



BRF-145

1 July 2021

Michael Campbell
Director
Campbell Brown Planning Limited
s 9(2)(a)

Dear Michael Campbell

COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Notice of Decisions (Section 25) – Ōmāhu Residential Development

Thank you for Urban Resort Limited/Icon Co Pty (NZ) Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Ōmāhu Residential Development project to an expert consenting panel (a panel) for consideration under the FTCA.

The project is to construct and use land for a mixed-used development including approximately 205 residential units, local retail facilities, development of open space, and associated infrastructure and subdivision at 224 Great South Road, Remuera, Auckland.

The Project will involve activities such as demolition of existing buildings and infrastructure, earthworks, including bulk earthworks, and the disturbance of contaminated soils, water takes and diversions, discharge of stormwater run-off and contaminants, construction of three waters services and internal laneways, construction of residential and commercial buildings, vehicles access and loading areas, development of open space including landscaping and planting, and subdivision of land, including contaminated land.

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 via the provision of additional housing in an area that has been rapidly growing and has projected housing capacity shortfall in the medium term, and the provision of a range of employment opportunities including jobs targeted to at-risk groups and the long-term unemployed
2. Generate employment by providing up to 200 construction-related and 200 supply chain-related full time equivalent (FTE) jobs per year across the three years of the Project
3. Increase housing supply via the construction of the 205 new residential units
4. Progress faster by using the processes provided by the FTCA than would otherwise be the case, provided that the applicant lodges their applications for resource consent in a timely manner following Project referral

Any potential adverse effects arising from the project, and proposed mitigation measures, 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.

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. Watercare Services Limited
3. 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 or concurrent 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.

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 authorities:

Auckland Council

Other parties:

Auckland Transport
Watercare Services Limited
Ngāti Koheriki Claims Committee

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
Ngāti Paoa Iwi Trust
Ngāti Paoa Trust Board
Ngāti Maru Runanga Trust
Ngāti Tamaterā Treaty Settlement Trust
Te Ākitai Waiohua Iwi Authority
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua
Makaurau Marae Māori Trust
Te Whakakitenga o Waikato

Treaty settlement entities:

Ngāti Whātua Ōrākei Trustee Limited
Te Kawerau Iwi Settlement Trust
Ngāi Tai ki Tāmaki Trust
Ngāti Tamaoho Settlement Trust
Ngāti Paoa Iwi Trust
Ngāti Maru Runanga Trust
Ngāti Tamaterā Treaty Settlement Trust
Te Ākitai Waiohua Settlement Trust
Ngāti Te Ata Claims Support Whānau Trust

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to applications lodged by Urban Resort Limited/Icon Co Pty (NZ) Limited for Ōmāhu Residential Development 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 integrated transport assessment, including, but not limited to, modelling and analysis that covers effects
- a geotechnical report (including supporting groundwater monitoring to determine whether a water permit is required)
- an acoustic report including a draft construction noise and vibration management plan (CNVMP)
- an infrastructure report including three waters capacity and asset assessments
- a flooding and stormwater capacity assessment
- contamination reports (at least a Preliminary Site Investigation (PSI) and a Detailed Site Investigation if required by the PSI, and a Site Management Plan)
- a heritage assessment which confirms whether the two bungalows on site are pre-1900 in age
- scheme plans including staging plans and identification of assets to be vested in Council
- consideration of whether consent is required under Auckland Unitary Plan Operative in Part (AUP(OP) Rules E7.4.1(A20), E30.4.1(A7), E36.4.1(A55), E38.4.1(A4), E40.4.1(A24)