



4 April 2023

Ministry for the Environment
Environment House
23 Kate Sheppard Place, Pipitea
Wellington 6011

For: Madeleine Berry
Acting Manager, Fast-track Consenting Team
Email: fasttrackconsenting@mfe.govt.nz

Dear Ms Berry

RE: COVID-19 RECOVERY (FAST-TRACK CONSENTING) ACT 2020 – REQUEST FOR FURTHER INFORMATION – THE NORTH PROJECT

1. INTRODUCTION

- 1.1 We act for 617 New North Road Limited (“NNL”).
- 1.2 We refer to your letter dated 14 March 2023, requesting further information as to how the applicant is related to LEP Construction Limited (“LEP”) and the Pink Beluga Companies.

2. APPLICATION DOCUMENTS

- 2.1 For complete context, Appendix 24 of the application documents for NNL’s proposal is a letter from Rory O’Connor at Pink Beluga sets out the relationship with NNL and LEP.
- 2.2 It states:

NNL has common shareholders with LEP Construction Limited (“LEP”) and the Pink Beluga companies (e.g. Pink Beluga Asset Management Limited & Pink Beluga Holdings Limited).

Mark Finlay is a shareholder for both NNL and Pink Beluga, and Russell Thompson is a shareholder for NNL, LEP and Pink Beluga. They have shareholdings in NNL and Pink Beluga through other companies and entities, as well as both being Directors of the companies. Therefore, the skills and experience of all three companies should be accounted for when considering the ability of NNL to deliver this project.

Pink Beluga is a commercial property development and investment company based in Auckland. It has completed over

\$200m of developments. Pink Beluga currently has \$200 million of developments under construction or in the pipeline.

- 2.3 In detail, the Pink Beluga Companies are held in 50% shareholdings between Mr Finlay and Mr Thompson, held in common SW Trustee Company (2014) Limited. Both Mr Finlay and Mr Thompson also hold 27% each as the majority shareholders of LEP, also in common with SW Trustee Company (2014) Limited. LEP have been the main contractor on Pink Beluga projects since 2014.
- 2.4 Further, Mr Finlay and Mr Thompson's shares held in NNL and Pink Beluga Capital are held in common with SW Trustee Company (2014) Limited.
- 2.5 Mr Finlay and Thompson are also major shareholders in two other companies' construction subsidiaries – Rocket Scaffolding (JV with a Hawkes Bay company) and Pink Beluga Civil.
- 2.6 For further clarity, we have attached a table, detailing the directors and shareholders for the above companies (**Attachment 1**).
- 2.7 Mr Scott Williams, shareholder and director of SW Trustee Company (2014) Limited has also written a letter explaining the interrelationship of the different companies and recent high value projects that SW Trustee Company (2014) Limited has been involved with as part of a joint venture (**Attachment 2**).
- 2.8 To assist in demonstrating the source data we have used to create attachment 1, we have attached Company Extracts for:
 - (a) NNL (**Attachment 3**);
 - (b) LEP (**Attachment 4**);
 - (c) The Pink Beluga companies (**Attachment 5,6,7&8**); and
 - (d) SW Trustee Company (2014) Limited (**Attachment 9**).

3. **PRE-APPLICATION MEETING WITH AUCKLAND COUNCIL**

- 3.1 In providing further context, we provide details as to a pre-application meeting with Auckland Council ("Council"). On 2 March 2023 at 10am, the applicant partook in a pre-application meeting with Auckland Council ("Council"). A copy of the Meeting's minutes are attached as **Attachment 10**.
- 3.2 The topics discussed were the speed of the process and urban design comments.
- 3.3 The key conclusions were that:
 - (a) While Shay Launder (Auckland Council urban designer) could support height infringement at this site in principal, effects of height would need to be considered in more detail as part of resource consent process in relation to the effects on neighbours, the public realm and residential amenity.

- (b) Good interaction at the street level is provided to New North Road frontage. The design of the café/bar and apartment/hotel entrance provide good activation of the street and legible address.
- (c) While the interaction with the adjacent heritage building (615 New North Road) was only mentioned in passing, the proposed design presents an attractive architectural addition to the area. The variation in façade openings and material use proposed and street activation suggest a high-quality architectural and urban outcome.
- (d) Overall, the architectural approach at the northern and southern facades is successful.

