

In Confidence

Office of the Minister for the Environment

Chair, Cabinet

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 (the Amendment Order).
- 2 The Amendment Order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 to include as projects referred to an expert consenting panel (panel):
 - 2.1 P0012 Auckland NZ Pty Limited's Federal Street Residences project (Schedule 36)
 - 2.2 Bellgrove Rangiora Limited's Bellgrove project (Schedule 37).

Executive Summary

- 3 The COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) is one of the Government's actions to support New Zealand's economic recovery from COVID-19. The FTCA enables any person to apply to me, in my role as the Minister for the Environment, to fast-track certain approvals required under the Resource Management Act 1991 (RMA) for their project.
- 4 Projects that I accept are referred to a panel by an amendment to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020, subject to Cabinet's agreement. This allows an applicant to lodge applications for resource consents and/or notices of requirement for a designation with the Environmental Protection Authority (EPA) for consideration by a panel. Before granting any RMA approvals a panel must conduct a thorough merit-based assessment of the project's effects, which includes testing the actual and potential effects of the project against the requirements of both Part 2 of the RMA and additional specifications in the FTCA.
- 5 I received applications from:
 - 5.1 P0012 Auckland NZ Pty Limited to fast-track the Federal Street Residences project
 - 5.2 Bellgrove Rangiora Limited to fast-track the Bellgrove project.
- 6 The Federal Street Residences project is a 183 metre high mixed-use (residential and commercial) tower in central Auckland and the Bellgrove project is a medium-density residential development and neighbourhood commercial centre in eastern Rangiora, Canterbury.

7 I am satisfied as to the Federal Street Residences project's eligibility for referral and have considered whether it achieves the purpose of the FTCA. I sought and considered written comments from the relevant local authority and relevant Ministers prescribed by the FTCA, including the Associate Minister for the Environment. I considered the report prepared under section 17 of the FTCA and I also requested and considered further information from the applicant.

8 I have accepted the Federal Street Residences project for referral as it will:

8.1 have positive effects on social wellbeing by:

8.1.1 providing additional housing in a location well-served by public transport

8.1.2 providing employment (including employment targeted to under-represented groups and the long-term unemployed)

8.1.3 reflecting the historical use and cultural significance of the site in the building design

8.2 generate employment by providing approximately 327 direct full-time equivalent jobs per year over a four-year planning and construction period

8.3 increase housing supply through the provision of approximately 357 residential units for owner-occupiers and tenants

8.4 contribute to a well-functioning urban environment by providing:

8.4.1 a variety of housing sizes, with on-site amenities and good accessibility to jobs and public transport

8.4.2 ground floor public space

8.5 support a transition to a low greenhouse gas-emissions economy through a reduction in private vehicle use (by providing vehicle parking spaces for only approximately 50% of the residential units)

8.6 minimise waste by diverting 80% of construction waste away from landfill to be re-used for other purposes.

9 I am satisfied as to the Bellgrove project's eligibility for referral and have considered whether it helps achieve the purpose of the FTCA. I sought and considered written comments from relevant Ministers prescribed by the FTCA, the relevant local authorities, Te Rūnanga o Ngāi Tahu (TRoNT), Christchurch City Council (CCC), Greater Christchurch Partnership (GCP) and Waka Kotahi NZ Transport Agency (Waka Kotahi). I considered the report prepared under section 17 of the FTCA and I also requested and considered further information from the applicant.

10 I have accepted the Bellgrove project for referral as it will:

10.1 have positive effects on social well-being by providing additional housing in an area that has a housing shortfall and has been identified as an appropriate future growth area

- 10.2 generate employment by providing approximately 229 direct full-time equivalent jobs in planning, design, construction, sales and marketing
- 10.3 increase housing supply by approximately 209 residential units.
- 11 Both projects have the potential to progress faster using the FTCA processes than if consents were sought through standard RMA processes, provided that the applicants lodge their applications for resource consent with the EPA in a timely manner following referral.
- 12 I consider that both projects will help to achieve the purpose of the FTCA, and any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be considered and determined by a panel subject to Part 2 of the RMA and the purpose of the FTCA.
- 13 I now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables P0012 Auckland NZ Pty Limited and Bellgrove Rangiora Limited to apply via the EPA to a panel for the relevant approvals needed under the RMA for the project, in accordance with the process in the FTCA.

