development Nous Limited  
502 Karamu Road North  
PO Box 385  
Hastings 4122  
NZ

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

THIS PROJECT IS OF A COMMERCIALLY SENSITIVE NATURE AND THE DETAILS OF THE PROJECT CONTAIN INFORMATION WHICH MAY PREJUDICE MULTIPLE PARTIES IF PUBLISHED OR RELEASED THROUGH THE ASSESSMENT AND SUBMISSIONS PROCESS FOR THE FAST TRACK BILL. THE APPLICANT REQUESTS

THAT THE ATTACHMENTS AND VARIOUS DOCUMENTS WITHIN THIS APPLICATION NOT BE PUBLISHED GIVEN THE COMMERCIAL SENSITIVE NATURE OF OWNERSHIP AND LAND PARCEL TRANSACTIONS CURRENTLY IN PLACE.

Approximately 470 ha of rural land situated between the urban extent of Hastings and Flaxmere, abutting the existing extent of urban development at Omaha Road and Camberley to the north-east through to Southland Road at the southern end of the site. The site is bisected by SH 2 (Hawkes Bay Expressway) and York Road.

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H20220177 - Heretaunga Connection Project - Site Context-Analysis.pdf was uploaded

Upload file here:

H20220177 - Heretaunga Connection Project - Structure Plan-landholding-presentation.pdf was uploaded

Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:

H20220177\_Kaipo Flaxmere\_Titles Compiled.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Various – Refer to schedule of owners in section above

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

The Applicant has secured purchase contracts over a significant number of the land parcels that make up the site and the map uploaded denotes the extent of the lands that are currently under contract and for an extended due diligence period.

The extent and location of the land which is subject to contracts means that approximately 70% percent of the subject site is able to be developed including required trunk infrastructure and also enables the applicant to provide smaller serviced development parcels to 3rd parties and other developers to expedite development of residential and commercial/industrial sites (and increase supply), in line with the overarching intent of the Fast Track Bill.

## Section 2: Project details

What is the project name?

Please write your answer here:

Heretaunga Connection Project

What is the project summary?

Please write your answer here:

The Project involves the connection of Flaxmere and Hastings urban areas through a large master planned development, creating a new urban growth area accommodating a mix of residential (including retirement) living, mixed use precincts, recreation, healthcare, commercial and industrial development, and of a scale sufficient to provide a long-term and efficient growth area for Hastings (and Hawkes Bay).

What are the project details?

Please write your answer here:

The Project comprises design, zonings (including the use of existing District Plan zonings and two new bespoke zones for mixed use/healthcare and precincts/overlays and subsequently obtaining the necessary subdivision and land use consents, constructing infrastructure services (i.e. wastewater, stormwater, water supply, roading, parks and walkways, and utility services) and titling of lots.

The proposal provides a Regionally Significant supply of zoned urban and recreational land, thus providing a framework for subsequent development in a coordinated manner to create a well-functioning urban environment that meets the current and future needs of Hastings (and Hawkes Bay). The scheme has arisen from the existing demands experienced by the development community for residential and commercial land and wider social infrastructure needs becoming evident.

Key indicative objectives for the scheme include:

The delivery of between approximately 2000-2500 homes, 470 retirement units, 54 hectares of Mixed Use land that can accommodate a Regional Hospital and associated complementary landuses, 77.1 ha of industrial land, a potential sport and recreation precinct to enable the replacement of the existing Hawke's Bay Racecourse with multi event capacity, open space and urban servicing infrastructure networks featuring soft stormwater management

infrastructure.

Hastings Fallen Soldiers' Memorial Hospital has been the subject of various recent business cases for refurbishment or replacement. Continued existing operation and future expansion is severely constrained by the surrounding residential and commercial uses, and this has led to alternative locations being investigated.

The Project provides the potential to incorporate the health facilities into a functional urban environment and enables the urban redevelopment of the existing site. Similarly, the Hawkes Bay Racing racecourse facility is nearing the need for replacement of facilities in the context of significant funding constraints. Release of the existing urban site for urban redevelopment and relocation to a purpose allocated facility offers an opportunity for reinvestment to create a modern multi-use facility.