- 3.4 In terms of matters of detail, the applicant was encouraged to redesign the internalised bedrooms on levels 3-7 opening to corridors, or the internal massing of the building itself, to ensure that all habitable rooms have access to an outlook and a sense of space between the bedroom and any other habitable room. That is a matter which the applicant is considering but is also a matter of detailed design and internal layout.
- 3.5 We do not see this comment as precluding fast tracking as it is a matter of detailed design and we anticipate that the Minister would likely require a full urban design report as part of any referral to any expert consenting panel.
- 3.6 We also note Auckland Council's feedback that this application would likely be notified through the standard process and such an outcome would impact timing of any consent.
- 3.7 In addition some progress has been made with Auckland Council's urban forest team. Attached as **Attachment 11** is the i-tree assessment of the required mitigation for removing the tree. The applicant will continue discussions with Auckland Council to confirm this agreement.
- 3.8 We hope this is adequate information to answer your queries as to the relationship of the companies.

Yours sincerely

Andrew Braggins
Director

The Environmental Lawyers
s 9(2)(a)



Attachment 1 – Table of directors and shareholders

Attachment 1 - Table detailing relationship between the companies involved in 617 New North Road Development

Row	Name	NNL	LEP	Pink Beluga Holdings	Pink Beluga Asset Management	Pink Beluga Civil	Pink Beluga Capital	SW Trustee Company (2014) Limited
1	SW Trustee Company (2014) Limited	Shareholder (100 shares held) – held in common with Mark Clayton Finlay (50 shares) and Russell Warren Thompson (50 shares)	Shareholder (648 shares held) – held in common with Mark Clayton Finlay (324 shares) and Russell Warren Thompson (324 shares)	Shareholder (100 shares held) – held in common with Mark Clayton Finlay (50 shares) and Russell Warren Thompson (50 shares)			Shareholder (100 shares held) – held in common with Mark Clayton Finlay (50 shares) and Russell Warren Thompson (50 shares)	
2	Mark Clayton Finlay	Director Shareholder (50 shares held) – held in common with SW Trustee Company (2014) Limited	Shareholder (324 shares held) - held in common with SW Trustee Company (2014) Limited	Director Shareholder (50 shares held) - held in common with SW Trustee Company (2014) Limited	Director		Director Shareholder (50 shares held) - held in common with SW Trustee Company (2014) Limited	
3	Russell Warren Thompson	Director Shareholder (50 shares held) - held in common	Director Shareholder (324 shares held) - held in	Director Shareholder (50 shares held) - held in common	Director		Director Shareholder (50 shares held) - held in common	

Attachment 1 - Table detailing relationship between the companies involved in 617 New North Road Development

		with SW Trustee Company (2014) Limited	common with SW Trustee Company (2014) Limited	with SW Trustee Company (2014) Limited			with SW Trustee Company (2014) Limited	
4	Scott Jeffrey Williams							Director Shareholder (100 shares)
5	Glenn Craig Darrah					Director Shareholder (15 shares held)		
6	Christopher Graham Morris		Director Shareholder (432 shares held) - held in common with Ban Trustee Co Limited			Director		
7	LEP					Shareholder (80 shares held)		
8	Stanley Grant Phillips		Director Shareholder (120 shares held)					

Attachment 1 - Table detailing relationship between the companies involved in 617 New North Road Development

9	LEDC1 Limited				Shareholder (100 shares held)			
10	Ban Trustee Co Limited		Shareholder (432 shares held) - held in common with Christopher Graham Morris					

Attachment 2 – Letter from Scott Williams

31 March 2023

Ministry for the Environment
Environment House
23 Kate Sheppard Place, Pipitea
Wellington 6011

For: **Madeleine Berry**
Acting Manager, Fast-track Consenting Team
fasttrackconsenting@mfe.govt.nz

Dear Ms Berry

RE: COVID-19 RECOVERY (FAST-TRACK CONSENTING) ACT 2020 – REQUEST FOR FURTHER INFORMATION – THE NORTH PROJECT

My name is Scott Jeffrey Williams. I am the director and the sole shareholder of SW Trustee Company (2014) Limited ("**SWTC**"). I act as Chartered Accountant for 617 New North Road Limited and a wider group of related companies.

I refer to your letter, dated 14 March 2023, requesting further information on the relationship between 617 New North Road Limited ("**NNL**"), the Pink Beluga companies ("**Pink Beluga**") and LEP Construction Limited ("**LEP**") together ("**The Companies**").

