

## **In Confidence**

### **Office of the Minister for the Environment**

#### **Chair, Cabinet**

### **COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023**

#### **Proposal**

- 1 This paper seeks authorisation for submission to the Executive Council of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 (the Amendment Order).
- 2 The Amendment Order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 to include as projects referred to an expert consenting panel (panel):
  - 2.1 KM and MG Holdings Limited's Plimmerton Farm–Stage One
  - 2.2 Grenada North Nominees Limited's Jamaica Rise
  - 2.3 Hamilton Campground Limited's Peachgrove Mixed-use Precinct.

#### **Executive Summary**

- 3 The COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19. The FTCA enables any person to apply to me, as Minister for the Environment, to fast-track certain approvals required under the Resource Management Act 1991 (RMA) for their project.
- 4 Projects that I accept are referred to a panel by an amendment to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020, subject to Cabinet's agreement. This allows an applicant to lodge resource consent applications and/or notices of requirement for a designation with the Environmental Protection Authority (EPA) for consideration by a panel.
- 5 Before granting RMA approvals a panel must conduct a merit-based assessment of the project's actual and potential effects and test these against the requirements of both Part 2 of the RMA and the purpose of the FTCA.
- 6 I received applications from:
  - 6.1 KM and MG Holdings Limited (KMMGHL) to fast-track the Plimmerton Farm–Stage One (Plimmerton Farm) project
  - 6.2 Grenada North Nominees Limited (GNNL) to fast-track the Jamaica Rise project

- 6.3 Hamilton Campground Limited (HCL) to fast-track the Peachgrove Mixed-use Precinct (Peachgrove) project.
- 7 The Plimmerton Farm project is a large subdivision and residential development on land lying east of State Highway 59 on the northern outskirts of Plimmerton, Porirua City. Jamaica Rise is a subdivision and residential development in Grenada North, Wellington. Peachgrove is a subdivision and mixed-use residential and commercial development in Hamilton East.
- 8 I sought written comments on the applications from the relevant local authorities and relevant Ministers prescribed by the FTCA.
- 9 For the Plimmerton Farm project, I also sought comments from Wellington Water Limited (WWL), Waka Kotahi New Zealand Transport Agency (Waka Kotahi) and Powerco Limited (Powerco).
- 10 For the Jamaica Rise project, I also sought comments from WWL, Waka Kotahi and Transpower New Zealand Limited (Transpower).
- 11 For each project I considered all comments received and the reports prepared under section 17 of the FTCA. I also requested and considered further information from the applicants and relevant local authorities.
- 12 I have accepted all three projects for referral as I am satisfied that they each meet the eligibility criteria specified in section 18 of the FTCA. All of the projects will help achieve the FTCA's purpose by generating employment and increasing housing supply. The Jamaica Rise project will also have positive effects on social well-being by providing public open space for recreational purposes.
- 13 I consider all three projects will likely progress faster using the FTCA processes than if consents were sought through standard RMA processes, and any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be considered and determined by a panel subject to Part 2 of the RMA and the purpose of the FTCA.
- 14 I now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables KMMGHL, GNNL and HCL to apply via the EPA to a panel for the relevant approvals needed under the RMA for their respective projects, in accordance with the process in the FTCA.

## **Background**

- 15 The FTCA is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19, by promoting employment and supporting on-going investment. Access to the FTCA referral process remains in place until the FTCA is repealed in July 2023.
- 16 The FTCA enables any person to apply to me, in my role as Minister for the Environment, to access the fast-track consenting process for their project. If I accept an application, the project is referred by Order in Council – specifically, via an amendment that adds the project as a new schedule to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 – subject to Cabinet's agreement. This allows an applicant to lodge a resource consent application or notice of requirement for a designation with the EPA for consideration and decision by a panel.

- 17 Panels are appointed by Panel Convener Judge Laurie Newhook and are constituted according to the specific representation, skills and knowledge required for the project under consideration. Before a panel grants any RMA approvals for the project it must, among other things, consider comments from invited parties on the applications for these approvals, assess the project's actual and potential effects, and test these effects against the requirements of Part 2 of the RMA and the purpose of the FTCA. As part of this process the panel may seek further information from a range of parties, including those invited to comment.
- 18 I receive weekly updates on the projects accessing the fast-track provisions and their progress.
- 19 As of 14 June 2023, 167 applications have been made under the FTCA to refer projects to a panel, of which:
  - 19.1 88 projects have been referred and Orders in Council gazetted. Details are in Appendix one. In summary, for these projects:
    - 19.1.1 36 have been granted RMA approvals by a panel (Kapuni Green, Ariki Tahi Sugarloaf Wharf, Botanic Riverhead are under appeal)
    - 19.1.2 2 have had applications for RMA approvals declined by a panel (Flints Park - Ladies Mile is under appeal)
    - 19.1.3 14 are under active panel consideration
    - 19.1.4 34 have yet to lodge RMA applications
    - 19.1.5 2 have subsequently decided not to seek RMA approvals through the panel process or have withdrawn from a panel process before it was completed.
  - 19.2 18 projects have been accepted for referral and are awaiting Orders in Council. This includes the projects that are the subject of this paper
  - 19.3 7 referral applications are being processed and are yet to receive referral decisions
  - 19.4 39 referral applications have been declined for a range of reasons including not meeting the purpose of the FTCA and it being more appropriate for them to go through the standard RMA consenting process
  - 19.5 15 referral applications have been withdrawn by the applicants.
- 20 I am not required to make referral decisions on projects listed in Schedule 2 of the FTCA. Authorised persons or entities for these projects may lodge their applications for RMA approvals with the EPA at any time while the relevant FTCA provisions are in force. An update on the listed projects is in Appendix two.

