

26 July 2021

Ministry for the Environment PO Box 10362 Wellington 6143

For: Stephanie Frame

Email: fasttrackconsenting@mfe.govt.nz

Dear Stephanie

MELIA PLACE, WHANGAPARAOA - REQUEST FOR FURTHER INFORMATION (BRF-228)

1. INTRODUCTION

- 1.1 As you know, we act for Melia Development Limited ("MDL" or "the applicant"). MDL has applied to the Minister for the Environment to refer the Melia Place project to an expert consenting panel for consideration under the Covid-19 Recovery (Fast-track Consenting) Act 2020 ("the Act").
- 1.2 Thank you for your letter dated 12 July 2021 requesting further information in respect of MDL's application.
- 1.3 The purpose of this letter is to respond to that request for further information. The response and information provided has been prepared with the input of MDL's project team, particularly on planning and economic matters.
- 1.4 This letter addresses the request for information as follows:
 - (a) How the project promotes employment (Section 2);
 - (b) How the project contributes to cultural wellbeing (Section 3);
 - (c) How the project contributes to well-functioning urban environments (Section 4);
 - How the project will progress faster using the Act rather than the standard RMA process (Section 5);
 - (e) Funding of the project (Section 6);
- 1.5 We make some final concluding remarks in Section 7.



2. **PROMOTION OF EMPLOYMENT**

- 2.1 As identified in the application dated 15 June 2021, the proposed start date for construction was conservatively estimated to be after 1 October 2022. It was identified that it would be preferable that construction start earlier than this, but that it is anticipated that there are likely to be delays from Auckland Council with respect to engineering plan approval and building consent.
- 2.2 Concerns around delay of standard consenting processes under the RMA are detailed in Section 5 below. However, as is detailed further below, the applicant is hopeful and notes that it is possible that works will start earlier than October 2022 and would ideally like to commence work prior to the end of the earthworks season on 30 April 2022.
- 2.3 If this occurs, then employment will be promoted as soon as the application has been considered by the expert consenting panel and they determine that the application can be granted. Should this happen, then contractors and subcontractors will be contacted immediately, and works can commence no later than April 2022.
- 2.4 However, even if construction cannot start straight away, then ongoing input and employment is fostered during the design stage of the consent, including the preparation of engineering plans and preparation of the Building Consent application, which will continue to foster employment even if it is not on the ground.
- 2.5 Adam Thompson of Urban Economics prepared an economic assessment, which was submitted with the application to the Ministry (Appendix S). Mr Thompson confirms that the project will have a positive contribution to employment, by creating approximately 186 Full Time Equivalent jobs, which on an annualised basis will create 93 FTE jobs per year in the construction industry.

Engineering plan approval and building consent

- 2.6 We have conferred with Civix, the applicant's planning consultants, regarding the requirement for engineering plan approval that will be required from Auckland Council before works can commence. Civix has advised that the engineering plan approval process can take six months to a year and will likely create 2 3 jobs in this process.
- 2.7 The proposal therefore creates ample employment opportunities throughout the process, from consenting stage through to construction.

CULTURAL WELLBEING

- 3.1 The Ministry has requested information on how the Project will contribute to cultural well-being.
- At the time of submitting the application to the Ministry, the project team had made efforts to liaise with local iwi authorities identified as having an interest in the area. Correspondence was sent on 12 April 2021, 8 June 2021, and 29 June 2021. A copy of this email chain is **attached** as **Appendix 1.**
- Unfortunately, and despite following up, at the time of submitting only two iwi authorities had responded and confirmed that they wished to consult on this project. One other iwi authority had confirmed that the site was not within their

rohe. Our project team have followed up with all iwi authorities again, but it remains the case that only two authorities have responded.

Ngāti Whanaunga and Ngāti Manuhiri

- 3.4 The two iwi authorities who have confirmed they wish to consult on this project are Ngāti Whanaunga and Ngāti Manuhiri.
- Ngāti Manuhiri attended a site visit on 18 June 2021, and confirmed that they wished to prepare a kaitiaki report for the proposal. Copies of correspondence with Ngāti Manuhiri confirming that their kaitiaki report is in progress is **attached** as **Appendix 2.**
- Ngāti Manuhiri have subsequently completed a first draft of their kaitiaki report, dated 21 July 2021. This is a comprehensive report, detailing Ngāti Manuhiri relationship to the land and the site, and the cultural values of the site. Their conclusion is that they support the proposal, subject to specific conditions being implemented to address concerns related to primary to taiao indicators. They have also sought ongoing communication between the developer and Ngāti Manuhiri.
- 3.7 At this time, Ngāti Manuhiri have restricted distribution of their draft report to the applicant only, subject to consultation from the applicant and their expert team before finalising. A copy of the finalised kaitiaki report will be provided to the Ministry as soon as Ngāti Manuhiri consent to it being provided.
- 3.8 Ngāti Whanaunga also attended a site visit on 18 June 2021, and confirmed that they wished to undertake an assessment. Copies of correspondence with Ngāti Whanaunga are **attached** as **Appendix 3**. They are in the process of preparing a Cultural Values Assessment report which will be provided imminently.

Planning provisions

- 3.9 The Auckland Council GIS Maps services do not depict any Tangata Whenua Management Area overlay and no marae proximate to the site.
- 3.10 As a point of reference, the closest listed marae is Te Herenga Waka o Orewa in Silverdale.

Promoting cultural wellbeing

- 3.11 The applicant intends to continue to engage with iwi, particularly those who have indicated that they are interested in consulting on this project.
- The applicant is pleased to have received the first kaitiaki report from Ngāti Manuhiri, and the applicant's expert team is currently reviewing the concerns identified by Ngāti Manuhiri and reviewing the proposed methods of remediation and conditions they seek to be implemented and adhered to. The applicant is grateful for the guidance in terms of cultural concerns and values, and is looking forward to engaging further with Ngāti Manuhiri in the first instance, and Ngāti Whanaunga on completion of their CVA, to continue to develop ways in which the project can promote cultural wellbeing.
- The applicant intends that cultural wellbeing and cultural values will be recognised and promoted by methods including (but not limited to):

- (a) Inviting mana whenua to have input into the landscape management plan, and prioritise the use of native plants;
- (b) Ensuring accidental discovery protocols are included as conditions of consent and strictly adhered to during works;
- (c) Numerous conditions have been recommended by Ngāti Manuhiri which have also been recognised by the applicant's expert teams, particularly as they relate to sediment and erosion control and the implementation of GD05 Erosion and Sediment Control Guide; and
- (d) The promotion and use of sustainable and energy efficient materials and construction methods to protect the mauri of the water.
- 3.14 The applicant is hopeful that the ways in which the project will uphold and promote cultural wellbeing will become more specific and refined as the applicant continues to work with and engage with mana whenua.

