

APPLICATION FOR A REFERRED PROJECT

WAIHOEHOE PRECINCT

18-Feb-2021

COVID-19 RECOVERY (FAST TRACK) ACT 2020 APPLICATION

PREPARED FOR:
OYSTER CAPITAL LIMITED

B&A
Urban & Environmental

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1.0 INTRODUCTION

This has been prepared in support of the application by Oyster Capital Limited ("Oyster") for a referred project under section 20 of the Covid-19 Recovery (Fast Track Consenting) Act 2020 ("the Act"). This application for a referred project under the Act is to enable the accelerated construction and sustainable up to 376 dwellings, nine superlots for further residential development and supporting roading and servicing infrastructure across 34.65 hectares of land in the Waihoehoe Precinct ("the project") which is considered to result in significant public benefit.

These benefits include immediate employment generation in the construction sector for people affected by the economic impacts of Covid-19; increased and accelerated housing supply plus the delivery of 'ready for development' superlots and a well-functioning urban environment in the form of an integrated, sustainable and transit oriented centre to be established around the new Drury Central train station programmed for completion in the final quarter of 2025.

For these reasons, and others provided in this application, Oyster are of the view that the project will achieve the purpose of the Act 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.

2.0 THE APPLICANT

Oyster is a proudly New Zealand owned company specialising in the pre-development and development of land for both residential and commercial property projects across New Zealand.

Oyster was formed in 2003 and has since then continuously, and successfully, delivered a diverse range of projects with a proven record of success in large scale master planned residential developments. These projects commence from site selection, capital raising to initial design and construction. Oyster plans and manages both residential and commercial land development projects throughout New Zealand. This includes industrial or agricultural facilities, commercial or institutional developments, subdivisions or master-planned communities.

More recently, Oyster has specialised and excelled in the successful delivery and completion of master-planned greenfield residential subdivisions. Select examples of these across New Zealand are given below.



Whenuapai Village

Whenuapai Village

A 31.4 hectare landholding located on the western corner of Brigham Creek Road and Totara Road. The site will facilitate 651 residential lots, the creation of a town park and neighbourhood park, as well as an interconnected network of public roads and stormwater infrastructure. Delivery is staged and programmed for completion in October 2022.



Whenuapai Land

Whenuapai Land

Whenuapai Land is a 16.8 hectare landholding on the eastern corner of Brigham Creek Road and Totara Road. The development provided approximately 340 residential sites as well as a local centre for retail and commercial use. This project was completed in October 2017.



Beachlands

Beachlands

A 45 hectare development providing for approximately 300 residential lots. Included an extensive green space network from the stream corridors that were restored with comprehensive native planting. These were combined with a series of stormwater wetlands to enhance the local ecology and provide large areas of reserves for a pedestrian/cycleway. This project was completed in October 2019.



Bishops Hill

Bishops Hill

Bishops Hill is a 113.7 hectare lot of land located in Matakana. The area has been developed into 16 individual residential lots as well as a significant area for shared use – including a boat ramp and pontoon, walking tracks, a site, private roads and 45 hectares of natural native bush. This project was completed in April 2016.

3.0 BACKGROUND

3.1 PLAN CHANGE 50

By way of background, the land subject to this application for a referred project form parts of Private Plan Change (PPC) submitted to the Auckland Council (the “Council”) for consideration referred to as ‘PC 50 – Waihoehoe Precinct’.

In overall summary, this private plan change seeks to rezone 48.9 hectares of land located to the north of Waihoehoe Road and east of the North Island Main Trunk Railway, from Future Urban to Residential: Terrace Housing and Apartment Buildings zone.

