

FTC#84 Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act – Stage 2 decisions:

Application 2021-057 The Strand – Takapuna

Date Submitted:	23 September 2021	Tracking #: BRF-574
Security Level	In-Confidence	MfE Priority: Urgent

	Action sought:	Response by:
To Hon David Parker, Minister for the Environment	Decisions on recommendations	TBA

Actions for Minister's Office Staff	Return the signed briefing to MfE.
Number of appendices: 6	<p>Appendices:</p> <ol style="list-style-type: none"> 1. The Strand – Takapuna application documents and further information received 2. Stage 1 Briefing Note and decisions 3. Statutory framework for making decisions 4. Draft Notice of Decisions letter to HND TS Limited, HND MK Limited, and HND CB Limited 5. Section 17 Report 6. Comments received from Ministers and Auckland Council

Ministry for the Environment contacts

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FTC#84: Application for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act – Stage 2 decisions

Key Messages

1. This briefing relates to the application received under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) from HND TS Limited, HND MK Limited, and HND CB Limited (the applicants) for referral of The Strand – Takapuna project (the Project) to an expert consenting panel (a panel). A copy of the application is in Appendix 1.
2. This is the second briefing relating to this application. The first (Stage 1) briefing (BRF-428) with your initial decisions annotated is in Appendix 2.
3. The Project will be carried out on four properties located at 6-10 The Strand (which includes 2-8 Channel View Road) and 21, 31, and 33-45 Hurstmere Road in the central business district of Takapuna, Auckland.
4. The Project is to demolish a number of existing tenanted, commercial buildings on multiple properties and construct a new mixed-use development comprising five buildings up to 12 storeys with an approximate height of 44 metres above adjacent road level and with up to four levels of basement parking, and associated facilities, that will provide:
 - a. approximately 300 residential units, including approximately 100 serviced apartments for visitor and tourist use
 - b. a private pool/gym facility and private outdoor courtyards
 - c. commercial, retail and hospitality spaces
 - d. vehicle and pedestrian linkages/accessways and parking areas
 - e. public gardens and open space.
5. The Project will involve activities such as:
 - a. demolition and alteration of existing buildings and infrastructure
 - b. bulk earthworks, including the disturbance of contaminated soils
 - c. vegetation removal and works within the root zone of an Auckland Unitary Plan listed notable tree
 - d. groundwater takes and diversion
 - e. dewatering of building and construction sites
 - f. discharge of groundwater, stormwater run-off and contaminants to land
 - g. construction of three waters services
 - h. construction of five buildings
 - i. development of vehicle and pedestrian access/linkages, loading and parking areas
 - j. installation of signage
 - k. subdivision of land
 - l. any other activities that are –
 - i. associated with the activities described in 'a' to 'k'
 - ii. within the Project scope.

6. The Project will require land use and subdivision consents, and water and discharge permits under the Auckland Unitary Plan (AUP), and land use consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).
7. We recommend you decline the referral application under section 23(1) as:
 - a. the Project does not help to achieve the purpose of the FTCA of urgently promoting employment to support New Zealand's recovery from the economic and social impacts of COVID-19 as:
 - i. the Project will demolish approximately 7000 square metres of gross floor area (GFA) used for existing commercial activity, which will result in the loss of 110 full time equivalent (FTE) jobs
 - ii. the Project will generate approximately 140 FTE jobs over a 3-year construction period and 64 FTE permanent jobs after the construction period. Including the initial job losses, this equates to an overall net reduction of approximately 46 FTE jobs at the Project site on an ongoing basis following construction
 - iii. although the Project will generate a temporary increase in FTE jobs during the construction period, the concurrent displacement of a similar number of FTE jobs in a different sector, and the overall net loss of jobs post-construction, does not meet the urgent job creation objective of the FTCA.
8. We recommend you also decline the application under section 23(2), as we consider that it is more appropriate for the Project to go through standard processes under the Resource Management Act 1991 (RMA) for the following reasons:
 - a. the Project is located on a prominent site in central Takapuna that has strong connections to the public realm, including the Takapuna beach, beachfront reserve, Hurstmere Green reserve and The Strand and Hurstmere Road frontages, and the development may not align with outcomes sought under the Auckland Unitary Plan for the Takapuna 1 Precinct
 - b. concerns have been raised about the potential for the Project to undermine public access through the site inconsistent with an easement granted in Auckland Council's favour and resolution of this issue may affect timing of Project delivery.
9. We seek your decision on this recommendation.