### **Project for referral: Plimmerton Farm–Stage One**

- 21 KMMGHL applied to use the fast-track consenting process for the Plimmerton Farm project. The project is to subdivide approximately 383 hectares of land in Plimmerton, Porirua City, and to construct a residential development comprising approximately 1044 residential units (209 of which may be constructed by other parties), to develop

land for private open space and public reserves and construct associated infrastructure (including in adjacent road reserves). The housing development will provide approximately 739 residential units in a range of terraced, duplex and detached houses and approximately 305 residential units in 35 apartment buildings up to four storeys high.

- 22 The project involves activities such as vegetation removal, earthworks, subdivision, diversion and discharge of stormwater that may contain contaminants, reclamation of stream beds, construction of residential buildings (including by third parties), roads, parking areas and three-waters infrastructure including culverts, a water reservoir and stormwater detention basins, landscaping, planting and restoring natural inland wetlands and stream beds.
- 23 The project requires subdivision and land use consents under the Porirua City District Plan (PCDP), land use consent and discharge permits under the Proposed Natural Resources Plan for the Wellington Region (PNRP), and land use consent under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.
- 24 I sought written comments on the referral application from the relevant local authorities – Porirua City Council (PCC) and Greater Wellington Regional Council (GWRC), from relevant Ministers as determined by section 21(6) of the FTCA, and from WWL, Waka Kotahi and Powerco.
- 25 To better understand the project's job creation potential, I sought further information under section 22 of the FTCA from KMMGHL. I also sought further information from PCC on Plan Change 19 to the PCDP which gives effect to national directions enabling housing intensification.

#### *Overview of comments*

- 26 s 9(2)(f)(ii), s 9(2)(g)(i)

[Redacted content]

- 27 s 9(2)(f)(ii), s 9(2)(g)(i)

[Redacted content]

- 28 s 9(2)(f)(ii), s 9(2)(g)(i)

[Redacted content]

- 29 s 9(2)(f)(ii), s 9(2)(g)(i)

[Redacted content]

s 9(2)(f)(ii), s 9(2)(g)(i)

30 s 9(2)(f)(ii), s 9(2)(g)(i)

31 s 9(2)(f)(ii), s 9(2)(g)(i)

- 32 WWL neither supported nor opposed project referral and advised there are capacity constraints in all existing three-waters infrastructure networks. WWL advised the design of three-waters infrastructure to service the project will need development in conjunction with PCC and WWL, and preferably will be integrated with infrastructure needed to service other developments. To ensure WWL's interests are taken into account in the assessment of consent applications for the project, I have included a direction in the Amendment Order that a panel must invite comments from WWL.
- 33 Waka Kotahi did not oppose project referral. Waka Kotahi considered it is a key affected party and requested if the project were referred that Waka Kotahi is given an opportunity to provide input. I have included a direction in the Amendment Order that a panel must invite comment on consent applications for the project from Waka Kotahi.
- 34 PCC supported project referral and considered the project could have significant benefits for Porirua. PCC also advised that a range of matters will need careful consideration, including alignment with the PCDP, infrastructure provision, infrastructure and land vesting, and environmental protection. PCC stated that if the project were referred it may be appropriate to direct a panel to invite comments from people who made submissions as part of the recent streamlined planning process for the PFZ.
- 35 I have not included a direction to this effect in the Amendment Order as I note that the PFZ became operative in May 2021, that PCC considers the project may be consistent with the planned urban built development in the PFZ, and the applicant considers the land use and residential density for the project generally align with the PFZ outcomes.
- 36 PCC also noted an existing high-pressure gas main within the project site and considered that Powerco should be invited by a panel to comment. I have included a direction to this effect in the Amendment Order.
- 37 GWRC opposed project referral on the basis that the project should be considered under standard RMA consenting processes to allow for public notification and additional time to ensure all potential adverse effects, particularly on wetlands and streams, are fully considered. GWRC advised there is significant public, community group and stakeholder interest in the development of the project site, and the Tāupo Swamp, which is identified as an outstanding water body with outstanding indigenous biodiversity values in the PNRP, is located downstream of the project site.

