

Released under the provision of
the Official Information Act 1982

19 November 2021

The Minister for the Environment
c/o The Environment Protection Authority
Private Bag 63002
Waterloo Quay Wellington 6140

Dear Minister Parker,

We are responding to your invitation for comments on an application before you for referral to the Expert Panel under the COVID-19 Response (Fast Track Consenting) Act 2020.

The application is made by Shundi Tamaki Village Limited, and is located at 261 Morrin Road, St Johns, Auckland (LOT 3 DP 549278). Having reviewed the application material provided, Auckland Council has no significant concerns with the proposal.

We make the following key points:

- As a general background, the Council has been in regular communication and discussion with the applicant related to re-development of the Tamaki Precinct. More recently, this has been centred around the consenting of stage 1A and 1B of the development, as outlined by Mr Ross for the applicant in his referral application.
- Related to transport, it is highlighted that the precinct adjoins two important future infrastructure projects being the Auckland Manukau Eastern Transport Initiative (AMETI) as well as the Glen Innes Links Cycleway Initiative (GI Links) by Auckland Transport. For this project specifically, there are no issues in terms how these different projects interact and align.
- Whilst the application material provided in this referral does not contain any infrastructure reporting, based on the assessment provided through the resource consent application to Council for Stage 1B, we can advise that there is sufficient capacity within the wastewater and water supply Infrastructure. Reflecting on the comments from Healthy Waters (dated 16/11/2021) regarding stormwater servicing, whilst requiring confirmation on the details (more on this point below), the site is well serviced from a stormwater standpoint. The proposal can be appropriately serviced from an infrastructure standpoint.
- The Parks department has provided comments on the proposal related to the proposed open space, potential impacts on Morrin Reserve (public open space to the west of the site) both from an amenity standpoint and as well as pedestrian connections between the reserve and the development.
- The proposal is broadly supported from an urban design perspective, based on the strategic location and surrounds which enables the scale and form of development. The cultural design expression of the development, as well as the separation and transition provided from Morrin Reserve to the west, in context of the Stage 1A development already approved.
- There is however a level of concern and recognition given the extent of the height infringement proposed in this project. It is noted that this prominence does not necessarily equate to significant adverse effects and should always be assessed in the context of the relevant policies of the Tamaki Precinct and Business – Mixed Use Zone of the Auckland Unitary Plan. In this specific policy and planning context of the precinct and zone, the Council supports the consideration of the project under the FCTA.

- The Orakei Local Board has provided feedback to this project, opposing the use of the processes under the FCTA. The comments have been reviewed and noted, and it is clarified here that the Council maintains its position that it is appropriate to consider the project under the FCTA process.

The full commentary provided by the asset owners and Council experts are included in this response as attachments 1-4.

I also note the following is an outline of the responses to the specific questions raised to Council.

1. *Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing RMA consenting processes rather than the processes in the FTCA?*

As outlined above, and in the expert planning response dated 17/11/2021, the Council generally supports the project to proceed under the processes under the FCTA.

2. *What reports and assessments would normally be required by the council for a project of this nature in this area?*

A list and some supporting comments related to technical documents that should be provided in support of the application is included in attachment 3 as part of the expert planning response.

3. *Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?*

The Council has undertaken a review of the compliance history of the applicant and its directors for their past projects. A summary of the findings is attached to this letter as attachment 4. In short, there is no compliance history of concern found.

I trust the response as outlined above is of assistance. Should you have any queries, please feel free to contact me.

Yours faithfully,



Ian Smallburn
General Manager – Resource Consents
Auckland Council
Enclosed:

- Comments from asset owners being, Auckland Transport, Watercare Services Limited, Healthy Waters and Parks
- Comments from Council experts for planning, urban design and landscape
- Comments from Orakei Local Board
- Compliance history summary

Asset Owner / Specialist Response

From: Sheryl Yu – Development Engineer, Watercare Services Limited

Date: 17/11/2021

Overall Summary:

The proposed Stage 1B consists of two residential buildings (W4 and W5) located at 261 Morrin Road, St Johns, Auckland, comprising of total 191 dwellings. It includes:

- Building W4 - fourteen storeys with 105 dwellings
- Building W5 - eighteen storeys with 86 dwellings
- Basement carpark (an extension of the Stage 1A basement carpark)
- Shared laneway primarily for pedestrian and cyclists
- Landscaped podium areas consisting of two main courtyards and pedestrian connections to the Stage 1A development

There were no infrastructure reports, engineering plans, capacity assessments, fire/water supply-demand, or information on wastewater flow and connection points provided as part of this application. However, we have reviewed this Stage 1B development based on the documents provided as part of their Resource Consent application.

Under the approved Resource Consent to Auckland Council, Watercare confirmed the Stage 1B development at 261 Morrin Road, St Johns can be serviced by Watercare water and wastewater network. However, beyond this stage, developer needs to work with Watercare on a commercial agreement for the required upgrades and this will be funded by the developer.

Water Supply:

At the time of this assessment, there is a sufficient water supply network capacity along Morrin Road for the Stage 1B development (the proposed two residential buildings). However, further stages of development will require an upgrade depending on the future demand. This will be installed at the developer's cost.

Wastewater:

At the time of the assessment, it appears that there is capacity in the wastewater network to service the proposed Stage 1B development. This has been reviewed and consented under the Auckland Council Resource Consent stage.

Any network upgrades required in the future stages of development will need to be undertaken by the developer at their cost.

Parks Asset Owner / Specialist Response

From: Matt Keyse – Parks Planner

Date: 17 November 2021

Overall Summary:

Background information:

Zone: Business Mixed Use Zone

Overlays: N/A

Controls: Stormwater Management Area Control - OMARU STREAM, Flow 2,
Macroinvertebrate Community Index – Native & Controls: Macroinvertebrate
Community Index – Urban

Precinct: Tamaki Precinct

Designation: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions -
obstacle limitation surfaces, Auckland International Airport Ltd

Parks Planning Considerations

The key considerations of Parks Planning in relation to the application is:

- The impact the development will have on open space within proximity to the site including Colin Madden Park and Morrin Reserve. As the site does not share a common boundary with either of these reserves effects are largely limited to bulk and dominance and shading as a result of the over height buildings proposed.
- Those pedestrian connections within the private site which are proposed to allow for public access.

