



# Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

*For office use only:*

Project name: 201-203 Browns Bay Road Apartments  
Application number: PJ-0000763  
Date received: 21/09/2021

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

## Part I: Applicant

### Applicant details

Person or entity making the request: Matvin Group Limited (Matvin)

Contact person: Thomas Rutter

Job title: Development Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

Unit A3, 27-29 William Pickering Drive, Albany  
Auckland, 0632.

### Address for service (if different from above)

Organisation: The Planning Collective

Contact person: Gemma-Rose Brooke

Job title: Director/Planner

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: s 9(2)(a)

Postal address:

P.O Box 591, Warkworth 0941

## Part II: Project location

The application: does not relate to the coastal marine area.

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

Latitude: -36.730680

Longitude: 174.734740.

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

The legal description for 201 Browns Bay Road is Lot 1 DP 82026.

The legal description for 203 Browns Bay Road is Lot 2 DP 52218.

Registered legal land owner(s):

James Stuart Gordon and Sandra Louise Gordon own both 201 and 203 Browns Bay Road, Browns Bay.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

Matvin have a sale and purchase agreement in place with settlement late 2021, the only condition on the agreement relates to Matvin completing due diligence.

## Part III: Project details

### Description

Project name: 201-203 Browns Bay Road Apartments

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

To establish approximately 51 residential apartments in four blocks and associated earthworks, parking, access and landscaping. The proposed apartments will be one and two bedroom units, with semi basement and deck parking.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

The purpose of this project is to provide a range of relatively affordable housing to the market in the Eastern Upper North Shore which is currently undersupplied. The proposed concept reflects carefully considered design to respond to the topography of the site. The objective of the project is to create housing that is of a range, type and price that meets demand. The project provides for housing which is currently undersupplied in the area and region. As confirmed by the applicant's economic assessment the proposal would 'result in a net increase in construction sector output of \$9.6 million and generate 72 full time equivalent jobs.'

Where applicable, describe the staging of the project, including the nature and timing of the staging:

No staging is proposed. The construction will commence as soon as the necessary approvals are obtained.

### Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Subdivision consent

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 2 DP 52218	Auckland Unitary Plan	Residential - Mixed Housing Urban	None	Controls: Macroinvertebrate Community Index - Urban.  Designation: Airspace Restriction Designation - ID 4311, Defence purposes - protection of approach and departure paths

Legal description(s)	Relevant plan	Zone	Overlays	Other features
				<p>(Whenuapai Air Base), Minister of Defence.</p> <p>Designation 4311 approach/departure height limit for the site is 108m. The proposed apartments are approximately 17m above natural ground level. The 108m designation will be relevant for cranes during construction and the applicant will offer a condition of consent that this will be complied with.</p>
Lot 1 DP 82026	Auckland Unitary Plan	Residential - Mixed Housing Urban	None	<p>Controls: Macroinvertebrate Community Index - Native, Macroinvertebrate Community Index, Urban</p> <p>Designations: Airspace Restrictions Designation - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence.</p> <p>Designation 4311 approach/departure height limit for the site is 108m. The proposed apartments are approximately 17m above natural ground level. The 108m designation will be relevant for cranes during construction and the applicant will offer a condition of</p>

Legal description(s)	Relevant plan	Zone	Overlays	Other features
				consent that this will be complied with.

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
AUP, H5 Residential – Mixed Housing Urban Zone, Activity table	Table H5.4.1 (A4)	Four or more dwellings on one site.  Height - Height in Relation to Boundary - all, Yards.	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
Building Height	H5.6.4	The proposed apartments will exceed the 11m maximum height limit by approximately 5.9m where up to 16.9m is proposed (using the rolling height method).	Restricted discretionary under C1.9 (2)	201-203 Browns Bay Road, Browns Bay, Auckland
Height in relation to boundary	H5.6.5	There are two locations where the proposed buildings will exceed the height in relation to boundary controls on the northern and western boundaries, the exact extent of these infringements are still being refined.	Restricted discretionary under C1.9 (2)	201-203 Browns Bay Road, Browns Bay, Auckland
Alternative height in relation to boundary	H5.6.6	The alternative height in relation to boundary control may be utilised on the western boundary.	Restricted discretionary under C1.9 (2)	201-203 Browns Bay Road, Browns Bay, Auckland
Height in relation to boundary adjoining lower intensity zones	H5.6.7	The height in relation to boundary control is infringes on the north-western boundary where the site adjoins the Residential – Mixed Housing Suburban zone.	Restricted discretionary under C1.9 (2)	201-203 Browns Bay Road, Browns Bay, Auckland

