

FTC #127: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

Application 2021-083 Wellsford North Project

Date submitted:	7 April 2022	Tracking #:	BRF-1402
Security level	In-Confidence	MfE priority:	Urgent

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

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

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Helen Willis		
Manager	Stephanie Frame	s 9(2)(a)	✓
Director	Caroline Hart	s 9(2)(a)	

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Key messages

1. This briefing seeks your initial decisions on an application from Wellsford Welding Club Limited to refer the Wellsford North Project (project) to an expert consenting panel (panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).
2. The project is to subdivide a 31-hectare site lying north of the Wellsford town centre and construct housing developments on two separate areas located respectively at 338 Rodney Street and the end of Monowai Street, Wellsford, Auckland. The project will create approximately 85 residential lots and residential units (66 at Rodney Street and 19 at Monowai Street), two super lots¹ for future residential development and two lots for future development of a neighbourhood centre for commercial, retail and residential activity (at Rodney Street), and two balance lots not intended for development.
3. The project will include landscape planting and associated infrastructure works including new roads intended to vest in Auckland Council, construction of a new intersection with State Highway 1, vehicle and pedestrian access, and three-waters services.
4. The project involves activities such as subdividing land, carrying out earthworks, diverting and discharging stormwater to water and land, constructing buildings and infrastructure, and landscaping.
5. The project will require subdivision and land use consents, and water and discharge permits, under the Auckland Unitary Plan (AUP) and (potentially) consents under the Resource Management (National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
6. We have undertaken an initial (Stage 1) analysis of the referral application, and this is presented along with our recommendations in Table A.
7. The Monowai Street development area is partly in the Future Urban Zone and partly in the Single House Zone, while the Rodney Street development area is in the Future Urban Zone under the AUP. The balance lots, which are not proposed for development as part of the project, are in the Rural - Countryside Living Zone. The Future Urban Zone applies to greenfield land identified as suitable for urbanisation. Future Urban Zone land can be used for a range of general rural activities, but urbanisation is to be avoided until sites have been rezoned for urban purposes.
8. The AUP promotes structure planning as a precursor to rezoning and urban development in the Future Urban Zone. The Auckland Plan 2050 (June 2018) and Councils Future Urban Land Supply Strategy (July 2017) sequence the future urban area in Wellsford for development between 2023 and 2027. The applicant has advised that they are preparing a comprehensive structure plan for part of the future urban area in Wellsford, which includes the project site, and intend to lodge the “Wellsford North” private plan change application to Auckland Council later this year. The applicant advises that the “Wellsford North” plan change will enable development of approximately 650 additional residential units across the wider plan change area.
9. If the project is referred it will be assessed against the AUP framework as a non-complying activity. The applicant considers that the project will not be contrary to the relevant AUP objectives and policies, and that adverse effects will be no more than minor, which will allow the project to pass the ‘gateway tests’ in section 104D of the Resource Management Act

¹ Large scale lot for future subdivision and development.

1991 (RMA).

10. The project meets all of the eligibility criteria in section 18(3) of the FTCA, but more analysis is needed before we can advise you on matters in section 23(5) which may influence your referral decision.
11. We recommend you progress consideration of the application to the next stage of analysis (Stage 2) and invite comments from Auckland Council and specific Ministers listed in section 21(6) of the FTCA.
12. We recommend that you invite comments from the Associate Minister for the Environment (Urban Policy) as an additional Minister under section 21(6)(n) of the FTCA, and Waka Kotahi NZ Transport Agency, Auckland Transport and Watercare Services Limited as additional parties under section 21(3) of the FTCA.
13. We also recommend that you request further information from Auckland Council and the applicants as detailed in Table A.

Statutory framework summary

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

Action sought

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

Signature



Stephanie Frame
Manager – Fast-track Consenting

Project to progress

² Large scale lot for future subdivision and development.

Project details	Project description	Project funding	Is project eligible for referral? [section 18(3)]	Will the project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
	<p>The project involves activities such as subdividing land, carrying out earthworks, diverting and discharging stormwater to water and land, constructing buildings and infrastructure, and landscaping.</p> <p>The project will require subdivision and land use consents, and water and discharge permits, under the Auckland Unitary Plan (AUP) and (potentially) consents under the Resource Management (National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</p>							<p>Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F), and whether any proposed works are prohibited activities under the NES-F.</p> <p>The applicant has provided preliminary assessments/statements from a range of technical experts and considers that the project will not result in any long term, adverse effects on the environment.</p> <p>We note that you do not require a full Assessment of Environment Effects and supporting evidence to make a referral decision, and that a panel will consider the significance of effects and appropriate mitigation should the project be referred.</p>	<p>The applicant advises that Kāinga Ora have expressed interest, and agreed in principle, to acquire between 20% and 30% of all the lots (or houses) for the wider development anticipated by the pending private plan change. This will include up to 30 of the lots (or houses) in this project. The applicant provided correspondence from Kāinga Ora that confirms this intention. We recommend that you seek further information from the applicants on this matter to ensure that any proposed arrangements will not affect timely project delivery.</p> <p>As the project includes an extension of Monowai Street to service the Monowai Street development area, and a new intersection onto Rodney Street (State Highway 1) we recommend that you seek comment on the application from Waka Kotahi New Zealand Transport Agency and Auckland Transport.</p> <p>The project site is subject to a number of easement instruments and land interests, recorded on records of title 68185302 and 68185374. The applicants have confirmed that none of the instruments identified on the records of title should affect timely project delivery.</p>	<p>entities/persons under section 21(3) of the FTCA:</p> <ul style="list-style-type: none"> - Waka Kotahi NZ Transport Agency - Auckland Transport - Watercare Services Limited <p>g. Agree to seek written comments from Auckland Council on:</p> <ul style="list-style-type: none"> • the appropriateness of using the fast-track process for the project given the AUP policy framework applying to the site • details relating to the natural wetland identified on the project site and the applicability of the NES-F. <p>h. Agree to seek further information from the applicants on:</p> <ul style="list-style-type: none"> • confirmation that any proposed arrangements with Kāinga Ora will not affect timely project delivery • job creation. <p>i. Sign the attached letters to Ministers</p> <p>j. Note that while awaiting comments from invited parties, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>

Signed:

Hon David Parker
Minister for the Environment

Date: