



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: Waimarie Street
Application number: PJ-0000777
Date received: 23/11/2021

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: Sanctum Projects Limited

Contact person: Aaron Ghee

Job title: Director

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

s 9(2)(a)

Address for service (if different from above)

Organisation: Berry Simons

Contact person: Andrew Braggins

Job title: Partner

Phone: s 9(2)(a)

Email: s 9(2)(a)

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

Postal address:

PO Box 3144

Shortland Street

Auckland 1140

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.

The proposal is located at:

43A Waimarie Street, 45 Waimarie Street, and 819 Riddell Road

Saint Heliers

Auckland 1071

Legal description(s):

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

43A Waimarie Street: Lot 2 DP 69975

45 Waimarie Street: Lot 1 DP and Lot 2 DP 46758

819 Riddell Road: Lot 15 DP 18184

Please refer to Records of Title attached as Appendix A.

Registered legal land owner(s):

43A Waimarie Street: Graeme and Susan Tremlett

45 Waimarie Street: Simon Dempsey, and Sarah and Stephen Katz

819 Riddell Road: Donald McGregor

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:

For Sale and Purchase Agreements ("SPAs") for the three parcels of land, see Appendices B1-B3. The SPAs currently identify Mainston Properties Ltd ("MPL") as the purchaser. The director of Sanctum Projects Ltd ("SPL"), Aaron (Teik Huat) Ghee is also the director of MPL. In Appendix C1 is a management contract between MPL and SPL. It is intended that SPL will be the development management company and obtain all the necessary consents and permissions to undertake the project. It is also intended that MPL will later nominate a new company to complete the purchase of the properties, and that the management agreement will also nominate the new entity to be party to the contract. It is intended that SPL will have continuity in terms of obtaining all consents and project-managing the development. This confirms that SPL has sufficient legal interest in the land to be able to implement the proposed development. For comparison: The Resource Management Act 1991 does not require that the applicant be the owner; and the definition of owner under the Building Act 2004 includes a person who has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, and who is bound by the agreement because the agreement is still in force. SPL has an interest in land sufficient to be considered the owner under the Building Act 2004.

SPL is a construction project management entity, incorporated in March 2021 to develop this site by its director, Mr Ghee. Mr Ghee confirms he is confident he can secure funding for this development (See Appendix C2) with details of Mr Ghee's directorship of both SPL and MPL.

Part III: Project details

Description

Project name: Waimarie Street

Project summary:

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

The application site comprises 3 contiguous sites in the Auckland suburb of St Heliers. Together, the site has an overall area of 7,301m². The proposal involves the construction of up to 58 terraced dwellings, comprising a range of typologies, ranging from 2 to 3 storeys, 2-4 bedrooms and a mixture of internal garages and communal car parking areas.

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.

The sites will be subdivided to create individual freehold titles around the dwellings, and to create a JOAL for shared ownership of the accessways and communal facilities including refuse station.

The proposal has an overall activity status of Restricted Discretionary and requires resource consent for new dwellings in the Mixed Housing Suburban zone in addition to Auckland-wide provisions of the AUP. A more detailed analysis is provided in the planning memorandum (Appendix D).

The purpose of the proposal is to provide for a comprehensive and high-quality development within a central Auckland suburb which will increase the supply of housing at a premium location, at a currently undersupplied price

point, thus assisting to deliver a compact urban form in a manner which takes into consideration the unique opportunities and constraints of the site.

The development comprises a variety of dwelling typologies to meet a multitude of housing needs, and to offer choice to the market. It therefore assists to implement the regional policy statement (B2.2.2(2)(e)) by providing a range of housing types that are undersupplied within the local area. In doing so it provides opportunity for older people to 'downsize' but remain within their neighbourhood without moving to a retirement village. This then provides a follow-on opportunity for larger sites in the neighbourhood to be redeveloped and provide further intensification.

The Architectural Drawings prepared by BDG Architects are included in Appendix E. This has been a design-led project with multi-disciplinary input from urban design, landscape, planning, traffic engineering and economic experts. The architectural design is still undergoing minor amendments and we anticipate revisions throughout the consultation process with MFE. The proposed development specifically responds to the characteristic of the site to fit within the urban context.