Yards	H5.6.8	It is anticipated that structures (retaining etc.) that meet the definition of 'building' will be within yard setbacks. The easternmost façade of proposed Block C is within the side yard setback.	Restricted discretionary under C1.9 (2)	201-203 Browns Bay Road, Browns Bay, Auckland
Maximum impervious area	H5.6.9	The maximum impervious area control allows up to 60% and the proposal seeks 66% impervious coverage.	This is not a standard to be complied with under Table H5.4.1 (A4). It is a matter of discretion under H5.8.1 (2) and an assessment criterion under H5.8.2 (2) so included for ease of reference.	201-203 Browns Bay Road, Browns Bay, Auckland
Building Coverage	H5.6.10	The maximum building coverage control allows up to 45% and the proposal seeks 46% building coverage (including carpark buildings).	This is not a standard to be complied with under Table H5.4.1 (A4). It is a matter of discretion under H5.8.1 (2) and an assessment criterion under H5.8.2 (2) so included for ease of reference.	201-203 Browns Bay Road, Browns Bay, Auckland
Landscape area	H5.6.11	The minimum landscape coverage control requires 35% minimum and the proposal seeks 32%.	This is not a standard to be complied with under Table H5.4.1 (A4). It is a matter of discretion under H5.8.1 (2) and an assessment criterion under H5.8.2 (2) so included for ease of reference.	201-203 Browns Bay Road, Browns Bay, Auckland
Outlook Space	H5.6.12	Proposed Block B will have outlook over the right of way to the northeast, given this is private (not public property) this will likely be a technical infringement of this rule.	This is not a standard to be complied with under Table H5.4.1 (A4). It is a matter of discretion under H5.8.1 (2) and an assessment criterion under H5.8.2 (2) so included for ease of reference.	201-203 Browns Bay Road, Browns Bay, Auckland
Daylight	H5.6.13	It is anticipated that the proposal won't comply with this control between Blocks A, B and C.	This is not a standard to be complied with under Table H5.4.1 (A4). It is a matter of discretion under H5.8.1 (2) and an assessment criterion under H5.8.2 (2) so included for ease of reference.	201-203 Browns Bay Road, Browns Bay, Auckland

Front, side and rear fences and walls	H5.6.15	Retaining walls in yards may exceed these heights.	This is not a standard to be complied with under Table H5.4.1 (A4). It is a matter of discretion under H5.8.1 (2) and an assessment criterion under H5.8.2 (2) so included for ease of reference.	201-203 Browns Bay Road, Browns Bay, Auckland
E7 Taking, using, damming and diversion of water and drilling	E7.4.1 (A28)	Groundwater diversion associated with excavation not meeting the permitted activity standards.	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E11 Land disturbance – Regional	E11.4.1 (A8)	Earthworks over an area greater than 2,500m <sup>2</sup> where the land has a slope equal to or greater than 10 degrees	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E12 Land disturbance – District	E12.4.1 (A6)	Earthworks greater than 2,500m <sup>2</sup>	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E12 Land disturbance – District	E12.4.1 (A10)	Earthworks greater than 2,500m <sup>3</sup>	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E17 Trees in roads	E17.4.1 (A8)	Works within the protected root zone not meeting Standard E17.6.3	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E17 Trees in Roads	E17.4.1 (A10)	Tree removal of any tree greater than 4m in height or greater than 400mm in girth	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E27 Transport	E27.4.1 (A2)	Parking, loading and access which is an accessory activity but which does not comply with the Standards for parking, loading and access	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E27 Transport	E27.4.1 (A6)	Use of an existing vehicle crossing where a vehicle access restriction applies (arterial road).	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland
E38 Subdivision – Urban	E38.4.1 (A4)	Unit title subdivision	Controlled	201-203 Browns Bay Road, Browns Bay, Auckland
E38 Subdivision - Urban	E38.8.1 General standards in residential zones.	Infringements under E27 will be sought.	Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland

	Access and manoeuvring must meet the requirements of E27 Transport.			
National Environmental Standard for Assessing & Managing Contaminants in Soil to Protect Human Health Regulations 2011	10 (2) b	A preliminary site investigation is being obtained. There may be contaminants in the soil from lead based paint historically used for residential development.	Restricted Discretionary	201-203 Browns Bay Road, Browns Bay, Auckland

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

No previous applications have been made for the proposed development.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

No other consents/designations are required by other parties for this development.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

No legal authorisations are required.

### Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

The applicant has secured funding for the project and is ready to start construction early/mid 2022, as soon as the consents and engineering plan approvals are granted. Preparation of building consents will commence as soon as the applicant knows that the proposal can go through the Fast-Track process and building consent will be sought in tandem with the resource consent. It is anticipated that the project will take 1.5 -2 years to complete.

## Part IV: Consultation

### Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

Ministry for the Environment

### Local authorities

Detail all consultation undertaken with relevant local authorities:



n/a

### Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

We're initiating consultation with all relevant Iwi groups.

Detail all consultation undertaken with the above persons or parties:

Requests being sent to Iwi as outlined below.

## Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to [Te Kāhui Māngai – Directory of Iwi and Māori Organisations](#).

### Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Ngāi Tai ki Tāmaki	We are initiating consultation now in tandem with this pre-application.
Ngāti Manuhiri	We are initiating consultation now in tandem with this pre-application.
Ngāti Maru	We are initiating consultation now in tandem with this pre-application.
Ngāti Pāoa	We are initiating consultation now in tandem with this pre-application.
Ngāti Tamaoho	We are initiating consultation now in tandem with this pre-application.
Ngāti Tamatera	We are initiating consultation now in tandem with this pre-application.
Ngāti Te Ata	We are initiating consultation now in tandem with this pre-application.
Ngāti Whanaunga	We are initiating consultation now in tandem with this pre-application.
Ngāti Whātua	We are initiating consultation now in tandem with this pre-application.
Ngāti Whātua o Ōrākei	We are initiating consultation now in tandem with this pre-application.
Te Ākitai Waiohū	We are initiating consultation now in tandem with this pre-application.
Te Kawerau ā Maki	We are initiating consultation now in tandem with this pre-application.
Te Patukirikiri	We are initiating consultation now in tandem with this pre-application.
Ngātiwai	We are initiating consultation now in tandem with this pre-application.
Te Rūnanga o Ngāti Whātua	We are initiating consultation now in tandem with this pre-application.
Ngāti Whātua o Kaipara	We are initiating consultation now in tandem with this pre-application.

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
All iwi authorities and treaty settlement entities outlined in previous section.	We are initiating consultation now in tandem with this pre-application.

### Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

The site is not within a statutory acknowledgement area as per Auckland Council's GIS maps. All iwi authorities and treaty settlement entities outlined in Te Puni Kōkiri and Auckland Council mana whenua contacts that have an interest in the site are being consulted with.

## Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

### Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

The project is not within the marine and coastal area.

### Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

The project is not within the marine and coastal area.

## Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

The development will provide for sustainable forms of transport including walking, cycling, electric car & bicycle use and is near a main public transport route. Vehicle access sightlines, access design and access locations are supported by the applicant's traffic engineer. The proposal will be discussed with Auckland Transport prior to the development plans being finalised to ensure their design expectations are included.

Wastewater, stormwater, potable and firefighting connections to the public network can be accommodated. Standard conditions will ensure no risk to adjoining or neighbouring properties in relation to slumping or land instability related to groundwater diversion dewatering associated with the construction of basement carparking. Standard methodologies and conditions of consent can mitigate adverse effects.

The subject site is not within a statutory acknowledgement area or the coastal marine area, there are no streams or waterbodies on the site (or neighbouring sites) nor any protected vegetation.

With regards to noise, we anticipate that mitigation measures will be straightforward and do not expect that there will be any particular challenges in achieving a reasonable level of noise and vibration in the surrounding environment.

Assessment of neighbouring site topography, orientation and outlook of neighbouring dwellings is being prepared. It is our preliminary view is that the proposal will have less than minor adverse effects on neighbours because the subject site generally sits to the south of the neighbouring sites. The detailed landscape solution will assist in minimising the potential for the height and number of storeys to contribute to adverse residential character and visual effects.

## Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

NPS for Urban Development 2020:

The proposal is in keeping with the NPS:UD. The economic assessment prepared states the proposal would provide additional housing within the s 9(2)(b)(ii) price brackets, which are currently undersupplied in the study area and region. The proposal therefore helps to achieve the NPS:UD objectives as it increases the range of housing available to the market.

## Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that 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”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

The economic assessment provided states the proposal will create a considerable number of jobs within the construction industry. The national ‘value added per employee’ for each sector has been used to estimate the full time equivalent (FTE) employment for this project. The site is zoned Mixed Housing Urban. As a base case, development of 15 terrace dwellings is assumed to occur under this zone [the yield of 15 terrace dwellings is based on a gross lot area of approximately 220m<sup>2</sup> and a net let area of approximately 140m<sup>2</sup> which is typical for a terrace development in Auckland]. This base case provides FTE employment of 24 employees over the life of the project. The proposal provides employment of 96 FTE employees over the life of the project, a net increase of 72 FTE employees. This number can be interpreted as the number of FTE jobs created on an annualized basis, i.e. if construction takes two years and is split evenly between the years then 45 FTE jobs would be created in each year...the proposal would in addition result in a net increase in construction sector output of \$9.6 million.

Project's effects on the social and cultural wellbeing of current and future generations:

The project will positively contribute to social and cultural wellbeing now and into the future because it will provide for additional housing within the s 9(2)(b)(ii) price brackets, which are currently undersupplied in the Eastern Upper North Shore of Auckland. The design has been catered to incorporate accessible apartments with Block B having an elevator and 5 fully accessible units that provides for wheelchair access in all internal rooms. With regards to sustainability, the shared fully accessible laundry room removes the need for individual apartments to have their own laundry facilities. When utilising shared facilities people are more inclined to do full-loads of laundry which is a more energy efficient option.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

This project will proceed faster under this Act. It is not uncommon for resource consents to take over two years before they are approved even when the activity is anticipated in the zone (i.e has an overall activity status of restricted discretionary). The Planning Collective has been involved with, or knows of, residential projects of a similar size to the Browns Bay Rd Apartments development that have taken 12-18 months to gain (non-notified) consent through Auckland Council.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

The project will provide employment to 96 FTE employees over the life of the project, a net increase of 72 FTE more jobs than the base case (being 15 terraced dwellings creating 24 FTE jobs). As outlined in the applicant's economic assessment this is 'a notable economic benefit.'

Housing supply:

The project will add (approximately) 51 apartments, being relatively affordable housing in an area where there's demand.

#### Contributing to well-functioning urban environments:

At present the site has little to no streetscape interaction with existing dwellings oriented toward the northern views and overgrown scrub (predominantly pest species) fronting the footpath to Browns Bay Road. The proposal will improve passive surveillance of the street and add to the character and amenity values of the streetscape and site.

#### Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

The site is connected to the reticulated network, no infrastructure has been identified as needing to be upgraded by the applicant's engineers.

#### Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The site does not contain the aforementioned environmental features.

#### Minimising waste:

The design incorporates long lasting durable materials including concrete and bricks with the intention of minimising waste.

#### Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

The literature generally concludes that high density living is more environmentally friendly than urban sprawl. This extends to apartments having reduced footprints when compared to a stand-alone or terraced development (less building materials) and lower energy use. The site is well connected and in close proximity (50m) to main bus routes on East Coast Road, which is a significant passenger transport route providing very frequent services to local centres and the CBD. With many of these services connecting with transport hubs that provide passenger services to the wider Auckland region. The development will make allowances for electric vehicle and electric bicycle charging and will provide resident and visitor bicycle parking.

#### Promoting the protection of historic heritage:

There are no cultural heritage inventory sites on the subject site or adjoining sites.

#### Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

The applicant's engineer has raised no concerns with regards to flooding, the site is not subject to flooding or overland flow paths. The detailed design will outline any seismic risk associated with the site and the design will comply with the requirements of the Building Act.

#### Other public benefit:

The supply of relatively affordable housing in an area where there is demand.

#### Whether there is potential for the project to have significant adverse environmental effects:

As discussed in section VII of this application, potential adverse effects can be remedied and mitigated through design, landscape mitigation, construction methodology and conditions of consent.

## Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:



Matvin have not had any compliance/enforcement actions by a local authority under the Resource Management Act 1991.

## Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
Auckland Council	Matvin have not had any compliance/enforcement actions by a local authority under the Resource Management Act 1991.

## Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Gemma-Rose Brooke

21/09/2021

**Signature of person or entity making the request**

**Date**

## Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance,

disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

## Checklist

Where relevant to your application, please provide a copy of the following information.

No	Correspondence from the registered legal land owner(s)
No	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.

Released under the provision of  
the Official Information Act 1982