Effective implementation of The Project requires a change to the district plan zoning of the area rather than a resource consent given the scale and range of land uses proposed.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

Feedback received from the Hastings District Council is that their IAF part funded projects have been developed to enhance growth areas such as Flaxmere and Lyndhurst. It also serves as a strategic backbone for future areas like Kaiapo and the southern areas of Hastings. These projects are due to commence and are projected for completion around the middle of 2025.

This aligns well with the projected timeframes for this development, namely:

1. Coordinating that work with the Project enables the Maraekakaho Road end (adjoining the existing extent of Kaiapo) to commence within approximately 18 months, including pump station as required and the creation of the key stormwater attenuation basins.
2. Development of the landholdings at the corner of the Expressway and Flaxmere Avenue to create the first stage of the link back to Flaxmere.
3. From there, the project works back in multiple stages with the local roading network being in place at each stage prior to development.
4. The timing for any potential relocation of the racecourse remains unconfirmed but can be completed as a separate stage as needed.

The Project covers circa 470 ha of generally rural land divided by existing roads and infrastructure. Urbanisation of the land will obviously require the construction of accompanying above ground and below ground network infrastructure in a staged manner ahead of development. The delivery of this infrastructure is in part contingent upon points of connection to existing roading and three waters infrastructure, and this is one of the drivers of proposed development staging.

It is expected that connection to existing networks will enable multiple stages of the wider area to be commenced concurrently throughout the lifespan of the development. This provides opportunities for a range of development scale and type suited to different demand and construction techniques to continue in tandem. For example, a residential care home could be under construction alongside a set of terraced residential homes under construction, with a commercial or mixed use scheme under construction elsewhere within the site.

While there is a desire to make zoned and serviced land available as quickly as possible, the delivery of land will be constrained by the wider infrastructure improvements or delivery of key infrastructure already planned, particularly in relation to wastewater truck main connection.

A detailed development staging plan based on master planned infrastructure delivery will be prepared for detailed assessment. As described above, the scale of the site will provide for multiple development opportunities to commence concurrently, providing a wide range of opportunities for developers, the construction industry and end purchasers and occupiers. The approach to district plan zoning of the land, subject to master planned infrastructure delivery, rather than consenting of a specific scheme provides greater flexibility and confidence for multiple development within the overall scheme.

It is anticipated that delivery of the initial stages of serviced land to the market for development could occur as quickly as within 18 months of land rezoning. The land resource is expected to provide for 10 to 20 years of development capacity, albeit noting that much of the housing could be absorbed by the market immediately to address backlog shortfalls.

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

Please write your answer here:

RMA: - Plan Change, first stage subdivision and key Land Use Consents (earthworks & stormwater diversions and discharge) along with any other minor consents required to enable the development.

Potentially, consents are also required under the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (in respect of the potential for contamination as a result of areas used for horticulture). These can be staged as development advances.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Hastings District Council (HDC) and Hawkes Bay Regional Council (HBRC).

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

None

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No

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

Please write your answer here:

If Fast-Track approval is granted the construction activities associated with the development of the Project as outlined above, to tie in with IAF funding would commence on site within 18 months. That will enable time for the detailed design of the first stages to be refined and approved.

The balance of timing is currently being refined given that the need to secure a number of key corridors for stormwater and roading are required prior to the more detailed staging and timing for the progression of the project to be refined.

It will be of benefit to the project to adopt a bespoke Development Contributions Area for this land, as Hastings District Council currently does for a number of growth areas around Hastings, to enable the targeted allocation of revenue collected and expenditure locally. This may also be buttressed with a Developer Agreement specific to the project.

### Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Heretaunga Tamatea Settlement Trust (now named Tamatea Pokai Whenua) as a Treaty Settlement Entity.

Health New Zealand – Te Whataua Ora.

New Zealand Transport Agency – Waka Kotahi.

Ministry of Housing and Urban Development – “MHUD”.

Hastings District Council.

Napier City Council.

Hawkes Bay Regional Council.

Property owners within the extent of the site who are not currently under contract.

Property owners immediately adjoining the extent of the site.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

HDC/NCC/HBRC are currently advancing the preparation of a Future Development Strategy (“FDS”) for Hawkes Bay (“FDS”) as required by the NPS-UD 2020. That strategy is currently expected to be adopted later in 2024. That strategy is to replace the Heretaunga Plains Urban Development Strategy, which dates back to 2010 and which was reviewed and refreshed in 2017, although not substantively.

Given the FDS process currently underway, an engagement meeting was held with the Future Development Strategy Team (comprising HDC representatives and their consultants) in August 2023 at which the initial concepts for the development were discussed. Subsequent follow up material was emailed to the FDS consultant team and HDC staff on 29/09/2023 and a copy of email correspondence is attached.

A further initial meeting/briefing was held with Senior HDC Management on 29/11/2023 where the concepts were tabled, and a discussion had as to the various components of the application. This discussion provided valuable insight on how the project could assist in the advancement of the Camberly and

Kaiapo urban renewals programme through enabling a greater choice in housing providers and enabling enhanced access into these existing urban fringe areas. Discussions on infrastructure and servicing constraints and costs were also canvassed.

A subsequent meeting was held with HDC Senior Staff on 07/12/23 where the same concepts were tabled and copies of a presentation containing all the key information were subsequently emailed through to HDC for their consideration.

A further meeting was held on 12/02/24 with Senior HDC Management hereupon the issue of infrastructure constraints and the ability to fund ongoing development of urban areas was canvassed.

A meeting was held with a senior staff member of Heretaunga Tamatea Settlement Trust ("HTST") on 17/04/2024 in relation to the adjoining (and recently approved) development known as Wairatahi, which was approved via a COVID fast Track Act 2020 process. Discussions centered on the potential for HTST to become involved in The Project which could enable them to advance specific projects for the benefit of their members and beneficiaries.

There have been ongoing discussions with the Hawkes Bay Racecourse representatives. These are ongoing while due diligence is advanced, and they have reached a position on a viable site and a strategy for exiting the existing site.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

No processes under the Public Works Act 1981 have yet been undertaken, however it is likely (and will be required) for the project that this legislation be contemplated in respect of the creation of the primary stormwater and strategic roading network through the project site as securing those routes early will enable the framework of the project to be more easily established.

This is particularly the case with the creation of the stormwater networks (and primarily the attenuation and treatment wetlands/ponds) which are required to manage stormwater volumes and enhance stormwater quality to a level where long term resilience can be achieved. That has the added benefit of more efficiently enabling the development of adjoining land within the adjoining Kaiapo neighbourhood to the northwest of the site (already an identified growth area in the Heretaunga Plains Urban Development Strategy).

#### Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

The Heretaunga Tamatea Claims Settlement Act 2018 is the only settlement of Treaty claims relating to the project area. Tamatea Pokai Whenua Trust (formerly Heretaunga Tamatea Settlement Trust) are the relevant iwi authority and post-settlement governance entity for the area of the project, as identified by the Te Puni Kōiri Te Kāhui Māngai online directory.

The rohe of Heretaunga Tamatea is bound by the coast to the east and the foothills and eastern slopes of the Ruahine Range to the west. The northern limit is generally defined by the Tutaekuri River and the southern extent reaches the headwaters of the Manawatu River meeting the coast at Poroporo (to the north of Cape Turnagain).

Through the Heretaunga Tamatea Treaty settlement, the Crown offered acknowledgement and apology for repeated breaches of the Crown's obligations under the Treaty of Waitangi and for the resultant pain and damage the Crown actions caused to generations of Heretaunga Tamatea. In addition to an agreed historical account, acknowledgements and apology, the settlement provides cultural redress and financial and commercial redress. Cultural redress provides recognition of the historical, cultural or traditional association with Crown owned places and sites within the Heretaunga Tamatea area of interest. This recognition enables Heretaunga Tamatea and the Crown to protect and enhance the conservation values associated with these sites. The Deed of Settlement provides for 27 statutory acknowledgements, most of which are also subject to deeds of recognition. The statutory acknowledgements cover:

- Clive River and its tributaries
- Elsthorpe Scenic Reserve
- Hiranui Scenic Reserve
- Inglis Bush Scenic Reserve
- Kāhika Conservation Area
- Karamū Stream (with official name Karamu Stream) and its tributaries
- Part of Kāweka State Forest Park (with official name Kaweka State Forest Park)
- Māharakeke Stream (with recorded name Maharakeke Stream) and its tributaries
- Mākāretu River (with recorded name Makaretu River) and its tributaries within the Heretaunga Tamatea area of interest
- Maraetōtara River and its tributaries (with recorded name Maraetotara River)
- Maraetōtara Scenic Reserve (with official name Maraetotara Scenic Reserve)
- Maraetōtara Gorge Scenic Reserve (with official name Maraetotara Gorge Scenic Reserve)
- Mātai Moana Scenic Reserve (with official name Matai Moana Scenic Reserve)
- McLeans Bush Scenic Reserve

- Mohi Bush Scenic Reserve
- Monckton Scenic Reserve
- Ngaruroro River and its tributaries within the Heretaunga Tamatea area of interest
- Parkers Bush Scenic Reserve
- Pōrangahau/Tāurekaitai River (with recorded name Porangahau River) and its tributaries
- Ruahine Forest (East) Conservation Area
- Part of Ruahine Forest Park
- Springhill Scenic Reserve
- Te Aute Conservation Area
- Tukipō River (with recorded name Tukipo River) and its tributaries
- Tukituki River and its tributaries within the Heretaunga Tamatea area of interest
- Tūtaekurī River (with official name Tutaekuri River) and its tributaries within the Heretaunga Tamatea area of interest
- Waipawa River and its tributaries within the Heretaunga Tamatea area of interest

None of the identified sites or places are within the project area. However, the Irongate Stream and the Southland Drain flow through the project area and onward to discharge into the Karamu Stream, which in turn discharges into the Clive River. Both the Karamu Stream and Clive River, and their tributaries, are subject to statutory acknowledgement and deed of recognition

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

None

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

No

If yes, what are they?:

None

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

No

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

No

If yes, what are they?:

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

No

If yes, please explain:

As the project is not within the coastal marine area, no protected customary rights are affected and no assessment is required.

Upload your assessment if necessary:

No file uploaded

## Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

The attached AEE summary is based upon progressive site investigations undertaken and briefings with various specialists, and these are continuing to be advanced, noting that progressive design will require specialist assessment, and the extent of those investigations are included in the attached summary document.

Upload file:

H20220177 - Heretaunga Connection Project - AEE Summary-3x Waters planset.pdf was uploaded

## Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

NPS-HPL 2022

It is noted that the Government has committed to reduce consenting barriers for infrastructure, housing, and primary production as part of their 100-day plan. This work includes the Ministry for the Environment (MfE) exploring options around the definition of highly productive land (HPL) to enable more flexibility. Urban expansion onto HPL can already occur in certain circumstances, but officials are reviewing the NPS-HPL to consider how it could enable more 'greenfield' housing development. The outcomes of this review are not yet finalised and so the summary assessment below is in respect of the current NPS-HPL 2022.

At a Regional level, the importance of the land values associated with the Heretaunga Plains is one of the primary locational constraints for advancing growth options. Ideally, avoiding development on the versatile land for urban use would be an appropriate response and that future growth would be managed within existing boundaries (including identified greenfield growth areas) or located off the Plains. There are, however, counterbalancing considerations and consequences associated with adopting such a direction too rigidly. These include the increased costs to the community associated with intensification as a result of upgrading existing infrastructure, increased travel distances with growth areas off the Plains and increased development costs on the hills.

The challenge in the context of Hawkes Bay (and Hastings in particular) is that the urbanisation of land, of any meaningful scale is significantly constrained, given that the vast majority of land surrounding the existing urban extent of Hastings is either LUC 1 or 2.

While The Project is predominantly situated on LUC 1 and 2 class soil, the NPS-HPL provides that this situation can be counterbalanced by an assessment of the positive economic, social, and environmental benefits of urbanisation vs the loss of productive rural land, and the need for further urban land to be released in this strategic location.

The Applicant will be advancing a more detailed soil assessment to determine the actual productive capacity of the subject land and noting further that approximately 74% of the landholdings are less than the 12-hectare minimum established by the District Plan (that being an inherent notional "productive unit" lot size). The area is already highly fragmented through historical subdivision, and it is highly unlikely that the smaller landholdings will be comprehensively amalgamated back into a larger productive unit.

In this case these needs and benefits are considered to outweigh the loss of LUC 1 and 2 land given location and other benefits outlined above. The land is likely somewhat compromised for ongoing productive use due to its proximity to urban areas and the potential for significant reverse sensitivity issues to be manifested in the near future. Given the timeframes for development, the land can continue to be used for productive rural activities until it is ready to be developed for urban use.

