

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: Project Stellar
Application number: PJ-0000804
Date received: 23/06/2022

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: Dilworth Trust Board

Contact person: Kirsten Andrews

Job title: Senior Development Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

Dilworth Trust Board
2 Erin Street, Epsom,
Auckland, 1051

Address for service (if different from above)

Organisation: Campbell Brown Planning Ltd

Contact person: Michael Campbell

Job title: Director

Phone s 9(2)(a)

Email s 9(2)(a)

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

Postal address:

Campbell Brown Planning Limited
PO Box 147001
Ponsonby
Auckland, 1144

Part II: Project location

The application: does not relate to the coastal marine area

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

Site address / location:

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

76 and 80 Great South Road, Remuera, Auckland

Legal description(s):

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

1. 76 Great South Road, Remuera: Lot 42 Deeds Plan 976 (NZ513/30)
2. 80 Great South Road, Remuera: Lot 1 DP 11962 (NA68D/324)

Copies of the Records of Title are **attached**, together with copies of the interest D534844.1 that is registered on the title of NZ513/30. The interest (a lease agreement which has not been renewed) does not impact the applicant's ability to develop the land. This interest is in the process of being removed from the title.

Registered legal land owner(s):

Dilworth Trust Board ('DTB').

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, DTB, is the registered land owner. The applicant will develop the site and retain ownership of the proposed buildings long term (refer following sections for further detail).

Part III: Project details

Description

Project name: Project Stellar

Project summary:

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

It is proposed to develop the 4,173m² site to accommodate a ‘build-to-rent’ mixed use development, arranged across two buildings and accommodating approximately 200 apartments, roof top and ground floor amenity areas, commercial floorspace, pedestrian accessways, bicycle and car parking, and landscaping.

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.

It is proposed to develop the 4,173m² site to accommodate a ‘build-to-rent’ mixed use residential development. A Design Statement which summarises the proposal, the project’s purpose, vision, objectives, and design response is **attached**. This also includes indicative architectural and landscape plans, and perspective images.

The project’s vision is *“to create a place that fosters and nourishes the community, embedding a new standard of living for Tāmaki Makaurau.”* This embeds itself in the project’s objectives which are to:

- Design for operational efficiency.
- Create a benchmark for urban living.
- Encourage community outcomes.
- Supporting restoration of Taiao.

The site forms part of a wider property portfolio owned and managed by the DTB. Revenue from this portfolio go directly towards funding the operations of Dilworth School.

Dilworth School was founded in accordance with the terms of the will of early Auckland farmer and businessman, James Dilworth. The endowment was to be used to fund a boarding school for boys whose circumstances may prevent them from fulfilling their full potential.

For over a century, this legacy has provided more than 5,000 boys with a life-changing scholarship that includes free tuition, boarding, uniforms, sports fees and music tuition. Students are offered a multitude of opportunities, a strong pastoral care system and quality teaching for boys from Year 9 – Year 13.

Today, the operations of the school are largely funded by the investment property returns. A large portion of the portfolio is still located on James Dilworth’s original farm in the Newmarket/Epsom area.

The applicant’s investment property team have been tasked with growing the returns to support the growing operational costs of the school, including increasing the roll. To do this, land holdings that are no longer on ground lease (such as the application site) have become redevelopment opportunities to maximise the highest and best use combined with continued long-term hold. This land has been held by Dilworth for over 100 years and the intention is to retain indefinitely as part of the core portfolio.

The proposal will comprise approximately 200 apartments, roof top and ground floor amenity areas for residents, ground floor commercial floorspace, parking (both bicycle and car parking) and extensive landscaping in an area

located close to a wide range of amenities including high frequency public transport networks, green spaces, schools and the Newmarket Metropolitan Centre.

The proposal will be located within two separate buildings; a nine-storey building fronting Great South Road (**‘the GSR building’**), and a nine storey plus basement building fronting Mauranui Ave (**‘the Mauranui building’**). The two buildings will be arranged around an internal, extensively landscaped courtyard.

The basement to the Mauranui building will comprise car parking, with vehicular access directly from Mauranui Ave. A through site pedestrian access is proposed, which will also be used by servicing and refuse vehicles. Occasional vehicle access onto Great South Road (an urban arterial) will be required for vehicles leaving this laneway.

The apartments will comprise a variety of typologies including studio, one bedroom, two bedroom and three-bedroom units.

