

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:	Application number:
	Date received:

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 the 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 need only 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:

Email: fasttrackconsenting@mfe.govt.nz

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

Applications must be submitted to the Minister via email: fasttrackconsenting@mfe.govt.nz

To complete this form, please scroll down and click in the appropriate field.

Part I: Applicant

Applicant details

Person or entity making the request: Melia Development Limited (8140342)

Contact person: Yuntao Cai

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address: 117 Newton Road, Eden Terrace, Auckland 1010

Address for service (if different from above)

Organisation: Civix

Contact person: Nick Mattison

Job title: Director and Senior Planner

Phone: s 9(2)(a)

Email: s 9(2)(a)

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

Postal address: PO Box 5204 Victoria Street West, Auckland 1141

Part II: Project location

The application (click to place an "X" in the relevant box):

- ☒ does not relate to the coastal marine area
- ☐ relates partly to the coastal marine area
- ☐ relates wholly 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:

The proposal is located at 20 Melia Place and 43A Vipond Street, Stanmore Bay, Whangaparaoa. The site plan and location plan are shown below.





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

Legal description(s):

LOT 1 DP 169527 – NZ103B/656 – 43A Vipond Road – Certificate of Title at [Appendix A page 1](#).

LOT 2 DP 169527 – NA103B/657 – 20 Melia Place – Certificate of Title at [Appendix A page 3](#).

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

Registered legal land owner(s):

Both parcels of land are currently owned by The Hibiscus Coast Community Returned Services Association Incorporated. Kvest Investment Partners Group Limited (KIPG) is currently the signatory as purchaser to a sale and purchase agreement for both parcels of land from the Hibiscus Coast Returned Services Association. The Sale and Purchase Agreement is at [Appendix B](#).

A Deed of Nomination has been executed nominating that the purchaser under the Sale and Purchase Agreement be Melia Development Limited. The Deed of Nomination is at [Appendix C](#).

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 Sale and Purchase Agreement for the land is included in **Appendix B**. The Sale and Purchase Agreement identifies KIPG as the purchaser of the property, and the Deed of Nomination confirms that Melia Development Limited has been nominated as the purchaser under the Sale and Purchase Agreement.

These documents confirm that Melia Development Limited has sufficient legal interest in the land to be able to implement the proposed development. For comparison:

- The Resource Management Act 1991 does not require that an applicant be the owner; and
- The definition of owner under the Building Act 2004 includes a person who has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, and who is bound by the agreement because the agreement is still in force. CPM 2019 Ltd has an interest in land sufficient to be considered the owner under the Building Act 2004.

Melia Development Limited is a construction project management entity, which has been set up to develop this site by its parent companies. The parent companies are:

- Precise Homes North Shore Limited (which owns 100% of Melia Development Limited).
- Grand Sky Building Limited (which owns 100% of Precise Homes North Shore Limited).
- Yuntao Cai (who owns 100% of Grand Sky Building Limited).

A summary of the Precise Homes and Grand Sky's portfolio are at <https://www.precisehomes.co.nz>. KIPG will likely continue to be involved in a project management capacity.

Mr Cai confirms that he is confident he will be able to secure funding in order to undertake this development. Mr Cai's letter confirming funding is at **Appendix U**.

Part III: Project details

Description

Project name: Melia Place

Project description:

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 need only provide a general level of detail.

Summary

The proposal is for an integrated residential development ("IRD") located at 20 Melia Place and part of 43A Vipond Street, Stanmore Bay, Whangaparaoa, Auckland. The total area of the subject site is 1.8250ha.

In summary, the proposal seeks to construct 59 residential dwellings in Chapter H3 – Residential Single House Zone ("SHZ") under the Auckland Unitary Plan Operative in Part (AUPOIP). The activity is not a prohibited activity; the activity is a discretionary activity (H3.4.1(A9)). The proposal requires resource consent for an application for an integrated residential development in the SHZ as well as associated subdivision for freehold titles, and earthworks.

The proposed dwellings will include a mixture of 2 and 3 level houses, including a mixture of semi-detached and terraced housing typologies.

Purpose and object of the proposal

The purpose of the proposal is to utilise a large site for the purposes of an integrated residential development, being a residential development on a site greater than 2,000m² including supporting communal facilities. Private communal

facilities are provided (community building, Multi Use Games Area, covered outdoor BBQ area, petanque, bush and recreational area with nature based play activities incorporated as per the Visitor Solutions report included as **Appendix N**).

The proposal seeks to fill a gap in the market in Whangaparaoa, by supplying 59 new units designed as modern and maintainable housing, with some units intended to be marketed within the affordable housing price bracket, and offering a variety of housing typologies to suit different needs and demographics.

The proposal has undergone extensive design revision and iterations. The original proposal comprised 72 dwellings, comprising 44 two-bedroom units, and 28 three-bedroom units, and fewer community facilities. However, after discussions and pre-application meetings with the Council, as well as advice from the engineers regarding retaining and earthworks requirements for the proposed 72 dwellings, the applicant worked with the architect, planners and urban designer to reduce the scope of proposed intensity, and rework the design of the proposal. This resulted in a lower density development, reducing the number of dwellings to 59, and being able to include a greater variety of houses including four-bedroom dwellings and duplexes. The applicant was happy with this proposal, reducing the scale of earthworks and retaining required thus resulting in less intensive works, and enabling a more balanced design as well as enhanced landscaping opportunities to soften the impact of the proposed built form. It also provided space for additional recreational facilities to be incorporated in the design, as it was after the reduction in number of proposed dwellings that the additional recreation facilities including the petanque area, the barbecue area, and community building were added to the development.

The Applicant and the expert team consider that the new proposal adequately balances an achievable scale of intensity, with sufficient variety of housing typologies, additional recreational and communal facilities, and enhancement of landscaping, as well as reducing the volume of earthworks and retaining required.

The dwellings are proposed to be a mix of 2 level units (27) and 3 level units (32). Every unit will have a space to park a car, this may be a garage or a separate car park. The three level units are primarily located away from the peripheral interface boundaries to existing sites.

The proposed architectural plan is shown below and included in **Appendix D** prepared by Patterson Cullen Archaus Architects. This has been a design lead project prepared with multi-disciplinary input from urban design, traffic, engineering, economic, and community facility experts. Private reserve areas are shown where residents can recreate or gather, providing a communal facility of benefit to the neighbourhood. The architectural plans are still undergoing minor amendments and we anticipate some revision to small details.

The landscape concept for the proposal has been prepared by Mike Rogan at SOLA, attached as **Appendix E**.

Integrated Residential Developments in more detail

To explain the concept of an IRD in more detail, IRD is defined in the AUP as:

"A residential development on sites greater than 2,000m² which includes supporting communal facilities such as recreation and leisure facilities, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities accessory to the primary residential use. For the avoidance of doubt this would include a retirement village."

IRDs are specifically enabled in the Single House Zone. While this zone seeks to maintain a spacious character in existing Single House Zone locations, it is also intended to provide choice for future residents in greenfield locations on larger sites through providing for integrated residential developments as stated in Policy 7 of the Single House Zone.

