

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: Hobsonville Road Retirement Village Development
Application number: PJ-0000876
Date received: 28/02/2023

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: Kings Height Group Limited

Contact person: Kester Ko

Job title: Development Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

PO Box 105026, 1143 Auckland

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.

82 Hobsonville Road, West Harbour, Auckland, 0618, New Zealand

Legal description(s):

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

Lot 2 DP 116512, Record of Title Number (NA66B/308)

Registered legal land owner(s):

Kings Height Group Limited

There are no Overseas Investment Office matters for the applicant to address.

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:

Kings Height Group Limited is the sole owner of the land and is able to undertake the work that is required for the project.

Please refer to **Attachment 1** for a copy of the Record of Title and key interests. The key interest on the title relates to a notice about the site being subject to limited access in favour of Waka Kotahi. This is an historic matter and it is noted that Hobsonville Road is no longer classed as a State Highway.

Part III: Project details

Description

Project name: Hobsonville Road Retirement Village Development

Project summary:

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

The proposal is for a comprehensively planned retirement village at 82 Hobsonville Road, involving:

- approximately 354 retirement style units. This comprises around 42 villas, 45 care units, 267 apartment units, and associated reception / administration areas.
- Proposed communal facilities;
- Communal amenities building, also with basement parking, and hospital level care.
- There is a 20m wide corridor formed around the stream.

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 proposal is for a comprehensively planned retirement village ("the Project") at 82 Hobsonville Road, West Harbour ("the Site"). Below key elements of the concept are summarised:

- Approximately 354 retirement units are proposed. This comprises around 42 villas (one storey duplex and attached houses), 45 care units, approximately 267 apartment units, and associated reception / administration areas.
- There are six apartment buildings, varying in height between four and six levels. Each apartment building has basement parking.
- Proposed communal facilities include a bowling green, a pool, a café, and a clubroom - several facilities being housed in a two storey amenity building at the centre of the Site.
- Adjoining the communal amenities building there is a three storey care building, also with basement parking, providing hospital level care.
- There is a 20m wide corridor formed around the stream at the centre of the Site. This forms part of a wider landscaped setting of open spaces and walkways through the Site.

Where there are any discrepancies in the application documents numbers above should be referred to.

The application is for a referred project under Section 20 of the Act to enable the accelerated construction and delivery of the comprehensively masterplanned residential development. The Project will result in significant and on-going public benefits and will give effect to the purpose of the FTCA in terms of promoting employment in the construction sector and on-going operation of the residential development with significant FTE opportunities to support social and economic recovery from the impacts of Covid-19 while promoting the sustainable management of natural and physical resources.

The purpose of the proposed project is to carry out a housing development within an existing and growing residential catchment, to considerably increase the housing supply within Auckland.

The key objectives and principles of the Project are to:

- Give effect to the purpose of the Act to promote the social and economic recovery of Covid-19. The proposal will generate total direct, indirect and induced impacts of \$258.9m in GDP. The proposal will Stimulate a

significant amount of employment during the construction phase, equivalent to 1,917 full time equivalent employment years in Auckland and support an ongoing level of employment of around 151 workers per year in Auckland through the accommodation of residents and the workforce employed within the Village

- Provide a comprehensively planned development that will deliver approximately 354 well-designed, high-quality Household Units within the Auckland. Kings Height Group aims to meet the growing demands for housing within Auckland by providing housing choice and variety;
- Provide a mixture of standalone, duplex and terrace housing to support the delivery of a considerable affordable and public housing supply in a location that has a significant shortage of affordable supply and is forecasting continued and sustained population growth;
- Construct buildings that respond appropriately to the surrounding environment;
- Provide a residential development which maintains and enhances pedestrian amenity and safety around the site and immediate locality through strong pedestrian links at the street level;
- Provide high quality residential activity frontages to the neighbouring residentially zoned land to the south;
- Provide for immediate employment generation in the local suppliers for goods and materials and sub trades, as well as on-going jobs and employment opportunities with an emphasis on using the services of local builders and companies with apprenticeship programmes in place; and
- Increase the supply of housing through providing quality Household Units on a currently underutilised site within a well-established settlement that has access to a range of amenities and transport options.

The project will enable the development of approximately 354 units. This comprises 42 villas (one storey duplex and attached houses), 45 care units, 267 apartment units, and associated reception / administration areas.

Please refer to **Attachment 2** for a copy of Architectural drawings.

An Economic Impact Assessment has been prepared by Formative (included as **Attachment 3**). Formative consider that the project will generate a range of public benefits, primarily as a result of the location of the Site adjacent and proximate to a wide range of established retail, commercial, and employment activities, and existing infrastructure.

Please also refer to **Attachment 4** for further details about this application.