The proposal will include a modest component of non-residential activities at ground floor level. It is anticipated that this would include a small food and beverage unit and some residents’ amenity areas such as shared areas, a gym, or co-working shared spaces. The non-residential components are intended to support the immediate residents, are adaptable to a range of uses, and are a scale that will not compete with any nearby centre.

A range of sustainability initiatives will be incorporated into the design.

Earthworks will be undertaken over the site to create suitable building platforms and to establish the partial basement of the Mauranui building. Some rock breaking and piling for foundations and the basement construction is also proposed.

The removal of two street trees is proposed from Mauranui Avenue to facilitate the new vehicle access to the site.

Reticulated services will be provided, including wastewater and potable water. An infrastructure assessment has confirmed that there is sufficient capacity in the piped network to accommodate wastewater flows from the site.

Rainwater collection will be utilised for irrigation. Excess stormwater would be disposed of via soakage.

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

The project will be completed in one stage and the preference would be to progress this project as quickly as possible to convert an underperforming asset to a stable long-term asset. This will ensure that all of the economic benefits of the project, including its contribution to industries affected by Covid-19, will be realised in a short timeframe (i.e., as soon as resource consent is granted), as opposed to being delayed over the course of a staged development.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, Discharge permit

Relevant zoning, overlays and other features:

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

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 42 Deed Plan 976 and Lot 1 DP 11962	Auckland Unitary Plan	Zoned Business – Mixed Use Zone. The zoning is also applied consistently to land surrounding the application site. The exception to this is the	No AUP overlays apply to the application site. Notably, the site is located in an isolated pocket of land within the broader neighbourhood which is not subject to a Natural Heritage:	Controls: Macroinvertebrate Community Index [rcp/dp] – Urban. The Macroinvertebrate Community Index controls apply to

Legal description(s)	Relevant plan	Zone	Overlays	Other features
		<p>land located across Great South Road to the west / south west which is zoned Special Purpose – School Zone and occupied by Dilworth School (which adjoins Diocesan School for Girls beyond).</p>	<p>Volcanic Viewshafts and Height Sensitive Areas Overlay. Given the site’s proximity to a number of maunga, much of the land surrounding the area (including immediately to the south) and across Newmarket is subject to this overlay.</p>	<p>various sections of the sites and provides data on the health of streams. This control does not affect development of the site.</p> <p>Arterial Road – Great South Road is an urban arterial and is subject to an AUP control accordingly. Consequently, this frontage is subject to a vehicle access restriction (‘VAR’) which has implications for vehicle access to / from this frontage.</p> <p>Designations:</p> <p>1618, Road Widening Designation, Auckland Transport – This designation applies along the Great South Road frontage. The proposed buildings are located outside of this designation (details attached).</p> <p>Airspace Restriction Designation ID1102, Protection of aeronautical functions, obstacle limitation surfaces, Auckland International Airport – this applies to the site, as with a large area of Auckland in the vicinity of the airport, however, it will have no implications as the</p>

Legal description(s)	Relevant plan	Zone	Overlays	Other features
				<p>proposed development height is significantly below the designation height.</p> <p>Hazards:</p> <p>The Council's GIS viewer identifies part of the site (the portion of 80 Great South Road that fronts Mauranui Avenue) as being subject to a 1 in 100-year annual exceedance probability ('AEP') flood plain. However, the attached Infrastructure Report confirms that this does not cross into the application site and is retained entirely within the road reserve.</p> <p>A small overland flow path begins in 80 Great South Road and exits onto Mauranui Avenue. However, with a contributing catchment of less than 4,000m², this is not defined as an overland flow path ('OLFP') by the AUP (albeit the proposed design makes provision to retain this OLFP through the laneway and onto Mauranui Ave).</p> <p>There are a number of OLFPs within the roads surrounding the site. The Infrastructure Report confirms that</p>

Legal description(s)	Relevant plan	Zone	Overlays	Other features
				these are accommodated within the road reserve without overtopping into the site.

