

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: Fleet Street Apartments, Newton
Application number: PJ-0000808
Date received: 29/06/2022

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

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: Shackleton Developments Limited / 11 Fleet Limited

Contact person: Geoff Cawson

Job title: Director

Phone: s 9(2)(a)

Email: info@shackletondevelopments.nz

Postal address:

262 Point Chevalier Road,
Point Chevalier,
Auckland, 1022

Address for service (if different from above)

Organisation: Campbell Brown Planning Limited

Contact person: Michael Campbell

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

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

Postal address:

PO Box 147001
Ponsonby
Auckland 1144

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.

11 & 13 Fleet Street, Newton, Auckland, 1021

Legal description(s):

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

11 Fleet Street, Newton - LOT 1 DP 389386 - 357765 - 335m2

13 Fleet Street, Newton - LOT 2 DP 389386 - 357766 - 336m2

Registered legal land owner(s):

11 Fleet Limited owns both sites. Please refer to the attached certificates of title

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:

The owners of the land are 11 Fleet Limited. 11 Fleet Limited is a company that is under the control of a director of Shackleton Developments Limited. The development will be undertaken by 11 Fleet Limited. This is the same arrangement that occurred with Shackleton Development for other projects, without any issues and have the financial capability and development expertise to deliver this project.

Part III: Project details

Description

Project name: Fleet Street Apartments, Newton

Project summary:

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

It is proposed to develop a 671m² site to accommodate approximately 57 apartments ranging from 1-2 beds across 8 levels, of which 29 apartments would be sold to the market and the remaining 28 apartments would be made available as build to rent (BTR), together with supporting parking and resident amenities in an area located close to a wide range of amenities including high frequency public transport networks (City Rail Link).

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.

It is proposed to develop a 671m² site to accommodate approximately 57 apartments.

The development will result in new dwellings to be separated into freehold units. A small area of office floor area is proposed comprising an on-site manager and a residents shared work space with a total area of around 70m².

The applicant's vision for the project is to provide a high quality residential community that will be serviced by the existing transport routes and commercial and community activities present the Eden Terrace and Mt Eden area.

The proposal includes the following key features to achieve this underlying principle:

1. Access to the City Rail Link and a range of public transport amenities. Plus the provision of cycle parking for all residents and visitors.
2. The provision of long term rental opportunities within a quality building that features on site amenities. And access to recreation and employment opportunities in close walking distance. Provision of a shared workspace on the site.
3. The provision of a high quality building designed with sustainability principles which seeks to achieve a minimum 6 star energy rating.

It is proposed to develop an inner city brownfield site of 671m² to accommodate approximately 57 Build to Rent apartment style dwellings, together with parking and landscaping in an area located close to a wide range of amenities including a high frequency public transport network (City Rail Link).

The underlying site layout has been designed to respect the following fixed constraints and opportunities of the subject site:

- The shape, topography and orientation of the subject site,
- The existing street network and a large street tree present on Fleet Street;
- The Business – Mixed Use zone surrounding the site;
- A short walk to Basque Park, a large high quality urban park,
- Access to a wide range of modes of public transport and a wide range of community, recreation and employment opportunities.

The proposal is a master-planned residential apartment development. The applicant proposes to construct approximately 57 new dwellings for a long term Build to Rent project. A small area of office floor area is proposed comprising an on-site manager and a shared work space with a total area of around 70m² is also proposed.

Plans of the proposed development are **attached**.

The density of the development is consistent with the underlying zoning of the site, which is zoned as Mixed Housing Urban – (MHU) and the National Policy Statement on Urban Development and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The Business – Mixed Use Zone is typically located around centres and along corridors served by public transport. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.

It also applies to areas where there is a need for a compatible mix of residential and employment activities. The zone provides for residential activity as well as predominantly smaller-scale commercial activity that does not cumulatively affect the function, role and amenity of centres. The zone does not specifically require a mix of uses on individual sites or within areas.

The proposal will support the Mt Eden Town Centre and the surrounding Business - Mixed Use Zone, which provides for a wide range of recreation and employment opportunities. It is also very well located in relation to the City Centre.

