

## **In Confidence**

### **Office of the Minister for the Environment**

#### **Chair, Cabinet**

### **COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2022**

#### **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) 2022 (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 Build Rich Limited and Nation Shine Holdings Limited's East Coast Heights—Silverdale Project (Schedule 61)
  - 2.2 Build Rich Limited's East Coast Heights Stage 5—Silverdale Project (Schedule 62).

#### **Executive Summary**

- 3 The COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19. The FTCA enables any person to apply to me, as 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 resource consent applications and/or notices of requirement for a designation with the Environmental Protection Authority (EPA) for consideration by a panel.
- 5 Before granting RMA approvals a panel must conduct a merit-based assessment of the project's actual and potential effects and test these against the requirements of both Part 2 of the RMA and the purpose of the FTCA.
- 6 I received applications from:
  - 6.1 Build Rich Limited (BRL) and Nation Shine Holdings Limited (NSHL) to fast-track the East Coast Heights—Silverdale Project
  - 6.2 BRL to fast-track the East Coast Heights Stage 5—Silverdale Project.
- 7 The East Coast Heights—Silverdale and East Coast Heights Stage 5—Silverdale projects are medium-density residential developments in Silverdale, Auckland.

- 8 I sought written comments on the applications from relevant Ministers prescribed by the FTCA including the Associate Minister for the Environment (urban policy), Auckland Council, Auckland Transport, Watercare Services Limited (Watercare) and Waka Kotahi New Zealand Transport Agency (Waka Kotahi).
- 9 For each project I considered all comments received and the reports prepared under section 17 of the FTCA. I also requested and considered further information from the applicants.
- 10 I have accepted both projects for referral as I am satisfied they meet the eligibility criteria specified in section 18 of the FTCA. The projects will help achieve the FTCA's purpose by generating employment, increasing housing supply and having positive effects on social wellbeing.
- 11 I consider both projects will likely progress faster using the FTCA processes than if consents were sought through standard RMA processes, 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.
- 12 I now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables Shildon Limited, BRL and NSHL to apply via the EPA to a panel for the relevant approvals needed under the RMA for their respective projects, in accordance with the process in the FTCA.

## **Background**

- 13 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. Access to the FTCA provisions remains in place until the FTCA is repealed in July 2023.
- 14 The FTCA enables any person to apply to me, in my role as Minister for the Environment, to access the fast-track consenting process for their project. If I accept an application, the project 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 under consideration. Before a panel grants any RMA approvals for the project it must, among other things, consider comments from invited parties on the applications for these approvals, assess the project's actual and potential effects, and test these effects against the requirements of Part 2 of the RMA and the purpose of the FTCA. As part of this process the panel may seek further information from a range of parties, including those invited to comment.
- 16 I receive weekly updates on the projects accessing the fast-track provisions and their progress.
- 17 As of 13 December 2022, 122 applications have been made under the FTCA to refer projects to a panel, of which:

- 17.1 60 projects have been referred and Orders in Council gazetted. Details are in Appendix one. In summary, for these projects:
  - 17.1.1 27 have been granted RMA approvals by a panel
  - 17.1.2 2 have had applications for RMA approvals declined by a panel
  - 17.1.3 12 are under active panel consideration
  - 17.1.4 2 panel decisions are under appeal
  - 17.1.5 13 have yet to lodge RMA applications
  - 17.1.6 3 have subsequently decided not to seek RMA approvals through the panel process.
- 17.2 5 projects have been accepted for referral and are awaiting Orders in Council. This includes the project that are the subject of this paper
- 17.3 19 referral applications are being processed and are yet to receive referral decisions
- 17.4 24 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 14 referral applications have been withdrawn by the applicants.
- 18 I am not required to make referral decisions on projects listed in Schedule 2 of the FTCA. Authorised persons or entities for these projects may lodge their applications for RMA approvals with the EPA at any time while the relevant FTCA provisions are in force. An update on the listed projects is in Appendix two.