- 38 While I acknowledged GWRC's concerns, I considered that they can be addressed appropriately by a panel under FTCA process. I have included a direction in the Amendment Order to ensure a panel is provided full information on proposed management of adverse effects on natural inland wetlands, including on the Tāupo Swamp complex.

### *Decision*

- 39 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments and requests for directions to the applicant and a panel provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.
- 40 Although the project involves some activities affecting natural inland wetlands, I am satisfied the project does not include any prohibited activity.
- 41 I have decided to accept KMMGHL's application for referral of the Plimmerton Farm project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose as it has the potential to:
- 41.1 generate employment by providing approximately 585 direct and 585 indirect full-time equivalent jobs over an approximately 7-year design and construction period
  - 41.2 increase housing supply through the construction of approximately 1044 residential units, 209 of which may be constructed by parties other than KMMGHL
  - 41.3 progress faster than would otherwise be the case under standard RMA processes.
- 42 To address matters raised by GWRC, I have decided to specify the applicant must provide the following additional information with their resource consent applications to a panel:
- 42.1 a draft erosion and sediment control plan that identifies measures that will be taken to avoid, remedy, or mitigate adverse effects on Tāupo Swamp and other natural inland wetlands.
- 43 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA<sup>1</sup>. In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on KMMGHL's resource consent applications from the following parties:
- 43.1 Kāinga Ora
  - 43.2 WWL
  - 43.3 Waka Kotahi

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<sup>1</sup> Clause 17(6) of Schedule 6, FTCA.

#### 43.4 Powerco.

- 44 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA.
- 45 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 45.1 limit the scope of the project by referring it only in part
  - 45.2 refer the project in stages
  - 45.3 place any restrictions on the project
  - 45.4 impose specific timeframes for panel consideration.

#### **Project for referral: Jamaica Rise**

- 46 GNNL applied to use the fast-track consenting process for the Jamaica Rise project. The project is to subdivide and construct a residential development on approximately 23 hectares of land at Jamaica Drive, Grenada North, Wellington comprising of approximately 213 residential units, approximately 52 of which will be within eight apartment buildings that are up to three storeys high. The project includes creation of reserves intended to vest with Wellington City Council (WCC), construction of supporting infrastructure including a new water reservoir on the same site as an existing reservoir within the Caribbean Avenue Reserve, and upgrading the intersection of Takapu Road and State Highway 1.
- 47 The project involves activities such as subdividing land, earthworks, constructing residential buildings, constructing roads, accessways and infrastructure for three-waters services, upgrading public roads, constructing a wetland for stormwater management, diverting and discharging stormwater, and developing land for private open space and public reserves, including landscaping and planting.
- 48 The project requires subdivision and land use consents under the Wellington City District Plan and land use consent and a discharge permit under the PNRP.
- 49 I sought written comments on the referral application from the relevant local authorities – WCC and GWRC, from relevant Ministers as determined by section 21(6) of the FTCA, and from WWL, Waka Kotahi and Transpower.
- 50 To better understand project funding, proposed funding for necessary infrastructure upgrades, job creation potential, consents and approvals required, effects of instruments on records of title for the project site, and the applicant's consent compliance history, I sought further information under section 22 of the FTCA from GNNL and WCC.

#### *Overview of comments*

- 51 s 9(2)(f)(ii), s 9(2)(g)(i)
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s 9(2)(f)(ii), s 9(2)(g)(i)

52 s 9(2)(f)(ii), s 9(2)(g)(i)

53 s 9(2)(f)(ii), s 9(2)(g)(i)

54 s 9(2)(f)(ii), s 9(2)(g)(i)

55 WCC did not oppose project referral and considered that although the project does not accord with low-density development anticipated under the operative district plan, the project will be consistent with the objectives and policies of the proposed district plan and that more weight should be given to the latter. WCC considered that specific matters to be addressed, including proposed open space, natural hazards and reverse sensitivity effects in relation to nearby non-residential activities and State Highway 1, can be addressed through the FTCA consenting process.

56 GWRC did not oppose project referral although it noted a case of poor environmental regulatory compliance by GNNL's sole shareholder, Carrus Properties Limited, in relation to another project.

57 Waka Kotahi did not comment on project referral and noted it supports a multi-modal approach to development to promote a range of transport options and avoid increasing reliance on private vehicles for travel. Waka Kotahi advised that their approval is required for proposed works in the state highway corridor to improve an intersection with State Highway 1. Waka Kotahi considered itself a key stakeholder for the project and requested if the project were referred that the panel direct the applicant to consult with Waka Kotahi. I am unable to make such a direction under the FTCA but I have included a direction in the Amendment Order that a panel invite comment on consent applications for the project from Waka Kotahi.