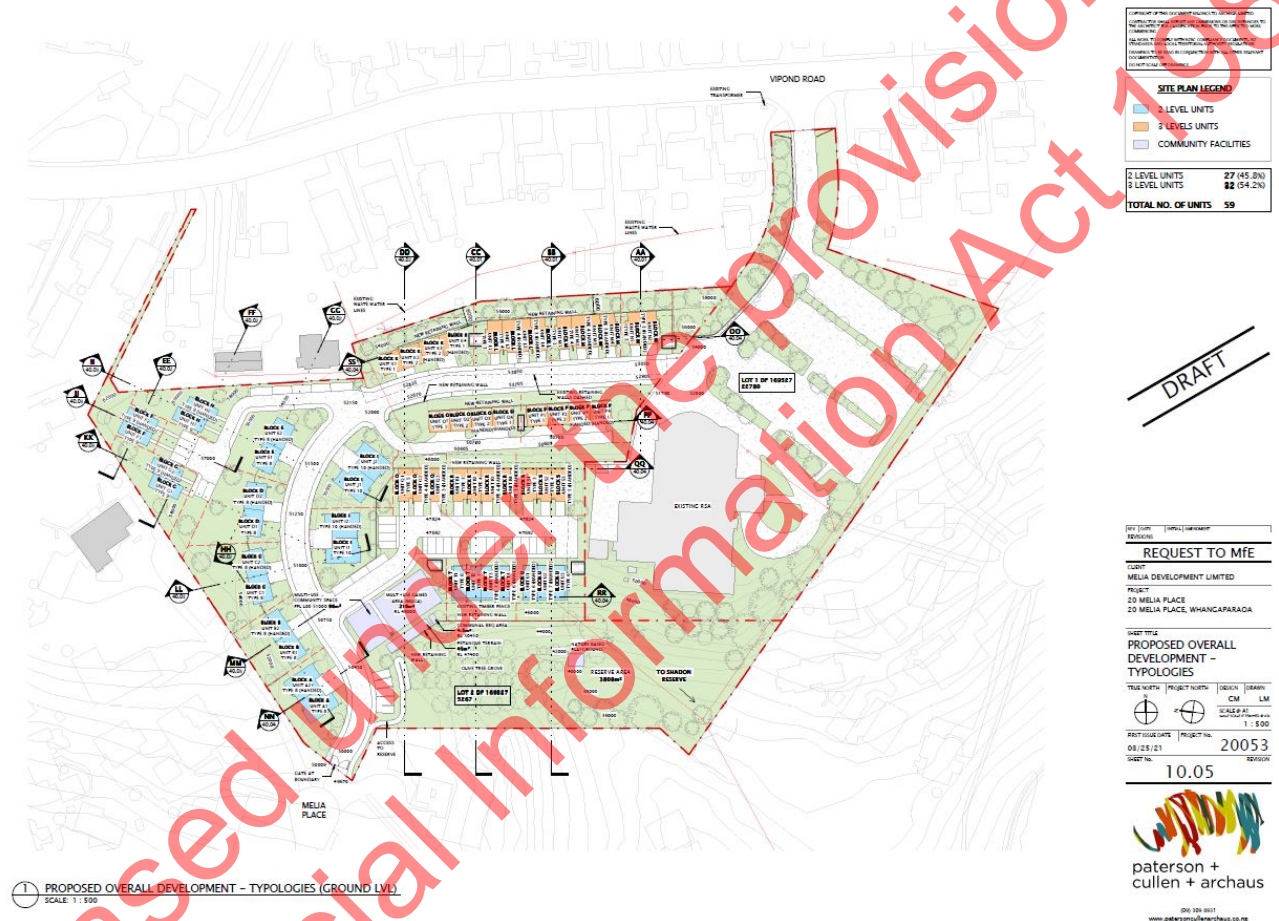
More specifically, the Independent Hearing Panel's recommendation under Topic 059 (Residential Zones) notes under Section 7 – Integrated Residential Development (including retirement villages), that the AUP should enable IRDs where larger sites enable a suitable response to effects on the neighbourhood character, residential amenity and the surrounding residential area in terms of:

- i) Building intensity, scale, location, form and appearance;
- ii) Traffic;

- iii) Design of parking and access; and
- iv) noise, lighting and hours of operation.

This is the situation here, where two parcels of adjacent land are able to be developed at a higher intensity while achieving good environmental outcomes and avoiding effects at the boundary.

Presently, Melia Development Limited is in the process of refining the design. However, the design at present is shown below:



The property encompasses two certificates of title, as described above in Part II, being 20 Melia Place and 43A Vipond Road. The Applicant has been nominated as the purchaser for both of them. However, the development will also include subdivision of the two sites and a boundary adjustment for which the subdivision consent has been processed and granted by Auckland Council. The boundary adjustment will create Lot 1 (9,793m²) for the RSA and associated parking, and Lot 2 (1.8257ha) for the proposed IRD. It is intended that Lot 1 containing the RSA building and existing carpark will be returned to the Returned Services Association. No development is proposed on the above depicted RSA site.

This relationship between the two sites is not inherently clear when viewing the subject site as depicted earlier in Part II, as compared with the existing boundaries of both sites, and the sites as depicted in the above architectural plan with the proposed development. Now that the subdivision of the sites has been granted by Auckland Council, this relationship and the indication of the new site boundaries should clarify this relationship. Copies of the subdivision consent and plans as granted by Auckland Council on 21 May 2012 are attached as **Appendix F**. As depicted on the subdivision plan (**Appendix F page 7**), an easement is proposed over the vehicle access from Vipond Road through the RSA site (being Lot 1) into the development site. The vehicle access from Melia Place will also be retained.

Pre application discussions with Auckland Council

The Applicant held a pre-application meeting on 11 February 2021 with Auckland Council to gain feedback. A copy of the advice from Auckland Council's urban design expert following this pre-application meeting minutes is included as **Appendix G.**

Auckland Council initially raised two key issues with the proposal, one of which was a query around which aspects of the proposal make it an IRD, and the second was around the multi-unit built form of the development.

As a result of this feedback from engagement with Auckland Council, the Applicant identified potential changes it could make. The design response is set out in the Urban Design Assessment prepared by Jason Evans, ET Urban Design at **Appendix I.** As a brief overview, Mr Evans confirmed the following key design responses to these concerns:

- The approach to the layout was further refined to limit the length of connected buildings and introduce more detached buildings in duplex format, creating a more spacious layout and to create a stronger relationship between the buildings and street frontage. The design purpose for this is to create a development that is "visually contained."
- The Council initially expressed doubt as to whether the proposal constituted an integrated residential development. In response to this, design changes included amendments to also offer a pavilion building for community use, a multi games area, a petanque area, a barbecue area, retains the olive grove presently on the site, and a woodland with an associated nature-based playground.
- The layout of the development and roading was revised to create a more pleasing setting for the buildings, but retaining a principal north-south road to retain a hierarchical structure. The roading and pedestrian movement pattern proposed is intended to enable a "human scaled" and slow speed environment.
- The proposal was revised to include a greater number of duplex units in two storey format (and a reduction in the proposed number of three storey units) to influence the character of the built environment. The three storey buildings are located on the site where the natural slope of the site can be used advantageously to reduce the visibility of the three storey buildings.

