



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: Oruku Landing Rev1
Application number: PJ-0000736
Date received: 31/03/2021

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: Northland Development Corporation

Contact person: Ben Tomason

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

PO Box 454, Whangarei 0140, NZ

Address for service (if different from above)

Organisation:

Contact person:

Job title:

Phone:

Email:

Email address for service:

Postal address:

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.

44 Riverside Drive, Riverside, Northland, 0112, New Zealand

Legal description(s):

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

Lot 1-4 DP 4063

CFR NA1549/29

Registered legal land owner(s):

Golden Kiwi Holdings Limited

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:

Northland Development Corporation have the land under contract, the land transaction will be completed and subdivided into multiple lots in order to complete the project.

This arrangement has no impact on our ability to undertake the works.

The applicate will divest its interests in public aspects of the development to a suitable entity in the public interest (Council, Trust, COO, CCO).

Part of the application is for a resource consent in the marine environment, this will be in the applicants name, giving them right of occupation of that space.

Part III: Project details

Description

Project name: Oruku Landing Rev1

Project summary:

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

To establish and operate a comprehensive hotel and entertainment precinct in central Whangarei. It will comprise a multipurpose conference and events centre, a four star hotel, a mixed use building incorporating residential apartments, car parking and retail/commercial tenancies and a 29 berth marina and jetty.

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.

In order for Whangarei to be considered a world-class and mature city that is a serious option for conferences, performance arts and concerts that also has suitable accommodation options to provide for such events, investment needs to be made in the necessary facilities to achieve the opportunities that Whangarei deserves. This project seeks to establish these facilities and to create a development that will deliver positive outcomes and benefits for the people of Whangarei and the Northland region as a whole. The project also seeks to give effect to a long standing strategic direction made by the District Council to establish a development that incorporates hotels and entertainment facilities in the central Whangarei area. A summary of the proposed facilities are as follows and plans are attached:

Multipurpose conference and events centre This building is positioned at the eastern end of the site. The south eastern end of the building is located within the 9m setback from MHWS. A building with a footprint of 2,946m². 1,004m² of this space is the main hall/theatre space that has a 998 maximum occupancy. The remaining area is comprised of the foyer, the back of house facilities and a pre-function or café space. A significant canopy that extends over the entrance of the building is also included in the overall building coverage; and An additional 788m² is incorporated as a mezzanine level that includes spaces for meeting rooms and other conference facilities; and A basement level with an area of 1,552m² is also proposed that will largely accommodate storage space for chairs and stage equipment, including lifting mechanisms. Kitchen and loading areas will also be located on this level; and Both the theatre and the mezzanine level can be configured in various arrangements to cater for different types of functions or attendees. The pre-function/café space is proposed over two levels. The building has a maximum height of 16.5m. This includes the sign light box that extends above the majority of the rest of the roof line. The majority of the building has a height of 12.6m; and The main façade will largely be glazed and will incorporate various design elements inspired by cultural references. The western end of the building incorporates a large high level canopy that will be integrated into the outdoor public plaza between the Events Centre and the 4 star hotel; The hours of operation are proposed as follows: Functions and events will be held between 7.00am to 11.00pm seven days a week, with the exception of events that involve amplified music which will conclude at 10.30pm Sunday to Thursday, and still 11.00pm Friday and Saturday; and 12 times per year, hours will be extended to conclude at 11.30pm Fridays and Saturdays and 11.00pm Sunday to Thursday; and Activities not involving the public may occur prior to 7.00am and after 11.00pm. For example the set up for conferences or loading inside the loading dock.

Hotel

A four star hotel is proposed to be established on the site. The building is centrally positioned on the site, and is aligned perpendicular to the Hatea River; and The building is located within the 9m setback from MHWS and the design is such that the southern end of the building extends over the boardwalk, beyond MHWS. The cantilevered design will ensure that public access to the CMA, and along the Hatea Loop Walkway will not be affected; and The

hotel has building footprint of 1,281m². An additional 340m² will encompass the entry pavilion; and The building is proposed to have five levels, comprised of a ground level and four accommodation levels. The ground level will include the lobby and associated back of house facilities necessary to operate a hotel. It will also include space for a restaurant and bar as well as spaces to be tenanted separately to offer complimentary services or retail options; and 132 rooms will be accommodated across four floors. This includes eight suites (two per floor) situated at the south end of the building, overlooking the river; and A swimming pool; and The building has a maximum height of 22m; and The hotel is proposed to have a living roof.