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

2023

March to May - awaiting Minister approval for acceptance process

May to August - preparation of the stage 2 application to fast-track consenting equivalent of a resource consent application

September to November - processing and approval of the resource consent

2024

January - submit engineering plan approval

September - commencement of earthwork and civil construction

2025

February – completion of the overall earthwork and civil works for the project

March - commencement of Stage 1 of Retirement Village construction

December – Stage 1 completion first occupant move into the Retirement Village

2026

March - commencement of Stage 2 of Retirement Village construction

2027

September – completion of Stage 2 of Retirement Village construction

We anticipate the completion of 100 units per year on this project.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, Discharge permit

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 116512	Auckland Unitary Plan	Future Urban	The land is subject to the Natural Resources: High-Use Aquifer. The land is subject to the Macroinvertebrate Community Index - 'Rural' and Native control	The land is subject to Designation - Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence.

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
National Environmental Standard for Managing Contaminants in Soil to Protect Human Health 2011	Regulation 10(2)	Disturbance of soil and subdivision of a piece of land. Likely for Horticultural soils.	Restricted discretionary	Application site
Auckland Unitary Plan	Activity Table H18.4.1 (A2)	New buildings, building additions and accessory buildings. The same activity status and standards as applies to the land use activity that the new building, building addition or accessory building is designed to accommodate.	Non-complying Activity	Application site
Auckland Unitary Plan	Activity Table H18.4.1 (A28)	Dwellings that do not comply with Standard H18.6.8	Non-complying Activity	Application site
Auckland Unitary Plan	Activity Table H18.4.1 (A47)	Care centres for more than 10 people	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	H18.6.8	Dwellings (1) A proposed dwelling must not be located on a closed road or road severance allotment.	Restricted Discretionary Activity	Application site

		(2) No more than one dwelling is permitted on any site.		
Auckland Unitary Plan	C1.9(2)	Infringement to Standards	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	H.18.6.2	Maximum Building Height Dwellings – 9m Maximum Building Height (other accessory buildings) – 15m	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	H.18.6.3.1	Yards 10m Front Yard; 6m Side and Rear Yards for dwellings. 20m from the edge of permanent and intermittent streams.	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	E3 Lakes, rivers, streams, and wetlands	E3.4.1 Activity Table (A32) Culverts or fords less than 30m in length when measured parallel to the direction of water flow complying with the standards in E3.6.1.18	Permitted Activity	Application site
Auckland Unitary Plan	E7 Taking, using damming and diversion of water and drilling	Due to the shallow depth's groundwater was encountered on the site, consent under Chapter E7 is anticipated to be required. However, due to the exact building details not being known at this stage, the exact triggers are not able to be determined yet.	Possibly Restricted Discretionary Activity	Application site
Auckland Unitary Plan	E8 Stormwater – Discharge and Diversion	E8.4.1 Activity Table Diversion and discharge of stormwater runoff from impervious areas involving a stormwater network onto land or into water or to the coastal marine area pursuant to sections 14 and 15 of the Resource Management Act 1991	Discretionary Activity	Application site

		(A11) Diversion and discharge of stormwater runoff from an existing or a new stormwater network.		
Auckland Unitary Plan	E9 Stormwater	E9.4.1 Activity Table (A7) Development of a new, or redevelopment of an existing high use road greater than 5,000m2	Controlled activity	Application site
Auckland Unitary Plan	E11 Land Disturbance – Regional	E11.4.1 Activity Table (Future Urban Zone) (A5) Greater than 50,000m2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area. (A8) Greater than 2,500m2 where the land has a slope equal to or greater than 10 degrees. (A9) Greater than 2,500m2 within the Sediment Control Protection Area	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	E12 Land Disturbance – District	E12.4.1 Activity Table (Future Urban Zone) (A6) Earthworks greater than 2,500m2 (A10) Earthworks greater than 2,500m3	Restricted Discretionary Activity Earthworks across the site.	Application site
Auckland Unitary Plan	E15 Vegetation Management	E15.4.1 Auckland-wide vegetation and biodiversity management rules. (A18) Vegetation alteration or removal within 20m of a natural wetland, in the bed of a river or stream (permanent or intermittent), or lake (A19) Vegetation alteration or removal within 10m of urban streams.	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	E27 Transport	Construction or use of a vehicle crossing where a Vehicle Access Restriction applies	Restricted Discretionary Activity	Application site

		under Standards E27.6.4.1(2) or E27.6.4.1(3)		
Auckland Unitary Plan	E36 Natural Hazards and Flooding	<p>E36.4.1 Activity Table</p> <p>Activities in overland flow paths</p> <p>(A41) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path.</p> <p>(A42) Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path.</p>	Restricted Discretionary Activity	Application site
Auckland Unitary Plan	E36 Natural Hazards and Flooding	<p>E36.4.1 Activity Table</p> <p>Activities in the 1 per cent annual exceedance probability (AEP) floodplain.</p> <p>(A37) All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain</p>	Restricted Discretionary Activity	Application site

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 applications for resource consent under the RMA have been lodged in relation to this application for a referred project.