4. WELL-FUNCTIONING URBAN ENVIRONMENTS

- 4.1 The Ministry has requested advice on how the Project contributes to well-functioning urban environments, with particular reference to the National Policy Statement on Urban Development ("NPSUD").
- 4.2 The NPSUD Policy 1 states as follows:

Policy 1 Planning decisions contribute to well-functioning urban environments which are urban environments that, as a minimum:

- (a) Have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, different households; and
 - (ii) enable Maori to express cultural traditions and norms; and
- (b) Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) Have good accessibility for all people between housing, jobs, community services, natural spaces and open spaces including by way of public or active transport;
- (e) Support reductions in greenhouse gas emissions; and
- (f) Are resilient to the likely current and future effects of climate change.
- MDL engaged Adam Thompson of Urban Economics to provide an assessment of the economic benefits of the project. Mr Thompson confirmed in his assessment that the project would contribute to the achievement of this Policy by providing the following outcomes:
 - (a) Increasing the supply of houses available in Whangaparaoa;

- (b) By increasing the range of housing available in Whangaparaoa by providing different housing typologies including duplexes and terraced houses, and different configurations from 2 4 bedroom options available; and
- (c) Some of these dwellings, primarily the 2 bedroom dwellings, will be supplied within an affordable price range for that area.
- 4.4 With respect to enabling Maori to express cultural traditions and norms, this is discussed in Section 3 above.

Accessibility

4.5 The site is well connected with proximate public transport connections within walking distance to the site.

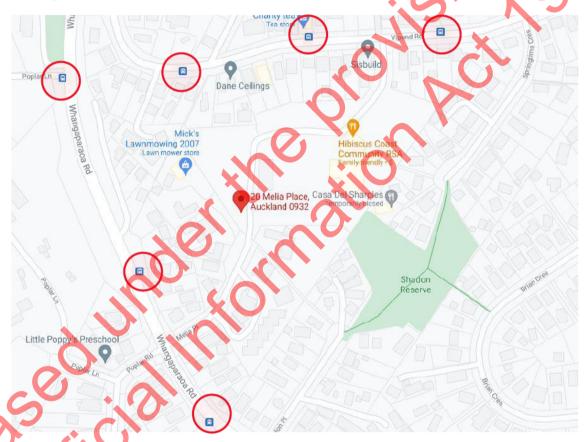


Figure 1: Proximate bus stops

- 4.6 The above Figure 1 depicts the locations of proximate bus stops to the development site which enable multi-modal transport options to access jobs and retail hubs for shopping and daily needs.
- 4.7 The site itself is proximate to small local centres including Stanmore Bay and Red Beach and, slightly further afield, Orewa and Silverdale.
- 4.8 With respect to Open Space, Figure 1 also shows the proximate Shadon Reserve, and there is a direct walking track from the site confirmed to be a nature trail, through to the Reserve.

- 4.9 There is also access to greater open and natural space, including Shakespear Regional Park at the eastern end of the Whangaparaoa Peninsula, and local beaches including Red Beach and Big Manly Beach.
- 4.10 **Attached** as **Appendix 4** is a collection of journey options from the site to a selection of various points of interest including open spaces and parks, beaches, shops, and schools, which confirms that the site is sufficiently well connected.

Greenhouse gas emissions

- 4.11 Reductions in greenhouse gas emissions will be achieved by:
 - (a) Construction of modern new houses of high quality and meeting building code insulation requirements will enable replacement of existing housing stock that are not as energy efficient and require greater consumption of energy to keep warm and dry.
 - (b) The site's proximity and well-connectedness to various services and facilities including schools, recreational spaces, and shops mean daily needs can be met by public transport or active transport options, reducing reliance on cars and reducing net carbon emissions.
 - (c) The applicant has engaged Breeze Construction to undertake the construction of the development. Breeze Construction has supplied a letter in support of the fast track application, and they state the following:

"To achieve environmentally friendly, Breeze Construction Limit intend to reduce the onsite energy consumption by adapting innovative technology and improving energy efficiency, the daily water and electricity consumption are recorded and reviewed weekly, and all the onsite workers are taught to use them in a more efficient way in order to achieve the "low carbon" construction goal."

4.12 The project therefore actively seeks to promote the reduction of greenhouse gas emissions. The quality of the housing that the project seeks to construct, and the construction methods both intend to ensure that greenhouse gas emissions are reduced as much as possible.

Climate change

- 4.13 The NPSUD seeks to promote developments that are resilient to the effects of current and future climate change.
- 4.14 This project is sufficiently set back from any coastline, reducing any risk of coastal erosion or sea level change. The project is also sufficiently distant from any major water body or water course, reducing any risk from flooding during an extreme weather event.

 $^{^{\}mathrm{1}}$ Appendix T to fast track application submitted 15 June 2021.

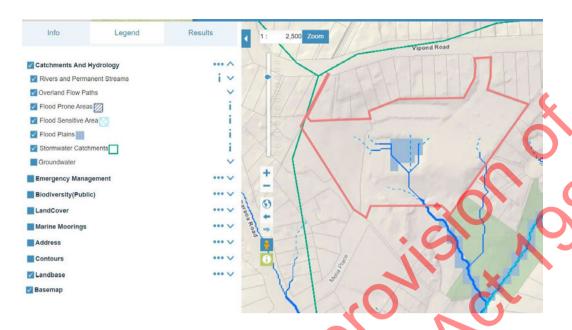


Figure 2: Catchment and hydrology map, Auckland Geomaps

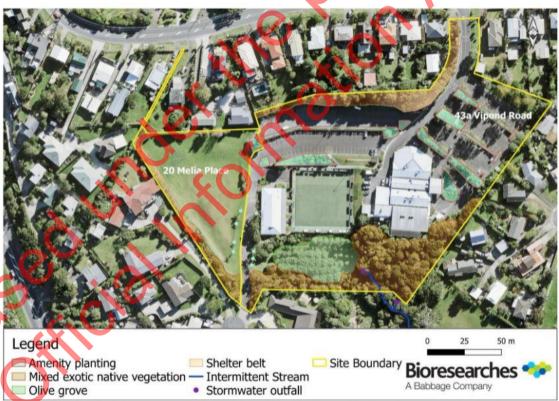


Figure 2. Ground-truthed watercourses present at 43a Vipond Road and 20 Melia Place, Stanmore Bay, Auckland.

Figure 3: Bioresearches ground-truthed watercourse map

- Figure 2 depicts the known catchment and hydrology features of the site, and Figure 3 depicts the Bioresearches ground-truthed watercourses map from the ecological report.
- 4.16 The only watercourse on the site is an intermittent piped stream in the southeastern corner of the site, which can be seen in Figure 3 above. This stream was

assessed as having low-moderate ecological value. With respect to flooding risk, the ecological report filed in support of the application advised that the stream had limited connection to the floodplain.

