



BRF- 2085

28 September 2022

Build Rich Limited  
c/- Kay Panther Knight  
Director  
Forme Planning  
Email: s 9(2)(a)

Dear Kay Panther Knight

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – East Coast Heights Stage 5–Silverdale Project**

Thank you for Build Rich Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the East Coast Heights Stage 5–Silverdale Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project location is 2 Goldwater Drive, Silverdale, Auckland (Lot 2 on LT553223).

The project is to subdivide a 1.55-hectare site located in Silverdale, Auckland and construct approximately 62 residential units and supporting infrastructure including a road, vehicle accessways and three-waters services at 2 Goldwater Drive, Silverdale.

The purpose of the FTCA is to promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by providing approximately 125 direct full-time equivalent (FTE) jobs over a 5-year construction period.
2. increase housing supply by constructing approximately 62 residential units.

3. have positive effects on social well-being by generating employment and providing additional housing in a range of typologies.
4. progress faster than would otherwise be the case under standard RMA process, provided that the applicant lodges their applications for resource consent in a timely manner following project referral.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

*Information required to be submitted with your resource consent applications*

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the information listed in Appendix A of this letter with any resource consent application for the project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6.

I draw your attention to clause 14 Schedule 6 of the FTCA that details that the above information must be provided in sufficient detail to correspond to the scale and significance of effects. You should therefore provide what you believe is a reasonable level of information, and if a panel requires further information, they can seek it from you under clause 25 Schedule 6 of the FTCA.

This information will inform a panel's assessment of the proposal's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude a panel from requiring you to provide any additional information on any application lodged with the EPA under the FTCA.

*Persons or groups a panel must invite comments from*

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the persons and groups, additional to those specified in clause 17 Schedule 6 of the FTCA, who are listed in Appendix A of this letter.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of

those approvals will be successful. Additionally, my decision does not in any way endorse any related or concurrent planning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Te Patukirikiri Iwi Trust
2. Ngā Maunga Whakahii o Kaipara Development Trust
3. Ngāti Tamaoho Trust
4. Ngātiwai Trust
5. Ngāti Whātua Ōrākei Trust Board
6. Te Kupenga o Ngāti Hako
7. Hauraki Māori Trust Board
8. The groups seeking customary marine title or protected customary rights under the Marine and Coastal Area (Takutai Moana) Act 2011, listed in Attachment 7 of the Section 17 Report.

Please contact the Fast-track Consenting Team at the Ministry for the Environment ([fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker  
**Minister for the Environment**

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Infrastructure; Māori Crown Relations: Te Arawhiti; Housing; Education;  
Arts, Culture, and Heritage; Treaty of Waitangi Negotiations; Local Government;  
Conservation; Land Information; Defence; Transport; and Climate Change

Additional relevant Minister/s:

Associate Minister for the Environment (urban policy)

Local authority:

Auckland Council

Relevant iwi authorities:

Ngaati Whanaunga Incorporated Society  
Ngāi Tai ki Tāmaki Trust  
Ngāti Manuhiri Settlement Trust  
Ngāti Maru Rūnanga Trust  
Ngāti Paoa Iwi Trust  
Ngāti Paoa Trust Board  
Ngāti Tamaterā Treaty Settlement Trust  
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua  
Te Rūnanga o Ngāti Whātua  
Te Ākitai Waiohua Iwi Authority  
Te Kawerau Iwi Settlement Trust

Relevant Treaty settlement entities:

Ngāti Manuhiri Settlement Trust  
Te Kawerau Iwi Settlement Trust  
Ngāi Tai ki Tāmaki Trust  
Ngāti Paoa Iwi Trust  
Te Ākitai Waiohua Settlement Trust  
Ngāti Maru Rūnanga Trust  
Ngāti Tamaterā Treaty Settlement Trust  
Ngaati Whanaunga Ruunanga Trust

Other parties:

Waka Kotahi NZ 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  
Hauraki Māori Trust Board  
The groups seeking customary marine title or protected customary rights under the Marine and Coastal Area (Takutai Moana) Act 2011, listed in Attachment 7 of the

Section 17 Report.

Environmental Protection Authority

The Panel Convener

## **Appendix A – Requirements specific to referral of the East Coast Heights Stage 5-Silverdale Project**

### ***Information required to be submitted with resource consent applications to a panel***

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the following information with any application:

- an assessment of the relevant infrastructure for three waters services that –
  - identifies the existing condition and capacity of that infrastructure; and
  - identifies any upgrades to that infrastructure that are required in connection with the project; and
  - identifies any funding required to carry out those upgrades (including who will provide that funding)
  - contains information on discussions held, and agreements made, between the applicant and Auckland Council or Watercare Services Limited (or both)
- a transport infrastructure assessment, that –
  - 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
  - identifies any upgrades to the local road network that are required to service that traffic
  - identifies any funding required to carry out those upgrades (including who will provide that funding)
  - contains information on discussions held, and agreements made, between the applicant and Auckland Transport
- an integrated transport assessment including –
  - an assessment of the effects of the project on the surrounding transport network
  - an assessment of how the project will support people to use public transport and active modes of transport (such as walking and cycling)
  - information on discussions held, and agreements made, between the applicant and Auckland Transport
- a landscape and urban design assessment of the effects of the project
- a draft construction management plan including details of proposed measures to control dust, erosion, and sedimentation
- 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
- 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.

***Persons or groups a panel must invite comments from***

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any consent application for the project from the following additional persons or groups:

- Associate Minister for the Environment (urban policy)
- Waka Kotahi NZ 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
- Hauraki Māori Trust Board.