It is noted that a development of this scale within the Eastern Bays area of Auckland is noteworthy given the lack of comparable lot sizes.

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

At this stage, it is proposed to undertake the application in two to three stages to allow the houses to be brought to the market more quickly than if it was undertaken as a single stage. A staging plan will be provided at the Resource Consent stage. This will be confirmed at resource consent stage.

It is proposed that horizontal construction will begin as soon as possible after 1 October 2022 with a clear objective of completing the civil construction program as soon as possible after the start date. Ideally construction would commence earlier, but with expected delays from Auckland Council in terms of engineering plan approval and building consent it may not be possible to start and complete bulk earthworks before winter 2022.

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
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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 - H4 – Residential Mixed Housing Suburban	H4.4.1(A4) C1.9.	The proposal involves construction of up to 58 new dwellings.	Restricted Discretionary Activity	Across the site.

Auckland Unitary Plan	H4 – Residential Mixed Housing Suburban	The proposal infringes Standard H4.6.4 Building Height	Restricted Discretionary Activity	The proposed three level units (i.e. Lots 43-50).
Auckland Unitary Plan	H4 – Residential Mixed Housing Suburban	The proposal infringes Standard H4.6.5 Height in relation to boundary	Restricted Discretionary Activity	Units 9-11.
Auckland Unitary Plan	H4 – Residential Mixed Housing Suburban	The proposal infringes Standard H4.6.7 Yards	Restricted Discretionary Activity	Unit 1.
Auckland Unitary Plan - E7 Taking, using, damming and diversion of water and drilling	E7.4.1 (A20) and E7.4.1(A28)	<p>The proposal may require dewatering or groundwater level control associated with a groundwater diversion.</p> <p>The proposal may also require the diversion of groundwater, caused by any excavation, that does not meet the permitted activity standards.</p> <p>NB: TBC whether applicable. Groundwater testing is being undertaken, and if required, a full groundwater assessment will be provided at resource consent stage.</p>	Restricted Discretionary Activity	Across the site.
Auckland Unitary Plan - E12 – Land Disturbance District	E12.4.1(A6) and E12.4.1(A10)	The proposal involves earthworks exceeding 2500m ² and 2500m ³	Restricted Discretionary Activity	Across the site.
Auckland Unitary Plan - E30 – Contaminated Land	E30.4.1(A6)	<p>Discharges of contaminants from disturbing soil on land containing elevated levels of contaminants.</p> <p>NB: TBC whether applicable. A Preliminary Site Investigation is being undertaken for referral, and if required, a Detailed Site Investigation will be undertaken at resource consent stage.</p>	Controlled Activity.	Across the site.
Auckland Unitary Plan - Chapter E36 Natural Hazards and Flooding	E36.4.1(A42)	The proposal involves new buildings and structures located	Restricted Discretionary Activity	Within the vicinity of the overland flow paths on site.

		within or over and overland flow path.		
Auckland Unitary Plan - E38. Subdivision Urban	E38.4.2(A14)	The proposal involves freehold subdivision in accordance with a land use consent.	Restricted Discretionary Activity	Across the site.
Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011	Clauses 5(5) and 5(6)	Subdivision and change of use of land NB: TBC whether applicable. A Preliminary Site Investigation is being undertaken for referral, and if required, a Detailed Site Investigation will be undertaken at resource consent stage.	Restricted Discretionary	Across the 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 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:

As the titles that make up the Site are owned by the Mainston Properties Limited, an entity related to the applicant entity (noting the sale and purchase agreement referred to, and relationship of the entities detailed in under Part II) 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:

The site is not identified by the AUP as having any cultural or heritage items of significance. Zoning and overlay maps for the site are included in **Appendix F**. The proposed works will be subject to standard consent conditions requiring works to cease (i.e. identification and protection protocols) should any items of cultural and heritage significance be discovered, with notification to Heritage New Zealand and iwi made to enable actions prior to recommencing works – subject to consultation with iwi that identification and protection protocols can be activated.

