

FTC #151: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Application 2022-099 Great South Homes Park Project

Date submitted:	25 August 2022	Tracking #: BRF-1961	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon David Parker, Minister for the Environment	Decision on recommendations in Table A	To be advised

Actions for Minister's Office staff	<ol style="list-style-type: none"> Return the signed briefing to MfE. Send attached letter (if signed) with accompanying template and links to application documents.
Number of attachments: 3	<p>Attachments:</p> <ol style="list-style-type: none"> Application documents for Great South Homes Park Project (Databox link) Letter to Ministers – inviting comments on Great South Homes Park Project referral Template for ministerial comment

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Samantha Maxwell		
Acting Manager	Madeleine Berry	s 9(2)(a)	✓
Acting Director	Stephanie Frame	s 9(2)(a)	

FTC#151: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Key messages

1. This briefing seeks your initial decisions on an application from Unispot Great South Limited to refer the Great South Homes Park Project (project) to an expert consenting panel (panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the FTCA).
2. The project is to subdivide a 6.1-hectare site located at 470 and 476 Great South Road, and 2 and 8 Gatland Road, Papakura, Auckland and construct approximately 338 residential units, commercial buildings and supporting infrastructure including public open space, roads, vehicle and pedestrian and cycle accessways, car-parking areas and three-waters services.
3. The project will require subdivision and land use consents, and water and discharge permits under the Auckland Unitary Plan (AUP).
4. Most of the project site is in the Residential – Mixed Housing Urban Zone with a small area of the site, where the commercial buildings are proposed, in the Business – Neighbourhood Centre Zone under the AUP. The purpose of the Residential – Mixed Housing Urban Zone is to enable intensification, while retaining a suburban character. The purpose of the Business – Neighbourhood Centre Zone is to enable commercial activity that is in keeping with the surrounding residential environment. The site is also within the Gatland Road Precinct under the AUP, that provides for comprehensive and integrated development to increase the supply of housing in Papakura. The majority of proposed activities have controlled or restricted discretionary activity status, however the project is likely to be a discretionary activity overall due to the diversion and discharge of stormwater runoff.
5. Areas of the site are covered by easements in favour of Auckland Council and there is a consent notice registered on 476 Great South Road requiring council approval for any activities or modification within 10 metres of an overland flowpath. The applicant lodged an application with council on 5 August 2022 to remove the easements and cancel the consent notice. The applicant does not consider this matter will have any impact on the timing or delivery of the project, however they have provided an alternative site layout which they consider can be implemented if the easements and consent notice remain in place. We note that a panel does not have powers under the FTCA to remove easements or cancel or amend a consent notice. We recommend that you seek comment from council on whether the easement and consent notice removal applications are likely to be granted, and if not, whether council agree that the alternative project could still proceed with the easements and consent notice in place.
6. We have undertaken an initial (Stage 1) analysis of the referral application and this is presented along with our recommendations in Table A.
7. The project meets all the eligibility criteria in section 18(3) of the FTCA, but more analysis is needed before we can advise you if it meets the purpose of the FTCA (thus satisfying section 18(2) of the FTCA) and advise you on matters in section 23(5) which may influence your referral decision.
8. We recommend you progress consideration of the application to the next stage of analysis (Stage 2) and invite comments from Auckland Council and specific Ministers listed in section 21(6) of the FTCA.
9. We recommend you invite comments from the Associate Minister for the Environment (urban policy) as an additional Minister under section 21(6)(n) of the FTCA, Watercare Services Limited and Auckland Transport as additional parties under section 21(3) of the FTCA.

10. We also recommend you request further information from the applicant and Auckland Council as detailed in Table A.

Statutory framework summary

11. You are the sole decision maker for the referral application as the project will not occur in the coastal marine area.
12. You may decline the referral application before seeking comments from the relevant local authorities and any relevant Ministers:
- a. if you are satisfied the project does not meet the referral criteria in section 18 of the FTCA, (which include helping to achieve the purpose of the FTCA) (see sections 18(2) and 23(1) of the FTCA)
 - b. for any other reason (see section 23(2) of the FTCA).
13. If you do not decline the referral application at this stage:
- a. you must provide the application to, and invite comments from, the relevant local authorities and the relevant Ministers prescribed by section 21(6) of the FTCA
 - b. you may provide the application to and invite comments from any other person.
14. You are also able to request further information from the applicant or any relevant local authority at any time before you decide to decline or accept the referral application (see section 22 of the FTCA).