58 Transpower did not oppose project referral and noted its assets are located outside the development area and in proposed reserve land. Transpower indicated that vegetation height needs to be considered in any planting near transmission lines. I have included a direction in the Amendment Order that a panel invite comment on consent applications for the project from Transpower.

#### *Decision*

59 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments and requests for directions to the applicant and a panel provided in response to my invitation, and the



eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.

- 60 I have decided to accept GNNL's application for referral of the Jamaica Rise project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose as it has the potential to:
- 60.1 generate employment by providing approximately 172 direct and 172 indirect full-time equivalent jobs over a 4-year design and construction period
  - 60.2 increase housing supply through the construction of approximately 213 residential units
  - 60.3 have positive effects on social well-being by providing public open space for recreational purposes
  - 60.4 progress faster than would otherwise be the case under standard RMA processes.
- 61 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA<sup>2</sup>. In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on GNNL's resource consent applications from the following parties:
- 61.1 WWL
  - 61.2 Waka Kotahi
  - 61.3 Transpower
  - 61.4 Wellington Electricity Lines Limited.
- 62 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA.
- 63 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 63.1 limit the scope of the project by referring it only in part
  - 63.2 refer the project in stages
  - 63.3 place any restrictions on the project
  - 63.4 impose specific timeframes for panel consideration.

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<sup>2</sup> Clause 17(6) of Schedule 6, FTCA.

## Project for referral: Peachgrove Mixed-use Precinct

- 64 HCL applied to use the fast-track consenting process for the Peachgrove project. The project is to construct a mixed-use development on an approximately 2.8-hectare site fronting Peachgrove Road, Ruakura Road and Emmadale Lane, in Hamilton East.
- 65 The project includes up to 170 residential units in a mix of terraced houses and apartment buildings up to four storeys high, a hotel up to five storeys high, a gym and a dairy.
- 66 The project involves activities such as subdividing land, earthworks, discharging stormwater, constructing residential and commercial buildings, constructing or installing infrastructure and structures including roads, accessways, infrastructure for three-waters services, and landscaping and planting. Works will also be undertaken in the adjacent road reserves and in proximity to trees scheduled as significant in the Hamilton City District Plan (HCDP).
- 67 The project requires subdivision and land use consents, and water and discharge permits under the HCDP and the Waikato Regional Plan. The project will also require consents under the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- 68 I sought written comments on the referral application from the relevant local authorities – Hamilton City Council (HCC) and Waikato Regional Council (WRC) and from relevant Ministers as determined by section 21(6) of the FTCA.
- 69 To better understand the investment certainty of this project, I sought further information under section 22 of the FTCA from HCC on whether the need to gain approvals for works within a HCDP designation (A101 – along Ruakura Road) might impact project delivery.

### Overview of comments

70 s 9(2)(f)(ii), s 9(2)(g)(i)



71 s 9(2)(f)(ii), s 9(2)(g)(i)



72 s 9(2)(f)(ii), s 9(2)(g)(i)



- 73 HCC supported project referral and noted that the project would achieve nearly 20% of the yearly housing target for Hamilton and create a positive impact towards providing quality housing stock in close proximity to the CBD. HCC advised it has already provided the applicant with general planning and engineering comment and seeks to engage further on detailed project planning. HCC advised there are capacity constraints in the existing wastewater network, and the applicant will need to work with the council to develop a wastewater solution for the project.
- 74 WRC made no comment on project referral but noted that decisions on resource consents under the fast-track process should be cognisant of the ability of a local government authority to fund infrastructure needed to materialise benefits from the proposal under the long-term plan process pursuant to the Local Government Act 2002.
- 75 WRC also noted the project location is ideal for easy access to public transport services and provides the ability to connect to major employment and education centres in Hamilton City and to regional towns. WRC considered the project has potential to contribute to transport emissions reduction and noted that it includes best practice stormwater management methods which support the direction of the Waikato Regional Policy Statement and Te Ture Whaimana – The Vision and Strategy for the Waikato River.

#### *Decision*

- 76 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments and requests for directions to the applicant provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.
- 77 I have decided to accept HCL's application for referral of the Peachgrove project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose as it has the potential to:
- 77.1 generate employment by providing approximately 439 full-time equivalent (FTE) jobs over an approximately 3-year development period and 114 FTE jobs through the ongoing project activities
  - 77.2 increase housing supply through the construction of approximately 170 residential units
  - 77.3 progress faster than would otherwise be the case under standard RMA processes.
- 78 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA<sup>3</sup>. In addition to these requirements and to address matters raised, I

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<sup>3</sup> Clause 17(6) of Schedule 6, FTCA.

have decided to specify a panel must seek comment on HCL's resource consent applications from the following parties:

78.1 representatives of Ngaati Wairere

78.2 Te Haa o te Whenua o Kirikiriroa.

79 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA.