4.17 It is therefore considered that the geographical location, topography and hydrological features of the site indicate that the development will be resilient to potential effects of current and future climate change.

5. HOW THE PROJECT WILL PROCESS FASTER

- 5.1 Auckland Council have given a preliminary indication that the application can proceed non-notified, following pre-application meetings on 11 February 2021 and 7 May 2021, after which the design was revised and refined to address some of the Council's concerns.
- While the meeting minutes allude to the possibility of the application being nonnotified, there is no guarantee on which the applicant can rely to opt for processing this application under the standard RMA processes. It is acknowledged that a non-notified consent application under the RMA may be faster than under the FTC Act.
- 5.3 The applicant is concerned that the Council may revise its position unexpectedly in terms of notification and processing. This is in reliance on the applicant's previous experiences with Auckland Council.
- Additionally, an applicant cannot rely on the Council's position as stated in a preapplication meeting, as the Council is required to carry out its statutory function and undertake an assessment of the application in accordance with sections 95A-G of the RMA.² It is entirely possible that the Council's statutory assessment may determine notification which is entirely different to and inconsistent with a preliminary indication given at a pre-application meeting.
- If the application is either publicly notified under section 95A, or limited notified under section 95B, then a hearing will be required to held.³ This will substantially delay any granting of resource consent and will certainly hold up any commencement of construction. Our experience is that all consent applications for Integrated Residential Developments that our team is aware of have been notified by Auckland Council. Despite any officer statements, it is highly likely that the application will be notified and timeframes extended.
- In addition to this, we also note the Council's standard policy of doubling the timeframes for any consent with more than one component deemed 'complex' and subject to section 37A. Finally, we also note that there is a likelihood of section 92 requests for further information and the time required to respond to these is often well over the statutory 15 days noted in every Section 92 letter given the extent of information usually requested. Our experience with the Section 92 requests is that Council planners often request information that is either already provided with the application or for additional information that goes well beyond the expected requirements of the RMA process. The Section 92 stage of resource consent applications together with notification make the standard RMA consenting

It has been held that the Council cannot be held to be in a contractual relationship; the Council is required to carry out a statutory process pursuant to section 95A-95G to determine whether to process an application on a publicly notified, limited notified or non-notified basis. Any statement given prior to a formal decision as to notification should not be relied on. The decision of *Oteha Investments Ltd v Simon Yates Planning Ltd* [2011] NZRMA 69 essentially confirmed that the pre-lodgement meeting is to facilitate any subsequent application and statutory process, and such meetings are "advisory in nature." At [4].

Resource Management Act 1991, section 100.

- process highly inefficient and especially for an application for an Integrated Residential Development.
- 5.7 Conversely, a start time of October 2022 is a conservative estimate, and even then is only 15 months away. This time period has been calculated based on experience with the expert consenting panel process and time anticipated for this, and to allow for potential delays from Auckland Council. This time period also accounts for the earthworks season as specified at E1.6 in Auckland Council's GD05 Erosion and Sediment Control document⁴, which is from 1 October to 30 April.
- 5.8 Conversely, if engineering plan approval and building consent are forthcoming from Auckland Council, then the applicant would prefer to commence as soon as possible, preferably before the end of the earthworks season on 30 April 2022.
- Therefore, given experience with unexpected changes in position from the Council on the matter of notification and the real possibility that any application will proceed to a hearing (whether public or limited), it is considered that the fast track project still offers the most time efficient procedure and increases the likelihood that the applicant will be able to commence the project prior to the end of the earthworks season on 30 April 2022.

Non-complying activity status

- 5.10 While an Integrated Residential Development is provided for in the Single House zone, Auckland Council have subsequently indicated that they consider that the application will require resource consent for more than one dwelling on a lot in the Single House zone, which has non-complying activity status under H3.4.1(A6).
- 5.11 We disagree with this assessment, and consider that an Integrated Residential Development is provided for as a completely separate activity, both under activity table H3.4.1, and on the basis that the definition of "Residential" identifies the activities as distinct, and not as subsets of one another, in Table J1.3.5 Residential under Chapter J of the AUP.
- 5.12 Despite this, if the Council continues to maintain its strong policy position that consent for this activity is triggered and insists that consent is sought for a non-complying activity status, then this will require additional assessment of the proposal against the section 104D 'gateway' tests, and is likely to result in a longer and more comprehensive consenting process.
- 5.13 Given this strong policy position, we consider that it is highly likely that, if the application is processed under the standard RMA consenting procedure, that the Council will require consent to be sought for a non-complying activity, and that is far more likely the application will proceed to hearing. If the application proceeds to hearing, the applicant will also have the uncertainty of potential appeals on any decision of the consenting authority, and if any appeals are lodged, will further add to the consenting timeframe. This will have a significant effect on the anticipated time frames, and at this early stage it is still very uncertain as to whether the proposal would be notified.
- 5.14 Overall, as the applicant cannot rely on any preliminary indication given by the Council as to notification and the resulting uncertainty as to the possibility of

⁴ Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016 Guideline Document 2016/005, June 2016, at E1.6.

notification, we consider that the RMA process will be longer, and more uncertain, than the process under the FTC Act.

6. **FUNDING**

- 6.1 In the application to the Ministry, a letter was included from the director, Mr Yuntao Cai, confirming that he is confident that funding can be secured.
- 6.2 Further to this confirmation, progress has been made by the applicant to confirm funding sources.
- A letter from Mr Yuntao Cai has been prepared advising the intended sources of funding for this project, in response to this request. This letter is **attached** as **Appendix 5.** We are unsure of the level of detail sought by the Ministry. If the information provided in Mr Cai's letter is insufficient, please let us know and advise what further information is required. We would be happy for a Teams meeting to be arranged to talk through the funding arrangements and provide more detail.

7. **CONCLUSION**

- 7.1 We hope the above information assists with your assessment of the application for the Melia Place project and sufficiently responds to each item.
- 7.2 Please advise whether any further information is required or any clarification to the matters addressed above is needed.
- 7.3 Thank you for your consideration.