Accordingly, Auckland Council and the Applicant are now in agreement as regarding the proposal constituting an Integrated Residential Development.

A second pre-application meeting was held with Auckland Council on 7 May 2021, to gain further feedback following the design changes. The formal pre-application meeting minutes prepared by Auckland Council for this meeting are included as **Appendix H.**

As noted in these minutes, the Council had revised its earlier position on a number of issues, most notably:

- The urban design specialist is now generally in support of the built form and layout, subject to further design suggestions to address bulk and mass of the duplex units as well as landscaping matters.
- The planner has confirmed that the proposal meets the definition of IRD on the basis of the requisite site area, and the detailed design of the communal facility. The Council has confirmed that as the activity

meets the definition of an IRD, land use consent is required as a discretionary activity under Rule H3.4.1(9).

- The planner is accepting of the new level of density and subsequent reduction of building coverage on the site, and advised that the should be clarified.
- Council also confirmed the following information requirements which will collectively inform acceptance and notification status of the proposal:
 - Extent of traffic generation incurred clarified by a Traffic Impact Assessment;
 - Visual effects on adjacent sites and public spaces clarified by a Landscape Visual Assessment;
 - The extent of vegetation to be kept or removed on site, with reporting from an arborist as required;
 - The potential reverse sensitivity effects on the adjacent RSA site;
 - Shading diagrams;
 - Site sections confirming topography changes;
 - Confirmation of existing retaining structures that are to be kept on site; and
 - Assessment confirming the benefits of the proposed link to the adjacent reserve.

The meeting minutes do not confirm the Council's position on notification of this proposal, and therefore it is unclear whether the Applicant would be looking at a straightforward non notified consent application, or whether it is likely to be notified and need to proceed to a hearing. Where applicable, describe the staging of the project, including the nature and timing of the staging:

The civil engineering and construction element of the project (e.g. roading and infrastructure) will be completed in two to three stages to allow houses to be brought to the market more quickly than if it was undertaken as a single stage. The residential units will all be sought to be developed at the broadly the same time (a separation time of up to 6 months) with a staging plan provided to enable units to be released to purchasers as soon as possible.

It is proposed that horizontal construction as soon as possible after 1 October 2022 with a clear objective of completing the civil construction program as soon possible after the start date. Ideally construction would commence earlier, but with expected delays from Auckland Council in terms of engineering plan approval and building consent it may not be possible to start and complete bulk earthworks before winter 2022.

Consents / approvals required

Relevant local authorities: [Auckland Council](#)

Resource consent(s) / Designation required (click to place an "X" in the relevant box/s):

- | | | |
|------------------------------------------------------|---------------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Land-use consent | <input checked="" type="checkbox"/> Subdivision consent | <input type="checkbox"/> Coastal permit |
| <input type="checkbox"/> Water permit | <input checked="" type="checkbox"/> Discharge permit | <input type="checkbox"/> Designation |
| <input type="checkbox"/> Alteration to designation | | |

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	H3.4(A9) Integrated Residential Development in the RSHZ	The proposal is a residential development and community hall building. Note this consent will cover off all internal permitted activity infringements (height in relation to boundary yard, maximum impervious area, landscaped area, walls as set out in H.3.6.7 to 3.,6.12). Potentially some 3 storey buildings could include minor height infringements of roof form (H3.6.6).	Discretionary	Across the site
Auckland Unitary Plan	H3.4(A36) New buildings	Construction of 59 residential units and community hall building	Discretionary	Across the site
Auckland Unitary Plan	E36.4.1 (A38) New buildings in Floodplain	Provision of residential units in the floodplain on the site	Restricted Discretionary	Centre of the site – Blocks R and S on the plans.
Auckland Unitary Plan	E36.4.1 (A42) New buildings and structures located within or over an overland flow path	Provision of residential units over the overland flow path on the site	Restricted Discretionary	Centre of the site – Blocks Q, R, U and S on the plans.
Auckland Unitary Plan	E38.4.2(A14) Subdivision in accordance with an approved land use consent complying with Standard E38.8.2.2.	Subdivision of 59 freehold lots (additional commonly held lots will also be included, e.g. reserves)	Restricted Discretionary	Across the site
Auckland Unitary Plan	E12.4.1(A6) Earthworks greater than 2,500m ³	Earthworks exceeding 2,500m ³ are proposed.	Restricted Discretionary	Across the site
Auckland Unitary Plan	E12.4.1(A10) Earthworks greater than 2,500m ³	Earthworks exceeding 2,500m ³ are proposed.	Restricted Discretionary	Across the site
Auckland Unitary Plan	E15.4.1 (A19) Vegetation removal within riparian yard	Vegetation removal within 10m of the stream on the site will be required to accommodate the nature-based playground	Restricted Discretionary	Within riparian yard

Relevant plan	Relevant regulation	Reason for consent	Activity status	Location of proposed activity
Auckland Unitary Plan	E8.4.1(A10) Stormwater discharges from impervious areas exceeding 5,000m ²	Stormwater discharges from impervious areas exceeding 5,000m ² are proposed.	Restricted Discretionary	Across the site
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (*if contamination is identified)	Clause 5(5) and 5(6)	Subdivision and change of use of land NB: TBC whether applicable. Detailed Site Investigation will be undertaken at resource consent stage.	Restricted Discretionary	Across the site

No designations are required for this proposal. No prohibited activities apply to this proposal.

As the titles that make up the site are subject to a sale and purchase agreement, for which the purchaser is noted as KIPG, and Melia Development Limited has been nominated as the purchaser under the agreement (noting the sale and purchase agreements set out above) no other persons are required to obtain any consents.

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 Act 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.

A boundary adjustment to enable the creation of the development site, and separation from the RSA building and its associated parking, has been approved by Auckland Council. A copy of the approved consent, SUB60372117, and the scheme plan is included as **Appendix F**.

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(s) / designations required for the project by someone other than the Applicant. This is therefore 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:

The site is not identified by the AUP as having any heritage or cultural items of significance. Zoning and overlay maps are included at **Appendix J**. However, the works will be subject to a standard consent conditions requiring works to cease (i.e. identification and protection protocols) should any items of cultural or heritage significance be discovered, with notification to Heritage New Zealand and iwi made to enable appropriate actions prior to recommencing works – subject to consultation with iwi that identification and protection protocols can be activated.

To the extent that Auckland Transport require improvements to the surrounding road corridor, then Auckland Transport will need to provide permission to undertake work. The only recommendation by Mr Nixon in his traffic assessment ([Appendix M](#)) as to infrastructural upgrades required is that the footpath extending from the site to Vipond Road is widened to a minimum of 1.5m wide through the RSA site.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, when do 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.