Assessment against Statutory Framework

10. The statutory framework for your decision-making is set out in Appendix 3. You must apply this framework when you are deciding whether or not to accept the referral application and when deciding on any further requirements or directions associated with Project referral.
11. You must decline the application for referral if you are satisfied the Project does not meet the section 18 referral criteria. You may also decline the application for any other reason, including those listed in section 23(5), whether or not the Project meets the referral criteria.
12. However, before you make that decision you must consider the further information provided by the applicant (in Appendix 1), the Section 17 Report (in Appendix 5) and comments from Ministers, Auckland Council and Auckland Transport (in Appendix 6). We discuss these matters and provide our advice below.

Further information provided by applicants

13. In response to a request under section 22 of the FTCA the applicants provided further information on the following matters:
- the types of resource consents required under the AUP and NES-CS
 - details of the land, titles and area of the Project site
 - confirmation that the serviced apartments referred to in the application will be for tourists and visitors only (and not for permanent residents)
 - the number of jobs displaced as a result of the Project and the certainty of the displaced jobs being absorbed elsewhere in the local or regional market.
14. We have taken the applicants' response into account in our analysis and advice.

Section 17 Report

15. The Section 17 Report indicates that there are 13 iwi authorities, 7 Treaty settlements and 11 Treaty settlement entities relevant to the Project area.
16. No specific cultural or commercial redress provided under the settlements would be directly affected by the proposed Project, although the Project site lies close to the coastal marine area, which is covered by a statutory acknowledgement in both the Ngāi Tai ki Tāmaki and Te Kawerau ā Maki Treaty settlements. These groups and other individual iwi who also have a cultural association with the Project area and the parts of the Hauraki Gulf/Tikapa Moana adjacent to Takapuna are best placed to advise a panel on the nature and significance of any likely effects on these areas.
17. None of the relevant Treaty settlements create new co-governance or co-management processes that would affect decision-making under the Resource Management Act 1991 (RMA) for this Project.

Comments received

18. Comments were received from five Ministers, Auckland Council and Auckland Transport. The key points relevant to your decision are summarised below and a full summary is included in Table A.
19. s 9(2)(f)(ii), s 9(2)(g)(i)
- 20.
- 21.
22. Auckland Transport did not state whether they supported or opposed Project referral and noted that they did not have enough information to assess the Project's effects. Auckland Transport specifically commented on pedestrian connectivity and the need for a panel to consider construction and operational transport effects should you decide to refer the Project.
23. Auckland Council opposed Project referral and considered that, on balance, the application should go through standard RMA processes.
24. The following parties made requests relating to information to be provided to a panel:

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

- a.
- b.
- c.
- d. Auckland Transport requested a transport assessment, including construction traffic management
- e. Auckland Council requested a comprehensive list of technical reports and assessments

Section 18 referral criteria

- 25. You may accept the application for referral of the Project if you are satisfied that the Project does not include ineligible activities (section 18(3)) and will help to achieve the purpose of the FTCA (section 18(2)).
- 26. The Project does not include any ineligible activities under section 18(3) of the FTCA as explained in Table A.
- 27. The matters that you may consider when deciding if a project will help to achieve the purpose of the FTCA are in Section 19 of the FTCA. Our assessment of these matters is summarised in Table A.
- 28. We consider that the Project has the potential to have positive effects on social wellbeing and could result in public benefits such as increased housing supply and potentially contributing to a well-functioning urban environment. However, we also consider that the Project will have the effect of displacing existing jobs and does not provide certainty that there will be a net increase of jobs beyond the construction period. Therefore, it will not help to urgently promote employment to support New Zealand's recovery from the social and economic impacts of COVID-19.
- 29. The proposed demolition of existing buildings currently used for commercial activities will displace approximately 110 existing FTE jobs. The Project is estimated to generate approximately 140 direct annual FTE jobs in the 3-year construction period and approximately 64 ongoing FTE jobs in the post-construction period. Therefore, after the 3-year construction period, the Project will result in a reduction of 46 FTE jobs on the site on an ongoing basis. In terms of commercial floorspace, the Project will remove approximately 7,200 square metres of existing GFA and replace it with 2,200 square metres of new GFA – which is a net reduction of 5,000 square metres GFA.
- 30. In response to our request for further information on this issue, the applicants provided an economic assessment report outlining the office tenancies currently for rent across Takapuna, the North Shore and Auckland. The report concluded that current listings indicate Takapuna has 38,000 square metres of office floorspace available for rent, the North Shore has 108,000 square metres of office floorspace available to rent, and the Auckland region has 1.3 million square metres of office floorspace available to rent. Based on this information the applicants' view is that the displaced commercial activity will not have any difficulty finding alternative premises to operate (and therefore that the 110 FTE jobs will be reinstated in alternative locations).
- 31. We are not satisfied that the existence of available commercial space to rent provides for sufficient certainty that the displaced jobs will be reinstated in their entirety (as it does not take account of the configuration, amenity, suitability, or cost of the alternative space to accommodate the existing businesses), nor within a timeframe that can satisfy the FTCA's