We note that the Notice of Requirement has been lodged by Auckland Transport for an alteration of the existing Hobsonville Road designation 1437 to provide for the widening of the Hobsonville Road corridor between Oriel Avenue and Memorial Park Lane, including provision of separated active mode facilities. The NoR affects the frontage of the site. The NoR hasn't been notified yet, but the development can occur outside the proposed designation.

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

Not applicable.

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:

Building consents will be required in the future under the Building Act 2004. These consents have not been obtained but will be in due course as the project advances to the detailed design stages required to prepare and compile all the consent documentation. The applicant does not anticipate any challenges with obtaining the necessary building consents, nor would this process delay the ability to deliver this project.

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.

Timeline

2023

March to May - awaiting Minister approval for acceptance process

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September to November - processing and approval of the resource consent

2024

January - submit engineering plan approval

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2026

March - commencement of Stage 2 of Retirement Village construction

2027

September – completion of Stage 2 of Retirement Village construction

We anticipate the completion of 100 units per year on this project.

Background

Kings Height Group has a long history on delivering quality property development and construction projects since 2006. The group has completed the Te Awa Place development in Albany Auckland and is currently developing a 200 homes development in 120 Kowhai Road in Millwater. The group also has a construction arm enable delivery of quality property projects through the years.

Funding

Kings Height Group has a record of utilising self-funding and bank funding on projects. On this project, a mixture of self-funding and bank funding will be required for the development and long term holding along the standard status quo of similar retirement village projects.

By utilising the COVID-19 (Fast-tracking Consenting) Act, the employment benefits and generation by the project will be delivered approximately 25 months earlier than utilising the normal resource consent process under the Resource Management Act 1991. This will provide significant public benefit by contributing to Auckland and New Zealand's recovery from the economic and social impacts of COVID-19 by providing additional employment opportunities and bringing this forward in an accelerated timeframe to more quickly realise these economic benefits.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

A pre-lodgement meeting was held with the Ministry for the Environment on 28 February 2023.

The applicant has not held other discussions with staff from any government ministries or departments at this stage. It is considered that development of the land would not give rise to any matters of particular interest to government ministries or departments. Given the proximity of the Whenuapai Airbase, the applicant is aware that NZDF is generally concerned with managing reverse sensitivity effects associated with the use of land around the airbase, and these effects are primarily managed through requirements for acoustic insulation of residential buildings within the airbase runway approach path and within the engine noise testing contours. The applicant offers conditions to acoustically insulate all buildings within the 57dB contour that are to be used for activities sensitive to aircraft noise.

Local authorities

Detail all consultation undertaken with relevant local authorities:

The applicant has not engaged with any local authorities at this stage.

Other persons/parties

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

With the exception of iwi authorities (which are detailed in the following section), no other persons or parties are considered to likely be affected by the project. The proposal is for a residential development on land that was earmarked to be residentially zoned through a plan change process, and currently zoned for 'future urban' purposes. While the proposed project will result in a change to the existing character of the surrounding area and is of a greater residential intensity than the anticipated outcomes of the underlying zoning, the proposed building design and layout have been carefully designed to be cohesive with the surrounding area. Proposed landscaping and edge treatment will largely screen and soften the proposed development when viewed from the wider area. Further, the proposal is in keeping with the intent of the National Policy Statement on Urban Development 2020 ('NPS-UD').

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
Ngāti Manuhiri Settlement Trust	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Ngāti Maru Rūnanga Trust	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.

Ngāti Paoa Iwi Trust	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Ngāti Paoa Trust Board	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Ngāti Tamaterā Settlement Trust	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohū	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Ngāti Whātua o Kaipara	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Ngāti Whātua Ōrākei	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Te Ākitai Waiohū	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Te Kawerau ā Maki	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.
Te Rūnanga o Ngāti Whātua	The applicant is committed to engagement with Mana Whenua groups that hold an interest in the area in which the site is located. Arising from this, the applicant will be seeking a Cultural Impact Assessment.

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 project would not occur on land returned under a Treaty Settlement.

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 applicant understands that the Site is not located within 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 applicant understands that the Site is not located within 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.

It is considered that the Project will have the positive effects detailed later in this application, and the Project will not have any long term, significant adverse effects on the environment. **Please refer to Attachment 4 Supplementary information, for a more detailed discussion known adverse effects of the project on the environment, due to size limitations of this portal.**

The scale and nature of the proposal means that it has the potential to give rise to some adverse environmental effects. The below assessment considers the range of potential adverse effects, together with the methods that are proposed to avoid, remedy, or mitigate any such effects and concludes that the proposed development will not give rise to any significant adverse effects subject to imposition of conditions of consent.