The percentage of the change in rural land extent (using GIS mapping and comparing with District Plan mapping/LUC Mapping) is estimated to be:

- a) 1.6% of Hastings District Plains Production Zone;
- b) 3.2% of Hastings District L.U.C 1 land;
- c) 1.0% of Hastings District L.U.C 2 land;
- d) 0.6% of Hastings District /Napier City combined L.U.C 1, 2 & 3 land.

In terms of the effect of water demand and allocation of this resource, The Project aims to enable the reallocation of some of the water demand currently utilised back into the current regional allocation, enabling other rural sites which currently cannot abstract water to potentially be utilised for higher intensity productive (horticultural) use.

It is noted that HBRC have a "sinking lid" policy for water takes and therefore the abstraction of water for horticultural use through water bores and new consent applications is becoming increasingly difficult.

NPS-UD 2020

The proposal aligns with the intent of the NPS-UD 2020 and will make a significant contribution to the creation of a well-functioning urban environment. In this respect, alignment with the Objectives and Policies of the NPS-UD 2020 is achieved given that:

1. The ability to provide a significant tract of future urban land, creating a longer-term area for urban growth and connects 2 existing, but separate urban areas of Hastings, and in doing so, enables efficiencies in new infrastructure provision, enhanced use of existing and planned regionally significant infrastructure (e.g. healthcare and upgrades to Expressway) with a resulting urban form that is efficient and consolidates existing settlement patterns.
2. Providing flat industrial lands at a scale, and in a location which provides greater opportunities for the establishment of new industrial activities, and the potential for current operators in the Region to relocate to larger premises as their businesses grow. This is currently a challenge given the limited industrial land resource available. The Project will make a significant contribution to providing a greater choice of industrial land within Hawkes Bay, noting that Napier is currently constrained in its ability to supply significant areas of land at this point in time.
3. A significant benefit arising is the potential provision for the relocation of the Hawkes Bay Racing Club from their current site on Railway Road and, in doing so, the ability to redevelop the existing 32-hectare site for housing and commercial activity within a walkable catchment to the Hastings CBD. This

site is already zoned for residential activities. The Racing Club faces significant costs to undertake seismic upgrading to their existing facilities and which must be completed in the next few years. This relocation would free up approximately 32 hectares of land for infill development, boosting housing capacity within the existing urban area of Hastings. The Project therefore has the potential to enable development in at least one other existing site in Hastings.

4. The potential to provide, by virtue of scale, residential development encompassing varying price points, as well as having the scale of land available to provide for needed aged care and retirement living which in turn provides both new housing opportunities and the freeing up of existing dwellings by people moving into retirement and aged care facilities. The scale of the land also creates land that can be taken up by housing providers including build to rent, rent to own and social housing providers as well as the private sector build and sell market. In that regard, the rezoning of this land would provide certainty for the intended development of a substantial aged-care facility in the immediate term, which would otherwise need to negotiate complex consenting processes under the existing zoning and rule framework.

5. Significant and long-term economic opportunities to boost the construction sector and the supply chain for providers to the commercial and residential construction sectors as well as initial civil contracting, earthworks, and related trades. This is of a scale and duration that will provide significant economic boosts that are of a Regionally Significant scale and can be staged to respond to demand over time.

6. The opportunity through scale and location to undertake forward thinking on enabling complementary development opportunities around the potential regional hospital site and creating a full "Health Precinct" to provide supporting activities such as temporary accommodation, healthcare specialists, community healthcare and other supporting activities. This achieves significant efficiencies and return on the investment in new regional healthcare facilities.

7. Consolidating land uses near the existing Hawkes Bay Expressway and linking up Flaxmere with Kaiapo (and existing industrial areas of Hastings) to enable better connectivity between 2 existing urban areas of Hastings and greater accessibility and connections to new services (including enhanced public transportation options and supermarket access for Flaxmere-Pā Harakeke residents), employment lands, and housing as opposed to the currently disconnected 2 urban areas.

8. The scale of the project and its location will enable more efficient investment in 3-waters infrastructure and on a long-term basis. The subject land currently has a multitude of water take permits over it to serve current rural uses. The aim is to achieve a surplus to be reallocated back to other rural uses, or at worst, no additional water demand being required as a result of urbanisation of both the Proposal lands and the redevelopment of the racecourse and existing hospital site.

