

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: 617 New North Road
Application number: PJ-0000859
Date received: 09/02/2023

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

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

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

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

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

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

Part I: Applicant

Applicant details

Person or entity making the request: 617 New North Limited

Contact person: Rory O'Connor

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

76 Gladstone Road, Parnell, Auckland

Address for service (if different from above)

Organisation: The Environmental Lawyers

Contact person: Andrew Braggins

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

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

Postal address:

B:Hive Building, 72 Taharoto Road, Takapuna, Auckland

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.

617 New North Road, Morningside, Auckland, 1021, New Zealand

617 – 619 New North Road, Morningside, Auckland, 1021

See aerial image of the application site below. Also attached as Appendix 1.

Legal description(s):

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

Lot 2 DP 72255. Record of Title attached as **Appendix 2**.

Note: the only instrument on the title is a mortgage, so there are no impediments on the title.

Registered legal land owner(s):

617 New North Ltd

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 has sufficient legal interest in the land to implement the proposed development being the registered legal land owner on the Record of Title.

Part III: Project details

Description

Project name: 617 New North Road

Project summary:

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

Up to nine storey above ground mixed-use building - approximately 34 units visitor accommodation, approximately 44 apartment development and retail.

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.

Proposed project and activities:

Attached in a planning covering letter by Civix, **Appendix 3**.

It is proposed to remove/relocate the existing commercial villa building at the site's New North Road frontage and demolish the existing office building at the Western Springs Road frontage to enable the construction of a nine storey mixed-use building. Proposed uses include a retail tenancy at the ground level of the New North Road frontage, approximately 34 visitor accommodation units over two levels, and approximately 44 dwelling units over five floors. Other amenities include approximately 27 car parking spaces, bicycle and scooter parking facilities and a roof-top outdoor living terrace (as shown on the Architectural Plans, **Appendix 4**, Assessment of Landscape and Visual Effects, **Appendix 5**, the Visual Impact Photo-Simulations, **Appendix 5A**, and annexures 2 & 3 of the Landscape and Visual Effects, **Appendix 5B**.

Vehicle access to the site will be provided via a new two-way vehicle crossing and access to the basements, which is to be constructed adjacent to the northern boundary on Western Springs Road. A separate pedestrian access will also be provided to New North Road from the southern boundary.

The proposal will seek to maximise the yield on site to a level that is in line with the National Policy Statement for Urban Development.

Purpose and objectives:

The objective of designing a multi-use development was to contribute to the well-functioning urban environment through providing an integrated mix of retail, hospitality (visitor accommodation) and housing supply in a location that is exceptionally close to Auckland's main rail network and a high quality bus network.

The purpose of this project to provide additional housing with increased range and affordability within the area. It involves a number of different typologies ranging from studios to three-bedroom units.

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

No staging is proposed.

Consents / approvals required

Relevant local authorities: Auckland Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Subdivision consent

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
No details				

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

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

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Auckland Unitary Plan (Operative in Part)	Chapter H11: Business – Local Centre Zone	Rule H11.4.1 (A44) New Buildings	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter H11: Business – Local Centre Zone (H11.6.1 Building Height) Rule C1.9(2)	Infringement to permitted standards	Restricted Discretionary	Subject site
Auckland Unitary Plan (Operative in Part)	Chapter H11: Business – Local Centre Zone (H11.6.8 Outlook) Rule C1.9(2)	Infringement to permitted standards	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E7: Taking, using, damming and diversion of water Rule E7.4.1 (A20)	Dewatering or groundwater level control associated with a groundwater diversion authorised as a restricted discretionary activity under the Unitary Plan, not meeting permitted activity standards or is not otherwise listed	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E7: Taking, using, damming and diversion of water Rule E7.4.1 (A28)	Diversion of groundwater caused by any excavation that does not meet the permitted activity standards or not otherwise listed	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E12: Land Disturbance – District Rule E12.4.1 (A6) and (A10)	Land disturbance exceeding 2,500m ³ in volume in a business zone.	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E17 Trees in roads Rule E17.4.1(A6), (A8) and (A10)	Tree trimming or alteration of trees in the road that does not comply with Standard E17.6.1 The proposal may involve street tree	Restricted Discretionary	Subject site and adjacent road berm