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

The proposal will be undertaken in a single stage.

The proposed earthworks will be done at the start of the construction process. Earthworks and civil construction will ideally commence in Early 2023, and the apartment development will be completed, in Mid-2025.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, 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 1 and 2 DP 389386	Auckland Unitary Plan	Business - Mixed Use Zone	Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - E20, Mount Eden, Viewshafts The Mount Eden, Viewshaft sits well above the proposed height of the apartment building. This control does not affect the site.	Controls: Macroinvertebrate Community Index [rcp/dp] – Urban - The Macroinvertebrate Community Index controls apply to various sections of the site and provides data on the health of streams. This control does not affect the site. Controls: Centre Fringe Office Control. The Centre Fringe Office Control enable office activities to establish

Legal description(s)	Relevant plan	Zone	Overlays	Other features
				close to the City Centre Zone. This control does not affect the site or the proposal.

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
Auckland Unitary Plan - H13 Business – Mixed Use Zone	(A45) New Buildings	Construction of a new building	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - H13 Business – Mixed Use Zone	H13.6.1. Building height	An infringement to building height of approximately 12.5 metres	Restricted Discretionary	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - H13 Business – Mixed Use Zone	H13.6.3. Building setback at upper floors	Proposal infringes 6 metre setback	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - H13 Business – Mixed Use Zone	H13.6.4. Maximum tower dimension and tower separation	Proposal infringes 6 metre setback	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - Auckland – wide Rules	E7 Taking, using, damming and diversion of water and drilling	Activity Table E7.4.1 (A28) The diversion of groundwater caused by any excavation, (including trench) or tunnel that does not meet the permitted activity standards or not otherwise listed.	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - Auckland – wide Rules	E12 Land Disturbance – District	E12.4.1 Activity Table (Business zones) (A10) Earthworks greater than 2,500m3	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - Auckland – wide Rules	E27 Transport	Activity Table 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 Activity	11 & 13 Fleet Street, Newton
Auckland Unitary Plan - Auckland – wide Rules	E36 Natural Hazards and Flooding	Activity Table E36.4.1	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton

		(A37) All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain		
Auckland Unitary Plan - Auckland – wide Rules	E38 Subdivision - Urban	Activity Table E38.4.2 (A14) Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1	Restricted Discretionary Activity	11 & 13 Fleet Street, Newton

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.

There are no resource consent applications or notices of requirements for this site.

The site is not noted as containing any HAIL activities. The site has not been historically used for Horticulture. The applicant will obtain a detailed site investigation of the site. And in the event that any contamination is identified, the applicant will prepare a Remediation Action Plan. Any contamination would be disposed of at a certified landfill site. As such, it is considered that the NES : Contamination is not relevant to the proposal.

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

There are no resource consent applications, notices of requirement for designations, or other approvals required that would be obtained by persons other than the applicant.

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:

Vehicle crossing permits will be required from Auckland Transport prior to constructing the new crossings. These permits will be applied for prior to the construction works occurring on site. Tree Asset Owner approval will be required for works in the dripline of the street tree. (The tree is proposed to be retained)
The applicant is not aware of any other legal authorisations that are required to undertake the project.

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 following summarises the design and construction programme:

- The site has been purchased by the applicants and Funding confirmed: in excess of S 9(2)(b)(ii) for design & consent works, civil construction and part of the dwelling construction with a construction loan to be taken to finish the balance of the construction works.
- Detailed design will be ready for a Resource Consent Lodgement In October 2022 (already underway)
- Civil Construction (including initial works, site clearance, civil works following resource consent): Early 2023
- Apartment building construction commences: Early-Mid 2023
- Project completion: Mid 2025

The project will be fully development ready once resource consent is issued. Accordingly, if the Fleet Street project is considered eligible for the fast-track, our request is to work with the Ministry and EPA to enable resource consent to be issued by late December 2022/Early 2023.