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Auckland Unitary: Plan H13. Business Mixed Use Zone	H13.4.1(A45)	New buildings	Restricted discretionary activity	76 and 80 Great South Road
Auckland Unitary: Plan H13. Business Mixed Use Zone	H13.6.1 Building height	The proposed buildings will each infringe the building height standard of 18m (16m occupiable +2m roof form). The Great South Road building by approximately 18.5m and the Mauranui Ave building by approximately 19.5m.	Restricted discretionary activity	76 and 80 Great South Road
Auckland Unitary Plan	H13.6.3 Building setback at upper floors	Above a height of 27m, this standard requires buildings to be set back 6m from the site frontage. Both buildings would infringe this on the road frontages.	Restricted discretionary activity.	76 and 80 Great South Road
Auckland Unitary Plan: Business Mixed Use Zone	H13.6.4 Maximum tower dimension and tower separation	The maximum plan dimension of a building above 27m would exceed 55m for both buildings and the buildings would not be set back 6m from side / rear boundaries.	Restricted discretionary activity.	76 and 80 Great South Road
Auckland Unitary Plan : Business Mixed Use Zone	H13.6.8 Wind	Wind conditions will depend on landscape features. Minor exceedances of the wind speed categories may occur within roof terrace amenity areas and around windward	Tbc. If infringement, restricted discretionary activity.	76 and 80 Great South Road

		corners. Compliance is tbc.		
Auckland Unitary Plan : Business Mixed Use Zone	H13.6.9 Outlook space	Infringements to the outlook space will occur.	Restricted discretionary activity.	76 and 80 Great South Road
Auckland Unitary Plan : E8. Stormwater Discharge and Diversion	E8.4.1(A9)	Diversion and discharge of stormwater from impervious areas greater than 1,000m2 and up to 5,000m2	Controlled Activity.	76 and 80 Great South Road
Auckland Unitary Plan : E12 Land Disturbance – District	E12.4.1 Activity Table (Business and City Centre Zones)	(A6) Earthworks greater than 2,500m2 (A10) Earthworks greater than 2500m3	Restricted Discretionary Activity.	76 and 80 Great South Road
Auckland Unitary Plan : E17. Trees in Roads	E17.4.1 Activity Table	(A10) The removal of two street trees is proposed from the Mauranui Ave frontage.	Restricted Discretionary Activity.	76 and 80 Great South Road
Auckland Unitary Plan : E23 Signs	E23.4.2	(53) Comprehensive development signage	Restricted discretionary activity	76 and 80 Great South Road
Auckland Unitary Plan : E25. Noise and vibration	E25.4.1 Activity Table	(A2) The proposal will likely involve infringements to the noise and vibration standards during construction.	Restricted Discretionary Activity.	76 and 80 Great South Road
Auckland Unitary Plan : E27 Transport	E27.4.1 Activity Table	(A2) Parking loading and access which is an accessory activity by does not comply with the standards. (A3) Any activity which exceeds the trip generation standards of E27.6.1 (100 dwellings). (A5) The proposal will involve the access onto an Arterial Road (Great South Road).	Restricted Discretionary Activity.	76 and 80 Great South Road
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ('NES Soil').	Regulation 9	The combined Preliminary Site Investigation and Detailed Site Investigation ('PSI/DSI') (attached) confirms that activities on the hazardous activities and industries list have been undertaken on the land and that resource consent is	Controlled Activity	76 and 80 Great South Road

		likely to be required as a controlled activity under Regulation 9 of the NES Soil as the volumes of soil being disturbed are not likely to exceed the quantities in Regulation 8.		
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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 have been no recent 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:

- Vehicle crossing permits will be required from Auckland Transport prior to constructing the new crossings.
- Engineering plan approvals are also likely to be required for relocations of the public wastewater infrastructure, shared access points, as well as new connections to water and wastewater networks.
- Tree Asset Owners Approval ('TAOA') will also be required from Auckland Council's Community Facilities Team prior to the removal of two street trees. An application for TAOA has been submitted with Auckland Council.

These will be applied for prior to the construction works occurring on site.

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 following summarises the high-level design and construction programme for Project Stellar. The indicative timeline is predicated on the process enabled by the COVID-19 Recovery (Fast-track Consenting) Act 2020 ('Covid Fast-track Act') process and assuming resource consent is approved early 2023.

- Procurement Plan: November 2022 – Jan 2023;
- Developed Design: Q1 to Q3 2023 (5 months) – to commence once consent granted;
- Detailed Design / Building Consent: Q3 2023 – Q1 2024;
- Funding: Q3 2023 – Dilworth own the land and have a 12-month termination clause on the existing lease on the site, meaning procuring the land is not a risk to delivery. Funding will be external through a secured debt

facility leveraging off the large asset base with low debt levels. Funding to be raised prior to commencing earthworks, civils and infrastructure.