Yours sincerely

Andrew Braggins | Olivia Manning

Partner | Solicitor

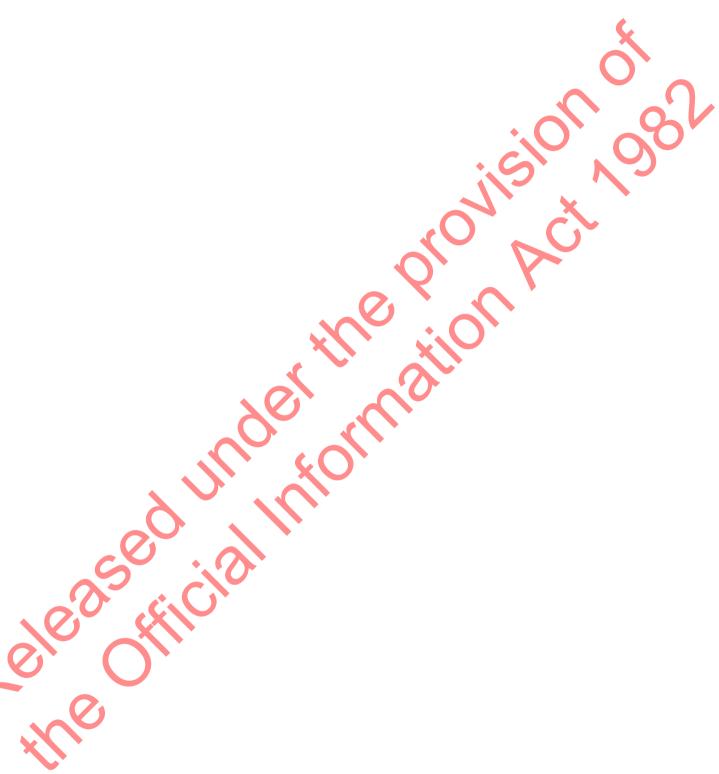
DDI: \$ 9(2)(a)

Mobile: \$ 9(2)(a)

Email: \$ 9(2)(a)

Appendix 1

Email chain of correspondence from Civix to iwi authorities



From: s 9(2)(a) To: s 9(2)(a)

Cc: s 9(2)(a)

Subject: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential Development

Date: Tuesday, 29 June 2021 12:41:10 pm

Attachments: image001.png

Consultation letter to iwi.pdf

20053 KIPG MELIA PLACE Site Drawings Fast Track 210521.pdf

Tēnā koutou,

Further to my email on 8/6/21, the fast-tracked consent application (Covid19 Recovery Fast Track Consenting Act 2020) is currently before the Ministry for the Environment for their review and consideration. The letter my colleague originally sent in April is attached for context along with the application plans.

We have had two responses, Ngati Manuhiri and Ngaati Whanaunga, and I have met representatives from both on site.

Furthermore, Ngati Whatua o Kaipara have advised that the development site is not in their settlement area of interest.

The intent of this email is to follow up in order to confirm whether you have any feedback or if you would prefer to defer engagement to other manawhenua of the area. In addition, please advise whether there are any iwi management plans either in draft form or currently before Council relating to this area for our understanding.

Let me know if any clarification of the proposal or current status is required.

Nāku noa, nā

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 s 9(2)(a)

W www.civix.co.nz A Level 8, 99 Albert Street, Auckland

From: Imogen Trupinic

Sent: Tuesday, 8 June 2021 2:28 pm

 $T_0: s 9(2)(a)$

Cc: Olivia Manning s 9(2)(a)

Subject: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential Development

Tēnā koutou,

My colleague sent the attached letter in April pertaining to an application for a fast-tracked consent application (Covid19 Recovery Fast Track Consenting Act 2020) which is imminently to be provided to the Ministry for the Environment for their review and consideration.

We have had one response from the Manuhiri Kaitiaki Charitable Trust.

The intent of this email is to follow up in order to confirm whether you have any feedback. In addition, please advise whether there are any iwi management plans either in draft form or currently before Council relating to this area for our understanding.

The proposal has changed to provide 59 units on the site with communal facilities including a nature-based playground. The updated plans are attached.

Let me know if any clarification of the proposal or current status is required.

Ngā mihi,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 \$ 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Lance Hessell s 9(2)(a) > Sent: Monday, 12 April 2021 10:52 am

To: s 9(2)(a)

Subject: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential Development

Kia ora

Civix Ltd is assisting Kvest Investment Partners Group Ltd with a proposed 60 dwelling integrated residential development at 20 Melia Place, Stanmore Bay, Whangaparaoa.

The application is being submitted to the Minister for the Environment under the Covid19 Recovery Fast Track Act 2019.

The attached letter is a preliminary consultation letter to inform you of the proposal and to seek whether you have an interest in this for future involvement in consultation. We also need to understand whether there are any planning documents (iwi management plans) either being drafted or submitted with the Council that we need to note and address.

Could you please review the proposal as described and provide the feedback as sought?

I am happy to provide any clarification if required.

Kind regards,

Lance Hessell | CIVIX | Senior Planner | M +64 s 9(2)(a)

W www.civix.co.nz

Appendix 2

Correspondence with Ngāti Manuhiri

Released under the provision Act 1987

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Date: Friday, 16 July 2021 2:15:51 pm

Attachments: image001.png

image002.png image003.png image004.png image005.png remittance.png

Kia ora koutou Te-Ao and Courtney,

Are you able to advise when the kaitiaki report can be provided?

There was an invoice recently sent through separately from Ngati Manuhiri which our client has paid (see attached).

As ask as the Ministry for the Environment has recently accepted the proposal for consideration so we are currently in the process of gathering all documents.

Kia ora rawa atu,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 s 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Te Ao Rosieur s 9(2)(a)

Sent: Thursday, 17 June 2021 4:49 pm

To: Imogen Trupinic s 9(2)(a) ; Courtney Shaws 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Kia ora Imogen,

My apologies. Noted. Thank you

Nga manaakitanga,

Te-Ao Rosieur Kaiārahi Taiao

Ngāti Manuhiri Settlement Trust

P: \$ 9(2)(a)

E:s 9(2)(a)
W: http://www.ngatimanuhiri.iwi.nz/

A: 2-4 Elizabeth Street, Warkworth P: P.O Box 117, Warkworth 0910

HE PANUI TENA: CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited. Kia ora!

From: Imogen Trupinic \$ 9(2)(a)

Sent: Thursday, 17 June 2021 4:38 pm

To: Te Ao Rosieur \$ 9(2)(a)

: Courtney Shaw

s 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Thanks Te-Ao,

As an aside, my pronouns are she/her.

Kind regards,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 s 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Te Ao Rosieur s 9(2)(a)

Sent: Thursday, 17 June 2021 4:32 pm

To: Courtney Shaw s 9(2)(a) Cc: Imogen Trupinic s 9(2)(a)

Subject: FW: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Importance: High

Tena Courtney,

Imogen Trupinic called this afternoon to confirm your site visit for tomorrow morning.

I have uploaded all the files received from Auckland Council into Monday.com.

I have Cc him into our email making it easier for him contact you directly before your meeting.

Thank you again Imogen for your ongoing communication and support.

If you have any questions, please feel free to contact us.

Nga manaakitanga

Te-Ao Rosieur

Kajārahi Tajao

Ngāti Manuhiri Settlement Trust

P: \$ 9(2)(a)

E:s 9(2)(a)

W: http://www.ngatimanuhiri.iwi.nz/

A: 2-4 Elizabeth Street, Warkworth P: P.O Box 117, Warkworth 0910

HE PANULTENA: CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please <mark>immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended</mark> recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly <u>proh bited. Kia ora!</u>

From: Imogen Trupinic \$ 9(2)(a)

Sent: Thursday, 17 June 2021 2:49 pm

To: Sage Vernall's 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Importance: High

Hi Sage,

Thanks for speaking with me today.