80 I consider there are no reasons to decide under section 24(2) of the FTCA to:

80.1 limit the scope of the project by referring it only in part

80.2 refer the project in stages

80.3 place any restrictions on the project

80.4 impose specific timeframes for panel consideration.

### **Timing and 28-day rule**

81 Cabinet has agreed to waive the 28-day rule for Orders in Council relating to projects to be referred to a panel<sup>4</sup>. Therefore, the Amendment Order will come into force on the date specified in the Amendment Order. KMMGHL, GNNL and HCL may then lodge resource consent applications for their respective projects with the EPA, for consideration by a panel.

### **Compliance**

82 The Amendment Order complies with:

82.1 the principles of the Treaty of Waitangi

82.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993

82.3 the principles and guidelines set out in the Privacy Act 2020

82.4 relevant international standards and obligations

82.5 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

### **Regulations Review Committee**

83 I do not consider that there are grounds for the Regulations Review Committee to draw this Order in Council to the attention of the House of Representatives under Standing Order 319.

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<sup>4</sup> ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

## **Certification by Parliamentary Counsel Office**

- 84 The Amendment Order has been certified by the Parliamentary Counsel Office as being in order for submission.

## **Impact Analysis**

### *Regulatory Impact Assessment*

- 85 The Regulatory Impact Assessment (RIA) requirements for this proposal have been waived. Cabinet has agreed that a RIA is not required for Orders in Council relating to projects to be referred to a panel<sup>5</sup>.

### *Climate Implications of Policy Assessment*

- 86 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms that the CIPA requirements<sup>6</sup> do not apply to the projects.

## **Publicity**

- 87 The Amendment Order will be available on the New Zealand Legislation website following its notification in the New Zealand Gazette.
- 88 To meet my obligations under section 25 of the FTCA, I have directed the Ministry for the Environment to make my decisions to refer the projects to a panel for consideration, the reasons for these decisions, and the reports obtained under section 17 of the FTCA available to the public on the Ministry for the Environment's website.

## **Proactive release**

- 89 I intend to proactively release this paper on the Ministry for the Environment's website subject to redaction as appropriate under the Official Information Act 1982.

## **Consultation**

- 90 The Ministry for the Environment sought comment on this paper from Te Tūāpapa Kura Kāinga Ministry of Housing and Urban Development, Ministry for Culture and Heritage, Te Puni Kōkiri, Ministry of Education, Department of Corrections, Land Information New Zealand, Treasury, Ministry of Transport, Ministry of Business, Innovation and Employment, Ministry for Primary Industries, Department of Prime Minister and Cabinet, Ministry of Health, Ministry of Defence, Department of Internal Affairs, Department of Conservation and The Office for Māori Crown Relations – Te Arawhiti.

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<sup>5</sup> ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

<sup>6</sup> CO (20) 3 refers

## Recommendations

I recommend that Cabinet:

- 1 **note** that I have decided under section 24 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to accept the applications for referral of the following projects to a panel:
  - 1.1 KM and MG Holdings Limited's Plimmerton Farm–Stage One project
  - 1.2 Grenada North Nominees Limited's Jamaica Rise project
  - 1.3 Hamilton Campground Limited's Peachgrove Mixed-use Precinct project
- 2 **note** that the Plimmerton Farm–Stage One project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, as it has the potential to:
  - 2.1 generate employment by providing approximately 585 direct and 585 indirect full-time equivalent jobs over an approximately 7-year design and construction period
  - 2.2 increase housing supply through the construction of approximately 1044 residential units, 209 of which may be constructed by parties other than KMMGHL
  - 2.3 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes
- 3 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 requires KM and MG Holdings Limited to provide to an expert consenting panel the following additional information, which I specified under section 24(2) of the FTCA and outlined in my notice of decision on the referral application for the project:
  - 3.1 a draft erosion and sediment control plan that identifies measures that will be taken to avoid, remedy, or mitigate adverse effects on Tāupo Swamp and other natural inland wetlands
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 requires an expert consenting panel appointed to consider KM and MG Holdings Limited's Plimmerton Farm–Stage One project to seek comments from the following additional parties:
  - 4.1 Kāinga Ora – Homes and Communities
  - 4.2 Wellington Water Limited
  - 4.3 Waka Kotahi New Zealand Transport Agency
  - 4.4 Powerco Limited