Complementing PC 50 by Oyster are two other interrelated private plan change requests in Drury for which applications for referred projects on land also subject to the respective plan changes have also been submitted to the Minister for consideration. These are:

- ‘PC 48 – Drury Centre’ by Kiwi Property No.2 Limited which seeks to rezone 95 hectares of land in the area generally bounded by Great South Road, Waihoehoe Road, Fitzgerald Road and the Hingaia Stream, from Future Urban Zone to approximately 35 hectares of Business: Metropolitan Centre zone, approximately 51.5 ha of Business: Mixed Use zone surrounding the Metropolitan Centre and approximately 8.5ha Open Space: Informal Recreation zone adjoining the Hingaia Stream.
- ‘PC 49 – Drury East Precinct’ by Fulton Hogan Land Development Limited (FHLDL) which seeks to rezone 184 hectares of land in the area generally bounded by Waihoehoe Road, Drury Hills Road and Fitzgerald Road, from Future Urban to 2 hectares of Business: Mixed Use zone, 22 hectares of Residential: Terrace Housing and Apartment Buildings zoning; 65 hectares of Residential: Mixed Housing Urban zoning and 95 hectares of Residential: Mixed Housing Suburban zoned land.

Combined, these three individual private plan changes propose rezoning amounting to a total of 327.9 hectares of Future Urban zoned land to a combination business, residential and open spaces to enable urban development and well-functioning urban environments. Also included with each private plan change request are a bespoke suite of precinct provisions that have been developed in an integrated manner to guide future development of land.