Background

- 14 The FTCA is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19, by promoting employment and supporting on-going investment. The provisions remain in place until repeal of the FTCA in July 2023. The FTCA enables any person to apply to the Minister for the Environment to access the fast-track process for their project. If the Minister accepts an application, it is referred by Order in Council – specifically, via an amendment that adds the project as a new schedule to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 – subject to Cabinet's agreement. This allows an applicant to lodge a resource consent application or notice of requirement for a designation with the EPA for consideration and decision by a panel.
- 15 Panels are appointed by Panel Convener Judge Laurie Newhook and are constituted according to the specific representation, skills and knowledge required for the project. Before a panel grants any RMA approvals it must conduct a thorough assessment of the project's actual and potential effects, and test these against the requirements of Part 2 of the RMA and a number of additional specifications in the FTCA. As part of this process the panel must also consult with the range of parties specified in the FTCA and may seek further information if necessary.
- 16 I receive weekly updates on the projects accessing the fast-track provisions and their progress. To ensure robust oversight of the wider performance of the process, the Ministry for the Environment has commissioned an independent survey and review of FTCA implementation in the context of the FTCA's overall purpose. I expect to receive their report early in 2022, and this will also feed into a Ministry report to Treasury on FTCA implementation in March 2022.
- 17 As of 16 November 2021, 72 applications have been made under the FTCA to refer projects to a panel, of which:
- 17.1 34 projects have been referred and Orders in Council gazetted. Details are in Appendix one. In summary:
- 17.1.1 Nine projects have had their RMA approvals granted by a panel.

- 17.1.2 One project has had its application for RMA approvals declined by a panel
- 17.1.3 10 projects are under active panel consideration
- 17.1.4 12 projects have yet to lodge their RMA applications
- 17.1.5 Two projects have subsequently decided not to seek their RMA consents through the panel process.
- 17.2 Five projects that I have accepted for referral are awaiting Orders in Council. This includes the two projects that are the subject of this cabinet paper.
- 17.3 16 referral applications are being processed and are yet to receive a referral decision
- 17.4 12 referral applications have been declined for a range of reasons including not meeting the purpose of the FTCA and it being more appropriate for them to go through the standard RMA consenting process
- 17.5 Five referral applications have been withdrawn by the applicants.
- 18 Projects listed in Schedule 2 of the FTCA are able to lodge their applications for RMA approvals with the EPA without first going through a referral assessment. An update on these projects is in Appendix two.

Project for referral: P0012 Auckland NZ Pty Limited's Federal Street Residences project

- 19 P0012 Auckland NZ Pty Limited has applied to use the fast-track consenting process for the Federal Street Residences project. The project site is located at 65–71 Federal Street, Auckland Central, approximately 50 metres north of the Sky Tower.
- 20 The project is to demolish an existing seven-storey carpark and construct an approximately 55-storey building around 183 metres tall that includes approximately 357 residential units, retail and commercial tenancy space, public and private communal open space, and car and bicycle parking. This building will be one of the tallest in Auckland (after the 328-metre-high Sky Tower).
- 21 The project requires land use consent and water and discharge permits under the Auckland Unitary Plan 2016 (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).
- 22 To better understand how the project would progress faster using the FTCA processes, the job creation potential, the availability of heritage floor space, whether the applicant is an overseas person for the purposes of the Overseas Investment Act 2005, and how long it would take to receive the relevant cultural impact assessments, I sought further information under section 22 of the FTCA from the applicant and the relevant local authority (Auckland Council).
- 23 I also sought written comments on the application from relevant Ministers as determined by section 21(6) of the FTCA, including the Associate Minister for the Environment (Urban Policy).

Overview of comments

s 9(2)(f)(ii), s 9(2)(g)(i)

30 Auckland Council considered the project appropriate to refer to a panel. The council's planning, urban design and landscape architecture specialists all considered the project unlikely to result in significant adverse effects, while noting that opportunities for design refinement still remain. The council noted reports normally required for a project of this nature in this area, including on: landscape, urban design, wind tunnel effects, transport (including an integrated transport assessment), acoustic effects, infrastructure, contamination, geotechnical effects, and iwi consultation; and various management plans. I consider these are generally covered by the requirements of clause 9 Schedule 6 of the FTCA, apart from those noted below.

- 31 Auckland Council's response included comments from their Council-controlled organisations Auckland Transport and Watercare Services Limited (Watercare). Auckland Transport requested that if the project is referred, the applicant be required to provide an integrated transport assessment including assessment of pedestrian safety, access and queuing effects, provision of loading space and parking. Auckland Transport also requested that the applicant provide a construction traffic management plan and details of the proposed street upgrades required to support the project, including developer contributions and funding to support scheduled upgrades to Federal and Kingston Streets.
- 32 Watercare noted that there are some capacity constraints in the wastewater system downstream of the project site, and that more detailed analysis is required to assess the impact of the development on the network and the extent of upgrades required.
- 33 The applicant confirmed that they are an overseas person for the purposes of the Overseas Investment Act 2005 but that no approval is required from the Overseas Investment Office (OIO). The OIO considered the applicant's assessment to be reasonable, but noted the onus is on the applicant as the investor in the development, to determine whether the development requires OIO consents as either a significant business asset or sensitive land.