It is acknowledged that the open spaces proposed within Stage 1B of the development will be privately managed by the body corporation responsible for the development. From a Parks perspective there would be no requirement to comment on these open space areas as they are not for public use other than highlighting it should be clear to users and the public these spaces are private.

Positives of application

From information provided the following positive outcomes from a Parks Planning perspective include:

- The potential bulk and dominance effects resulting from the over height buildings have been considered in the site layout with Stage 1B and associated over height buildings being set back within the development.
- The large buildings will achieve some passive surveillance over Colin Madden Park and Morrin Reserve.
- Shading plans have been provided with the application which show limited impacts on Collin Madden Park (some shading effects will impact Morrin Reserve however).
- Pedestrian connections (some of which allow for public) are provided through the site to allow access to Morrin Road and other public spaces.

Key Issues from a Parks Planning Perspective

The key issue from a Parks Planning perspective with the project going through the COVID-19 Recovery Act 2020 fast track consenting process is not having the correct mechanisms in place to ensure pedestrian connection, which also accommodate for the public, are managed and maintained in a way which ensures they are appropriate for ongoing public use into the future.

Clear identification would also be needed to identify the pedestrian connections are under private management of the body corporate responsible for the development despite allowing public access.

This is so the public and residential users clearly understand the areas they are using are part of the private development and not publicly managed spaces.

Parks would also like to have the opportunity to review any pedestrian crossings proposed across Morrin Road as part of the development. Crossings located inappropriately could create unwanted desire lines across Colin Madden Park. A recently completed (but yet to be adopted) Transport Analysis Report for the area has identified pedestrian crossing generally located around the major entrances to Colin Madden Park which Parks would like to see adopted if crossings are proposed.

Parks Planning information, reports and assessment requirements:

- a) Further information on the body corporation and management/ maintenance responsibilities they will have across areas able to be accessed by the public.
- b) Confirmation of the mechanisms which will be used to allow public access within the site.
- c) Confirmation of how the public users will identify the site is managed privately.
- d) Plans of any proposed pedestrian crossings across Morrin Road.

Overall position of Parks Planning

Overall, it is considered that the development could be suitable from a Parks Planning perspective.

It appears the effects resulting from the proposed over height buildings have been considered in the layout of the development and building design. The shading plans provided show limited impacts on Colin Madden Park due to its location to the northwest. Some shading is identified over Morrin Reserve which has been previously assessed by Parks Planning on review of the original resource consent application lodged with Auckland Council for Stage 1B. Due to the extent of shading, time of day and year shading is at its greatest and how Morrin Reserve is used by the public, shading impacts of Stage 1B on Morrin Reserve are not considered significant. As also previously commented on by Parks Planning, while the proposed buildings will be visible from both Colin Madden Park and Morrin Reserve, bulk and dominance effects are not considered to be a major concern due to the separation between the buildings and these open space areas.

Park Planning would like to see more information on the mechanisms to be put in place which allow public access through the site and to identify to users the site is a privately managed. With appropriate mechanisms in place Parks Planning would be able to support the proposed public access as identified within the site. Similarly, any pedestrian crossing proposed across Morrin Road as part of the development could likely be supported by Parks if they aligned with the major entrances of Colin Madden Park.

Should the Environmental Protection Authority (EPA) decide to allow the development to go through the Covid-19 Fast Track process, it is recommended that the proposal address the information requirements identified in this memo so adequate advice can be provided by Auckland Council's Park Planning team to the EPA to assist in their decision-making processes.

Prepared by:


Matt Keyse, Parks Planner, Parks Sports and Recreation

Parks Agency Lead:


Hester Gerber, Parks Planning Team Leader, Parks Sports and Recreation

Asset Owner / Specialist Response –

261 Morin Road - Te Tauoma

From: Mark Iszard – Growth and Development Manager, Healthy Waters

Date: 16/11/2021

Overall Summary:

1. Generally, the site is well serviced for SW with public SW networks located along the north eastern boundary of the site as well within the south western area of the application site.
 - a. No infrastructure report or SW assessment has been provided with the application documents provided to Council for review (*although we note the applicants advised that one is available on request*).
 - b. The site is also subject to a live consent application with Council under which a infrastructure report and stormwater management plan by the same consultant and for the same entity as referred to in this fast track referral has been submitted. We remain unable to confirm if this is the same document, though given the circumstances we believe the information Council is currently assessing would likely reflect the same stormwater management principals and outcomes as would be found in the reports available on request.
2. As the development is proposing to connect to the public SW network as well as vest new infrastructure with Auckland Council, a stormwater management plan (SMP) is required to be prepared and authorised by Healthy Waters to authorise connection to the public SW network under HWs regional stormwater Network Discharge Consent as a brown field large site (greater than 5000m²). <http://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc>.
 - a. This will require that the site meets the requirements set out in schedules 2 & 4 of the Network Discharge Consent which seek to manage quality, hydrology, and flooding within the development area.
 - b. The applicant is currently progressing this request to be authorised under Councils Network Discharge Consent and we anticipate that they would continue with this process to enable the stormwater discharges and stormwater outcomes to be consented.
 - c. Through this ongoing engagement Healthy Waters are seeking amendments and changes to the proposed stormwater management for the site that would better reflect the need and desire to achieve a more integrated stormwater management approach that a development of this scale and environmental focus affords.
 - i. We would welcome the opportunity to continue to work with the applicant and the fast track consenting team to ensure that the final outcome of the development form can also achieve the necessary and integrated stormwater management outcomes to allow the development to be authorised under Councils stormwater network discharge consent.
- 3.

State if any important information is missing, and if so how this may affect your considerations.

4. As noted above point 1a above, no SW or infrastructure report has been provided by the applicant and as such we are unable to provide any definitive analysis or review of their proposal outside of the existing information that has been provided under LUC60370100.
5. The site falls within a SMAF zone under the chapter E10 controls of the AUP. These controls seek to protect and enhance Auckland's rivers, streams and aquatic biodiversity in urban areas. Control E10.6.4.1 would likely apply to this site as it is a redevelopment of existing impervious area. Accordingly, the proposed stormwater management may need to consider managing stormwater for the total site area to achieve the required hydrology mitigation.

