

# 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: Oderings Brookvale Road MDR  
Application number: PJ-0000826  
Date received: 23/09/2022

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](mailto: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: Oderings Nurseries CHCH Limited

Contact person: Daniel Hart

Job title: Operations Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

BDO Christchurch Limited, 287-293 Durham Street North, Christchurch, 8013 , New Zealand

### Address for service (if different from above)

Organisation: JGH Advisory

Contact person: James Gardner-Hopkins

Job title: Project Manager

Phone s 9(2)(a)

Email: s 9(2)(a)

Email address for s 9(2)(a)

Postal address:

PO Box 25160, Wellington 6140

## 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.

55 Brookvale Road, Havelock North, Hawke's Bay, 4130, New Zealand

55 and 57 Brookvale Road (55 entered above)

Legal description(s):

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

PT LOT 2 DP 311724 PT LOT 1 DP 8274 Certificate of Title 4632

Registered legal land owner(s):

Oderings Nurseries CHCH Limited

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:

Fee simple owner

## Part III: Project details

### Description

Project name: Oderings Brookvale Road MDR

Project summary:

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

To subdivide land and construct a housing development on that land on Brookvale Road, Havelock North.

The development will include—

- (a) 35 residential allotments;
- (b) 35 residential units;
- (c) Additional allotments for access, including new public access points to Guthrie Park; and
- (d) Infrastructure associated with the subdivision and development, including private roads, parking, and three waters services.

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.

Until recently, Oderings has operated a nursery and garden centre from the property since taking ownership of the site in 1997. In recent years, Oderings has relocated the plant propagation aspect of the business to a new site as part of a nationwide rationalisation programme, meaning a large portion of this site is now vacant, surplus to Oderings' ongoing garden centre requirements on the site, and is shovel ready for redevelopment. Oderings will continue the existing garden centre operations, which will be complemented by a separately consented café proposal. The project does not therefore include these activities (ie garden centre and café), but will otherwise utilise the balance of the site (including an upgraded car park area for the existing garden centre, which can be used after hours by people visiting home owners within the development).

The purpose of the project is to provide for 35 new residential lots and dwellings, in a range of typologies comprising:

- 5 two story standalone;
- 3 two story terraced;
- 2 two story duplex pairs (4 dwellings);
- 18 two story zero lots;
- 4 single story zero lots; and
- one bespoke solution on a unique lot to be confirmed

The proposed housing will be accessed via a 'loop road' of varying widths depending on lots serviced. Where appropriate the 'joal' component of the loop road will be designed to form a shared use space and integrate with 2 newly proposed pedestrian linkages to and from the development to the adjacent public park (Guthrie Park).

The Project will provide for employment during construction, and assist the local community by quickly delivering much needed medium density housing.

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

Given its relatively small scale, delivering 35 dwellings, the Project is intended to be advanced in one stage, as soon as consent has been obtained. The site is vacant (other than the existing garden centre) and "shovel ready".

The only possible "staging" is that as soon as consent is granted, two dwellings might be advanced urgently as show-homes, in advance of construction of the balance of the dwellings.

### Consents / approvals required

Relevant local authorities: Hastings District Council, Hawke's Bay Regional Council

Resource consent(s) / designation required:

Land-use consent, 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
The site is legally described as Lot 2 Deposited Plan 420346 and Lot 8 Deposited Plan 402448 as held in Record of Title 477524 and is part of a 145.7821ha block.	Hastings Operative District Plan	Plains Production.	None.	N/A

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
Hastings District Plan Partially Operative	Rule SLD25 - Subdivisions not provided for in the District Plan	In the Plains Production Zone the minimum lot size is 12 hectares (Table 30.1.6A). The proposed subdivision would create lots smaller than this and is accordingly a non-complying activity (Rule SLD25).	Non-complying	55, 57 Brookvale Road
Hastings District Plan Partially Operative	Rule SLD17 – Subdivisions that do not comply with a standard and term in Section 30.1.7	Individual lots within the subdivision (which is on land currently zoned Plains Production) will not be capable of fitting a building platform measuring 30m x 30m, which is a General Site Performance Standard from section 30.1.7A	Restricted Discretionary	55, 57 Brookvale Road
Hastings District Plan Partially Operative	Land use Rule PP39 – activities not provided for under other activity status rules	Non-compliance with land use standard 6.2.6B ('Residential Buildings'), under which only one residential building is allowed per site.	Non-complying	55, 57 Brookvale Road