- Site works: Commence Q4 2023 – earthworks, civils, infrastructure;
- Construction commencement: Commence Q1 2024 - targeting March 2024;
- Project Completion and tenancing: Q1 2026 – targeting March 2026.

Project Stellar will be development ready once resource consent is issued, with the intention being to begin site works as soon as practicable after approval of the resource consent.

It is estimated that by using the Covid Fast-track Act process that resource consent will likely be attained (and therefore the project will likely be completed) between six and twelve months faster than via the traditional RMA consent process.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

The applicant has held a pre-application meeting with Ministry for the Environment staff on 24 November 2021 to discuss the fast-track process and the information that would be required to support an application. Ministry staff in attendance at the 24 November meeting were Helen Willis and Rebecca Perritt.

Local authorities

Detail all consultation undertaken with relevant local authorities:

Pre-application advice has been provided by Auckland Council under the Key Accounts/Qualified Partner programme. This was provided largely in the form of written feedback due to the Council's suspension of pre-application meetings. This also included discussions with Healthy Waters and Watercare.

Watercare provided a summary of the water and wastewater networks and advised that there were potential constraints in the water and wastewater network and that upgrades and / or flow reduction may be required. An assessment of this infrastructure and its capacity has since been undertaken by Bluebarn within the Infrastructure Report and there is capacity within the existing system for water and wastewater.

Specific feedback was sought from Healthy Waters with regards to the extent of the flood hazard and OLFP within Mauranui Avenue. Healthy Waters agreed with the assessment that the OLFP remains within the Mauranui Road corridor and bypasses the site at Mauranui Road and that, based on this, the design of the development would need to cater for stormwater generated from the site only.

The applicant has also engaged in an iterative and robust design review process with Auckland Council's Urban Design Unit and the Auckland Urban Design Panel ('AUDP'), presenting the proposed scheme to the latter on two separate occasions. A third and final 'express' Panel meeting has been sought to seek feedback on final changes, specifically as they relate to the end walls. This has been delayed due to AUDP members contracting Covid, however a copy of the Panel's recommendations to date are **attached** to the Urban Design and Landscape Review.

The Council and AUDP have been supportive of Project Stellar overall and have supported the height infringement in principle. Where matters have been raised these have been largely addressed by the project team in the design and engineering of the development and otherwise are subject to further refinement as part of the resource consent application on the same consultative basis. It was understood that it was intended to utilise the proposed fast-track process.

The proposal is a result of a collaborative and iterative design process. The **attached** architectural plans (in the Design Statement) civil engineering, geotechnical, acoustic and transport engineering reports relating to the project have been updated following Council consultation and recommendations from the AUDP.

Other persons/parties

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

The effects of the proposal on surrounding properties will not be significant despite the proposed height and overall scale.

This is largely due to:

- the site's location and context;
- the use, location and orientation of surrounding properties;
- the underlying zoning of these properties (and the amenity expectations within these zones); and
- the design of the proposed buildings.

The site is bordered by roads on three boundaries therefore is separated from adjoining uses to the east, west and south. Notably, beyond Great South Road to the west is Dilworth School which is owned by the applicant and the properties at 70, 82 and 92 Great South Road are owned by the DTB also, among a range of others within the wider area. The attached 'ownership map' indicates all properties owned by the DTB in the immediate vicinity. The sites in blue are either buildings with tenant leases in place or available for redevelopment. The sites in red have long term ground leases in place.

The Northern Rail Line and Motorway (State Highway 1) are located to the east across Mauranui Avenue, and the site is located within an area characterised by largely commercial and business-related uses, with some residential use.

It is acknowledged that there will be some impacts on neighbouring properties, particularly those directly to the south, across Mauranui Ave (specifically 30-40 Mauranui Ave). It is expected that comments will be invited from these properties in line with the relevant Covid Fast-track Act protocols.

The applicant has begun meeting with neighbours located adjacent to the site, albeit has not met with all neighbours at this stage. Consultation is ongoing.