Finance is in place for the entire project.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

The applicant has held a pre-application meeting with Ministry for the Environment staff on Friday, 12 November 2021 to discuss the fast-track process and the information that would be required to support an application. Ministry staff in attendance were Rebecca Perrett and Helen Willis.

Local authorities

Detail all consultation undertaken with relevant local authorities:

The applicant has not had a pre-application with the Auckland Council. This is because the Council has generally suspended pre-application meetings, due to their work volumes. This is one of the reasons that the applicant is seeking to utilise the fast track process, due to the significant delays in consenting. It is presently taking in the order of 4-6 weeks for consent to be allocated to a planner for processing.

The applicant is also concerned that the application could be notified by the Auckland Council. This would result in an additional 6-9 month delay to the project, excluding the potential for appeals to the Environment Court.

Other persons/parties

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

It is considered that there are no persons or parties that would be adversely affected by the proposal, as the site is well-separated from adjacent land uses and careful consideration has been given to the nature and intensity of development proposed along the boundary interface. There are neighbour adjoining the boundaries. The applicant would consult with these neighbours as part of any fast track proposal.

Detail all consultation undertaken with the above persons or parties:

N/A

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
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Ngāi Tai ki Tāmaki	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Maru	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Pāoa	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Tamaoho	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Tamaterā	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Te Ata	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Whātua o Kaipara	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Ngāti Whātua Ōrākei	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Te Ahiwaru - Waiohua	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Te Ākitai Waiohua	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Te Kawerau ā Maki	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Te Patukirikiri	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Te Rūnanga o Ngāti Whātua	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.
Waikato - Tainui	The applicant is committed to consultation as part of Stage 2, if successful, and they will obtain a CIA if required by Iwi.

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
The applicant is not aware of any Treaty settlement entities with an interest in the area in which the project will occur.	

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 located in a known Treaty settlement area.

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 proposed activity will not occur in a customary marine title 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 proposed activity will not occur in a protected customary rights 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 scale and nature of the proposal means that it has the potential to give rise to some environmental effects. The assessment below considers the extent of the range of potential effects, together with the methods that are proposed to avoid, remedy or mitigate any such effects.

Overall, it is concluded that the proposed development will not give rise to any significant adverse effects subject to appropriate mitigation and imposition of conditions of consent. Indeed, the assessments undertaken to date have confirmed that the actual or potential adverse effects will be less than minor and that the development will produce significant positive effects and benefits in the form of:

1. Major additional residential accommodation to contribute to the supply of housing in Auckland;
2. Additional employment to the region, including specific apprenticeship and internship programmes;
3. Enhanced sustainability through the provision of a 6 star energy rated residential building.

Traffic/transport

Traffic Planning Consultants (TPC) have undertaken an assessment of the proposal. Proposed onsite parking is minimal, and most residents will utilise the wide array of public transport options including the soon to be completed City Rail Link. All residents will have the ability to store a secure bicycle park on the site.

TPC has also undertaken an assessment of the proposed road network, vehicle accessways and parking arrangements across the proposed subdivision, including the proposed infringements to standards. Overall, it is considered that the proposed road network and individual lot design, including the location, gradients and dimensions of the vehicle crossings and parking spaces, have been designed so as to provide a low speed environment with clear sightlines such that safe and efficient vehicle movements can be made to and from the proposed lots.

Urban design and neighbourhood character

Importantly, the land is identified for high-density residential apartment development under the applicable AUP zone. The development is consistent with and advances the objectives and policies of the zone.

It is considered that there will be no adverse effects arising in relation to these matters, for several reasons. The zone provides for infringement to height as a restricted discretionary activity noting that in terms of the Mixed Use Zones, the expectations for amenity are not the same as for a residential zone. The closest residential zone is located some 90 metres away.

The proposed apartment development has been carefully designed and will utilise high quality materials.

It is acknowledged that the development and urbanisation of the site will result in a change in character in terms of the existing vacant nature of the site and the previous uses that occurred on the site. However, this change in character is contemplated by the zone.