#### **Project for referral: BRL and NSHL's East Coast Heights—Silverdale Project**

- 19 BRL and NSHL applied to use the fast-track consenting process for the East Coast Heights—Silverdale Project. The project is to subdivide a 10.6-hectare site at 1 Silverwater Drive and 2150 East Coast Road, Silverdale, Auckland and construct approximately 303 residential units and supporting infrastructure including roads, vehicle accessways and three-waters services. The project includes the restoration and planting of a natural wetland on the site, and will involve earthworks extending onto neighbouring properties at 17, 39 and 53 Small Road, Silverdale.
- 20 The project will require subdivision and land use consents, and water and discharge permits under the AUP, and resource consents under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F).
- 21 I sought written comments on the referral application from the relevant local authority (Auckland Council), from relevant Ministers as determined by section 21(6) of the FTCA including the s 9(2)(f)(ii), s 9(2)(g)(i) and from Auckland Transport, Waka Kotahi and Watercare.
- 22 I sought further information from the applicant under section 22 of the FTCA to better understand the project scope and whether any additional approvals were required.

#### *Overview of comments*

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

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

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

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

27 Auckland Council opposed project referral due to concerns about the availability of wastewater infrastructure and the potential for a prohibited activity under the NES-F. However, Auckland Council subsequently agreed with the applicant that the project would not involve any prohibited activities under the NES-F.

28 Auckland Council also raised concerns regarding the topography of the land and required earthworks, road layout, water and wastewater infrastructure design, and building intensity. Auckland Council also identified a number of reports and assessments which would normally be required for a project of this type.

29 Auckland Transport did not oppose project referral and noted the project site's zoning under the AUP anticipates the proposed form of development on the project site. Auckland Transport requested that if the project is referred, I require the applicants to provide an integrated transport assessment with their resource consent applications and require a panel to invite comments from Auckland Transport.

30 The Minister for Arts, Culture and Heritage, Auckland Council and Auckland Transport made requests for directions to the applicants and the panel that I have considered.

#### *Decision*

31 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments and requests for directions to the applicants and a panel provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.

- 32 I am satisfied the project does not include any prohibited activity based on further information provided by the applicants relating to the location of the works relevant to natural wetlands.
- 33 I have decided to accept BRL and NSHL's application for referral of the East Coast Heights—Silverdale Project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose by:
- 33.1 generating employment by providing approximately 740 direct full time equivalent (FTE) jobs over a 5-year design and construction period
  - 33.2 increasing housing supply through the construction of approximately 303 residential units
  - 33.3 having positive effects on social well-being by generating employment and providing additional housing in a range of typologies
  - 33.4 progressing faster than would otherwise be the case under standard RMA processes, provided that the applicants lodge their resource consent applications with the EPA in a timely manner following project referral.
- 34 To address matters raised by Auckland Council and Auckland Transport, I have decided to specify the applicants must provide a three-waters infrastructure assessment, a transport infrastructure assessment, an integrated transport assessment, a landscape and urban design assessment, a draft construction management plan and an ecological assessment with their resource consent applications to a panel. The full details of this information requirement are in Appendix three.
- 35 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, specific non-governmental organisations and other groups listed in the FTCA<sup>1</sup>. In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on BRL and NSHL's resource consent application from Waka Kotahi, Auckland Transport, Watercare, Te Patukirikiri Iwi Trust, Ngā Maunga Whakahii o Kaipara Development Trust, Ngāti Tamaoho Trust, Ngātiwai Trust, Ngāti Whātua Ōrākei Trust Board, Te Kupenga o Ngāti Hako and Hauraki Māori Trust Board as listed in Appendix three.
- 36 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. The additional material listed in Appendix three that must be submitted to a panel will assist with this.
- 37 I have not decided under section 24(2) of the FTCA to:
- 37.1 limit the scope of the project by referring it only in part
  - 37.2 refer the project in stages
  - 37.3 place any restrictions on the project

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<sup>1</sup> Clause 17(6) of Schedule 6, FTCA.