		trimming or alteration. (A6) Works within the protected root zone that do not comply with Standard E17.6.3 The proposal may involve works within the root zone of street trees that do not comply with the standards. (A8) Tree removal of any tree greater than 4m in height or greater than 400mm in girth. The proposal may involve removal of the trees in front of the site. (A10)		
Auckland Unitary Plan (Operative in Part)	Chapter E25: Noise and Vibration Rule E25.4.1 (A2)	Construction noise and vibration that do not comply with permitted activity standards	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E27: Transport Rule E27.4.1 (A3)	Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access	Restricted Discretionary	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E30: Contaminated Land Rule E30.4.1 (A6)	Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standard E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5	Controlled	Subject Site
Auckland Unitary Plan (Operative in Part)	Chapter E38: Subdivision – Urban Rule E38.4.1 (A4)	Unit Title Subdivision	Controlled	Subject Site
National environmental standard for assessing and managing contaminants in soil to protect human health (NES-CS)	Regulation 9	Disturbing soil and changing use	Controlled	Subject Site
National environmental standard for assessing and managing	Regulation 10	Due to the presence of asbestos concentrations above the adopted human	Restricted Discretionary	Subject site

contaminants in soil to protect human health (NES-CS)		health criteria at one location, future land development is likely to be considered a restricted discretionary activity under Regulation 10 of the NES, where a detailed site investigation has been prepared, and the activity is not permitted or controlled under the NES-CS.		
Auckland Unitary Plan PC79 Chapter E24 - Lighting	E24.6.2(1)(a) to (h)	Unknown if complies as no detailed lighting plan prepared.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan PC79 Chapter E24 - Lighting	E24.9(1)(a) to (e) Special information requirements.	Unknown if complies as no detailed lighting plan prepared.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 - Transportation	E27.6.1(1) & (2) – Trip Generation.	Consent needed for more than 60 dwellings under E27.6.1(c) and Table E27.6.1.1 (T1)	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.2(6) – Bicycle Parking	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.2(8) – Number of loading spaces	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.1 Size and location of parking spaces.	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.2 – Size and location of loading spaces.	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.2(A)(1),(3), (4) – Accessible parking	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.3(2A) – Access and manoeuvring for a 6.4m van.	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.4(!)(a) to (d) – Reverse Manoeuvring.	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site

Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.4A(1) & (2) – Heavy Vehicle Access	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.5 (1)(a) to (d) – Vertical Clearance	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.3.7(1) & (2) Lighting	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.4.3(1)(a) to (d) - Width of vehicle access, queuing and speed management requirements.	Unknown if complies as subject to detailed design	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.6(1) to (3) – Design and location of pedestrian access in residential zones.	Unknown if complies as subject to detailed design.	Restricted Discretionary Activity	Subject site
Auckland Unitary Plan (Operative in Part) - PC79 Chapter E27 – Transportation	E27.6.7(1) – Electric vehicle supply equipment.	Will comply as cables are to be provided to provide for an EV ready capability. However, subject to detailed design.	Restricted Discretionary Activity	Subject site

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.

No relevant applications for resource consent or notices of requirement have been lodged relating to the Site.

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

The titles that make up the Site are owned by the applicant, no other persons are required to obtain any consents.

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:

Archaeological Authority is required, outlined in the Archaeological Assessment, attached as **Appendix 6**. While the 19th century building itself is to be moved and relocated, remains such as building foundations, refuse pits, a well and the remains of associated outbuildings will likely be exposed during earthworks. However, any unavoidable adverse effects on archaeology present on the property can be mitigated through the recovery of archaeological information relating to the 19th century occupation of the house through monitoring and recording. This will require an Authority from HNZPT. Initial correspondence with NZHPT and feedback is included as **Appendix 7 and 8**. See **Appendix 8A** for proposed timing.

While the proposed building is not within a designation, it is adjacent to an Auckland Transport (AT) designation (reference 1609) and so approval may be required under s176 of the RMA for temporary occupation during construction works and realigning services and paving within the designated area. Initial discussions with AT have indicated no significant issues and AT have suggested that temporary works and service relocation will not require a formal s176 approval as the work is not inconsistent with the designation. See **Appendix 9 and 10**.

While the designs do not require the direct removal of any street trees (i.e. the proposed vehicle accesses do not conflict with street trees), the excavation works for the basement will cut through roots from at least one street tree, the most significant being a poplar tree and this work will probably result in the tree having to be removed. A resource consent for work on a street tree will be required and is included in the list of consents required. Auckland Council's urban forest team seems to believe that a tree owner approval is also required and we are seeking to meet with them on that aspect as we do not see that any landowner approval is required in a situation where the works being undertaken are in the Applicant's land. See **Appendix 11**.

Prohibited Activities Analysis attached as **Appendix 12**.

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.

Subject to being advised that this project is to be fast tracked, the following timeframes are anticipated:

- Detailed design: April 2023-August 2024
- Launch marketing campaign: June 2023
- Submit for Building Consent: August 2023
- Submit property for Tender: August 2023
- Seek development funding: November 2023
- Commence site works: March 2024
- Completion: December 2025

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

N/A

Local authorities

Detail all consultation undertaken with relevant local authorities:

Consultation commenced, with feedback expected in February 2023.