As discussed, would be grateful if you forwarded through the contact details for Courtney today so I can provide her with the details of the Fast-Tracked application ahead of our meeting tomorrow morning.

Kind regards,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 \$ 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Sage Vernall s 9(2)(a)

Sent: Tuesday, 15 June 2021 11:09 am

To: Imogen Trupinic s 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Kia ora Imogen,

I can do Thursday the 24th next week. However could we please this a little later, say 9.30am as opposed to 8.30am please?

Nga Mihi,

Sage Vernall

Kaituhi Taiao

Ngāti Manuhiri Settlement Trust

P: s 9(2)(a)

E: s 9(2)(a)

W: http://www.ngatimanuhiri.iwi.nz/

A: 2-4 Elizabeth Street, Warkworth P: P.O Box 117, Warkworth 0910



HE PANUI TENA: CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited. Kia ora!

From: Imogen Trupinic \$ 9(2)(a)

Sent: Monday, 14 June 2021 4:30 pm



To: Sage Vernall s 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Thanks Sage,

Can we book in 8:30am on Thursday the 24th next week?

I will forward you a copy of all documents pertaining to the proposed development before then.

Kind regards,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 s 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Sage Vernall s 9(2)(a)

Sent: Monday, 14 June 2021 4:00 pm

To: Imogen Trupinic s 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Kia Ora Imogen,

No problem. Unfortunately I will not be able to make Friday either as I will be away on Friday on annual leave as well. However I will be back in the office on Tuesday and available for the rest of the week and onwards.

Nga Mihi,

Sage Vernall

Kaituhi Taiao

Ngāti Manuhiri Settlement Trust

P: s 9(2)(a)

E: s 9(2)(a)

W: http://www.ngatimanuhiri.iwi.nz/

NGATI MANUHIRI

A: 2-4 Elizabeth Street, Warkworth P: P.O Box 117, Warkworth 0910

f 0 C

HE PANULTENA: CONFIDENT ALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly proh bited. Kia ora!

From: Imogen Trupinic s 9(2)(a)

Sent: Monday, 14 June 2021 3:53 pm

To: Sage Vernall s 9(2)(a)

Subject: RE: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Kia ora Sage,

Thanks for getting in touch so promptly.

As it happens, I am meeting with another iwi representative (Dr Stephanie May on behalf of Ngati Whanaunga) on the site this Friday at 9am. Would this time suit you better?

Otherwise, any morning 23rd to 25th would suit me.

Ngaa mihi,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64s 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Sage Vernall s 9(2)(a)

Sent: Monday, 14 June 2021 3:44 pm

To: Imogen Trupinic s 9(2)(a)

Subject: Site visit for 20 Melia Place, Stanmore Bay, Auckland

Kia ora Imogen,

I am emailing as I can see you booked me in for a site visit with you for Monday the 21^{st} of June at 8.30am- 9.30am. Can we rebook this as I will be away on the 21^{st} on annual leave. I am however available later in the week?

Nga Mihi,

Sage Vernall

Kaituhi Taiao

Ngāti Manuhiri Settlement Trust

P: s 9(2)(a)

E: s 9(2)(a)

W: http://www.ngatimanuhiri.iwi.nz/

A: 2-4 Elizabeth Street, Warkworth P: P.O Box 117, Warkworth 0910

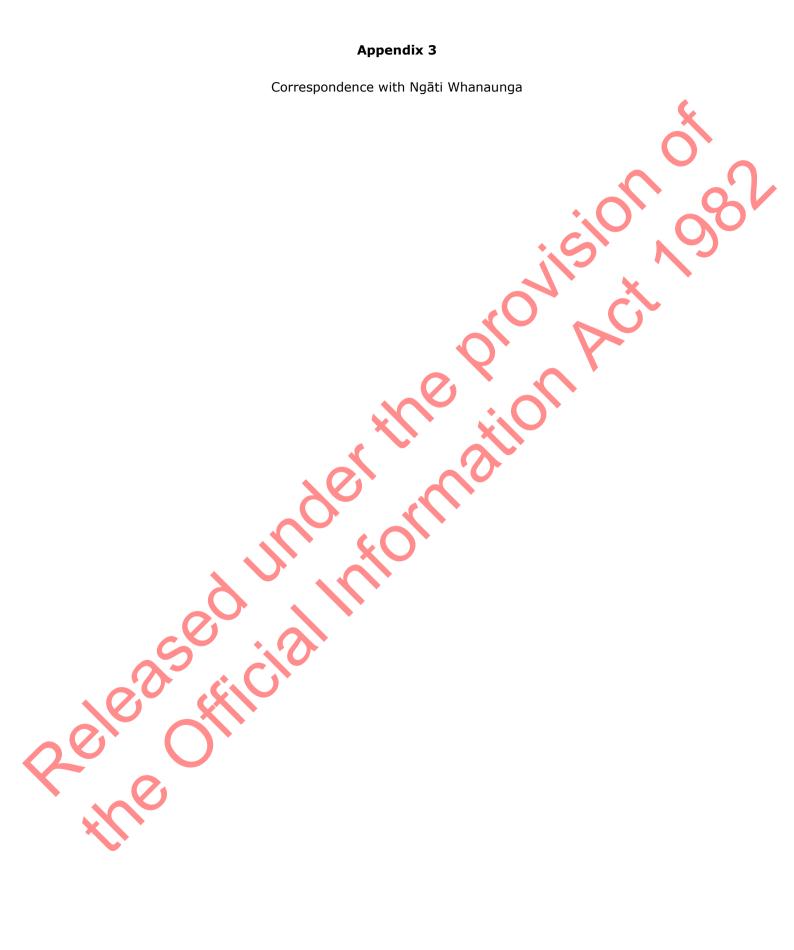




HE PANUI TENA: CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly probabiled. Kia oral



Appendix 3



From: To: Cc: s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential Development

Date: Friday, 16 July 2021 2:20:04 pm

image001.png image002.png Attachments:

Hi Stephanie,

Hope you are well.

Are you able to advise when you are able to provide the CVA report?

The current status with the Fast track application is that the Ministry have accepted it for consideration so we are now collating all documents.

Kia ora rawa atu,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 \$ 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Stephanie May s 9(2)(a)

Sent: Thursday, 17 June 2021 4:50 pm

To: Imogen Trupinic s 9(2)(a)

Cc: Mike Baker \$ 9(2)(a) Olivia Manning

s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Imogen,

Thank you very much for your correspondence and associated links to information – very helpful, thank you.

Touch base with you on the site visit tomorrow.