- 5 **note** that the Jamaica Rise project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, as it has the potential to:
- 5.1 generate employment by providing approximately 172 direct and 172 indirect full-time equivalent jobs over a 4-year design and construction period
  - 5.2 increase housing supply through the construction of approximately 213 residential units
  - 5.3 have positive effects on social well-being by providing public open space for recreational purposes
  - 5.4 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes
  - 5.5 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 requires an expert consenting panel appointed to consider Grenada North Nominees Limited's Jamaica Rise project to seek comments from the following additional parties:
    - 5.6 Wellington Water Limited
    - 5.7 Waka Kotahi New Zealand Transport Agency
    - 5.8 Transpower New Zealand Limited
    - 5.9 Wellington Electricity Lines Limited
- 6 **note** that the Peachgrove Mixed-use Precinct project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, as it has the potential to:
- 6.1 generate employment by providing approximately 439 full-time equivalent (FTE) jobs over an approximately 3-year development period and 114 FTE jobs through the ongoing project activities
  - 6.2 increase housing supply through the construction of approximately 170 residential units
  - 6.3 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes
- 7 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 requires an expert consenting panel appointed to consider Hamilton Campground Limited's Peachgrove Mixed-use Precinct project to seek comments from the following additional parties:
- 7.1 representatives of Ngaati Wairere
  - 7.2 Te Haa o te Whenua o Kirikiriroa



- 8     **authorise** submission of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 to the Executive Council
- 9     **note** that on 27 July 2020, Cabinet agreed to waive the standard 28-day rule relating to Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 [CAB-20-MIN-0353 refers]. Consequently, the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Plimmerton Farm, Jamaica Rise, and Peachgrove) Amendment Order 2023 will come into force on the date specified in the Amendment Order.

Authorised for lodgement

Hon David Parker

**Minister for the Environment**

**Appendix one – Referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020**

Referred projects with Orders in Council gazetted		
Project - Location	Applicant	EPA Status
Clutha Upper Waitaki Lines Project - Works and Workers' Village - Clutha Upper Waitaki	Transpower New Zealand Limited	Not progressing through FTC
Northbrook Wanaka Retirement Village - Wanaka	Winton Property Limited	Consented by Panel (4 August 2021)
Kohimarama Comprehensive Care Retirement Village - Kohimarama, Auckland	Ryman Healthcare Limited	Consented by Panel (12 May 2021)
Molesworth Street Office Development - Thorndon, Wellington	Prime Property Group Limited	Consented by Panel (12 November 2021)
The Vines Affordable Subdivision - Richmond, Tasman	Jason and Angela Mudgway	Declined by Panel (17 September 2021)
Dominion Road Mixed-use Development - Mount Eden, Auckland	Pudong Housing Development Company Limited, Foodstuffs North Island Limited, and Silk Road Management Limited	Consented by Panel (29 September 2021)
Ohinewai Foam Factory - Ohinewai, Waikato	Ambury Properties Limited	Consented by Panel (24 August 2021)
Eastern Porirua Regeneration Project - Infrastructure Works - Porirua	Kāinga Ora-Homes and Communities' and Porirua City Council	Consented by Panel (9 September 2022)
Silverlight Studios - Wanaka	Silverlight Studios Limited	Consented by Panel (8 December 2021)
Brennan winery, restaurant, education, and event complex - Gibbston Valley, Otago	Otago Viticulture and Oenology Limited's (trading as Brennan Wines)	Not progressing through FTC
Nola Estate - Glen Eden, Auckland	CPM 2019 Limited	Consented by Panel (1 October 2021)
Wooring Tree Estate – Cromwell	Wooring Tree Property Development LP	Consented by Panel (29 September 2021)
Kapuni Green Hydrogen - Kapuni, Taranaki	Hiringa Energy Limited's and Ballance Agri-Nutrients Limited	Consented by Panel (1 December 2021) Currently under appeal
New Dunedin Hospital – Whakatuputupu – Dunedin Package 1 – enabling works	The Minister of Health's and the Ministry of Health	Consented by Panel (23 December 2021)
New Dunedin Hospital – Whakatuputupu – Dunedin Package 2 - buildings	The Minister of Health's and the Ministry of Health	Consented by Panel (17 August 2022)

