



BRF-230

21 September 2021

Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited  
c/- Jason Kaye  
Senior Planner  
Development Nous Limited  
Email: s 9(2)(a)

Dear Jason Kaye

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Notice of Decisions (Section 25) – Riverbend Residential Development**

Thank you for Tawanui Developments Limited's, K3 Properties Limited's and Mana Ahuriri Holdings Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Riverbend Residential Development Project to an expert consenting panel (a panel) for consideration under the FTCA.

The Project is to undertake a staged subdivision and construct a housing development comprising up to approximately 670 residential units, open space and associated infrastructure on a 22 hectare greenfield site in southern Napier. The Project site is located at 195 and 215 Riverbend Road, Meanee and 20 Waterworth Avenue, Onekawa, Hawkes Bay.

The Project includes:

- a. subdivision to create approximately 606 residential lots and a 1.5 hectare expansion to the adjacent Maraenui Park, or approximately 648 lots if the proposed Maraenui Park expansion does not proceed
- b. construction of roading and three waters infrastructure
- c. development of open space
- d. construction and use of land for approximately 648 residential units or, if Maraenui Park is not expanded, construction and use of land for approximately 670 residential units
- e. provision for commercial use of up to 4500 square metres ground floor areas of some residential units which may include retail, childcare and other amenities.

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. have positive effects on social wellbeing by providing a diverse range of housing types in an area where additional housing supply is urgently needed and where there are limited affordable housing options
2. generate employment by providing an average of approximately 168 full-time equivalent (FTE) jobs per year during the three-year planning and construction period
3. increase housing supply through the construction of up to 670 new residential units
4. progress faster by using the processes provided by the FTCA than would otherwise be the case, provided that the applicant lodges their applications for resource consent in a timely manner following Project referral.

Any potential adverse effects arising from the Project, and proposed mitigation measures, 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.

*Information required to be submitted with your resource consent applications*

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide information listed in Appendix A of this letter with any resource consent application for the Project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6.

I draw your attention to clause 14 Schedule 6 of the FTCA that details that the above information must be provided in sufficient detail to correspond to the scale and significance of effects. You should therefore provide what you believe is a reasonable level of information, and if a panel requires further information, they can seek it from you under clause 25 Schedule 6 of the FTCA.

This information will inform a panel's assessment of the proposal's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude a panel from requiring you to provide any additional information on any application lodged with the EPA under the FTCA.

*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 following groups additional to those specified in clause 17 Schedule 6 of the FTCA.

- Pukemokimoki Marae Trust
- Ngāti Pārau Hapū Trust

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. 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 or concurrent planning decisions such as zoning 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.

In addition, I have also decided to provide a copy of this decision to the following parties:

1. Pukemokimoki Marae Trust
2. Ngāti Pārau Hapū Trust.

Please contact the Fast-track Consenting Team at the Ministry for the Environment ([fasttrackconsenting@mfe.govt.nz](mailto: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. Ministers of/for:

Infrastructure; Māori Crown Relations—Te Arawhiti; Housing; Education; Arts, Culture, and Heritage; Treaty of Waitangi Negotiations; Local Government; Land Information; Defence; Transport; Conservation; Climate Change; and Associate Minister for the Environment (Urban Policy)

Local authorities:

Napier City Council  
Hawkes Bay Regional Council

Other parties:

Ngāti Pārau Hapū Trust

Relevant iwi authorities and Treaty settlement entities:

Iwi Authorities:

Heretaunga Tamatea Settlement Trust  
Mana Ahuriri Trust  
Ngāti Kahungunu Iwi Incorporated

Treaty Settlement Entities

Heretaunga Tamatea Settlement Trust  
Mana Ahuriri Trust

Environmental Protection Authority

The Panel Convener

Released under the provision of  
the Official Information Act 1982

## **Appendix A – Requirements specific to application lodged by Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited for Riverbend Residential Development**

### ***Information required to be submitted with your application***

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the following information with any application:

- a flood hazard assessment, including modelling and analysis of the effects and mitigation of floodwater within the Project site and displaced because of the Project, with particular consideration of how the climate-change scenario used for modelling aligns with *Coastal Hazards and Climate Change: Guidance for Local Government* (Ministry for the Environment, December 2017, ME1341)
- an assessment of the climate change effects of the Project, and includes, but is not limited to:
  - an assessment of minimum Finished Floor Level (FFL) against the anticipated effects of climate change on rainfall events
  - information to demonstrate that the flood modelling undertaken gives appropriate consideration to climate change impacts, and that the site levels will therefore be appropriate to ensure the long-term resilience of the proposed development
  - modelling and/or evidence of any emissions reductions opportunities resulting from the Project
- a traffic assessment that includes options relating to enhancement of multi-modal connections and infrastructure, to support uptake of public and active transport in the development, including a movement network plan of the availability and feasibility of safe spaces for active modes of transport, including walking and cycling
- assessments against the requirements of Plan Change 9 to the Hawkes Bay Regional Plan – Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments (TANK Plan Change), the Source Protection Zone requirements, and consideration of whether the Project will trigger a requirement for resource consent for construction dewatering or water takes in the Hawkes Bay Regional Resource Management Plan
- a natural hazard assessment including, but not limited to, assessment of the risk associated with liquefaction, earthquakes and coastal inundation, and detailed design of the works required to address these risks
- a detailed development plan for the Project site, prepared in consultation with Napier City Council which includes consideration of the effects of the development on the wider Riverbend/The Loop greenfield growth area and any relevant provisions of the draft Napier District Plan
- a detailed assessment of the capacity of the existing three waters infrastructure and/or upgrades to the infrastructure required to service the development (including funding), and including information on discussions held, and agreements made, with Napier City Council and Hawkes Bay Regional Council.