Decision

- 34 In making my decision I considered the application and further information received, all comments provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA¹. I also considered the report prepared under section 17 of the FTCA.
- 35 I have decided to accept P0012 Auckland NZ Pty Limited's application for referral of the Federal Street Residences project to a panel. I consider the project meets the eligibility criteria in section 18 of the FTCA and will:
- 35.1 help to achieve the purpose of the FTCA
 - 35.2 have positive effects on social wellbeing by:
 - 35.2.1 providing additional housing in a location well-served by public transport
 - 35.2.2 providing employment (including employment targeted to under-represented groups and the long-term unemployed)
 - 35.2.3 reflecting the historical use and cultural significance of the site in the building design
 - 35.3 generate employment by providing approximately 327 direct full-time equivalent jobs per year over a four-year planning and construction period
 - 35.4 increase housing supply through the provision of approximately 357 residential units for owner-occupiers and tenants
 - 35.5 contribute to a well-functioning urban environment by providing:

¹ In accordance with section 24 of the FTCA - Decision to accept application for referral

- 35.5.1 a variety of housing sizes with on-site amenities and good accessibility to jobs and public transport
- 35.5.2 ground floor public space
- 35.6 support a transition to a low greenhouse-gas-emissions economy through a reduction in private vehicle use (by providing vehicle parking spaces for only approximately 50% of the residential units)
- 35.7 minimise waste by diverting 80% of construction waste away from landfill to be re-used for other purposes
- 35.8 likely progress faster than would otherwise be the case under standard RMA processes, provided that the applicant lodges their applications for resource consents with the EPA in a timely manner following project referral.
- 36 To address site-specific matters raised by s 9(2)(f)(ii), s 9(2)(g)(i) Auckland Transport and Watercare I have decided to specify the following information the applicant must provide with their applications for resource consents submitted to a panel²: an infrastructure assessment, a wind tunnel assessment, street design details and an integrated transport assessment. The full details of this information requirement are in Appendix three.
- 37 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, and specific non-governmental organisations and other groups listed in the FTCA³. In addition to these requirements and to address specific matters raised, I have decided to specify the following parties, listed in Appendix three, from whom a panel must seek comment in relation to any consent application before it: Auckland Transport, Watercare, Ngāti Koheriki Claims Committee and Skycity Entertainment Group.
- 38 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA. I consider the requirements for additional material listed in Appendix four that must be submitted to a panel will assist with this.
- 39 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 39.1 limit the scope of the project by referring it only in part
- 39.2 refer the project in stages
- 39.3 place any restrictions on the project
- 39.4 impose specific timeframes for panel consideration.

² Section 24(2)(d) of the FTCA.

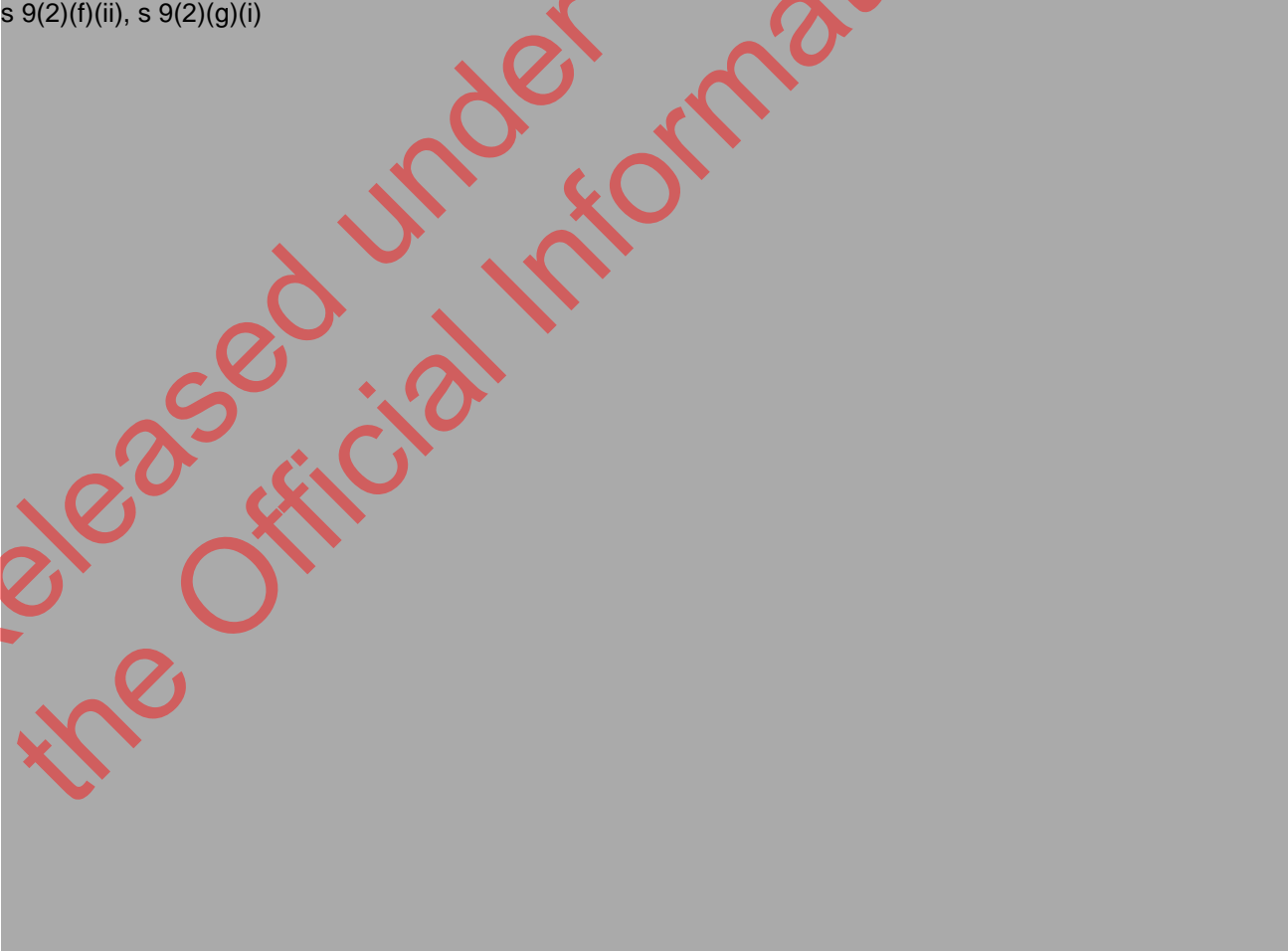
³ Clause 17(6) of Schedule 6, FTCA.