#### NPS-FWM

It is noted that the Government intends to introduce amendments to the RMA 1991 in May this year which removes the requirement for applicants to demonstrate that activities follow the Te Mana o te Wai hierarchy of obligations as set out in the NPS-FWM. Until that amendment is enacted, the proposal is assessed against the current NPS-FWM below. It is noted that there are no natural wetlands (as they are defined within the NPS-FWM) so far identified on the subject site. The summary assessment below concludes that The Project has the ability to give meaningful effect to the 6 principles of Te Mana o te Wai.

A key focus of the project is on the creation of a significantly more integrated stormwater network design than has traditionally been undertaken in Hastings and the associated enhancement of the water quality, (and the riparian margins of the existing drainage network that traverses the site, including the Southland Drain and the Irongate Stream).

Ecological values of the current waterways and drainage network (much of which are engineered drainage channels) will be ascertained and specific measures developed for the creation of the wetland and stormwater treatment basins as well as progressive enhancement of existing corridors; initial observation indicates these are low. The Applicant will engage with mana whenua in respect of the waterways and stormwater design aspects of the proposal.

This will be aligned with the development of modern infrastructure through the development which will be able to capture and filter out contaminants to a significantly greater level than currently occurs in the catchment, minimise stormwater infiltration into the wastewater network through modern and up to date engineering designs and having sufficient space to incorporate buffer areas from waterways which can assist in managing water quality.

This approach in turn has significant benefits expected to arise in respect of downstream water quality over that which currently exists. This approach achieves the first priority of the NPS which relates to managing the health and wellbeing of water bodies and freshwater ecosystems.

The subject site is situated within the Hastings Source Protection Zone for drinking water and as such, the undertaking of works, as well as the ongoing activities on the site once established will need to ensure that they do not impact upon the freshwater drinking sources for Hastings. Given the current land uses established on the site, these are primarily not connected to urban services in respect of stormwater and wastewater. Accordingly, a higher level of protection is expected to be achieved once development is advanced and modern stormwater management devices are incorporated into the design.

The proposal also assists in giving effect to the third priority of the hierarchy of obligations in Te Mana o te Wai by virtue of the fact that the current known/recorded water takes from the bores within the site are such that a percentage of that water can be allocated back to be used to provide for other productive rural land uses.

#### NES – Contaminated Soils

A number of the titles within The Project are currently (and have historically been) used for primary production. Testing will be undertaken as needed to inform the extent of any residual soil contamination and the necessary remediation measures undertaken. This process may involve the reuse of material



on the site depending upon the level of any contamination identified. This matter will be managed through the progressive subdivision and physical works stages of the project.

File upload:  
No file uploaded

## Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Advancing on a Fast Track Approvals process is expected to realise the saving in time of approximately 3-3.5 years over a conventional RMA pathway.

Advancing the project is fundamentally constrained by HDC currently not appearing to consider the benefits of coordinated urban development to accompany the potential relocation of Hawke's Bay Hospital, the potential for the relocation of the Hawke's Bay Racecourse and delivery of urban land for residential, commercial, and industrial needs at a scale which can meet long term demand over a 30-year period and creates one cohesive and efficient urban form linking Flaxmere and Hastings.

A council-initiated change to the District Plan would rely on HDC being persuaded to seek re-zoning of the relevant land, consistent with the concept. It would take time and effort to persuade HDC (3- 3.5 years, assuming a favourable outcome in the FDS process), and would then go through the orthodox process of notification, submissions, hearings, and appeals to the Environment Court. Further, all of this would rely on HDC being persuaded to advance the concept, which despite discussions with senior officers, has not meaningfully progressed any further (and with The Applicant currently having no visibility over the current scenarios being considered under the FDS).

Currently the only option open to The Applicant, and which is likely to be a challenging and costly process to secure a land use framework to enable urban development to be realised.

The option of a Streamlined Plan Process (SPP) exists however this can only be initiated by a request from HDC to the Minister for the Environment. So, it would rely on HDC to be persuaded to effectively adopt the concept and make a case to the Minister as to why a SPP (rapid submission and hearings process, with no rights of appeal to the Environment Court) was appropriate, and the Minister accepting that request. The prospects of success of this option being feasible would be lower than HDC advancing an orthodox plan change, as above.

