

HND TS LIMITED, HND MK LIMITED, HND CB LIMITED

The Strand, Takapuna

Supplementary application information

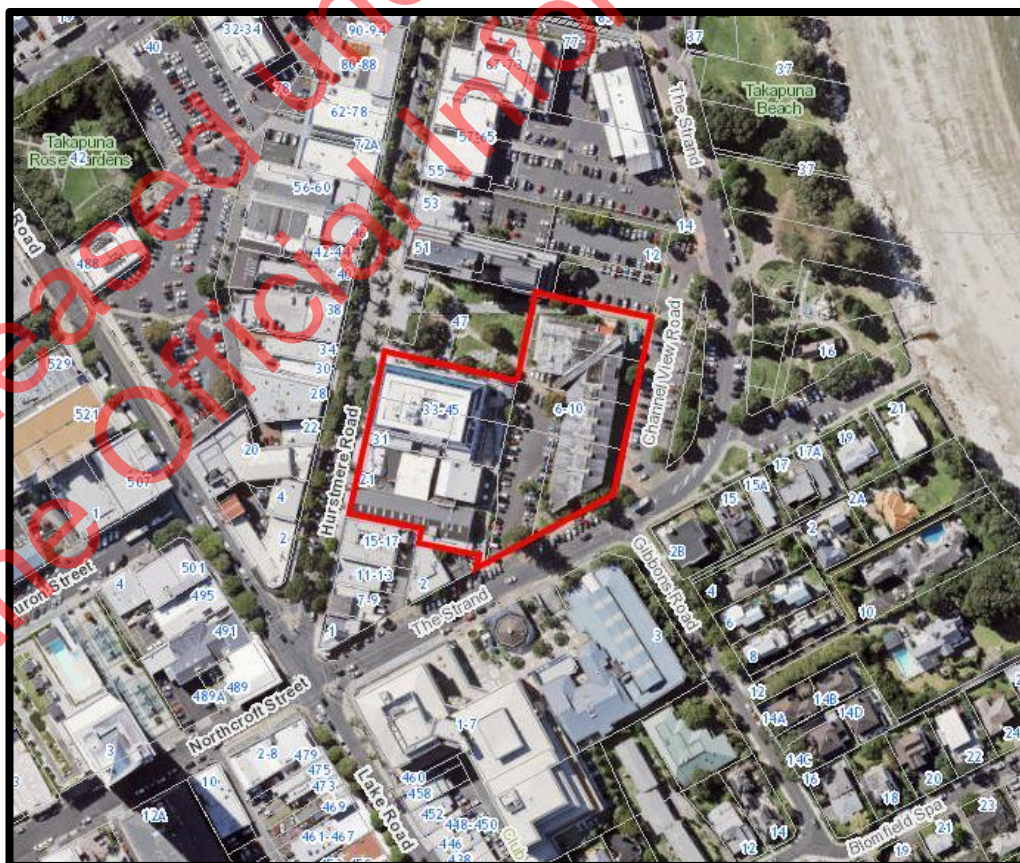
Advisory note:

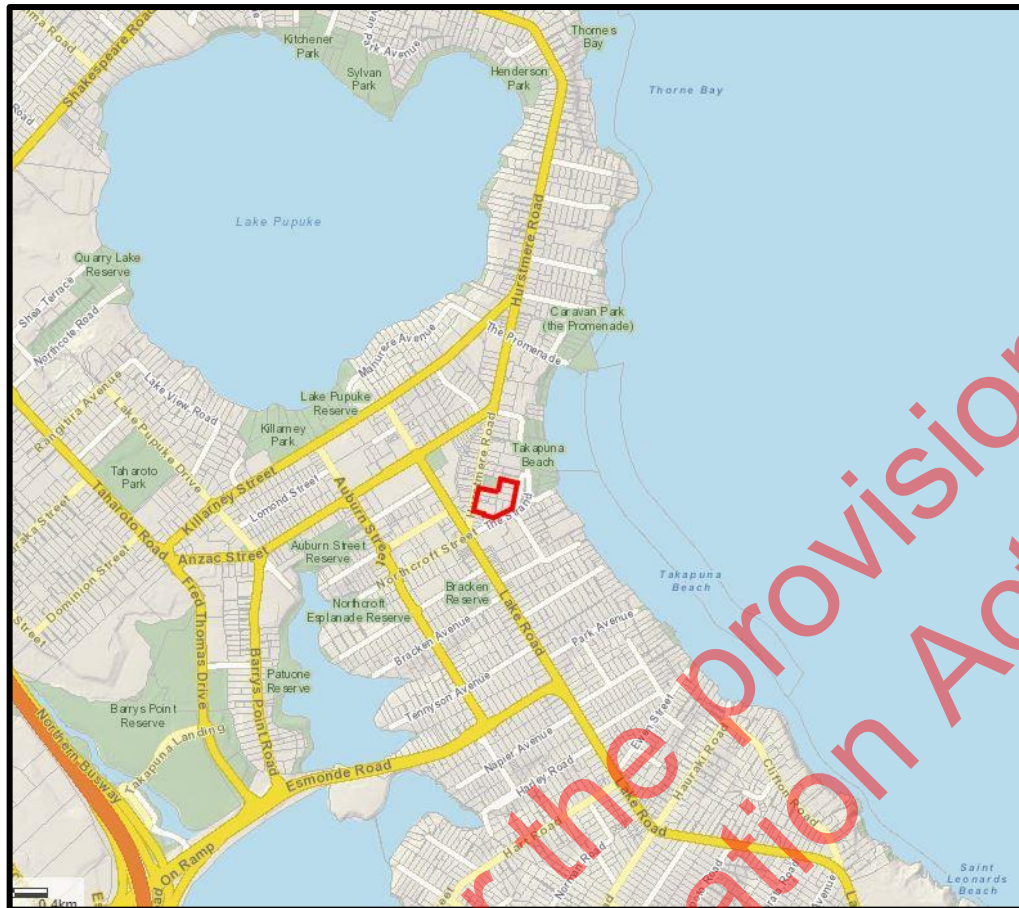
- The information contained in this document was prepared in conjunction with the application form submitted to the Ministry for the Environment using their online portal.
- The portal imposed text box character limits and did not allow the inclusion of images, and so not all of the prepared information was able to be submitted using the portal. The information contained in this document is supplementary information prepared as part of writing the application but which could not be uploaded through the portal.
- All images are supplementary information.
- Text **coloured green** is supplementary information.
- Text is **coloured black** is text that was submitted through the portal and is provided here for context.