Ngaa mihi Steph



Director and Principal Consultant - Environmental Services

Innov8 Environmental Consulting Limited PO Box 300581, Albany 0752, Auckland New Zealand

s 9(2)(a)

Website: www.innov8consulting.co.nz

From: Imogen Trupinic s 9(2)(a)

CONSULTING

Sent: Thursday, 17 June 2021 3:52 PM

To: Stephanie May s 9(2)(a)

Cc: Mike Baker \$ 9(2)(a) Olivia Manning

s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Kia ora Stephanie,

A letter is attached confirming details of the proposal and includes a link to all documents we have submitted to the Ministry for the Environment for this proposed fast-tracked development. Apologies this is being provided later than initially intended.

Please note that Courney Shaw will also be present at the site meeting representing Ngati Manuhiri who have also expressed interest in the proposed development.

Feel free to give me a call if you have any queries before we meet on site tomorrow morning.

Ngaa mihi,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 \$ 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Imogen Trupinic

Sent: Monday, 14 June 2021 3:27 pm

To: Stephanie May s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Thanks Stephanie, Will see you then on Friday.

We can meet in the RSA car parking area (entrance via Vipond Road).

I will forward you the compiled information for the proposal, inclusive of the initial planning assessment and a general overview of the works programme, within the next day.

Ngaa mihi,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 s 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Stephanie May \$ 9(2)(a)

Sent: Monday, 14 June 2021 3:13 pm

To: Imogen Trupinic s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

9am please.



Dr Stephanie May

Director and Principal Consultant – Environmental Services Innov8 Environmental Consulting Limited PO Box 300581, Albany 0752, Auckland New Zealand

s 9(2)(a)

Website: www.innov8consulting.co.nz

From: Imogen Trupinic \$ 9(2)(a)

Sent: Monday, 14 June 2021 3:12 PM

To: Stephanie May s 9(2)(a)
Cc: Mike Baker s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Thanks Stephanie,

Does 8:30 or 9am on Friday work for you?

Kind regards,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 \$ 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Stephanie May s 9(2)(a)

Sent: Monday, 14 June 2021 3:05 pm

To: Imogen Trupinic \$ 9(2)(a)

Cc: Mike Baker \$ 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Imogen,

Thank you very much for your email. Friday morning works well for me.

In addition, to my request for information below, it would be really helpful if you could provide the Project Planning Assessment; and your work programme.

Please feel very welcome to ring me phs 9(2)(a) if you have any queries.

Ngaa mihi Steph



Dr Stephanie May

Director and Principal Consultant – Environmental Services

Innov8 Environmental Consulting Limited PO Box 300581, Albany 0752, Auckland New Zealand

s 9(2)(a)

Website: www.innov8consulting.co.nz

From: Imogen Trupinic s 9(2)(a)

Sent: Monday, 14 June 2021 2:58 PM

To: Stephanie May s 9(2)(a)

Cc: Mike Baker \$ 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Hi Stephanie,

Hope your weekend was good. Would you like to meet me on site on Wednesday or Friday morning?

It looks like the only day with good weather in the area is Thursday but I recall that was a day you are unable to make it?

Please note that I will be requesting to meet a representative from Ngati Manuhiri on site (name of the contact person not yet known) and would prefer to meet them at the same time I meet you on site.

However, let me know if there are any concerns with this arrangement.

In the meantime, we are currently compiling further information in respect of the proposed development which I will forward to you as soon as possible.

Kind regards,

Imogen Trupinic | CIVIC | Intermediate Planner | M +64 s 9(2)(a)

Level 8, 99 Albert Street, Auckland

From: Stephanie May s 9(2)(a)

Sent: Thursday, 10 June 2021 1:59 pm

To: Imogen Trupinic s 9(2)(a)

Cc: Mike Baker s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Imogen,

Lovely to speak with you on the phone this morning.

Following on from our conversation, please advise when it suits you for a site visit.

In preparation for our site visit, could you please send through information relating to the proposal and associated technical reports.

Please feel very welcome to contact me anytime ph s 9(2)(a)

Ngaa mihi Steph



Dr Stephanie May

Director and Principal Consultant – Environmental Services Innov8 Environmental Consulting Limited PO Box 300581, Albany 0752, Auckland New Zealand

s 9(2)(a)

Website: www.innov8consulting.co.nz

From: mbaker s 9(2)(a)

Sent: Thursday, 10 June 2021 1:03 PM

To: Stephanie May s 9(2)(a)

Subject: FW: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated

Residential Development

Fyi

Sent from my Galaxy

- Original message

From: Imogen Trupinic s 9(2)(a)

Date: 10/06/21 11:46 AM (GMT+12:00)

 $T_0: s 9(2)(a)$

Cc: Olivia Manning s 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Kia ora Michael,

Thanks for confirming costs.

Are you able to advise when you, or the consultant that you mentioned on the phone, would like to meet us on site?

Ngaa mihi,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 s 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: s 9(2)(a)

Sent: Tuesday, 8 June 2021 3:58 pm

To: Imogen Trupinic \$ 9(2)(a) ; Lance Hessell \$ 9(2)(a)

Subject: RE: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential

Development

Teenaa koe Imogemn koorua Lance,

This is to give feed back on this Fast project can you arrange a site visit, and report for a feed back as per phone call our cost to give feed back is

Technical Review/report Fast Track 20-40 hours x \$380.00 plus GST.

Please ensure that our site visit is Iwi specific to fast track

Site visit \$500.00 plus GST.

Travel cost \$100.00 per hour km rate .82 plus GST.

Ngaa mihi

Michael Baker Environment Officer Ngaati Whanaunga Inc

From: Imogen Trupinic \$ 9(2)(a)

Sent: Tuesday, 8 June 2021 2:28 pm

To: \$ 9(2)(a)

Cc: Olivia Manning s 9(2)(a)

Subject: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential Development

Tēnā koutou.

My colleague sent the attached letter in April pertaining to an application for a fast-tracked

consent application (Covid19 Recovery Fast Track Consenting Act 2020) which is imminently to be provided to the Ministry for the Environment for their review and consideration.

We have had one response from the Manuhiri Kaitiaki Charitable Trust.

The intent of this email is to follow up in order to confirm whether you have any feedback. In addition, please advise whether there are any iwi management plans either in draft form or currently before Council relating to this area for our understanding.

The proposal has changed to provide 59 units on the site with communal facilities including a nature-based playground. The updated plans are attached.

Let me know if any clarification of the proposal or current status is required

Ngā mihi,

Imogen Trupinic | CIVIX | Intermediate Planner | M +64 9(2)(a)

W www.civix.co.nz | A Level 8, 99 Albert Street, Auckland

From: Lance Hessell \$ 9(2)(a)

Sent: Monday, 12 April 2021 10:52 am

To: s 9(2)(a)

Subject: 20 Melia Place, Stanmore Bay - Consultation for a proposed Integrated Residential Development

Kia ora

Civix Ltd is assisting Kvest Investment Partners Group Ltd with a proposed 60 dwelling integrated residential development at 20 Melia Place, Stanmore Bay, Whangaparaoa.

