



2021-B-07668

12 APR 2021

Neil Construction Limited and Fletcher Residential Limited  
C/- Philip Brown  
Campbell Brown Planning Limited

s 9(2)(a)

Dear Philip

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

Thank you for Neil Construction Limited and Fletcher Residential Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Beachlands project (the Project) to an expert consenting panel (a panel) for consideration under the FTCA.

The Project is to undertake subdivision and development to create up to 259 residential lots and a number of jointly owned private access lots, and roads, pedestrian accessways, and recreation and drainage reserves to vest in Auckland Council, at 109 Beachlands Road, Beachlands, Auckland. The Project includes construction of up to 235 residential dwellings on the lots.

The Project involves activities such as subdivision of land, vegetation clearance including near urban streams and removal of street trees, earthworks, potential disturbance of contaminated land, activities in overland flowpaths and floodplains, diversion of water, discharge of stormwater runoff, reclamation of part of, and works within, the beds of three streams, construction of three waters and roading infrastructure, construction of residential dwellings, and associated works.

The purpose of the FTCA 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.

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 via the provision of additional housing in a range of typologies, including terrace housing which can provide a more affordable option at a time when house prices are rapidly escalating in the Auckland region.

2. Generate employment by providing up to 45 direct and 169 indirect full-time equivalent (FTE) jobs during years 1-2 of design, consenting and subdivision construction, and up to 98 direct and 349 indirect FTE jobs/year during years 3-7 whilst both subdivision and house construction are being completed.
3. Increase housing supply via the construction of 235 new dwellings and provision of 24 vacant lots for future development.
4. Progress faster by using the processes provided by the FTCA than would otherwise be the case.

Any potential adverse effects arising from the Project, and proposed mitigation measures, could be appropriately tested through a panel having regard to 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 the information listed in Appendix A of this letter, additional to the requirements of clause 9 Schedule 6 of the FTCA, with any resource consent application for the Project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6.

I consider that 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 persons or groups additional to those specified in clause 17 Schedule 6 of the FTCA:

1. Auckland Transport
2. Pine Harbour Living Limited (trading as Pine Harbour Water)
3. Ngāti Te Ata Claims Support Whānau 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.

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. Ngāti Te Ata Claims Support Whānau Trust

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 planning 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.

Please contact officials 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; and Climate Change

Local Authority: Auckland Council

Other Parties: Auckland Transport, Ngāti Te Ata Claims Support Whānau Trust

Relevant iwi authorities and treaty settlement entities: Ngāi Tai ki Tāmaki Tribal Trust, Ngāi Tai ki Tāmaki Trust, Ngāti Tamaoho Trust, Ngāti Tamaoho Settlement Trust, Te Patukirikiri Iwi Trust, Ngāti Paoa Iwi Trust, Ngāti Paoa Trust Board, Ngaati Whanaunga Incorporated Society, Ngāti Maru Runanga Trust, Ngāti Tamaterā Treaty Settlement Trust, Te Ākitai Waiohū Iwi Authority, Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohū, Makaurau Marae Māori Trust, Te Whakakitenga o Waikato Incorporated

Environmental Protection Authority

The Panel Convener

## **Appendix A – Requirements specific to applications lodged by Neil Construction Limited and Fletcher Residential Limited for Beachlands**

### ***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:

1. an integrated transport assessment, including, but not limited to, modelling and analysis that covers:
  - a. a comparative assessment of the density of development under the application versus the density of development provided for under the Single House Zone and Beachlands 1 Precinct of the Auckland Unitary Plan
  - b. the effects on the surrounding road network and intersections
  - c. the adequacy of the existing public transport system to service additional demand
  - d. a movement network plan to identify and assess the availability and feasibility of safe active modes of transport.
2. an infrastructure assessment and engineering plans including wastewater capacity checks and water supply details
3. a stormwater assessment and stormwater management plan, including predictions on sediment and nutrient losses from the land to Hauraki Gulf both during construction and in the long term, and in comparison to the status quo
4. an ecological assessment, including options to protect all streams
5. an urban design assessment
6. a landscape and visual assessment
7. an assessment of social impacts focusing on the capacity of local schools servicing the area and availability of local employment opportunities
8. landscape and planting plans addressing all proposed assets in the road, drainage and recreation reserves to vest and private accessways
9. a preliminary site investigation report in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
10. an assessment of the potential transport-related greenhouse gas emissions resulting from the density of development proposed, compared with those resulting from the density of development provided for under the Single House Zone and Beachlands 1 Precinct of the Auckland Unitary Plan.