Project for referral: Bellgrove Rangiora Limited's Bellgrove project

- 40 Bellgrove Rangiora Limited has applied to use the fast-track consenting process for the Bellgrove project. The project site is located at 52 and 76 Kippenberger Avenue, Rangiora, Canterbury.
- 41 This project is to subdivide a 60 hectare site and establish a housing development and neighbourhood commercial centre comprising approximately 209 residential units, three waters services, a road network, and esplanade and stormwater reserves on the southern 20.8 hectares of the site. The project also proposes to restore ecological areas within a proposed esplanade reserve and retain the historic Bellgrove Farm Homestead for residential use.
- 42 The project requires land use and subdivision consents under the Waimakariri District Plan, land use consents and water and discharge permits under the Canterbury Land and Water Regional Plan and the Waimakariri River Regional Plan, and land use consent under the (NES-CS) and the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NES-F).
- 43 I sought written comments on the application from relevant Ministers as determined by section 21(6) of the FTCA, including the Associate Minister for the Environment (Urban Policy); the relevant local authorities (Waimakariri District Council (WDC) and Canterbury Regional Council/Environment Canterbury (ECan)); and CCC, GCP, TRoNT and Waka Kotahi.

Overview of comments

s 9(2)(f)(ii), s 9(2)(g)(i)



- 50 WDC supported use of the FTCA process noting the project site has been identified as part of a Future Development Area (FDA) under the Greater Christchurch Partnership's future development strategy for the Greater Christchurch Area 'Our Space 2018-2048' (Our Space). WDC advised that a small portion of the project site includes versatile soils and this was considered when identifying the FDA. WDC considered a density of 15 households per hectare to be optimal (compared with 13.8 households per hectare proposed by the applicant) and intended to work with the applicant to try to achieve this higher density. WDC identified a range of technical assessments the applicant should submit with their resource consent applications, including a preliminary site investigation report, a flood risk assessment, a geotechnical report and an urban design assessment.
- 51 ECan considered it is appropriate for the project to be considered under FTCA processes. While ECan noted the project site is not identified as a Greenfield Priority Area, they advised that the project site is located within the medium density area in the WDC's draft Structure Plan and has excellent proximity to the Rangiora town centre. We note that subsequent to ECan's comments, Plan Change 1 to Chapter 6 of the CRPS has become operative, enabling WDC to rezone land for higher density housing within an FDA through their district planning processes.
- 52 ECan considered the proposed shortening and straightening of the Cam River would require careful assessment against the requirements of the National Policy Statement for Freshwater Management 2020. ECan requested the applicant address several stormwater discharge matters in a stormwater assessment to be provided with a resource consent application.
- 53 TRoNT noted that the proposed location and density of the project is consistent with the policy direction in the CRPS and Our Space. TRoNT requested that any recommendations included in future reports by Mahaanui Kurataiao Limited (MKT) for the project are implemented, and that the relevant Papatipu Rūnanga be given the opportunity to consider and provide comment on future resource consent applications.
- 54 CCC considered the project accords with the FTCA's purpose and fast-tracking could be appropriate subject to appropriate safeguards. CCC highlighted the need for adequate consideration of the project's connection to public and other sustainable modes of transport, to reach greenhouse gas emissions targets. The council noted there is a risk that downstream transport effects cannot be considered under the FTCA process to the extent otherwise provided for in a plan change, and requested that if referred, a panel give particular consideration to the cumulative effects of the project on the transport network.
- 55 GCP supported fast-tracking the project due to its consistency with the CRPS. The GCP noted that although the proposed development density is higher than the minimum density specified in the CRPS (12 households per hectare), the site is located within a medium density area in the WDC's draft Structure Plan and has excellent proximity to the town centre. GCP also noted that a minimum density of 15 households per hectare is optimal for greenfield land development as per the Independent 'Greenfield' Density Analysis Report 2020 prepared by Harrison Grierson for GCP.

