

Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: Alabaster Residential Development at Aramoho, Whanganui
Application number: PJ-0000885
Date received: 17/03/2023

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: Craig and Nicole Alabaster

Contact person: Nicole Alabaster

Job title:

s 9(2)(a)

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Postal address:

Apartment 16

59 Taupō Quay, Whanganui

Address for service (if different from above)

Organisation: Land Matters Ltd

Contact person: Anna Carter

Job title: Senior Resource Management Consultant

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Postal address:

20 Addington Road

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Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

Cedar Drive, Aramoho, Manawatu-Wanganui, 4500, New Zealand

End of Camellia Avenue, Aramoho, Whanganui

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

Block 1: Part Aramoho 3 BlockWN43A/932 being 2.75 ha

Block 2: Aramoho 8C1 Block held on WN810/91 being 5.5063 ha

Block 3: Aramoho 8B Block held on WN380/46 being 25.912 ha

Block 4: Aramoho 8C2 Block held WN965/96 being 38.5561 ha

Registered legal land owner(s):

Craig robin Alabaster, Nicole Patricia Alabaster and Alan Peter Thomas

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

The applicants are the landowners.

Part III: Project details

Description

Project name: Alabaster Residential Development at Aramoho, Whanganui

Project summary:

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

Proposed subdivision of 193 allotments and subsequent land development involving earthworks, construction of infrastructure being roads and right of ways, and three waters infrastructure including stormwater treatment and attenuation.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

As set out in the attached document and summarised here:

Craig and Nicole Alabaster (the landowners) have been working with Land Matters Ltd (LML) and Whanganui District Council for the last year and a half on a planned residential development for land located at the end of Cedar Drive, Aramoho in Whanganui District. The development will create 193 allotments of which 176 will be residential allotments ranging in average lot size from 450m² – 800m². The remaining allotments will average 5,000m² and act as a buffer to the two balance lots. It will also create 2 kms of new roading, footpaths, and three waters infrastructure including water sensitive stormwater design. The development will provide opportunities for stream enhancement and restoration and where possible daylighting of existing watercourses and a new green open space network.

Infrastructure including new roading networks and stormwater treatment and management will support the development of the adjoining Māori owned land owned by the Proprietors of Ngaurukehu, who LML are also working with on a comprehensive residential development.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

As described in the attached document and summarised here:

The development involves the construction of 193 residential allotments with construction proposed to be staged with the first 50 allotments (being the lots directly off the existing roading network) being available for development by the middle of 2024 (subject to consent approvals). The remaining allotments being completed by the towards the end of 2025.

Consents / approvals required

Relevant local authorities: Horizons Regional Council, Whanganui District Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Subdivision consent, Discharge permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

| Legal description(s) | Relevant plan | Zone | Overlays | Other features |
|--|----------------------------|-----------------------------------|---|-------------------------------|
| Block 1: Part Aramoho 3 block being held on WN43A/932 being 2.75 ha | Whanganui District Plan | GRZ - General Residential Zone | Land Stability Assessment Area B | None |
| Block 2: Aramoho 8C1 Block held on WN810/91 being 5.5063 ha | Whanganui District Plan | General Rural Lifestyle Zone | Land Stability Assessment Areas A and B | Contains open watercourses |
| Block 3: Aramoho 8B Block held on WN380/46 being 25.9125 ha | | | | |
| Block 4: Aramoho 8C2 Block held on WN965/96 being 38.5564 ha | | | | |