		Standard 6.2.5B Yards where residential buildings on the lots proposed will not meet rural setback standards, and with standard 6.2.5J, which sets a maximum net site coverage of 35% or 1,500m <sup>2</sup> (whichever is the lesser).		
Hawkes Bay Regional Council Regional Resource Management Plan	Rule 42 - Diversion and Discharge of stormwater	Certificate of Compliance required	Permitted (subject to onsite mitigation to ensure compliance with standards/terms for permitted activities)	
Hawkes Bay Regional Council Regional Resource Management Plan	TANK 20 – Small Scale stormwater diversion and discharge	The activity does not comply with the conditions of Rule TANK 19; and b) the activity is not from an industrial or trade premise.	Restricted Discretionary	55, 57 Brookvale Road
Hawkes Bay Regional Council Regional Resource Management Plan	TANK 21 – Diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water	Along with standard terms and conditions an application for resource consent must include an Integrated Catchment Management Plan in accordance with Schedule 35B	Controlled	55, 57 Brookvale Road
Hawkes Bay Regional Council Regional Resource Management Plan	Rule 71 – Activities affecting river control schemes and drainage schemes	Construction of stormwater outlet structures (if required) and works within a drainage scheme	Discretionary	55, 57 Brookvale Road
NES Regulations	Subclause (7)	In terms of (7) (a) the site has in part been used for a HAIL activity. In terms of the Hazardous Activities and Industries List (HAIL) Section A10, the site has previously been used for cropping.	Restricted Discretionary Consent under the NES is required	55, 57 Brookvale Road

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.

Resource consent RMA20220268 was recently granted (on 25 July 2022) for a proposed café within the existing garden centre building.

The current Proposal is not to include or replace the existing garden centre operations or the recently consented café, but relates to the balance of the site (including an upgrade to the parking associated with the existing garden centre operations, which can also be used, after hours, by those visiting the proposed residential development).

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:

None, in respect of the site, which is clear (other than the existing garden centre) and shovel ready for development. Agreement from HDC Parks and Reserves will be required for the preferred option of running some stormwater infrastructure through Guthrie Park. If this were ultimately not obtained, on-site solutions remain.

### **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.

The application responds to a confirmed and desperate demand for medium density housing, and the applicant is ready to proceed, as soon as possible once consent is granted.

The applicant has partnered with David Reid Homes (<https://www.davidreidhomes.co.nz/>), who are ready to deliver the project.

Site works would commence immediately, while final detailed design of the dwellings is completed (ie to building consent requirements).

In other words, this project is truly shovel ready.

## **Part IV: Consultation**

### **Government ministries and departments**

Detail all consultation undertaken with relevant government ministries and departments:

The Applicant has had a pre-lodgment meetings with MfE officers.

### **Local authorities**

Detail all consultation undertaken with relevant local authorities:

Extensive consultation has been undertaken with Hastings District Council, including with:

- CEO
- Senior Environmental Planner Policy
- Environmental Policy Manager
- Stormwater Manager
- Transportation Policy and Planning Manager,
- Wastewater Manager
- Water Manager

- 3 Waters Senior Engineer (Growth and Development)
- Public Spaces and Building Assets Manager
- Principal Advisor: Relationships, Responsiveness & Heritage

Hastings DC is well aware of the applicant's vision for the site and is understood to be supportive of it.

### Other persons/parties

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

The applicant has commenced engagement with the Heretaunga Tamatea Settlement Trust, the Post Settlement Governance Entity for Heretaunga Tamatea, although no meeting has yet occurred.

Detail all consultation undertaken with the above persons or parties:

Consultation with Heretaunga Tamatea Settlement Trust is at an early stage. The Trust has been provided with preliminary plans, and invited to meet to discuss. No hui has yet been able to be arranged.

## 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
Heretaunga Tamatea Settlement Trust, representing Heretaunga Tamatea	Initial engagement only, awaiting arrangement of a hui to engaged further

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
Heretaunga Tamatea Settlement Trust, representing Heretaunga Tamatea	As above.

### 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.

Heretaunga Tamatea and its hapū is one of six large natural groupings that negotiated the settlement of the historical Treaty of Waitangi claims of Ngāti Kahungunu.

