

BRF-2533

12 December 2022

James Palmer
Chief Executive
Hawkes Bay Regional Council
Email: s 9(2)(a)

Dear James Palmer

COVID-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Wairatahi Project

The Minister for the Environment (Minister) has received an application from Heretaunga Tamatea Settlement Trust to refer the Wairatahi 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 Hawkes Bay Regional 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 a company owned by the applicant, have any environmental regulatory compliance history in your region?

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.

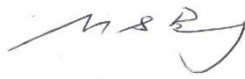
If the Minister accepts the application and the project is referred to a panel, Hawkes Bay Regional Council will have the opportunity to nominate a local authority representative (who

could be a councillor or independent hearings commissioner) to sit on the panel 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 Heretaunga Tamatea Development Project to an expert consenting panel, including supporting information (Databox link)
2. Response template for written comments

cc: Katrina Brunton, Policy and Regulation Group Manager
s 9(2)(a) [REDACTED]

Appendix A – Details of proposed project

Project	Applicant	Details
Wairatahi Project	Heretaunga Tamatea Settlement Trust	The project is to subdivide approximately 28.2 hectares of land at 238 Stock Road and 49A Dundee Drive, Flaxmere, Hastings and construct a comprehensive urban development on that land. The project is predominately residential and provides a range of housing typologies, including apartments, terraced, duplex and detached houses. The project also includes commercial buildings, visitor accommodation, a community hub, creation of open spaces, and supporting infrastructure including roads, accessways and three-waters services and may include the construction of a retirement village. The project includes two development options (dependent on stormwater drainage). Option A will provide approximately 475 residential units (or approximately 530 if a retirement village is constructed), and Option B will provide approximately 425 residential units (or approximately 475 if a retirement village is constructed). The applicant's preference is Option A which will involve reclamation or realignment of part of the existing Wellwood stormwater drain, and restoration and enhancement of the realigned drain and protection and enhancement of the Irongate Stream. Option A is reliant on an exchange of reserve and marginal strip land that would require approval from Hawkes Bay Regional Council, the Department of Conservation and the Minister of Conservation. If the applicant cannot obtain the required approvals in sufficient time, Option B involves retaining the Wellwood stormwater drain in its current location. The project involves activities such as subdividing land, carrying out earthworks (including disturbing potentially contaminated soils), removing vegetation, diverting and discharging stormwater to land and water, constructing residential units, constructing and operating commercial buildings/activities, constructing and operating visitor's accommodation, constructing and operating a retirement village, constructing or installing infrastructure, and landscaping and planting.