purpose of urgently promoting employment. To accept a referral application, you need to “be satisfied” (section 18(2)), so have a high degree of confidence, that the Project will help to achieve the FTCA’s purpose of urgently promoting employment. We consider that displacement of jobs and a reduction in jobs on the site beyond the construction period is not aligned with the urgent employment outcomes sought by the FTCA.

32. If you are not satisfied that the Project will meet the purpose of the FTCA, you must decline the referral application under section 23(1) of the FTCA.

Other reasons to decline

33. Whether or not the Project meets the referral criteria in section 18 of the FTCA, section 23(2) of the FTCA permits you to decline to refer the Project for any other reason. Reasons that determine an application is not appropriate for fast-tracking can be cumulative.

Section 23 FTCA matters

34. Section 23(5) of the FTCA provides further guidance on reasons to decline an application, and a summary of our analysis of these matters is in Table A. You may accept an application even if one or more of those reasons apply.

35. Relevant issues relate to:

- a. proposed buildings located on a prominent site in central Takapuna that has strong connections to the public realm and is within the coastal environment, with heights in excess of the applicable AUP standard (permitted 24.5 metres, proposed up to 44 metres)
- b. the potential high level of public interest and restrictions on public input should you decide to refer the Project
- c. whether the Project would be more appropriately considered under the RMA.

36. These issues are discussed in detail in Table A and are summarised in the discussion below.

37. The Project site is located in the Takapuna 1 Precinct-Sub-Precinct A zone. The zone incorporates the central area of Takapuna and seeks to avoid visually dominant development in the beachfront area, including requirements for a stepped building height approach, encouragement to provide pedestrian linkages to and through the zone, and a maximum permitted building height of 24.5 metres. The Project does not align with the permitted building height, nor potentially the visual dominance and sense of place outcome requirements for the zone.

38. Auckland Council considered that the Project has potential for significant adverse effects on the local urban environment, beach and beachfront reserve, public and open space users, pedestrians, and the wider Takapuna precinct, and would likely be publicly notified under standard RMA processes.

39. Building height exceedances are not considered barriers to referral of a project to the fast-track process unless they are prohibited under the relevant plan/s. As the infringement of the height standard is a restricted discretionary activity, this could be considered by a panel as part of a merits assessment and is not, on its own, a reason to decline referral under section 23(5)(b). Potential environmental effects are also not considered automatic barriers to using the fast-track process on their own, as they can also be considered by a panel as part of a merits assessment. However, given that the Project is located on a prominent site with strong connections to the public realm, we consider that the height exceedances and potential misalignment of the Project with outcomes sought for by the Takapuna 1 Precinct indicate that the Project would be more appropriately considered under the RMA.

40. Should you decide to refer the Project, there is a risk that a resource consent application based on the current proposed building heights may be declined, given effects of the significant height exceedance (approximately 19.5 metres) on the Takapuna beachfront and the generally low-rise Takapuna area. Additionally, there is a risk that Project referral could be viewed negatively by the wider community who, due to the scale of the development and its relationship with the public realm, may expect to be involved in a consenting process. If you decide to refer the Project, a panel must invite comments from adjacent landowners and occupiers under clauses 17(6)(g) and 17(6)(h), Schedule 6 of the FTCA. A panel also has the ability to invite comments from any person they consider appropriate (clause 17(8), Schedule 6 of the FTCA).

