

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

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

For office use only:

Project name: Metlifecare Whenuapai
Application number: PJ-0000862
Date received: 16/02/2023

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

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

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

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

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

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

Part I: Applicant

Applicant details

Person or entity making the request: Metlifecare Limited

Contact person: Tim Graham

Job title: Development Manager

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Postal address:

Metlifecare Limited

PO Box 37463

Parnell

Auckland 1151

Address for service (if different from above)

Organisation: Campbell Brown Planning Limited

Contact person: Philip Brown / Michelle Kemp

Job title: Director / Principal Planner

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Postal address:

Campbell Brown Planning Limited

PO Box 147001

Ponsonby

Auckland 1144

Part II: Project location

The application: relates partly to the coastal marine area

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

Site address / location:

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

99 Totara Road, Whenuapai, Auckland, 0618, New Zealand

Legal description(s):

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

99 Totara Road

Lot 1 DP 173001 (NA105B/72)

8.9574ha

Registered legal land owner(s):

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 applicant Metlifecare Limited (Metlifecare) is the registered legal owner of the land on which the project will occur.

There are multiple interests noted on the titles, although none of these are likely to impact on the applicant's ability to apply for a resource consent for the proposed development, or implement that consent once granted. The easement registered on the title is for a right of way and to supply water, power and telephone rights along the southern boundary of the site for the neighbouring site of 101 Totara Road. This easement is not anticipated to affect the proposed development.

A Water Areas Acquisition Notice is also registered on the title due to the site having a natural boundary with Mean High-Water springs (MHWS). The notice requires the owner of the site to re-establish the MHWS boundary and any coastal marine areas are purchased back by the crown. The applicant is currently surveying the boundary and seeking compensation where required. The proposal includes a minimum of a 20m set back from MHWS coastal area. The interest will not affect Metlifecare's ability to undertake the development.

Metlifecare has extensive experience in constructing and operating retirement villages and brings considerable development experience to the proposal with more than 30 years in the retirement village industry. Metlifecare has the financial capability and development expertise to deliver this project.

Part III: Project details

Description

Project name: Metlifecare Whenuapai

Project summary:

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

A Metlifecare Retirement Village is proposed on the 8.957ha site and will provide approximately 185 units with 135 units being Independent Living Units ('ILU') and the remaining 50 being Care Units ('CU'). The proposal also includes a park, public coastal area, pedestrian and vehicle access off Totara Road, a coastal walkway, and planting throughout the development.

Project details:

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

The proposed retirement village will be constructed across the 8.957ha site in order to accommodate the following:

1. Approximately 135 residential units, including – Up to 135 Independent Living Units (ILU) located in 110 detached and attached villas and 25 apartments;
2. Joint Amenity and Care building that is up to three-storeys in height that accommodates full care facilities and a dedicated dementia wing with up to 50 care home beds;
3. Common facilities for village residents including a lounge, outdoor recreation, pedestrian walkways and other social spaces;
4. Public coastal walkway and park area located on the western headland of the site; and
5. Vehicle access and car parking

The proposal is a master planned retirement village development. A variety of housing typologies are proposed for 130 of the ILU's proposed on the site, including, two-storey detached and attached villas with varying layouts and sizes. A three-storey high Amenity and Care building is proposed to be located towards the centre of the site. The amenity portion of the building will include the remaining 25 ILU's and care portion of the building will house the

proposed 50 Care Units (CU). Concept masterplans of the proposed development are attached. These comprise a masterplan and various house typology plans.

A network of pedestrian paths are proposed across the site to provide pedestrian access to the different areas within the development. The retirement village follows an “urban village” model being promoted by Metlifecare. The “urban village” sees buildings located around a “street” network, rather than the traditional retirement village of large institutional building(s).

The public coastal area will include a range of planting and vegetation, as well as a coastal walkway which continues round the entirety of the coastal edge of the site. The headland park will provide an open space for recreational activities and can be accessed off the coastal walkway. The streams located in south-eastern portion of the site will be maintained and enhanced through planting to provide further outdoor amenity for residents. Access to the public coastal area and coastal walkway will be provided to the public via an easement.

