



FTC #68 Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Application 2021-054 – Melia Place

Date Submitted:	12 July 2021	Tracking #: BRF-228	
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	TBA

Actions for Minister's Office Staff	Return the signed briefing to MfE Send attached letters (if agreed and signed)
Number of attachments: 2	Titles of attachments: 1. Letters from the Minister for the Environment to relevant Ministers of the Crown 2. Copy of application and supporting information – to send with letters to Ministers

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Max Gander-Cooper		
Manager	Stephanie Frame	s 9(2)(a)	✓
Director	Sara Clarke (Acting)	s 9(2)(a)	

FTC #68: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Key Messages

1. We seek your initial decisions on an application for referral of the Melia Place project (the Project) to an expert consenting panel (a panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the FTCA), from Melia Development Limited.
2. The Project is located at 20 Melia Place and 43A Vipond Road, Stanmore Bay, Whangaparāoa, Auckland.
3. The Project is to subdivide a 1.825 hectare site and construct up to 59 residential units, a multi-use community building and supporting infrastructure including road networks, and public open space.
4. The Project will involve activities such as:
 - a. demolition of existing buildings
 - b. subdivision of land
 - c. vegetation clearance in riparian yards
 - d. earthworks including vegetation clearance
 - e. disturbance of potentially contaminated soils
 - f. discharges of stormwater and contaminants to water
 - g. construction of retaining walls
 - h. construction of residential buildings
 - i. construction of community building
 - j. structures in a floodplain
 - k. structures in an overland flow path
 - l. construction of roading and transport infrastructure
 - m. construction of three waters infrastructure
 - n. development of open space including landscaping and planting.
5. The Project will require subdivision, land use and discharge consents under the Auckland Unitary Plan (AUP) and may require land use consent under the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soils to Protect Human Health) 2011 (NES-CS).
6. We have undertaken an initial (Stage 1) analysis of the application and this is presented along with our recommendations in Table A.
7. The Project meets all the eligibility criteria in section 18 of the FTCA, but more analysis is needed to confirm if it meets the purpose of the FTCA and to enable us to 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:
 - a. Ministers listed in section 21(6) of the FTCA
 - b. Associate Minister for the Environment (Urban Development)

- c. Auckland Council
 - d. Auckland Transport
 - e. Watercare Services Limited
9. We also recommend you request further information from the applicant as detailed in Table A.

Statutory Framework Summary

10. You are the sole decision maker for referral of the Project as it will not occur in the coastal marine area.
11. You may decline the referral application before seeking comments from the relevant local authority and any relevant Ministers:
- a. if you are satisfied the Project does not meet referral criteria in section 18 of the FTCA, (which include you being satisfied the Project meets 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).
12. If you do not decline the referral application at this stage, section 21 of the FTCA:
- a. requires you to provide the application to, and invite comments from, the relevant local authority and the relevant Ministers
 - b. permits you to provide the application to and invite comments from any other person.
13. 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