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Auckland Transport Response

From: Tessa Craig, Major Developments Interface Lead

Date: Wednesday 17th November 2021

Overall Summary:

Thank you for the opportunity to provide comment on the referral of Te Tauoma Stage 1B for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The site falls within the Tamaki Precinct which aims to ensure the comprehensive development of the wider Tamaki area. Morrin Road is a collector road which provides for one-lane traffic in both directions and unrestricted on-street parking on both sides of the road. Although the wider site also has frontage to Merton Road, the Tamaki Precinct provisions restrict vehicle access in that location.

The proposed development creates an opportunity to enhance pedestrian and cycle access to the nearby Glen Innes rail station and town centre from and through the subject site, not just for future residents, but also for the wider neighbourhood.

In particular, it is considered that the role of the subject site is to reinforce the adjacent Glen Innes Town Centre as a focal point for the community (AUP(OP) Mixed Use Zone Objective H13.2(2)) and contribute positively towards a sense of place (AUP(OP) Objective H13.2(3)). The Tamaki Precinct also envisages how the proposed development will connect into the wider movement network, including cycleways, pedestrian connections, and the possible Te Horeta Road Extension.

The Auckland Manukau Eastern Transport Initiative (AMETI) is a group of projects that will give residents of South Eastern suburbs improved transport choices and improve connections to other parts of Auckland. The full length of the wider site eastern boundary adjoins the Auckland Transport designation for a road extension that has been identified as an option to provide improved access between Glen Innes and Panmure. As later stages of the site develop, the Applicant will liaise with Auckland Transport's project team to align the development approach for each stage (including the access strategy) with the emerging plans for the AMETI corridor. Given the location of the AMETI designation relative to Stage 1a, AMETI will have no direct bearing on the proposed development.

The GI Links Cycleway initiative by Auckland Transport (including a cycleway and pedestrian walkway along Morrin Road) will run past the subject site and is currently planned for construction. As the development will lead to a direct and significant increase in trips by vehicles, pedestrians and cyclists, the upgrades proposed to the site frontage as part of the GI Links project is key to the success of the development, especially when considering the high level of active mode amenities envisaged by the Tamaki Precinct Plan. The development will need to ensure priority for active modes at the site access points.

Auckland Transport has been involved during the processing of the resource consent (Auckland Council reference LUC60370100) for the same proposal as is now applied for under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (The resource consent is now on hold pending the outcome of the fast-track referral decision).

It is considered that a development of this nature can be reasonably expected in the Business Mixed Use Zone, as indicated by the Restricted-Discretionary status of the proposal. From a transport perspective, the proposed development exceeds the trip generation standards of the transport chapter (E27) of the Auckland Unitary Plan, Operative in Part (AUP(OP)).

The application material submitted, refers to a Traffic Impact Assessment and Integrated Transport Assessment (prepared by Mott Mac Donald), available on request. It is assumed that these documents are the same assessments submitted with the resource consent to Auckland Council, which Auckland Transport have reviewed. However, as it has not been possible to confirm that this is the same material, it is requested that, should the Project be accepted for fast-track consenting, the full application material include the Traffic Impact Assessment and Integrated Transport Assessment (ITA) referred to by the Applicant.

It should be noted that the access to the site at 'Gate A' is to be treated as a vehicle crossing, rather than an intersection, until future stages of the development occur, and a full intersection treatment is formed. Some basic improvements are likely to be required to mitigate potential effects on pedestrians and cyclists across the access, until such time that the need for a formal upgrade to an intersection is triggered.

Specialist Response - Urban Design

From: Sheerin Samsudeen, Design Review Team Lead, Auckland Council

Date: 17.11.2021

Overall Summary:

From an urban design perspective, I consider the proposed Stage 1B of the **Te Tauoma** master planned development to be an appropriate use of the site and its characteristics; and is generally consistent with the Mixed Use (MU) zone provisions in the Auckland Unitary Plan (AUP) and Tamaki Precinct.

The proposal infringes the overall height by up to 37.25m and has the potential to create a greater bulk and intensity than normally anticipated within the MU zone. The proposed buildings W4 and W5 rise up to 14 and 18 levels respectively above a podium structure. The maximum height of the W4 building is 46.35m and W5 building is 61.05m above the landscaped podium level. Notwithstanding the significant height infringements, the development will be appropriate for the site and its context mainly for the following reasons:

- Stage 1B is part of the comprehensive redevelopment masterplan for the site. It maximises the site's potential for residential intensification with a tower typology, due to its strategic location and the absence of sensitive adjoining land uses.
- In principle I support the masterplan's vision of 'Towers in the park' that provides opportunity for residential towers of greater heights to achieve a compact urban form whilst incorporating generous and well-designed open spaces to support the residential amenity on site. The overall design approach is to create a stepped form from the surrounding public realm to the site's central parts which I consider to be appropriate to manage the effects of the Stage 1B Towers, which are the tallest buildings of the masterplan.
- A unique aspect of the masterplan is the bicultural coalescence and the core role of Mana Whenua sought by the applicant resulting in the gifting of Te Tauoma name for the project. The engagement includes a Cultural Design Team involving architecture & landscape advisers and iwi artists that led to the creation of Te Mana Motuhake o Te Tauoma (Cultural Masterplan) that embodies the project values and principles.
- The masterplan including Stages 1A and 1B involved a very extensive engagement with Council's urban design unit through design workshops and dedicated Auckland Urban Design Panel (AUDP) reviews to arrive at high quality urban design outcomes for the Stage 1B towers in particular. From an urban design perspective, the outcomes as proposed are supported in principle and endorsed by the AUDP including a Ngā Aho member on the panel providing Maori design perspective. The Panel and Council's support for the significant height and profile of the two towers is based on achieving architectural creativity and design excellence underpinned by the cultural expression.
- It is my view that the two towers with the highest overall heights located behind the row of Stage 1A buildings and closer to the Colin Maiden Park provide appropriate transition along Morrin Road. The siting of this stage assists with generous separation distances between towers and ensure good solar access to courtyards and communal areas at the podium level. The internal layout of the two Towers with dual aspect apartments and mix of apartment sizes are pertinent to ensure amenity and flexibility for future residents. The environmental responsiveness sought by the proposal to achieve Homestar rating is positive.
- The design has progressed further with a cultural design expression since the last urban design review associated with the Section 92 assessment. The mana whenua design

narratives integral to the facade treatment of the two towers and the surrounding communal outdoor spaces will add to the richness and contribute to a strong sense of place. It is fundamental that Mana Whenua and Shundi continue to work together to honour excellence in design and cultural expression to realise the overall masterplan vision. In particular,