Mixed use building A five storey mixed use building incorporating 17 residential apartments, five retail/commercial tenancies and a 189 space car parking building. The southern end of the building is located within the 9m setback from MHWS; and The apartments will 'wrap around' the proposed car parking building on the southern and western side ensuring that they will all overlook the Hatea River; and 189 carparks will be provided over five levels (one basement level and four above ground levels); and On ground level, a pedestrianised common area is proposed between the retail tenancies and the car parking building; and A living roof is proposed; and The building has a building footprint of 2,966m²; and The building has a maximum height of 18.5m.

Marina A boutique marina is proposed to be located in the Hatea River in front of the site. The key elements of this proposal are as follows: 29 berths are proposed ranging in size to accommodate different sized vessels. A plan of the proposed layout has been prepared by Total Marine and is attached; and The marina berths will have an approximate depth of RL 0.3m (-1.5m chart datum); and 1.06ha and 20,000m³ rising to 25,000m³ to account for over dredging of capital dredging is proposed to enable the development of the marina; and A small area of mangrove removal is proposed to enable the development of the marina; and No reclamation is proposed; and A ferry terminal is to be incorporated in the marina design which will enable ferries to operate between the Town Basin and Northport at the mouth of the Whangarei Harbour, where cruise ships are scheduled to arrive; and The existing boardwalk that forms the section of the Hatea Loop walkway in front of the subject site is proposed to be widened to have a maximum width of 8m. To enable this increase in width, it will be cantilevered beyond MHWS over the CMA.

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

Oruku Landing has been designed around the key element of vertical infrastructure, being the publicly funded Oruku Conference and Events Centre, which is the catalyst for project commencement and the private developments. Without it the business case for private investment, in particular the hotel, is significantly impeded by virtue of reduced patronage.

It is proposed that the Hotel will follow closely behind the event centre, if not at the same time with the same contractor along with the boardwalk and other infrastructure, whilst the apartments, marina and carpark may commence later it is envisaged they will open at a similar time as the hotel and event centre due to their reduced construction timeframes. It is our ambition (subject to resourcing) that the whole project be delivered and opened concurrently.

As the design is to resource consent/ advanced preliminary design, the timeframe to complete design and building consent will naturally stagger the commencement of each element.

Consents / approvals required

Relevant local authorities: Northland Regional Council, Whangarei District Council

Resource consent(s) / designation required:

Land-use consent, Discharge permit, Coastal 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
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Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 1-4 DP 40643	Operative Whangarei District Plan	Riverside Drive Sub-Environment of the Town Basin Environment	Flood Susceptible Area Coastal Area Scedule 4	N/A
Lot 1-4 DP 40643	Decisions Version of the Whangarei District Plan	Waterfront Zone - Mixed Use Area	Schedule 4 Flood Susceptible Coastal Area	N/A
Lot 1-4 DP 4063	Operative Northland Regional Coastal Plan	Marine 2 (Conservation) Management Area	Coastal Flood Hazard Zones 0-2	N/A
Lot 1-4 DP 40643	Operative Northland Regional Water and Soil Plan	N/A	N/A	N/A
Lot 1-4 DP 40643	Proposed Northland Regional Plan	Whangarei City Centre Marine Zone	Significant Marine Mammal and Seabird Area Marine Pollution Limits Coastal Area	N/A

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
Operative Whangarei District Plan		All reasons for resource consent are set out in the attached document	Discretionary	
Decisions Version of the Whangarei District Plan		All reasons for resource consent are set out in the attached document	Discretionary	
Operative Regional Water and Soil Plan		All reasons for resource consent are set out in the attached document	Controlled	
Operative Coastal Plan for Northland		All reasons for resource consent are set out in the attached document	Discretionary	
Proposed Regional Plan for Northland		All reasons for resource consent are set out in the attached document	Non-complying	

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.

N/A

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

N/A

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:

N/A

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.

A broad-based elemental programme for the proposed development is attached to this request. This programme reflects the current status and shows the various activities and milestones required to finalise approvals, design, construction and commissioning of the events centre project.

The current situation is that:

As detailed elsewhere, a detailed feasibility study has been undertaken that includes advanced concept designs and the input of likely end users.