We have received confirmation of a pre-application feedback meeting from Auckland Council, confirmed in **Appendix 13**. This confirms the applicant's attempts to discuss the project (and the height exceedance) in the context of the areas current zoning and anticipated intensification once Auckland Council has notified a plan change for the Auckland Light Rail Corridor.

We have also engaged with Auckland Council Urban Forest Team for meetings, confirmed in **Appendix 11**.

Other persons/parties

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

In accordance with S20(3)(h) the following persons/agencies are likely to be affected:

- Auckland Transport

- Watercare
- Albert-Eden Local Board
- Heritage New Zealand
- AC Urban Forests Team
- Adjacent properties as per **Appendix 14**.
- Iwi Authorities

Detail all consultation undertaken with the above persons or parties:

Auckland Transport

A consultation letter dated 6 October was sent to Auckland Transport detailing the project and requesting feedback in accordance with s20(3)(h) of the Covid 19 (Fast Track Consenting) Act 2020, and also seeking a s176 application for potential works within the road widening designation.

Auckland transport's designation team responded, and the application was further discussed. At this stage it appears that no s176 approval is required, as the only works in the designation will be temporary during construction and in the form of underground services, which do not require s176 approval. However, we will continue to review this as the project progresses.

No feedback has been provided yet from the planning team regarding the overall fast-track application.

Copies of correspondence with Auckland Transport are attached as **Appendix 9 and 10**.

Watercare

At this stage consultation has not been undertaken with Watercare, as a detailed design has not yet been prepared. In previous applications Watercare aren't able to provide any substantial feedback until they have detailed design to review. This will be provided in due course.

Albert – Eden Local Board

Initially consultation with the local board was delayed due to the local government elections. A letter has been sent to the local board on 8/11/2022. They have provided feedback at **Appendix 14**.

Heritage New Zealand

An initial pre-application meeting to discuss the villa building at the New North Road frontage was undertaken on the 15th of August 2022. While this building is not heritage scheduled (under either the AUP or the Heritage NZ list), it was initially constructed prior to 1900, so is considered an archaeological site. Therefore, the requirements for an 'Archaeological Authority' application were considered. See **Appendix 7 and 8**.

Further engagement with Heritage New Zealand will occur in the near future.

AC Urban Forests Team

As noted above the proposal will likely require the removal of an existing street tree along the Western Springs Road frontage, contact has been made with the Auckland Council's Urban Forests Team. An initial meeting is sought to discuss mitigation options, noting that it is likely that the proposed earthworks will impact the root zone of the tree, which will ultimately require the tree to be removed. See **Appendix 11**.

Adjacent Properties

Feedback has not yet been sought.

Iwi authorities

Consultation with iwi has been undertaken per the consultation schedule in **Appendix 16 and Appendix 16A**, and detailed below.

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
Ngāi Tai ki Tāmaki (Ngāi Tai ki Tāmaki Tribal Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Maru (Ngāti Maru Rūnanga Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Pāoa (Ngati Paoa Iwi Trust and Ngati Paoa Trust Board)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Tamaoho (Ngāti Tamaoho Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Tamaterā (Ngāti Tamaterā Settlement Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Te Ata (Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohū)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Whātua o Kaipara (Nga Maunga Whakahi o Kaipara Development Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Ngāti Whātua Ōrākei (Ngati Whatua Orakei Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Te Ahiwaru - Waiohū (Makaurau Marae Māori Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Te Ākitai Waiohū (Te Ākitai Waiohū Iwi Authority)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Te Kawerau a Maki (Te Kawerau Iwi Settlement Trust)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Te Runanga o Ngāti Whātua	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Waikato - Tainui (Te Whakakitenga o Waikato Incorporated)	4/11/2022 Introduction email, letter and application plans sent, seeking input.
Te Patukirikiri* (Te Patukirikiri Iwi Trust)	*Site is located very close to the iwi boundary.

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

Treaty settlement entity	Consultation undertaken
No details	

Treaty settlements

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

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

N/A – the site is not treaty settlement land.

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

Customary marine title areas

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

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

N/A the site is not in the CMA.

Protected customary rights areas

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

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

N/A – the site is not in the CMA.

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.

Adverse effects

Refer to **Appendix 3** for the planning assessment addressing adverse effects.

In summary, the identified key potential adverse effects associated with the proposal are:

- Landscape and visual effects from the proposed building, particularly as it infringes maximum height;
- Residential amenity effects from the proposed new building and activities;
- Traffic effects from traffic generation (noting that only a limited amount of parking is provided) refer to **Appendix 17 & 18**;
- Earthworks and construction effects associated with the development phase of the project – i.e. noise, vibration, construction traffic, site remediation and dust and dewatering; Noise attached as **Appendix 18** and
- Infrastructure effects in terms of wastewater and water supply demand and capacities, and stormwater discharges, attached as **Appendix 19**.