- the height variation between the two towers with the tallest built form for W5 to address shading to surrounding public realm as well as to provide skyline variation as viewed in the wider context.
- overall façade design to feature light contemporary glass curtain walls to the north and finer grain wall panel and window detailing to the south incorporating a cultural layer to emphasise vertical elements and break down the potential slab form into smaller sections.
- the quality of the building design achieved by differentiating the base, middle and recessive top sections mediating pedestrian scale, immediate context and long-range views. The legible pedestrian entrances and human scale experience achieved at the ground /podium level with an integrated landscape design response.
- visually interesting cultural manifestation to facade design through a combination of architectural modulation including recessing and projecting balconies, planter boxes and green walls, varied materials and colours together articulating a range of scales.

Further Information:

The application outlines a number of other assessments but not included in the application. Of particular importance is the 'Landscape and Visual Effects Assessment' relevant to the wider context.

Stage 1B completes the block associated with Stage 1 of the masterplan. This stage does not have any public interface however defines the shared laneway along its eastern interface. This shared laneway is part of the wider project that includes provision for publicly accessible pedestrian and cycle routes through the site connecting Morrin Road, Merton Road and the future AMETI corridor, with publicly accessible open spaces within the project to be delivered as part of future stages. In relation to this,

- A comprehensive signage and lighting strategy is important in relation to pedestrian and vehicle entrances, accesses and wayfinding.
- Clarification on the long-term outcome associated with retaining wall along B730 (718RC-S1B-210, Section across Share Path B-B) that seem to block the potential north-south potential public pedestrian route as envisaged in the masterplan.

Masato Nakamura

From: Ainsley Verstraeten
Sent: Monday, 15 November 2021 1:08 pm
To: Sheerin Samsudeen
Cc: Masato Nakamura
Subject: Tamaki Park city - Fast Track

Categories: Green Category

Hi Both,

My capacity has changed recently with Env Crt proceedings being postponed.

I have also had a chat with Peter K regarding this going to fast track at our team meeting this morning. From a landscape perspective – based on Peter’s opinion throughout the pre application stage and his comments in his recent S92 response I think it would be appropriate to tick a red flag for landscape effects (significant effects) and I would just include the following paragraph from his S92 request.

My preliminary opinion remains that the proposal, which includes relatively bulky building forms at height, is likely to result in at least high adverse landscape and visual effects; primarily in relation to the maintenance of visual integrity for Maungarei within the localised landscape.

Many thanks

Ainsley

**Remember, during lockdown
it's not business as usual.**

We all cope differently. Our personal wellbeing
and that of our whānau is the most important thing.

For wellbeing support and information,
find out more on Kotahi.



17 November 2021

From: Masato Nakamura, Principal Project Lead, Premium Resource Consents

To: Ian Smallburn, General Manager, Resource Consents

Te Tauoma Stage 1B: 261 Morrin Road, St Johns, Auckland - Expert Planning Feedback

Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing RMA consenting processes rather than the processes in the FTCA?

From a planning perspective, I see no issues with the project being assessed under the FCTA process. I have also summarised the points made by the different asset owners and specialists. I outline this as follows:

- In terms of the built form, the proposal has been reviewed by Ms Sheerin Samsudeen who supports the proposal from an urban design perspective. This support is based on the strategic location and surrounds which enables the scale and form of development. Further, Ms Samsudeen has noted the cultural design expression of the development, as well as the separation and transition provided from Morrin Reserve to the west, in context of the Stage 1A development already approved. In this specific location, the proposal for a residential tower within a park setting is appropriate.
- The proposal has been identified as being having the potential for significant adverse effects from a visual standpoint (comments from Ms Verstraeten dated 15/11/2021). I acknowledge and accept that the proposed buildings will be visible and prominent given the surrounding and the scale of the towers proposed. However, this prominence does not necessarily equate to significant adverse effects and should always be assessed in the context of the Tamaki Precinct and Business – Mixed Use Zone of the Auckland Unitary Plan. Based on my review of the objectives and policies under H13.3(1)-(22) and I332.3(1)-(12) there is nothing that would suggest such an exceedance should be avoided or considered acutely adverse. This is subject to ensuring that the adverse effects onto Morrin Reserve and the streetscape of public roads is addressed. This broadly aligns with the recognition in the precinct provision of the opportunity the site presents with the absence of sensitive land uses nearby, the proximity to services and transport routes. Overall, I consider from a planning perspective that while the proposal will be both prominent and visible, the proposal is unlikely to generate significant adverse effects.
- Related to Transport, infrastructure, stormwater, and open space, I adopt and agree with these comments to the respective asset owner inputs provided. I consider any adverse effects generated related to these subject matters are likely to be appropriate specifically to this stage of the development.
- Related to construction effects the application material clarifies that construction of Stage 1A and 1B will occur at the same time. The assessment of noise, vibration and traffic effects generated from the proposal would need to consider the degree to which this proposed construction activity of stage 1B would add to the impacts consented for under Stage 1A. Without this, a full understanding of the construction effects cannot be determined.

Overall, the stage 1B project specifically raises no concerns on being processed under the process specified under the FCTA.

What reports and assessments would normally be required by the council for a project of this nature in this area?

The following technical reporting should be provided for review for consideration of this project:

- Traffic Assessment
- Integrated Traffic Assessment
- Acoustic Report
- Geotechnical report
- Detailed Site Investigation, Remediation Action Plan and Contaminated Soil Management Plan (Contamination related information)
- Wind assessment
- Landscape and visual assessment
- Infrastructure report and Stormwater Management Plan
- Urban design assessment

In terms of wind assessment, I highlight that there has been a difference in interpretation over whether Standard H13.6.8 Wind within the Business – Mixed Use Zone. The Council's position is that the standard is applicable to the ground floor outdoor living areas of Stage 1B.