Set out in attachment 1 is a table outlining the key directors and shareholders of the companies. The Environmental Lawyers prepared this table for the project team. You can see from the table that SWTC has a significant (joint) shareholding in each of the companies you have asked about.

I have been asked by the project team to provide an insight into my role and the role of SWTC in NNL, Pink Beluga and LEP and advise as follows:

- SWTC acts as a professional trustee for the respective trusts of Mr Mark Finlay and Mr Russell Thompson, those trusts owning shares in NNL, LEP, Pink Beluga Holdings Limited and Pink Beluga Capital Limited.
- Mr Finlay and Mr Thompson are trustees of other trusts that also have SWTC as a corporate trustee.

Each company within the wider group has a specific taxable activity. NNL was incorporated specifically for the acquisition, consenting and development of the land in question. With the common shareholding it is intended that NNL will draw upon the resources of The Companies to enable consenting, design and construction of the development, including other consultants and contractors as necessary. The particular skills experience, track record and funding lines are set out in the letter from Rory O'Connor dated 15 December 2022.

The Companies have a significant track record of undertaking developments like this and have access to funding, either from shareholders or third parties, to facilitate the development.

Edition Parnell Limited is one of the companies with common shareholders. That company has recently completed a high-end project delivering 19 homes in Parnell. See <https://editionparnell.co.nz/gallery.html> for more details.

Please contact me if you need any further clarification.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'SW'.

Scott Williams
Director
SW Trustee Company (2014) Limited

Attachment 3 – NNL Companies extract

Company Extract

617 NEW NORTH LIMITED

8201827

NZBN: 9429049466164

Entity Type:	NZ Limited Company
Incorporated:	09 Jul 2021
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	February

Ultimate holding company:	No
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Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

Directors

FINLAY, Mark Clayton
 41 Mahoenui Valley Road, Coatesville, 0793, NZ

THOMPSON, Russell Warren
 86 Maskell Street, St Heliers, Auckland, 1071, NZ

Shareholdings

Total Number of Shares:	100
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Extensive Shareholdings:	No
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50	FINLAY, Mark Clayton 41 Mahoenui Valley Road, Coatesville, 0793, NZ 5529795 SW TRUSTEE COMPANY (2014) LIMITED CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ
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Company Extract

617 NEW NORTH LIMITED

8201827

NZBN: 9429049466164

50

5529795

SW TRUSTEE COMPANY (2014) LIMITED

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a
Kalmia Street, Ellerslie, Auckland, 1051, NZ

THOMPSON, Russell Warren

86 Maskell Street, St Heliers, Auckland, 1071, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/8201827>

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Attachment 4 – LEP Companies extract

Company Extract

LEP CONSTRUCTION LIMITED

5471145

NZBN: 9429041424919

Entity Type:	NZ Limited Company
Incorporated:	30 Sep 2014
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	February

Ultimate holding company:	No
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Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ

Directors

MORRIS, Christopher Graham
 87 Queen Street, Northcote Point, Auckland, 0627, NZ

PHILLIPS, Stanley Grant
 37 Ferry Parade, Herald Island, Auckland, 0618, NZ

THOMPSON, Russell Warren
 86 Maskell Street, St Heliers, Auckland, 1071, NZ

Shareholdings

Total Number of Shares:	1,200
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Extensive Shareholdings:	No
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432	1822852
	BAN TRUSTEE CO LIMITED
	Brett Norris Lawyer, 80 Hinemoa Street, Level 1, Birkenhead, Auckland, 0626, NZ

Company Extract

LEP CONSTRUCTION LIMITED

5471145

NZBN: 9429041424919

	MORRIS, Christopher Graham 87 Queen Street, Northcote Point, Auckland, 0627, NZ
324	FINLAY, Mark Clayton 41 Mahoenui Valley Road, Coatesville, Auckland, 0793, NZ
	5529795 SW TRUSTEE COMPANY (2014) LIMITED Chartered Accounting (Williams) Limited, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ
324	5529795 SW TRUSTEE COMPANY (2014) LIMITED Chartered Accounting (Williams) Limited, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ
	THOMPSON, Russell Warren 86 Maskell Street, St Heliers, Auckland, 1071, NZ
120	PHILLIPS, Stanley Grant 1 Penguin Drive, Murrays Bay, Auckland, 0630, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/5471145>
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Attachment 5 – Pink Beluga Capital Companies extract

Company Extract

PINK BELUGA CAPITAL LIMITED

6969454

NZBN: 9429046953407

Entity Type:	NZ Limited Company
Incorporated:	13 Aug 2018
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	November

