

## FTC #91: Applications for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

**Application 2021-062 The Botanic, Riverhead**

**Application 2021-066 Te Tauoma Stage 1B**

**Application 2021-069 Whenuapai Business Park**

Date Submitted:	28 October 2021	Tracking #: BRF-772
Security Level	In-Confidence	MfE Priority: Urgent

	<b>Action sought:</b>	<b>Response by:</b>
To Hon David Parker, Minister for the Environment	Decision on recommendations in Table A	TBA

Actions for Minister's Office Staff	<b>Return the signed briefing to MfE</b>
Number of attachments: 4	<b>Attachments:</b> <ol style="list-style-type: none"> <li>Letters from the Minister for the Environment to relevant Ministers of the Crown</li> <li>Letter to Minister for Seniors</li> <li>The Botanic, Riverhead application and supporting information</li> <li>Te Tauoma Stage 1B application and supporting information</li> <li>Whenuapai Business Park application and supporting information</li> </ol>

### Ministry for the Environment contacts

Position	Name	Cell phone	1 <sup>st</sup> contact
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Manager	Stephanie Frame	s 9(2)(a)	✓
Director	Sara Clarke (Acting)	s 9(2)(a)	

## FTC #91: Applications for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

### Key Messages

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1. We seek your initial decisions on three applications for referral to an expert consenting panel (a panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the FTCA) for the following projects (all located in Auckland):
  - a. The Botanic, Riverhead, from Matvin Group Limited
  - b. Te Tauoma Stage 1B, from Shundi Tamaki Village Limited
  - c. Whenuapai Business Park, from Neil Construction Limited.

#### *The Botanic, Riverhead*

2. The Botanic, Riverhead project is to subdivide land and construct and operate a retirement village and associated facilities, along with a separate childcare centre and café. The subdivision will include separate lots for the retirement village, the childcare centre, the café and land proposed to vest as legal road. The project will also include works to extend and upgrade Cambridge and Riverhead Roads, and potentially to upgrade the Coatesville-Riverhead Highway - Riverhead Road intersection.
3. The project is located at 1092 Coatesville – Riverhead Highway and 30 Cambridge Road, Riverhead, Auckland, and will include works within the Cambridge Road, Riverhead Road and Coatesville – Riverhead Highway road reserves.
4. The retirement village and associated facilities will include:
  - a. approximately 422 residential units, comprised of approximately 158 standalone independent residential units, approximately 212 apartments in eight buildings between three and five storeys with basement car parking, and approximately 52 apartments in the main building
  - d. a three storey care home building that accommodates approximately 28 memory care beds and approximately 60 care beds
  - e. a five storey main building that accommodates apartments, a reception lobby, bar, pool, gymnasium, medical centre, and retail (including food and beverage) facilities
  - f. outdoor recreation spaces
  - g. car parking areas.
5. The project will involve activities such as:
  - a. subdivision
  - b. vegetation trimming and clearance, including of trees in roads and near streams
  - c. earthworks (including disturbance and remediation of contaminated soils)
  - d. diverting groundwater and overland flow paths
  - e. discharging stormwater and contaminants to land
  - f. placing structures in a flood plain
  - g. construction and operation of retirement village buildings and associated facilities, a childcare centre and cafe
  - h. construction of three waters services