37.4 impose specific timeframes for panel consideration.

#### **Project for referral: BRL's East Coast Heights Stage 5—Silverdale Project**

- 38 BRL applied to use the fast-track consenting process for the East Coast Heights Stage 5—Silverdale Project. The project is to subdivide a 1.55-hectare site and construct approximately 62 residential units and supporting infrastructure including a road, vehicle accessways and three-waters services. The project site is contained within Lot 2 of an approved subdivision consent at 2 Goldwater Drive, Silverdale, Auckland.
- 39 The project will require subdivision and land use consents under the AUP. The project site is in the Business – General Business Zone and in Sub-precincts A and C of the Silverdale 3 Precinct, under the AUP. The purpose of Sub-precinct A is to enable a range of business activities and the purpose of Sub-precinct C is to enable residential opportunities within the business area that are secondary to business activity.
- 40 I sought written comments on the referral application from the relevant local authority (Auckland Council), from relevant Ministers as determined by section 21(6) of the FTCA including the s 9(2)(f)(ii), s 9(2)(g)(i) and from Auckland Transport, Waka Kotahi and Watercare.
- 41 I sought further information from the applicant under section 22 of the FTCA to understand the implications of existing resource consents applying to the site, record of title interests, project delivery timing and whether any Overseas Investment Office approvals were required.

#### *Overview of comments*

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

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

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

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

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

47 Auckland Council opposed project referral due to concerns about wastewater infrastructure constraints and residential development on land zoned for business use. Auckland Council also identified a number of reports and assessments which would normally be required for a project of this type.

48 Auckland Transport opposed project referral and considered the project should proceed through standard RMA consenting processes or be preceded by a plan change. Auckland Transport also raised concern the project may not be able to meet the section 104D gateway tests under the RMA. Auckland Transport requested that if the project is referred to a panel, I require the applicant to provide an integrated transport assessment with their resource consent applications to a panel and require a panel to invite comments from Auckland Transport.

49 Watercare neither supported nor opposed project referral and noted there is sufficient capacity in the water supply network, but there are potential capacity constraints in the wastewater network.

50 The Minister of Climate Change, Associate Minister for Arts, Culture and Heritage, Auckland Council and Auckland Transport made requests for directions to the applicants and the panel that I have considered.

#### *Decision*

51 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments and requests for directions to the applicant and a panel provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.

52 I have decided to accept BRL's application for referral of the East Coast Heights Stage 5—Silverdale Project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose by:

52.1 generating employment by providing approximately 125 direct FTE jobs over a 5-year construction period

52.2 increasing housing supply through the construction of approximately 62 residential units

- 52.3 having positive effects on social well-being by generating employment and providing additional housing in a range of typologies
- 52.4 progressing faster than would otherwise be the case under standard RMA processes, provided that the applicant lodges their resource consent applications with the EPA in a timely manner following project referral.
- 53 To address matters raised by the s 9(2)(f)(ii), s 9(2)(g)(i), Auckland Council and Auckland Transport, I have decided to specify the applicant must provide a three-waters infrastructure assessment, a transport infrastructure assessment, an integrated transport assessment, a landscape and urban design assessment, a draft construction management plan, a greenhouse gas emissions assessment and information on the supply and demand for business land within the Hibiscus and Bays Local Board area with their resource consent applications to a panel. The full details of this information requirement are in Appendix four.
- 54 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, specific non-governmental organisations and other groups listed in the FTCA<sup>2</sup>. In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on BRL's resource consent application from the s 9(2)(f)(ii), s 9(2)(g)(i) Waka Kotahi, Auckland Transport, Watercare, Te Patukirikiri Iwi Trust, Ngā Maunga Whakahii o Kaipara Development Trust, Ngāti Tamaoho Trust, Ngātiwai Trust, Ngāti Whātua Ōrākei Trust Board, Te Kupenga o Ngāti Hako and Hauraki Māori Trust Board as listed in Appendix four.
- 55 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. The additional material listed in Appendix four that must be submitted to a panel will assist with this.
- 56 I have not decided under section 24(2) of the FTCA to:
- 56.1 limit the scope of the project by referring it only in part
  - 56.2 refer the project in stages
  - 56.3 place any restrictions on the project
  - 56.4 impose specific timeframes for panel consideration