In the Heretaunga Tamatea Claims Settlement Act 2018, the Crown states it is profoundly sorry that it has repeatedly failed to uphold the partnership envisaged by the Treaty and sought by the tipuna of Heretaunga Tamatea since the 1840s. The Crown unreservedly apologises for its repeated breaches of the Treaty of Waitangi, and for 'ngā mamae me ngā tūkino', or the pain and damage, that these breaches have caused to generations of Heretaunga Tamatea. The Crown also says to Heretaunga Tamatea that it is deeply sorry that its breaches of the Treaty of Waitangi 'have severely limited your economic and social opportunities, eroded your tribal structures and undermined your well-being, in stark contrast to the benefits of partnership that the Crown led you to expect in the 1850s'.

Through the settlement and the apology, the Crown states it hopes to ease the burden of grievance and sorrow that the whānau and hapū of Heretaunga Tamatea have carried for generations. The Crown looks forward to restoring a

relationship with the hapū of Heretaunga Tamatea that is built on trust, co-operation, and respect for each other and the Treaty of Waitangi and its principles.

Respect for the views of Heretaunga Tamatea on resource management matters and enabling their meaningful participation as a Treaty partner in decision-making relating to the management and use of natural and physical resources within their areas of interest are important ways in which the Crown can give effect to these acknowledgements and uphold its relationship with both iwi. Heretaunga Settlement Trust is the post-settlement governance entity under the Heretaunga Tamatea Claims Settlement Act 2018.

The proposed project does not directly affect any specific commercial or cultural redress provided by the Treaty settlement. There are no recognised mandates for negotiation of any further historical Treaty claims, or any current or anticipated negotiations for settlement of historical Treaty claims, affecting the proposed project area.

## 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.

In summary, there is no potential for significant adverse effects. All adverse effects will be less than minor, or at most, minor. In most instances, the effects are positive rather than adverse.

**Urban design/ urban form** The site is currently vacant, its previous nursery use having been discontinued, and all buildings other than the garden centre (which is to remain, together with a café within the garden centre building, authorised under a separate consent) have been removed. Accordingly, in its present state, the site does not represent an efficient use or development. The Proposal will introduce a well-planned, comprehensively, development of 35 lots/ residential units at a medium density, consistent with the residential consolidation/intensification principles of the NPSUD 2020, Hawkes Bay RPS, HPUDS 2017, Hastings Medium Density Housing Strategy and Implementation Plan (2014/2022 Addendum) and the more specific Comprehensive Residential



Development provisions of the Partially Operative Hastings District Plan. The proposal will itself be a, and will contribute towards a wider, well-functioning urban environment that enables people and communities to provide for their social, economic, and cultural wellbeing. The site lends itself to medium density residential of the type proposed, despite its current (anomalous) Plains Production zoning, given that: (a) The site is well-served, and the proposal can be accommodated within the existing infrastructure. (b) The site is connected to Guthrie Part to its west, with those connections and amenity and accessibility for residents, their visitors, and the general public to be enhanced through two new pedestrian linkages. (c) To the immediate North and East, will integrate with its frontage to the Karituwhenua Stream. Land fronting that stream that is surplus to the development requirements will be vested in Hastings District Council, for reserve purposes. This will result in an enhanced and expanded Open Space Zone for the benefit of the community as well as providing greater flexibility for ongoing management and maintenance of the stream itself. (d) To the North and East beyond the Karituwhenua Stream and Romane's Drive, is a future residential area known as Brookvale/Romane's Drive. Development in the new greenfield growth area is subject to compliance with the Brookvale Structure Plan, and the proposal has been designed to complement the development that will occur in that location. (e) To the South, across Brookvale Road is a well-established residential area characterised by single dwellings on large lots, zoned Havelock North General Residential with primary. In short, given that the site will be not be (and has not for a considerable time been) used for land based primary production, the logical use for it, from an urban form perspective, is residential. There are not considered to be any adverse urban design/ form effects of the proposal.