Government approval and funding has been approved subject to commitment to the project by the local body, Whangarei District Council (WDC).

WDC has confirmed their funding and commitment to the project subject to public consultation. Documentation for this consultation is currently being prepared.

Various milestones are:

NDC Lodge Fast Track Resource Consent	01 / 04 / 2021
Fast Track Resource Consent Approved	20 / 10 / 2021
Councils Confirm Funding / Project Approval	28 / 06 / 2021
Design Consultants Approved	01 / 09 / 2021
Civil Works – On Site Construction Start	25 / 11 / 2021
Commence Building Construction	31 / 03 / 2022
Project Completion	23 / 02 / 2024

Points noted are that:

1. The Fast Track Resource Consent process is not on the current critical path for the project. However, the alternative normal process, with the possibility of appeals, would determine the critical path and delay the project completion.
2. The WDC approval process is based on their current view that this process of public consultation and subsequent council approval can be completed by the end of June 2021. This does lie on the critical path and any delays are likely to delay the overall project.

3. Project Approval is dependent on approvals from the WDC and formal signing of relevant contracts will follow this project approval. It signals the kick off point to allow actual project implementation to proceed.
4. Design Consultants Approved follows the project approval, land purchase, project strategy and consultant offer and acceptance process. Various consultants have been previously engaged for the feasibility process and preparation of well-advanced concept drawings.
5. Civil Works – On Site Construction Start is based on demolition and bulk excavation of the site
6. Project Completion includes time allowance for commissioning of the main events centre and fitout / commissioning of tenant area (e.g. cafes)

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

The project feasibility was funded by the Provincial Growth Fund in 2019, which was completed in 2020.

The project has managed to secure a ^{s 9(2)(b)(ii)} grant as a result of the feasibility and the success of an application to the Crown Infrastructure Partners shovel ready projects fund.

Consultation is currently in advanced stages with the local authorities. Whangarei District Council, Northland Inc and Northland Regional Council. Who are proceeding to community consultation.

Local authorities

Detail all consultation undertaken with relevant local authorities:

Whangarei District Council, Northland Regional Council and Northland INC

High level consultation has been undertaken with both council organisations, including with resource consent and infrastructure staff as well as elected members

Northland INC have been consulted and involved throughout the project

Other persons/parties

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

Community groups

Iwi

Detail all consultation undertaken with the above persons or parties:

At inception the project team sought to form a Project Governance Committee. This Governance Committee included stakeholders from the local Hapu and a Hapu Cultural Designer/ Representative, along with the relevant local authority representatives and other key members. The Governance Committee decided to form the design brief using a community/user centred design approach. This involved design workshops with key stakeholders, neighbouring property consultation including visual impact assessments and specific cultural design via a cultural designer. The high level of consultation has resulted in good community and Iwi support. This collaborative approach is expected to continue. *written by Mana whenua representative Mana whenua The development is within the vicinity of Ōrukura which in pre-European times was a pā and pou herenga waka (waka mooring site). This pā site has been referred to by several names both Ōrukura, Oru and Oruku. It is deemed to be not only a tauranga waka for many, but also an area where many would come and meet and gather food nearby. With Hihiaua and Te Ahipūpūrangia- Ihenga close by, and the Hātea and Waiarohia rivers as paths of transport, the site is well connected for human occupation but also needing to maintain the existing mauri. Ngāti Kahu o Torongare are recognised as holding primary mana whenua interests over the project site and wider area, acknowledging the secondary interest held by Te Parawhau as well as the close whakapapa connections between hapū. Project involvement Ngāti Kahu o Torongare have been involved in