Most likely October 2022, this delay is mainly due to resource consents not likely being issued much before December 2021 and the need to obtain engineering plan approval and building consent from Auckland Council. The applicant is taking steps to try and accelerate this, potentially through a separate earthworks consent.

Mr Cai has confirmed that Melia Development Limited has secured funding to be able to undertake this development. Mr Cai's letter is attached at [Appendix U](#).

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

N/A

Local authorities

Detail all consultation undertaken with relevant local authorities:

Auckland Council:

The Applicant has attended two pre-application meetings with Auckland Council.

The first pre-application meeting was held on 11 February 2021. The advice of Auckland Council's urban designer following this meeting are noted earlier and are attached as [Appendix G](#).

The second pre application meeting was held on Friday 7 May 2021. The minutes issued by Auckland Council for this meeting are noted earlier and attached at [Appendix H](#). These confirm that the Council revised its position on a number of key issues, including (but not limited to) bulk and form layout, density, reduction of building coverage and most importantly, that the proposal does fit the definition of an Integrated Residential Development.

It is noted that both sets of minutes are Auckland Council's own record of the minutes.

Other persons/parties

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

In accordance with S20(3)(h) the following persons/agencies are likely affected:

Māori

Consultation with iwi was initiated in April 2021, with details sent to mana whenua identified by Auckland Council for this location. The letter and information provided is included in [Appendix L](#).

Three iwi have responded to this correspondence at the date of application. Ngāti Manuhiri responded on 12 May 2021 via email and Ngāti Whanaunga have responded on 8 June 2021 by both phone and email. Both have advised that they wish to engage with the Applicant on this proposal.

Ngāti Whātua o Kaipara have also responded to this correspondence, confirming that they defer to mana whenua on this application.

Copies of the correspondence received from these three iwi are included in [Appendix L from page 8](#).

Auckland Transport

Consultation with Auckland Transport has not yet been initiated but will be commenced as required.

Watercare

Consultation with Auckland Transport has not yet been initiated but will be commenced as required.

Hibiscus and Bays Local Board

Consultation with the Local Board has not yet been initiated but will be commenced as required.

Detail all consultation undertaken with the above persons or parties:

Consultation has not yet been initiated, so no feedback has yet been received.

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:

Copies of maps confirming that the subject site is within the area of interest for the below listed iwi from both the Te Kāhui Māngai directory and Auckland Council: The Auckland Plan 2050: Māori Identity & Wellbeing – Tangata Whenua interactive map are at [Appendix K](#).

Iwi authority	Consultation undertaken
Ngāi Tai	Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix L page 1.
Te Patukirikiri	As above.
Ngāti Pāoa	As above.
Te Ākitai Waiohua	As above.
Te Rūnanga o Ngāti Whātua	As above.
Ngāti Whanaunga	As above. Ngāti Whanaunga responded on 10 June 2021 requesting that a site visit be arranged and confirming they would like to consult on this project. This email is at Appendix L page 11.
Te Kawerau a Maki	As above.
Ngāti Whātua o Kaipara	As above. Micah Butt on behalf of Ngāti Whātua o Kaipara responded via email on 8 June 2021 confirming that they do not wish to consult, and defer to mana whenua. This email is at Appendix L page 15.
Ngāti Whātua o Ōrākei	As above.
Ngāti Wai	As above.
Ngāti Manuhiri	As above. Ngāti Manuhiri responded on 12 May 2021 indicating that they wish to engage with the Applicant on this proposal and inviting the Applicant to arrange a site visit. Civix responded on 8 June 2021 commencing process for arranging a site visit. This email is at Appendix L page 8.
Ngāti Te Ata	As above.
Ngāti Maru	As above.
Ngāti Tamaoho	As above.
Ngāti Tamatera	As above.

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
N/A	N/A

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 treaty settlement land, and is not located within any iwi statutory acknowledgment 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 proposal is not located in the Coastal Marine Area, so this is not applicable.

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 proposal is not located in the Coastal Marine Area, so this is not applicable.

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.

Known and anticipated adverse effects

In terms of sustainable use, the proposed use of this site responds with a significantly greater positive environmental outcome than if the sites remains as currently used.

The site is zoned for residential development. The site at 43A Vipond Road is currently undeveloped, and the site at 20 Melia Place is currently used for the existing Returned Services Association facility. The proposed change in use is to provide for 59 residential units, with some of those units intended to be targeted as affordable dwellings, while continuing to offer a community facility, will assist in remedying the housing shortfall in Auckland and has a **substantial net positive environmental effect**.

The potential adverse effects are those typically associated with large scale residential development, being those relating to:

- Increased local traffic on the road network.
- Perceived amenity effects from the increased use on surrounding residential neighbours.
- Temporary works during the construction and development of the site – i.e. noise, vibration, traffic and odour.
- Infrastructure effects in terms of wastewater and water supply demand and capacities, and stormwater discharges – including effects on the overland flowpaths shown on Council's GIS.

These potential adverse effects can be readily addressed through:

- Accessibility to public transport:
 - The site is approximately <100m to bus stop 4779 at 41 Vipond Road, which accommodates bus service 983 to the Hibiscus Coast Station; which is the hub for key services including the Northern Express. There are services approximately every 15 minutes during peak traffic times, and every hour at off peak times.
 - The site is approximately ~250m to bus stop 4661 at 369 Whangaparaoa Road, which accommodates bus services 982 and 984 also to the Hibiscus Coast Station. This is a less frequent service which runs approximately every hour.
 - The site is approximately <100m to bus stops 4772 at 24 Vipond Road and 4774 at 44 Vipond Road, which accommodates bus service 983 going in the opposite direction to Gulf Harbour. This service is every hour at off peak times, and runs more frequently every 15 minutes in the evening peak traffic time from 5pm before reducing to every half hour at 8pm.
 - The site is ~250m to bus stop 4664, which facilitates service 982 to Gulf Harbour and Manly shops.
 - The Whangaparaoa Road bus stops also service school transit services to Whangaparaoa College (including service 017 from Hibiscus Coast Station).
- The capacity of the existing road network to absorb additional traffic and the negligible effects that the development will have on the two intersections at the two entrances to the site;
- A high standard of urban design and landscape detail to soften the visual impact of the built form; by utilising design approaches including:
 - Locating the three storey buildings further away from the site boundaries and achieving intensification in the centre of the site;
 - Ensuring the proposed scale of the development is complementary to the surrounding area.
- Otherwise addressing anticipated effects of the development by adhering to the standards and provisions of the Single House Zone;
- Use of standard engineering methods are proposed for earthworks and construction of infrastructure, as well as conditions of consent including:
 - Limits on construction hours, and total construction noise and vibration;
 - Construction Noise and Vibration Management Plan; and
 - Construction Traffic Management Plan.
- Upgrading of local infrastructure services as needed and managing potential overland water flows through the site design decisions.

A preliminary assessment of the traffic effects of the proposed development for the site has been undertaken by Mike Nixon of Commute Traffic Consultants Limited and is **attached at Appendix M.** As an overview, Mr Nixon's assessment is that the additional movements resulting from the proposal will have negligible effects on the operation of the intersections, and both car and bicycle parking provisions are sufficient to meet AUP requirements.