56 Waka Kotahi responded with no comments on project referral.

Decision

57 In making my decision I considered the application, all comments provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA⁴. I also considered the report prepared under section 17 of the FTCA.

58 I have decided to accept Bellgrove Rangiora Limited's application for referral of the Bellgrove project to a panel. I consider the project meets the eligibility criteria in section 18 of the FTCA and achieves the purpose of the FTCA as it will:

58.1 help to achieve the purpose of the FTCA

58.2 have positive effects on social well-being by providing additional housing in an area that has an identified housing shortfall and has been identified as an appropriate future growth area

58.3 generate employment by providing approximately 229 direct full-time equivalent jobs in planning, design, construction, sales and marketing

58.4 increase housing supply by developing approximately 209 residential units

58.5 likely progress faster by using the processes provided by the FTCA than would otherwise be the case under standard RMA processes, provided that the applicants lodge their notice of requirement in a timely manner following project referral.

59 I am satisfied that the project does not contain any prohibited activity under the RMA or its regulations including the NES-F.

60 To address site-specific matters raised by the relevant local authorities, relevant Ministers, CCC, GCP and TRoNT, I have decided to direct the applicant to provide the following information with their resource consent applications submitted to a panel⁵: a detailed site investigation report, infrastructure assessment and engineering plan; assessments covering heritage, archaeology, stormwater, surface water, groundwater quality and quantity, ecology, urban design, and potential transport related greenhouse gas emissions; an integrated transport assessment; and draft plans for erosion and sediment control and construction management. The full details of this information requirement are in Appendix four.

61 I have decided to require the applicant to provide the information requested s 9(2)(f)(ii), s 9(2)(g)(i) to the extent that it would assist a panel to consider the applicant's assessment and proposed management of greenhouse gas emissions under the current planning framework.

62 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, and specific non-governmental organisations and other groups listed in the FTCA⁶. In addition to these requirements and to address site specific matters raised, I have decided to specify the following parties, listed in Appendix four, from whom a panel must seek comment in relation to any consent

⁴ In accordance with section 24 of the FTCA - Decision to accept application for referral.

⁵ Section 24(2)(d) of the FTCA.

⁶ Clause 17(6) of Schedule 6, FTCA.

application before it: GCP, CCC and the relevant Ngāi Tahu Papatipu Rūnanga (Te Rūnanga o Ngāi Tūāhuriri).

- 63 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be considered and determined by a panel subject to Part 2 of the RMA and the purpose of the FTCA. I consider that the requirements for the additional material listed in Appendix three that must be submitted to a panel will assist with this.
- 64 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 64.1 limit the scope of the project by referring it only in part
 - 64.2 refer the project in stages
 - 64.3 place any restrictions on the project
 - 64.4 impose specific timeframes for panel consideration.

Timing and 28-day rule

- 65 Cabinet has agreed to waive the 28-day rule for Orders in Council relating to projects to be referred to a panel⁷. Therefore, the Amendment Order will come into force the day after publication in the New Zealand Gazette. P0012 Auckland NZ Pty Limited and Bellgrove Rangiora Limited may then lodge applications for resource consent with the EPA, for consideration by a panel.

Compliance

- 66 The Amendment Order complies with:
- 66.1 the principles of the Treaty of Waitangi
 - 66.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993
 - 66.3 the principles and guidelines set out in the Privacy Act 2020
 - 66.4 relevant international standards and obligations
 - 66.5 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 67 I do not consider that there are grounds for the Regulations Review Committee to draw this Order in Council to the attention of the House of Representatives under Standing Order 319.

Certification by Parliamentary Counsel Office

- 68 The Amendment Order has been certified by the Parliamentary Counsel Office as being in order for submission.

⁷ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

Impact Analysis

Regulatory Impact Assessment

- 69 The Regulatory Impact Assessment (RIA) requirements for this proposal have been waived. Cabinet has agreed that a RIA is not required for Orders in Council relating to projects to be referred to a panel⁸.

Climate Implications of Policy Assessment

- 70 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms that the CIPA requirements⁹ do not apply to the projects.
- 71 Likely emissions implications and intended emissions reductions of the projects have been considered at a high-level during the formal application process and are also expected to be considered by a panel in its assessment of any adverse effects arising from the projects.

Publicity

- 72 The Amendment Order will be available on the New Zealand Legislation website following its notification in the New Zealand Gazette.
- 73 As required under section 25 of the FTCA, my decision to refer the projects to a panel for consideration, the reasons for these decisions, and the reports obtained under section 17 will be made available to the public on the Ministry for the Environment's website.