the project in a number of ways – through representation on the governance group (kaumātua Dick Shepherd supported by Jade Kake), through the inclusion of hapū-appointed designers as part of the design team (Jade Kake and Hope Pūriri at Matakohe Architecture and Urbanism), and the preparation of a cultural impact assessment by a hapū-nominated planner (Georgina Olsen at Landform Consulting). Te Parawhau had some involvement in the pre-feasibility stage of the project. Early on in the current feasibility study process (and prior to commencement of any project work), Ngāti Kahu o Torongare were contacted to nominate a suitable representative to the governance group. An initial hui was attended by a group of Ngāti Kahu o Torongare kaumātua and practitioners/ technicians, and Dick Shepherd was appointed to the governance group, with support from Jade Kake. A cultural impact assessment was always envisioned as an essential activity within the project design, however through discussions within the project governance group, it was identified that the project could benefit from specific cultural design input. Workstreams As hapū-appointed designers, Matakohe Architecture and Urbanism’s role within the project team has included working closely with Ngāti Kahu o Torongare to identify and record their cultural narratives and working alongside the landscape architect and urban designer to support the interpretation of these narratives and develop cultural landscape strategies. Matakohe has also worked alongside the project architects to identify opportunities for spatial planning that supports cultural protocols and relationships, and to identify opportunities for cultural narratives integration, including appropriate material and colour selection, and building integrated artwork. In developing the cultural design concept, the hapū-appointed designers have been guided by the following values underpinning the project: Manaaki – a place to welcome manuhiri Kāinga Tuarua – a gathering place for locals Tangata Whenua me te Tangata Tiriti – genuinely bi-cultural, celebrating our identity and shared histories Herenga Aho – connecting people, connecting to landmarks, connecting sites along the awa and throughout the city, a shared vision. The project team have also articulated the following goals regarding the integration of cultural design: Theme of offering manaaki – manuhiri welcomed, hosted and protected under the korowai of Ngāti Kahu o Torongare Weaving or threading - different people and cultures coming together in this place, identifying shared values and a unity of vision An awareness of landscape, landmarks, waters and significant sites, acknowledging connections to the wider cultural landscape Promotion and integration of various concepts into the project through design, united by a cohesive central theme that acts as a waka or vessel for the project. Landform Consulting has been appointed by Ngāti Kahu o Torongare to prepare the cultural impact assessment. The assessment will include the following details; the whakaaro, history and cultural values of Ngāti Kahu o Torongare and their whakapapa in relation to the project area, identification of the potential effects (adverse or positive) upon the cultural values of Ngāti Kahu o Torongare that the project works will present, outline of relevant legislation, and recommendation of mitigation measures that appropriately address effects. Ongoing relationship The role of Ngāti Kahu o Torongare on governance, the design team and in preparation of the cultural impact assessment reflect a commitment to high level and sustained Treaty-based relationships. Ngāti Kahu o Torongare see this as an ongoing partnership, from feasibility, through to building consent, through to construction, through to operations of the completed precinct. Future aspirations for the project include long-term involvement in governance and operations for the benefit of the hapū and all who reside within and visit Te Rohe o Ngāti Kahu o Torongare. The relationship between Ngāti Kahu o Torongare and the community developers is envisioned as a long-term partnership, both on this development and future developments within Ngāti Kahu o Torongare rohe.

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
Ngati Kahu O Torongare (mana whenua)	Ngati Kahu have been Involved in preparing the cultural impact assessment, also involved in the governance of the feasibility. They have been consulted throughout and Ngati Kahu involved in council and government meetings. A

	fundamental project stakeholder. Ngati Kahu have been the primary point of iwi contact as mana whenua and have given their support to the project and been involved in the naming etc
Te Parawhau	
Ngatiwai	

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
No details	

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.

N/A

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.

N/A

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.

N/A

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 following potential adverse effects have been considered and assessed:

1. Ecological effects
2. Traffic and parking effects
3. Effects on reticulated services
4. Noise effects
5. Lighting effects
6. Effects on cultural values
7. Archaeological effects
8. Effects on public access and enjoyment of the CMA
9. Effects on natural hazards
10. Effects on amenity values and landscape character
11. Visual effects
12. Effects on natural character
13. Effects on human health
14. Earthworks effects
15. Hydrological and coastal processes effects
16. Construction and temporary effects

Part VIII: National policy statements and national environmental standards

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

The New Zealand Coastal Policy Statement ('NZCPS')

The subject site is identified as being located in the coastal environment. The NZCPS is therefore a relevant matter for consideration. The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

The objectives and policies recognise that development can be located in the coastal environment, particularly where it does not compromise natural character and landscape values.

The site and the surrounding area displays natural character values that rate towards the lower end of the spectrum. While the landscape values of the site and surrounding area are generally associated with the bush clad landform of Mt Parihaka, the visibility of the site in the context of the river and riverside walkway as well as the surrounding urban environment. In particular the site has low landscape value due to the general dilapidated and inhospitable existing built character. Importantly, the landscape character associated with the location is not attributable to coastal features. At a high level the proposal is not contrary to any of the policies in the NZCPS that seek to avoid adverse effects on natural character and landscape values.