### Timing and 28-day rule

- 57 Cabinet has agreed to waive the 28-day rule for Orders in Council relating to projects to be referred to a panel<sup>3</sup>. Therefore, the Amendment Order will come into force the day after publication in the New Zealand Gazette. BRL and NSHL may then lodge resource consent applications for their respective projects with the EPA, for consideration by a panel.

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<sup>2</sup> Clause 17(6) of Schedule 6, FTCA.

<sup>3</sup> ENV-20-MIN-0033 and CAB-20-MIN-0353 refer



## **Compliance**

58 The Amendment Order complies with:

- 58.1 the principles of the Treaty of Waitangi
- 58.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993
- 58.3 the principles and guidelines set out in the Privacy Act 2020
- 58.4 relevant international standards and obligations
- 58.5 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

## **Regulations Review Committee**

59 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**

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

## **Impact Analysis**

### *Regulatory Impact Assessment*

61 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 panel<sup>4</sup>.

### *Climate Implications of Policy Assessment*

62 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms that the CIPA requirements<sup>5</sup> do not apply to the projects.

## **Publicity**

63 The Amendment Order will be available on the New Zealand Legislation website following its notification in the New Zealand Gazette.

64 To meet my obligations under section 25 of the FTCA, I have directed the Ministry for the Environment to make my decisions to refer the projects to a panel for consideration, the reasons for these decisions, and the reports obtained under section 17 of the FTCA available to the public on the Ministry for the Environment's website.

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<sup>4</sup> ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

<sup>5</sup> CO (20) 3 refers

### **Proactive release**

- 65 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**

- 66 s 9(2)(f)(ii), s 9(2)(g)(i)
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## 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 Build Rich Limited and Nation Shine Holdings Limited's East Coast Heights—Silverdale Project
  - 1.2 Build Rich Limited's East Coast Heights Stage 5—Silverdale Project
- 2 **note** that the East Coast Heights—Silverdale Project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, by:
  - 2.1 generating employment by providing approximately 740 direct full time equivalent jobs over a 5-year design and construction period
  - 2.2 increasing housing supply through the provision of approximately 303 residential units
  - 2.3 having positive effects on social well-being by generating employment and providing additional housing in a range of typologies
  - 2.4 progressing faster than would otherwise be the case under standard Resource Management Act 1991 processes, provided that the applicants lodge their resource consent applications 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) 2022 requires Build Rich Limited and Nation Shine Holdings Limited to provide to an expert consenting panel a three-waters infrastructure assessment, a transport infrastructure assessment, an integrated transport assessment, a landscape and urban design assessment, a draft construction management plan and an ecological assessment, which I specified under section 24(2) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 and outlined in my notice of decision on the referral application for the project (see Appendix three)
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2022 requires an expert consenting panel appointed to consider Build Rich Limited and Nation Shine Holdings Limited's East Coast Heights—Silverdale Project to seek comments from Waka Kotahi New Zealand Transport Agency, Auckland Transport, Watercare Services Limited, Te Patukirikiri Iwi Trust, Ngā Maunga Whakahii o Kaipara Development Trust, Ngāti Tamaoho Trust, Ngātiwai Trust, Ngāti Whātua Ōrākei Trust Board, Te Kupenga o Ngāti Hako and Hauraki Māori Trust Board, as listed in Appendix three
- 5 **note** that the East Coast Heights Stage 5—Silverdale Project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, by:
  - 5.1 generating employment by providing approximately 125 direct full-time equivalent jobs over a 5-year construction period