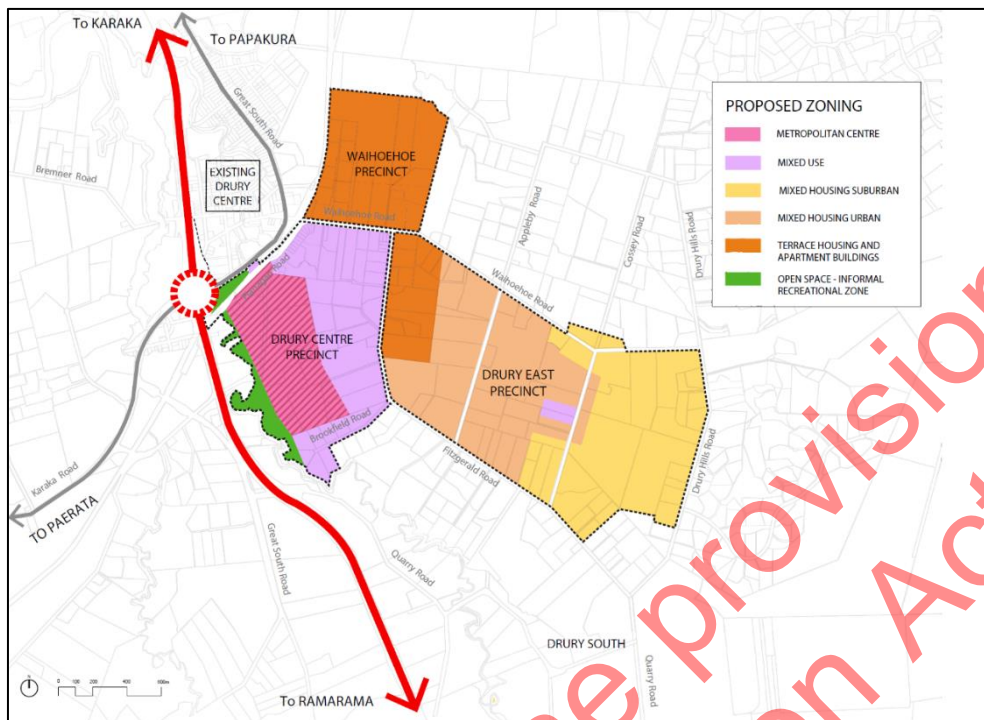


Figure 1: Propose rezoning in PC 48, 49 and 50

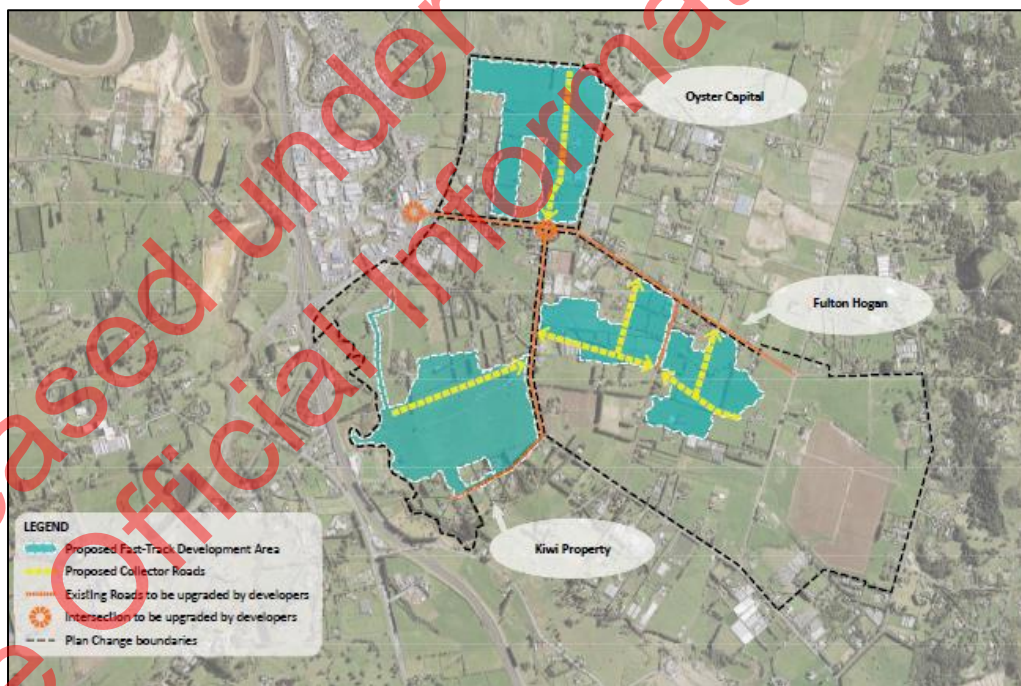


Figure 2: Extent and location of land subject to the applications for referred projects by Kiwi Property, Oyster Capital and FHLDL relative to the private plan change boundaries.

3.2 DRURY-OPAHEKE STRUCTURE PLAN

Underpinning the development of these three private plan changes is the Drury-Opaheke Structure Plan ("Structure Plan") endorsed by the Council on 6 August 2019. The Drury-Opaheke Structure Plan sets out a pattern of land uses and the supporting infrastructure network for the future urban growth of Drury-Opaheke. The Structure Plan was developed by the Council over a two year process and finalised over three phases of public consultation commencing with the exploration of issues and opportunities in September 2017, preparation of a draft land use plan in October in 2018 and the draft Structure Plan in April 2019.