Faringdon South West and South East Development - Rolleston	Hughes Developments Limited's	Consented by Panel (27 August 2021)
Summerset Retirement Village - Waikanae - Waikanae	Summerset Villages (Waikanae) Limited	Consented by Panel (23 September 2021)
Beachlands Housing Development - Beachlands, Auckland	Neil Construction Limited and Fletcher Residential Limited	Consented by Panel (23 May 2022)
Kōpū Marine Precinct - Kōpū, Thames	Thames-Coromandel District Council	Consented by Panel (9 March 2022)
Whakatāne Commercial Boat Harbour project - Whakatāne	Whakatāne District Council, Te Rāhui Lands Trust, Te Rūnanga o Ngāti Awa, Ngāti Awa Group Holdings Limited, Te Rāhui Lands General Partner Limited, Te Rāhui Herenga Waka Whakatane Limited, and Provincial Growth Fund Limited	Consented by Panel (22 June 2022)
Karaka North Village - Karaka, Auckland	Capella Group Limited and Karaka North Village Limited	Lodgement expected 2023
Ōmāhu Residential Development - Remuera, Auckland	Urban Resort Limited and Icon Co Pty (NZ) Limited	Consented by Panel (14 February 2022)
George St Mixed Use Development - Newmarket, Auckland	Newmarket Holdings Development Limited Partnership	Lodgement expected 2023
Otago Water Storage Reservoir - Northland	Te Tai Tokerau Water Trust	Consented by Panel (18 July 2022)
Drury Central & Paerata Stations - Auckland	KiwiRail Holdings Limited	Consented by Panel (3 February 2022)
Rangitane Maritime Development - Kerikeri	Far North District Council & Far North Holdings Limited	Lodgement expected 2023
Brickfields, Scott Road Development - Hobsonville, Auckland	Aedifice Development Limited	Consented by Panel (24 March 2022)
Melia Place - Whangaparāoa, Auckland	Melia Development Limited	Consented by Panel (14 June 2022)
Oruku Landing - Whangārei, Northland	Northland Development Corporation Limited	Lodgement expected mid 2023
Riverbend Residential Development - Napier	Tawanui Developments Limited, K3 Properties Limited & Mana Ahuriri Holdings Limited	Lodgement expected early 2023
Silverlight Studios Accommodation - Wanaka, Otago	Silverlight Studios Limited	Consented by Panel (18 February 2022)
Drury Centre Precinct - Auckland	Kiwi Property Holdings No 2	Under consideration by Panel
Waihoehoe Precinct - Auckland	Oyster Capital Limited	Under consideration by Panel
Drury East Stage 1 Precinct – Auckland	Fulton Hogan Land Development	Under consideration by Panel

Flints Park, Ladies Mile – Te Pūtahi, Queenstown	Glenpanel Development Limited	Declined by Panel (30 November) Currently under appeal
Federal Street Residences, Auckland	P0012 Auckland NZ Pty Limited	Consented by Panel (28 July 2022)
Bellgrove Development, Rangiora	Bellgrove Rangiora Limited	Consented by Panel (29 June 2022)
Lakeview-Taumata	QT Lakeview Developments Limited	Consented by Panel (16 December 22)
Summerset Retirement Village, Half Moon Bay, Auckland	Summerset Villages (Halfmoon Bay) Limited	Consented by Panel (11 April 2023)
Browns Bay Road Apartments, Auckland	Matvin Group Limited	Under consideration by Panel
Te Tauoma Stage 1B, St Johns, Auckland	Shundi Tamaki Village Limited	Consented by Panel (15 February 2023)
Kaiwharawhara Wellington Ferry Terminal Redevelopment	KiwiRail Holdings Limited	Consented by Panel (25 January 2023)
The Rotokauri North project, Hamilton	Rotokauri North Holdings Limited	Consented by Panel (27 July 2022)
Tauhei Farm Solar Project, Te Aroha	Harmony Energy New Zealand Limited	Consented by Panel (20 September 2022)
The Hill, Ellerslie, Auckland	Auckland Thoroughbred Racing Incorporated & Fletcher Residential Limited	Consented by Panel (17 April 2023)
Ariki Tahi Sugarloaf Wharf Upgrade, Waikato	Ariki Tahi Sugarloaf Wharf Limited	Consented by Panel (20 September) Currently under appeal
Hananui Aquaculture Project, Foveaux Strait	Ngāi Tahu Seafood Resources Limited	Under consideration by Panel
Flints Park West, Ladies Mile – Te Pūtahi, Queenstown	Glenpanel Development Limited	Lodgement expected late 2023
Waimarie Street, St Heliers, Auckland	Sanctum Projects Limited	Under consideration by Panel
Te Rere Hau Wind Farm Repowering, Manawatu	NZ Windfarms Limited	Under consideration by Panel
Bontanic Riverhead, Auckland	Matvin Group Limited	Consented by Panel (29 March 2023) Currently under appeal
Whenuapai Business Park, Auckland	Neil Construction Limited	Under consideration by Panel
Whenuapai Green, Auckland	Neil Construction Limited & Maraetai Land Development Limited	Under consideration by Panel
Faringdon Oval, Rolleston, Christchurch	Hughes Development Limited	Under consideration by Panel
Glenpanel Ladies Mile, Te Pūtahi	Maryhill Limited	Lodgement expected 2023