A preliminary assessment of the public stormwater, wastewater and water supply servicing for the site has been undertaken by Jack Emson and Alastair Turnbull of Civix Limited and is **attached at Appendix N.** Mr Emson and Mr Turnbull confirm that stormwater and wastewater servicing for the site is available via the existing public networks running through the site, and water supply is available via the existing network in the adjacent public work.

With respect to amenity, Jason Evans of ET Urban Design has undertaken an assessment of the urban design principles adopted to develop the design, layout, and intended interface and characteristics of the proposal and is summarised above at **Appendix I.**

Additionally, Craig Jones of Visitor Solutions has undertaken an assessment of the proposed community facilities and recreational features of the proposal. Mr Jones confirms that the concept and revision of the proposal to incorporate additional recreational features reflects best practical in functional community leisure and recreational planning (**Appendix O**).

A geotechnical assessment has been prepared by Geoffrey Kang of Geostudio, which addresses the site stability, groundwater and earthworks components of the proposal (**Appendix P**).

Laura Drummond of Bioresearches has prepared an ecological assessment of the site, at **Appendix Q**. Ms Drummond identifies the predicted overland flow paths on the site and assesses the watercourse classification. Ms Drummond concludes that the watercourse is an intermittent stream, where the upstream environment consisted entirely of a piped stormwater network and the downstream receiving environment as being largely piped. The stream enters the marine environment 3km away through a northern arm on Stanmore Bay Beach. All other predicted overland flow paths were either ephemeral or absent. Ms Drummond notes that minor vegetation removal within the 10m riparian yard, which is a restricted discretionary activity, but the adverse effects are considered negligible.

A preliminary site investigation for the purpose of assessing potential contaminants in soil has not yet been undertaken. However, a suitably qualified expert will be engaged and a preliminary site investigation and a detailed site investigation commissioned for the purposes of a substantive consent application.

Auckland Unitary Plan Operative in part – Anticipated effects assessment

With regard to effects anticipated under the RSHZ, the following sets out the key Zone Statement, Objectives and Policies, and provisions in support of this proposal. These provisions relate to “Integrated Residential Development”. This is a defined term in the AUP and is set out above.

Activity status

The AUPOIP Activity Table Rule H3.4.1(A9) states that an IRD is a **Discretionary Activity**. The Activity Table does not specify any development standards to be met.

The Applicant confirms that:

- The project does not include any of the activities set out in clause 2(4) of Schedule 6 of the Act; and
- There are no other activities that are part of the proposal to which the application relates (Schedule 6, clause 9(1)(e)).

Objectives and policies

Without exhaustive listing of the objectives and policies, they can be summarised as:

- Complementing established or planned residential character of predominantly one to two storey dwellings.
- Provision of quality on site and off site residential amenity through urban design, landscaping and safety (e.g. encouraging passive surveillance of public spaces).
- Non-residential activities provide for the community’s social, economic and cultural wellbeing, while keeping in scale with the character of development anticipated by the zone.
- Mitigating adverse effects on water quality through controlling impervious areas.
- To provide for integrated residential development on larger sites.

These are addressed in greater detail in the planning assessment prepared by Imogen Trupinic of Civix, **attached as Appendix R**.

It is considered that IRD’s and this IRD application finds strong support in Chapter B2 of the RPS:

- B2.1(3) identifies the need for growth to be provided in a way that optimises the efficient use of the existing urban area. IRDs are a mechanism for enabling optimised development of large sites.

- B2.2.1(3) identifies as an objective that urban growth is primarily accommodated within the 2016 urban area. By optimising development intensity, IRDs assist to reduce pressure to expand beyond the 2016 urban area.
- B2.3.1 identifies the object of a quality built environment:
 - Responding to intrinsic qualities and physical characteristics of the site – the Melia site is well suited to intensification because it is not subject to any material overlay controls (SEA, heritage, etc);
 - The development does not challenge the hierarchy of centres and corridors, which is a retail location/hierarchy issue;
 - It contributes to a diverse mix of choice and opportunity for people and communities by providing an increase in the range of affordable houses in a location that has a shortage of such housing, as demonstrated by the economic assessment;
 - It maximises resource and infrastructure efficiency by providing a greater residential intensity than a conventional subdivision and it is close to public transport; and
 - It responds to the effects of climate change, in that the site is sufficiently distanced from the sea or watercourses to be low risk and any adverse effects on the overland flow path on the site are considered to be negligible.
- B2.4.2(11) seeks to enable a sufficient supply and diverse range of dwelling types and sizes that meet the housing needs of people and communities, including households on low to moderate incomes. The proposed IRD achieves this outcome to a greater extent than is otherwise seen in the Whangaparaoa Peninsula. A conventional subdivision would create little or minimal affordable housing.

It is acknowledged that RPS and zone provisions recognise the need to manage effects of residential intensity. The IRD achieves this by having considerably less coverage than a conventional subdivision of the same site.

Standards and application approach

As a **discretionary** activity there are no specific matters for which assessment is restricted to. Proposals are guided by the outcomes anticipated under the objectives and policies and for the activity as defined.

The Activity Table under Chapter H3 does not specify any development standards to be met, signalling that proposals can be designed according to best practicable outcomes, rather than being restricted by specific adherence to standards. No reason is provided for not referring to standards, but it is considered reasonable to consider the flexibility in design is intentional to best help accommodate additional provision of affordable housing in Auckland.

Despite the absence of specified development standards, it is proposed that the allotments adjoining existing residential properties will be designed and constructed to meet the amenity expectations of the Single House Zone:

- The development is significantly below permitted building coverage and impermeable area.
- The development would be fully compliant against yards standards.
- The development would be fully compliant against height in relation to boundary standards.

However, it is noted that the proposal may result in minor infringements to the Building Height standard (H3.6.6) for the zone as illustrated in the architectural plans. Height infringements occur on centralised units only well clear of any common boundary. The small height infringements will not generate adverse effects on surrounding properties and will be indiscernible from a complying built form noting the buffering of surrounding residential units which comply with the height standard.

The application approach is therefore to design a proposal which:

- Responds to Policy H3.3(8) of **providing for** integrated residential developments on larger sites;
- Responds to an appropriate scale of built form complementary to the SHZ character;
- Provides supporting communal facilities (such as recreation and leisure facilities);
- Can be serviced by existing public infrastructure; and
- Consultation has been sought to ensure that matters of significance to iwi are respected.

This approach therefore responds to any known and potential adverse effects on the environment with the outcome being significant net positive environmental effects when considered against the planning framework of the Auckland Unitary Plan.

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:

The following sets out assessments against all National Policy Statements and Environmental Standards.