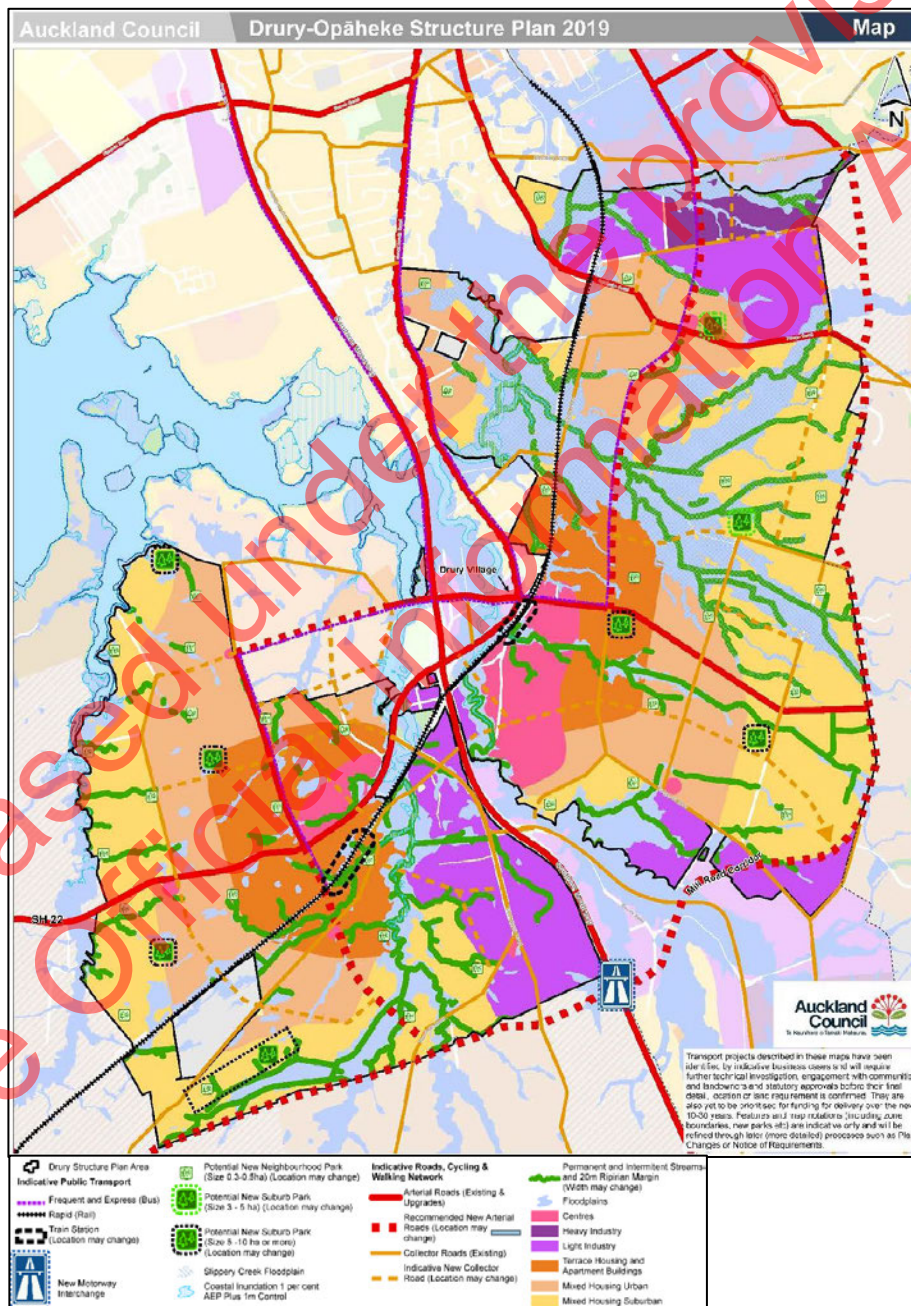


Figure 3: Drury-Opaheke Structure Plan land use map.

As illustrated in the land use map of the Structure Plan, the development of a metropolitan centre in Drury East is earmarked and strategically planned directly adjacent to the existing railway network and the planned Drury Central train station that is fully funded. Supporting the success and economic viability of this new metropolitan centre is residential land made up of a combination of Terrace Buildings and Apartment Zones, Mixed Housing Urban and Mixed Housing Suburban zones which provide the opportunity for medium to high density development. Conversely, this metropolitan centre would support the vitality and provide for everyday needs of what will be a significant emerging residential community which, as a whole, would form well-functioning urban environments. The Structure Plan also provides for an integrated and connected roading pattern while respecting the blue-green network of streams, ecological corridors and indigenous biodiversity.

The proposed rezoning of these plan changes creates a logical zoning framework and is contiguous with the existing live zoned areas in Drury Village to the north-west and Drury South to effectively fill the void in between these two areas. Each of the individual plan changes have been developed in cognisance of the Structure Plan and is generally consistent with the land use, transport and blue-green networks as set out in this document with minimal departures from this.