Proactive release

- 74 I intend to proactively release this paper on the Ministry for the Environment's website subject to redaction as appropriate under the Official Information Act 1982.

Consultation

- 75 The Ministry for the Environment sought comment on this paper from the Ministry of Housing and Urban Development, Ministry for Culture and Heritage, Te Puni Kōkiri, Ministry of Education, Department of Corrections, Land Information New Zealand, Treasury, Ministry of Transport, Ministry of Business, Innovation and Employment, Ministry for Primary Industries, Department of Prime Minister and Cabinet, Ministry of Health, Ministry of Defence, Department of Internal Affairs, Department of Conservation and The Office for Māori Crown Relations – Te Arawhiti.

⁸ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

⁹ CO (20) 3 refers

Recommendations

I recommend that Cabinet:

- 1 **note** that I have decided under section 24 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to accept the applications for referral of the following projects to a panel:
 - 1.1 P0012 Auckland NZ Pty Limited's Federal Street Residences project
 - 1.2 Bellgrove Rangiora Limited's Bellgrove project
- 2 **note** that P0012 Auckland NZ Pty Limited's Federal Street Residences project meets the eligibility criteria in section 18 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and is considered to help achieve the Act's purpose by having the potential to:
 - 2.1 have positive effects on social wellbeing by:
 - 2.1.1 providing additional housing in a location well-served by public transport
 - 2.1.2 providing employment (including employment targeted to under-represented groups and the long-term unemployed)
 - 2.1.3 reflecting the historical use and cultural significance of the site in the building design
 - 2.2 generate employment by providing approximately 327 direct full-time equivalent jobs per year over a four-year planning and construction period
 - 2.3 increase housing supply through the provision of approximately 357 residential units for owner-occupier and rental uses
 - 2.4 contribute to a well-functioning urban environment by providing:
 - 2.4.1 a variety of housing sizes with on-site amenities and good accessibility to jobs and public transport
 - 2.4.2 ground floor public realm space
 - 2.5 support a transition to a low-emissions economy through a reduction in private vehicle use (by providing vehicle parking spaces for only 50% (approximately) of the residential units)
 - 2.6 minimise waste by diverting 80% of construction waste away from landfill to be re-used for other purposes
 - 2.7 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes, provided that the applicant lodges their applications for resource consents with the Environmental Protection Agency in a timely manner following project referral

- 3 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 requires P0012 Auckland NZ Pty Limited to provide to an expert consenting panel an infrastructure assessment, a wind tunnel assessment, street design details, and an integrated transport assessment, as detailed in Appendix three
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 requires an expert consenting panel appointed to consider P0012 Auckland NZ Pty Limited's Federal Street Residences project to seek comments from Auckland Transport, Watercare, Ngāti Koheriki Claims Committee and Skycity Entertainment Group, as listed in Appendix three
- 5 **note** that Bellgrove Rangiora Limited's Bellgrove project meets the eligibility criteria in section 18 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and is considered to help achieve the Act's purpose by having the potential to:
- 5.1 have positive effects on social well-being by providing additional housing in an area that has an identified housing shortfall and has been identified as an appropriate future growth area
 - 5.2 generate employment by providing approximately 229 direct full-time equivalent jobs in planning, design, construction, sales and marketing
 - 5.3 increase housing supply by developing approximately 209 residential units in an area that has an identified housing shortfall
 - 5.4 progress faster by using the processes provided by the FTCA than would otherwise be the case under standard Resource Management Act 1991 processes, provided that the applicants lodge their notice of requirement in a timely manner following Project referral
- 6 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 requires Bellgrove Rangiora Limited to provide to an expert consenting panel a detailed site investigation report, infrastructure assessment and engineering plan, assessments covering heritage, archaeology, stormwater, surface water, groundwater quality and quantity, ecology, urban design and potential transport related greenhouse gas emissions, an integrated transport assessment, and draft plans for erosion and sediment control, and construction management, as detailed in Appendix four
- 7 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 requires an expert consenting panel appointed to consider Bellgrove Rangiora Limited's Bellgrove project to seek comments from the Greater Christchurch Partnership, Christchurch City Council, and the relevant Papatipu Rūnanga as listed in Appendix four
- 8 **authorise** submission of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 to the Executive Council

- 9 **note** that on 27 July 2020, Cabinet agreed to waive the standard 28-day rule relating to Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 [CAB-20-MIN-0353 refers]. Consequently, the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2021 will come into force the day after publication in the New Zealand Gazette.