This proposal has been subject to extensive urban design analysis by Boffa Miskell, who has prepared a comprehensive Landscape and Urban Design Assessment. Boffa Miskell, concludes that the proposed residential development is of a high standard and achieves the following outcomes:

"In conclusion the proposed development is considered to make a positive contribution to the character and amenity of this part of Eden Terrace and to contribute to the intensification within the walkable catchment of Mt Eden CRL Station. The building responds to the topography of the site with the taller nine storey component of the building located to the south at the lowest point of Fleet Street, the building is six storeys at the high point of the site facing Fleet Street. Whilst exceeding the 18m height control the development generally complies with the other controls of the AUP and, relative to the anticipated scale of development, is not dominant or overbearing in respect of its neighbours.

The development will contribute anticipated intensification in a location with attributes that enable the greater height of the proposal to be easily accommodated. The high-quality development will complement the character of the area and positively address the Fleet Street frontage and Basque Park. The building will have a presence in the landscape and be seen both as part of the adjoining streetscape and in wider views however the scale is not such that it will particularly stand out or be incongruous within the existing or future anticipated built form, character and amenity of the locality.

The architectural design and layout of the development reduces its visual bulk in the surrounding environment and will create desirable residential amenity for future residents. The proposed façade strategy with the different materiality and well-articulated Fleet Street elevation seeks to break up the mass of the building whilst achieving an overall sense of quality and a good fit with the Eden Terrace environment. The majority of the additional height is located to the south of the site and is considered to be in the context and appropriate to the scale and character of Fleet Street and wider Eden Terrace area.

The development overall is of a high quality of amenity. Limited car parking will be provided via a share car system for residents supporting the use of public transport and cycle facilities in the locality. The carpark uses the existing site topography to accommodate cars within a single small basement. The basement will also accommodate bike storage and rubbish storage / removal.

The proposal is considered to be well aligned with the outcomes sought by the B-MU zone, the Regional Policy Statement and the NPS_UD. Care has been taken in the overall design to provide on-site amenity for residents in the form of a rooftop terrace and individual balconies to the apartments. Shared laundry facilities are also provided.

The development proposes an upgrade of the Fleet Street public realm and pedestrian access, which will enhance the amenity of the surrounding streetscape for residents as well as for users of the local area, supporting a walkable local neighbourhood in a way that is desirable to the intensified urban nature of the locality.

The height of the proposal is set well under the E20 regional volcanic viewshaft height plane and the proposal will not compromise the character or amenity of the wider landscape or protected views to Maungawhau / Mt Eden.

It is noted above that while development brings change to a landscape, this is not necessarily negative or adverse. Overall, it is considered that the design of the development will have beneficial effects alongside very-low adverse (negligible) visual effects such that overall adverse effects will be very low. The proposed development is the type of quality, higher intensity residential development anticipated by the Auckland Plan, Unitary Plan, RPS and NPS-UD. It demonstrates a level of quality residential amenity sought for higher density living in an inner-city suburb of Auckland in a location that is well provided in respect of transport options and access to local amenities.

Overall, it is considered that the proposed development is fully in keeping with the planned outcomes anticipated by the zone which provides for high-density residential activities. The proposed non-residential activities are modest and form a minor supportive function for the proposed residential activities.

Stormwater disposal

The site is included within the scope of an existing network discharge consent that covers the wider Eden Terrace area. AR & Associates Limited have prepared a stormwater assessment for the proposed development to inform the stormwater approach. The downstream network capacity requires an assessment as part of Resource Consent application however, as the site is already almost 100% impervious and in line with the permitted allowance for the zone of 100% impervious, this is not expected to be an issue and can be addressed by detention tanks, if necessary.

Overall, the proposed stormwater management plan will meet the required water quality treatment standards of Auckland Council's GD01 technical document.

Earthworks

The proposed earthworks will occur across the entire development site in order to create the building platform, basement and the installation of infrastructure. The majority of the earthworks across the site is proposed to occur during one earthworks season. The proposed earthworks are considered to be appropriate and consistent with the scale of the proposed residential development and subdivision. With appropriate site management and monitoring, the proposed earthworks will be undertaken in a way that ensures that any potential adverse effects from the physical earthworks will be less than minor.