- i. construction of roads, vehicle access, loading and parking areas and pedestrian accessways
  - j. landscaping and planting of open spaces and recreational areas
  - k. installation of signage
  - l. any other activities that are –
    - i. associated with the activities described in a to k; and
    - ii. within the project scope.
- 6. The project will require subdivision consent and land use consents, and water and discharge permits under the Auckland Unitary Plan (AUP), and land use consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS).
- 7. We have undertaken an initial (Stage 1) analysis of the application and this is presented along with our recommendations in Table A.
- 8. The project site is in the AUP's Future Urban Zone, which applies to greenfield land identified as suitable for urbanisation. Future Urban Zone land can be used for a range of general rural activities, but under Objective H18.2(4) for the zone, urbanisation is to be avoided until sites have been rezoned for urban purposes.
- 9. The AUP promotes structure planning as a precursor to rezoning and urban development in the Future Urban Zone. In May 2021, Auckland Council adopted the "Spatial Land Use Strategy – North West" which includes consideration of specified areas of the Future Urban Zone including the project site. This strategy does not anticipate development of structure plans by Auckland Council until approximately 2025 as the land is not expected to be development ready for another 8-12 years. However, the applicant has advised that private developers with interests in the Future Urban Zone land surrounding the project site have initiated a structure plan process and their intention is to lodge a private plan change including the project site with Auckland Council in due course.
- 10. If the project is referred it will be assessed against the AUP framework as a non-complying activity. The applicant considers that overall the project is consistent with the AUP and national policy framework, despite being inconsistent with several relevant AUP objectives and policies.
- 11. The project meets all the eligibility criteria in section 18 of the FTCA, but more analysis is needed to confirm if it meets the purpose of the FTCA and to enable us to advise you on matters in section 23(5) which may influence your referral decision.
- 12. We recommend you progress consideration of the application to the next stage of analysis (Stage 2) and invite comments from:
  - a. Ministers listed in section 21(6) of the FTCA
  - b. the Minister for Seniors
  - c. the Associate Minister for the Environment (Urban Policy)
  - d. Auckland Council
  - e. Auckland Transport
  - f. Watercare Services Limited.
- 13. We also recommend seeking specific feedback from Auckland Council on any known structure planning or plan changes in progress for the site, and whether they consider it appropriate for the project to be developed in this location ahead of a structure plan and plan change process.

### *Te Tauoma Stage 1B*

14. The Te Tauoma Stage 1B project comprises Stage 1B of the Te Tauoma multi-stage mixed-use residential, commercial and retail development on the former University of Auckland Tāmaki Campus. It involves construction of two residential buildings (approximately 14 and 18 storeys high) and communal areas above a podium containing a single level of semi-basement parking, that will provide:
  - a. approximately 191 residential units
  - b. two communal outdoor courtyards for residents' use that will include recreational facilities, gardens, and open space
  - c. vehicle and pedestrian shared laneways, accessways and public open space
  - d. car and cycle parking spaces.
15. The project site is located at 261 and 263 Morrin Road, St Johns, Auckland.
16. The project will involve activities such as:
  - a. demolition of buildings
  - b. earthworks (including disturbance of contaminated soils)
  - c. discharge of stormwater run-off and contaminants to water and land
  - d. construction of two towers of residential units and associated facilities
  - e. construction of a podium and basement area that will form an extension to the consented Stage 1A basement
  - f. construction of two communal courtyard areas and associated facilities
  - g. construction of three waters services, roading and pedestrian accessways
  - h. construction of vehicle access, loading and parking areas
  - i. landscaping and planting of open spaces and recreational areas
  - j. any other activities that are:
    - i. associated with the activities described in paragraphs a to i
    - ii. within the project scope.
17. The project will require land use consents under the AUP and the NES-CS. Stage 1A of the Te Tauoma development is already consented, however the applicant has advised that construction of Stage 1A will not proceed until consent is granted for Stage 1B to ensure the development's overall design philosophy can be achieved.
18. We have undertaken an initial (Stage 1) analysis of the application and this is presented along with our recommendations in Table A.
19. The entire project site is in the Business – Mixed Use Zone and 261 Morrin Road is in the Tāmaki Precinct under the AUP. The Business – Mixed Use Zone provides for buildings up to 4 storeys accommodating residential and small-scale commercial uses. The purpose of the Tāmaki Precinct is to enable the land to be used for other uses than those provided for in the Business – Mixed Use Zone, including more intensive uses having regard to the precinct's large size and locational attributes. The project generally aligns with the planning framework and has an overall restricted discretionary activity status under the AUP and the NES-CS. The proposed exceedance of precinct standards relating to building height (permitted 24 metres and proposed up to 45 metres and 62 metres) is a matter for a merit-based assessment.
20. The AUP requires the applicant to produce design guidelines and an overall plan for all the land included in the Tāmaki Precinct as part of the first land use or subdivision resource

consent on the site, to demonstrate how the land would be developed and to ensure integrated development of this area. The applicant notes that a masterplan of the entire Te Tauoma development has been completed and an early version of this masterplan was provided to Auckland Council as part of the Stage 1A consenting process. The applicant further notes that Auckland Council are familiar with the masterplan in its current form.