Authorised for lodgement

Hon David Parker
Minister for the Environment

Released under the provision of
the Official Information Act 1982

Appendix one – Referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Referred projects with Orders in Council gazetted		
Project - Location	Applicant	EPA Status
Clutha Upper Waitaki Lines Project - Works and Workers' Village - Clutha Upper Waitaki	Transpower New Zealand Limited	Not progressing through FTC
Northbrook Wanaka Retirement Village - Wanaka	Winton Property Limited	Consented by Panel (4 August 2021)
Kohimarama Comprehensive Care Retirement Village - Kohimarama, Auckland	Ryman Healthcare Limited	Consented by Panel (12 May 2021)
Molesworth Street Office Development - Thorndon, Wellington	Prime Property Group Limited	Consented by Panel (12 November 2021)
The Vines Affordable Subdivision - Richmond, Tasman	Jason and Angela Mudgway	Declined by Panel (17 September 2021)
Dominion Road Mixed-use Development - Mount Eden, Auckland	Pudong Housing Development Company Limited, Foodstuffs North Island Limited, and Silk Road Management Limited	Consented by Panel (29 September 2021)
Ohinewai Foam Factory - Ohinewai, Waikato	Ambury Properties Limited	Consented by Panel (24 August 2021)
Eastern Porirua Regeneration Project - Infrastructure Works - Porirua	Kāinga Ora-Homes and Communities' and Porirua City Council	Lodgement expected early 2022
Silverlight Studios - Wanaka	Silverlight Studios Limited	Under consideration by Panel
Brennan winery, restaurant, education, and event complex - Gibbston Valley, Otago	Otago Viticulture and Oenology Limited's (trading as Brennan Wines)	Not progressing through FTC
Nola Estate - Glen Eden, Auckland	CPM 2019 Limited	Consented by Panel (1 October 2021)
Wooring Tree Estate – Cromwell	Wooring Tree Property Development LP	Consented by Panel (29 September 2021)
Kapuni Green Hydrogen - Kapuni, Taranaki	Hiringa Energy Limited's and Ballance Agri-Nutrients Limited	Under consideration by Panel
New Dunedin Hospital – Whakatuputupu - Dunedin	The Minister of Health's and the Ministry of Health	Under consideration by Panel
Faringdon South West and South East Development - Rolleston	Hughes Developments Limited's	Consented by Panel (27 August 2021)

Summerset Retirement Village - Waikanae - Waikanae	Summerset Villages (Waikanae) Limited	Consented by Panel (23 September 2021)
Beachlands Housing Development - Beachlands, Auckland	Neil Construction Limited and Fletcher Residential Limited	Under consideration by Panel
Kōpū Marine Precinct - Kōpū, Thames	Thames-Coromandel District Council	Under consideration by Panel
Whakatāne Commercial Boat Harbour project - Whakatāne	Whakatāne District Council, Te Rāhui Lands Trust, Te Rūnanga o Ngāti Awa, Ngāti Awa Group Holdings Limited, Te Rāhui Lands General Partner Limited, Te Rāhui Herenga Waka Whakatane Limited, and Provincial Growth Fund Limited	Lodgement expected late 2021
Karaka North Village - Karaka, Auckland	Urban Resort Limited, Icon Co Pty (NZ) Limited	Lodgement expected late 2021
Ōmāhu Residential Development - Remuera, Auckland	Newmarket Holdings Development Limited Partnership	Under consideration by Panel
George St Mixed Use Development - Newmarket, Auckland	Te Tai Tokerau Water Trust	Lodgement expected early/mid 2022
Otawere Water Storage Reservoir - Northland	KiwiRail Holdings Limited	Lodgement expected late 2021
Drury Central & Paerata Stations - Auckland	Far North District Council & Far North Holdings Limited	Under consideration by Panel
Rangitane Maritime Development - Kerikeri	Aedifice Development Limited	Under consideration by Panel
Brickfields, Scott Road Development - Hobsonville, Auckland	Melia Development Limited	Under consideration by Panel
Melia Place - Whangaparāoa, Auckland	The Minister of Justice and the Ministry of Justice	Lodgement expected late 2021
Tauranga Innovative Courthouse - Tauranga	Urban Resort Limited, Icon Co Pty (NZ) Limited	Lodgement expected late 2021
Oruku Landing - Whangārei, Northland	Northland Development Corporation Limited	Lodgement expected late 2021
Riverbend Residential Development - Napier	Tawanui Developments Limited, K3 Properties Limited & Mana Ahuriri Holdings Limited	Lodgement expected mid 2022
Silverlight Studios Accommodation - Wanaka, Otago	Silverlight Studios Limited	Under consideration by Panel
Drury Centre Precinct - Auckland	Kiwi Property Holdings No 2	Lodgement expected late 2021

Drury East Stage 1 Precinct – Auckland	Fulton Hogan Land Development	Lodgement expected late 2021
Waihoehoe Precinct - Auckland	Oyster Capital Limited	Lodgement expected late 2021