It seems likely that the potential urban design effects arising from the proposed building being over-height will be the most significant issue. **Appendix 3** (the planning assessment) provides useful detailed summary explaining why these effects are not significant. The key findings are:

In relation to **Appendix 5**, the Assessment of Landscape Visual Effects, the key findings on Visual Character and Landscape effects are:

“The development would be highly visible from various locations in the surrounding urban environment due to its height, form, and scale. The proposal would, however, enhance the streetscape and interface with both New North

Road and Western Springs Road through the interactive street frontage and passive surveillance afforded by the apartments outlook over the streets. The proposed development would provide an attractive and interesting frontage to the surrounding streets and potential adverse effects on the amenity of the streetscape have been appropriately avoided.

The visual amenity effects on the environment that result from the scale and form of development would be managed through the architectural design and detailing of the building. The development would ensure a quality and design that would positively contribute to the visual quality and interest of the surrounding streets, commercial and residential area.

The building would have minimal adverse landscape or visual effects and could be readily accommodated in the prominent location adjacent to New North Road. The architectural design of the building has reduced the bulk and scale of the building and addressed the prominent site in a sensitive and appropriate manner.”

In relation to **Appendix 20**, the Urban Design Memorandum, the key findings on Amenity, Neighbourhood Character and Streetscape are:

- “Being a through site with two road frontages, the Site presents opportunities to provide high density residential activity in a way that can reduce the extent of outlook and orientation along the side boundaries (towards neighbours) than is the norm. The two roads also provide separation distance from neighbours on two sides.
- The Site is in a local centre directly adjacent to a train station, offering excellent access to the wider urban area. The Site is also directly adjacent to an approximately 15ha Business Mixed Use and Business Light Industry zone employment area. Eden Park and Fowlds Park are also within a convenient walk of the Site. In summary it is a ‘textbook’ Site for substantial intensification...
- Based on the design process undertaken, in my opinion the concept has been rigorously tested by the consultant team. It will result in a good-amenity, good quality intensive development on an area of land well-suited to that.”

The visual amenity effects on the environment that result from the scale and form of development would be managed through the architectural design and detailing of the building (Attached as **Appendix 4**). The development would ensure a quality and design that would positively contribute to the visual quality and interest of the surrounding streets, commercial and residential area.

Overall, the visual and landscape effects of the proposal were concluded to be entirely acceptable in this urban context. The proposed apartment building could be visually accommodated within the landscape without adversely affecting the character, aesthetic value and integrity of the surrounding environment.

Greenhouse Gas Assessment

A specific Greenhouse Gas Assessment can be undertaken should the application be accepted for referral to the EPA and is required. However, the proposal is not expected to generate significant adverse effects relating to greenhouse gas emissions and it is understood that this is now generally not required.

Contamination Report

The contamination report, attached as **Appendix 21**, identifies that the site is a HAIL site, but that the concentration of contaminants does not exceed the criteria for protection of human health and no further investigations are required. The effects of disturbing contaminated earth can be managed through compliance with the management plan.

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 (NPSUD)_ The NPSUD was gazetted on 23 July 2020 and is effective from 20 August 2020. It replaces the National Policy Statement on Urban Capacity 2016. The NPSUD sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991 and **seeks the provision of sufficient development capacity to meet the different needs of people and communities.**

It contributes to the Urban Growth Agenda (UGA) which aims to remove barriers to the supply of land and infrastructure to make room for cities to grow up and out. The NPSUD does this by addressing constraints in our planning system to ensure growth is enabled and well-functioning urban environments are supported.

The MFE website on the NPSUD states that it contains objectives and policies that Councils **must give effect to in their resource management decisions**.

The NPSUD sets out time frames for implementing objectives and policies for three “Tiers” of Councils, with Auckland Council being a “Tier 1” Council.

The summary structure and timeframes of the NPSUD are:

- Objectives and policies take **immediate effect**;
- Plan changes implementing intensification policies must be notified within two years for Tier 1 and 2 Councils, although Housing and Business Assessments (HBAs) on capacity, and Future Development Strategies (FDSs) to inform plan changes, are required to be completed in time to inform 2024 long term plans;
- Plan changes are to follow as soon as monitoring of development supply against demand is completed (being annually), with plan changes to supply additional capacity where needed to be provided within 12 months of the relevant monitoring report. This means new rules in Council plans addressing additional supply are in the order of six years away;
- Planning is required to be **responsive to proposals addressing development capacity**, including unanticipated or out of sequence development; and
- Councils are required to prepare a Future Development Strategy (FDS) every six years and update them every three years and provide an implementation plan for their FDS.