21. Upon completion, the entire Te Tauoma development will include approximately 1,500 households, 11,000 square metres of commercial space and 3,000 square metres of retail and food services.
22. The project meets all the eligibility criteria in section 18 of the FTCA, but more analysis is needed to confirm if it meets the purpose of the FTCA and to enable us to advise you on matters in section 23(5) which may influence your referral decision.
23. We recommend you progress consideration of the application to the next stage of analysis (Stage 2) and invite comments from:
  - a. Ministers listed in section 21(6) of the FTCA
  - b. the Associate Minister for the Environment (Urban Policy)
  - c. Auckland Council
  - d. Auckland Transport.

#### *Whenuapai Business Park*

24. The Whenuapai Business Park project is to subdivide a 22.9 hectare site to create 21 industrial lots, two residential lots, and two balance lots, together with public roads and pedestrian accessways intended to vest in Auckland Council. A stream crossing will be constructed to accommodate the main public road, and riparian margins will be planted and enhanced.
25. The project site is located at 69-71 Trig Road and 155-157 Brigham Creek Road, Whenuapai, Auckland.
26. The project will involve activities such as:
  - a. subdivision
  - b. earthworks (including disturbance of contaminated land)
  - c. removing vegetation within 10 metres of a natural wetland
  - d. diverting and discharging stormwater to land and water
  - e. diverting overland flow paths
  - f. constructing roads and three waters infrastructure
  - g. planting of riparian margins
  - h. any other activities that are:
    - i. associated with the activities described in paragraphs a to g
    - ii. within the project scope.
27. The project will require land use and subdivision consents and discharge permits under the AUP and land use consent under the NES-CS and the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NES-F).
28. We have undertaken an initial (Stage 1) analysis of the application and this is presented along with our recommendations in Table A.
29. The project site is zoned Future Urban Zone under the AUP. Proposed Plan Change 5 to the AUP (PC5), to rezone the site to a combination of Light Industrial Zone and Residential –



Single House Zone. A hearing has been convened but adjourned to allow time for Auckland Council to prepare a variation to the Plan Change (V1), and a decision on PC5/V1 is expected in mid-to-late 2022. The project is generally consistent with the provisions of these zones.

30. The project has non-complying activity status under the Future Urban Zone of the AUP, as it involves subdivision in the Future Urban Zone and it enables construction of residential units prior to completion of a subdivision, which will temporarily result in more than one dwelling per lot. Despite this, the applicant considers that the project is generally consistent with the relevant AUP objectives and policies, and that adverse effects will be no more than minor, which will allow the project to pass the 'gateway tests' in section 104D of the Resource Management Act (RMA).
31. The project meets all of the eligibility criteria in section 18 of the FTCA, but more analysis is needed to confirm if it meets the purpose of the FTCA and to enable us to advise you on matters in section 23 (5) which may influence your referral decision.
32. We recommend you progress consideration of the application to the next stage of analysis (Stage 2) and invite comments from:
  - a. Ministers listed in section 21(6) of the FTCA
  - b. the Associate Minister for the Environment (Urban Policy)
  - c. Auckland Council
  - d. Auckland Transport
  - e. Watercare Services Limited
  - f. Spark New Zealand Trading Limited.
33. We also recommend you request further information from the applicant and Auckland Council as detailed in Table A.

### Statutory Framework Summary

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34. You are the sole decision maker for referral of the projects as they will not occur in the coastal marine area.
35. You may decline the referral applications before seeking comments from the relevant local authorities and any relevant Ministers:
  - a. if you are satisfied the projects do not meet the referral criteria in section 18 of the FTCA, (which include you being satisfied it meets the purpose of the FTCA) (see sections 18(2) and 23(1) of the FTCA
  - b. for any other reason (see section 23(2) of the FTCA).
36. If you do not decline the referral applications at this stage:
  - a. you must provide the applications to, and invite comments from, the relevant local authorities and the relevant Ministers prescribed by section 21(6) of the FTCA
  - b. you may provide the applications to and invite comments from any other person.
37. You are also able to request further information from the applicants or any relevant local authority at any time before you decide to decline or accept the referral application (see section 22 of the FTCA).

## Action Sought

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38. Please indicate your decision on the recommendations in Table A.

## Signature

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A handwritten signature in black ink, appearing to read 'S. Frame', is written over a light gray grid background.