National Policy Statement on Urban Development (NPSUD)

The NPSUD was gazetted on 23 July 2020 and is effective from 20 August 2020. It replaces the National Policy Statement on Urban Capacity 2016. The NPSUD sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991 and **seeks the provision of sufficient development capacity to meet the different needs of people and communities.**

It contributes to the Urban Growth Agenda (UGA) which aims to remove barriers to the supply of land and infrastructure to make room for cities to grow up and out. The NPSUD does this by addressing constraints in our planning system to ensure growth is enabled and well-functioning urban environments are supported.

The MFE website on the NPSUD states that it contains objectives and policies that Councils **must give effect to in their resource management decisions.**

The NPSUD sets out time frames for implementing objectives and policies for three “Tiers” of Councils, with Auckland Council being a “Tier 1” Council.

The summary structure and timeframes of the NPSUD are:

- Objectives and policies take **immediate effect**;
- Plan changes implementing intensification policies must be notified within two years for Tier 1 and 2 Councils, although Housing and Business Assessments (HBAs) on capacity, and Future Development Strategies (FDSs) to inform plan changes, are required to be completed in time to inform 2024 long term plans;
- Plan changes are to follow as soon as monitoring of development supply against demand is completed (being annually), with plan changes to supply additional capacity where needed to be provided within 12 months of the relevant monitoring report. This means new rules in Council plans addressing additional supply are in the order of six years away;
- Planning is required to be **responsive to proposals addressing development capacity**, including unanticipated or out of sequence development; and
- Councils are required to prepare a Future Development Strategy (FDS) every six years and update them every three years and provide an implementation plan for their FDS.

While the timeframes for plan changes implementing **rules** through plan changes are some way off, the NPSUD requires adequate **consideration of its objectives and policies now.**

In this regard, there are several objectives and policies in support of intensification satisfying certain criteria such as:

- Provision of a variety of homes in terms of price, location, and different households.
- Enabling Māori to express their cultural traditions and norms.
- Proximity to urban centres or rapid transport.
- Supporting reductions in greenhouse gas emissions.
- Responding to the effects of climate change.

The overall intent of the NPSUD is clear in that where intensification is practical, Councils are required to be responsive to such proposals – **particularly in relation to proposals that would supply significant development capacity**, as set out in **Objective 6, Policy 6, and Policy 8**.

The clear direction for increased intensity in appropriate locations is further obviated under **Policy 3** which, for Tier 1 urban environments, seeks that planning documents **enable** building heights maximising intensification as much as possible. Policy 3(c)(i) seeks to enable building heights of at least six storeys within at least a walkable catchment of existing and planned rapid transit stops. To an extent, this applies to this proposal, being within a short walk to a bus stop with regular bus services at bus stops only 100m – 250m away from the development, although the proposed building heights are lesser being two and three storeys.

Assessment

Employment

Adam Thompson of Urban Economics has stated in his assessment (**Appendix S**) that the proposal will provide employment and a diverse range of housing types, and would particularly contribute to social and cultural well-being current and future generations, by providing affordable family housing in Auckland.

Mr Thompson notes that the project would create a considerable number of jobs within the construction industry, and estimates that 186 FTE (Full Time Equivalent) jobs will be created. On an annualised basis, this will create 93 FTE jobs each year.

Housing supply

The proposal will contribute 59 new 2-4 bedroom dwellings to the housing shortage in Auckland, and Mr Thompson notes in his assessment that there is a shortage of 45,000 dwellings, particularly for affordable dwellings. In particular, in the study area, Mr Thompson noted that there are only four terrace house developments with a total of 73 units available, confirming that there is a shortage of terrace housing in this location.

Mr Thompson's assessment notes that the proposal will supply terrace and semi detached dwellings, and the intended price range of a number of the units will be aligned with current affordable terrace prices.

Well functioning urban environments

Mr Thompson's assessment is that the proposal helps to achieve this objective, by increasing the range of housing available in the market, of a form at a price that meets demand for that area. Mr Thompson considers that the proposal will contribute 59 dwellings in a price bracket that is undersupplied in the study area and the region, and therefore helps to achieve this objective and will have a positive impact on social and cultural wellbeing of current and future generations.

National Policy Statement for Fresh Water Management 2014 (Amended 2017 – noting the August 2020 NPS to take effect on 3 September 2020) (NPSFWM)

This sets out the objectives and policies for freshwater management, including:

- Recognition of Te Mana o te Wai in freshwater management;
- Reflection of tangata whenua values and interests in decision making;
- Improving degraded water bodies using bottom lines as defined in the NPS;
- Safeguarding and enhancing the life-supporting capacity of water and associated ecosystems, including threatened ecosystems;
- Working towards targets for fish abundance, diversity and passage; and
- An integrated approach to management of land and freshwater and coastal water.

Assessment

The site does not contain any significant waterbodies. Ms Drummond in her assessment (Appendix Q) confirmed that there is one intermittent stream in the south-eastern corner of the site, and assessed the stream as having low-moderate freshwater ecological value.

Ms Drummond concluded that due to the quality and magnitude of the riparian vegetation that is proposed to be removed that the potential adverse effects of the proposal on freshwater ecological values are considered negligible. The stream itself will not be removed.

Overall, the proposal is not expected to compromise any outcomes anticipated in the NPSFWM, and is also addressed in the Planning Memorandum at Appendix R.

New Zealand Coastal Policy Statement 2010 (NZCPS)

The purpose of the NZCPS is to state policies in order to achieve the purpose of the Resource Management Act 1991 in relation to the coastal environment of New Zealand.

The Site's closest proximity to the coast is approximately 3km, where the intermittent stream discharges into a northern arm of Stanmore Bay Beach. The only consideration in this regard is any potential effect on coastal water quality from discharges from the removal of riparian vegetation and earthworks within the wider site.

The works to develop the site will be in accordance with best engineering practice in terms of erosion and sediment control, consistent with the AUP and relevant standards (GD05).

Stormwater and wastewater discharges are managed through discharge to public infrastructure.

The proposal does not compromise any outcomes anticipated in the NZCPS.

Assessment

The proposed IRD aligns with the NZCPS 2010.

National Policy Statement for Renewable Electricity Generation

This is not relevant to this proposal.

National Policy Statement on Electricity Generation

This is not relevant to this proposal.

National Environmental Standard for Air Quality 2004

The Air Quality NES are regulations made under the Resource Management Act 1991. They aim to set a guaranteed minimum level of health protection for all New Zealanders.

This includes provisions controlling the effects of air discharges from certain activities, e.g. prohibition on discharges from burning of certain materials (e.g. tyres, bitumen etc.). It also addresses effects of discharges in the ambient air quality of certain environments – including carbon monoxide from vehicles.

While the proposed development will result in additional traffic movements, it is unlikely that these would exceed the levels specified in the Air Quality NES.

Other potential air discharges may relate to the use of wood-burners from dwellings once constructed. These are required to be designed in order to control emissions within the Design Standard specified in Clause 23.

Assessment

The proposal will not likely result in discharges exceeding specified standards in the Air Quality NES, particularly as this is already residentially zoned land.

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

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) is a nationally consistent set of planning controls and soil contaminant values. It 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 contained to make the land safe for human use.