The application is being submitted to the Minister for the Environment under the Covid19 Recovery Fast Track Act 2019.

The attached letter is a preliminary consultation letter to inform you of the proposal and to seek whether you have an interest in this for future involvement in consultation. We also need to understand whether there are any planning documents (iwi management plans) either being drafted or submitted with the Council that we need to note and address.

Could you please review the proposal as described and provide the feedback as sought?

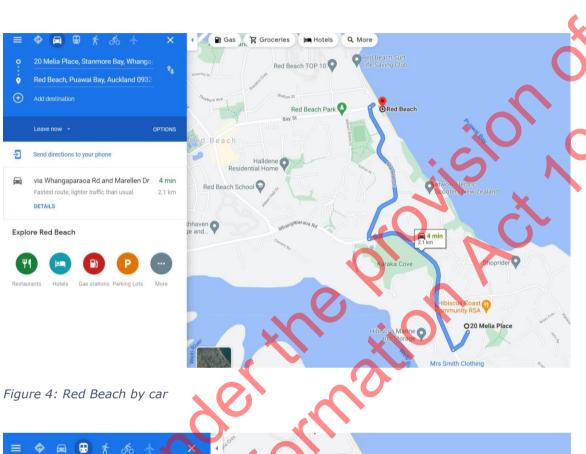
I am happy to provide any clarification if required.

Kind regards,



Appendix 4

Journey Planners - public transport options for accessibility



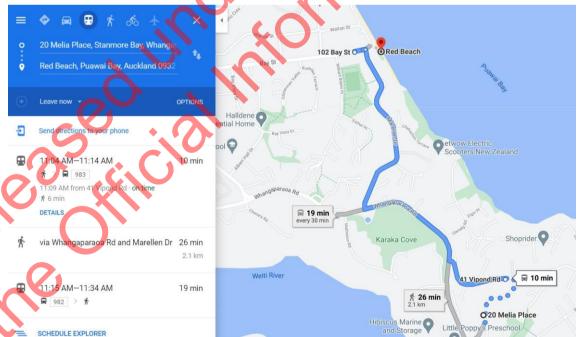


Figure 1: Red Beach by public transport

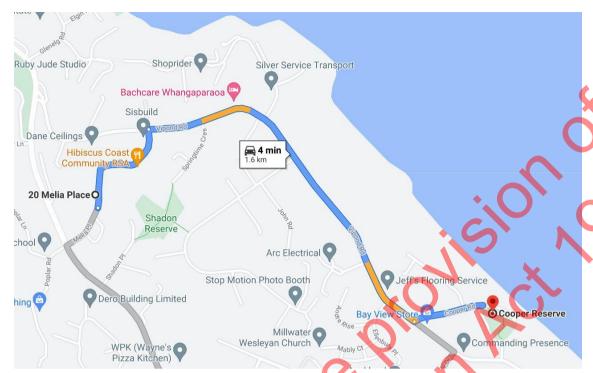


Figure 6: Cooper Reserve/Stanmore Bay Beach



Figure 2: Open space - Shakespear Regional Park by public transport

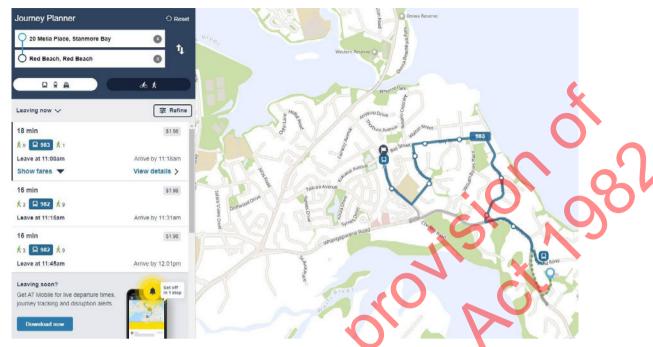


Figure 3: Urban centre - Red Beach



Figure 4: Urban centre - Whangaparaoa

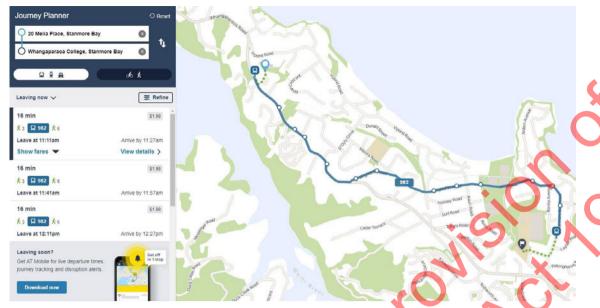


Figure 5: Facilities - Whangaparaoa College

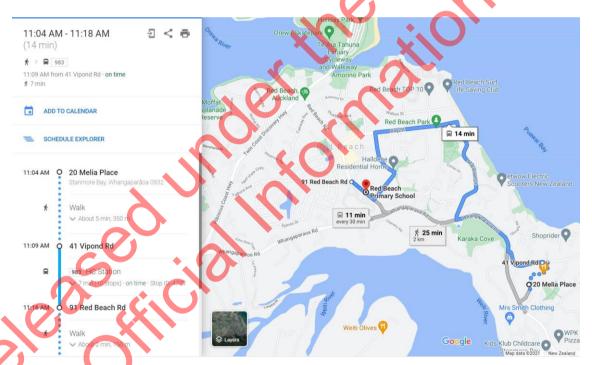


Figure 6: Red Beach Primary School by public transport



rewa marae lo linde lind

Appendix 5

Letter from Yuntao Cai addressing funding





26 July 2021

Stephanie Frame Fast-Track Consenting Ministry for the Environment | Manatū Mō Te Taiao

For: Stephanie Frame

Email: fasttrackconsenting@govt.nz

Dear Ms Frame

MELIA DEVELOPMENT LIMITED - REQUEST FOR FURTHER INFORMATION

Introduction

- My name is Yuntao (Sky) Cai, and I am the director of Melia Development Limited, Grand Sky Building Limited, Precise Homes North Shore Limited and Kvest Investment Partners Group Limited.
- 2. Melia Development Limited is the company undertaking the proposed development of an Integrated Residential Development at 20 Melia Place, Whangaparaoa.
- 3. Melia Development Limited filed its application to the Minister to refer the project to an expert consenting panel on 15 June 2021.
- 4. On 12 July 2021, the Ministry for the Environment issued us with a request for further information.
- 5. The purpose of this letter is:
 - (a) Primarily to respond to item 5 of the request by providing further information on how the project will be funded, with supporting information.
 - (b) I will also provide some general comment in respect of item 4 of the request by providing some background to my experience with standard RMA consenting processes and why the Project will progress faster using the FTCA process.