Other matters

41. The Project site is subject to a pedestrian right of way easement in favour of Auckland Council. Auckland Council and the applicants have differing views on the Council's rights under the easement. While there is indication from Auckland Council that the parties are willing to negotiate on this matter, should you decide to refer the Project prior to the issue being resolved there is a risk that it could delay the lodgement of applications for resource consent with the Environmental Protection Authority.
42. Auckland Council commented that high level assessment by Watercare Services Limited (Watercare) confirmed capacity and infrastructural constraints in the existing wastewater and water services, and that a major network upgrade is likely to be required. Should you decide to refer the Project, the applications for resource consent should be required to provide further detail, including proposed funding mechanisms for the required infrastructure upgrades.
- s 9(2)(f)(ii), s 9(2)(g)(i)

We note that a panel can consider imposing consent conditions relating to financial contributions at its discretion.

43. We do not consider that any of the matters raised in this section are reasons on their own to decline Project referral under section 23(2) of the FTCA. However, we consider that the issues and risks associated with the Project require cumulative consideration together with the issue of job displacement. For this reason, we are of the view that referral of the Project should be declined as it would be more appropriately considered under the RMA.

Conclusions

44. The overarching purpose of the FTCA (under section 4) is to urgently 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. Although the Project meets part of the referral criteria in section 18 and will have public benefits such as providing housing and potentially contributing to a well-functioning urban environment, we consider that the Project will not urgently promote employment and therefore will not help to achieve the purpose of the FTCA.
45. Further, we consider that it is more appropriate for the Project to go through standard processes under the RMA due to the Project's location at a prominent site with strong connections to the public realm, the potential misalignment of the Project with local planning provisions, concerns about the Project's suitability for fast-tracking, and concerns about the potential for the Project to undermine public access through the site, and associated implications of this issue on timing of Project delivery. We consider that on balance, due to the cumulative issues and risks associated with the Project, there is sufficient reason to decline to refer the application under sections 18(2), 23(1), and 23(2) of the FTCA.

46. Should you disagree with our recommendations and decide to refer the application, we consider that you should direct a panel to seek comments from the Ngāti Koheriki Claims Committee, as the Project falls within the Ngāti Koheriki area of interest, but this iwi is not represented by an iwi authority or Treaty settlement entity under the FTCA.
47. Our recommendations for your decisions follow.

Next Steps

48. Where you decide to decline a referral application, you must give notice of your decisions and the reasons for them to the applicants and anyone invited to comment on the referral application.
49. For a decision to accept a referral application the notice of decisions must be given to these two groups and the persons, entities and groups listed in section 25(2) of the FTCA. We consider that should you decide to refer the Project, the notice of decisions should also be copied to the Ngāti Koheriki Claims Committee.