Assessment

The proposal will avoid adverse effects on human health arising from contaminants in soil. In particular, there is no known contamination on the site and further reporting can be provided to confirm this as required. The Applicant will engage a suitably qualified expert to undertake a Detailed Site Investigation at resource consent stage.

National Environmental Standard for Sources of Drinking Water

This is not relevant to this proposal.

National Environmental Standard for Telecommunication Facilities

This is not relevant to this proposal.

National Environmental Standards for Electricity Transmission Activities

This is not relevant to this proposal.

National Environmental Standards for Plantation Forestry

This is not relevant to this proposal.

Part IX: Purpose of the Act

Your application must be supported by an explanation of how the project will help to achieve the purpose of the Act, being 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 proposal’s economic costs and benefits have been assessed by Adam Thompson of Urban Economics, and this is included in **Appendix S**, with a section specifically responding to the project’s economic benefits and costs for people or industries affected by COVID-19.

Mr Thompson provides an overview of the impact of Covid-19 on the construction sector, and notes that Covid-19, by forcing New Zealand’s borders to close and immigration being reduced to near zero, is likely to result in a decline in the number of houses demanded and constructed and will place pressure on the construction sector.

In response to this, Mr Thompson has stated that the project would create jobs across several industries, and has estimated that the construction of this project would generate 186 FTE (“full time equivalent”) jobs. Mr Thompson also provided this figure on an annualised basis, calculating that if construction takes two years and is split evenly, then 93 FTE jobs would be created each year.

On the basis of the construction sector having a \$18.5B contribution to national GDP on the basis of 139,800 FTE, being a value added of \$133,000 per FTE employee, then the proposal’s generation of 186 FTE jobs will result in a GDP contribution of \$23m.

There will also be associated economic benefits to the local retail economy, from having more people introduced to the area.

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

Adam Thompson in his economic assessment at **Appendix S** has assessed the social and cultural wellbeing of current and future generations.

Mr Thompson considers that the proposal would provide employment, and a diverse range of housing types, which would have a positive impact on social and cultural wellbeing by providing affordable family housing. This is on the basis that a number of the 59 units are intended to be marketed within an affordable housing price range.

Additionally, there are social and cultural benefits associated with the site's proximity to community and cultural facilities, which will enable new residents to become active members of the community. As an example:

- As well as the recreation features of the proposal, the site is proximate to nearby Shadon Reserve;
- The site is close to local bus services;
- The site is proximate to early childhood centres, within 2.5km from local primary schools, and approximately 5km away from Whangaparaoa College; away;
- Proximate to both the Red Beach and Stanmore Bay urban centres, with access to medical centres, supermarkets, and retail facilities.

The design of the proposal together with the benefits of the location, provide for the social and cultural wellbeing of future generations without adversely affecting current residents in the area.

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

It is understood that the Ministry's "best case" assessment of time frames is now three months for the Minister's approval, and a further four months for the EPA / Expert Consenting Panel process. Therefore, at best, the fast track consenting process is anticipated to take a total of seven months.

If the application is filed with the Minister on or about June 2021, allowing for a seven month process, the granting of the application can be expected at the earliest to be around December 2021, falling well within the period prior to the repeal of the Act. Even if those anticipated time frames are extended, there remains a period of a further six months before the repeal of the Act in July 2022.

Conversely, based on experience with Auckland Council, the Council process would be expected to take at least 12 months as a conservative estimate with an application of this type and scale. Additionally, while the Council has indicated at the second pre application meeting on 7 February 2021 that it considers the application may be able to proceed non-notified, the Council has also expressed the position that an applicant cannot rely on any comments or statements of the Council made at a pre-application meeting with regard to notification of a project. There is therefore still a risk that Auckland Council may determine that the application needs to proceed on a notified basis and a hearing held, which will significantly delay the consenting process. Additionally, new issues often arise during the process of a proper application which increases the risk that the application will need to be notified.

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:

As noted above, Adam Thompson has calculated that the project would create an estimated 177 FTE jobs, in roading, construction, landscaping, planting, land surveying, administration, and support services and other related activities. This is clearly in alignment with the necessary response needed to address the housing crisis and stimulate job creation.

Housing supply:

As noted above, Adam Thompson in his assessment at **Appendix S** has confirmed that the project will increase the housing supply, by supplying 59 new 2-4 bedroom dwellings to the market. This proposal will contribute to housing supply in a currently undersupplied price bracket. The terrace dwellings are expected to be priced from \$700,000 for a 2 bedroom and \$900,000 for a four bedroom.

In more general terms and in relation to the specific housing supply shortage in Auckland as identified by the Urban Growth Agenda and referred to in the National Policy Statement for Urban Development, the proposed IRD providing 59 units is an increase in the yield of residential lots than would be achieved under standard subdivision rules.

Contributing to well-functioning urban environments:

The National Policy Statement for Urban Development 2020 requires that planning decisions contribute to “well functioning urban environments”. Adam Thompson has stated in his economic assessment that the proposal helps achieve the NPS-UD objectives by increasing the range of two bedroom housing available to the market within the \$700,000 - \$900,000 price range, which are currently undersupplied. Additionally, the provision of some new affordable dwellings constructed by modern building standards reduces the social pressures caused by inadequate housing. The proposal is located in an area in reasonable proximity to public reserves, public transport, and other public services and infrastructure. The site is also proximate to other services including schools, supermarkets and general retail centres. Although the site will provide its own recreational facilities, it is also adjacent to Shadon Reserve, and close to Shakespear Regional Park.

Jason Evans has provided a brief summary of the proposal in urban design terms, at **Appendix I**, which confirms that the design is complemented by the specific amenity elements of the proposal. In a financial sense, the proposal will also generate development contributions towards services infrastructure, roading and reserves, and will increase patronage of public transport, which may in turn incentivise transport providers to provide additional services.

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

The proposal will contribute to the local economy through increasing population. Stormwater, wastewater and water supply servicing for the site are all available via the existing public networks adjacent to or running through the site. Civix is currently still working through a detailed assessment confirming network capacity to accommodate the site.

The proposal includes privately owned recreation reserve land. The reserve areas are to be landscaped to a high standard, and the revised site layout enables a stronger landscape-influenced layout with opportunities for street trees and associated soft landscape measures.

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

The proposal will not create any significant adverse environmental effects in terms of freshwater terrestrial ecology or air quality.

The ecological assessment at **Appendix P** confirms that the effects of the proposal on freshwater terrestrial values are negligible. This is on account of the low-moderate quality and magnitude of the riparian vegetation which is proposed to be removed.

Minimising waste:

It is proposed that contractors minimise waste during construction and recycling material where possible. The builders, Breeze Construction Limited, have confirmed they have a cooperative relationship with a site waste

management company and will strictly classify and reuse onsite waste as much as possible. A letter from Breeze Construction is attached at **Appendix T**.

The existing use of the site means there are no buildings to re-use for the purposes of the residential component. However, the existing RSA building is being retained, and is therefore being re-used. Constructing additional housing near the RSA will likely increase its use.