A request could be made to change the Hastings District Plan (as a Private Plan Change request), so as to enable consents to be granted to give effect to the concept. HDC could potentially reject the request as a preliminary decision (meaning that it would not proceed to notification, submissions, and a hearing), or otherwise it would be accepted and go into a process not dissimilar to a council-initiated plan change (other than there would be no guarantee that HDC would support the request on the merits). If HDC accepted the request such that it could be considered on the merits, there would be submissions, hearings, and rights of appeal to the Environment Court for both the proponent and submitters against a HDC decision to approve or decline. This results in a lengthy and time-consuming process.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

On the basis that the project will be referred to an expert panel for assessment, it is not considered that there are any adverse impacts arising on the efficient operation of the fast-track process. In this regard it is noted that many of the zonings proposed to be used are those that will be drawn directly from the Hastings District Plan, which are relatively new and have been previously subjected to public submission and expert assessment.

Has the project been identified as a priority project in a:

Other

Please explain your answer here:

A portion of the site, abutting Huia Road and up the Southland Drain, Maraekakaho Road and State Highway 2 is identified within the Heretaunga Plains Urban Development Strategy 2017. This area is earmarked in that strategy for the contribution of up to 350 household units, although that is predicated on a now outdated 15 dwellings per hectare, and current planning and design of urban areas now results in yields closer to between 20-25 units per hectare net site area.

The balance of the site is not currently included in any adopted Strategy or Plan, noting the comments above regarding the FDS, the current progression of that document and the engagement with the FDS project team to date.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The development has the potential to deliver regionally Significant Infrastructure with the potential being created for a new healthcare precinct which can accommodate any planned relocation of the Hastings Hospital and also makes provision for the potential relocation of the existing Hastings Racing Club, both of which constitute Regionally Significant Infrastructure. In the context of the balance of development, it can be integrated with the provision of strategic and other infrastructure (particularly strategic transport networks in order to limit network congestion, reduce dependency on private motor vehicles and promote the use of active transport modes), which at this scale results in a significant benefit at a Regional level.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

The scale of the project is such that it will make a Regionally Significant contribution to the supply of housing (across a range of market sectors) with approximately 3000 dwellings (including retirement living opportunities). The potential for the Hastings Racing Club to relocate would also enable a substantive brownfields/infill opportunity on the existing site on Racecourse Road, thus enabling housing in varying locations, and varying typologies to be established.

The location and extent of the site, relative to the existing Hawkes Bay Expressway, existing infrastructure and abutting the existing extent of the Urban Area on the majority of its boundaries, allied with existing roading networks, will result in a development which achieves a well-functioning and efficient urban form, relative to existing development.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The scale of the Project is Regionally Significant and will generate positive economic effects on the Region as a whole. The Applicant is commissioning a more detailed economic impact analysis as part of the preparation of documentation for the Project. That assessment will encapsulate both a Regional and Local economic assessment. The economic benefits of the Project are to be realised at a myriad of levels including:

- a) The employment of companies and individuals associated with staged site construction, commercial, industrial and education construction activities and buildings.
- b) The establishment of significant industrial sites which will support the primary production sector with a range of activities as well as providing opportunities for businesses which have outgrown their current sites in Hawkes Bay.
- c) A scale of activity which can make a positive contribution to the efficient operation of freight through the Port of Napier noting that there is very little industrial land left in Hawkes Bay (and particularly Napier); in a location which has good accessibility via SH2 and the associated enhanced level of use of that existing infrastructure.
- d) The creation of additional recreational and tourism benefits through the potential for the relocation of the racecourse and the benefits of having modern and up to date facilities available for the diversification of activities on the site.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Indirect support will be generated through the creation of additional industrial land to accommodate activities that support and service the rural sector.

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Not applicable

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

By assisting in achieving an efficient and well-functioning urban environment, The project has the potential to contribute to the reduction in greenhouse gas emissions by enabling more accessibility between residential and employment lands, more direct connections between existing urban areas and a greater diversity of land use activities within close proximity to one another.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

The site is not subject to the effects of tsunami or coastal inundation.

The area is subject to periodic inundation and the development of the Kaiapo Urban Area within HPUDS has been constrained to date by the ability of HDC to have the means to deal with stormwater management in a cohesive manner.

The Project will, through stormwater infrastructure and the development of attenuation ponds, provide more stormwater capacity and therefore resilience for properties downstream and also enabling the potential for the existing urban areas of Camberley and Kaiapo to be more intensively developed. The project will therefore deliver both enhancements to the current issues of periodic inundation by the development of the stormwater basins and waterways system, which is sized from the outset to accommodate the likely effects of climate change and enable existing urban areas to be more intensively developed.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The Project will make a substantial contribution to managing stormwater inundation through the stormwater design approach and which will provide a long term level of resilience for urban development on the Heretaunga Plains.

