



BRF-771

18 October 2021

Simone Gervasi
c/- Ross Cooper
Senior Planner
Tattico Limited

s 9(2)(a)

Dear Ross Cooper

COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Notice of Decisions (Section 25) – Federal Street Residences

Thank you for P0012 Auckland NZ Pty Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Federal Street Residences project to an expert consenting panel (a panel) for consideration under the FTCA.

The project is to demolish an existing 7-storey carpark and develop a 55-level building approximately 183 metres high that includes approximately 357 residential units, retail and commercial tenancy space, public and private communal open space, and car and bicycle parking.

The project will involve activities such as demolition of an existing building and infrastructure, earthworks (including disturbance of contaminated land), groundwater takes, diversions and discharges to land, diversions and discharges of stormwater and contaminants to the stormwater networks, construction of three waters services, construction of a multi-level mixed-use building, construction of vehicle access, and loading and parking areas.

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. have positive effects on social wellbeing by:
 - a. providing additional housing in a location well-served by public transport
 - b. providing employment (including employment targeted to under-represented groups and the long-term unemployed)
 - c. reflecting the historical use and cultural significance of the site in the building design
2. generate employment by providing approximately 327 direct full-time equivalent (FTE) jobs per year over a four-year planning and construction period
3. increase housing supply through the provision of approximately 357 residential units for owner-occupier and rental uses
4. contribute to a well-functioning urban environment by providing:
 - a. a variety of housing sizes with on-site amenities and good accessibility to jobs and public transport
 - b. ground floor public realm space
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)
6. minimise waste by diverting 80% of construction waste away from landfill to be re-used for other purposes
7. 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 following persons or groups additional to those specified in clause 17 Schedule 6 of the FTCA:

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

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. Once this Order is made you will be able to lodge your applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related planning decisions that may affect the project.

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

The FTCA requires that:

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

In addition, I have also decided to provide a copy of this decision to Ngāti Koheriki Claims Committee.

Please contact the Fast-track Consenting Team at the Ministry for the Environment (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) FTCA:

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

Local authorities:

Auckland Council

Other parties:

Auckland Transport
Watercare Services Limited
Ngāti Koheriki Claims Committee

Relevant iwi authorities:

Makaurau Marae Māori Trust
Ngaati Whanaunga Incorporated Society
Ngāi Tai ki Tāmaki Tribal Trust
Ngāti Maru Rūnanga Trust
Ngāti Paoa Iwi Trust
Ngāti Paoa Trust Board
Ngati Tamaoho Trust
Ngati Tamaterā Treaty Settlement Trust
Ngati Whātua o Ōrākei Trust Board
Te Ākitai Waiohua Iwi Authority
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua
Te Kawerau Iwi Settlement Trust
Te Patukirikiri Iwi Trust
Te Rūnanga o Ngāti Whātua
Te Whakakitenga o Waikato Incorporated

Treaty settlement entities:

Hako Tūpuna Trust
Ngāi Tai ki Tāmaki Trust
Ngaati Whanaunga Ruunanga Trust
Ngāti Maru Rūnanga Trust
Ngāti Paoa Iwi Trust
Ngāti Tamaoho Settlement Trust
Ngāti Tamaterā Treaty Settlement Trust
Ngāti Whātua Ōrākei Trustee Limited
Te Ākitai Waiohua Settlement Trust
Te Kawerau Iwi Settlement Trust
Te Patukirikiri Iwi Trust
Tūpuna Taonga o Tāmaki Makaurau Trust
Tūpuna Maunga Authority

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to application lodged by P0012 Auckland NZ Pty Limited for Federal Street Residences project

Information required to be submitted with your application

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

- 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
- a wind tunnel assessment, prepared by a suitable qualified and experienced person
- details of the interim street design to be implemented prior to Auckland Council's scheduled upgrades to Federal Street and Kingston Street
- an integrated transport assessment, including modelling and analysis for the construction and operation phases of the Project, that covers:
 - vehicle access and manoeuvrability, including safe sight distances and other measures to provide pedestrian safety and priority
 - vehicle loading, including the operation of loading bays
 - 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
 - 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.