Action sought

15. Please indicate your decisions on the recommendations in Table A.

Signature



Madeleine Berry
Acting Manager – Fast-track Consenting

Table A: Stage 1 initial assessment of project eligibility – projects where the Minister for the Environment is the only decision maker

Project to progress

Project details	Project description	Project funding	Is project eligible for referral? [section 18(3)]	Will project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
Project Great South Homes Park Applicant Unispot Great South Limited c/- Barker & Associates Location 470 and 476 Great South Road, and 2 and 8 Gatland Road, Papakura, Auckland	<p>The project is to subdivide a 6.1-hectare site located at 470 and 476 Great South Road, and 2 and 8 Gatland Road, Papakura, Auckland and construct approximately 338 residential units, commercial buildings and supporting infrastructure including public open space, roads, vehicle and pedestrian accessways, car-parking areas and three-waters services.</p> <p>The project involves activities such as subdividing land, carrying out earthworks, removal of existing buildings and infrastructure, clearing vegetation, discharging stormwater to land, constructing residential units and commercial buildings, constructing infrastructure including for vehicle, pedestrian and cycle access, roads, car-parking areas and three-waters services, and public open space.</p>	<p>The applicant has stated that approximately 70% of the required funding for the project will be supported by capital and approximately 30% will be sourced via existing equity partners. Capital funds will include those generated by the completion of other consented developments and the initial stages of the proposed project.</p> <p>The applicant notes it is an experienced developer, having delivered 147 residential units since 2020. However, we recommend that you seek further supporting evidence from the applicant on their ability to finance the project.</p>	<p>Based on available information at this stage, we consider the project is eligible for referral because:</p> <ul style="list-style-type: none"> it does not include any prohibited activities it does not include land returned under a Treaty settlement it does not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011. 	<p>Based on the information provided by the applicant we consider the project may result in the following economic benefits:</p> <ul style="list-style-type: none"> provide approximately 1086 direct and 950 indirect full time equivalent (FTE) jobs over a 4-year design and construction period contribute approximately \$278 million to GDP through the development <p>The Economic Impact Assessment provided by the applicant outlines job numbers as total FTE years. We are seeking clarification on this, so the jobs produced by the application are outlined as FTE jobs per year.</p>	<p>The project has the potential for positive effects on the social wellbeing of current and future generations as it will:</p> <ul style="list-style-type: none"> generate employment by providing approximately 1086 direct FTE jobs over a 4-year design and construction period increase housing supply through the construction of approximately 338 residential units in a range of typologies 	<p>The applicant considers the fast-track process will allow the project to progress approximately 18-24 months faster than under standard Resource Management Act 1991 (RMA) processes due to the potential for notification and delays with Auckland Council's consenting processes.</p> <p>We recommend seeking comment from Auckland Council on the appropriateness of using the FTCA process.</p>	<p>Based on the information provided by the applicant we consider that the project may result in the following public benefits:</p> <ul style="list-style-type: none"> generating employment increasing housing supply 	<p>The applicant considers the project has the potential for adverse environmental effects arising from:</p> <ul style="list-style-type: none"> earthworks and construction activities (including traffic, noise, vibration, sedimentation) infrastructure and servicing capacity <p>and may include adverse effects on:</p> <ul style="list-style-type: none"> residential character and amenity transport (interfaces and intersections) <p>The applicant has provided some preliminary technical assessments in support of their view that the project will not have any significant adverse effects.</p> <p>We note that you do not require a full Assessment of Environment Effects and supporting evidence to make a referral decision and a panel can consider this and any appropriate mitigation, offsetting or compensation to manage adverse effects of the development.</p>	<p>Areas of the site are covered by easements in favour of Auckland Council and there is a consent notice registered on 476 Great South Road requiring council approval for any activities or modification within 10 metres of an overland flowpath. The applicant lodged an application with council on 5 August 2022 to remove the easements and cancel the consent notice. The applicant does not consider this matter will have any impact on the timing or delivery of the project, however they have provided an alternative site layout which they consider can be implemented if the easements and consent notice remain in place. We note that a panel does not have powers under the FTCA to remove easements or cancel or amend a consent notice and therefore we recommend that you seek comment from council on whether the applications are likely to be granted, and if not, whether council agree that the project could still proceed with the constraints in place.</p> <p>As the project involves the</p>	<p>a. Note that section 23(3) of the FTCA permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.</p> <p>b. Note that you have not yet provided the application to, nor sought any comments on it from, relevant local authorities or relevant Ministers but that you are required to do so if you do not decline the application under section 23(3) of the FTCA.</p> <p>c. Note that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</p> <p>d. Note that section 22 of the FTCA permits you to request further information from the applicant or relevant local authorities at any time before you decide whether to accept or decline an application.</p> <p>e. Agree to progress the Great South Homes Park Project to our Stage 2 analysis. The project warrants further analysis because it has potential to achieve the purpose of the FTCA but we need to consider some matters further before providing you with our final advice on the referral application.</p> <p>f. Agree to provide the application to, and invite comments from:</p> <ul style="list-style-type: none"> the Ministers listed in section 21(6)(a)–(m) of the FTCA the Associate Minister for the Environment (urban policy) as an additional relevant Minister under section 21(6)(n) of the FTCA the relevant local authority – Auckland Council the following additional entities/persons under section 21(3) of the FTCA: Watercare Services Limited and Auckland 	<p>Yes/No</p> <p>Yes/No</p>