Is the project consistent with local or regional planning documents, including spatial strategies?

No

Please explain your answer here:

A portion of the site to the north-east, falls within the mapped extent of the HPUDS Strategy 2017, being that area of the site known as Kaiapo Road. That would, in theory, enable approximately 350 dwellings to be constructed. It would, on the basis that the racecourse/hospital be relocated, enable a significant level of brownfields development be advanced on the respective existing sites, which is also consistent with the HPUDS strategy for more intensive urban development.

The balance of the project as proposed is not currently reflected in any spatial/graphic manner in the HPUDS Strategy, noting that this strategy dates back to 2010, with the last review being completed in 2017 and which did not make any substantive changes to the 2010 version, thus the strategy is, ostensibly 14 years old and predates both the NPS-UD 2020 and the NPS-HPL 2022.

The Applicant has engaged with the FDS planning team and has shared the plans and concepts for the Project. The FDS is currently being advanced to replace HPUDS, although this will not be formally adopted until late 2024. No decisions have yet been made on the inclusion of the project area.

Anything else?

Please write your answer here:

The challenge for The Applicant is the continual overlapping and slow progression of Regional Planning Strategies, including the 2010 HPUDS strategy which was only "refreshed" in 2017 and one which despite having Arataki as a growth area, has not been advanced through Council initiated Plan Changes in that time.

The strategy was reviewed in 2017 and since then the status quo of a pattern of growth within that strategy has prevailed while HDC and NCC have focussed on the development of the FDS which is to be adopted in late 2024. The HPUDS strategy was predicated on a lower level of population growth than has actually transpired, rendering the extent of development areas inadequate to support the population growth and demand for housing. No comprehensive rezoning/upzoning of all future growth areas has been promulgated by Council to facilitate further development.

It is noted that even once the new FDS is adopted, a series of Plan Changes are still required to change the zoning to residential, which adds significantly more time between land being identified for growth and available for the construction of residential dwellings. There is currently no visibility as to the timing for the subsequent plan changes once the FDS is adopted. The current approach of the FDS appears to be on avoidance of natural hazards and LUC 1-2 soils, but which is at the expense of achieving a well-functioning and efficient urban form and in doing so and preventing a cohesive and long-term urban area incorporating Hastings and Flaxmere being achieved.

The burden therefore falls onto the Applicant to undertake first the Plan Change process and then a subsequent set of consents to enable the subdivision and development of sites for residential construction to be enabled with the timing and cost burdens that such processes entail.

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

The Plan Change mechanism is the key planning tool to render the attainment of a zoning framework which can in turn provide certainty of development rights, speed up the subdivision and consenting process and thus accelerate the delivery of the project. This is an activity which while not expressly provided for in the Fast Track Bill, is conversely not rendered ineligible for referral. The Applicant has made submissions on this aspect of the Bill in submissions to the Select Committee, seeking that Plan Changes be expressly listed as a planning tool available to be utilised in the legislation.

## Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

In respect of any coastal hazards, the site is located around 12 km inland from the coast and is not subject to coastal erosion or inundation modelled by the Hawke's Bay Regional Council to 2120 including climate change assumptions. The site is also situated approximately 5.2kms from the Ngaruroro River and therefore not subject to the effects of inundation that was experienced by other areas in Hawkes Bay during the February 2023 Cyclone Gabrielle weather event.

The construction of a resilient stormwater network and attenuation system as proposed will effectively avoid and mitigate effects arising from more extreme weather events (rainfall), including the potential to generate improvements in natural hazards resilience for adjoining landholdings.

The majority of the site is denoted as being subject to a Medium level of liquefaction risk as a result of seismic events. This is a common situation on the Heretaunga Plains and can be managed through specific foundation design depending on the type of structure being proposed.

## Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

Enforcement Action by Hawkes Bay Regional Council - The Applicant pleaded guilty in 2019 to discharging contaminants to air through burning demolition debris at a development at Tangoio, Napier, in contravention of Rule 75 of the Hawke's Bay Regional Coastal Plan

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## Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

No

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

phil stickney

Important notes