**Geotechnical matters** Initia Limited has prepared a Geotechnical Interpretative Report (GIR) to provide geotechnical advice and recommendations to support design of the proposed development. Investigations included cone penetration tests, and machine borehole drilling, from which a ground model was developed. The report finds a low liquefaction potential of the site subsoils over the depths investigated, and the risk of lateral spreading to be minor. Due to the flat topography of the site, there is no requirement for any major cut/fill works to be carried out, and given the stiff upper soils and relatively shallow very dense gravel bed across the site, any consolidation settlement that may occur will be negligible. Raft foundations can be constructed directly on the existing ground once the concrete slabs and any uncontrolled fill has been removed, and while deformation from settlement and lateral spreading as a result of liquefaction under seismic loading is expected to be low, if any at all, it is recommended that flexible materials and connections be used to allow efficient repair if damage was to occur.

**DSI - Soils** Geosciences Ltd (GSL) has undertaken a detailed site investigation, in accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines (CLMG): No. 1 - "Guidelines for Reporting on Contaminated Sites in New Zealand", and No. 5 – "Site Investigation and Analysis of Soils". The objectives of the investigation were to assess: • the soil quality and associated risk to human health and the environment as a result of potential contamination in soil on the site as a result of former HAIL activities; • the resulting status of the activity under the National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES); • what, if any, contaminated land rules of the Hawkes Bay Regional Resource Management Plan or Partially Operative Hastings District Plan apply to the proposed subdivision and development; and • any further work that may be required under the NES, the RRMP or the POHDP as a result of the soil quality on site. Based on the findings of the desktop study, GSL developed a conceptual site model and judgment soil sampling regime to assess the potential soil contamination at the site. The results of the intrusive investigation identified that soil onsite has been impacted by low concentrations of organic compounds as a result of site activities, however not to a degree which would pose a risk to human health or the receiving environment. A site management plan will be required to be developed and implemented as part of any soil disturbance and development of the site.

**Engineering services** This report concludes that all civil engineering considerations required to support the proposed 35 Lot sub-division at 55 Brookvale Road by Oderings Nurseries (the Applicant) can adequately be addressed in accordance with the Hastings District Council Engineering Code of Practice and HDC's District Plan as follows. • Earthworks – Earthworks are required for the formation of the proposed access, roading, infrastructure installation, building platforms and fill to achieve flood immunity. • Access – Access will be provided by the reconfiguration of the existing access via Brookvale Road. • Stormwater – Stormwater will be managed via a combination of pipe and overland flow conveyance. Rain gardens and filters are proposed to achieve stormwater quality treatment. The reduction in hardstand throughout the site following the development will mean the proposed development will not increase flows discharge the site. A small volume of flooding is expected to be displaced because of the development;

this displacement can be managed within the flood management area within Guthrie Park to the west. • Water – Potable water supply will be achieved by connecting to the existing water main in Brookvale Road • Wastewater – Wastewater discharge will be via a new connection to the existing main in Brookvale Road. A pump station is proposed to achieve this connection. HDC is in the process of confirming the capacity of the reticulated network.

**Traffic** The incremental traffic generation from the new residential lots is expected to have a negligible effect on the operation of the surrounding road network, which has been assessed including planned development in the adjacent Brookvale Structure Plan area.

Overall, it is assessed that the proposed development layout is appropriate for its traffic and parking needs, and it can be accommodated by the existing, and future planned, transport network in the area.

**Noise & reverse sensitivity** The garden centre only operates from 8am – 5pm (and so will the consented café). Commercial deliveries of stock will only occur in those hours, and so there will not be any adverse effects on future residents, or reverse sensitivity effects from those residents on the garden centre operations.

**Effects on productive soils** There is no loss in the use of productive soils, given that from at least 2004 (from aerial imagery), the site has been used for a garden centre / with all previously vacant areas of the site redeveloped such that site from that point has been entirely covered by shadehouses & glasshouses amongst parking areas. There is no practical, or commercial, prospect of the land being returned to any productive use. Even if the “ongoing” loss of land from productive use (as might be anticipated by its historical zoning) is considered to be a potential adverse effect, it can only be a very minor one, given the comparatively very small land area involved.

## 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:

*Overall, it is assessed that the proposed development layout is appropriate for its traffic and parking needs, and it can be accommodated by the existing, and future planned, transport network in the area.*

## 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:

A total impact on business activity within Hawkes Bay as a result of the development at Oderings over a 4-year period is estimated to be just under \$26 million.