The following is a summary of discussions to date with neighbours:

- 31 Mauranui Avenue – Stanway Holdings Limited – DTB held a meeting with the directors on 24 May 2022 to share the current plans for the proposed development. They were supportive of the development and the positive impact it would have on the neighbourhood, bringing additional commercial tenancies as well as a large residential population.
- 82 Great South Road – DTB owns this property, however has a ground lease in place with Giltrap Motors (Skoda). DTB presented the plans for the proposed development to the Giltrap General Manager of Property on 25 March 2022, receiving positive feedback regarding the quality of the development and the positive impacts it would have in the area. Giltrap is supportive of market rental product in the area increasing the residential density in the urban environment.
- 70-72 Great South Road – DTB owns this property and has a ground lease in place with the Siesta Motel. DTB shared the proposed plans with the owners and managers of Siesta Motel on 10 June 2022. Feedback was positive and appreciative of the improvement to the values of properties on the street.

A briefing email and request for commentary and feedback has also been sent to Kiwirail (23 June 2022).

Detail all consultation undertaken with the above persons or parties:

As above.

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
General	The applicant has commenced engagement with Mana Whenua groups that hold an interest in the area in which the site is located. A full list of the known Mana Whenua groups with an interest in the site is attached. DTB has undertaken the following engagement to date.

	<p>On 26 November 2021 an email with an overview of the project was sent to all Mana Whenua groups (as outlined in the attached document sourced from the Council’s website) and noting that DTB would like to meet with any interested parties to discuss the project and/or show them the site. Copy attached.</p> <p>This was also directly emailed to the following iwi contacts that had indicated interest in another project being progressed by DTB, located in close proximity:</p> <ul style="list-style-type: none"> o Ngati Te Ata Waiohua – Karl Flavell (Manager) o Ngāti Whātua Ōrākei – Mervyn Kerehoma (Advocacy Lead Tūhono Raukura) o Te Akitai Waiohua – Jeff Lee (Consultant Kaitiaki Officer) <p>To date, the three iwi listed above are the only groups that have indicated an interest in the project.</p> <p>Following the expressions of interest received from the above iwi groups, individual engagement has taken place with the above three Iwi as set out in the following inserts.</p> <p>The applicant will continue to work with the relevant iwi groups who have expressed an interest in the project through the design process and beyond.</p> <p>It will be confirmed with interested iwi groups whether a cultural impact assessment for the proposal will be undertaken. At this stage the information provided from Ngati Te Ata Waiohua is considered to meet this requirement. No issues of particular concern have been identified by the three iwi groups who have registered an interest in the application, with engagement ongoing.</p>
Ngāti Whātua Ōrākei – Mervyn Kerehoma	<ul style="list-style-type: none"> - 26 November 2021: Email sent with plans providing an overview of the site/location etc. - 29 November 2021: Site visit/walk around and discussion of proposed site redevelopment. Discussed plans sent in email 26 November 2021. - 21 March 2022: Email sent to Mervyn to discuss concept plans. - 24 March 2022: Teams meeting held with Mervyn to share concept plans and discuss ongoing input. Concept plans emailed to Mervyn. Indicated ongoing interest in monitoring drainage and oversight of excavation.
Ngati Te Ata Waiohua – Karl Flavell	<ul style="list-style-type: none"> - 22 November 2021: Teams meeting with Karl Flavell to run through an introduction and overview of the project including aspirations etc. - 26 November 2021: Email sent with plans providing an overview of the site/location etc. - 10 December 2021: Originally intended to be a site visit then discussion but due to Covid was moved to an online meeting. Discussed plans sent on 26 November 2021. Agreed to send concept plans when completed March 2022. - 31 March 2022: Emailed to set up hui to share and discuss concept. - 7 April 2022: Teams hui held with Karl Flavell to share and discuss concept plans and agreed Karl would provide feedback on the design pack. - 7 June 2022: Ngati Te Ata Waiohua report received which sets out opportunities for cultural narrative and design to be integrated into the proposal. Notably, Ngāti Ta Ata Waioha noted that ‘the principles as outlined in the Project Stellar Design document are generally supported.’
Te Akitai Waiohua – Jeff Lee	<ul style="list-style-type: none"> - 26 November 2021: Email sent with plans providing an overview of the site/location and planning summary (request from Jeff).

	<ul style="list-style-type: none"> - Interim phone discussions to go through development due to inability to attend meeting on 7 December 2021. Regular ongoing phone calls to update on design progress. - 17 March 2022: Team meeting overview of project and review of concept plans/planning requirements - 31 March 2022: Email sent with concept plans and planning summary. Jeff was to send through a proposal mid-April for delivery end of April. - 10 June 2022: Phone call with Jeff Lee to discuss next steps. Applicant to send updated overview.
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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.

There are no Treaty Settlement Statutory Acknowledgment areas identified by the Auckland Council, over this site or surrounding neighbourhood, refer map attached.

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 project 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. Potential adverse effects are considered to arise in relation to:

- Traffic/transportation
- Urban Design and Landscape Effects
- Offsite Amenity
- Onsite Amenity
- Earthworks
- Infrastructure Servicing
- Geotechnical / Stability
- Soil contamination
- Wind
- Tree Removal
- Construction Noise and Nuisance
- Archaeological

The attached supplementary assessment of adverse effects (AEE) identifies the nature and scale of the anticipated adverse effects, together with the methods that are proposed to avoid, remedy or mitigate any such effects. Overall, it is concluded that the proposed development will not give rise to any significant adverse effects subject to appropriate mitigation and imposition of conditions of consents.

Notably, the project will produce significant positive effects and benefits in the form of:

1. Significant additional employment during design and construction as well as ongoing employment on completion.
2. Major additional and high-quality residential accommodation to increase the supply of housing in Auckland.
3. Additional economic benefits in the form of boosts to GDP, additional household incomes, land use and infrastructure efficiency (among others).
4. Provision of sustainable income for the DTB which will in turn support the extensive positive social and community outcomes provided by the DTB and Dilworth School. Maximising the income achieved from the investment property portfolio provides for more future boys to be awarded a Dilworth scholarship.
5. Energy efficiency and genuine environmental sustainability measures through design.
6. Water conservation and re-use, reduction in stormwater generation (increase of pervious areas) as well as water quality improvements.
7. High levels of onsite amenity for future residents including security of tenure, creating a sense of community, high level of service maintenance and housing choice.
8. Encourages a modal shift away from the private vehicle with a parking ratio of 0.4 spaces per unit, use of car stackers, provision of specialist EV charging parks and high bike parking provision.
9. Enhanced biodiversity and improvements to ecological corridors between maunga through extensive planting, comprising largely native species dominant within remnant forest in the area.
10. Efficient use of land and infrastructure.

Part VIII: National policy statements and national environmental standards

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

National Policy Statement on Urban Development 2020 (NPSUD)

The NPSUD applies to planning decisions by any local authority that affect an urban environment. The NPSUD represents a significant change to national planning policy and affects all district plans for growth areas and all

decisions made by planning authorities in those areas. Section 75(3)(a) of the RMA states that district plans must give effect to a national policy statement, and s104(1)(b)(iii) states that a consent authority must have regard to any relevant provisions of a national policy statement when considering an application for resource consent.

Objective 2 of NPSUD seeks that planning decisions improve housing affordability by supporting competitive land and development markets, which the proposal would contribute to. Objective 6 seeks that planning decisions on urban development are (amongst other things) responsive, particularly in relation to proposals that would supply significant development capacity.

The objectives are given effect to by the more directive NPSUD policies. In particular, Policy 1 directs that planning decisions contribute to well-functioning urban environments that enable a variety of homes that meet the needs, in terms of type, price, and location, of different households. Policy 6 seeks that decision makers should have particular regard to any relevant contribution that will be made to meeting the requirements of the NPSUD to provide or realise development capacity. That policy also makes it clear that significant changes to planned urban built form are likely to arise in order to give effect to the NPSUD (such as by providing increased and varied housing densities and types) and that such changes may detract from amenity values but are not of themselves an adverse effect.

The applicant's development proposal is worthy of consent on its merits under the existing AUP policy framework.

However, the proposal also aligns with NPSUD. In particular:

- The proposal contributes to housing affordability by supporting competitive land and development markets, as confirmed within the Economic Assessment and thus aligns with Objective 2.
- The proposal would contribute to significant development capacity and warrants a responsive planning decision in accordance with Objective 6 and Policy 6.
- The proposal contributes to a well-functioning urban environment and provides of a range of housing types and justifies a supportive planning decision as per Policy 1.
- The change in urban form associated with the proposal is supported by Policy 6.

Overall, the general design quality, density, efficiency of land-use, as well as the reduced reliance on carparking in favour of public transport and sustainable travels modes is consistent with and advances the purpose and policies of the NPSUD also. In that respect, it is clear that the NPSUD requires and supports the type of 'step change' in planning for urban areas that are experiencing rapid growth which Project Stellar provides.