Stephanie Frame  
**Manager – Fast Track Consenting**

Released under the provision of  
the Official Information Act 1982

**Table A: Stage 1 initial assessment of project eligibility – projects where the Minister for the Environment is the only decision maker**

**Projects to progress**

Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
<b>Project name</b> The Botanic, Riverhead <b>Applicant</b> Matvin Group Limited c/- The Planning Collective 2021 Limited <b>Location</b> 1092 Coatesville -Riverhead Highway and 30 Cambridge Road, Riverhead, Auckland Cambridge Road, Riverhead Road and Coatesville -Riverhead Highway road reserves	<p>The project is to subdivide land and construct and operate a retirement village and associated facilities, along with a separate childcare centre and café. The subdivision will include separate lots for the retirement village, the childcare centre, the café and land proposed to vest as legal road. The project will include works to extend and upgrade Cambridge Road and upgrade Riverhead Road, and potentially to upgrade the Coatesville-Riverhead Highway - Riverhead Road intersection.</p> <p>The childcare centre will be approximately 475m<sup>2</sup> Gross Floor Area (GFA) and the café will be approximately 180m<sup>2</sup> GFA.</p> <p>The retirement village and associated facilities will include:</p> <ol style="list-style-type: none"> <li>approximately 422 residential units, comprised of approximately 158 standalone independent residential units, approximately 212 apartments in eight buildings between three and five storeys with basement car parking, and approximately 52 apartments in the main building</li> <li>a three storey care home building that accommodates approximately 28 memory care beds and approximately 60 care beds</li> <li>a five storey main building that accommodates apartments, a reception lobby, bar, pool, gymnasium, medical centre, and retail (including food and beverage) facilities</li> <li>outdoor recreation spaces</li> <li>car parking areas.</li> </ol> <p>The project will involve activities such as:</p> <ol style="list-style-type: none"> <li>subdivision of land</li> <li>vegetation trimming and clearance, including of trees in roads and near streams</li> </ol>	<p>The application states that the applicant has secured funding for the project and is ready to start construction in early 2022.</p> <p>The applicant has provided a business profile detailing that Matvin Group, founded in 2001, is a specialist residential, commercial and industrial property developer based in Auckland.</p> <p>The business profile details that the applicant has over 20 years experience in development projects across New Zealand and provides examples of previously completed projects.</p>	<p>Based on available information at this stage, we consider the project is eligible for referral because:</p> <ul style="list-style-type: none"> <li>it does not include any prohibited activities</li> <li>it does not include land returned under a Treaty settlement</li> <li>it does not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.</li> </ul>	<p>The applicant estimates that the project will provide:</p> <ul style="list-style-type: none"> <li>approximately 140 direct full-time equivalent (FTE) jobs per year over a 6-year construction period</li> <li>approximately 45 permanent FTE jobs once the retirement village is operational</li> <li>approximately 19 permanent FTE jobs once the commercial and childcare activities are operational.</li> </ul>	<p>The applicant considers that the project will provide for the social wellbeing of current and future generations as it will:</p> <ul style="list-style-type: none"> <li>provide for retirement living in Riverhead that will allow options for retirees to reside in their local community</li> <li>provide for a range of outdoor and indoor recreational opportunities for the retirement village</li> <li>provide a mix of land use activities including childcare and commercial</li> <li>provide for employment opportunities across a range of sectors</li> </ul>	<p>The applicant considers that the fast-track process will allow the project to progress faster than under standard RMA processes, although a specific timeframe has not been provided.</p> <p>We recommend seeking feedback from Auckland Council on the appropriateness of using the FTCA process.</p>	<p>Based on the information provided we consider the project may result in the following public benefits:</p> <ul style="list-style-type: none"> <li>generating employment throughout the land development and construction works</li> <li>generating ongoing employment via the operation of the retirement village, commercial and childcare activities</li> <li>increasing housing supply for aged persons</li> <li>providing aged-care facilities</li> </ul>	<p>The project has the potential for adverse environmental effects including:</p> <ul style="list-style-type: none"> <li>effects on landscape, character, visual and amenity values</li> <li>noise, vibration, odour, and other temporary construction effects</li> <li>effects relating to infrastructure and servicing capacity</li> <li>effects on floodplains and overland flow paths</li> <li>effects relating to construction phase and operational stage traffic</li> <li>stormwater and sediment discharge effects</li> <li>contamination effects and necessary land/soil remediation</li> <li>effects relating to groundwater diversion</li> <li>reverse sensitivity effects</li> </ul> <p>The applicant has provided</p>	<p>The project site is located in the Future Urban Zone in the AUP and the AUP seeks that urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes.</p> <p>We are not aware of any structure planning or active plan changes underway by Auckland Council for the site, however the applicant has advised that a structure plan process has been initiated by private developers with interests in the surrounding Future Urban Zone land and the intention is that a private plan change will be lodged with Auckland Council in due course.</p> <p>We recommend seeking feedback from Auckland Council on the appropriateness of using the FTCA for the project (given the existing AUP policy framework applying to the site), and on any known structure planning or plan changes in progress for the site.</p>	<ol style="list-style-type: none"> <li><b>Note</b> that section 23(3) of the FTCA permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.</li> <li><b>Note</b> that you have not yet provided the application to, nor sought any comments on it from, relevant local authorities or relevant Ministers but that you are required to do so if you do not decline the application under section 23(3) of the FTCA.</li> <li><b>Note</b> that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</li> <li><b>Note</b> that section 22 of the FTCA permits you to request further information from the applicant or relevant local authorities at any time before you decide whether to accept or decline an application.</li> <li><b>Agree</b> to progress The Botanic, Riverhead project to our Stage 2 analysis. The project warrants further analysis because it has potential to achieve the purpose of the FTCA but we need to consider some matters further before providing you with our final advice on the referral application.</li> <li><b>Agree</b> to provide the application to, and invite comments from: <ul style="list-style-type: none"> <li>the Ministers listed in section 21(6) of the FTCA</li> <li>the Minister for Seniors</li> <li>the Associate Minister for the Environment (Urban Policy)</li> <li>Auckland Council</li> <li>the following additional entities/persons under section 21(3) of the FTCA:</li> </ul> </li> </ol>	<p>Yes/No</p> <p>Yes/No</p>



Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
	<p>c. earthworks (including disturbance and remediation of contaminated soils)</p> <p>d. diverting groundwater and overland flow paths</p> <p>e. discharging stormwater and contaminants to land</p> <p>f. placing structures in a flood plain</p> <p>g. construction and operation of retirement village buildings and associated facilities, a childcare centre and café</p> <p>h. construction of three waters services</p> <p>i. construction of roads, vehicle access, loading and parking areas and pedestrian accessways</p> <p>j. landscaping and planting of open spaces and recreational areas</p> <p>k. installation of signage</p> <p>l. any other activities that are –</p> <p>i. associated with the activities described in a to j; and</p> <p>ii. within the project scope.</p> <p>The project will require subdivision consent and land use consents, and water and discharge permits under the Auckland Unitary Plan (AUP), and land use consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS).</p>	We have no concerns about the ability of the applicant to fund the project.						preliminary assessments/ statements from a range of technical experts and considers that any adverse effects can be avoided, remedied or mitigated by employing industry best practice, standard techniques or appropriate conditions of resource consent.	We note that you do not require a full Assessment of Environmental Effects and supporting evidence to make a referral decision, and that a panel will consider the significance of effects and appropriate mitigation should the project be referred.	<ul style="list-style-type: none"><li>• Auckland Transport</li><li>• Watercare</li></ul> <p>g. <b>Agree</b> to seek written comments from Auckland Council on:</p> <ul style="list-style-type: none"><li>• the appropriateness of using the fast-track process for the project given the AUP policy framework applying to the site</li><li>• any known structure planning or plan changes in progress for the site.</li></ul> <p>h. <b>Sign</b> the attached letters to Ministers listed in section 21(6) of the FTCA, the Minister for Seniors, and the Associate Minister for the Environment (Urban Policy).</p> <p>i. <b>Note</b> that while awaiting these comments, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	Yes/No   <



Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
c/-Tattico  Location  261 and 263 Morrin Road, St Johns, Auckland	<p>a. approximately 191 residential units</p> <p>b. two communal outdoor courtyards for residents' use that will include recreational facilities, gardens, and open space</p> <p>c. vehicle and pedestrian shared laneways, accessways and public open space</p> <p>d. car and cycle parking spaces.</p> <p>The project will involve activities such as:</p> <p>a. demolition of buildings</p> <p>b. earthworks (including disturbance of contaminated soils)</p> <p>c. discharge of stormwater run-off and contaminants to water and land</p> <p>d. construction of two towers of residential units and associated facilities</p> <p>e. construction of a podium and basement area that will form an extension to the consented Stage 1A basement</p> <p>f. construction of two communal courtyard areas and associated facilities</p> <p>g. construction of three waters services, roading and pedestrian accessways</p> <p>h. construction of vehicle access, loading and parking areas</p> <p>i. landscaping and planting of open spaces and recreational areas</p> <p>j. any other activities that are:</p> <p>i. associated with the activities described in paragraphs a to i</p> <p>ii. within the project scope.</p> <p>The project will require land use consents under the AUP and the NES-CS. Stage 1A of the Te Tauoma development is already consented, however the applicant has advised that construction of Stage 1A will not proceed until consent is granted for Stage 1B to ensure the development's overall design philosophy can be achieved.</p>	<p>in New Zealand. The application includes details of previous projects developed in New Zealand by other Shundi Group subsidiaries.</p> <p>The applicant states that there will be no issues regarding funding the construction of the project and the application includes an annual report from Shundi Tamaki confirming the financial position of the company.</p> <p>We have no concerns about the ability of the applicant to fund the project.</p>	<p>prohibited activities</p> <ul style="list-style-type: none"> <li>it does not include land returned under a Treaty settlement</li> <li>it does not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.</li> </ul>	<p>the four years of the project</p> <ul style="list-style-type: none"> <li>contribution of approximately \$54 million direct value to GDP.</li> </ul>	<p>wellbeing by providing Mana whenua a direct line of input into the project through a Mana Whenua Forum, a Mana Whenua Design Team and a Mana whenua review and advisory role.</p> <ul style="list-style-type: none"> <li>provide additional housing in an area with identified need</li> <li>provide employment.</li> </ul>	<p>and potential for appeals under the standard process.</p>	<p>FTE jobs and 2,394 indirect jobs over the four years of the project</p> <ul style="list-style-type: none"> <li>increase housing supply by providing approximately 191 residential units</li> <li>contribute to a well-functioning urban environment by contributing to a well-functioning urban environment through the provision of a variety of housing types, and good accessibility to jobs, community services and natural and open spaces.</li> </ul>	<p>character and amenity</p> <ul style="list-style-type: none"> <li>effects on cultural values</li> <li>contamination effects and necessary land/soil remediation</li> </ul> <p>The Te Tauoma development site falls within two natural heritage overlays under the AUP for regionally and locally significant volcanic viewshafts and height sensitive areas. The urban design assessment included in the application documents notes that the project (Stage 1B) is located out of the viewshafts.</p> <p>The applicant notes that technical experts have been engaged and completed a range of assessments. The applicant considers that with appropriate management and mitigation the project will not result in significant adverse environmental effects.</p>	<p>pending your referral decision. We note that Auckland Council will be invited to comment on the application under section 21(2) of the FTCA.</p> <p>The applicant also notes that during the development of the overall Te Tauoma masterplan process the fundamental bulk and location of the Stage 1B buildings were supported by Auckland Council.</p> <p>The project site is subject to a number of easement instruments, land covenants and consent notices, recorded on records of title 944251 and 944253.</p> <p>The applicants have engaged legal advice and commented that none of the instruments identified on the certificates of title will prevent, limit or delay project delivery.</p> <p>The key piece of transport infrastructure proposed as part of the project is a shared laneway linking around the eastern and northern sides of the Stage 1 development, primarily providing for pedestrian/cycle connections. While this proposed roading is on private property and will not be vested to the Council, the proposed roads will link in with the existing road network and the project will require consent</p>	<p>not decline the application under section 23(3) of the FTCA.</p> <p>c. Note that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</p> <p>d. Note that section 22 of the FTCA permits you to request further information from the applicant or relevant local authorities at any time before you decide whether to accept or decline an application.</p> <p>e. Agree to progress the Te Tauoma Stage 1B project to our Stage 2 analysis. The project warrants further analysis because it has potential to achieve the purpose of the FTCA but we need to consider some matters further before providing you with our final advice on the referral application.</p> <p>f. Agree to provide the application to, and invite comments from:</p> <ul style="list-style-type: none"> <li>the Ministers listed in section 21(6) of the FTCA</li> <li>the Associate Minister for the Environment (Urban Policy)</li> <li>Auckland Council</li> <li>the following additional entities/persons under section 21(3) of the FTCA:</li> <li>Auckland Transport</li> </ul> <p>g. Sign the attached letters to Ministers listed in section 21(6) of the FTCA and the Associate Minister for the Environment (Urban Policy).</p> <p>h. Note that while awaiting these comments, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>



Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
									under the AUP for trip standard exceedances. We recommend that you invite comments from Auckland Transport on the project and any likely traffic effects.		
<b>Project name</b> Whenuapai Business Park <b>Applicant</b> Neil Construction Limited c/- Campbell Brown Planning Limited <b>Location</b> 69-71 Trig Road and 155-157 Bringham Creek Road, Whenuapai Auckland	<p>The project is to subdivide a 22.9 hectare site to create 21 industrial lots, two residential lots, and two balance lots, together with public roads and pedestrian accessways intended to vest in Auckland Council. A stream crossing will be constructed to accommodate the main public road, and riparian margins will be planted and enhanced.</p> <p>The project will involve activities such as:</p> <ol style="list-style-type: none"> <li>subdividing land</li> <li>carrying out earthworks (including disturbance of contaminated land)</li> <li>removing vegetation within 10m of natural wetland</li> <li>diverting and discharging stormwater to land and water</li> <li>diverting overland flow paths</li> <li>constructing transport and three waters infrastructure</li> <li>riparian planting</li> <li>any other activities that are:               <ol style="list-style-type: none"> <li>associated with the activities described in paragraphs a to g</li> <li>within the project scope as described above</li> </ol> </li> </ol> <p>The project will require land use and subdivision consents and discharge permits under the AUP and land use consent under the NES-CS and the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NES-F).</p> <p>The applicant states that riparian margins within the site will be protected but does not explain the mechanism which will be used to protect them. We recommend seeking additional information from the</p>	<p>The applicant states that funding is in place to deliver the project, and that no debt funding is required to supplement private equity.</p> <p>As the applicant has purchased the land for the project site and has an extensive history of land development in the Auckland region we do not anticipate any issues with funding for the project.</p>	<p>Based on available information at this stage, we consider the project is eligible for referral because:</p> <ul style="list-style-type: none"> <li>it does not include any prohibited activities</li> <li>it does not include land returned under a Treaty settlement</li> <li>it does not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.</li> </ul>	<p>The applicant estimates that the project will provide:</p> <ul style="list-style-type: none"> <li>approximately 88 direct (FTE) jobs and 97 indirect FTE jobs per year over the two years of the Project</li> <li>contribute approximately \$30 million to the local economy over the two years of the project.</li> </ul>	<p>The applicant considers that the project will result in positive effects on social and cultural wellbeing of current future generations through the provision of employment in close proximity to residential areas.</p> <p>The applicant has provided limited information to support their claims of positive effects on social and cultural wellbeing, and we recommend that you seek additional information from the applicant on this matter.</p>	<p>The site is subject to proposed Plan Change 5 and Variation 1 (PC5/V1) to the AUP to rezone the site from Future Urban Zone to Light Industrial and Residential – Single House Zone. The hearing for PC5/V1 has been convened and adjourned and the applicant states that a decision is not anticipated until mid-to-late 2022.</p> <p>While we consider that the applicant's assessment that using the FTCA process would enable the project to progress faster than would be the case under standard RMA processes, we recommend that you seek additional information from the applicant on how much time will be saved by the use of the FTCA.</p>	<p>Based on the information provided we consider that the project may result in the following public benefits:</p> <ul style="list-style-type: none"> <li>generating employment by providing approximately 88 direct FTE jobs and 97 indirect jobs per year over the two years of the project</li> <li>enabling industrial development in an area that has an identified shortage</li> <li>enabling residential development in an area with a housing availability and affordability issues.</li> </ul>	<p>The project has the potential for the following adverse environmental effects:</p> <ul style="list-style-type: none"> <li>stormwater and sediment discharge effects</li> <li>contamination effects and necessary land/soil remediation</li> <li>noise and acoustic effects</li> <li>temporary construction effects</li> <li>land stability effects</li> <li>reverse sensitivity effects.</li> </ul> <p>The applicant has provided details of mitigation measures to address potential adverse effects and has confirmed that technical experts have been engaged to complete a range of assessments. The applicant considers that with</p>	<p>The land is subject to an airspace restriction designation. The conditions of this designation require written approval from New Zealand Defence Force (NZDF) prior to any subdivision or change of land use occurring.</p> <p>We recommend that you seek additional information from the applicant on whether the written approval of the NZDF has been obtained.</p> <p>The project includes the creation of two balance lots which can be used for future subdivision and development once PC5/V1 has been approved.</p> <p>The project also includes the creation of two residential lots for development that are currently subject to a consent notice on the parent title which restricts the construction of residential buildings on the site.</p> <p>We recommend that you seek additional information from the applicant on whether this consent notice will affect the ability of the</p>	<ol style="list-style-type: none"> <li><b>Note</b> that section 23(3) of the FTCA permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.</li> <li><b>Note</b> that you have not yet provided the application to, nor sought any comments on it from, relevant local authorities or relevant Ministers but that you are required to do so if you do not decline the application under section 23(3) of the FTCA.</li> <li><b>Note</b> that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</li> <li><b>Note</b> that section 22 of the FTCA permits you to request further information from the applicant or relevant local authorities at any time before you decide whether to accept or decline an application.</li> <li><b>Agree</b> to progress the Whenuapai Business Park project to our Stage 2 analysis. The project warrants further analysis because it has potential to achieve the purpose of the FTCA but we need to consider some matters further before providing you with our final advice on the referral application.</li> <li><b>Agree</b> to provide the application to, and invite comments from:               <ul style="list-style-type: none"> <li>the Ministers listed in section 21(6) of the FTCA</li> <li>the Associate Minister for the Environment (Urban Policy)</li> </ul> </li> </ol>	<p>Yes/No</p> <p>Yes/No</p>