The proposed earthworks will enable the residential development of the site, as anticipated by the AUP business zoning. The proposed earthworks will not significantly change the topography of the site, and in that respect the location of the main entrance and exit to the basement carpark takes advantage of natural gradient to reduce or avoid earthworks where possible. Overall, any effects of the proposed earthworks on the landscape character of the site would be less than minor.

Infrastructure servicing

The proposed residential development will provide all the required infrastructure to serve the development, including roading, water supply, wastewater and stormwater, and other private utility services.

The proposed access point has been designed in compliance with Auckland Transport standards to connect seamlessly with the existing surrounding road network.

The proposed stormwater network will be designed to ensure flows are contained within the capacity of the existing network and maintain post development discharge flow in line with the pre-development flow. As a consequence, any effects on the downstream network would be minimal.

The subdivision will connect to the existing public wastewater reticulation network which has been assessed to have sufficient capacity to accommodate the proposed additional residential demand.

Power and telecommunication services exist around the site and are available for use. Vector Limited and Chorus Limited will provide detailed designs to service the site at the time of Engineering Plan Approval.

Overall, AR Civil has advised that based on their knowledge of Auckland Council's requirements, they conclude that the development site is serviceable from 3 Water, utilities and access requirements.

Geotechnical/Stability

Soil and Rock have undertaken a geotechnical assessment of the site. This report is **attached**. The report concludes that the site is suitable for residential development subject to appropriate management of earthworks, site settlement and design considerations for building foundations.

On the basis of the geotechnical investigation, there are not expected to be any stability issues that might curtail or impede development of the land as proposed.

Soil contamination

The site is not noted as containing any HAIL activities. The site has not been historically used for Horticulture. The applicant will obtain a Detailed Site Investigation report as part of any resource consent, and in the event that any issues are identified, these will be address as part of the future resource consent

Construction Noise effects

The proposed construction works will be undertaken in a manner that complies with the noise standards set out in Chapter E25 of the AUP(OIP). Not rock breaking is anticipated.

All appropriate construction management tools will be put in place throughout the construction period to ensure all works are contained on-site and any potential external effects are managed appropriately through earthworks erosion and sediment control measures, traffic management and site health and safety measures.

Archaeological and Heritage

There are no recorded archaeological sites within or in close proximity to the site, and a field survey did not identify any archaeological sites within the property. The archaeological report confirms that there is a low potential for unidentified subsurface archaeological remains to be present on the site.

The existing dwelling on the site is not noted in the Unitary Plan as a protected heritage building.

For these reasons, it is considered that the proposed development will have no adverse effects on archaeological or heritage values.

Effects on Maori cultural values

As noted earlier, the applicant has committed to engage with Mana Whenua. The applicant intends to work collaboratively with Mana Whenua to ensure that appropriate mitigation is incorporated into the development.

Trees

There is a large Pin Oak street tree located outside the site. The applicant has obtained an arborists report which concludes that the effect of this proposal on this street tree will be minor in the short term if the proposed Tree Protection Methodology outlined in Section 8.0 is implemented to mitigate any potential adverse 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:

National Policy Statement on Urban Development 2020 (NPSUD)

The recently released NPSUD applies to planning decisions by any local authority that affect an urban environment. The NPSUD represents a significant change to national planning policy and affects all district plans for growth areas and all decisions made by planning authorities in those areas. Section 75(3)(a) of the RMA states that district plans must give effect to a national policy statement, and s104(1)(b)(iii) states that a consent authority must have regard to any relevant provisions of a national policy statement when considering an application for resource consent.

Objective 2 of NPSUD seeks that planning decisions improve housing affordability by supporting competitive land and development markets. Objective 6 seeks that planning decisions on urban development are (amongst other things) responsive, particularly in relation to proposals that would supply significant development capacity.

The objectives are given effect to by the more directive NPSUD policies. In particular, Policy 1 directs that planning decisions contribute to well-functioning urban environments that enable a variety of homes that meet the needs, in terms of type, price, and location, of different households.