Please refer to the attached supplementary information document for the figures referenced below.

Earthworks and Construction Effects

The proposed bulk earthwork will generally be undertaken as a cut to fill operation, with a moderate amount of imported or exported material, to form the proposed building platforms and proposed accessway. Final earthworks design will form an even and gradual slope towards the existing stream. The area of the northern and southern catchments is 1.5ha and 2.5ha, respectively.

Earthworks for the project will be carried out in accordance with best practice appropriate erosion and sediment control measures in (accordance with the requirements of Auckland Council's GD05) to ensure that the potential for sediment to discharge into receiving waters is avoided and minimised. This is detailed in **Attachment 5**. Proposed measures to ensure that the receiving downstream environment is protected, include:

- Construction of clean water diversion lines to divert and collect upstream catchment runoff away from the site of earthworks;
- Installation of silt fences around stream banks;
- Construction of decanting earth bunds and sediment ponds, and associated runoff/diversion bunds to allow for settlement of particulate matter and decanting of clean water prior to discharging to the Waiteti Stream. PAC flocculating chemicals are proposed to be used to assist with settling particles;
- Minimising open areas of earthworks areas, and stabilizing of areas as they are complete.

The minimum 10m of riparian margins on both sides of the stream will be planted and maintained during/after the earthwork period.

Earthworks is to be programmed to be carried out during the earthworks season to further reduce potential sediment discharge to receiving waters. This will ensure sediment is not discharged into the stormwater network or wider receiving environment and that any earthworks effects are able to be managed on-site without giving rise to inappropriate effects on the environment.

Construction traffic effects will be temporary and will be managed in accordance with a Construction Traffic Management Plan ("CTMP"). The CTMP will outline measures such as the anticipated number of truck movements per day and truck routes (among other measures) to ensure that the potential construction traffic effects of the project are appropriately managed.

Construction noise and vibration will be managed in accordance with a Construction Noise and Vibration Management Plan ("CNVMP"). The CNVMP will outline measures, such as restrictions on days and hours on noisy works, consultation with neighbours and use of quieter machinery (among others) to ensure that potential construction noise effects of the project are appropriately managed.

While the scale of the works will be large in the context of the established residential and rural areas, it is noted that they will be temporary in duration and not out of character within a rural lifestyle site. Overall, it is considered that the actual and potential adverse environmental effects arising from earthworks can be appropriately managed.

Noise and Vibration Effects:

It is considered that construction noise will generally comply with the Auckland Unitary Plan standards. Both construction noise and vibrations will be appropriately managed by a Construction Noise and Vibration Management Plan (CNVMP) which will identify Best Practicable Option (BPO) mitigation and management measures to reduce effects to reasonable levels.

With regards to operational noise, the noise levels will be in keeping with those generated by the established residential neighbourhood.

With regards to reverse sensitivity, it is considered that that noise from traffic on the State Highway and the operation of the adjacent industrial sites to the east are able to be quantified through measurement, then investigation on how this relates to the proposed development would occur through detailed noise modelling. Mitigation measures are anticipated to be confirmed once the potential noise effects are quantified, and are likely to take the form of a combination of acoustic treatment for the proposed residential building envelopes, and boundary screening where appropriate.

Overall, it is considered that the actual and potential adverse environmental effects arising from noise, vibration and reverse sensitivity can be appropriately managed.

Contamination effects

The site has a history of Horticultural use, which is a HAIL activity.

Soil testing of the site will be undertaken to confirm the extent of any soil contamination. Notwithstanding, if required, the site will be remediated in accordance with a Site Remediation Plan ("SRP"), and the earthworks undertaken in accordance with a Contaminated Site Management Plan ("CSMP") to ensure adverse effects on human health are avoided or mitigated. As earthworks will be carried out in accordance with the SRP or CSMP, it is considered that the site will either be safely remediated or earthworks undertaken in a manner which protects human health and the environment from contaminants in soil.

Overall, the scale and nature of environmental effects associated with contaminated land are limited, and it is considered that the potential adverse effects associated with land contamination can be appropriately managed and will not create significant adverse effects on the environment or human health.

Archaeological

There are no known archaeological sites or features within the application site under the AUP. It is considered that should anything be discovered during the construction works that the accidental discovery protocols outlined in the AUP will be followed to ensure that any historic heritage identified on the site is appropriately protected. An archaeological assessment will be undertaken for the application site at the resource consent stage and an authority will be applied for if recommended by the findings of the report.

Infrastructure and Servicing Effects

The Engineering Infrastructure Report prepared by Aireys (refer **Attachment 5**) details the project's servicing strategy and confirms that the project can be sufficiently serviced in respect to stormwater, water supply, and wastewater. With regard to stormwater, a water sensitive design approach will be adopted throughout the site to improve water quality runoff from the development. A Stormwater Management Plan ("SMP"), will also be submitted with the

application. The SMP will outline the proposed stormwater management approach for the project to ensure adverse effects stormwater quality and quantity are effectively mitigated, and demonstrate that the proposed approach is the Best Practicable Option (“BPO”).