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

| Relevant plan / standard | Relevant rule / regulation | Reason for consent | Activity status | Location of proposed activity |
|---|--|---|--|--|
| Whanganui District Plan Land Disturbance | Rules 13-2 land disturbance greater than 2,500m3 per property per year including all earthworks set back 5m from all waterbodies and 10m from any wetlands: | Earthworks associated with the construction of the subdivision including stormwater treatment and attenuation. Land disturbance will exceed 2,500m3 per property and will be located within 5m of a watercourse | Land Disturbance Rule 13-2: Controlled Activity outside 5m of a watercourse; and Rule 13-7 Discretionary Activity within 5m of a watercourse | Within blocks 1, 2, 3 and 4 as indicated by the scheme plan in the attached document. |
| Whanganui District Plan Subdivision - Residential Zone (GRZ) and Rural Lifestyle Zone (GRLZ) | SUB-R3 - Discretionary Activity in the GRZ which does not meet the minimum net allotment size of 400m2 SUB-R4 - Non- complying Activity in the GRLZ which proposes to connect to or extend reticulated infrastructure including | To create 193 allotments and associated infrastructure including roading and three waters servicing. | The application is likely to be bundled under the non-complying activity status. | Blocks 1, 2, 3 and 4 as shown on the plans in the attached document |

| | | | | |
|---|---|--|--|---|
| | water, wastewater and piped stormwater drains | | | |
| Horizon's One Plan Large scale land disturbance including earthworks exceeding 2,500m ² per property per 12-month period and any ancillary diversion of water pursuant to section 14(2) RMA | Rule 13 - 2: Controlled activity subject to the activity not occurring within 5m of the bed of a river that is permanently flowing; or has a bed width greater than 1m Rule 13 - 7: Discretionary activity where activity does not comply with standards set out in Rule 13- 2 | Earthworks required to construct the subdivision including the infrastructure | Land disturbance will occur within 5m of a bed of a stream that is permanently flowing; and or has a bed width greater than 1m. Therefore the discharge to land consent will be assessed as a discretionary activity under Rule 13 - 7 | Blocks 1, 2, 3 and 4 as shown on the plans in the attached document. |
| Horizons One Plan Discharges of stormwater to surface water and land | Rule 14 - 18: Permitted activity to discharge stormwater onto or into land subject to the discharge being at a rate that would not exceed rates equivalent to the 10% AEP rain event and any exceedance must go into designated overland flow paths; and there must be no discharge to any rare habitat, threatened habitat, at -risk habitat, or reach of river or its bed with a Schedule B Value of Natural State. Rule 14 -19: Restricted Discretionary activity to discharge stormwater into surface water which does not comply with Rule 14- 18 | The Lower Whanganui River from Aramoho Bridge to Paetawa is identified as a Schedule B section with natural state values | Restricted Discretionary Activity for the discharge of stormwater | Blocks 1, 2, 3 and 4 as shown on the plans in the attached document |
| Horizons One Plan Culverts and any ancillary disturbance to the river bed; and damming or diversion of water; and discharge of water or sediment; and deposition of substances in or on the bed of the river | Rule 17-10: Permitted Activity where the maximum length of culvert does not exceed 20m and for circular culverts a diameter of 0.3m to 1.2m inclusive Rule 17 - 13: Controlled Activity where the proposed activity does not comply with Rule 17 - 10 and does not occur in a rare habitat, | Culverts are required to construct roads to service the subdivision | Controlled Activity under Rule 17 - 13 | Blocks 1, 2, 3 and 4 in the areas shown in the plans in the attached document |

| | | | | |
|--|--|--|------------------------|--|
| | threatened habitat or at-risk habitat | | | |
| Resource Management (National Environmental Standards for Freshwater) Regulations 2020 Culverts | Regulation 70(2): Permitted Activities subject to compliance with conditions Regulation 71: Discretionary Activity - the placement, use, alteration, extension or reconstruction of a culvert in, on, over or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2) | Culverts are likely to exceed the culvert's width set out in Regulation 70(2)(d) | Discretionary Activity | Blocks 1, 2, 3 and 4 as shown in the plans in the attached documents |

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

N/A

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

None

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

There are no known or identified archaeological sites within the site. It is anticipated that the accidental discovery protocol in relation to discovery of archaeological items will be imposed as a condition of the subdivision and land use consents issued. Where archaeological sites are discovered, works will cease and an Authority under Heritage New Zealand Pouhere Taonga Act will be obtained.

