



2021-B-143

28 June 2021

Newmarket Holdings Development Limited Partnership

c/- Evita Key

Senior Associate

Barker and Associates

s 9(2)(a)

Dear Evita Key

COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Notice of Decisions (Section 25) – George Street Mixed Use Development

Thank you for Newmarket Holdings Development Limited Partnership's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the George Street Mixed Use Development project to an expert consenting panel (a panel) for consideration under the FTCA.

The project is to construct, and use land for, a 65 metre (maximum) mixed use development comprising four buildings set around the publicly accessible plaza, and associated subdivision at 33-37 George Street, 13-15 Morgan Street, and 10 Clayton Street, Newmarket, Auckland.

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 well-being by providing additional housing in the Auckland region; and
2. generate employment by providing-
 - a. up to 250 direct full-time equivalent (FTE) jobs per annum during a four-year planning and construction period; and

- b. up to 135 direct FTE permanent jobs once the supermarket, retail and commercial tenancies are operational; and
3. increase housing supply by up to 324 residential units
4. have positive effects on the local economy from an estimated 1000 new residents
5. progress faster by using the processes provided by the FTCA than would otherwise be the case.

Any actual and potential adverse 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.

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.

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 for instance on built form, stormwater and cultural effects.

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 such as zoning 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 the Ngāti Koheriki Claims Committee and Watercare.

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 Ministers of/for:

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 authority: Auckland Council

Watercare

Relevant iwi authorities:

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

Relevant Treaty settlement entities:

Ngāti Whātua Ōrākei Trustee Ltd
Te Kawerau Iwi Settlement Trust
Ngāi Tai ki Tāmaki Trust
Ngāti Tamaoho Settlement Trust
Te Patukirikiri Iwi Trust
Ngāti Paoa Iwi Trust
Ngāti Whātua Rōpū Limited Partnership
Waiohua-Tāmaki Rōpū Limited Partnership
Marutūāhu Rōpū Limited Partnership
Tūpuna Taonga o Tāmaki Makaurau Trust
Tūpuna Maunga o Tāmaki Makaurau Authority
Hako Tūpuna Trust
Ngāti Maru Rūnanga Trust
Ngāti Tamaterā Treaty Settlement Trust
Te Ākitai Waiohua Settlement Trust

56 submitters to Plan Change 44 Auckland Unitary Plan

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to application/s lodged by Newmarket Holdings Development Limited Partnership for George Street Mixed Use Development

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:

- a. plans and details which clearly show any exceedances of each tower with height and height in relation to boundary standards and the outlook space standards of the Auckland Unitary Plan
- b. an urban design assessment which includes Crime Prevention Through Environmental Design, environmentally sustainable design and other design features for climate change resilience
- c. a wind tunnel assessment prepared by a suitably qualified and experienced person which assesses effects on streets, the plaza, and public open spaces including Auckland Domain
- d. a shadowing analysis for each tower which assesses the shadowing effects on adjoining properties, public open space including the plaza, Auckland Domain, and adjacent heritage places in comparison to shading effects of permitted height standards
- e. an integrated transport assessment, including modelling and analysis over the construction and operation phases of the Project that includes -
 - i. vehicle generation and the effects of vehicles, including heavy vehicles, on traffic operation and safety on the local road network
 - ii. vehicle access and manoeuvrability including safe sight distances; inter-visibility with pedestrians; design, widths and locations to ensure pedestrian safety and priority
 - iii. off and on street vehicle parking and any changes to existing on street parking layout
 - iv. any end of trip parking, change and storage facilities for cycles and scooters
 - v. the effects of the Project on the surrounding road network and intersections
 - vi. vehicle loading including operation of loading bays and set down areas
 - vii. the effects of any pedestrian access through the site including universal access and CPTED principles
 - viii. upgrades proposed to the surrounding road, pedestrian or cycle network including crossings
 - ix. the ability of the existing public transport system to service additional demand
 - x. transport related greenhouse gas emissions generated by the Project
- f. a stormwater management plan
- g. information assessing the effects of the Project on the role in the Newmarket, Business - Metropolitan Centre in the Auckland Unitary Plan hierarchy of centres.

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:

- Ngāti Koheriki Claims Committee
- Watercare

- 56 submitters to Plan Change 44 Auckland Unitary Plan

Released under the provision of
the Official Information Act 1982