While the timeframes for plan changes implementing **rules** through plan changes are some way off, the NPSUD requires adequate **consideration of its objectives and policies now**. In this regard, there are several objectives and policies in support of intensification satisfying certain criteria such as:

- Provision of a variety of homes in terms of price, location, and different households.
- Proximity to urban centres or rapid transport.
- Supporting reductions in greenhouse gas emissions.
- Responding to the effects of climate change.

The overall intent of the NPSUD is clear in that where intensification is practical, Councils are required to be responsive to such proposals – **particularly in relation to proposals that would supply significant development capacity**, as set out in **Objective 6, Policy 6, and Policy 8**. The proposal will result in a number of benefits, including the provision of 44 apartment (dwelling) units, which will contribute to the choice of those seeking housing in the area, along with 34 visitor accommodation units and a retail tenancy. A range of apartment typologies are proposed, which will contribute to housing choice and affordability in the area, while the accommodation units are well located to support large events at Eden Park, which is the largest stadium in New Zealand and is located a short walk from the site.

The site is excellently served in terms of rail services (being within 150m of Morningside Railway Station) and frequent bus services, which provides access within 20 – 25 minutes to a range of employment centres including the City Centre, Newmarket and New Lynn. The site is also within the Morningside Local Centre, which contains convenience stores and food and beverage retail, and is within a 10 - 12 minute walk of Kingsland Local Centre and St Lukes Town Centre, the former of which includes a number of restaurants and entertainment facilities and the latter of which contains a supermarket and a wide range of small and large format retail stores. Other amenities in the area include Fowlds Park, School Reserve and Mount Albert Primary School. As such, the site has excellent accessibility to the public transport network, employment opportunities, community facilities and parks/open spaces and is therefore an appropriate

location for higher density residential development. While the proposed design provides more intensive residential development than is currently anticipated in the LCZ, this approach strongly aligns with the outcomes anticipated under the NPS-UD. Residential infill and intensification are a known and accepted method for reducing carbon emissions in cities and is recognised as such in the government's Emissions Reduction Plan and the Transport Emissions Reduction Pathway (TERP). In addition, the development will contain provision for alternative modes of transport, including bicycle and scooter parking.

Residential intensification of the site therefore strongly aligns with the government directions as set out in the NPS-UD for urban intensification to occur in locations that would achieve a compact urban form and well-function urban environment.

National Policy Statement for Fresh Water Management 2020

This sets out the objectives and policies for freshwater management, including:

- Recognition of Te Mana o te Wai in freshwater management;
- Reflection of tangata whenua values and interests in decision making;
- Improving degraded water bodies using bottom lines as defined in the NPS;
- Safeguarding and enhancing the life-supporting capacity of water and associated ecosystems, including threatened ecosystems;
- Working towards targets for fish abundance, diversity and passage; and
- An integrated approach to management of land and freshwater and coastal water.

The application site is not located within, adjacent to or within a 100m setback of a freshwater stream or natural wetland. The proposal will be readily able to control any sediment runoff into any receiving waterbodies, particularly given the separation of the site from nearby water bodies. As such, the provisions of the NPS-FW are not considered relevant.

For a full assessment of all National Policy Statements and Environmental Standards see **Appendix 22**.

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:

An economic cost/benefit analysis has been undertaken by Adam Thompson of Urban Economics, based on the current architectural drawings and is enclosed as **Appendix 23**. Section 6 of the analysis specifically discusses the project's economic benefits and costs for people or industries affected by COVID-19, responding to Section 19(a) of the Act. As noted, the proposal will create a considerable number of jobs within the construction industry, with an estimated total of 143 Full-Time Equivalent (FTE) jobs created for the lifetime of the project. These will be jobs in construction, landscaping, planting, land surveying, administration and support services, and other related activities. In addition, the hotel operation is estimated to create 27 FTE employees on an ongoing basis. These are notable economic benefits.

In addition to this, the increase of homes/ residents in this location would also have positive effects on the businesses within the nearby established centres, which would have also been negatively impacted by COVID-19 during lock-down periods, or as a result of isolation requirements. The increase of residents within walking proximity to these nearby centres supports the ongoing viability of these centres, and the demand for services within these centres. Furthermore, as a result of COVID-19, more working professionals have shifted to flexible working/ 'working-from-home' arrangements. As such, residential intensification in close proximity to existing and proposed centres is

important, so that goods and services are within convenient access to people's homes and are more likely to be visited. Where goods and services are not within a walkable catchment, people are more likely to use online services or rely on motor vehicles for access.