Policy 3 seeks to enable in all cases building heights of at least 6 storeys within *at least* a walkable catchment of rapid transit stops. The site is located approximately 600 metres of the Mt Eden City Rail Link Station. The proposal, while infringing height, is also below the Volcanic View Protection height control.

Policy 6 seeks that decision makers should have particular regard to any relevant contribution that will be made to meeting the requirements of the NPSUD to provide or realise development capacity. That policy also makes it clear that significant changes to planned urban built form are likely to arise in order to give effect to the NPSUD (such as by providing increased and varied housing densities and types) and that such changes may detract from amenity values but are not of themselves an adverse effect.

Notably the applicant's development proposal is worthy of consent on its merits under the existing AUP policy framework. The general design is consistent with and advances the purpose and policies of the NPSUD. In that respect, it is clear that the NPSUD requires and supports the type of 'step change' in planning for urban areas that are experiencing rapid growth.

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:

Fleet Street gives effect to the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020, particularly by providing significant and urgent public benefits in respect of employment, economic development, and housing while strengthening environmental, economic, and social resilience and avoiding significant adverse environmental effects. Fleet Street provides for a range of public benefits outlined above as evidenced in this application and accompanying plan and render package and associated reports. Fleet Street's key public benefits are expanded on below.

With regard to employment, the land development works will provide full-time employment for tradespeople (across all building and construction trades), urban designers, civil engineering designers, surveyors, project managers, administrators, and sales staff.

Urban Economics has prepared an economic report (attached) that assesses the economic benefits of the proposal.

The economic report notes that:

The project would 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.

Figure 12 outlines the value added and FTE's the proposed development would generate. It is estimated the construction of 57 apartments, 1 commercial office and 18 car parks at 11-13 Fleet Street would generate 100 FTE jobs and contribute \$13.3 million to GDP. The employment number can be interpreted as the number of FTE jobs created on an annualised basis, i.e. if construction takes two years and is split evenly between the years then 50 FTE jobs would be created in each year. Compared with the baseline scenario, the proposed development is likely to result in a net addition of 35 FTE jobs and \$4.6 million to GDP. This is a significant economic benefit.

Figure 13 shows the estimated national 'value-added per FTE employee'. These values added per employee figures are used to estimate the FTE employees created by the construction project expenditure outlined in Figure 12. Figure 13 shows that the construction sector has a \$18.5 billion contribution to the national GDP and a workforce of 139,800 FTEs. This results in a value added of \$133,000 per FTE employee.

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

The proposed development would provide employment and increase the range and relative affordability of housing in the study area. The project would have a positive impact on the social and cultural well-being of current and future generations by increasing the affordability of the study area.

The following figure displays the proposed composition of the development. Prices have been estimated based on current market prices of new apartment houses across the study Area. These are expected to be priced from \$700,000-\$720,000 for a 1-bed unit, to \$875,000-\$890,000 for a 2-bed unit. Providing new dwellings up to modern building standards reduces the social pressures caused by inadequate housing.

The range of housing typologies proposed will also provide more housing choice in an attractive area at a time when house prices have been escalating and moving beyond the reach of many Auckland residents. The proposal will deliver enhanced sustainability through the provision of a 6 star energy rated residential building.

Provision of more homes in this location will also assist to support local businesses in the adjacent Mt Eden Town and Commercial centre and reinforce the public transport provision.

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

Using the Fastrack consenting process will bring the project forward by 6-9 months, excluding any Environment Court appeals. This will bring much needed housing to the Auckland market sooner than the RMA process.

Shackleton Developments was established in 2015 and registered as a New Zealand limited company. The company is specialized in land and real estate development, and development of commercial, residential, and other mixed uses urban land. Shackleton Developments has been committed to supply more housing and employment.

In addition to the Fleet Street project, Shackleton Developments is also actively investing in several other projects across Auckland. As an active infill developer Shackleton Developments is currently involved in the delivery of over 25 Residential units across Townhouse, Terrace, and Apartment developments worth over s 9(2)(b)(ii)

The great benefit of the fast track consent process is that it will enable Shackleton Developments to provide employment continuity for its professional and construction teams.