Within site, all roads will be private and formed of concrete and asphalt. Also, separate pedestrian access is anticipated to be provided to allow for safe connectivity in the site. Specialist input from a Traffic Engineer will be provided for the detailed design stage.

With regard to wastewater, Watercare has confirmed capacity constraints in the wastewater network located south of the site. Please refer to Appendix D of the Aireys report.

A private water supply network within the site will be provided to ensure potable water and firefighting supply to the development. Private fire hydrants will be provided as required in accordance with SNZ PAS 4509. It is expected that sprinkler systems will be provided for future multistorey buildings, but this will be confirmed at Building Consent Stage for the buildings.

Overall, the project will be adequately serviced without creating significant adverse effects on the environment.

Effects Generated by Natural Hazards and Flooding

Aireys have provided a summary with respect to Flooding, included as **Attachment 5**. The assessment details that A flood plain arising from the overland flow path is shown on the central portion of the site. The flood plain is contained to the incised gully within and downstream of the site. From the exit point of the site to the Upper Harbour Motorway, there are no habitable buildings at risk of flooding in the 1% AEP storm.

Aireys advise that some minor overland flow paths arising within site will be modified as part of the development.

Generally, the private roads within the site will be designed to convey overland flow in 1% AEP storm event.

Constructed channels may also be provided, which will be confirmed in the detailed design stage. As such, we consider that there is no flood risk for the proposed development with the future retirement village building and associated impervious area in the 1% AEP storm.

Based on the above, it is considered any effects generated by natural hazards and flooding are able to be sufficiently mitigated.

It is noted that the land is not particularly steep and the application will obtain a details geotechnical report as part of any future resource consent application.

Streetscape Character, Amenity and Visual Effects

It is acknowledged that the proposal has the potential to result in a change to the residential character and amenity values of the existing neighbourhood. A level of change from ‘Rural’ to ‘Urban’ character and amenity values is anticipated by the Unitary Plan through the application of the structure planning.

The site is located adjacent to the existing urban environment and the viewing catchment of the site is relatively limited to the extent that the character of the wider environment will not be adversely affected by this proposal.

The proposal will establish a relatively directed street and block layout, which includes specific identification of open space areas.

The proposal has benefited from significant urban design input, seeking to ensure that the housing, streets, and open space layout provides a quality urban design response. Buildings have been designed to engage with the street, minimise vehicle crossings, and ensure privacy for residents. Substantial landscape treatment and planting is to be provided, as illustrated in the attached landscape plans.

The proposal includes a number of key design elements to manage potential effects pertaining to the existing residential character and amenity of neighbouring sites.

Overall, it is considered that site can be developed at the proposed intensity without creating significant adverse environmental effects on existing streetscape, character, amenity and visual landscape values.

Transport Effects:

The potential transportation effects include trip generation and effects on the existing road network and the design of new roads and connectivity within the project site. A preliminary analysis of transport effects is included in the memo prepared by Team included at **Attachment 7**. Team notes that Retirement villages have very different traffic generation profiles to other residential activities, with peak generation typically being offset to traditional commuter peak periods. This is due to retirement village residents typically having the choice to avoid travel during commuter peak times, and instead travelling in quieter times throughout the day.

The design of the development is considered to be suitable for the intended residential use and is expected to operate in a safe and efficient manner from a traffic engineering perspective. The VAR status triggers assessment as a

Restricted Discretionary Activity, with the access arrangements therefore being subject to review by Auckland Transport.

Overall, it is considered that the project will not create significant adverse effects on the safe and efficient operation of the existing transport network, and that appropriate provision has been made for vehicular, pedestrian, and cycling access within the project site.

Socio-Economic Effects

The proposal will provide retirement housing. This will enable residents to age in their community. It is not anticipated that the proposal will not give rise to any adverse Socio-Economic Effects.

Ecology

Boffa Miskell has been engaged by Kings Heights Group Limited to undertake a high-level ecological assessment of the site at 82 Hobsonville Rd refer **Attachment 7**.

A high-level literature review of the Auckland Unitary Plan (AUP) and further desktop research was undertaken to assess the current and historical ecological values of the site, including any AUP overlays. Following this desktop analysis, Boffa Miskell ecologists undertook a walkover survey of the Site on 25 February 2023.

No significant native vegetation is present within the Site and it contains no Significant Ecological Area overlays under the AUP (as shown on Auckland Council's Geomaps).