Objective 4 recognises that the CMA is an extensive area of public space and that public walking access to the CMA contributes to public open space and recreational opportunities in the coastal environment. The proposal facilitates and enhances these opportunities by widening the boardwalk and establishing floating boardwalks associated with the marina that will all be publicly accessible. A public paddle board/kayak launching facility is also proposed. In addition, public spaces are proposed around and between the buildings. Policy 18 and 19 build on Objective 4 by recognising the value of public open space within and adjacent to the CMA, especially in areas close to cities and towns. In this respect the proposal responds appropriately and provides public spaces and walking access that is sympathetic to the location and compatible with the natural character and amenity values of this coastal environment.

Objective 6 enables development in coastal areas where it will provide for a communities social, economic and cultural wellbeing. It recognises that protecting the values associated with the coastal environment does not preclude development within appropriate limits, places and forms. Assessment and investigations undertaken conclude that the proposal is appropriate for the subject site.

Policy 6 sets out the types of activities provided for in both the coastal environment and in the CMA. Specifically, Policy 6(1)(c) encourages the consolidation of development within existing urban settings where it will not contribute to sprawling or sporadic patterns of development. The proposal is consistent with this policy. The setback of the development from the CMA is practicable and reasonable to ensure the existing natural character is protected, while public access and amenity values of this part of the coastal environment will be improved. (Policy 6(1)(i)).

There are some components of the development that are located within the CMA. Policy 6(2) considers these activities. The addition of the marina and the extension of the public board walk will contribute to the social, economic and cultural wellbeing of the community and will enhance the public open space and recreation qualities and values of the CMA in this location. Policy 6(2)(d) recognises that activities without a functional need should generally not be located in the CMA. The cantilevered portion of the hotel extends into the airspace associated with the CMA, and does not have a functional need to be in this space. Nevertheless, the policy does not preclude non-functional activities from this space, and the design is such that the building will overhang the water, it will not prevent public access to the CMA and it will be visually cohesive with the rest of the development.

Policy 13 seeks to preserve the natural character of the coastal environment and to protect it from inappropriate use and development. The proposed development will have a less than minor effect on natural character.

Overall, the proposal is consistent with the relevant objectives and policies of the NZCPS.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.

The site is identified as a HAIL site for a number of reasons.

- § Historical uses of the site has involved the manufacturing of pre-stressed concrete products (from approximately 1945-1970's).
- § Office buildings on the site are known to have been constructed with fibrolite roofing.
- § There have been recorded incidents indicating HAIL activities between 1994 and 2016.
- § The site was reclaimed from the Hatea River before 1942.

Soil sampling has been undertaken as part of the DSI and heavy metals and asbestos have both been detected in the soil.

The proposed soil disturbance across the site will not comply with the permitted volumes set in Regulation 8. As the asbestos concentrations on the site exceed the soil guideline values, consent is required as restricted discretionary activity in accordance with Regulation 10.

The asbestos is centrally located on the site and is a result of the building materials used in the existing and previous structures on the site. All other tests undertaken on the site returned results that confirm there is no risk to human health. Provided the recommendations of the DSI are adhered to, it has been concluded that the proposed redevelopment of the site will be less than minor in terms of the potential effects on human health. An SMP will be prepared and approved prior to undertaking any site work and the disposal of fill and soils will need to be to a facility that can receive asbestos contaminated waste at trace levels

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:

Horwath HTL have assessed the economic impact of developing the proposed co-located Hotel and Conference and Events Centre, as the incremental value generated by visitors to Whangārei attributable to the Hotel and Conference and Events Centre. Beyond their reported impact for these aspects there is also the significant positive impact of the Marina, Apartments, Ferry Terminal, Car Park, Promenade, Plaza and sub-tenancies within the development. The

compounding effect or sum of these impacts will further improve the reported positive impact of this precinct development.