Fleet street will supply around 57 new build to rent homes to contribute to the housing supply in Auckland with a range of housing typologies.

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:

Please refer to the **attached** economic report. The report notes that:

"The proposal would result in an increase in construction sector output, with an additional 100 full time equivalent employees (FTEs) with a value-added contribution of \$13.3 million to GDP, resulting in a net addition of 35 FTE jobs and \$4.6 million to GDP when compared to the baseline scenario. This results in considerable economic benefit."

Housing supply:

At its core, Fleet Street will supply around 57 new build to rent homes to contribute to the housing supply in Auckland with a range of housing typologies including market housing and Build to Rent.

The range of housing typologies proposed will also provide more housing choices in an attractive area at a time when house prices have been escalating and moving beyond the reach of many Auckland residents. The proposal will deliver enhanced sustainability through the provision of a 6-star energy-rated residential building.

The provision of more homes in this location will also assist to support local businesses in the adjacent Mt Eden Town and Commercial centre and reinforce the public transport provision.

It is also considered that the proposed development will contribute to a well-functioning urban environment, as it provides for increased residential density around centres and transport facilities, and provides a high-quality urban design response to the site without creating adverse effects on the environment while achieving genuine environmental and economic sustainability.

Contributing to well-functioning urban environments:

It is also considered that the proposed development will contribute to a well-functioning urban environment, as it provides for increased residential density around centres and transport facilities, and provides a high-quality urban design response to the site without creating adverse effects on the environment while achieving genuine environmental and economic sustainability.

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

Using the Fastrack consenting process will bring the project forward by 6-9 months, excluding any appeals.

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

The proposal will provide for a 6-star energy-rated building. The proposal will provide housing in close proximity to the City Rail Link and a range of amenities. Eight of the proposed carparks will be used for an EV Vehicle fleet to be available for residents' use on a booking system. Vehicles will be charged using renewable energy sources from Solar.

Minimising waste:

Waste minimisation practices will be adopted as part of the 6 star energy rating requirements.

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 proposal will provide housing in close proximity to the City Rail link and a range of amenities. The proposal will provide for a 6 star energy rated building.

Eight of the carparks will be used for an EV Vehicle fleet to be available for residents use on a booking system. Vehicles will be charged using renewable energy sources from Solar.

Promoting the protection of historic heritage:

The proposal will not impact on heritage values.

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

The proposal will not have any risks from natural hazards or the effects of climate change

Other public benefit:

The development will produce significant positive effects and benefits in the form of:

1. Additional residential accommodation to contribute to the supply of housing in Auckland;
2. Additional employment to the region;
3. Enhanced sustainability through the provision of a 6 star energy rated residential building in close proximity to public transport.

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

The scale and nature of the proposal means that it has the potential to give rise to some environmental effects. The assessment below considers the extent of the range of potential effects, together with the methods that are proposed to avoid, remedy or mitigate any such effects.

Overall, it is concluded that the proposed development will not give rise to any significant adverse effects subject to appropriate mitigation and imposition of conditions of consent. Indeed, the assessments undertaken to date have confirmed that the actual or potential adverse effects will be less than minor.

Part X: Climate change and natural hazards

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

Climate change does not raise any particular concerns or threats to the project or the site, beyond those that apply to all land. The site is subject to natural hazards in the form of overland flow paths. These hazards can be appropriately managed by engineering solutions such as ground recontouring and drainage works.

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	The applicant has been active in NZ since 2019 During this time, the applicant has delivered 52 houses to the market (including those are in progress). The director of Shackleton Developments (Geoff Cawson) has significant development experience both in New Zealand and in the United Kingdom. Geoff has worked with a national housing company (Classic Builders) and he has significant experience in delivering medium to large scale housing projects. Shackleton Developments has not had any compliance and/or enforcement actions taken against them.

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.

Michael Campbell

29/06/2022

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.

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.