Funding

6. In my capacity as the director of Melia Development Limited, I believe that we can access sufficient funding to undertake the proposed development.

Phone: 09-3020 868 Email: info@precisehomes.co.nz Website: www.precisehomes.co.nz



Previous developments

- 7. I have previous experience undertaking large scale developments in New Zealand, and I am well experienced in obtaining funding and seeing such projects through to completion. Such projects have included:
 - (a) Library Lane Apartment Stage 1, Albany 130 units;
 - (b) Jack Hawken Lane Stages 1-3, Silverdale 77 lot subdivision.
- 8. The ways in which I have funded these previous projects have included:
 - (a) Capital available from either the development companies themselves or parent companies of the development companies. For the above projects, the development companies were Library Lane Development LP for the Library Lane project, and Hawken Lane Development LP for the Jack Hawken Lane project. Neither of these companies had parent companies and funded the developments themselves. Self-funding comprised approximately 30% of the required funding for Library Lane, and 40% of the required funding for Jack Hawken Lane.
 - (b) Bank funding from New Zealand banks or international banks. For the above two projects, bank funding comprised approximately 70% of the funding for Library Lane, from BNZ, and approximately 60% of the funding for Jack Hawken Lane from China Construction Bank.
- 9. We have established long term relationships with a number of New Zealand banks, including BNZ, Westpac, ANZ and Kiwibank.
- 10. This method of funding such construction developments has worked successfully for me in the past.

Melia Place project

- 11. I intend to fund the Melia Place project in a similar manner as my previous developments as described above.
- 12. On that basis, our primary sources of funding for this project are:
 - (a) Capital available from the parent company of Melia Development Limited.

 The parent companies providing funding is Precise Homes North Shore Limited.
 - (b) Bank funding from New Zealand banks.
- 13. In terms of capital available, the Melia project is being funded by the parent company, Precise Homes North Shore Limited, which is a 100% shareholder of Melia Development Limited. We are confident that we can complete the development relying solely on capital made available from the parent company. This is similar to the approach taken in our previous developments.
- 14. In the event that we do need to obtain additional funding, we are confident that we can secure this from bank funding, given our long established and strong relationships with the New Zealand banks named above.

Phone: 09-3020 868 Email: info@precisehomes.co.nz Website: www.precisehomes.co.nz



- 15. The Melia Place development is a similar scope and scale as the Library Lane and Jack Hawken Lane projects described above. In the current market, we would expect banks to be comfortable funding another project of similar proportions to our previous developments, and be comfortable to take on a level of similar risk.
- 16. I am more than confident that we will be able to secure funding sufficient to ensure the project can be seen through to completion.

My experience of the RMA process for consenting

- 17. To assist the Ministry in understanding why we are confident that obtaining resource consent for this project under the Fast-Track Consenting Act will be faster than under standard consenting processes, I wish to outline my experience of consenting under the RMA and the uncertainty that comes with this process.
- 18. We have already had two pre-application meetings with Auckland Council on this project, to understand the Council's position.
- 19. Part of the story of this development was that initially we had designed a higher density Integrated Residential Development, and had originally designed a 72 dwelling development.
- 20. Following design changes and some other refinements, we reduced the number of dwellings to 59 dwellings, which was in part to reduce density. At the second pre-application meeting after we had made these design changes, the Auckland Council indicated that it was possible that this consent could be processed nonnotified under the RMA process.
- 21. This would be an ideal outcome, and would certainly be a fast consenting process if the delays associated with notification and a hearing were removed.
- 22. However, my personal experience, having undertaken development under my other companies including Precise Homes North Shore Limited, is that there is no certainty in such an indication from Auckland Council, and no guarantee that a project will not be notified.

15 Highbury Street, Avondale

- 23. I have previously experienced Auckland Council changing its position with respect to notification on a project. On another matter, the Council gave a preliminary view of non-notification, and then recommended notification, and we unexpectedly had to proceed to hearing, resulting in considerable delays to our anticipated construction timeframe.
- 24. This was as recently as December 2020, for a terraced house and apartment development at 15 Highbury Street, Avondale. This involved seeking an application for consent for 33 units, which was a non-complying activity as the land was zoned Open Space Active Sport and Recreation zone.
- Our project team had had positive liaison with Auckland Council officers from pre-application stage. As early as February 2020, Council officers had given a preliminary indication that the application may be able to proceed on a non-notified basis, despite the non-complying activity status. We and the project team had understood this was the Council's position for almost a year. It took another year to finalise the design for the project, before the Council could formally issue their notification report.

Phone: 09-3020 868 Email: info@precisehomes.co.nz V



- 26. However, on 24 November 2020, when the notification report was issued, we were surprised to discover that the recommendation was to proceed the application on a limited notified basis, for very constrained adverse effects on amenity and privacy, which the Council assessed as being more than minor.
- 27. We ultimately had to proceed to hearing in March 2021, receiving 9 valid submissions on the application, with submitters wishing to be heard. The hearing was successful, and the Council subsequently amended their recommendation at the hearing to indicate that effects were no more than minor and a grant of consent was appropriate. We were accordingly granted consent on 28 April 2021; but only after unexpected delays due to proceeding to hearing after limited notification.

Non-complying activity

- 28. In addition to my previous adverse experience with Auckland Council and preliminary indications of notification, the Council is also maintaining a strong position that although an Integrated Residential Development is provided for in the Single House Zone, the application will still require consent as a non-complying activity for more than one dwelling on a site in the Single House zone.
- 29. The non-complying activity status, if the Council continues to maintain its position that consent for this activity is triggered, will impose additional tests upon our application, and is likely to result in a longer consenting process.

Melia Place

- 30. As a result of my previous experience and the Council's strong policy position in respect of an additional requirement for consent for a non-complying activity, I cannot rely on or be assured by the positive Council indication at this stage that the consent may progress faster under the standard consenting process.
- 31. The identified delay to the commencement of works is a conservative estimate on the basis of advice given to us about the estimated consenting process under the Fast-Track Consenting Act and taking into account the earthworks season which ends on 30 April each year.
- 32. However, our intention is to commence works as soon as possible, so if the consenting timeframe allows for an earlier commencement of works (i.e. prior to the end of the earthworks season), then we will utilise this and commence works as soon as possible.
- Despite this, my experience with standard consenting processes does not assure me that we would be able to start works even in October 2022 under a standard RMA process, if the application is required to be notified and proceed to hearing.

Phone: 09-3020 868 Email: info@precisehomes.co.nz

Website: www.precisehomes.co.nz



Conclusion

34. I hope the above information is of assistance to the Ministry in considering Melia Development Limited's application for referral.

35. Thank you for your consideration.

Yours sincerely,

Yuntao Cai

Director

Phone: 09-3020 868 Email: info@precisehomes.co.nz Website: www.precisehomes.co.nz