Released under the provision of
the Official Information Act 1982

Appendix two – Status of projects listed under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Listed Project	Status
Matawii Water Storage Reservoir Kaikohe	Consents have been approved.
Papakāinga Development – Rāpaki, Christchurch	Consents have been approved.
Te Ara Tupua – Ngā Ūranga to Pito-one shared path	Consents have been approved.
Waitohi Picton Ferry Precinct Redevelopment	Consents have been approved.
Queenstown Arterials Project	Consents have been approved.
Papakāinga Development - Kaitaia	Consents have been approved.
Papakura to Pukekōhe rail electrification	Package 1 - consents have been approved. Package 2 – minor consents - unlikely to proceed under fast-track at this stage.
Papakura to Drury South State Highway 1 improvements	Package 1 - consents have been approved. Package 2 – lodgement anticipated in 2021.
Papakāinga Development – Waitara, Taranaki	Lodgement anticipated in 2021.
Northern Pathway – Westhaven to Akoranga shared path	Unlikely to proceed under fast-track at this stage.
Te Pā Tāhuna Residential Development	Unlikely to proceed under fast-track at this stage.
Unitec Residential Development	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Point Chevalier, Auckland	Unlikely to proceed under fast-track at this stage.
Papakāinga development – Whaingaroa, Raglan	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Chatham Islands	Unlikely to proceed under fast-track at this stage.
Wellington Metro Upgrade Programme	Unlikely to proceed under fast-track at this stage.
Britomart Station eastern end upgrade	Unlikely to proceed under fast-track at this stage.

Appendix three – Additional requirements: P0012 Auckland NZ Pty Limited's Federal Street Residences project

P0012 Auckland NZ Pty Limited is required to provide with their applications for resource consents to an expert consenting panel:

1. an assessment of the condition and capacity of existing infrastructure for three waters services, and the extent of any upgrades required to service the development
2. a wind tunnel assessment, prepared by a suitably qualified and experienced person
3. details of the interim street design to be implemented prior to Auckland Council's scheduled upgrades to Federal Street and Kingston Street
4. an integrated transport assessment, including modelling and analysis for the construction and operation phases of the project, that covers:
 - 4.1 vehicle access and manoeuvrability, including safe sight distances and other measures to provide pedestrian safety and priority
 - 4.2 vehicle loading, including the operation of loading bays
 - 4.3 effects (including queuing effects) of additional traffic generated by the project, including on the operation and safety of the local road network and measures to ensure queuing does not occur on the road reserve
 - 4.4 parking, including vehicle parking allocation and consideration of the feasibility of providing the minimum cycle parking required by rule E27.6.2.5 of the Auckland Unitary Plan.

An expert consenting panel appointed to consider P0012 Auckland NZ Pty Limited's applications for resource consents for the Federal Street Residences project must seek comments from the following additional persons/organisations:

1. Auckland Transport
2. Watercare Services Limited
3. Ngāti Koheriki Claims Committee
4. Skycity Entertainment Group Limited.

Appendix four – Additional requirements: Bellgrove Rangiora Limited's Bellgrove project

Bellgrove Rangiora Limited is required to provide with their applications for resource consents to an expert consenting panel:

1. a detailed infrastructure assessment and engineering plan, prepared in consultation with local authorities, which covers:
 - 1.1 the capacity of existing three waters infrastructure
 - 1.2 upgrades required to service the development
 - 1.3 funding mechanisms for delivering any upgrades
2. a heritage assessment that covers the historical, social, architectural and landmark significance of the Bellgrove Farm Homestead and its setting
3. an archaeological assessment of the site
4. a detailed site investigation prepared in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
5. a stormwater assessment including:
 - 5.1 infiltration testing
 - 5.2 a draft stormwater management plan
6. a surface water assessment including:
 - 6.1 effects on water quality and quantity including stream depletion
 - 6.2 riverbed and bank stability
 - 6.3 tangata whenua values
7. a groundwater quality and quantity assessment including:
 - 7.1 changes in groundwater users
 - 7.2 effects on groundwater users
 - 7.3 localised changes in groundwater level
 - 7.4 well interference assessment
8. an ecological assessment including an assessment of the effects of the project on aquatic fauna and ecology and biodiversity
9. an urban design assessment
10. an assessment of the potential transport related greenhouse gas emissions generated at the construction, built and operational phases
11. an integrated transport assessment including modelling and analysis that covers:
 - 11.1 the effects of the project on the surrounding road network and intersections and cumulative effects on the transport network

- 11.2 the ability of the existing public transport system to service additional demand
- 11.3 the availability of safe spaces for activity transport modes including walking and cycling
- 12. a geotechnical report identifying any natural hazard risks associated with earthquakes and liquefaction
- 13. a draft erosion and sediment control plan
- 14. a draft construction management plan that includes construction methodology and staging, and construction traffic, dust and noise management.

An expert consenting panel appointed to consider Bellgrove Rangiora Limited's applications for resource consents for the Bellgrove project must seek comments from the following additional persons/organisations:

- 1. Greater Christchurch Partnership
- 2. Christchurch City Council
- 3. The relevant Papatipu Rūnanga (Te Rūnanga o Ngāi Tuāhuriri), through their agent Mahaanui Kurataiao Limited.