As such, the proposal will provide employment opportunities to people working within an industry affected by the economic downturn as a result of COVID-19. Additionally, it is noted that the project will contribute to the wider economy in that the construction industry has a value-added figure of \$133,000 per FTE employee, equating to a GDP contribution of \$18.9m GDP.

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

The social and cultural well-being of current and future generations have been assessed by Urban Economics, and this is included in **Appendix 23**, with a section (Section 7 of the Economic Assessment Report titled "Access to Amenity & Opportunity") specifically responding to Section 19(b).

The project will increase housing by supplying 34 visitor accommodation units and 44 apartments to the market. In particular, the project will increase the range and relative affordability of housing in the study area and will support the nearby nationally-significant recreational facilities (particularly Eden Park).

As discussed above, the proposal will be within the Morningside Local Centre, which contains a range of small scale retail services, while the St Lukes Town Centre is a ten minute (approx.) walk to the south, which contains a supermarket, restaurants, shops and large format retail stores, healthcare and community facilities. The site is a short walk from Morningside Railway Station and frequent bus services on New North Road, which provides access to a significant catchment of day to day amenities. The economic assessment prepared with this application estimates that 81,000 jobs and 24,000 businesses are located within a 4km catchment of the site. The site also has convenient access to reserves, including School Reserve and Fowlds Park and Western Springs Park further afield.

As such, the site has good accessibility to community services, natural spaces, open spaces and public transport. In light of all these amenities, and the proximity of the site to the Auckland City Centre, high-quality apartment dwellings on the site will provide an opportunity for more people to live in a location that will have a positive impact on their well-being.

The development supports achieving a compact urban form, noting its excellent accessibility to public transport, the Auckland City Centre and Newmarket / New Lynn Metropolitan Centres, and local services and jobs. Increased residential density on the site in an appropriate form and design is therefore also a good outcome from an urban sustainability perspective, which also has positive effects on social and cultural wellbeing of current and future generations.

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

The proposal represents a significant change to the existing character of the area. However, the Business – Local Centre Zone anticipates greater intensity of use and development on the sites than what currently exists. In addition, the site is within the walking catchment of a rapid transit station, meaning that development of at least six storeys (21m) in height is anticipated under the NPS-UD. Significant development and/or change within the catchment area always has the potential for extensive opposition from local residents, irrespective of whether development is consistent with the anticipated planning outcomes. Noting the infringements that will occur (particularly to maximum height), and the change that the overall proposal will present, opposition can be anticipated. Council is also highly likely to notify the application given the height infringements – particularly in light of the recent Environment Court case regarding development at Mission Bay (*Drive Holdings Ltd v Auckland Council* [2021] NZEnvC 159). The site also faces the same kinds of challenges as in *Drive Holdings*, such as it being within the Business – Local Centre zone and being adjacent to a heritage overlay; in our experience, the conservative attitude of the Council means that they will want to use that case as a precedence for other over-height developments.

We note also the recent judicial review case of *Wallace v Auckland Council* [2021] NZHC 3095, which has impacted the way Council assess applications in the residential zones, where the proposed residential intensity is notably greater than the existing character of the area, regardless of what the 'planned' character for the area under the AUP is. As a result of this judicial review, Council planners and decision-makers now spend more time than before to undertake a notification assessment, and in some cases, applications involving residential intensification have been publicly or

limited notified in light of the *Wallace* case findings. Further, although the developer has secured a new non-notified consent, the neighbours have advised that they will judicially review this new decision as well. It is understood, based on feedback from the Ministry for the Environment, that the Ministry's 'best case' assessment of timeframes is now three months for the Minister's approval, and an additional four months for the EPA/Expert Consenting Panel process. Therefore, the fast-track consenting process is anticipated to take a total of approximately seven months. By contrast, under the RMA, based on recent experience with Auckland Council, the process would be expected to take at least 12-18 months as a conservative estimate with an application of this type within the locality. As reference, the following are similar projects CIVIX have dealt with:

- 1 Garnet Road, Westmere (LUC60378850)
 - Application for a four-storey mixed use building in the Neighbourhood Centre Zone infringing maximum height by a maximum of 4.4m. We note that this proposal is of a much smaller scale than this proposal, and the application was also lodged before Council had the significant backlog issues they currently face.
 - The application was lodged in May 2021. The consent was approved on the 5th of September 2022, approximately 16 months later.
 - Neighbours expressed their concerns with the application and consider themselves to be affected parties. As such, the final consent decision had to be made by a duty commissioner.
- 19 Whitby Crescent & 385-387 Beach Road, Mairangi Bay
 - Application for a four-storey apartment building comprising 28 apartments in the Mixed Housing Urban Zone infringing maximum height by a maximum of 2.5m. The proposal also infringed several other development controls.
 - The application was lodged in June 2019.
 - Concerns were raised by local residents over the proposal and the notification decision was requested to be made by an independent duty commissioner. The Duty Commissioner made a notification decision on 16 March 2020 (**9 months** post lodgement) to limited notify the application to persons at five adjacent properties.
 - The application was notified to the affected persons. Some of the affected persons provided their written approval to the application, and some made a submission on the application.
 - The applicant decided not to proceed to a hearing and the application was withdrawn.