Stormwater Management Plan as referenced in the comments from Mr Iszard in his comments dated 16/11/2021 is for the purpose of compliance with the requirements of the Council's Global Stormwater Network Discharge Consent. Reflecting comments from Watercare Services Limited, Council would like the opportunity to review and confirm the content of the infrastructure report and SMP reviewed is the same as the assessment considered under the current resource consent with Council.

I also note that there is information requested from Ms Samsudeen (Urban Design). These relate to retaining walls and signage for the development.

Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?

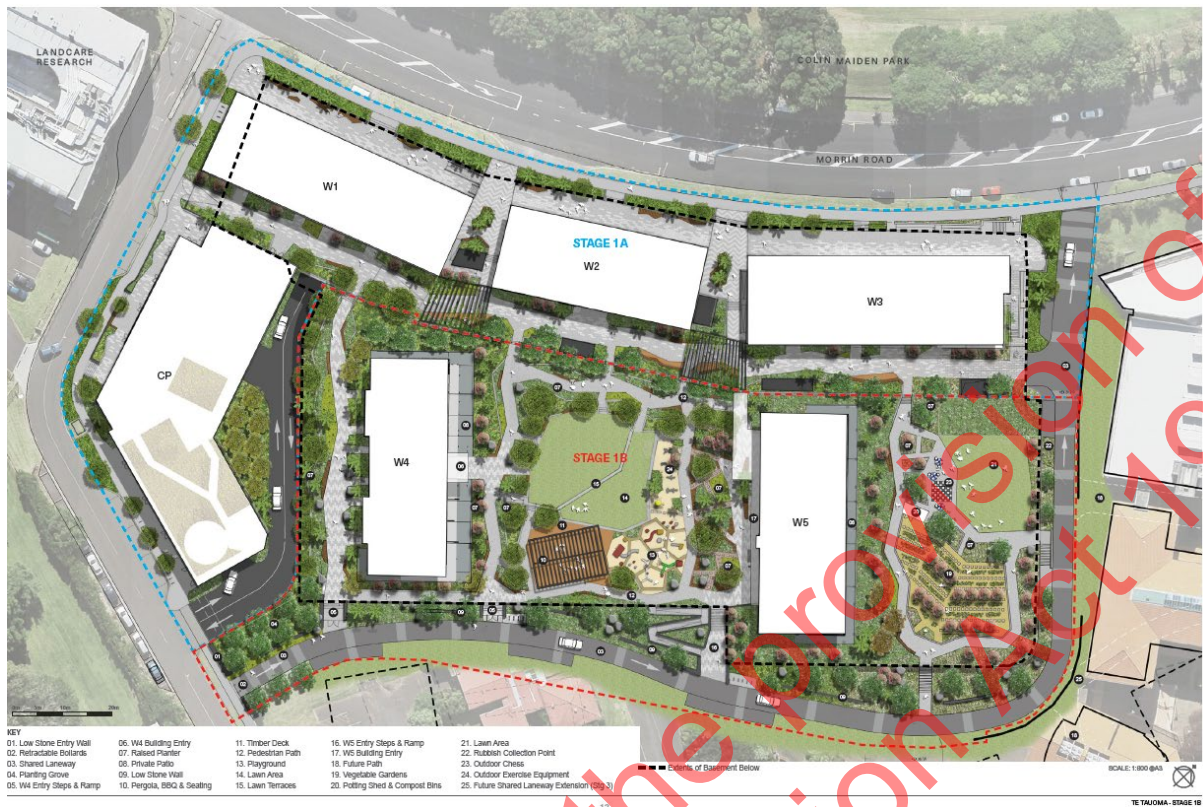
The Council has issued an abatement notice to Shundi Tamaki Village Limited on 07/09/2020 which was complied with on 11/01/2021. Beyond this instance, no environmental regulatory compliance history has been found related to the applicant.

**FEEDBACK FROM THE ŌRĀKEI LOCAL BOARD
ON A TE TAUOMA STAGE 1B – 261 MORRIN ROAD, ST JOHNS
COVID -19 RECOVERY (FAST -TRACK) CONSENTING ACT 2020**

Background

1. Shundi Tāmaki Village Limited are developing the former Tāmaki Campus of the University of Auckland at 261 Morrin Rd, St Johns into a multi-stage residential and mixed-use development that eventually will house over 1,500 households, approximately 11,000sqm of commercial space and over 3,000sqm of retail and food services.
2. The development is master planned over multiple stages and has been conceived as a 'community in the park' and is branded as Te Tauoma, a name gifted to the development by iwi engaging in the project.
3. The project for which this application relates is Stage 1B of the overall development, providing for approximately 191 apartments across two residential towers.
4. Building W4 is a **14-storey apartment** building with an approximate height of RL83.6m (44.92m above existing ground level). It provides for approximately 105 apartments, the indicative mix of typologies including 52 studio dwellings (50 of which are share key units with the 2.5-bedroom units), 51 x 2.5-bedroom dwellings and 2 x 4-bedroom penthouse dwellings.
5. Building W5 is an **18-storey apartment** building with an approximate height of RL99.3m (61.275m above existing ground level). The indicative mix of typologies includes 1, 2, 2.5, 3, 3.5-bedroom dwellings and a 4-bedroom penthouse, with approximately 86 dwellings in total.





General Comments on the Regulatory Environment

6. Local Government is faced with confronting and forthright proposed legislative changes from Central government – which on the initial wave condone the construction of ‘tower like’ developments as per this application.
7. The Board has been consistent in its principles and stance that Central governments imposition of macro-economic planning dictates such as the National Policy on Statement on Urban Development (2020); the repeal of the Resource Management Act 1991; the Government policy Statement on Housing and Urban Development and the Resource Management Enabling Housing Supply Amendment Bill – will not alleviate the housing crisis. If anything, it will set in place fast tracking processes to the detriment of wider communities, densities, infrastructure, and natural environments.
8. The Board see the Covid-19 Fast tracking process – unless strictly monitored – can lead to a ‘backdoor’ entry for developer construction bypassing RMA/AuP processing and due attention.