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	applicant on how riparian margins will be protected.							<p>appropriate management and mitigation the project will not result in more than minor adverse environmental effects.</p> <p>While the project is a non-complying activity in the Future Urban Zone, the applicant has provided an assessment which states that the project is expected to pass the 'gateway tests' in section 104D of the RMA.</p>	<p>project to deliver residential lots and whether the consent notice will need to be cancelled prior to the project being referred.</p> <p>One of the lots within the project site is subject to a covenant in favour of Spark New Zealand Trading Limited and the applicant is seeking to have the interest removed from the title. We recommend that you seek additional information from the applicant and Spark New Zealand Trading Limited on whether this covenant may present a barrier to project delivery.</p> <p>The project site is currently zoned Future Urban, but PC5/V1 seeks to introduce a new precinct in the AUP and rezone approximately 360 hectares of mostly Future Urban zoned land to a mix of business and residential zones. The applicant considers that the project is entirely consistent with the provisions of PC5/V1. We recommend that you seek comment from Auckland Council on how the project aligns with PC5/V1.</p> <p>As the project involves the installation of new transport and three waters infrastructure, we recommend that you invite comments from Auckland Transport and</p>	<ul style="list-style-type: none"> <li>relevant local authorities</li> <li>the following additional entities/persons under section 21(3) of the FTCA: <ul style="list-style-type: none"> <li>Watercare Services Limited</li> <li>Auckland Transport</li> <li>Spark New Zealand Trading Limited</li> </ul> </li> </ul> <p>g. <b>Agree</b> to seek further information from the applicant on:</p> <ul style="list-style-type: none"> <li>how riparian margins in the project site will be protected</li> <li>how much time will be saved by using the FTCA processes</li> <li>how the project will contribute to social and cultural wellbeing</li> <li>whether the applicant has received written approval from NZDF</li> <li>whether the consent notices on the titles will need to be cancelled to enable the project to progress, and how and when the applicant proposes to do this</li> <li>whether the covenant in favour of Spark New Zealand Trading Limited may present a barrier to project delivery.</li> </ul> <p>h. <b>Agree</b> to seek further information from Auckland Council on how the project aligns with Plan Change 5/Variation 1 to the AUP.</p> <p>i. <b>Sign</b> the attached letters to Ministers listed in section 21(6) of the FTCA and the Associate Minister for the Environment (Urban Policy).</p> <p>j. <b>Note</b> that while awaiting these comments and further information, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>



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									Watercare Services Limited as they administer transport, potable water and wastewater infrastructure in Auckland.		

Signed:

Hon David Parker  
Minister for the Environment

Date

Released under the provision of  
the Official Information Act 1982