Released under the provision of
the Official Information Act 1982

Recommendations

1. We recommend that you:

- a. **Note** that section 23(1) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) requires you to decline an application for referral unless you are satisfied that the Project meets the referral criteria in section 18 of the FTCA including that it would help to achieve the FTCA's purpose.
- b. **Note** that when assessing whether the Project would achieve the FTCA's purpose, you may consider a number of matters under section 19, including the Project's economic benefits and costs, and effects on social or cultural well-being; whether it may result in a public benefit (such as generating employment or increasing housing supply) and also whether it could have significant adverse effects.
- c. **Note** that before deciding to decline the application for Project referral under section 23 of the FTCA you must consider:
 - i. the application
 - ii. the report obtained under section 17 of the FTCA
 - iii. any comments and further information sought and provided within the required timeframe.
- d. **Decline** to accept the application from HND TS Limited, HND MK Limited, and HND CB Limited for referral of The Strand – Takapuna project to a panel under sections 23(1) and 23(2) of the FTCA for the following reasons:
 - i. the Project does not help to achieve the purpose of the FTCA of urgently promoting employment to support New Zealand's recovery from the economic and social impacts of COVID-19 as:
 - the Project will demolish approximately 7000 square metres of gross floor area (GFA) used for existing commercial activity, which will result in the loss of 110 full time equivalent (FTE) jobs
 - the Project will generate approximately 140 FTE jobs over a 3-year construction period and 64 FTE permanent jobs after the construction period. Including the initial job losses, this equates to an overall net reduction of approximately 46 FTE jobs at the Project site on an ongoing basis following construction
 - although the Project will generate a temporary increase in FTE jobs during the construction period, the concurrent displacement of a similar number of FTE jobs in a different sector, and the overall net loss of jobs post-construction does not meet the urgent job creation objective of the FTCA.
 - ii. it is more appropriate for the Project to go through standard processes under the Resource Management Act 1991 (RMA) for the following reasons:
 - the Project is located on a prominent site in central Takapuna that has strong connections to the public realm, including the Takapuna beach, beachfront reserve, Hurstmere Green reserve and The Strand and Hurstmere Road frontages, and the development may not align with outcomes sought under the Auckland Unitary Plan for the Takapuna 1 Precinct
 - concerns have been raised about the potential for the Project to undermine public access through the site inconsistent with an easement

granted in Auckland Council's favour and resolution of this issue may affect timing of Project delivery.

Yes/No

- e. **Sign** the attached (Appendix 4) notice of decisions to HND TS Limited, HND MK Limited, and HND CB Limited.

Yes/No

- f. **Note** that to ensure compliance with section 25(3) of the FTCA, you must ensure that the decisions, the reasons, and the Section 17 Report are published on the Ministry for the Environment's website. We will work with your office to complete this task.

Signatures



Stephanie Frame
Manager – Fast Track Consenting

Date

Hon David Parker
Minister for the Environment

Date

Table A: Stage 2 - Project Summary and Section 24 Assessment

[illegible]