- 5.2 increasing housing supply through the construction of approximately 62 residential units
  - 5.3 having positive effects on social well-being by generating employment and providing additional housing in a range of typologies
  - 5.4 progressing faster than would otherwise be the case under standard Resource Management Act 1991 processes, provided that the applicant lodges their resource consent applications with the Environmental Protection Agency in a timely manner following project referral.
- 6 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2022 requires Build Rich Limited to provide to an expert consenting panel a three-waters infrastructure assessment, a transport infrastructure assessment, an integrated transport assessment, a landscape and urban design assessment, a draft construction management plan, a greenhouse gas emissions assessment and information on the supply and demand for business land within the Hibiscus and Bays Local Board area, which I specified under section 24(2) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 and outlined in my notice of decision on the referral application for the project (see Appendix four)
- 7 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2022 requires an expert consenting panel appointed to consider Build Rich Limited's East Coast Heights Stage 5—Silverdale Project to seek comments from the s 9(2)(f)(ii), s 9(2)(g)(i) Waka Kotahi New Zealand Transport Agency, Auckland Transport, Watercare Services Limited, Te Patukirikiri Iwi Trust, Ngā Maunga Whakahii o Kaipara Development Trust, Ngāti Tamaoho Trust, Ngātiwai Trust, Ngāti Whātua Ōrākei Trust Board, Te Kupenga o Ngāti Hako and Hauraki Māori Trust Board, as listed in Appendix four
- 8 **authorise** submission of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 16) 2022 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) 2022 will come into force the day after publication in the New Zealand Gazette.

Authorised for lodgement

Hon David Parker  
**Minister for the Environment**

**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                                                    | Consented by Panel (9 September 2022)  |
| Silverlight Studios - Wanaka                                                           | Silverlight Studios Limited                                                                                   | Consented by Panel (8 December 2021)   |
| 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                                                  | Consented by Panel (1 December 2021)   |
| New Dunedin Hospital – Whakatuputupu – Dunedin Package 1 – enabling works              | The Minister of Health's and the Ministry of Health                                                           | Consented by Panel (23 December 2021)  |
| New Dunedin Hospital – Whakatuputupu – Dunedin Package 2 - buildings                   | The Minister of Health's and the Ministry of Health                                                           | Consented by Panel (17 August 2022)    |
| 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                                                                                                                                                                      | Consented by Panel (23 May 2022)       |
| Kōpū Marine Precinct - Kōpū, Thames                         | Thames-Coromandel District Council                                                                                                                                                                                              | Consented by Panel (9 March 2022)      |
| 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 | Consented by Panel (22 June 2022)      |
| Karaka North Village - Karaka, Auckland                     | Capella Group Limited and Karaka North Village Limited                                                                                                                                                                          | Application Withdrawn (19 August 2022) |
| Ōmāhu Residential Development - Remuera, Auckland           | Urban Resort Limited and Icon Co Pty (NZ) Limited                                                                                                                                                                               | Consented by Panel (14 February 2022)  |
| George St Mixed Use Development - Newmarket, Auckland       | Newmarket Holdings Development Limited Partnership                                                                                                                                                                              | Lodgement expected 2023                |
| Otawere Water Storage Reservoir - Northland                 | Te Tai Tokerau Water Trust                                                                                                                                                                                                      | Consented by Panel (18 July 2022)      |
| Drury Central & Paerata Stations - Auckland                 | KiwiRail Holdings Limited                                                                                                                                                                                                       | Consented by Panel (3 February 2022)   |
| Rangitane Maritime Development - Kerikeri                   | Far North District Council & Far North Holdings Limited                                                                                                                                                                         | Not progressing through FTC            |
| Brickfields, Scott Road Development - Hobsonville, Auckland | Aedifice Development Limited                                                                                                                                                                                                    | Consented by Panel (24 March 2022)     |
| Melia Place - Whangaparāoa, Auckland                        | Melia Development Limited                                                                                                                                                                                                       | Consented by Panel (14 June 2022)      |
| Tauranga Innovative Courthouse - Tauranga                   | The Minister of Justice and the Ministry of Justice                                                                                                                                                                             | Under consideration by Panel           |
| Oruku Landing - Whangārei, Northland                        | Northland Development Corporation Limited                                                                                                                                                                                       | Lodgement expected early 2023          |
| Riverbend Residential Development - Napier                  | Tawanui Developments Limited, K3 Properties Limited & Mana Ahuriri Holdings Limited                                                                                                                                             | Lodgement expected late 2023           |
| Silverlight Studios Accommodation - Wanaka, Otago           | Silverlight Studios Limited                                                                                                                                                                                                     | Consented by Panel (18 February 2022)  |
| Drury Centre Precinct - Auckland                            | Kiwi Property Holdings No 2                                                                                                                                                                                                     | Under consideration by Panel           |
| Waihoehoe Precinct - Auckland                               | Oyster Capital Limited                                                                                                                                                                                                          | Application Withdrawn (18 July 2022)   |
| Drury East Stage 1 Precinct – Auckland                      | Fulton Hogan Land Development                                                                                                                                                                                                   | Under consideration by Panel           |