Boffa Miskell advise that the site walkover traversed modelled flowpaths (as shown on Auckland Council's Geomaps) to determine whether any natural inland wetlands are present (as defined in the National Policy for Freshwater Management, 2020). All flowpaths are covered in deep swards of kikuyu, and were not distinguishable from the surrounding hillslope. There are no wetland features on the site.

No suitable bat habit is present on the site, therefore no specific bat assessment or management measures are required. If native lizard species are found during baseline surveys of the Site this would trigger the need for a Lizard Management Plan (LMP). A LMP will outline mitigation actions to be taken before and during vegetation removal (e.g. salvage and relocation) to avoid harm to lizards, and possibly offsetting and compensation measures (e.g. enhancement) if required.

Avifauna management will include undertaking vegetation clearance outside of the bird breeding season and/or checks for bird nesting prior to vegetation clearance to remove exotic vegetation.

It is noted that the proposal does not seek to modify the existing stream, although it will involve a stream crossing. The proposal will provide an opportunity to undertake weed management and riparian planting along the stream corridor.

Suggested enhancement actions at the Site include weed and pest management and enhancement planting within the riparian corridor for the stream that traverses the Site which will improve the ecological values and habitat for native fauna. This enhancement will extend the restoration activities that have been undertaken within the same stream corridor on the neighbouring site to the east and downstream of the Site.

In summary, the preliminary assessment of botanic and terrestrial fauna ecology values have not identified any issues associated with the Project that cannot be managed through a future consenting process.

Greenhouse Gas Emissions

Further, the Household Units within the development will be designed to obtain a minimum of a Homestar 6 design rating.

Overall, these combined factors will alone and in combination represent strong steps toward reducing greenhouse gas emissions.

Effects on Māori cultural values

The applicant will work collaboratively to ensure any adverse Māori cultural effects arising from the proposed development are appropriately mitigated.

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 (NPS-UD)

The NPS-UD enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1).

It is considered that the Project is consistent with the relevant objectives and policies of the NPS-UD and will contribute to a well-functioning urban environment. In particular, the development will provide for 354 residential units in an established residential area. The Project will provide housing on land that has good access to goods and services, recreation spaces, and to existing employment opportunities and new employment opportunities. Further, the Site is well served by bus routes, as well as pedestrian and cycle infrastructure. It is considered that the Project will rejuvenate the amenity of the existing area.

Overall, the Project will achieve both additional housing and business capacity in the short to medium term.

National Policy Statement for Freshwater Management 2020 (NPSFM)

The purpose of the NPSFM is to provide local authorities with direction on how to manage freshwater under the RMA. In particular and of relevance to the project, the NPSFM seeks to ensure that tangata whenua are actively engaged in freshwater management and Maori freshwater values are identified and provided for (Policy 2). It also seeks to ensure that freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis (Policy 3), and that communities are able to provide for their social, economic and cultural wellbeing (Policy 15).

The proposal is consistent with the NPSFM, and in particular the relevant policies above. With respect to tangata whenua engagement (Policy 2), the applicant will be consulting with the relevant iwi authorities and it is anticipated that this will facilitate involvement by tangata whenua in freshwater management.

In terms of managing stormwater in an integrated way (Policy 3), a SMP is expected to be developed with stormwater management principles to ensure that freshwater is managed in an integrated manner and whole of catchment basis with stormwater treatment, stormwater conveyance and flood risk management measures proposed.

The proposal is also considered to provide for the social, economic and cultural well-being of people and communities as it will deliver retail and supermarket choice, as well as employment opportunities, while meeting the purpose of the NPSFM (Policy 15).

National Environmental Standards for Freshwater 2020 (NESF)

The NESF sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. In relation to the project, the NESF seeks to protect existing inland wetlands. The proposal is consistent with the intent of the NESF as the assessment above confirms the project is consistent with the policy framework of the NPSFM, and as the project has been designed to protect freshwater systems.

There are no identified natural wetlands or other significant natural ecological features within the site that warrant further assessment under the NESF. Accordingly, no consents are required under the NESF regulations for this project.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The NES-CS ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed, and if necessary, the land is remediated or the contaminants managed to ensure there are no adverse effects on human health. As previously discussed in Part VII of this application, consideration will be given to the relevant provisions, with consent being sought under the NES-CS as relevant and required in order to manage the effects of contaminants in soil in order to protect human health.

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 proposed development will result in direct and indirect economic benefits for people and industries affected by COVID-19 through providing both direct and indirect employment. Formative have assessed the economic benefits and costs of the proposal in the COVID-19 environment in their Economic Impact Assessment at **Attachment 3**. In addition, in terms of economic benefits, Property Economics note that the proposal will contribute to the following economic benefits:

- Stimulate a significant amount of employment during the construction phase, equivalent to 1,917 full time equivalent employment years in Auckland.
- Support an ongoing level of employment of around 151 workers per year in Auckland through the accommodation of residents and the workforce employed within the Village.
- Generate total direct, indirect and induced impacts of \$258.9m in GDP, of which \$192m would be in the Auckland economy and \$66.9m would be directed elsewhere in New Zealand.
- Generate a range of public benefits, primarily as a result of the location of the Site adjacent and proximate to a wide range of established retail, commercial, and employment activities, and existing infrastructure.