14. Please indicate your decision on the recommendations in Table A.

Signature

Stephanie Frame
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 the 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 the 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 name Melia Place Applicant Melia Development Limited Location 20 Melia Place and 43A Vipond Road, Stanmore Bay, Whangaparāoa, Auckland	<p>To subdivide a 1.825 hectare site and construct up to 59 residential units, a multi-use community building and supporting infrastructure including road networks, and public open space.</p> <p>The Project will involve activities such as:</p> <ol style="list-style-type: none"> demolition of existing buildings subdivision of land vegetation clearance in riparian areas earthworks including vegetation clearance disturbance of potentially contaminated soils discharges of stormwater and contaminants to water construction of retaining walls construction of residential buildings construction of community building structures in a flood plain structures in an overland flow path construction of roading and transport infrastructure 	<p>The applicant has provided a letter stating that they are confident of being able to secure funding to deliver the Project.</p> <p>Precise Homes North Shore Limited is a parent company of Melia Development Limited. Although this company has delivered several similar housing Projects in Auckland, at this stage there is not sufficient information to confirm that the applicant company has secured the funding needed to deliver the Project.</p> <p>We recommend that additional information on funding certainty is sought from the applicant, to allow us to advise you further on the certainty of the investment.</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>The applicant estimates that the Project will:</p> <ul style="list-style-type: none"> provide 96 full time equivalent (FTE) jobs per year over the two-year construction period provide 59 homes in an area with housing demand. <p>The Project is expected to contribute approximately \$23 million to GDP.</p> <p>As the Project works are not planned to commence until 2022, delivery of many of the anticipated employment outcomes are at least 18 months away.</p> <p>We recommend that you seek further information from the applicant on how many jobs will be created prior to October 2022.</p>	<p>The applicant considers that the Project has the potential for positive effects on social and cultural wellbeing of current and future generations as it will:</p> <ul style="list-style-type: none"> provide additional housing supply in an area that has a housing shortage provide housing at a price point which is currently lacking in the market provide employment opportunities during construction provide public recreation space <p>The applicant has not provided specific information on how the Project will have positive effects on cultural wellbeing.</p> <p>We recommend that you seek further information from the applicant on how the Project will contribute to cultural wellbeing.</p>	<p>The applicant considers that the FTCA will allow the Project to progress at least 5 months faster than under standard Resource Management Act (RMA) processes, and potentially 12 months faster if the application were to be notified.</p> <p>The applicant states that they do not expect to commence works on site until October 2022, due to the requirement for engineering plan approval and building consent from Auckland Council. They indicate that they are exploring options to expedite the commencement of works, but have not yet provided this detail.</p> <p>We recommend that you seek additional information from the applicant on how the Project will benefit from the use the FTCA process, particularly because of expected delays to construction commencement,</p>	<p>Based on the information provided, we consider the Project may result in the following public benefits:</p> <ul style="list-style-type: none"> generation of employment throughout construction increase of housing supply at a range of price points development of public open space and community recreational facilities. <p>The application states that the Project will contribute to well-functioning urban environments, which is defined in Policy 1 of the National Policy Statement for Urban Development (NPS-UD), but an assessment against Policy 1 is not included in the application.</p> <p>We recommend that you seek additional information from the applicant on how the Project contributes to well-functioning urban environments with reference to</p>	<p>The applicant states that the Project has the potential for adverse effects, including on:</p> <ul style="list-style-type: none"> traffic and the transport network resident and visual amenity land stability dust and noise infrastructure capacity stormwater discharge and overland flow paths <p>The applicant states that the Project's adverse effects will be no more than minor, and has provided details of mitigation measures to address potential adverse effects.</p> <p>We note that you do not require a full Assessment of Environmental Effects and supporting evidence to make a referral decision, and that a panel will consider the significance of effects should the Project be referred.</p>	<p>The Project will require approvals from Auckland Transport for the creation of vehicle crossings and access to Vipond and Whangaparāoa Roads. We recommend that you seek comments from Auckland Transport on the Project.</p> <p>The Project may require upgrades to water supply and wastewater services. Watercare Services Limited (Watercare) manages the water and wastewater systems in Auckland.</p> <p>We recommend that you seek comments from Watercare on the Project referral.</p> <p>We note that the Project includes new structures in a flood plain and a flood hazard assessment has not been included with the application. The application states that this flood plain area is due to the artificial surface of the current Returned Services Association (RSA) bowling green which will be removed as part of the development. The site is not expected to be subject to flood hazard.</p> <p>The application includes an easement through the neighbouring RSA site to enable access to</p>	<ol style="list-style-type: none"> Note that section 23(3) of the FTCA permits you to decline the referral application without inviting comments from the relevant local authority and any relevant Ministers. Note that the application has not been provided to, nor have any comments been sought from, the relevant local authority 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. Note that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person. Note that section 22 of the FTCA permits you to request further information from the applicant or the relevant local authority at any time before you decide whether to accept or decline an application. Agree to progress the Melia Place 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. Agree to provide the application to, and invite comments from: <ul style="list-style-type: none"> the Ministers listed in section 21(6) of the FTCA Auckland Council the following additional entities/persons under section 21(3) of the FTCA: <ol style="list-style-type: none"> the Associate Minister for the Environment (Urban Development) Auckland Transport 	<p>Yes/No</p> <p>Yes/No</p>

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	<p>m. construction of three waters infrastructure</p> <p>n. development of open space including landscaping and planting</p> <p>The Project requires subdivision, land use and discharge consents under the Auckland Unitary Plan (AUP) and may require land use consent under the National Environmental Standards for Assessing and Managing Contaminants in Soils to Protect Human Health (NES-CS).</p>					and what the options available to the applicant are to expedite this.	Policy 1 of the NPS-UD.		Vipond Road. A sale and purchase agreement confirming that this easement will be established is provided with the application.	<p>iii. Watercare Services Limited</p> <p>g. Agree to seek further information from the applicant on how the Project:</p> <ul style="list-style-type: none"> • achieves the purpose of the FTCA by urgently promoting employment, with particular reference to the expected start date of October 2022 • will contribute to cultural wellbeing • contributes to well-functioning urban environments • will progress faster through the FTCA process than standard RMA processes , given the expected delays to the commencement of works • will be funded <p>h. Sign the attached letters to Ministers listed in section 21(6) of the FTCA and the Associate Minister for the Environment (Urban Development).</p> <p>i. Note that while awaiting these comments and further information, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	<p>Yes/No</p> <p>Yes/No</p>

Signed:

Hon David Parker
Minister for the Environment

Date