The site is not located within the Airspace Restriction Designation 4310 or the Aircraft Noise Overlay that would require the New Zealand Defence Force (‘NZDF’) approval under designation 4311 for any land use. The engine testing noise modelling conducted in order to inform the now withdrawn Plan Change 5 showed that the south-east area of the site is within the 57db noise contour, and the remainder of the site is not located within any of the determined noise contours. Whilst these noise contours have no legal effect, all new units within the 57db area will meet the acoustic standards with the implementation of typical building construction and mechanical ventilation. The applicant is committed to ensuring that appropriate acoustic insulation is incorporated within the design of units and habitable living areas.

The applicant has advised that the bulk earthworks will commence in late 2024. Earthworks will occur across the site to form the internal road network, building platforms and for the management of stormwater and OLFP flows. The construction of the development will then occur in one stage over 24 months from mid-2025 to mid-2027.

Reticulated services will be provided to each unit, including wastewater, stormwater, and potable water. The infrastructure report outlines that the site can be sufficiently serviced for three-water infrastructure to accommodate the proposed development. The stormwater network for the proposal will run along the proposed roads within the site and will provide a connection to each proposed building. All stormwater will then be carried and fed into three outlets that will discharge to the Waitemata Harbour. The proposed Stormwater Management Plan outlines the site-specific stormwater controls that will be used, such as underground tanks, to manage stormwater generated on the site. Other controls such as pre-treatment off all trafficable stormwater runoff and filters are also proposed. The individual driveways for each unit will be constructed with permeable concrete/paving. A discharge permit will be required for the disposal of stormwater into the Waitemata Harbour.

Where applicable, describe the staging of the project, including the nature and timing of the staging:
Refer to the above section.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Discharge permit

Relevant zoning, overlays and other features:

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

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 1 DP 173001 (NA105B/72)	Auckland Unitary Plan	Future Urban Zone	The land is subject to the Natural Resources: High-Use Aquifer	The land is subject to an Airspace Restriction Designation - ID 4311,

Legal description(s)	Relevant plan	Zone	Overlays	Other features
			Management Areas Overlay - Kumeu Waitemata Aquifer and the Natural Resources: Significant Ecological Areas Overlay - SEA-M2-57b, Marine 2. The Macroinvertebrate Community Index - 'Rural' and Native control and the Coastal Inundation 1 per cent AEP Plus 1m control - 1m sea level rise also apply to the site.	'Defence purposes - protection of approach and departure paths (Whenuapai Air Base), in favour of the Minister of Defence. Refer to 'Supplementary Application Document' for further details.

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
Refer to attached 'Supplementary Application Information'	Refer to attached 'Supplementary Application Information'	Refer to attached 'Supplementary Application Information'	Non-complying overall	Whenuapai

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

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

There are no previous resource consent applications made for the development of this land.

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

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

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

Asset owner approval will be required from Auckland Transport prior to undertaking road upgrading and works within the legal road reserve. These authorisations will be applied for prior to the construction works occurring on site, and are required to ensure that work is undertaken in accordance with Auckland Transport's code of practice.

The applicant is not aware of any other legal authorisations that are required to undertake the project.

Construction readiness

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

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

The applicant has advised that the proposal is construction ready, subject to obtaining resource consents, building consents and engineering plan approvals (EPA). The consultant teams who will prepare the required information have been appointed and, should the project be successfully referred by the Minister, the consultant team will immediately commence the preparation of the resource consent application.

The key project milestones are as follows:

- Prepare resource consent application documentation: Mid-2023 – Late-2023
- FTCA resource consent processing and decision: Early-2024 – Late-2024
- Prepare engineering and building consents (enabling and building works): Late-2024 – Early-2025
- Engineering and building consent processing and decisions: Late-2024 – Mid-2025
- Site enabling works including demolition, bulk earthworks, and infrastructure: Commencing Late-2024
- Construction: Commencing Mid-2025

In regard to procurement, Metlifecare has well established relationships with Reset Urban Design and other consultants who will likely be appointed to complete the detailed design of residential units for building consents for the new buildings. Reset Urban Design will also be actively engaged throughout the entire resource consent process in the design of new buildings.

Metlifecare was established in 1984 and is a leading owner and operator of retirement villages in New Zealand. With regards to funding, Metlifecare has a long-term plan in place to manage cash-flow, including a \$1.25 billion Sustainability-Linked Loan, providing certainty to ongoing investment and project completion. Metlifecare has a proven track record of developing retirement villages within New Zealand and confirms this project is construction ready, subject to obtaining resource consents, building consents and engineering approvals.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

The applicant has not held discussions with staff from any government ministries or departments at this stage. It is considered that development of the land would not give rise to any matters of particular interest to government ministries or departments.