General Comments about the Covid-19 Fast tracking process

9. The Board does not believe this development is any different from several other larger developments in our area that have proceeded in some form under the Resource Management Act process. While the proposal was deemed eligible for the EPA to consider, we do not believe this development is a short-term measure to help stimulate the economy during the crisis caused by COVID-19.
10. We note that the EPA has, to date, granted approval to projects that are clearly large-scale public projects such as a fast-tracked water reservoir and a cycleway to

stimulate the economy and benefit the wider community. This proposal is different. It is a private concentrated residential apartment development with supplementary commercial activities under stage 1.

11. In a period where housing affordability¹ is a critical macro-economic focus – we note the developer's record of construction is at the higher end of the market (eg. Seascape, Customs Street).
12. The proposal's bulk, scale, and the range of other more than minor effects reflect cumulative impacts which the OLB have consistently challenged across other developments. The cumulative impact of stage 1 and 2 construct which overlook Colin Maiden Park has not been well assessed and evaluated. And this includes landscape, natural surrounds visual impact and the logistical aspects of transport and congested arterial routes.

General Comments about Large Scale Development Applications

13. Local Boards across the region are facing challenges with ensuring developers comply with the new generous provisions of the Unitary Plan. Some will naturally test the Unitary Plan interpretations to give them the best commercial outcome. The Unitary Plan sets out clear zoning (H13.Business-Mixed zone use) and height regulations under section I332 Tamaki Precinct. The challenge for commissioners, if appointed, and the Council is when infringements are allowed, for example, to exceed the stated regulated heights, a precedent is set for other developers to then use to justify their future projects and proposals to this level, and thereby further endorse the "contraventions".
14. The Ōrākei Local Board advocates strongly for the integrity of the Unitary Plan to remain and for the Council to ensure that serious infractions will not be permitted/approved. What is decided and approved now in terms of zoning, height, height in relation to boundary, and other aspects of the Plan will determine what can be accepted in future.

Height, height in relation to boundary

10. The Board is most concerned about significant height infringements in the application and the negative affect of these on community well-being. The community has reason to expect a built environment under the AuP (I332.6.1) – the building height to not exceed 24m in height.
11. The two towers each exceed the permitted maximum building height for the precinct,
 - W4 (total height of approximately 44.92m above existing ground level, indicative infringement of **20.92m**)
 - W5 (total height approximately 61.275m above existing ground level, indicative worst-case infringement of **37.275m**).
12. Over the past few years there have been several major developments where the Board has re-emphasized its views and principles with regards height, bulk, and impact on the surrounding environment as listed below: -
 - Ryman Retirement Village – 223 Kohimarama Road
 - Summerset Retirement Village – St Johns Road

¹ On page 17 of the Market Economics economic impact assessment report – they qualify “...more affordable” in a relative sense. The resulting dwellings may or may not meet existing definitions of affordable housing.

- Oceania Retirement Village – Waimarie Street
- Mission Bay Shopping development – Patteson Ave/ Marau Crescent
- Stonefields apartment building

General comments on the Restricted Discretionary activities

13. The Board notes there are 11 Restricted Discretionary activities which on a cumulative basis will have significant impacts on the community vicinity.
14. The Board notes under AuP standards regulation E27.4.1 and E27.6 trip generation standards are exceeded. The threshold for the trip generation is 100 dwellings; the proposed development is 191 residential apartments.
15. The Board is very cognisant that Merton Road and Morrin Road are intensively utilised arterial routes connecting the eastern Auckland suburbs through to the inner city and we are interested in the modelling undertaken for the transport management plans.
16. The Board has successfully advocated for a precautionary approach regarding other nearby high-rise developments. For example, in 2017, Commissioners agreed with the Board's views regarding the proposed Todd Property development of an apartment complex in Stonefields which would have exceeded the Unitary Plan's height limits and have a negative impact on the surrounding area and the Stonefields Heritage Trail. The Commissioners rejected the application to exceed height limits along the southern perimeter of Stonefields.
17. The Ōrākei Local Board's view is that this development must be considered with the cumulative development activity in the overall area and the consequent impact on our communities. This means our communities are receiving significant change to their built environment. There are several major developments, proposed and underway, in the Ōrākei Local Board's area. These include:
 - Housing NZ and SHA developments in Orakei/Meadowbank
 - Ōrākei Point – Ōrākei Village
 - Kepa Road apartments
 - Caughey Preston – Upland Road
 - Corran School – Remuera Road
 - St Kentigerns Girls school complex – Shore Road

Building for the future

18. The Board notes that Shundi have received resource consents for Stage 1A to proceed. Through the Covid fast track application report there is regular reference to construction work beginning once resource consent is obtained for Stage 1A and 1B.
19. There is also reference to Shundi achieving a potential consent through the Covid fast track process approximately 12 months earlier than under the RMA scenario.
20. The Board cautions the perspective that developers should be using the Covid fast track process merely to bypass resource consenting protocols and due diligence as permitted within the RMA process.

Community capacity - Schools

21. The area of Orakei Tamaki is already under pressure to accommodate residents and families with core facilities such as education, health, and transportation structures. The Board notes in the report that the area will potentially accommodate 72,000 households in 2023 and rising to 93,000 in 2043.
22. The Board notes on page 11 of the Market Economics Ltd report – reference to a primary school design, consent and build phase taking place from 2024 to 2027. If ever there was a core motivation and driver to use the Covid fast track process – it would be to build a school.
23. The Board recommends that the developer bring forward their conceptual design intents for the proposed school and sets its sights on earlier build and delivery to meet the community needs and support future generations.

Impact on Traffic – Merton Road/Morrin Road

24. The Board has been advocating to Auckland Transport and the Governing Body for budget in the Long-Term Plan for a walking and cycling link from Gowing Drive (also known as the One local board initiative -OLI) to the Glen Innes to Tamaki Drive shared pathway.
25. One of the key considerations and drivers for this initiative is that has the potential to remove vehicles and encourage residents living in the Glen Innes/Stonefields vicinity to use the shared pathway.
26. The Board notes that under the Stage 1A design – there includes
 - a. 220 residential apartments
 - b. 3100m² of commercial floorspace across 21 tenancies
 - c. 344 parking spaces and 464 secure cycle parking spaces
27. Within the Covid -19 Fast track application document there is no explicit reference to the number of parking spaces and cycling parking spaces for W4 and W5 apartment blocks. And to that point the Board would advocate the ratio of cycle parks to increase – given the proximity and benefits of the Glen Innes/Tamaki shared pathway.
28. The proposed end game of the construction design is to have 1500 households across the land area – and to that extent the Board encourages more cycling to parking ratios.