The project will deliver a significant residential development in an accessible location that is serviced appropriately. This will, in turn, contribute to a vibrant and increasingly more attractive local settlement to visit, and increase the variety and supply of affordable housing, which in turn will create economic activity and facilitate residential growth in the wider area.

The project is therefore considered to be a significant stimulator for economic benefits. It will provide immediate economic benefits for people that have become unemployed as a consequence of Covid-19; people in the professional services sector with respect to the planning and design of the residential development; immediate economic benefits in the construction sector and long-term economic benefits of full-time employment opportunities in the operations and maintenance of this residential development.

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

The Project will generate significant positive social effects on current and future generations. The Project will enable the accelerated delivery of a significant number of residential units.

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

Not only will the project provide meaningful employment for a wide range of local workers, but gaining approval via the Fast-Track process will also help those jobs to be created sooner than they likely would otherwise. It is considered that the project would progress considerably faster by using the processes provided by the Covid-19 (Fast-Track Consenting) Act 2020 (FTCA) than would otherwise be the case. At this stage, the Auckland Council's Future Urban Land Supply Strategy 2017 identifies that this land is ready for urban development. The processes enabled by the COVID19 Recovery (Fast-track Consenting) Act 2020 would facilitate physical work on the site commencing in 2024. Were this development to follow a "standard" consenting pathway, it would first require a plan change to rezone the land (taking approximately 15–18 months), and then resource consents to provide for this specific development. If there were appeals to the plan change or subsequent resource consent applications, that would add additional time. It is noted that at present Auckland Council has a 2 week+ delay to simply allocate resource consent applications to a planner for processing. When applications are allocated, the time period for section 88 check has been extended by 10 working days, and the time period for making a decision on notification and on the substantive merits of the application has been extended by 20 working days.

In summary, a typical/simple consent application takes up to 90 working days (at a minimum), which does not take into account the additional delays experienced internally with Council specialists and multiple requests for further information. If the proposal is subjected to a notified resource consent process, this could take more than two years, with several factors prolonging the process.

They include:

- Multiple rounds of further information requests under section 92 of the RMA;
- Submitters raising unexpected or complicated issues during public consultation;

- Lengthy evidence exchange periods prior to the hearing (which can be exacerbated by the higher onus associated with non-complying consents. i.e. the gateway tests);
- The number of witnesses required to give evidence at the hearing;
- Long periods taken to reach a decision; and
- The numerous tasks associated with potential appeals to the Environment Court.

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 bring forward in time significant employment opportunities in the civil and construction industry and supporting sectors, with construction being one of the key sectors filling the unprecedented unemployment generated by the COVID-19 pandemic. The economic assessment included as **Attachment 3** outlines that during the construction phase, up to 1,917 full time equivalent employment years will be created during construction, with a total employment count of around 151 workers per year in Auckland through the accommodation of residents and the workforce employed within the site.

Housing supply:

The Project will bring forward in time and accelerate the availability and delivery of housing stock supply. There will be approximately 354 residential units provided at a time when there are still significant shortages of housing in the Auckland region. Furthermore, the project will assist in releasing pressure on social and health services and will also have a crucial role in the general housing market because the supply of retirement village housing releases existing housing stock back into the market.

Contributing to well-functioning urban environments:

The Project is in keeping with the NPS-UD objective of having well-functioning urban environments as the Project will provide for an architecturally designed, mixed use development of greater intensity and increased height in a location that is highly accessible and adequately serviced.

The development has been well designed, through the use of urban design characteristics detailed in **Attachment 6**. Most importantly, the development will provide for a significant number of dwellings on the periphery of an established residential settlement close to a wide range of amenities. This being one of the key requirements of a well-functioning urban environment.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity: The project will improve environmental outcomes for freshwater quality. The proposed design currently provides for the opportunity to significantly increase the ecological value of the stream through appropriate native buffer planting which will also lead to an increase in biodiversity values.

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

The project includes only small transport infrastructure upgrades to provide access points to the site, and any increased demand on existing Council infrastructure can be incorporated through existing capacity or planned future upgrades. As a result, the proposal does not require any major infrastructure installation or off-site upgrades to the surrounding road network. The infrastructure within the site will be fully funded and established by the applicant.

