

BRF-2319

28 October 2022

To'osavili Nigel Bickle
Chief Executive
Hastings District Council
Email: s 9(2)(a)

Dear To'osavili Nigel Bickle

COVID-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Oderings Brookvale Road MDR Project

The Minister for the Environment (Minister) has received an application from Oderings Nurseries CHCH Limited to refer the Oderings Brookvale Road MDR Project (project) to an expert consenting panel (panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The project is described in Appendix A and the application documents are in Attachment 1.

Under delegated authority from the Minister and pursuant to section 21(2) of the FTCA, I invite Hastings District Council to provide written comments on the referral application. A template is provided for this purpose in Attachment 2. Comment is sought on the specific matters outlined in the table below, and on any other matter you consider relevant to the Minister's decision on whether or not to accept the application.

Specific questions on the application
1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?
2. What reports and assessments would normally be required by the Council for a project of this nature in this area?
3. Does the applicant or the applicant's construction partner (David Reid Homes), or a company owned by the applicant, have any environmental regulatory compliance history in your district?
4. What do you consider the activity status of the project would be under the Hastings District Plan?
5. Do you have any comments on potential effects of the project on existing infrastructure?
6. Do you have any comments on how the project aligns with the National Policy Statement for Freshwater Management 2020, the Resource Management (National

Environmental Standards for Freshwater) Regulations 2020 or the National Policy Statement for Highly Productive Land 2022?

7. Are there any reasons why the project site was not included in the Brookvale Structure Plan?

The above information is provided to you in confidence and as part of the statutory process set out in the FTCA. Please do not forward the application or request for comments to anyone outside your organisation.

If the Minister accepts the application and the project is referred to a panel, Hastings District Council will have the opportunity to nominate a local authority representative (who could be a councillor or independent hearings commissioner) to sit on the panel(s) and determine the RMA approvals for the project. The applicant will provide a detailed assessment of environmental effects and cultural impact assessments at this stage and the council will have the opportunity to provide further comments to the panel.

Please provide comments via return email within 10 working days to ensure that the Minister takes them into consideration when making his decision. Note that the Minister is not required to consider any comments provided after this time.

If it is more efficient for you to discuss the application, please contact the Ministry for the Environment's Fast-track Consenting Team at fasttrackconsenting@mfe.govt.nz to arrange an appointment.

Yours sincerely



Madeleine Berry
Acting Manager, Fast-track Consenting Team

Appendix:

- A. Details of proposed project

Attachments:

1. Application to refer the Oderings Brookvale Road MDR Project to an expert consenting panel, including supporting information (Databox link)
2. Response template for written comments

Appendix A – Details of proposed project

Project	Applicant	Details
Oderings Brookvale Road MDR Project	Oderings Nurseries CHCH Limited	The project is to subdivide an approximately 2-hectare site and construct a housing development at 55 and 57 Brookvale Road, Havelock North, Hawke's Bay. The project will create 35 residential lots and additional lots for access (including new public access points to Guthrie Park), and includes the construction of 35 residential units, private roads, a parking area for the existing Oderings Garden Centre operation, and connections to and construction of three waters services. The Oderings Garden Centre is intended to continue operating, and has recently gained resource consent to establish and operate a café.