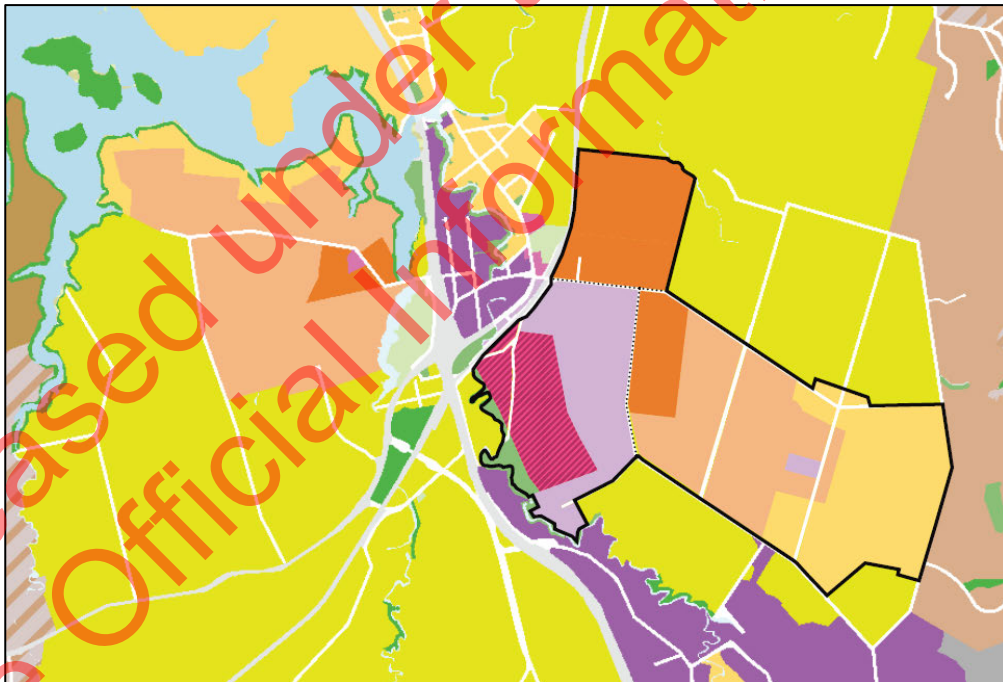


Figure 4: Propose rezoning in PC 48, 49 and 50 in context of existing zoning under the Auckland Unitary Plan.

3.3 NEW ZEALAND UPGRADE PROGRAMME

The New Zealand Upgrade Programme reflects the Government's balanced transport policy with \$6.8 billion being invested across road, rail, public transport and walking and cycling infrastructure. The Auckland package makes up \$3.48 billion NZ Upgrade Programme to deliver on the Government's commitment to support the transformation of Auckland's transport system to manage growth.

The NZ Upgrade Programme will provide an estimated \$423 million to fund improvements on SH1 between Papakura and Drury South to improve travel reliability. This suite of improvements fully funded and delivered by the Government will support urban development in terms of significant residential and employment growth in South Auckland.