Other Stakeholder consultation

29. The Board notes comprehensive engagement with iwi as reflected in the Te Mana Motuhake O Te Tauoma – Cultural Masterplan.
30. All 14 mana whenua entities identified by Auckland Council as having an interest in the area have been contacted. We envisage that a universal endorsement of the project has been or will be received from iwi prior to construction.
31. The Board notes there have been specific conditions for 231 Morrin Road, which is land owned by Landcare Research and occupied by the Ministry of Primary Industries. These conditions relate to noise and vibration, traffic movements, earthworks, and contamination remediation – in relation to Stage 1A. We understand discussion is underway to apply the same conditions to Stage 1B.

Conclusion

The Board as noted at the outset of this summary is concerned that the Covid-19 Fast tracking process alleviates the need for the thorough RMA consenting process. With the number of restricted discretionary activities undertake with a cumulative material impact of a project this size, the Board needs assurance that community, natural environment, transportation, social and infrastructure issues are appropriately addressed.

Released under the provision of
the Official Information Act 1982

SHUNDI TAMAKI VILLAGE LIMITED:

- Abatement notice (ABC21507953) issued on 7 September 2020, notice complied with at 11/01/2021.

Directors:

- Huojun SHAO - No records in SAP.
- Yi SHAO - No compliance history.
- Lijuan ZHU - Notice to Fix (NOT21497001) related to building warrant of fitness issued on 23 June 2020.

Shareholders:

- Shundi Group Investment Limited - See below.
- Shanghai Shenshun Investment Co. Limited - Based in Shanghai.

SHUNDI GROUP INVESTMENT LIMITED:

Directors:

- Same as Shundi Tamaki Village Limited above.

Shareholder:

- Landa NZ Trustee Limited - See below.

LANDA NZ TRUSTEE LIMITED

Directors:

- Same as Shundi Tamaki Village Limited above plus;
- Ying SHAO - No compliance history.

Shareholders:

- Yi SHAO - No compliance history.

07 September 2020

Shundi Tamaki Village Limited
Gilligan Sheppard Limited
Floor 4 Smith & Caughey Building
253 Queen Street
Auckland 1010

ATTN: Huojun Shao

**Abatement Notice for Contravention of the Resource Management Act 1991 (RMA) at
261 Morrin Road, Saint Johns, Auckland 1072.**

On 31 August 2020 I visited the property and observed a commercial carpark facilitated by Wilson Parking New Zealand Limited was operating. A phone discussion with your company's representative Frank Xu on 31 August 2020 confirmed the property is being leased to Wilson Parking New Zealand Limited for commercial car parking and that no resource consent had been applied for, for this activity.

This is a breach of section 9(3) of the RMA and rules in the Auckland Unitary Plan (Operative in Part) (AUP(OP)).

Section 9(3) provides that no person may use land in a manner that contravenes a district rule unless the use is expressly allowed by a resource consent.

Activity Table E27.4.1 rule (A13) of the AUP(OP) provides that short-term and long-term non-accessory parking in the Business – Mixed Use Zone is a restricted discretionary activity and therefore requires a resource consent.

I enclose:

- An abatement notice issued under section 322 of the RMA. Please note the action required and the date by which to complete it.
- Your site will be revisited to check compliance with this abatement notice. Failure to comply with an abatement notice is an offence under the RMA and can incur further enforcement including a fine. Should you have a valid reason for not being able to comply with the timeframe set out in the attached notice, please contact me prior to any deadline to discuss options for extending it.
- If you have any queries, please contact me on 021523519 or at aleisha.fitzgerald@aucklandcouncil.govt.nz.

Yours sincerely



Aleisha Fitzgerald
Compliance Investigator
Licensing and Regulatory Compliance
Encl. Abatement Notice: ABC21507953

ABATEMENT NOTICE



(Issued under the authority of section 322 of the Resource Management Act 1991)

Notice No: ABC21507953

Issue Date: 07 September 2020

TO: Shundi Tamaki Village Limited
Gilligan Sheppard Limited
Floor 4 Smith & Caughey Building
253 Queen Street
Auckland 1010

ATTN: Huojun Shao

Cease / Not Commence

The Auckland Council gives notice that you must cease the following action:

The use of the property at 261 Morrin Rd, Saint Johns, Auckland 1072, as non-accessory parking, in contravention of the Auckland Unitary Plan (Operative in Part) (AUP(OP)).

Location

The location to which this abatement notice applies:

Street address: 261 Morrin Road, Saint Johns, Auckland 1072
Legal description: Lot 1 DP 328428 Comprised in Record of Title 115969

You must comply with this abatement notice by:

02 November 2020

Auckland Council enforcement officers will from time to time undertake inspections to check whether you are complying with section 9(3) of the Resource Management Act 1991, the Auckland Unitary Plan (Operative in Part (AUP(OP)) and this abatement notice.

Further Conditions

This notice imposes the following further condition:

No further conditions apply.

Notice Issued Under

This notice is issued under **Section 322(1)(a)(i)** of the Resource Management Act 1991 (RMA).

Reasons For Notice

You are the owner of the property located at 261 Morrin Road, Saint Johns, Auckland 1072 (the property). The property is in the Business-Mixed Use Zone.

On 31 August 2020 I visited the property and observed a commercial carpark facilitated by Wilson Parking New Zealand Limited was operating. A phone discussion with your company's representative Frank Xu on 31 August 2020 confirmed the property is being leased to Wilson Parking New Zealand Limited for commercial car parking and that no resource consent had been applied for, for this activity.

This abatement notice is issued because in my opinion the operation of a non-accessory car park is a contravention of section 9(3) of the RMA and a rule in the AUP(OP). Such a contravention is an offence.

Section 9(3) states no person may use land in a manner that contravenes a district rule unless the use is expressly allowed by a resource consent. The district rule that has been breached is:

Activity Table E27.4.1 rule (A13) of the AUP(OP) provides that short-term and long-term non-accessory parking in the Business – Mixed Use Zone is a restricted discretionary activity and therefore requires a resource consent.

The AUP(OP) defines non-accessory parking as parking which is the principal activity on the site and is not accessory to any of the approved activities on the site. It may be short or long term.