|                                                       |                                                                          |                                                |
|-------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------|
| Flints Park, Ladies Mile – Te Pūtahi, Queenstown      | Glenpanel Development Limited                                            | Declined by Panel (30 November) under appeal   |
| Federal Street Residences, Auckland                   | P0012 Auckland NZ Pty Limited                                            | Consented by Panel (28 July 2022)              |
| Bellgrove Development, Rangiora                       | Bellgrove Rangiora Limited                                               | Consented by Panel (29 June 2022)              |
| Lakeview-Taumata                                      | QT Lakeview Developments Limited                                         | Under consideration by Panel                   |
| Summerset Retirement Village, Half Moon Bay, Auckland | Summerset Villages (Halfmoon Bay) Limited                                | Under consideration by Panel                   |
| Browns Bay Road Apartments, Auckland                  | Matvin Group Limited                                                     | Under consideration by Panel                   |
| Te Tauoma Stage 1B, St Johns, Auckland                | Shundi Tamaki Village Limited                                            | Under consideration by Panel                   |
| Kaiwharawhara Wellington Ferry Terminal Redevelopment | KiwiRail Holdings Limited                                                | Under consideration by Panel                   |
| The Rotokauri North project, Hamilton                 | Rotokauri North Holdings Limited                                         | Consented by Panel (27 July 2022)              |
| Tauhei Farm Solar Project, Te Aroha                   | Harmony Energy New Zealand Limited                                       | Consented by Panel (20 September 2022)         |
| The Hill, Ellerslie, Auckland                         | Auckland Thoroughbred Racing Incorporated & Fletcher Residential Limited | Under consideration by Panel                   |
| Ariki Tahi Sugarloaf Wharf Upgrade, Waikato           | Ariki Tahi Sugarloaf Wharf Limited                                       | Consented by Panel (20 September) Under appeal |
| Hananui Aquaculture Project, Foveaux Strait           | Ngāi Tahu Seafood Resources Limited                                      | Under consideration by Panel                   |
| Flints Park West, Ladies Mile – Te Pūtahi, Queenstown | Glenpanel Development Limited                                            | Lodgement expected late 2022                   |
| Waimarie Street, St Heliers, Auckland                 | Sanctum Projects Limited                                                 | Under consideration by Panel                   |
| Te Rere Hau Wind Farm Repowering, Manawatu            | NZ Windfarms Limited                                                     | Under consideration by Panel                   |
| Bontanic Riverhead, Auckland                          | Matvin Group Limited                                                     | Under consideration by Panel                   |
| Whenuapai Business Park, Auckland                     | Neil Construction Limited                                                | Under consideration by Panel                   |
| Whenuapai Green, Auckland                             | Neil Construction Limited & Maraetai Land Development Limited            | Lodgement expected late 2022                   |
| Faringdon Oval, Rolleston, Christchurch               | Hughes Development Limited                                               | Lodgement expected late 2022                   |
| Glenpanel Ladies Mile, Te Pūtahi                      | Maryhill Limited                                                         | Lodgement expected 2023                        |

|                                                    |                                                    |                         |
|----------------------------------------------------|----------------------------------------------------|-------------------------|
| Kepa Road Apartments, Auckland                     | Sanctum Projects Ltd                               | Lodgement expected 2023 |
| Wellsford North, Auckland                          | Wellsford Welding Club Limited                     | Lodgement expected 2023 |
| Johnsonville Town Centre Redevelopment, Wellington | Stride Property Limited                            | Lodgement expected 2023 |
| Waiterimu Solar Farm, Waikato                      | Waikato Solar Farms Limited/ Transpower NZ Limited | Lodgement expected 2023 |