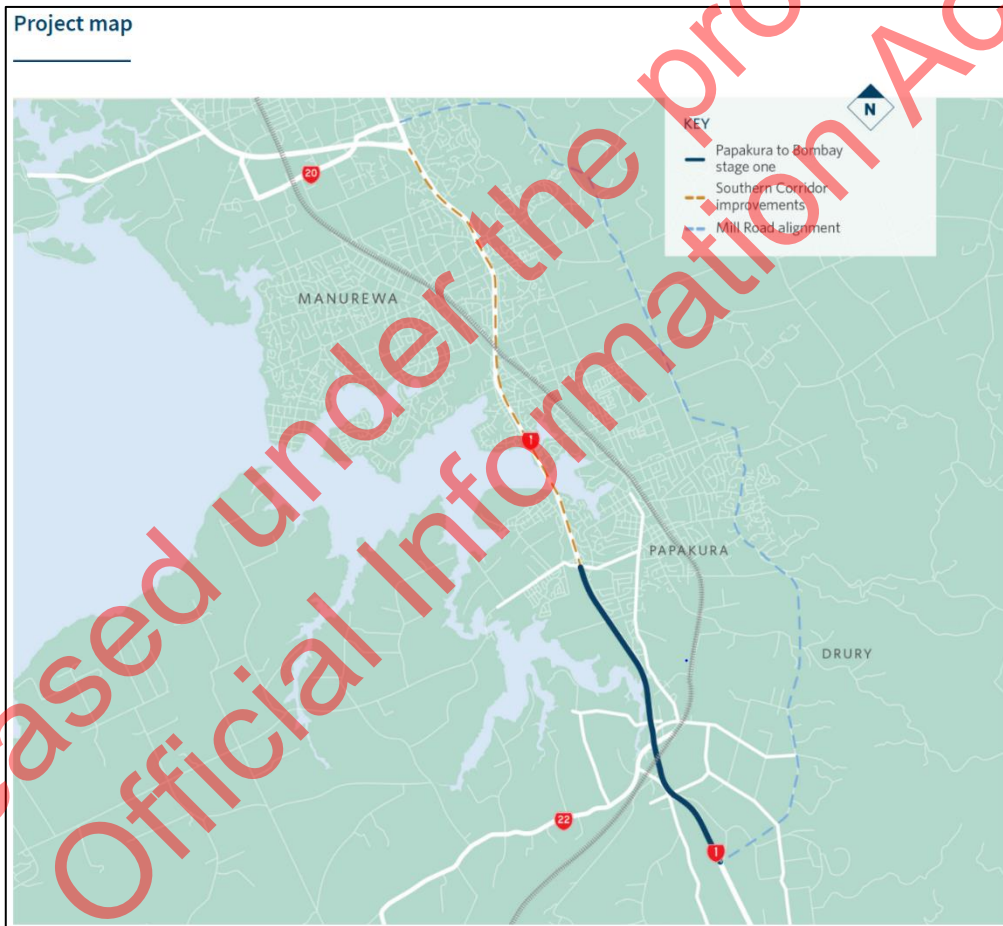


Figure 5: NZ Upgrade Programme, Papakura to Drury South improvements.

3.4 SUMMARY

The proposed works in this application are consistent with the land use and roading pattern as submitted in the PC 50 by Oyster and is therefore also generally consistent with the Structure Plan. In effect, the proposed works do not undermine the overall objectives and aspirations of the Structure Plan developed through an extensive public consultation process. Rather, they positively give effect the vision and objectives of the Structure Plan by bringing forward development in an integrated manner and accelerated timeframe.

The plan changes, and this application for a referred project, will bring forward development with the necessary infrastructure and local transport upgrades to support this level of development. These upgrades can be successfully implemented and delivered on a joint basis given the scale of development and capacity of the landowners. The project will also provide the benefit of enabling infrastructure funding to be secured for local upgrades that would complement the Government's investment as part of the NZ Upgrade Programme.

In this regard, the individual plan changes have been developed in an integrated and coordinated manner with a high degree of coordinate and what is considered to be an exemplary level of collaboration between the three landowners to ensure the coordinated delivery of successful outcomes.

The three plan changes were all publicly notified in August 2020 and have advanced through the primary and further submissions processes with the latter recently closed on the 29 January 2021. These plan changes will continue to progress through the normal processes under the Resource Management Act (RMA) 1991. Should this application for referred project be accepted, this is considered to complement the plan change as it would enable development to get underway and give effect to the purpose of the Act, while the plan change will facilitate development in the wider areas.

4.0 SUMMARY OF SUBMISSIONS FOR PC 50

4.1 SUBMITTERS

PC 50 was publicly notified on 27 August 2020 and submissions closed on 22 October 2020. Further submissions on PC 50 subsequently closed on 29 January 2021 as noted above. A total of 34 submissions received for PC 50 made up of 25 in support, 8 in opposition and 1 of a neutral position. Table 1 below summarises the submissions received in these respective categories.

Plan Change 50 Submitters			
	Support	Oppose	Neutral
Central Government	<ul style="list-style-type: none"> Ministry of Housing and Urban Development Te Puni Kokiri Department of Corrections Ministry of Education Heritage New Zealand Pouhere Taonga The New Zealand Transport Agency KiwiRail Holdings Kainga Ora 		
Local Government/ CCO's¹	<ul style="list-style-type: none"> Watercare 	<ul style="list-style-type: none"> Auckland Council Auckland Transport 	
Organisations	<ul style="list-style-type: none"> Fire and Emergency New Zealand Brookfield Road Limited Oyster Capital Limited Kiwi Property Holdings No.2 Limited Fulton Hogan Land Development Ltd Spark New Zealand Trading Limited Fletcher Residential Limited Britmat Holdings Ltd Counties Power Limited Drury South Limited 	<ul style="list-style-type: none"> Lomai Properties Limited Ngati Te Ata Waiohau Ngati Tamaoho 	<ul style="list-style-type: none"> Karaka and Drury Limited
Individuals	<ul style="list-style-type: none"> Danielle Haerewa Peter David Dodd 	<ul style="list-style-type: none"> Douglas Signal 	