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

The Project will not result in any adverse outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity. The project will likely improve environmental outcomes for freshwater quality as it will remove historical farming activities from the land and treat stormwater from new impervious areas to a high level. The project will adopt water sensitive stormwater management approaches which will work to preserve, protect and enhance streams within the site. Water quality treatment will be provided to eliminate and minimise generation of contaminants and hydrological management will reduce potential for in-stream erosion.). Overall, the site has low indigenous

biodiversity values, and no significant native vegetation removal or ecological modification is required. The proposal includes a large area of native landscape planting that will increase the net biodiversity values of the site.

Minimising waste:

Kings Height Group recognises the importance of minimising waste and avoiding unnecessary use of resources, and have their own sustainability and environmental policies in place. The Project will commence with the preparation of a comprehensive Site Waste Minimisation Plan. The Site Waste Minimisation Plan will ensure the management of construction processes as to reduce, reuse, recycle and properly dispose of waste. This will be implemented from demolition stage through to completion of construction. This is one of the target items in achieving a Homestar 6 rating. In terms of on-site operations, centralised waste management and recycling systems will be implemented to ensure appropriate waste management that can also adapt to sustainable waste strategies over time.

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 accessible location of the Project will contribute to a reduction in driving and distances driven for residents to meet their needs and increase in active transport modes, thereby contributing to a reduction of greenhouse gas emissions. The central location of the Project itself represents a contribution to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy, noting that were the new supermarket and Warehouse store located on a more peripheral site, that would increase private vehicle trips, contributing to greater net emissions.

In addition to the above, Kings Height Group are committed to actively responding to climate change through sustainability initiatives and will seek to implement such initiatives to this Project by incorporating these sustainable design and construction elements. They are currently investigating the inclusion of rain water harvesting, solar panels and the provision of electric vehicle charging stations to the Project. Collectively, these measures will contribute to mitigating the effects of climate change, help contribute to a low emissions economy and help reduce greenhouse gases.

Promoting the protection of historic heritage:

There are no known archaeological sites or features located within the project site. It was determined that the accidental discovery protocols outlined in the AUP and the Heritage New Zealand Pouhere Taonga Act 2014 can be relied upon should subsurface remains be uncovered during earthworks. As such, it is considered that historic heritage will be appropriately protected within the project site.

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

Overall, it is considered that natural hazards associated with land stability can be appropriately managed and the project site can be developed to accommodate urban residential land uses in a manner that is resilient to natural hazards and the effects of climate change.

Other public benefit:

As discussed throughout the application, there are various public benefits generated by the development. In the short term, employment opportunities in the construction sector will be increased, this has been identified as one of the key sectors in assisting with the social and economic recovery of COVID-19. In the longer term, the Project will provide residential housing supply, job opportunities, and amenities.

The project will result in a significant improvement to the amenity values of the area through a new comprehensively planned and architecturally designed residential development. The site is a scarce and underutilised land resource in this central and connected part of Auckland. The project will result in the revitalization and transformation of the site through the activation of the Hobsonville Road frontage and provision of a residential development providing much needed housing choice to the surrounding residential catchment.

The project will promote the sustainable management of natural and physical resources as it is an efficient use of Future Urban Zoned land.

The proposal will increase the supply and diversity of retirement and care housing within the Auckland region, and provides a high degree of confidence that physical and social infrastructure can be appropriately provided for, environmental effects can be suitably managed, and that the development will be resilient to the risks of natural hazards and climate change.

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

It is not considered that the Project has the potential to result in significant adverse effects. The effects assessment within Part VII and the supporting technical memos confirm that the potential adverse effects of the development are able to be avoided, managed or remedied.

Part X: Climate change and natural hazards

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

As has been outlined above, the proposal will have significant economic benefits to the local economy, including through creation of local job opportunities. The residential development will also bring numerous benefits to the social, economic, and cultural well-being of the local community. The applicant has illustrated a clear commitment to operate in a sustainable manner, through energy reduction, energy and water efficiency, and through a reduction in reliance on private motor vehicle trips. The proposal also expressly avoids the destruction of any natural resource or physical resources, and includes large areas of regeneration planting. These factors together will ensure that the proposal safeguards the life-supporting capacity of air, water, soil, and ecosystems. As has been demonstrated above, any adverse effects of the proposed activities on the environment can be avoided, remedied, or mitigated. For these reasons, both the development itself and use of the Fast Track legislation can be said to achieve the purpose of the RMA.

Climate change does not raise any particular concerns or threats to the project or the site. The site is subject to some natural hazards, in the form of the overland flow paths and the 1% AEP floodplains associated with the overland flows. These natural hazards are generally to be contained within areas that will remain undeveloped, such as the existing stream in the middle of the site. Where this is not the case, the proposal has been designed to appropriately manage these hazards by directing flows to the proposed roads and through other engineering solutions such as 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	No compliance and/or enforcement action has been taken against Kings Height Group by a local authority under the Resource Management Act.

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, director of Campbell Brown Planning Limited, on behalf of the applicant, Kings Height Group Limited 23/02/2023

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.