Given the proximity of the Whenuapai Airbase, the applicant is aware that NZDF is generally concerned with managing reverse sensitivity effects associated with the use of land around the airbase, and these effects are primarily managed through requirements for acoustic insulation of residential buildings within the airbase runway approach path and within the engine noise testing contours. The applicant offers conditions to acoustically insulate all buildings within the 57dB contour that are to be used for activities sensitive to aircraft noise.

Local authorities

Detail all consultation undertaken with relevant local authorities:

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

Other persons/parties

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

It is considered that there are no other persons or parties that would be significantly affected by the proposal. The surrounding land is similarly zoned and is held in similar sized or smaller landholdings. Most of this land is privately owned and it is anticipated that in the future, would be expected to support some level of accelerated development.

The land directly to the south of the site is owned by Neil Construction Limited and a residential development is proposed on the property. The applicant and Neil Construction Limited have been in contact and are forming a working relationship to efficiently resolve any issues that may arise and to share information where necessary.

Detail all consultation undertaken with the above persons or parties:

Refer to the above section.

Part V: Iwi authorities and Treaty settlements

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

Iwi authorities and Treaty settlement entities

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

Iwi authority	Consultation undertaken
	The applicant has commenced engagement with Mana Whenua via an email invitation to engage. No response to the contact made has been received at the time of making this application. On-going attempts to make contact will continue to be undertaken.

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

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

Treaty settlements

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

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

The western border of the site is located within the Treaty Settlement Statutory Acknowledgement Area ('SAA') for Ngāi Tai ki Tāmaki and the Te Kawerau ā Maki SAA borders the site (refer to Figure 4 in the attached supplementary information document).

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

Customary marine title areas

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

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

The proposed activity will not occur in a customary marine title area.

Protected customary rights areas

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

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

The proposed activity will not occur in a protected customary rights area.

Part VII: Adverse effects

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

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

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

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

Ecology

A preliminary ecological assessment has been prepared to support the proposal and is **attached**. The assessment identified two permanent streams in the south-east area of the site and a third stream further to the north of the site (Figure 5). The streams have been highly modified and were found to have a low current ecological value. Two natural inland wetlands were also identified within the stream margins in the south-eastern area of the site and are considered to currently have low ecological value. The proposed development will include vegetation removal and stream works, with the stream works consisting of extending and upgrading the southernmost culvert and removing the eastern culvert. These works will occur within 10m of the identified natural wetlands, however, the assessment found that any required works can be effectively designed and/or mitigated to ensure there is no loss of ecological value or loss of freshwater habitat extent.

The proposed design also enables the ecological values of the streams, wetlands, and coastal marine area to be significantly increased through native buffer planting. The ecological value of the site will be further maintained by the retention of the pōhutukawa tree and kānuka trees identified on the coastal edge of the site. Overall, the assessment found that the development of the site is consistent with the outcomes expected of the NPS-FM and the AUP.

Traffic/transport

The applicant has engaged Flow Transportation Specialists to assess transport matters for the proposal. The full report is **attached** as part of this application. In summary, the report found that the existing transport network, with the proposed Totara Road upgrades, will provide safe access and connectivity to the surrounding network. The proposed upgrades include new bus stops, 1.8m wide footpaths along the site's frontage, a pedestrian refuge crossing and minor road widening to accommodate the proposed infrastructure. Whilst cycleways are not shown on the current plans, the required area to provide these has been accounted for and can be provided in line with the neighbouring residential development by Neil Construction Ltd.

Compliant vehicle accesses are proposed that have sufficient visibility on to the road and the vehicle trip generation anticipated for the proposal can be accommodated by the existing transport network. The proposal also aligns with the Whenuapai Structure Plan in regard to providing urbanised pedestrian and public transport infrastructure on Totara Road. The trip generation calculated for the proposal is 27 vehicles per hour and is considered to be low with an unnoticeable impact on the wider transport network. Therefore, it is considered that there are no transport matters that will restrict the safe operation of the proposal from a transport perspective and it will not give rise to any adverse transport effects.

Site Layout and Urban design

Whilst it is noted that the land is currently rural in nature, the site is identified within the Future Urban Zone, so is anticipated to undergo urban development to that or similar to that which is proposed. The proposal is considered to be generally in keeping with what is proposed under the Auckland Council approved structure plan for Whenuapai and will achieve what is envisaged for the area.