¹ Council Controlled Organisations

	<ul style="list-style-type: none"> • Wendy Hannah • Dong Leng • Kenneth Giffney • Chunfeng Wang and Xiaoling Liu • Tony Chien • Leith McFadden • Tim John Macwhinney 	<ul style="list-style-type: none"> • Josephine Kleinsman • Matthew Royston Kerr 	
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4.2 KEY MATTERS RAISED IN SUBMISSIONS

The key issues raised in the submissions received are in relation to transport and infrastructure, stormwater management, iwi engagement and heritage as follows:

- *Transport and Infrastructure:* Uncertainty around the funding, timing and delivery of required transport and other infrastructure upgrades to support 'out of sequence' development, reliance on development triggers to stage the provision of transport infrastructure and that the upgrading of all roads and intersections should precede urban rezoning to avoid adverse traffic effects on local residents.
- *Stormwater:* Additional provisions required to give full effect to the direction in the National Policy Statement for Freshwater Management 2020 (NPSFM), and improvements are required to stormwater management and treatment;
- *Iwi Engagement:* Ngati Te Ata Waiohua and Ngati Tamaoho requests on-going iwi participation, consultation and engagement and the incorporation of Te Aranga Principles in design.
- *Heritage:* Further archaeological assessment of the PC 50 area was requested prior to any development or subdivision.

4.3 RESPONSE TO SUBMISSIONS

In response to the key matters raised in the submissions for PC50 summarised above, and in context of this project, we provide the following responses:

- *Transport and Infrastructure:* The interim transport upgrades required to support the development in this project can be delivered by Oyster in conjunction with the other landowners (i.e. Kiwi Property and Fulton Hogan) and within the existing road corridors without requiring any private third party land to achieve this. The localised transport upgrades funded by Oyster and other the other landowners will be complementary to the NZ Upgrade Programme that is

fully funded and will be delivered by the Government. The project also includes construction of a new collector road off Waihoehoe Road (fully funded and to be constructed by Oyster as part of this project) which is generally consistent with Auckland Council's planned Opaheke North South Arterial Road as shown in the Structure Plan.

- *Infrastructure:* The technical memo by Crang Civil confirms that there is sufficient infrastructure and capacity in terms of the three waters to service the project.
- *Stormwater:* An integrated stormwater management approach consistent with PC 50 can be successfully implemented for this project to manage the quality and flow of stormwater generated by the development. The stormwater management approach proposed will also maintain the hydrology of wetlands within the project area too. Overall, stormwater effects from the project can be managed safely and without adverse impacts to the receiving environment.
- *Iwi Engagement:* Significant iwi engagement has occurred to date and this is ongoing. Further engagement with iwi, including Ngati Te Ata Waiohau and Ngati Tamaoho, will be undertaken.
- *Heritage:* A site walkover of the land area for this project has already been carried out by Clough and Associates as part of their archaeological assessment for PC 50. This assessment confirms that there are no objects of heritage or archaeological value, and protected under the HNZPT Act 2014, within the project area.

Oyster continues to consult and engage with the key submitters for PC 50. However, in the context of this project, it is considered that the issues raised in the submissions do not directly apply to the project but are wider issues in relation to the plan change. The supporting technical assessment and investigations undertaken to date confirm that the project can be feasibly implemented without any fundamental issues.

5.0 SUMMARY OF IWI CONSULTATION

The project location is in a mana whenua area of interest and is subject to two statutory acknowledgement areas. Significant and extensive consultation has occurred to date from 2017 on an ongoing basis with a hui most recently held on 29 March 2021. A record of the minutes from the hui held to date on PC 50 and this project are **attached**.

AUTHORS

Barker & Associates Ltd

Date: 26/02/2021