National Environmental Standard for Assessing and Managing Contaminants in Soil

The NES Soil is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, that the land is remediated, or the contaminants contained to make the land safe for human use.

Resource consent as a controlled activity is required under the NES Soil. The proposal will not have any adverse effects arising from contamination toward human health.

Part IX: Purpose of the Act

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

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

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

Project Stellar squarely gives effect to the purpose of the Covid Fast track Act, in particular by providing significant and urgent public benefits in respect of employment and economic development and housing. This is discussed at length within the Economic Assessment and below.

With regard to employment, the land development works will provide significant fulltime employment; from design and consenting, to preparing the site for development, project management, construction of the buildings and infrastructure to marketing / tenancing. The **attached** economic assessment estimates that the regional economic impacts (with regards to employment) and inclusive of flow on effects would amount to average employment of 280 people FTE per year for four years, with the national total rising to 362 people FTE per year for four years. Breaking the project into stages, the economic assessment estimates that (nationally):

- In 2022-2023, 104 direct FTE jobs will be created in the planning/design/consent stages, with a further 55 FTE jobs created indirectly in sectors that support planning/design/consent.
- In 2023, 31 direct FTE jobs will be created in the earthworks and local infrastructure stages, with a further 41 FTE jobs created indirectly in sectors that support earthworks and local infrastructure.
- In 2023-2025, 118 direct FTE jobs will be created in building construction, with a further 324 FTE jobs created indirectly in sectors that support building construction.

Notably, a large number of these jobs would be in construction, an industry that was affected by Covid-19.

On completion, the proposed development will provide for some ongoing employment. This will include those involved in managing the site, as well as building maintenance, upkeep and gardening servicing, building servicing, along with employees within the dedicated commercial spaces proposed. This is in addition to the employment discussed above.

The proposal will provide strong demand for labour, particularly in the short term (i.e., over the next four years). This can potentially be filled by workers that have lost their jobs to Covid-19. As well as this, the significant economic benefits associated with the project including the one-time boosts in GDP and additional household incomes, not to mention the ongoing household spend generated by the new dwellings, will contribute to the post Covid-19 recovery. As well as jobs, the **attached** economic assessment estimates that, over a three to four year period, including flow on effects, that the development could have additional (to employment) national impacts of:

- A one-time boost in national GDP of nearly \$160 million; • Additional household incomes of \$73 million.

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

Project Stellar squarely gives effect to the purpose of the Covid Fast track Act, in particular by providing significant and urgent public benefits in respect of housing, while strengthening environmental, economic and social resilience and avoiding significant adverse environmental effects.

Of note, the DTB has a long history of supporting communities through its role in supporting Dilworth school. Since its inception, the school has provided over 5,000 boys with a life-changing scholarship that includes free tuition, accommodation, meals, and pastoral care. The proposed build-to-rent development will be held long term by the DTB and will provide sustainable long-term income with which to fund the ongoing operations of the School, enabling the DTB to continue to contribute positively to the community by providing education and opportunities for boys who might not otherwise be in a position to receive the opportunities that Dilworth provides.

The proposed development is directly across the road from the school's Senior Campus, and will provide learning opportunities for boys who are interested to learn about development or construction. As an example of how this will occur, current construction projects on the school grounds are allowing monthly site visits for boys who are interested in construction. Much of this will be spend into industries affected by Covid-19 (i.e. retail, construction and the like).

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

It is estimated that by using the Covid Fast-track Act processes that the project will process between 6 and 12 months faster than via the traditional RMA consent process.

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:

Discussed above under economic benefit.

Housing supply:

Project Stellar will supply approximately 200 new, high-quality homes to contribute to the housing supply in Auckland with a range of apartment typologies. Being a build-to-rent model, the homes will better meet the needs of the tenant, provide tenure certainty and high levels of amenity (with extensive communal facilities, a concierge, onsite handyman and the like).

With respect to tenure certainty, the DTB intends to provide residents with the option to stay as long as they like by offering long term leases if desired by the residents. Residents will have cancellation rights of one to three months' notice while Dilworth as Landlord will choose to have limited rights (other than legal recourse). While there is a clear commercial interest in doing this, this also provides both flexibility and security in tenure as an alternative to home ownership for residents. As an example, it will allow children to remain in the same schools for the duration of their schooling and encourages the building of a community within the development.