Project details	Project description	Does all or part of the Project meet the referral criteria in section 18?		Summary of comments received	Section 23 assessment – potential reasons for declining	Referral conclusions & recommendations
		Project eligibility for referral (section 18(3a - d))	Section 18(2) - Does the Project help achieve the purpose of the FTCA (as per section 19)?			
	<p>disturbance of contaminated soils</p> <p>c. vegetation removal and works within the root zone of an Auckland Unitary Plan (AUP) listed notable tree</p> <p>d. groundwater takes and diversion</p> <p>e. dewatering of building and construction sites</p> <p>f. discharge of groundwater, stormwater run-off and contaminants to land</p> <p>g. construction of three waters services</p> <p>h. construction of five buildings</p> <p>i. development of vehicle and pedestrian access/linkages, loading and parking areas</p> <p>j. installation of signage</p> <p>k. subdivision of land</p> <p>l. any other activities that are:</p> <p>i. associated with the activities described in 'a' to 'k'</p> <p>ii. within the Project scope.</p> <p>The Project will require land use and subdivision consents, and water and discharge permits under the AUP, and land use consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).</p>		<p>Is the Project likely to progress faster by using this Act? (19(c))</p> <p>The applicants consider that the fast-track process will allow the Project to progress at least 5 to 11 months faster than under standard Resource Management Act (RMA) processes, due to the likelihood of notification and a hearing, and potential for appeals under the standard process.</p> <p>Will the Project result in a public benefit? (19(d))</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"> increased housing supply with various typologies in an area with high housing demand contribution to well-functioning urban environments by providing a variety of housing with good accessibility to jobs, public transport and natural and open spaces. <p>We note that while creation of jobs was listed as a public benefit in the first briefing for this Project, due to the issue of job displacement, it is not listed in this briefing as a public benefit under section 19(d).</p> <p>Potential to have significant adverse environmental effects, including greenhouse gas emissions (19(e))</p> <p>The Project has the potential for adverse environmental effects including:</p> <ul style="list-style-type: none"> effects on the coastal environment and public realm, natural character, landscape, visual and amenity values effects related to urban design outcomes effects on open spaces, pedestrian corridors and recreation values noise, vibration, traffic, odour, and other temporary construction effects effects relating to infrastructure and servicing capacity effects on overland flowpaths effects relating to geotechnical engineering/land stability and ground settlement 	<p>Local authority</p> <p>Auckland Council opposed Project referral. Key comments included:</p> <ul style="list-style-type: none"> the Project sites are of an important and strategic location due to proximity to the beachfront and the sense of place to be achieved as required by the Precinct. The proposal will result in significant adverse effects on the character of Takapuna, in particular the public realm and street amenity of the beachfront precinct, the coastal character, beach, beachfront reserve, and public connections. Lack of good connectivity on the ground level will also significantly compromise the anticipated economic benefits the proposal will generate in terms of provision of jobs and growth from the retail and hospitality uses the proposal undermines the strategic outcomes and public benefit aspirations relating to beachfront development sites as supported by the AUP and the Takapuna Centre Plan. There are concerns relating to height, bulk and dominance of the proposed buildings, and the effects of these on outcomes sought by the Precinct. The trip generation from the high number of car parking spaces proposed will also have potentially significant safety and amenity effects on the surrounds where pedestrian use is high it is more appropriate for the Project to be considered under the RMA as time restraints identified within the FTCA could result in a rushed assessment and an outcome that does not meet the interests of the surrounding community and environment. Council has previously indicated to the applicants that the Project would likely be publicly notified Watercare's high level assessment has confirmed capacity and infrastructural constraints in terms of the existing wastewater and water servicing available, and a major network upgrade is likely to be required to accommodate the development. Stormwater runoff can be accommodated by the existing reticulated network the proposed design conflicts with the exiting pedestrian easement as it seeks to build on this area. The applicant proposes an alternative through-site link on the ground level that does not align with the existing easement area and would not provide at-grade access for pedestrians. Auckland Council's Local Board considers the variance to easements a process which must be allowed to go through due and proper legal investigation and process, and not be pre-empted by a fast-tracked consent Heritage Consents notes that the Project site is located immediately adjacent to the former Takapuna Library at 2 The Strand, which is scheduled in the Auckland Unitary Plan as a Category B place. There has been no information or consideration of the impact that this proposal might have on the built heritage values of this scheduled place, and there is potential for adverse environmental effects including construction-related damage Council's Local Board notes concern that the Project's construction phase will create displacement and disruption in the Takapuna town centre, which will likely have an impact on local businesses in an area that has already experienced disruption from COVID-19 lockdowns, road upgrades and construction Council's Local Board further notes there are already a number of other major, and similar, developments underway through the RMA process in the Takapuna Metropolitan Centre and nearby which will fulfil the employment and housing outcomes of the FTCA. Fast-tracking this Project ahead of very similar projects nearby could have the unintended consequence of delaying or jeopardising those projects due to limited availability of building materials and skilled tradespeople in this area 	<p>Inconsistency with a national policy statement (23(5)(c))</p> <p>We do not consider that the Project is inconsistent with any relevant national policy statements.</p> <p>Inconsistent with a Treaty settlement (23(5)(d))</p> <p>The Project does not directly affect any Treaty settlement purposes.</p> <p>Involves land needed for Treaty settlements (23(5)(e))</p> <p>The Project site does not include land needed for Treaty settlement purposes.</p> <p>Applicant has poor regulatory compliance (23(5)(f))</p> <p>Auckland Council noted that the applicants do not have a negative compliance history.</p> <p>Insufficient time for the Project to be referred and considered before FTCA repealed (23(5)(g))</p> <p>There is sufficient time for the application to be referred and considered before the FTCA is repealed.</p> <p>Other issues & risks:</p> <p>The Project site is subject to a pedestrian right of way easement. The easement is in favour of Auckland Council and allows public to pass on foot along the easement area. The applicants' assessment is that they may not require Auckland Council's consent to build over the easement area as long as the buildings do not substantially interfere with the Council/public's right to pass and repass on foot</p>	<p>While the Project may result in a public benefit through increased housing supply and contribution to a well-functioning urban environment, we consider that on balance it should not be referred under the FTCA. We recommend you decline the application for the following reasons:</p> <ol style="list-style-type: none"> the Project does not help to achieve the purpose of the FTCA of urgently promoting employment to support New Zealand's recovery from the economic and social impacts of COVID-19 as: <ul style="list-style-type: none"> the Project will demolish approximately 7000 square metres of gross floor area (GFA) used for existing commercial activity, which will result in the loss of 110 FTE jobs the Project will generate approximately 140 FTE jobs over a 3-year construction period and 64 permanent jobs after the construction period. Including the initial job losses, this equates to an overall net reduction of approximately 46 FTE jobs at the Project site on an ongoing basis following construction although the Project will generate a temporary increase in FTE jobs during the construction period, the concurrent displacement of a similar number of FTE jobs in a different sector, and the overall net loss of jobs post-construction, does not meet the urgent job creation objective of the FTCA it is more appropriate for the Project to go through standard processes under the RMA for the following reasons: <ul style="list-style-type: none"> the Project is located on a prominent site in central Takapuna that has strong connections to the public realm, including the Takapuna beach, beachfront reserve, Hurstmere Green reserve