Visitor Nights and Expenditure

The Hotel is anticipated to attract incremental visitors to Whangārei through factors such as brand recognition, improving the attractiveness and marketability of Whangārei as a destination, and through incentive travel such as its loyalty and rewards programme. The Conference and Events Centre is projected to attract further additional visitors to Whangārei to attend multi-day conferences, events, exhibitions and shows, etc, resulting in additional incremental visitor nights. Horwath HTL have calculated incremental visitor nights as the difference between continued normal growth in Whangārei visitor nights, compared to our projected visitor nights where an increase in market share is assumed. Horwath HTL's estimate of incremental visitor nights includes accompanying persons in the case of conference and exhibition events. Horwath HTL have adjusted the visitor nights for attendees who may not attend all days of an event, and conference / exhibition delegates who may not have an accompanying person. Horwath HTL have assumed 90% of event attendees stay in commercial accommodation, and 50% of these nights are spent in the subject Hotel. Each attendee or additional visitor will generate further value to the Whangārei economy through their daily spend. Event attendees who do not stay overnight are assumed to have a lower spend per visitor due to no expenditure on accommodation. Visitors who stay overnight in private accommodation are assumed to spend less on accommodation than delegates who stay in commercial accommodation. Delegates who stay in the subject hotel are assumed to spend more on accommodation than delegates who stay in other forms of commercial accommodation. The resulting economic impact is calculated as the additional incremental visitor nights (or visitors in the case of day visits) multiplied by the assumed average expenditure spent per visitor night. The table below summarises the projected additional incremental visitor nights to Whangārei attributable to the development of the proposed Hotel and Conference and Events Centre assumptions regarding average expenditure per visitor night, and the resulting economic impact.

The Hotel and Conference and Events Centre are estimated to generate a total economic impact of $\$9(2)(b)(ii)$ million over the first five years of operation. This consists of $\$9(2)(b)(ii)$ million associated with the development of the Hotel (excluding guests generated by the Conference and Events Centre), and $\$9(2)(b)(ii)$ million associated with the development of the Conference and Events Centre (including event attendees staying at the hotel). The Conference and Events Centre is estimated to generate 54% of the total economic benefit associated with the proposed development over the first 5 years of operation.

Downstream Economic Impact

The economic impact above reflects only incremental visitor nights and expenditure attributable to the Hotel and Conference and Events Centre. This does not include any 'downstream' economic impacts from indirect and induced economic activity, or contribution to local or regional GDP. The Hotel and Conference and Events Centre will support local businesses in Whangārei and Northland by buying local, especially in relation to food and beverage products. This will assist with the growth of existing businesses, and potentially the establishment of new businesses, directly providing services to the Conference and Events Centre, and in related industries. Downstream impacts such as purchases of goods and services from local businesses, and employees spending their salaries in the local community, and subsequent circulation of those dollars in the local economy will contribute to growing regional GDP. By adding to the diversification and stabilisation of the local economy, the Hotel and Conference and Events Centre may also help to increase business confidence.

The economic impact of this project is (source Northland Inc): • Direct Construction $\$9(2)(b)(ii)$ • Direct Economic Impact $\$9(2)(b)(ii)$ • In-Direct Economic Impact $\$9(2)(b)(ii)$ Total Economic Impact $\$9(2)(b)(ii)$

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

In addition to the economic benefits quantified above, the Hotel and Conference and Events Centre will generate a range of social and cultural benefits for the residents of Whangārei and Northland. This will include job creation and training, support for the tourism industry, and other community benefits. The Hotel and Conference and Events Centre will provide employment and training opportunities for Whangārei residents. Horwath HTL have estimated the number of FTE (Full Time Equivalent) employees which will be generated by the Hotel and Conference and Events Centre based on the projected payroll expenses for each, and an estimated average annual salary per FTE. The Hotel is estimated to generate 62.8 FTE employees in its first year of operations (2023), rising to 65.6 FTEs by its fifth year of