Ultimate holding company:	No
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Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

Directors

FINLAY, Mark Clayton

41 Mahoenui Valley Road, Rd 3, Coatesville, 0793, NZ

THOMPSON, Russell Warren

86 Maskell Street, St Heliers, Auckland, 1071, NZ

Shareholdings

Total Number of Shares:	100
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Extensive Shareholdings:	No
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50	FINLAY, Mark Clayton 41 Mahoenui Valley Road, Rd 3, Coatesville, 0793, NZ
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5529795

SW TRUSTEE COMPANY (2014) LIMITED

Chartered Accounting (Williams) Limited, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ

Company Extract

PINK BELUGA CAPITAL LIMITED

6969454

NZBN: 9429046953407

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5529795

SW TRUSTEE COMPANY (2014) LIMITED

Chartered Accounting (Williams) Limited, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ

THOMPSON, Russell Warren

86 Maskell Street, St Heliers, Auckland, 1071, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/6969454>

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Attachment 6 – Pink Beluga Civil Companies extract

Company Extract

PINK BELUGA CIVIL LIMITED

7878958

NZBN: 9429047920927

Entity Type:	NZ Limited Company
Incorporated:	04 Feb 2020
Current Status:	Registered
Constitution Filed:	Yes
Annual Return Filing Month:	November
Ultimate holding company:	LEP CONSTRUCTION LIMITED
Type of entity:	NZ Limited Company
Registration number / ID:	5471145
	NZBN: 9429041424919
Country of registration:	New Zealand
Registered office address:	CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ

Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

Directors

DARRAH, Glenn Craig
 22 Glenbervie Crescent, Massey, Auckland, 0614, NZ

MORRIS, Christopher Graham
 87 Queen Street, Northcote Point, Auckland, 0627, NZ

Shareholdings

Total Number of Shares: 100

Extensive Shareholdings: No

85 5471145

Company Extract

PINK BELUGA CIVIL LIMITED

7878958

NZBN: 9429047920927

LEP CONSTRUCTION LIMITED

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a
Kalmia Street, Ellerslie, Auckland, 1051, NZ

15

DARRAH, Glenn Craig

22 Glenbervie Crescent, Massey, Auckland, 0614, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/7878958>

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Attachment 7 – Pink Beluga Asset Management Companies extract

Company Extract

PINK BELUGA ASSET MANAGEMENT LIMITED

3689480

NZBN: 9429030845343

Entity Type:	NZ Limited Company
Incorporated:	15 Dec 2011
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	February

Ultimate holding company: No

Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street,
Ellerslie, Auckland, 1051, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street,
Ellerslie, Auckland, 1051, NZ

Directors

FINLAY, Mark Clayton
41 Mahoenui Valley Road, Coatesville, Auckland, 0793, NZ

THOMPSON, Russell Warren
86 Maskell Street, St Heliers, Auckland, 1071, NZ

Shareholdings

Total Number of Shares: 100

Extensive Shareholdings: No

100	5497065
	LEDC1 LIMITED
	Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1542, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/3689480>

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Attachment 8 – Pink Beluga Holdings Companies extract

Company Extract

PINK BELUGA HOLDINGS LIMITED

5630288

NZBN: 9429041650707

Entity Type:	NZ Limited Company
Incorporated:	12 Mar 2015
Current Status:	Registered
Constitution Filed:	Yes
Annual Return Filing Month:	August

Ultimate holding company: No

Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street,
Ellerslie, Auckland, 1542, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street,
Ellerslie, Auckland, 1542, NZ

Directors

FINLAY, Mark Clayton

41 Mahoenui Valley Road, Rd 3, Coatesville, 0793, NZ

THOMPSON, Russell Warren

86 Maskell Street, St Heliers, Auckland, 1071, NZ

Shareholdings

Total Number of Shares: 100

Extensive Shareholdings: No

50

FINLAY, Mark Clayton

41 Mahoenui Valley Road, Rd 3, Coatesville, 0793, NZ

5529795

SW TRUSTEE COMPANY (2014) LIMITED

Chartered Accounting (Williams) Limited, Unit 9, 22a Kalmia
Street, Ellerslie, Auckland, 1051, NZ

Company Extract

PINK BELUGA HOLDINGS LIMITED

5630288

NZBN: 9429041650707

50

5529795

SW TRUSTEE COMPANY (2014) LIMITED

Chartered Accounting (Williams) Limited, Unit 9, 22a Kalmia Street, Ellerslie, Auckland, 1051, NZ