**Appendix two – Status of projects listed in Schedule 2 of 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 - Kaitia                      | Consents have been approved.                                                                                                                                                          |
| Papakura to Pukekōhe rail electrification            | Package 1 - consents have been approved.<br><br>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.<br><br>Package 2 – application lodged October in progress.                                                                                   |
| Unitec Residential Development                       | Application 1 - application lodged October in progress.<br><br>Application 2 - application lodged October in progress.<br><br>Application 3 – application lodged November in progress |
| Papakāinga Development – Waitara, Taranaki           | Expecting lodgement 2022                                                                                                                                                              |
| 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.                                                                                                                                   |
| 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 specified by the Minister for the Environment under section 24(2) of the FTCA for Shildon Limited's Strathmill Project**

Shildon Limited are required to provide with their resource consent applications to an expert consenting panel:

1. an integrated transport assessment, including:
  - a. an assessment of the effects of the project on the local road network, including key intersections such as the intersection of Flavell Drive and Grand Drive
  - b. an assessment of how the project will support people to use public transport and active modes of transport (such as walking and cycling)
  - c. information on discussions held, and agreements made, between the applicant and Auckland Transport
2. a transport infrastructure assessment, that:
  - a. identifies the existing capacity of the local road network to service traffic associated with both the project while it is carried out and the resulting development
  - b. identifies any upgrades to the local road network that are required to service that traffic
  - c. identifies any funding required to carry out those upgrades (including who will provide that funding)
  - d. contains information on discussions held, and agreements made, between the applicant and Auckland Transport
3. an assessment of the relevant infrastructure for three waters services that:
  - a. identifies the existing condition and capacity of that infrastructure; and
  - b. identifies any upgrades to that infrastructure that are required in connection with the project; and
  - c. identifies any funding required to carry out those upgrades (including who will provide that funding)
  - d. contains information on discussions held, and agreements made, between the applicant and Auckland Council or Watercare Services Limited (or both)
4. a landscape and urban design assessment that includes an assessment of how the project aligns with the Auckland Council Open Space Provision Policy (2016)
5. a draft construction management plan, including details of proposed measures to control dust, erosion, and sedimentation at the project site
6. an ecological assessment that includes an assessment of the effects of the project on freshwater

An expert consenting panel appointed to consider Shildon Limited's resource consent applications for the Strathmill Project must seek comments from the following additional persons/organisations:

1. Associate Minister for the Environment (urban policy)
2. Auckland Transport
3. Waka Kotahi NZ Transport Agency
4. Watercare Services Limited
5. Ngātiwai Trust
6. Ngāti Whātua Ōrākei Trust Board
7. Te Kupenga o Ngāti Hako
8. Hauraki Māori Trust Board

### **Appendix three – Additional requirements specified by the Minister for the Environment under section 24(2) of the FTCA for Build Rich Limited and Nation Shine Holding Limited’s East Coast Heights—Silverdale Project**

Build Rich Limited and Nation Shine Holdings Limited are required to provide with their resource consent applications to an expert consenting panel:

1. an assessment of the relevant infrastructure for three waters services that
  - a. identifies the existing condition and capacity of that infrastructure
  - b. identifies any upgrades to that infrastructure that are required in connection with the project
  - c. identifies any funding required to carry out those upgrades (including who will provide that funding)
  - d. contains information on discussions held, and agreements made, between the applicant and Auckland Council or Watercare Services Limited (or both)
2. a transport infrastructure assessment, that:
  - a. identifies the existing capacity of the local road network to service traffic associate with both the project while it is carried out and the resulting development
  - b. identifies any upgrades to the local road network that are required to service that traffic
  - c. identifies any funding required to carry out those upgrades (including who will provide that funding)
  - d. contains information on discussions held, and agreements made, between the application and Auckland Transport
3. an integrated transport assessment including:
  - a. an assessment of the effects of the project on the surrounding transport network
  - b. an assessment of how the project will support people to use public transport and active modes of transport (such as cycling and walking)
  - c. information on discussions held, and agreements made, between the applicant and Auckland Transport
4. a landscape and urban design assessment of the effects of the project including an assessment of how the project aligns with the Auckland Council Open Space Provision Policy (2016)
5. a draft construction management plan including details of proposed measures to control dust, erosion, and sedimentation
6. an ecological assessment of the effects of the project on freshwater and natural wetlands

An expert consenting panel appointed to consider Build Rich Limited and Nation Shine Holdings Limited’s resource consent applications for the East Coast Heights – Silverdale Project must seek comments from the following additional persons/organisations:

1. Waka Kotahi NZ Transport Agency
2. Auckland Transport
3. Watercare Services Limited
4. Te Patukirikiri Iwi Trust
5. Ngā Maunga Whakahii o Kaipara Development Trust
6. Ngāti Tamaoho Trust
7. Ngātiwai Trust
8. Ngāti Whātua Ōrākei Trust Board

9. Te Kupenga o Ngāti Hako
10. Hauraki Māori Trust Board.

#### **Appendix four – Additional requirements specified by the Minister for the Environment under section 24(2) of the FTCA for Build Rich Limited's East Coast Heights Stage 5—Silverdale Project**

Build Rich Limited is required to provide with their resource consent applications to an expert consenting panel:

1. an assessment of the relevant infrastructure for three waters services that
  - a. identifies the existing condition and capacity of that infrastructure
  - b. identifies any upgrades to that infrastructure that are required in connection with the project
  - c. identifies any funding required to carry out those upgrades (including who will provide that funding)
  - d. contains information on discussions held, and agreements made, between the applicant and Auckland Council or Watercare Services Limited (or both)
2. a transport infrastructure assessment, that:
  - a. identifies the existing capacity of the local road network to service traffic associate with both the project while it is carried out and the resulting development
  - b. identifies any upgrades to the local road network that are required to service that traffic
  - c. identifies any funding required to carry out those upgrades (including who will provide that funding)
  - d. contains information on discussions held, and agreements made, between the application and Auckland Transport
3. an integrated transport assessment including:
  - a. an assessment of the effects of the project on the surrounding transport network
  - b. an assessment of how the project will support people to use public transport and active modes of transport (such as cycling and walking)
  - c. information on discussions held, and agreements made, between the applicant and Auckland Transport
4. a landscape and urban design assessment of the effects of the project
5. a draft construction management plan including details of proposed measures to control dust, erosion, and sedimentation
6. an assessment of the potential greenhouse gas emissions including transport-related emissions, arising from the project, including a comparison with the greenhouse gas emissions that would likely result if the project site was developed for business use
7. information on the supply and demand for business land within the Hibiscus and Bays Local Board area, including an assessment of the effects of the project on that supply.

An expert consenting panel appointed to consider Build Rich Limited's resource consent applications for the East Coast Heights Stage 5—Silverdale Project must seek comments from the following additional persons/organisations:

1. Associate Minister for the Environment (urban policy)
2. Waka Kotahi NZ Transport Agency
3. Auckland Transport
4. Watercare Services Limited
5. Te Patukirikiri Iwi Trust
6. Ngā Maunga Whakahii o Kaipara Development Trust
7. Ngāti Tamaoho Trust

8. Ngātiwai Trust
9. Ngāti Whātua Ōrākei Trust Board
10. Te Kupenga o Ngāti Hako
11. Hauraki Māori Trust Board.