

Jacob Paget

From: Phil Stickney s 9(2)(a)
Sent: Monday, 8 July 2024 4:24 pm
To: Listed Projects
Cc: Karl Carew
Subject: RE: Query for listed project Arataki (the Project)

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Kia ora,

Thank you for the email received on Friday. To answer your query on this application, no individual consultation was undertaken directly with Tamatea Pokai Whenua in respect of this current proposal, noting however that CDL land NZ are fully committed to engaging with Iwi on projects and have previously entered into Memorandums of Understanding with Iwi and Council together to advance cultural engagement.

We note that the provisions of the Heretaunga Tamatea Settlement Claims Act 2018 require that this Iwi group will automatically be informed of any application for this area, with Heretaunga Tamatea's area of interest extending from the Tūtaekurī River in the north following the ridge of the Ruahine Range south to Takapau and turns seawards to Pōrangahau in the south. The legislative requirements are detailed below.

The Applicant has made provision for cultural design elements to be drawn into the proposal arising from the indirect input from Ngā Uri o Te Heipora, who have assisted HDC with the development of the implementation of cultural planting and landscapes within Havelock North reserves, that management plan approach can be woven into the landscape framework for this particular development. The provisions of this management plan were provided to The Applicant to assist in another project they are undertaking in Havelock North, by a cultural advisor contracted by CDL Land NZ, who was in turn liaising with Iwi.

28 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under [section 145\(10\)](#) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under [section 95B](#) of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under [section 95](#) of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under [section 95](#) of the Resource Management Act 1991, whether to notify an application;
 - (b) under [section 95E](#) of that Act, whether the trustees are affected persons in relation to an activity.

In respect of Tamatea Pokai Whenua, we would assume that the same, or similar requirements for mandatory circulation would apply in respect of the Fast Track process.

We trust this provides you with some additional context and clarity over the engagement to date. Please do not hesitate to contact me if you require further clarification.

Kind regards | Ngā mihi

Phil Stickney
Technical Director – Planning and Land Development
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From: Listed Projects <ListedProjects@mfe.govt.nz>
Sent: Friday, July 5, 2024 11:31 AM
To: Phil Stickney s 9(2)(a)
Subject: Query for listed project Arataki (the Project)

Kia ora Phil,

Thank you for your application for Arataki (the Project) for listing in the Fast-track Approvals Bill.

Under clause 16 of the Fast-track Approvals Bill, applicants must undertake engagement with specific groups before lodging a referral application, and include a record of the engagement and statement explaining how it has informed the project. In this application, a number of groups are identified as potentially affected by the project, including Heretaunga Tamatea Settlement Trust (now named Tamatea Pokai Whenua) as the relevant iwi authority. However the application does not record any details whether any consultation took place with them, or state how that informed the project.

Can you please provide details about any engagement undertaken (if any) with Tamatea Pokai Whenua, and how that engagement has informed the project?

Could you please provide your response by **Monday 8 July 2024** at the latest.

Kind regards,

MFE Listed Projects Team

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