A review of Auckland Council's records has found no evidence of a resource consent being applied for or granted for the non-accessory parking at the property.

Authority To Issue

Enforcement Authority: Auckland Council, 35 Graham Street, Auckland 1010

Enforcement Officer Identification: Warrant No. 6627

Enforcement Officer Name: Aleisha Fitzgerald

The Enforcement Officer is acting under a warrant of authority issued by the Auckland Council, pursuant to Section 38 of the Resource Management Act 1991, authorising the Officer to carry out all of the functions and powers as an Enforcement Officer under the Resource Management Act 1991.

Signature of Enforcement Officer: 

Date: 07 September 2020

IMPORTANT: PLEASE READ IMPORTANT NOTES ATTACHED

Important Notes

Note: If you do not understand these notes, you should consult a lawyer immediately.

Failure to Comply

If you do not comply with this abatement notice you may be issued with an infringement notice for each occurrence (day) of non-compliance with this notice under Section 343C, or prosecution under Section 338, or the Resource Management Act 1991. (Unless you appeal the abatement notice and the notice is stayed as explained below).

Right to Appeal

You have the right to appeal to the Environment Court against the whole or any part of this abatement notice. If you wish to appeal, you must lodge a notice of appeal in Form 49 with the Environment Court within 15 working days of being served with this abatement notice.

Stay of Abatement Notice

An appeal does not automatically stay the abatement notice and so you must continue to comply with it unless you also apply for a stay from an Environment Judge under Section 325(3A) of the Resource Management Act 1991 (see Form 50). To obtain a stay, you must lodge both an appeal and a stay with the Environment Court.

Change or Cancel Abatement Notice

You also have the right to apply in writing to the Auckland Council to change or cancel this abatement notice in accordance with Section 325A of the Resource Management Act 1991.

Authorisation of Officer

Auckland Council authorises the Enforcement Officer who issued this notice.

Auckland Councils address is:
Private Bag 92300
Auckland 1142

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Auckland Transport
Contact person (if follow-up is required)	Tessa Craig
	Major Developments Interface Lead, Planning and Investment
	Tessa.Craig@at.govt.nz

Comment form

Please use the table below to comment on the application.

Project name	Te Tauoma Stage 1B (the Project)
General comment	Thank you for the opportunity to provide comment on the referral of Te Tauoma Stage 1B for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (Covid 19 Recovery Act). Auckland Transport has been involved during the processing of the resource consent (Auckland Council reference LUC60370100) for the same proposal as is now applied for under the Covid 19 Recovery Act. Auckland Transport understands that the resource consent is now on hold pending the outcome of the fast-track referral decision. It is considered that a development of this nature can in principle be reasonably expected in the Business Mixed Use Zone, as indicated by the Restricted-Discretionary status of the proposal. From a transport perspective, the proposed development exceeds the trip generation standards of the transport chapter (E27) of the Auckland Unitary Plan, Operative in Part (AUP(OP)). The application material submitted, refers to a Traffic Impact Assessment and Integrated Transport Assessment (prepared by Mott Mac Donald), available on request. It is assumed that these documents are the same assessments submitted with the resource consent to Auckland Council, which Auckland Transport have reviewed. However, as it has not been possible to confirm that this is the same material, it is requested that, should the Project be accepted for fast-track consenting, the full application material include the Traffic Impact Assessment and Integrated Transport Assessment (ITA) referred to by the Applicant. Auckland Transport requests that should the Project be accepted for fast-track consenting, the requirement for an ITA is formally stated in the referral order to accompany any resource consent application for the Project lodged with the Environmental Protection Authority. The ITA should ensure that the transportation effects of the development proposal are well considered, that there is an emphasis on efficiency, safety and accessibility to and from the development by all transport modes where practical; and that the adverse transport effects of the development have been effectively avoided, remedied or mitigated. The ITA needs to consider measures to reduce travel demand, how to utilise the existing network more efficiently, and encouragement of other modes. Particular focus on safety cyclist and pedestrian safety and pedestrian connections through to the centre and station should be included. The ITA and application material will also need to clearly identify how the required transport infrastructure is being provided to ensure certainty that the development will meet its network demands.

	Auckland Transport understands that the access to the site at 'Gate A' is to be treated as a vehicle crossing, rather than an intersection, until future stages of the development occur, and a full intersection treatment is formed. Some improvements are likely to be required to mitigate potential effects on pedestrians and cyclists across the access, until such time that the need for a formal upgrade to an intersection is triggered. Safety of, and at this access point will be a key consideration.
Other considerations	Click or tap here to provide any information you consider relevant to the Minister's decision on whether to refer the project to an expert consenting panel.
[Insert specific requests for comment]	Click or tap here to insert responses to any specific matters the Minister is seeking your views on.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

Released under the provision of
the Official Information Act 1982

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Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Watercare Services Limited
Contact person (if follow-up is required)	Sheryl Yu – sheryl.yu@water.co.nz
	Ilze Gotelli- ilze.gotelli@water.co.nz
	Shane Lawton- shane.lawton@water.co.nz

Comment form

Please use the table below to comment on the application.

Project name	Te Taouma Stage 1B
General comment	There were no infrastructure reports, engineering plans, capacity assessments, fire/water supply-demand, or information on wastewater flow and connection points provided as part of this application. However, we have reviewed this Stage 1B development based on the documents provided as part of their Resource Consent application. Under the approved Resource Consent to Auckland Council, Watercare confirmed the Stage 1B development at 261 Morrin Road, St Johns can be serviced by Watercare water and wastewater network. However, beyond this stage, developer needs to work with Watercare on a commercial agreement for the required upgrades and this will be funded by the developer.
Other considerations	Water Supply: At the time of this assessment, there is a sufficient water supply network capacity along Morrin Road for the Stage 1B development (the proposed two residential buildings). However, further stages of development will require an upgrade depending on the future demand. This will be installed at the developer's cost. Wastewater: At the time of the assessment, it appears that there is capacity in the wastewater network to service the proposed Stage 1B development. This has been reviewed and consented under the Auckland Council Resource Consent stage. Any network upgrades required in the future stages of development will need to be undertaken by the developer at their cost
[Insert specific requests for comment]	

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.