THOMPSON, Russell Warren

86 Maskell Street, St Heliers, Auckland, 1071, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/5630288>

Extract generated 15 March 2023 02:30 PM NZDT

Attachment 9 – SW Trustee Company (2014) Limited Companies extract

Company Extract

SW TRUSTEE COMPANY (2014) LIMITED

5529795

NZBN: 9429041535059

Entity Type:	NZ Limited Company
Incorporated:	09 Dec 2014
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	November

Ultimate holding company:	No
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Company Addresses

Registered Office

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street,
Ellerslie, Auckland, 1051, NZ

Address for Service

CHARTERED ACCOUNTING (WILLIAMS) LIMITED, Unit 9, 22a Kalmia Street,
Ellerslie, Auckland, 1051, NZ

Directors

WILLIAMS, Scott Jeffrey
111 Mellons Bay Road, Mellons Bay, Auckland, 2014, NZ

Shareholdings

Total Number of Shares:	1
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Extensive Shareholdings:	No
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1	WILLIAMS, Scott Jeffrey 111 Mellons Bay Road, Mellons Bay, Auckland, 2014, NZ
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For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/5529795>

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Attachment 10 – Pre-application minutes with Auckland Council

15 March 2023

PRR00040134

Pre-application Meeting Minutes : Fast-track Consent at 617 New North Road

1. Meeting details

Date 02/03/2023 Time 10am

2. Meeting participants - applicant

Name	Area of expertise / profession / title
<u>Delilah McIntyre</u>	<u>Planner (Civix)</u>
<u>Nick Mattison</u>	<u>Planner / Director (Civix)</u>
<u>Andrew Braggins</u>	<u>Lawyer (The Environmental Lawyers)</u>
<u>Ian Munro</u>	<u>Urban Design</u>
<u>Marc Umbrello</u>	<u>Architect (Matz)</u>

3. Meeting participants - council

Name	Title	Role at meeting
<u>Huda Majeed</u>	<u>Senior Planner</u>	<u>Meeting Lead / Planning</u>
<u>Shay Launder</u>	<u>Principal Urban Designer</u>	<u>Urban Design</u>

APOLOGIES

Phillip Matz – Architect (Matz)

4. Site and Proposal

Address	617 NEW NORTH ROAD KINGSLAND AUCKLAND 1021
Legal Description	LOT 2 DP 72255
Property Area	943m ²
Zones	Business - Local Centre Zone
Precincts	N/A
Overlays	N/A
Controls	Macroinvertebrate Community Index - Urban
Designations	Auckland Transport; Road Widening; Schedule 1609

The proposal is for a mixed-use residential apartment building, comprising retail tenancy at the ground floor, 34 visitor accommodation units and 44 dwelling units, across a total of 9 storeys. The proposal will also provide basement car parking, and includes associated earthworks, servicing, unit title subdivision and ground water diversion.

The applicant is seeking pre-application meeting with Council to primarily hear Council's feedback on the proposed building height, noting that while this exceeds the maximum height standards of the zone (by 13.3m), the site has not been up-zoned by PC78 as it is in the Light Rail Corridor. As the site is within a walking catchment of rapid transit station we consider that additional building height is appropriate, and will reflect future intensification of the area.

5. Meeting topics discussed

Speed of process

Ms Majeed and Shay Launder had not been briefed that this was a fast-track application and therefore had looked at the application as a resource consent pre-application rather than a fast track application and were not particularly familiar with what kinds of feedback the applicant was seeking.

The Applicant explained that as part of the fast-track process, an applicant is required to advise MFE whether it is likely that the project would likely be processed faster through fast-tracking or a standard process. The Applicant indicated that while it was not seeking a decision on notification from the Council, in the context of evaluating timeframes it would be reasonable to say that an application of this size would likely be notified. Council agreed with the Applicant that as the proposal seeks a 13.3m height infringement, it is likely that the application would be publicly notified.

Ms Majeed also advised that an application with such an infringement would be sent to local board for feedback. The Applicant confirmed that this would occur as part of the fast-track process anyway.

The time at the meeting was primarily focussed on urban design feedback, some of which was suitably high-level to inform a fast-tracking decision, while other matters were more detailed design comments that the applicant will consider as part of resource consent designs.