The proposed site layout and development pattern is considered to achieve a number of desirable urban design outcomes (refer to Figure 2) including:

- A coastal edge, walkway, headland park and wetland area that aid in creating a sense of place and belonging
- Maintenance of the existing entrance to minimise ecological impact on the wetland stream area
- Secondary access to the eastern corner of the site
- Pedestrian paths across the site, including walking connections to the future neighbouring subdivision.
- A street network that provides an east/west orientation for the majority of the proposed units and a legible street layout
- Removal of invasive weed species and enhancement planting along the coastal area and wetland with native species
- Provision of an additional bus stop, pedestrian and cycling facilities

In addition to the above, the high quality masterplanned retirement village utilises an “urban village” design and street network rather than singular large building(s). This design rationale is considered to create a significantly greater level of amenity and legibility than more traditional retirement village designs.

The layout of the proposal is considered to be legible and logical and is not considered to give rise to any adverse effects in terms of site layout and design.

Stormwater disposal

The proposed stormwater network for the site will run along the proposed roads within the site and will provide a connection to each building. A Stormwater Management Plan has been prepared to support the proposal which outlines the site-specific stormwater controls and mechanisms taken to ensure stormwater on the site is sufficiently managed. It is proposed that all stormwater generated on the site will be carried and fed into three separate outlets that will then discharge to the Waitemata Harbour. The stormwater network includes underground tanks that will service several buildings each and will provide the required attenuation volumes. Pre-treatment will be provided for all trafficable stormwater runoff and proprietary stormwater filter devices will also service the trafficable areas. In summary, the proposed stormwater management for the site is considered to maintain the health and water quality of waterways and with no appreciable adverse effects on water quality.

Earthworks

The proposal anticipates undertaking earthworks across an area of approximately 5.5ha and a cut to fill earthworks balance of approximately 35,000m³. The earthworks have been designed to allow for the conveyance of the overland flow paths on the site, the provision of safe building platforms and to form the graded roading network. Erosion and sediment controls will be implemented during the earthworks operation and construction works. All controls and site stabilisation during works will be undertaken in accordance with best practice (TP90 & GD05) and resource consent requirements. A detailed description of the proposed controls is provided in the **attached** infrastructure report to minimise and mitigate any adverse environmental effects of sediment discharge during the site works. It is also considered that all earthwork and construction related traffic can be safely managed and any effects on the surrounding road network will be minimal. Overall, any long-term adverse effects of the proposed earthworks on the surrounding environment and form of the site would not be significant.

Infrastructure servicing

The proposal will provide for all the required infrastructure to sufficiently service the development, including roading, water supply, wastewater, stormwater, and other utility services. The **attached** infrastructure report provides full details on the proposal.

The proposed stormwater network has been designed to effectively manage discharge flows from the site and provides further mitigation via underground tanks and pre-treatment/filter devices to ensure any effects on the downstream network and receiving environment are minimal.

The proposal was found to be best serviced for wastewater via the proposed wastewater pump station adjacent to the neighbouring Neil Construction Limited (NCL) Totara Landing development and is being coordinated so a public gravity wastewater connection can be provided for the proposal. The wastewater network for the site has been designed to convey the anticipated Peak Wet Weather Flows and can sufficiently service the proposed units. Whilst the applicant is working closely with NCL regarding services, it is not reliant on third-party infrastructure. Should NCL not install wastewater infrastructure, the applicant will install its own infrastructure to service the development. This matter will be resolved through stage 2.

A new water main is proposed to connect to the existing watermain along Totara Road and will sufficiently service the proposed development. Private water supply and firefighting networks are also proposed for the development. If there are any capacity issues with the existing watermain at the time of development, alternative options have been provided and will be undertaken by the applicant.

The site can be serviced for power and telecommunication utilities.

Geotechnical

A geotechnical investigation has been undertaken on the site and included drilling boreholes to confirm soil strength and composition, and to determine groundwater depths. Groundwater was encountered at varying levels across the site and further monitoring and assessment will be undertaken once the final cut depths are known to ensure any adverse groundwater effects are sufficiently managed and mitigated. Overall, with the recommendations made as a result of the investigation and on-going monitoring, the site is considered to be suitable for development. The hazards identified on the site were predominantly in relation to the coastal edge of the site and can be managed through the proposed structures already being proposed to be setback by approximately 20m from the coastal edge.

