

18 May 2021

Jim Stabback
Chief Executive Officer
Auckland Council
Email: s 9(2)(a)

Dear Jim Stabback

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – George St Mixed Use Development – Comments sought

In the week commencing 5 April 2021, Newmarket Holdings Development Limited Partnership applied to the Minister for the Environment (the Minister) to refer the George St Mixed Use Development project (the Project) to an expert consenting panel (a panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The Project, located at 33-37 George Street, 13-15 Morgan Street, and 10 Clayton Street, Newmarket, Auckland, is described below. A copy of the application is attached.

The Project is to construct and use land for a 65 metre (maximum) mixed use development comprising four buildings, and associated subdivision, including:

- approximately 324 residential units
- a supermarket
- other retail and other commercial tenancy space
- a publicly accessible plaza and pedestrian access through the site.

The Project will involve activities such as:

- demolition of existing buildings and infrastructure
- earthworks (including bulk earthworks and on contaminated land)
- water takes and diversions
- discharge of groundwater, stormwater and contaminants
- construction of three waters services
- construction of buildings and underground carparking facilities
- construction of vehicle access and loading areas
- construction of a publicly accessible plaza and pedestrian access through the site
- landscaping including plantings
- signage
- subdivision

The applicant is seeking resource consents under the Auckland Unitary Plan and may require consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) to be determined for the Project through the fast-track process.

Under delegated authority from the Minister and pursuant to section 21(2) of the FTCA, I invite you to provide written comments on the referral application. A template is attached for this purpose. Comment is sought on the specific matters outlined in the table below and on any other matter you consider relevant to the Minister's decision on whether to refer the project to a panel.

If it is more efficient to discuss this application, please contact me or my team at fasttrackconsenting@mfe.govt.nz to arrange an appointment.

Specific questions on the application
<ol style="list-style-type: none">1. Are there any reasons that you consider it more appropriate for the Project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA? In particular, please provide comments on using the fast-track process given the: (a) status of Plan Change 44 to the Auckland Unitary Plan (b) proposed maximum height of the development is 65 metres compared to the permitted standard of 27 metres2. What is the likelihood that the Project, which appears to be for a restricted discretionary activity, would be notified under standard RMA processes?3. What technical reports and assessments would normally be required by Auckland Council for a Project of this nature in this area?4. Does Auckland Council have any comments about implementing the National Policy Statement on Urban Development 2020 as it relates to this site?5. Does the applicant, or a companies owned by the applicant, have any environmental regulatory compliance history in Auckland city.

If the Minister decides to refer the Project to a panel, Auckland Council will have the opportunity to nominate a local authority representative (who could be a councillor or independent hearings commissioner) to sit on the panel and determine the resource consent applications Project. The applicant/s will provide a detailed assessment of environmental effects at this stage and the Council will have the opportunity to provide further comments to the panel. The Ministry for the Environment has prepared guidance on local authority involvement with fast-track consenting projects which you can access on the Ministry for the Environment website.

Please provide your comments via return email within 10 working days to ensure that the Minister will take your comments into consideration when deciding on the referral application. Please note that the Minister is not required to consider comments provided after this time, although he can still choose to do so.

Yours sincerely



Rebecca Perrett
Acting Manager, Fast-Track Consenting Team

Enclosures:

- A. Application to refer the George St Mixed Use Development project to an expert consenting panel, including supporting information
 - B. Response template for written comments
- cc: Ian Smallburn, General Manager Resource Consents
Auckland Council, s 9(2)(a)