It is also known that the Central resource consenting team at Auckland Council has resourcing issues at present and therefore applications are being allocated for processing **on average 3 months after lodgement**.

The notification process carries significant delays. As such, the Fast-track Consenting process is being pursued to minimise the likelihood of significant time-delays associated with notification and opposition which could be encountered through the standard Council resource consent process. The statutory timeframe afforded for the Expert Consenting Panel (ECP) is expected to present a far more efficient process and expedite the consenting process, save unnecessary costs, and provide certainty of the 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:

As discussed above and in **Appendix 23** the proposal will create a considerable number of jobs within the construction industry, with an estimated total of 143 Full-Time Equivalent (FTE) jobs created for the lifetime of the project.

Additional specifics are contained in the letter from Pink Beluga / 617 New North Limited regarding track record, compliance and funding attached as **Appendix 24**.

Furthermore, given the proximity of the site to nearby Centre zones, the increase in residents in the area will add to the walking catchment of nearby businesses in these centres, which will support employment and job creation, and the ongoing vitality and viability of these centres. The provision of 34 new visitor accommodation units and 44 new apartments adjacent to these commercial centres may encourage new businesses in the catchment, as it will increase the need for more day to day services in the area. The development will also generate ongoing employment to support the hotel operation and retail unit on the ground floor.

The existing labour union and café are expected to relocate to different premises. Further information about those leases can be provided on a confidential basis.

Housing supply:

The public benefit of increasing housing supply has been assessed by Urban Economics, and this is included in **Appendix 23**, with a section specifically responding to Section 19(d)(ii).

This notes that the project will increase housing by supplying 44 new studio and 1 – 3 apartment dwellings to the market. In particular, the project will increase the range and relative affordability of housing in the study area and provide approximately 1.5 – 2 months of total project annual demand within the study area. While the development would provide a range of dwelling sizes and price points, it is estimated that 93% of the units would have a market sale price of \$540,000 - \$940,000, which is considered to be affordable in the context of the Auckland housing market. As discussed above, the proposal also supplies housing in a location that has very good accessibility to amenities, employment opportunities, services and both frequent and rapid public transport services. Concentrating growth in such a desirable location will fill demand for housing that would otherwise have to be provided in greenfield locations, which are often inaccessible, lacking in established community facilities and are expensive to service. Therefore, providing additional housing that would be relatively affordable in this location would have a notable public and environmental benefit.

Contributing to well-functioning urban environments:

The contribution of this development to well-functioning urban developments is set out in the assessment regarding the NPSUD above. This assessment demonstrates the role that this development will play in enabling intensification and why it is important to consider not only the size of this development, but also the important role it will perform in facilitating the renewal and intensification of this part of Auckland.

The NPSUD requires that planning decisions contribute to “well-functioning urban environments”, which has already been discussed and assessed above including the proposals contribution to relatively affordable housing in the area, and its proximity to retail, services, recreation and public transport, which supports a compact urban form. Providing housing in this location would also feasibly enable future residents to access their day to day needs by walking to the two adjacent commercial areas and taking bus or rail services to employment opportunities. As such, the proposed development would encourage ‘car-lite’ living opportunities, reducing auto dependence.

Ian Munro has provided a brief qualified summary of the proposal in urban design terms, included in **Appendix 20**. This sets out how the design achieves high level of on-site amenity while being an appropriate urban design response to the opportunities and constraints of the site, achieving a high-quality building which will positively contribute to the attractiveness and safety of the street, and has a design quality commensurate with its scale. Overall, Mr Munro considers that the proposed development offers a successful urban design solution to the Unitary Plan’s policies for mixed use development and high-density housing and utilises a site that is an excellent candidate for intensification.

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

The proposal does not provide infrastructure for these specific benefits, but the proximity of the development to existing facilities and services contributes towards positive economic and environmental outcomes. In particular, the development will positively contribute to the walking catchment of Morningside Railway Station and will support the significant City Rail Link infrastructure project.

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

The proposal does not seek to directly improve coastal or freshwater quality, air quality or indigenous biodiversity.

Minimising waste:

Green Gorilla has already been engaged to assist with construction waste management during construction of the project. They are in the process of preparing a memorandum.

A building company has not yet been contracted to actually construct the proposal, and so further details around the contracted company’s policies and practices for sustainability and minimising waste cannot be provided at this time.