operations. The Conference and Events Centre is estimated to generate 49.8 FTE employees in its first year of operations (2023), rising to 58.2 FTEs by its fifth year of operations. Together the Hotel and Conference and Events Centre are estimated to result in the direct creation of 112.6 FTE positions in Whangārei in 2023, rising to 123.8 in 2027. This estimate does not include indirect employment generated by the Hotel and Conference and Events Centre's activities. Such indirect employment might include additional staff employed at local cleaning and security companies, and local food and beverage / accommodation businesses servicing event attendees who do not eat/stay onsite. The Hotel and Conference and Events Centre, like the hospitality industry generally, will create a range of employment options including full-time, part-time and casual employment to suit different segments of the local labour force. The Hotel and Conference and Events Centre will present opportunities for Whangārei residents to receive training to develop their hospitality skills, and for local young people to enter career paths in the hospitality industry. Improved perception of Whangārei as a visitor destination Advertising and media coverage pre / post events held at the Conference and Events Centre will provide increased publicity for Whangārei as a visitor destination. The Conference and Events Centre will gain a national reputation, which in conjunction with the new Hundertwasser Art Centre and Hihiaua Cultural Centre, will help to improve the perception of Whangārei as a place worth visiting. For visitors who travel to Whangārei from elsewhere in Northland to attend events at the Conference and Events Centre, increased awareness of the host city as a visitor destination may drive repeat visitation. By improving the commercial accommodation capacity, and providing an additional demand driver, the Hotel and Conference and Events Centre will help to increase the number of international and domestic overnight visitors to Whangārei. Management of the Hotel by the hotel management company will provide a further opportunity to increase the awareness and perception of Whangārei as a visitor destination, and the number of domestic overnight visitors to Whangārei. The hotel operator's distribution system and loyalty program offers a significant potential customer base for the targeted promotion of short leisure breaks in Whangārei. Contribution to community goals Whangārei District Council acknowledges that venues and events form a prominent contribution to the District's attractiveness and vibrancy and that this helps create opportunities for residents and visitors who contribute to the District's economy. The strategy for arts, culture and heritage in the Whangārei District 2019–2028 has a 10 year vision of an innovative, creative community that makes Whangārei a vibrant, attractive and thriving district. The new Conference and Events Centre will help to achieve the combined goals of Whangārei District Council and Creative Northland of better access to arts, culture and heritage for the wider community, and more robust and appropriate infrastructure for creation and presentation. Community Participation The Conference and Events Centre will provide new opportunities for Whangārei and Northland residents to attend events and this will have a range of positive community outcomes. The new Conference and Events Centre will play an important role in connecting Whangārei with the wider Northland Region. The Conference and Events Centre will make attending events more accessible for the Whangārei and wider Northland community who may otherwise not be able to attend, if for example the events were hosted in Auckland. This will include locally produced shows and events, as well as national performing arts shows including orchestra, ballet, dance, theatre and opera (at community rates), and touring international concerts and events. Local performers will have the opportunity to engage with a larger audience than is currently possible, providing a more rewarding and satisfying experience. Increased community participation at local events may help to increase cultural awareness and provide educational opportunities which contribute to community development. International and domestic research has found that the benefits of engaging with the performing arts sector can include improved personal wellbeing and social inclusion by helping people connect with their community and enabling communities to be more inclusive. People who engage with the arts are more likely to engage in positive civic behaviours, such as voting or volunteer work. This in turn leads to improvements in the broader welfare of society. A new high-quality venue capable of hosting arts and culture events will provide increased audience satisfaction and enjoyment of events. This may in turn lead to more frequent engagement with the arts and cultural sector, making outcomes such as wellbeing and education from these activities more likely and long-lasting. Whangārei residents may feel increased civic pride arising from hosting iconic international events. This together with the ability to attend such events, may contribute to improved quality of life and increased resident satisfaction with Whangārei as a place to live. There will also be some additional economic benefit to Whangārei, although immeasurable, associated with residents staying in Whangārei to attend events rather than taking their expenditure outside the region. The Conference and Events Centre will also be available for community use at discounted rates. We have assumed that Council will require a community access policy whereby the Conference and Events Centre will be priced in conjunction with Council venues including Forum North and Hihiaua Cultural Centre. This will encourage the complementary venues to work together to grow the

market for events in Whangārei. Certain types of hirers may be eligible for Council grants towards the higher community rates charged by the Conference and Events Centre.

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

Yes, there would be significant time gains for the project by using the processes provided by the Act.

It is estimated there would potentially be gains of more than 6 months, as opposed to utilisation of the conventional consenting process, if public consultation was the outcome of the conventional process.

Additionally there is the risk that the project could be delayed longer if a public consultation is not expedient.

By utilising the Act the project team expects to be able to deliver the project ahead of what we would have otherwise been able to do through the conventional means, bringing benefit to the public.