No other legal authorisations are required.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

As detailed in the attached document and summarised below:

KEY MILESTONES FOR TITLES

Detailed engineering design

Preparation and approval of detailed engineering design for entire development (3 months)

Stage 1: 50 allotments off Cedar Drive and Camellia Avenue (7 months)

Tender process: 1 month

Construction completion: 5 months

Survey (s.223 approval - concurrent with construction): 2 months

Final subdivision approval & titles (s.224): 1 month

Stage 2: Remaining allotments

Tender process: 1 month

Construction completion: 10 months

Survey (s.223 approval - concurrent with construction): 2 months

Final subdivision approval & titles (s.224): 3 month

FUNDING

The applicants are proposing to undertake the development as a joint venture. Stage 1 will be funded by the joint venture. Stage 2 will be funded through the sale of lots in stage 1.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

1. Joint applications (unsuccessful) to Kāinga Ora's Infrastructure Acceleration Fund with Whanganui District Council (through to second round) over 2022 (contact Andrew Brown, Project Director through Damien Wood at WDC)
2. Email correspondence with EPA (Richard Preece) on 9 December 2022
3. Pre-application meeting with MfE (Rebecca Perrett) on 24 February 2023

Local authorities

Detail all consultation undertaken with relevant local authorities:

On-going correspondence with Whanganui District Council's Team Leader - Consents since 2021. Pre-application meeting held 3 May 2021.

More recent meetings and discussions with WDC as follows:

- Meetings with three waters engineer Kritzo Venter
- Email with Jason Shailer, Principal Planner (8 November 2022)
- Meeting with Jason Shailer, Group Manager - Regulatory and Planning; Marianne Cavanagh, Divisional Manager; and Justin Walters, Principal Planner (22 November 2022)

Correspondence with Horizon's Regional Council:

- Email with Wayne Spence regarding flood overlay information

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

No other consultation

Detail all consultation undertaken with the above persons or parties:

n/a

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to Te Kāhui Māngai – Directory of Iwi and Māori Organisations.

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

| Iwi authority | Consultation undertaken |
|---|--|
| Nga Tangata Tiaki o Whanganui Trust (represents Whanganui Awa): Nancy Tuaine | Phone calls to discuss project Emails sending through details of the project and requesting cultural impact assessment for the site |
| Ngati Tupoho and Nga Pāpārangi (iwi with tangata whenua status) | Emails with Nancy Tuaine to discuss the project and request a cultural impact assessment |
| Te Ao Hou Marae | Meetings and emails with Chair - Geoffrey Hipango and Secretary - Deborah te Riaki Dinner and meet and greet with the community at Te Ao Hou Marae - 6 October 2022 |

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

| Treaty settlement entity | Consultation undertaken |
|--|-------------------------|
| Nga Tangata Tiaki o Whanganui Trust (NTToWT) | |

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

Te Aa Tupua (Whanganui River Claims Settlement) Act 2017

Te Awa Tupua (Whanganui Awa) declared to be a legal person. This legal declaration applies to all persons exercising or performing functions, powers or duties (i.e. consent authorities) under the RMA or any other relevant legislation where that duty, power or function relates to the Whanganui River; or an activity within the Whanganui River catchment that affects the Whanganui River

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

n/a

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right,

where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

n/a

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

Refer to the attached document

No significant adverse effects on the environment are anticipated. All potential adverse effects will be mitigated, remedied or avoided through design of the subdivision and earthworks including through on-site stormwater treatment and attenuation. Construction works will be actively managed in accordance with an erosion and sediment control plan to be submitted with the application.

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

Refer to the attached document.

The development has been assessed against the following national policy statements and national environmental standards:

- National Policy Statement for Highly Productive Land
- National Policy Statement for Freshwater and the associated regulations under the NES-FW
- National Policy Statement for Urban Development

The proposed development achieves the objectives set out in these higher order planning documents.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to “urgently promote employment to support New Zealand’s recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

Refer to the the attached document for the assessment against this criteria. In summary the proposal will see an investment in construction of **s 9(2)(b)(ii)** Once the first 50 titles are released onto the market, this is likely to result in investments (for construction of dwellings) around \$30m; with that investment tripling with the delivery of the remaining lots to market. With the exception of bank loan interest, the investment will remain in the Whanganui community and will represent approximately 450 jobs.

