



BRF-3070

R W and M C Gale Family Trust

c/- Stephanie de Groot

Partner

Minter Ellison Rudd Watts

s 9(2)(a)

Dear Stephanie de Groot

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Maraekakaho Quarry Project

Thank you for R W and M C Gale Family Trust's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Maraekakaho Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to establish and operate a quarry on approximately 29 hectares of land at Kereru Road, Maraekakaho, Hawkes Bay. The project will include extraction of up to 6.42 million cubic metres of gravel aggregate over a period of up to 20 years, stockpiling processed aggregate on site, upgrading an existing vehicle access off State Highway 50 and establishing a new haul road, constructing infrastructure and structures associated with quarry operations, and site remediation upon completion of quarrying operations. Processing of excavated gravel aggregate will be undertaken on an adjacent site immediately to the north of the project site under existing resource consents held by Russell Roads Limited.

The purpose of the FTCA is to 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.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by creating approximately 20 direct full-time equivalent (FTE) jobs, and enable further regional employment in construction through providing a supply of aggregate
2. facilitate construction of roads and infrastructure in the Hawke's Bay region
3. progress faster than would otherwise be the case under standard Resource Management Act 1991 process.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the persons and groups, additional to those specified in clause 17 Schedule 6 of the FTCA, who are listed in Appendix A of this letter.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related planning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. the parties who submitted on resource consent application RMA 20180258 in addition to those specified in section 25 of the FTCA
2. Te Taiwhenua o Heretaunga
3. Te Taiwhenua o Tamatea
4. Te Taiwhenua o Te Whanganui ā Orotū Incorporated.

Please contact the Fast-track Consenting Team at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker
Minister for the Environment

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Arts, Culture, and Heritage; Māori Crown Relations: Te Arawhiti; Housing; Infrastructure; Education; Transport; Land Information; Defence; Treaty of Waitangi Negotiations; Local Government; Conservation; and Climate Change

Additional relevant Ministers:

Minister for Cyclone Recovery
Minister for Building and Construction

Local authorities:

Hastings District Council
Hawkes Bay Regional Council

Other parties:

Waka Kotahi New Zealand Transport Agency
the parties who submitted on resource consent application RMA20180258
Te Taiwhenua o Heretaunga
Te Taiwhenua o Tamatea
Te Taiwhenua o Te Whanganui ā Orotū Incorporated

Relevant iwi authorities:

Heretaunga Tamatea Settlement Trust
Mana Ahuriri Trust
Ngāti Kahungunu Iwi Incorporated

Relevant Treaty settlement entities:

Heretaunga Tamatea Settlement Trust
Mana Ahuriri Trust

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to referral of the Maraekakaho Quarry project

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any consent application for the project from the following additional persons or groups:

- Minister for Cyclone Recovery
- Minister for Building and Construction
- Waka Kotahi New Zealand Transport Agency
- the parties who submitted on resource consent application RMA20180258
- Te Taiwhenua o Heretaunga
- Te Taiwhenua o Tamatea
- Te Taiwhenua o Te Whanganui ā Orotū Incorporated.