In terms of employment multipliers this would contribute around 1007 jobs during the peak development and operation year within Hawkes Bay, with a total number of FTE years at approximately 250 over the development period.

A total contribution to GDP through to 2027 of \$23m with 220 total year jobs created. The reasons for the significant decrease from the FastTrack application include:

- The delayed time for development
- The application of Net Present Value (where \$1 early is worth more than the same \$1 a year later, the discount rate 6%)

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

The project will not adversely affect social or cultural wellbeing; rather it will positively:

- Enhance amenity, including public amenity and connectivity to Guthrie Park and the Karituwhenua Stream.
- Enhance cultural well-being, through improving the riparian margins of the Karituwhenua Stream.
- Create jobs as identified above.
- Will swiftly bring 35 quality residential units to the market, where there is significant need for such housing.

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

The project is consentable under the Hastings Operative District Plan framework (and the Regional Plan, eg where consent is required for any bridge crossing of the Karituwhenua Stream.

However, Hastings City Council officers have advised that a resource consent application for the same activity would be likely to be processed on a notified basis, given that the proposal does not fit with the (now anomalous) Plains Production Zone.

Assuming that this advice from officers is correct, and noting the resourcing issues within Council (without criticism, but recognising the reality), and potential for at least some submissions, it would be expected to take in the order of 12 to 18 months to obtain a resource consent through a notified process.

Appeals cannot be entirely discounted, although would be considered very unlikely. Any appeal, even if resolved by way of consent order would increase delays by at least 6 months, and more likely 9 months or more (as a mediation step would usually be required to reach agreement by consent).

In other words, it could take 2 years or more using the standard process – which is the time by which the project could be constructed and delivered to the market. Even at its quickest, without appeals, a year is the likely outcome.

The development parts of the site are vacant, and so there is an urgent need from the applicant to get on, and no impediments from an extinguishing of existing uses onsite, site preparation, etc perspective. So the proposal has a clear ability to deliver 35 dwellings to the market that warrants utilization of the fast track process.

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:

As above.

In terms of employment multipliers this would contribute around 1007 jobs during the peak development and operation year within Hawkes Bay, with a total number of FTE years at approximately 250 over the development period.

Housing supply:

35 dwellings ready to be constructed on a truly shovel ready site.

Contributing to well-functioning urban environments:

While the site is not zoned an urban zoning, the site is located within the urban environment and will contribute to a well-functioning urban development. The proposal itself is a medium density proposal, designed to provide a greater intensity of development consistent with the NPS, as well as the Council's own Medium Density Plan Change (plan change 5), a draft of which the proposal has been "stress tested" against.

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

N/A

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

The project will reduce stormwater discharges, and improve the quality of those discharges, compared to the previous historical nursery uses. There will also be additional riparian planting along the margin of the Karituwhenua Stream, improving indigenous biodiversity and amenity values.

#### Minimising waste:

The proposal is to construct a comprehensive development. The applicant is committed to sustainable building and utilising natural materials where appropriate. The proposal will entail new builds and may utilise prefabricated off site design which will entail less waste and potentially highly insulated panels that require less heating once the dwellings are built.

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):

N/A

#### Promoting the protection of historic heritage:

The proposal is respectful of the historical cultural associations with the site, and seeks to integrate indigenous planting where possible (particularly in respect of the Karituwhenua Stream). Should there be opportunities to reflect cultural associations with the site in the final design, that will be included where possible (subject to support for that from mana whenua).

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

The site is not at risk from any particular natural hazards or effects of climate change.

In respect of economic and social resilience, the proposed density is supportive of local services and the site is in a location that is well served by local parks (including Guthrie Park to the immediate West), as well as walking and cycle ways.

Environmental resilience will be improved through the improvements to stormwater quality entering the Karituwhenua Stream as well as the proposed riparian planting.

#### Other public benefit:

The proposal will provide for a diversification in housing stock and more affordable housing.

Further, by going through the Fast Track process, this housing can come online much more quickly than through a traditional consent process.

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

None.

## Part X: Climate change and natural hazards

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

The site is not subject to natural hazards, in particular, the site is not subject to flood hazards that could be exacerbated by climate change.

The building design will mitigate any potential risk from seismic activity.

## 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:

## 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.

James Gardner-Hopkins

23/09/2022

**Signature of person or entity making the request**

**Date**

## 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](http://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)
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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.