However, when assessing potential candidates to award the contract to, the Applicant entities will include as part of their assessment criteria candidate companies' practices with respect to sustainability and waste management.

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 construction of modern new houses to a high quality will have a net positive effect on the environment with regards to mitigating climate change. These houses will be better insulated and require less energy for heating. Overall, fewer than one parking space per dwelling will be provided, with 27 parking spaces proposed. This is expected to reduce the vehicle trip generation and support mode shift towards alternative forms of transport. Furthermore, dedicated bicycle and electric scooter parking to be provided; New North Road is expected to be upgraded in the near future with dedicated bicycle lanes as part of the 'Connected Communities' programme which will support use of these forms of transport.

As discussed above, public transport and the walking/ cycling proximity to a number of facilities and services as addressed above will mean that residents can access facilities to meet their day to day needs without dependence on individual cars. The site is essentially adjacent to frequent rail and bus services which provide access to a number of surrounding metropolitan, town and local centres, along with Auckland's City Centre. When the City Rail Link project is completed in late 2024 – early 2025, this access will be further increased.

Overall, the excellent accessibility of the site to Auckland's public and active transport networks will provide the opportunity for future residents to reduce their auto dependence, especially compared to a greenfield housing development. This will also result in positive contributions to efforts to mitigate climate change and lower emissions.

Promoting the protection of historic heritage:

While the site itself does not contain any scheduled historic heritage, it is adjacent to a schedule site at 615 New North Road (Former Mount Albert Borough Council Chambers). As such, a built heritage assessment memo has been prepared by Archifact and is attached as **Appendix 25**.

The assessment by Archifact concludes:

"The proposed development is considered to have a less than-minor adverse effect on the historic heritage values of the adjacent heritage place at 615 New North Road.

The design of the proposed development has regard for the physical attributes and aesthetic qualities demonstrated by the heritage building, responding in an authentic and consciously contemporary manner. There will be no change to the intangible historic and social values.

Overall, the proposed development is considered appropriate with regards to effects on the adjacent historic heritage values and should be supported."

Clough & Associates Ltd also undertook a Archaeological Assessment of the site (attached as **Appendix 6**). The key findings were:

"The proposed residential apartment development at 617-619 New North Road has the potential to affect archaeological remains relating to the occupation of the former store and villa (site R11/3418). While the 19th century building itself is to be moved and relocated away from the site, archaeological remains such as building foundations, refuse pits, a well, and the remains of associated outbuildings are likely to be exposed during earthworks, especially to the rear of the building. It is also possible that archaeological remains relating to a further 19th century building may be present in the northern half of the property.

Any unavoidable adverse effects on archaeology present on the property can be mitigated through the recovery of archaeological information relating to the 19th century occupation of the house through monitoring and recording. This will require an Authority from Heritage NZ."

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

The site is not subject to any natural hazards and therefore development on the site would not exacerbate natural hazards, The development would also be protected from predicted natural hazards and the effects of climate change, thereby strengthening environmental, economic, and social resilience.

The site is not shown to be subject to any flood or coastal hazard. There is also no significant flood hazard (overland flow paths, flood plain or flood prone areas) shown in close proximity to the site.

The site is sufficiently setback from the coastline by approximately 2.5km, and approximately 39m in ground level, and is therefore not subject to natural hazard risks such as coastal erosion or sea level rise.

The site is not subject to any notable geotechnical constraints that would unduly prevent safe redevelopment of the site, based on the Geotechnical Investigation prepared by ENGEO attached as **Appendix 26**.

Other public benefit:

Public benefit matters have been addressed in sections above. A summary of these is:

- Provision of more affordable housing in apartment typology, in a catchment with high demand for housing.
- Provision of additional housing in a desirable location in relatively close proximity to the CBD and a train station.
- Creating employment opportunities in the construction sector. Spin-off economic effects to the local retail/ commercial services.
- Funding provided for wider infrastructure and reserve benefits by way of development contributions.

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

The proposal does not have potential for significant adverse environmental effects, including greenhouse gas emissions.

Part X: Climate change and natural hazards

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

The site is highly suitable for development in terms of natural hazards and climate change. No natural hazards are considered to affect the subject site including flooding, coastal and land instability hazards, based on Council's Geomaps flood hazard layer.

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	None - Letter from Pink Beluga / 617 New North Limited regarding track record, compliance and funding attached as Appendix 19.

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.

Andrew Braggins

09/02/2023

Signature of person or entity making the request

Date

Important notes:

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

Checklist

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

Yes	Correspondence from the registered legal land owner(s)
Yes	Correspondence from persons or parties you consider are likely to be affected by the project
Yes	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
Yes	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.
Yes	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.