In terms of sustainability, the contractors and builders will specify building products of recycled, secondary or sustainable sources and intend to instruct their onsite works to use materials efficiently to achieve a “low-carbon” construction goal. Breeze Construction have also ensured that they intend to reduce onsite energy consumption and daily water consumption to minimise waste of utilities by monitoring usage weekly.

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 construction of modern new houses to a high quality will mean that people can move out of old houses that are not as energy efficient. This will therefore have a net positive effect on the environment with regards to contributing to mitigating climate change, as the houses will be better insulated and require less energy for heating.

By providing comprehensive recreational facilities, the proposal will reduce the need for residents to travel for recreational needs. Additionally, the proposal is located close to good public transport connections to enable people to utilise public transport and reduce reliance on cars. The bus stops proximate to the development also offer school transport services to the local schools, which means public transport can be used for work trips and school trips, particularly in peak traffic times. This will also result in a positive contribution to efforts to mitigate climate change and lower emissions.

Promoting the protection of historic heritage:

There are no items of cultural or heritage significance on the proposal site. It is noted that during site works, the heritage protection protocols will apply.

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

The site is set back from any flood hazard requirements, and flood mapping takes into account the effects of climate change. The upstream environment of the intermittent stream identified on the site is all piped, so there are no potential risks from the intermittent stream. While the development requires consent for building over both a flood plain and an overland flow path on the site under the rules of the AUP it is noted the application of the overland flow path rule will be technical only due to the piping of the intermittent stream. In addition, future reporting will provide flood mapping of the site and the dwellings will be set at suitable FFLs as required.

The site is located 3km from the coast at its closest point and is therefore is not subject to any natural hazard risks such as coastal erosion or sea level rise.

The geotechnical report at **Appendix P** addresses the general topography of the site, and confirms that the site does slope downwards towards the east and the south, and that immediately south of the proposed units at the southern end, the ground becomes very steep with slopes of up to 22degrees. The site design and layout manages potential risks of site stability by not developing the steepest identified part of the site. The steep slope identified by Mr Kang is instead intended to be retained as the olive grove, with the recreational facilities including the petanque area and astroturf being to the northwest of this slope. This is depicted in the scheme plan at **Appendix D**.

Other public benefit:

Public benefit matters have been addressed in sections above. A summary of these is:

- Provision of affordable housing in a catchment currently undersupplied for the price points available;
- Provision of additional housing stock in response to the housing supply shortage in Auckland, assisting to address the associated adverse social and well-being effects;

- Creating employment opportunities in the construction sector;
- An estimated \$2.3m GDP contribution as a consequence of the increase in employment opportunities;
- Spin-off economic effects to the local retail sector;
- Provision of additional safe and high amenity recreational reserve areas available for public use;
- Associated upgrades of local infrastructure; and
- Funding provided for wider infrastructure and reserve benefits by way of development contributions.

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

The proposal does not present any significant adverse environmental effects, including greenhouse gas emissions.

Part X: Climate change and natural hazards

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

The site is highly suitable for development in terms of natural hazards and climate change.

The natural hazards that could potentially apply to the site relate to ground stability and an overland flow path.

The geotechnical report ([Appendix P](#)) confirms that there were no obvious signs of global instability at the site. Mr Kang additionally carried out a slope stability analysis of the site with finished cut and fill levels for the proposed building platforms. Mr Kang's conclusion was that the calculated factors for the proposed building platform for normal groundwater, elevated groundwater, and seismic conditions are acceptable for development.

While the site has an overland flow path shown through it, this has been investigated as not meeting the definition of a watercourse. The small flood plain area shown on the Council GIS system is due to the contours of the existing artificial lawn for the bowling club which is proposed to be removed, and therefore expected this flood risk will be removed as part of the proposed initial earthworks. Nevertheless, a flood risk assessment will be provided in future reporting to confirm there will be no risk of flooding both on site and on adjacent sites, and the proposed dwellings will be set at a sufficient FFL above the calculated flow where required. Therefore, there is no unusual risk to the development in terms of flooding effects from within the site or from its immediate surrounds.

With regard to climate change, one of the main considerations is development levels for dwellings and access in terms of sea level rise. As noted above, the site is located 3km away from the coast (where the intermittent stream enters the coastal environment into an arm on Stanmore Bay Beach) and is therefore well set back from the coast, mitigating any risk of sea level rise or coastal erosion. Again, as noted above, Mr Kang addresses at a general level the topography and contours of the site. The steepest part of the slope, towards the south, is being retained as an olive grove, and so any site stability risks are mitigated by not developing this part of the site.

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
None, see below	

Melia Development Limited is a site specific development entity. It was incorporated in 2019 and as such, has not undertaken any development projects, and has not been subject to any compliance or enforcement actions.

The ownership structure of Melia Development involves three other companies:

- Precise Homes North Shore Limited;
- Grand Sky Limited; and
- Kvest Investment Partners Group Limited.

As Precise Homes North Shore Limited are the primary development company in this corporate structure, we have also undertaken an investigation into the compliance and enforcement background of this company and its director, Yuntao Cai.

We filed an official information request under the Local Government Official Information and Meetings Act 1987 with Auckland Council on 20 May 2021 to verify that information ("LGOIMA").

Auckland Council provided a response to our LGOIMA request on 4 June 2021, and advised that the following action has been taken against the above-named entities:

- a) Precise Homes North Shore Limited: abatement notice in respect of 24 Tomo Street, New Lynn, issued for insufficient and incorrectly maintained sediment and erosion controls;
- b) Precise Homes North Shore Limited: infringement notice in respect of 35 Salamanca Road, Sunnynook, for discharge of concrete slurry from the site onto the public footpath and road channel; and
- c) Precise Homes North Shore Limited: inspection letter for 24 Nikau Street, New Lynn, advising that issues were identified with sediment and erosion controls, but noting that the identified deficiencies did not warrant enforcement action.

The LGOIMA request and response from Auckland Council with supporting information is included at **Appendix V**. Breeze Construction has provided detail as to the steps taken to mitigate and resolve the issues identified by Auckland Council in relation to the three sites identified above, and this is included at **Appendix W**.

Part XII: Declaration

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

Olivia Manning

15 June 2021

Signature of person or entity making the request

Date

Important notes:

- 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.
- Information presented to the Minister for the Environment and/or Minister of Conservation (and the respective agencies) is subject to disclosure under the Official Information Act 1982 (OIA). Certain

information may be withheld in accordance with the grounds for withholding information under the OIA. Further information on the OIA is available at www.ombudsmen.parliament.nz.

Information held by the Minister(s) and the agencies may have to be released under the OIA in response to a request from a member of the public (or any other body) for that information unless there are grounds for withholding that information. 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.

Checklist

Where relevant to your application, please provide a copy of the following information (click to place an "X" in each box to confirm):

- ☒ Correspondence from the registered legal land owner(s)
- ☐ Correspondence from persons or parties you consider are likely to be affected by the project. Note – awaiting response to consultation.
- ☒ Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement. Note - N/A
- ☒ 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. Note - N/A
- ☒ 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. Note - N/A