Part II: Project location

Site address / location:

The proposal is located at 6-10 The Strand, 21 Hurstmere Road, 31 Hurstmere Road, 33-45 Hurstmere Road. The site plan and location plan are shown below.





[...]

Part VII: Adverse Effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

[...]

An additional issue that has arisen in respect of the site is the pedestrian easement recorded against the record of title for 6-10 The Strand, Takapuna, in conjunction with the indicative through site access link provided for by I540.10.3 of Takapuna 1 Precinct plan 3. Alexander Dorrington have prepared a letter of advice advising the obligations conferred on the Applicant as the owner of the site under the easement, and the manner in which the proposal has been designed to accommodate this easement (**App ZB**).

Auckland Unitary Plan Operative in part – Anticipated effects assessment.

With regards to effects anticipated under the BMCZ, the following sets out the key Zone Statement, Objectives and Policies, and provisions in support of this proposal.

Activity status

Under the AUP:

- Table H9.4.1(A33) provides that new buildings is a **Restricted Discretionary activity**
- Table I540.4.1(A1) provides that buildings in the Takapuna 1 Precinct is a **Restricted Discretionary activity**.

None of the proposed activities for which consent sought has Discretionary activity status. Therefore, the overall activity status is **Restricted Discretionary**. However, it is noted that there is a possibility that the activity status will become Discretionary under *E30 Contaminated Land* depending on the findings of a Detailed Site Investigation, which has not yet been undertaken.

The Applicant confirms that:

- The project does not include any of the activities set out in clause 2(4) of Schedule 6 of the Act; and
- There are no other activities that are part of the proposal to which the application relates (Schedule 6, clause 9(1)(e)).

Objectives and policies

Without exhaustive listing of the objectives and policies, they can be summarised as:

Chapter H9: Business – Metropolitan Centre Zone

- Creation of a strong network of centres attracting ongoing investment, promote commercial activity, and provide employment, housing and goods and services at all variety of scales;
- Reinforcing function of the metropolitan centre as the primary location for commercial activity,
- Development positively contributes towards a planned future form and quality;
- Business activity is distributed and is of a scale and form that provides for community social and economic needs, improves community access to goods, services and facilities;
- Key Retail Frontage streets are a focus for pedestrian activity;
- Enable an increase in density, diversity and quality of housing in centre zones and Business – Metropolitan Use Zone;
- Require large scale development to be of design quality commensurate with the prominence and visual effects of the development;

Chapter I540: Takapuna 1 Precinct

- Coastal setting is respected while providing opportunities for growth and development of a quality built environment;
- Avoid development that visually dominates or overshadows the beachfront;
- Require graduation of building heights, including a stepped building height between Hurstmere Road and the beachfront;
- Encourage development to provide pedestrian linkage.

The objectives and policies are comprehensively set out and assessed in Section 5.0 of the planning assessment prepared by Jessica Esquilant (**App Y**).

These are addressed in greater detail in the planning assessment prepared by Jessica Esquilant of Civix, **attached as App Y.**

The Regional Policy Statement (Chapter B2 of the AUP is of limited applicability to this proposal. Chapters B3 - B11 have limited significance in assessing this proposal.

Chapter B2: Urban growth and form is of relevance in considering this proposal, which highlights enhancing urban quality of life and compact quality urban form, focusing on intensity and density of development:

- The objectives set out in B2.2.1(1) identifies the need for quality compact urban form that enables:
 - B2.2.1(a) higher quality urban environment;
 - B2.2.1(b) greater productivity and economic growth;
 - B2.2.1(e) greater and cultural vitality.