Kepa Road Apartments, Auckland	Sanctum Projects Ltd	Under consideration by Panel
Wellsford North, Auckland	Wellsford Welding Club Limited	Lodgement expected 2023
Johnsonville Town Centre Redevelopment, Wellington	Stride Property Limited	Lodgement expected 2023
Waiterimu Solar Farm, Waikato	Waikato Solar Farms Limited/ Transpower NZ Limited	Lodgement expected 2023
Tauranga Innovative Courthouse, Bay of Plenty	Ministry of Justice	Consented by Panel (19 January 2023)
East Coast Heights, Silverdale	Build Rich Limited / Nation Shine Holdings Limited	Lodgement expected 2023
East Coast Heights, Stage 5 Silverdale	Build Rich Limited	Under consideration by Panel
Strathmill, Orewa	Shildon Ltd	Under consideration by Panel
Great South Homes Park, Auckland	Unispot Great South Limited	Under consideration by Panel
Waikanae North, Wellington	Bulletin Trust	Lodgement expected 2023
Rangiriri Solar Farm, Waikato	Joint Applicants: Rangiriri Solar Farm Limited and Transpower NZ Limited	Lodgement expected 2023
Waerenga Solar Farm, Waikato	Joint Applicants: Waerenga Solar Farm Limited and Transpower NZ Limited	Lodgement expected 2023
Wooing Tree Stage 4, Otago	Wooing Tree Property Development	Under consideration by Panel
Glen Innes to Tamaki shared path, Auckland	Auckland Transport	Under consideration by Panel
Wairatahi	Heretaunga Tamatea Settlement Trust	Lodgement expected 2023
Upland Road Retirement Village	HND Upland Limited and St Andrew's Village Trust Incorporated	Lodgement expected 2023
Metlifecare Retirement Village – Wellington	Metlifecare Retirement Villages Limited	Lodgement expected 2023
Holly Lea Village Buildings D and E, Fendalton, Christchurch	Holly Lea Village Limited	Lodgement expected 2023
Man Street Hotel, Queenstown	The Queenstown Hotel NZ Limited Partnership	Lodgement expected 2023
Project Quarterdeck, Auckland	Box Property Investments Ltd	Lodgement expected 2023
The North, Auckland	617 New North Limited	Lodgement expected 2023
Auckland Surf Park	AW Holdings 2021 Ltd	Lodgement expected 2023

Harmony Energy Solar Farm Opunake, Taranaki	Harmony Energy NZ #4 Limited	Lodgement expected 2023
Harmony Energy Solar Farm Marton, Rangitikei	Harmony Energy NZ #3 Limited	Lodgement expected 2023
Masterton Solar Farm, Wairarapa	Harmony Energy NZ # 2 Limited	Lodgement expected 2023
Ōtaki Māori Racecourse Development, Wgtn	Ōtaki Revisited Limited	Lodgement expected 2023
Moy Estate, Ōtaki	Wakefield Group Holdings Ltd	Lodgement expected 2023
Worker Accommodation Hansen Road, Queenstown	No. 1 Hansen Road Limited	Lodgement expected 2023
Maraekakaho Quarry, Hawkes Bay	Russell Aggregates Limited	Lodgement expected 2023
Brookby Quarry – Stage 3, Auckland	Brookby Quarries Limited	Lodgement expected 2023
Kings Quarry, Wainui, Auckland	Kings Quarry Limited	Lodgement expected 2023
Wairau Housing Development, Blenheim	Hāpai Development Property Limited Partnership's	Lodgement expected 2023
The Foundation Village – Building 3, Auckland	The Foundation Village Partnership	Lodgement expected 2023
Summerset Rotorua	Summerset Villages (Rotorua) Limited	Lodgement expected 2023

**Appendix two – Status of projects listed in Schedule 2 of the COVID-19 Recovery (Fast-track Consenting) Act 2020**

Listed Project	Status
Matawii Water Storage Reservoir Kaikohe	Consents have been approved.
Papakāinga Development – Rāpaki, Christchurch	Consents have been approved.
Te Ara Tupua – Ngā Ūranga to Pito-one shared path	Consents have been approved.
Waitohi Picton Ferry Precinct Redevelopment	Consents have been approved.
Queenstown Arterials Project	Consents have been approved.
Papakāinga Development - Kaitia	Consents have been approved.
Papakura to Pukekōhe rail electrification	Package 1 - consents have been approved. Package 2 – minor consents - unlikely to proceed under fast-track at this stage.
Papakura to Drury South State Highway 1 improvements	Package 1 - consents have been approved. Package 2 – consents have been approved.
Unitec Residential Development	Application 1 - consents have been approved. Application 2 - consents have been approved. Application 3 – consents have been approved.
Papakāinga Development – Waitara, Taranaki	Unlikely to proceed under fast-track at this stage.
Northern Pathway – Westhaven to Akoranga shared path	Unlikely to proceed under fast-track at this stage.
Te Pā Tāhuna Residential Development	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Point Chevalier, Auckland	Unlikely to proceed under fast-track at this stage.
Papakāinga development – Whaingaroa, Raglan	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Chatham Islands	Unlikely to proceed under fast-track at this stage.
Wellington Metro Upgrade Programme	Unlikely to proceed under fast-track at this stage.
Britomart Station eastern end upgrade	Unlikely to proceed under fast-track at this stage.