Recommendations made for foundation and retaining wall design, monitoring and general site works will be adhered to as part of the proposed development and further investigations will be undertaken at the resource consent stage. It is therefore considered that any geotechnical related effects can be effectively managed and mitigated to ensure the site is safe for the proposed development.

Construction noise and nuisance

Due to the nature of the activity proposed, there will inevitably be some aspects of the construction process that create a level of disturbance for residents living/occupying properties around the site (refer Figure 6). These effects may include construction noise, dust, heavy vehicle traffic and contractors' parking. These issues are typically addressed through management plans and practices and by adhering to best practice standards. All activities will be required to comply with the relevant AUP noise provisions and New Zealand Standards for construction noise. The noise associated with the site works are also considered to be temporary in nature. Conditions of any future consent will effectively manage noise and dust disturbance to a reasonable level. The future development of the site will also include a Construction Traffic Management Plan and a management plan of this nature would outline the measures to be followed to ensure the effects of construction traffic and access is minimised to an acceptable level. It is considered that the appropriate conditions can be imposed to ensure that any construction-related effects of the development can be appropriately mitigated.

Overland Flow Paths

The provided Stormwater Management Plan also addresses the overland flow path (OLFP) and flood risk management for the site. Two of the OLFP's are located towards the front of the site in existing gullies and will not be altered as part of the development. The existing culvert across one of the OLFP's is to remain functional in order to convey the OLFP. Another OLFP traverses across the centre of the site and will be realigned to flow around the central building to the low point of the proposed road where it will then discharge to the gully. The FFL of the central building has been determined to allow a 500mm freeboard where the flow paths meet at the low point of the road. Several other minor flow paths are located on the site, however, will be unaffected by the proposed development and will continue to discharge to the harbour. In summary, the proposed development has been designed to effectively manage the OLFP's on the site and any adverse effects can be appropriately mitigated.

Soil contamination

Site investigations were undertaken by ENGEO Consultants and based on the results of the investigation, contamination above the adopted criteria for the protection of human health was detected around the 'building halo' of the existing sheds in the south-west corner of the site and is considered a HAIL (Hazardous Activities and Industrial List) land use. The soils within this area will require disposal before the commencement of site works and the effects of identified contamination are considered to be relatively isolated to this area. All redevelopment works will be subject to the completion of a Detailed Site Investigation (DSI) and a Remedial Action Plan (RAP) to ensure any adverse contamination effects are sufficiently remediated for the proposed development. The investigation found that any other detections of contamination found in other samples were considered to be an anomaly or "hot spot", or associated with runoff from Totara Road and are not considered to be representative of soil across the site. The remainder of the site was not found to have any contamination related matters. Based on the above, it is considered that the contamination identified on the site can be remediated to ensure any adverse contamination effects are managed and mitigated to enable the proposed development of the site.

Archaeological

There are no known archaeological sites or features within the application site under the AUP. It is considered that should anything be discovered during the construction works that the accidental discovery protocols outlined in the AUP will be followed to ensure that any historic heritage identified on the site is appropriately protected. It is also noted that the neighbouring Neil Construction Limited development undertook an archaeological assessment of the site, and it concluded that no archaeological sites were identified within the site area. However, that assessment recommended an authority be applied for under the Heritage New Zealand Pouhere Taonga Act 2014 to avoid delays if archaeological remains are discovered during the site works. An archaeological assessment will be undertaken for the application site at the resource consent stage and an authority will be applied for if recommended by the findings of the report.

Noise

As previously noted, the site is not located within the Whenuapai Airbase Aircraft Noise Overlay and does not require specific acoustic treatment. However, an acoustic memo has been prepared to address the impact of the Whenuapai Airbase engine testing noise contours that were prepared for the now withdrawn Plan Change 5. As shown in Figure 7, the south-eastern portion of the site is located within the 57-65dB engine testing noise contour. Approximately seven villas are located within this area and will be designed to meet the acoustic standards with typical building construction and mechanical ventilation. The remainder of the site is located outside the engine testing noise contours and no acoustic insulation standards apply. It is therefore considered that any adverse noise effects are avoided for the site or will be appropriately mitigated to retain a sufficient level of amenity for the site.

Effects on Māori cultural values

As noted previously, the applicant has attempted to engage with Mana Whenua in the area. No response has yet been received but the applicant will continue on-going engagement and work collaboratively to ensure any adverse Māori cultural effects arising from the proposed development are appropriately mitigated.