- This proposal will contribute to achieving these objectives, by providing a high quality mixed use development supporting residential, commercial retail and hospitality activities, providing variety and opportunity in an established urban centre, promoting economic growth and high quality urban environment.
- B2.2.2(4) – B2.2.2(5) sets out policies that specifically seek to achieve quality compact form:
 - B2.2.2(4) Promotion of urban growth and intensification within the urban area, and enable urban growth and intensification;
 - B2.2.2(5) Enabling higher residential intensification, particularly in and around centres;
- This proposal complies with these policies, by seeking appropriate intensification in the Takapuna urban centre, and specifically seeking to intensify residential activity, through providing a variety of apartments in various styles and configurations.
- B2.3.1 sets out the objectives for a quality built environment, which includes (but is not limited to) seeking to ensure the built environment responds to intrinsic qualities and physical characteristics of the area, reinforces hierarchy of centres and corridors, contributes to a diverse mix of choice and opportunity, maximises resource and infrastructure efficiency.
- This proposal complies with these objectives, by seeking to develop a design-led, well-integrated high quality development that responds to the coastal and urban nature of the Takapuna centre, offering a diverse mix of housing and commercial opportunities to promote and facilitate growth and opportunity, and seeks to achieve high intensification and residential density.

Standards and application approach

As a **restricted discretionary** activity under both the Takapuna 1 Precinct and BMCZ, assessment is restricted to the following matters:

Under Chapter H9 Business – Metropolitan Centre Zones, the relevant matters of discretion for assessment of a restricted discretionary activity are set out under H9.8(2):

- That the design and appearance of buildings as it affects existing and future amenity values of public streets and spaces,
- Provision of floor to floor heights to provide flexibility of space;
- The extent of glazing provided on walls fronting public streets and public spaces;
- Provision of verandahs to provide weather protection;
- Application of crime prevention through Environmental Design principles;
- Creation of new roads and service lanes;
- Positive effects of landscaping on sites adjoining public spaces, which is relevant as the proposal is adjacent to Hurstmere Green;
- Taking an integrated stormwater management approach.

Under I540 Takapuna 1 Precinct, the relevant matters of discretion for assessment of restricted discretionary activity are set out under I540.8.1. Under this provision, discretion is reserved to the matters of discretion in Rule C1.9(3), as well as I540.8.1(1): Building height, frontage and building setback, and building coverage, including shading.

Standard I540.6.1(1) also requires that buildings within Sub-precinct A have a maximum height of 24.5m. However, I540.6.5(1) provides that a one storey height bonus is available as a permitted activity above the height limit provided by I540.6.1(2) if a through-site pedestrian lane is provided in Precinct plan 3.

The key infringement of the proposal is infringement of the height control of 24.5m under I540: Takapuna 1 Precinct, even though the proposal seeks to provide a through-site pedestrian lane as

required by Precinct plan 3 (and also required by the easement registered against the record of title for the site at 6-10 The Strand).

There are a number of expected minor infringements such as arboricultural treatment, infrastructural design, and hazard management (signage, lighting). The infringements will be supported by relevant technical experts and relate to matters where there is a balanced design choice to be made between, for example, urban design and infrastructure provision, in order to achieve optimal outcome for the site. The substantive environmental outcomes will still be achieved. This infringement, and other identified infringements are addressed further in section 4.0 of the planning memorandum prepared by Jessica Esquilant (**App Y**).

The application approach is therefore:

- To develop a design-led development that appropriately responds to the surrounding environment, including the coastal Takapuna beachfront and the urbanised Takapuna retail precinct;
- Responds to an appropriate scale of built form complementary to and maximising density in accordance with the BMCZ provisions;
- Provides opportunities for commercial, retail, and hospitality activities;
- Can be serviced by existing public infrastructure; and
- Consultation has been sought to ensure that matters of significance to iwi are respected.

This approach responds to any known and potential adverse effects, with the outcome being **significant net positive environmental effects** when considered against the relevant planning framework under the AUP.

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. Enabling Māori to express their cultural traditions and norms. 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.

[...]

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:

As noted above, the applicant entity comprises three separate companies: HND CB Limited, HND TS Limited, and HND MK Limited. These companies have only been registered in New Zealand since 23 April 2020, 13 August 2020, and 28 April 2021 respectively, and as such do not have any track record of compliance and enforcement action as none of the companies have undertaken any development.

In light of the acknowledged absence of New Zealand based experience, Mr Yaxun Zhang, who is one of the directors of all three companies, has prepared a letter that addresses the funding sources for the companies to be able to undertake this project, as well as providing detail around the consultants they have engaged to assist with this application. Mr Zhang and Mr Fan have appointed highly qualified and experienced consultants, all based in New Zealand, to assist them to ensure the project is completed efficiently and competently.

This is addressed in more detail in the letter from Mr Zhang at **Appendix C3**.