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:

Construction ImpactThe impact of the construction of the Hotel and Conference and Events Centre will also be additional to the economic impact calculated above.The construction of the Hotel and Conference and Events Centre will be a major capital project which will be partially funded from outside the region and will bring people to Whangārei during the construction period. Members of the construction workforce visiting from outside the region for a period of weeks or months, will benefit the local economy by spending some of their income at local businesses. Griffiths and Associates Ltd estimate required construction personnel to peak well above 250 trades people for a sustained period of 2-3 years.Preliminary enquiry has been made by Griffiths with the local construction market who have expressed a strong interest to be involved and deliver the project with local resources. Such opportunities support the Northland construction industry to grow its capacity to support large scale developments.During and Post ConstructionThe project once complete is expected to provide significant employment during design, construction and operations. The detailed design phase is expected to utilise services of >30 local consultants.The construction phase is expected to employ and create work opportunities for apprentices, trades people and other construction related workers. The project is expected to average 100 workers onsite everyday. The operations of the Conference and Event Centre will employ over 50 full time staff with an additional 12 staff expected to be employed in the restaurants/bars.The project will be incentivising the employment of apprentices and have KPIs around Maori involvement.

Housing supply:

Within the wider development, inner city living and higher density living is encourage through an apartment development within the precinct. Expected to house over 40 people when built.

Contributing to well-functioning urban environments:

The development was designed in conjunction with urban designers and planners, and is optimised to provide a good urban environment through its connection to the water and public spaces.

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

Building of the Conference and Events Centre will improve the regions infrastructure and provide ongoing employment opportunities for Northlanders. It will assist to develop the arts within Northland and attract business to Whangareai having a positive impact on the town.

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Increased Visitation to Whangareai

By improving the commercial accommodation capacity, and providing an additional demand driver, the Hotel and Conference and Events Centre will help to increase the number of international and domestic overnight visitors to Whangārei. The Hotel will be developed to a higher standard and scale of hotel accommodation than currently exists in Whangārei. This combined with the international hotel branding, will provide a more suitable standard of accommodation for international visitors. The Hotel will therefore assist Whangārei to capture an increased market share of international visitor nights, and associated expenditure. The Hotel will also help Whangārei to capture an increased market share of domestic visitor nights and expenditure, with the improved standard and scale of Hotel providing the opportunity to convert some existing day visitors to Whangārei into overnight visitors. The Conference and Events Centre will substantially improve the capability and attractiveness of hosting national corporate and association conferences in Whangārei. Additional conferences hosted in Whangārei will bring people to the district who otherwise would not visit, including delegates and accompanying persons. The availability of new hotel accommodation of a desirable standard may also encourage delegates to extend their overnight stay in Whangārei by an extra night before or after the conference event. The Conference and Events Centre with theatre style seating capacity of approximately 750 attendees, presents an opportunity to attract a new range of touring entertainment shows and events to Whangārei. Whangārei currently misses out on some such events because its existing facilities (including Forum North) are inadequate, or of insufficient scale to make the event economically feasible. Additional entertainment shows and events will attract visitors to Whangārei from the rest of Northland, including some who stay overnight. This will contribute to an increased number of visitors and visitor nights in Whangārei. In addition to the new events Whangārei is enabled to host at the Conference and Events Centre, the Hotel will increase the capability of Whangārei to host other event types, such as sporting events, by increasing the standard and scale of accommodation supply.

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

The project aims to provide the public with improved connection to the water (Hatea River). This is done through play spaces and viewing platforms. Improving connection to the water is likely to make them more aware of impact of their actions on the waterways.

Minimising waste:

N/A

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):

Green roofs and solar power are items that have been included in the development and will contribute towards NZ's efforts to mitigate climate change and transition into a lower emission economy.

Promoting the protection of historic heritage:

A cultural narrative designer has been utilised to integrate the cultural narrative and heritage into the design of the buildings to protect and nurture the projects historic heritage.

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

The project will provide jobs for many Northlanders thus reducing the impact of Covid and strengthening the regions economic position.

Other public benefit:

The development provides more public spaces than there are currently and provides for the upgrade of some of the existing public spaces.

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

No. The project has undertaken the required effects assessments and no significant adverse environmental effects are expected.

Part X: Climate change and natural hazards

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

N/A

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
No details	

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.

Ben Tomason

31/03/2021

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.

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

Checklist

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

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