Part VIII: National policy statements and national environmental standards

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

Refer to attached 'Supplementary Application Information' document

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to "urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources".

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

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

It is considered that the project will give effect to the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020 and will provide significant public benefits in respect of employment, economic development, and provision of housing. The direct economic impact of the proposal has been assessed in the attached Economic Assessment that has been prepared by Property Economics.

The economic report identifies that the project will deliver a total of 1,153 FTE jobs over the proposed development period.

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

The project will create positive effects for the social and cultural wellbeing of current and future generations by job generation and increased supply of highly sought after retirement home and care living options. The project will generate significant economic activity and greatly contribute to the delivery of housing in a market where demand is outweighing supply. The proposal is considered to provide housing choice and variety for the elderly demographic and creates future housing options for local residents who currently do not have access to this type of housing in Whenuapai, with Hobsonville providing the closest retirement home and care facilities. The proposal also incorporates infrastructure upgrades, including three waters, roading and social infrastructure (the proposed park and coastal walkway) upgrades.

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

Not only will the project provide meaningful employment for a wide range of local workers, but gaining approval via the Fast-Track process will also help those jobs to be created sooner than they likely would otherwise (see Whenuapai Comparative Programme attached). It is considered that the project would progress considerably faster by using the processes provided by the Covid-19 (Fast-Track Consenting) Act 2020 (FTCA) than would otherwise be the case. At this stage, the Auckland Council's Future Urban Land Supply Strategy 2017 identifies that this land will be released for urban development in the period from 2028-2032 – at least six years from now. The processes enabled by the COVID-19 Recovery (Fast-track Consenting) Act 2020 would facilitate physical work on the site commencing in 2024.

Were this development to follow a "standard" consenting pathway, it would first require a plan change to rezone the land (taking approximately 15–18 months), and then resource consents to provide for this specific development. If there were appeals to the plan change or subsequent resource consent applications, that would add additional time. It is noted that at present Auckland Council has a 2 week+ delay to simply allocate resource consent applications to a planner for processing. When applications are allocated, the time period for section 88 check has been extended by 10 working days, and the time period for making a decision on notification and on the substantive merits of the application has been extended by 20 working days. In summary a typical/simple consent application is taking up to 90 working days (at a minimum), which does not take into account the additional delays experienced internally with Council specialists and multiple requests for further information.

If the proposal is subjected to a notified resource consent process, this could take more than two years, with several factors prolonging the process. They include:

- Multiple rounds of further information requests under section 92 of the RMA;
- Submitters raising unexpected or complicated issues during public consultation;
- Lengthy evidence exchange periods prior to the hearing (which can be exacerbated by the higher onus associated with non-complying consents. i.e. the gateway tests);
- The number of witnesses required to give evidence at the hearing;
- Long periods taken to reach a decision; and
- The numerous tasks associated with potential appeals to the Environment Court.

The Economic Assessment (and Whenuapai Comparative Programme) estimates the project progressing up to three years faster by using the process provided by the FTCA. This factors in both processing timeframes for a plan change, resource consent and additional complexities and risks that may delay the consent from being implemented such as

the potential for a publicly notified application and the delays associated with any merits-based appeals to the Environment Court.

On other developments around New Zealand, Metlifecare has also experienced significant resource consenting delays due to Councils experiencing large resource consent volumes and staff capacity restrictions.

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:

Refer above and to the attached economic report.

Housing supply:

Should the project be accepted as a referred project under the Act, it will accelerate the delivery of approximately 135 new residential units and 50 care units in the Auckland region. New Zealand is currently experiencing a shortage of retirement living options, including care options. The EIA finds that the proposed number of new residential units has the ability to improve responsiveness to an aging population within the surrounding area and increase overall competitiveness within the retirement village market.

Furthermore, the project will assist in releasing pressure on social and health services and will also have a crucial role in the general housing market because the supply of retirement village housing releases existing housing stock back into the market.

Contributing to well-functioning urban environments:

It is also considered that the proposed development contributes to a well-functioning urban environment, as it provides additional housing for an undersupplied population demographic and within an area that is projected to have significant population growth. The provision of housing will be providing for people's economic and social benefits, whilst the public coastal area, stream retention, and vegetation retention will provide environmental benefits.

Pedestrian/cycle paths and bus stops are incorporated into the design which will promote active modes of travel.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity: The project will include investment in three waters infrastructure including services for water supply, stormwater, and wastewater.