Notably the site is located in the Auckland Double Grammar Zone. This is one of the most sought-after areas in Auckland. The site is easily walkable to a number of amenities, reserves, and the New Market Metropolitan Centre. The location is therefore an attractive place where people want to be and therefore creates an opportunity to grow and develop the existing community through efficiency of natural and physical resources.

The range of housing typologies proposed will also provide more housing choice in an attractive area at a time when house prices are rapidly escalating and moving beyond the reach of many Auckland residents. Apartment formats in particular provide an affordable option (including as rentals) due to the smaller lot sizes and the resultant lower land component in the overall housing cost.

Contributing to well-functioning urban environments:

The proposed development will contribute to a well-functioning urban environment. It provides for increased residential density around centres and transport facilities. This will improve the functioning and vitality of these centres, support local businesses (noting that the attached economic report identifies that households will spend an estimated \$6.7million dollars per annum on core retail goods) and improve the efficiency of infrastructure and public transport use. The increased density also offers opportunities for improved community and social interaction, both within the development's 'community' itself, and within the surrounding area.

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

NA

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

The proposal will enhance biodiversity at the site, and improve existing (and historic) ecological corridors between maunga through extensive planting, comprising largely native species dominant within remnant forest in the area. The proposal will also provide for an incremental improvement in water quality, through water conservation and re-use and reduction in stormwater generation (increase of pervious areas).

Minimising waste:

NA

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

The proposal contributes to improved environmental outcomes and contribute positively to achieving a low emissions economy. The high-density residential use in a central location combined with reduced car parking numbers (less than one per dwelling) as well as bike parking and EV charging supports sustainability aspirations and contributes to encouraging a mode shift away from the private vehicle. Likewise, the design of the building (for example its long design life, water re-use and proposed energy efficiency design) will achieve positive sustainability and environmental outcomes.

The applicant has a strong focus on providing homes that are the equivalent of 6-star home, with a sustainability focus a key objective in the design. Notably, the design of the buildings has been thermally modelled and has been identified as being close to meeting passive house standards (refer **attached** Initial Passive House Design assessment). Work is still being undertaken to confirm whether passive house is achievable (including cost implications), however this demonstrates the naturally high-performing design of the proposed buildings. As an example, the proposed services including use of a heat pump domestic hot water system (rather than a hot water cylinder in each dwelling). As well as the environmental benefits, this is expected to provide an annual savings to the residents of 6.090 kWh/a or \$31,2440 per annum.

Promoting the protection of historic heritage:

NA

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

NA. Although the proposal ensures that the risk of natural hazards (flooding and overland flow) are not worsened and that future occupants are not put and undue risk from these hazards.

Other public benefit:

Discussed above.

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

The proposal provides a high-quality urban design response to the site without creating significant adverse effects on the environment, and while achieving genuine environmental and economic sustainability and supporting ongoing social and community improvements.

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, beyond those that apply to all land. The site and surrounds are subject to natural hazards in the form of overland flow paths and a flood plain. However, these hazards can be appropriately managed by engineering solutions such as ground recontouring and drainage works, as confirmed in the Infrastructure Report.

The **attached** geotechnical report has confirmed that the site is suitable for the proposed development and that there are no known geotechnical risks that cannot be mitigated by the measures proposed. The Geotechnical Report confirms that the site has a low risk of liquefaction.

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	<p>The DTB has not had any compliance or enforcement actions taken against them.</p> <p>The DTB has undertaken several development activities across its property portfolio. The majority of the most recent are located on the Dilworth School campus, and include:</p>

	<ol style="list-style-type: none"> 1. New Junior Campus sports centre (2019); 2. Extension to Junior Campus boarding houses (2020); 3. Extension to Senior Campus sports centre (2022); 4. New Isabella Dilworth Residence, Junior Campus (2022); 5. New Senior Campus boarding house (current under construction); 6. Staff housing, Junior Campus (currently under construction). <p>The last completed commercial property development undertaken by the DTB was a multilevel commercial building completed in the early 2000's and located at 71 Great South Road. This is currently leased to the New Zealand Blood Survive.</p> <p>The applicant is also currently seeking resource consent for another build-to-rent proposal (86 units). This project (Project Larson) is currently being considered by the Auckland Council (it was publicly notified on 28 May 2022).</p>
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Part XII: Declaration

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

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

Michael Campbell

23/06/2022

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.