Project details	Project description	Does all or part of the Project meet the referral criteria in section 18?		Summary of comments received	Section 23 assessment – potential reasons for declining	Referral conclusions & recommendations
		Project eligibility for referral (section 18(3a - d))	Section 18(2) - Does the Project help achieve the purpose of the FTCA (as per section 19)?			
			<ul style="list-style-type: none"> • effects relating to construction phase and post development traffic • effects on the notable tree located within the Project site • effects on built heritage values of the adjacent Category B heritage site • reverse sensitivity effects on adjacent commercial uses <p>Other relevant matters (19(f))</p> <p>N/A.</p>	<ul style="list-style-type: none"> • while the proposal finds some support from NPS-UD objectives, considerations must be balanced against the existing objectives and policies of the AUP, which form the main planning framework for consideration. <p>Other parties</p> <p>Auckland Transport considers that it does not currently have enough information to assess the effects of the Project, but provided comments on the following key issues:</p> <ul style="list-style-type: none"> • the Project site is located within the core of the centre and is one of the main pedestrian environments of Takapuna, providing a valuable and recognised pedestrian connection within Takapuna via the existing public access arrangements. The size and scale of the development will be a large trip generator and attractor for the local area • the pedestrian environment and active modes trips generated by the development and in the surrounding area are a key consideration, and it is not currently clear that the proposed arrangements achieve pedestrian connectivity outcomes. Careful consideration of any changes to the current easements through the site are needed, and the development should continue to provide an appropriately legible access as a public space and an accessible and open through way, with measures including appropriate lighting and way finding signage • Auckland Transport requests that, should the Project be referred, the application includes an Integrated Transport Assessment (ITA) and a draft Construction Traffic Management Plan (CTMP). <p>All responses received by parties invited to comment are attached at Appendix 6.</p>	<p>through the easement area. Auckland Council consider that the pedestrian right of way covers the entire easement area, and that no buildings or building structures are to be built on the easement area. While there is indication that the parties are willing to negotiate on this matter, should you decide to refer the Project prior to the issue being resolved there is a risk that it could delay timing of Project delivery.</p> <p>There is also a risk that Project referral could be viewed negatively by the wider community who, due to the scale of the development and relationship with the public realm, may expect to be involved in a consenting process.</p>	<p>and The Strand and Hurstmere Road frontages, and the development may not align with outcomes sought under the Auckland Unitary Plan for the Takapuna 1 Precinct</p> <ul style="list-style-type: none"> • concerns have been raised about the potential for the Project to undermine public access through the site inconsistent with an easement granted in Auckland Council's favour and resolution of this issue may affect timing of Project delivery. <p>Notwithstanding the above, if you decide to refer the Project, officials will work with your office to provide the appropriate paperwork, including paperwork for the Order in Council process and recommendations for direction to a panel under section 24(2)(d).</p>

Schedule of Appendices and Attachments

Appendix 1 – The Strand – Takapuna – Application form and additional information received

Appendix 2 – 2021-BRF-428 FTC#79 – Application for referred project under the COVID-19 Recovery FTCA - Stage 1 decisions on The Strand – Takapuna project

Appendix 3 – Statutory framework for making decisions

Appendix 4 – Draft Notice of Decisions letter to HND TS Limited, HND MK Limited, and HND CB Limited

Appendix 5 – Section 17 Report

Appendix 6 – Comments received from Ministers, Auckland Council and Auckland Transport

Released under the provision of
the Official Information Act 1982