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

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

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

Refer to the above section.

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

Refer to the above section.

Minimising waste:

Metlifecare recognise the importance of minimising waste and avoiding unnecessary use of resources. In the past year Metlifecare has worked hard to identify how to reduce the waste footprint of each existing village. Waste audits completed across a number of villages have enabled Metlifecare to understand the waste composition of different village profiles, and develop a range of initiatives designed to significantly reduce biodegradable waste to landfill. These initiatives will be able to be incorporated into the Metlifecare Whenuapai development.

The initiatives, which range from repurposing and recycling of inorganic items through to composting of green matter, are being supported at many villages by village management, employees and residents alike, and Metlifecare is already seeing the benefits. Metlifecare continues to drive waste reduction on its building sites through commercial

recycling and waste diversion partnerships, as well as using prefabricated building systems, and new construction technologies to reduce the waste produced on site where possible.

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):

- Metlifecare has committed to establishing a science-based decarbonisation target. In line with the Paris Agreement goal of limiting global warming to 1.5°C, Metlifecare is implementing annual reductions in greenhouse gas emissions to achieve that target. This is a first for a New Zealand-based retirement village and aged care operator. Initiatives used in other villages, which will also be explored for Metlifecare Whenuapai include: conversion of laundries from gas to electricity, water and space heating systems, building management systems, and electric bike and car charging.
- The project will also contribute to efforts to mitigate climate change and reduce net emissions of greenhouse gases by improving public and active modes of transport.
- Although vehicle movements associated with the project will generate greenhouse gas emissions, these would arise wherever this type of land use was to occur. However, the location of the site is such that greenhouse gas emissions are likely to be less than would arise in many alternative locations due to the close proximity to public transport and local amenities. As detailed in the transportation memo, the project includes the provision of bus stops, a pedestrian crossing and footpath along the Totara site frontage and internal roading that will facilitate a safe pedestrian environment. Regarding public transport, the site is within walking distance of bus stops and further bus stops are proposed to service the development. The proposed pedestrian accessways and coastal path will further improve walkability and mode choice for the proposal. An increased residential population will improve the viability of more frequent public transport connections which could also benefit the existing neighbourhood. The potential to implement cycle paths along the upgraded road has been included in the proposal and will further assist in reducing vehicle movements.
- Furthermore, Metlifecare is committed to delivering high-quality, bespoke design retirement villages that reflect Metlifecare's commitment to sustainability.

Promoting the protection of historic heritage:

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

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

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

Other public benefit:

Various public benefits have been highlighted within this application. In the short term, the project will provide employment within the construction industry, which has been identified as one of the sectors that is assisting with the social and economic recovery of Covid-19. In the longer term, the project will provide residential and business growth and will contribute to providing housing supply and choice for the elderly demographic within the Auckland region and the suburb of Whenuapai in particular.

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

It is considered that there would not be any significant adverse environmental effects generated by the project. The adverse effects assessment addressed in Part VII of this application and supporting technical memos confirm that potential adverse effects of the project can all be avoided, managed or remedied.

The project will promote the sustainable management of natural and physical resources as it is an efficient use of Future Urban Zoned land. The proposal will increase the supply and diversity of retirement and care housing within the Auckland region, and provides a high degree of confidence that physical and social infrastructure can be appropriately provided for, environmental effects can be suitably managed, and that the development will be resilient to the risks of natural hazards and climate change.

Part X: Climate change and natural hazards

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

Climate change does not raise any particular concerns or threats to the project or the site. The site is subject to some natural hazards, in the form of the overland flow paths and the 1% AEP floodplains associated with the overland flows. These natural hazards are generally to be contained within areas that will remain undeveloped, such as proposed the park on the western headland and the existing streams towards the front of the site. Where this is not the case, the proposal has been designed to appropriately manage these hazards by directing flows to the proposed roads and through other engineering solutions such as recontouring and drainage works. The proposed development is considered to be appropriately setback from the coastal edge of the site, approximately 20m, as to avoid risks associated with coastal regression. The existing vegetation on the coastal edge of the site will be retained where possible to further retain the coastal margin on 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
Auckland Council	No known compliance and/or enforcement actions have been taken against Metlifecare by a local authority under the RMA.

Part XII: Declaration

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

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

Philip Brown / Michelle Kemp

16/02/2023

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.

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

Checklist

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

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