Urban Design Comments

Ms Launder provided general comments on the proposed design, summarised as follows:

In terms of external considerations such as site location, footprint and bulk and location:

- While Shay could support height infringement at this site in principal, effects of height would need to be considered in more detail as part of resource consent process in relation to the effects on neighbours, the public realm and residential amenity.
- Good interaction at the street level is provided to New North Road frontage. The design of the café/bar and apartment/hotel entrance provide good activation of the street and legible address.
- While the interaction with the adjacent heritage building (615 New North Road) was only mentioned in passing, the proposed design presents an attractive architectural addition to the area. The variation in façade openings and material use proposed and street activation suggest a high-quality architectural and urban outcome.
- Overall, the architectural approach at the northern and southern facades is successful.

In terms of internal layout considerations including detailed design, the following matters were identified:

- The proposal appears to go beyond the development capacity of the site – demonstrated by the high reliance on internalised bedrooms (41% of bedrooms within residential apartments have outlook proposed to internal corridors) and other outlook infringements.
- The internal bulk of the building, leading to internalised bedrooms is not supported as proposed.
- The main concern is with internalised bedrooms on levels 3-7 opening to corridors. The massing of the building has led to 31 internalised bedrooms out of a total of 75 bedrooms within the residential apartments (41%).
- The applicant is strongly encouraged to redesign these apartments, or the internal massing of the building itself, to ensure that all habitable rooms have access to an outlook and a sense of space between the bedroom and any other habitable room.
- In terms of outlook space: Mr Munro raised that standard H11.6.8. specifies that “An outlook space must be provided from the face of a building containing windows to a habitable room”. He suggested that this means any internal rooms that do not have an external wall does not need to provide the required outlook space. As such, the proposal would have no internal outlook space infringements.
- Ms Launder referred to the Purpose of H11.6.8 Outlook standard and the Housing Improvement Regulations 1947 Minimum Standard of Fitness (11). While legal advice might undo the rules within the Outlook standard, the quality of residential amenity and the Purpose of the Outlook standard remains an area for consideration.
- Post meeting, Ms Majeed sought further guidance from Council’s Principal planners on the interpretation of the Outlook Space standard. Principal planners concur with the interpretation provided by Mr Munro.
- Ms Launder will seek guidance on the weight of the Housing Improvement Regulations.
- Another concern is with the proposed outlook infringements. The infringements over the adjacent heritage building at 615 New North Road are not so much a concern, as that over the northern portion of this site. Ms Launder suggested that for a detailed assessment some cross sections of the building in relation to the adjacent heritage building and to the northern portion of the site showing the outlook infringements, would be beneficial.
- The impact of the outlook infringement to future development on 615 should also be considered
- The frontage to Western Springs Road could be improved with greater visual permeability. Less blank walls. This could include providing bike parking to improve streetscape interaction.
- Unit 42 has an undersized outdoor living space and could be reconfigured to improve amenity to this unit. This is more of a minor issue.

The Applicant confirmed a willingness to work with the Council’s team on these queries as part of the detailed design process.

Minutes prepared by:

Delilah McIntyre

Civix Limited – Planning | Engineering | Surveying

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Attachment 11 – i-tree Calculations



Report on tree replacements based on projected carbon sequestration values

Date: 21/03/2023
Site Address: 617 & 619 New North Road
Assessor: Peter Weir

Current Trees

Species	DBH (cm)	Current stored carbon (kg)	Estimated life expectancy (years)	Estimated carbon sequestration deficit (kg)
Populus spp.	103.5	2813	27	3812

Replacement Trees

Total carbon sequestration deficit (kg): 3812 kg
Replacement tree species: Native tree
Mortality rate: 3%

Total number of trees required to reach carbon neutrality: 8

This report provides an approximate indication of the number of 45-L grade trees which need to be planted to offset the estimated amount of carbon sequestration which will be lost as a result of tree removal. It is based on algorithms derived from growth simulations using data from the i-Tree Eco (V6) software and assumes notionally ideal trees. The current and projected values of assimilated carbon are estimates only and should be interpreted as such.

Nowak, D.J. & Crane, D.E., 2000, The Urban Forest Effects (UFORE) model: quantifying urban forest structure and functions. General Technical Report NC-212. U.S. Dept. of Agriculture, Forest Service, North Central Forest Experiment Station, St. Paul, MN, USA

The i-Tree Development Team, 2020, i-Tree Eco, V.6.35. USDA Forest Service, USA.