Project’s effects on the social and cultural wellbeing of current and future generations:

Refer to the the attached document for the assessment against this criteria. In summary, the development delivers a range of allotment sizes that will enable more accessible and affordable housing in Whanganui. It will also facilitate the servicing of the adjoining Māori owned land with roading connections and upgrades to the three waters infrastructure.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

Refer to the the attached document for the assessment against this criteria. The project is likely to progress significantly faster under this legislation. It is anticipated that the EPA would consider the entire development creating all 193 allotments.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

Refer to the the attached document for the assessment against this criteria. The wider public benefit can be seen in the investment that will be made; the increase in housing capacity; and the accessibility through new public open space networks to be provided within the site.

Housing supply:

Refer to the the attached document for the assessment against this criteria. The development will create 193 allotments ranging in size with average allotments being between 450m² and 800m².

Contributing to well-functioning urban environments:

Refer to the the attached document for the assessment against this criteria. The proposed layout of the subdivision has taken into account best practice urban design principles, water sensitive urban design and a connected roading network. The connections into the wider area where identified at the outset as important in achieving the subdivision of the rural zoned land.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

Refer to the the attached document for the assessment against this criteria. The development of this subdivision will improve the economic, employment and environmental outcomes for people in Whanganui. It represents a significant investment, over 400 new jobs and improved water quality outcomes as steep hill country is retired and improvements to watercourses are made.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

Refer to the the attached document for the assessment against this criteria. The applicant is proposing to retire the steep hill country on the two balance blocks and look to revegetate those slopes. Public access through this land is proposed. This provides significant improvements to indigenous biodiversity. Other improvements include managing runoff to watercourses through constructed treatment facilities within the site. All stormwater will be attenuated within the site.

Minimising waste:

Refer to the the attached document for the assessment against this criteria. Waste minimisation can occur through delivery of smaller allotments that support the construction of smaller dwellings.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

Refer to the the attached document for the assessment against this criteria. The site is within walking distance of a high frequency public transport route. It is also within walking distance of a primary school and open space networks.

Promoting the protection of historic heritage:

Refer to the the attached document for the assessment against this criteria. There are no known heritage features within the site but the applicants are actively engaged with mana whenua to identify their cultural values for the site.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

Refer to the the attached document for the assessment against this criteria. A geotechnical assessment has been undertaken by Miyamoto Ltd with recommendations for earthworks and foundation design, particularly within the land stability areas identified in the District Plan maps. Flood modelling has been undertaken by AWA Environmental to map the 0.5% AEP flood extent and where fill is required for roading or to create flood free building platforms, compensatory storage (where required) has been achieved.

Other public benefit:

Refer to the the attached document for the assessment against this criteria.

Whether there is potential for the project to have significant adverse environmental effects:

Refer to the the attached document for the assessment against this criteria. The proposal has not identified any significant adverse effects that could arise as a result of the subdivision and subsequent development.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

The Aramoho catchment has been modelled for the 0.5% (200 year) storm event as required by Horizons One Plan. The stormwater network within the subdivision has been designed for the 10% AEP plus climate change as required by Whanganui District Plan. All lots located within an identified flood risk area can achieve building platforms which are flood free. All exceedances in the stormwater network will be directed to secondary overflow paths which will avoid roads (as required by the District Plan). No road will be inundated by more than 200mm (in 1% AEP event) as required by NZS4404:2010.

All effects of climate change can be adequately addressed through appropriate conditions of consent.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

| Local authority | Compliance/Enforcement Action and Outcome |
|-----------------|---|
| No details | |

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

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.

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

| | |
|----|--|
| No | Correspondence from the registered legal land owner(s) |
| No | Correspondence from persons or parties you consider are likely to be affected by the project |
| No | Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement. |
| No | Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area. |
| No | Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area. |