An archaeological assessment has been prepared by Clough & Associates (**Appendix G**). The archaeological assessment details the methodology, which included a desktop review of historical and archaeological documents, as well as findings from the field assessment on each of the three sites. The assessment confirms that there are no previously recorded archaeological sites within the three sites, and shows significant modification from residential development. Mr Clough's conclusion is that the works will have no impact on any known archaeological remains, and that the potential for subsurface archaeological remains to be exposed is considered to be low. Mr Clough recommends that the AUP accidental discovery protocol will be sufficient to manage any accidental discoveries. Mr

Clough also confirms that an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 will not be required.

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.

It is anticipated that the likely start date for construction will be October 2022. This is to take into account the time required for MFE's deliberation, consideration of the application for resource consent by an expert consenting panel (if the project is referred by the Minister for the Environment), all of which is unlikely to be completed before the end of the earthworks season in April 2022. Additionally, SPL will then need to obtain engineering plan approval and building consent from Auckland Council.

In terms of construction readiness, Mr Ghee has confirmed that SPL will have the necessary funding secured in time to enable construction to start by October 2022. Mr Ghee's letter is **attached at Appendix C2**.

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:

The Applicant attended a pre-application meeting with Auckland Council on 26 October 2021.

In general, it was noted that Council officers were generally in support of the proposal. No specific engineering matters were raised, and the majority of the discussion focused on clarification of urban design matters.

Notwithstanding the above, the pre-application meeting did not confirm Council's position on notification of this proposal, and therefore there is no certainty whether the Applicant would be looking at a straightforward non-notified consent application, or whether it is likely to be notified and need to proceed to a hearing.

Additionally, two previous terrace style developments in the Residential Mixed Housing Suburban Zone have recently been judicially reviewed by groups of neighbouring residents opposing development. Groups of neighbours in these suburbs tend to be well resourced and have the means to take judicial review proceedings and one of those judicial reviews was recently successful (see Section IX below). On this basis, we consider that it is a genuine likelihood that either the Council will decide to process this application on a limited notified basis or a non-notification decision would be delayed by judicial review. Notably the scale of this development (58 dwellings), is much larger than the other developments referred to, both of which had less than 20 dwellings. As a result, fast-tracking provides an optimum outcome whereby the process is much faster than a notified resource consent and potential appeal to the Environment Court, while adjoining owners are still given a substantive opportunity to have their say about the development through the consultation process. Further detail on this litigation is provided under the heading 'Whether the project would be likely to proceed faster under the Act' in Section IX below.

Other persons/parties

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

- Māori
- Ōrākei Local Board
- Watercare

- Auckland Transport

Detail all consultation undertaken with the above persons or parties:

Māori

The site is not situated within a Statutory Acknowledgement Area; however, consultation has been initiated with iwi, with details of the application sent to mana whenua that have an interest in the area.

An initial email was sent on 14 October 2021 inviting iwi to consult on the application and asking them whether they intend to prepare a Cultural Impact Assessment.

Full details of the iwi consultation undertaken so far is provided below and the email and information provided is included in **Appendix I**.

Ōrākei Local Board

Consultation has not yet been undertaken with the Ōrākei Local Board but will be commenced as required.

Auckland Transport

Consultation with Auckland Transport has not yet been initiated but will be commenced as required.

Watercare

Consultation with Watercare has not yet been initiated but will be commenced as required.

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	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>A hui was held with Ngāi Tai ki Tāmaki on 29 October 2021 via Microsoft Teams to discuss the application in further detail.</p> <p>Ngāi Tai ki Tāmaki have requested to be consulted with throughout the application progress, however are yet to confirm whether a Cultural Impact Assessment is required.</p>
Ngāti Maru	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>A response was received via email on 15 November 2021 confirming that Ngāti Maru do not require consultation on this project. A copy of this email is included in Appendix I.</p>
Ngāti Paoa	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>No response has yet been received.</p>
Ngāti Tamaterā	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>No response has yet been received.</p>

Ngāti Te Ata	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>A response was received via email on 1 November 2021 confirming that Ngāti Te Ata do not require consultation on this project. A copy of this email is included in Appendix I.</p>
Ngaati Whanaunga	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>A response was received via email on 15 November 2021 requesting that a Cultural Values Assessment be undertaken.</p>
Ngāti Whatua o Kaipara	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>Andrea Cave responded via email on 4 November 2021 confirming that Ngāti Whatua o Kaipara does not require consultation on this project. A copy of this email is included in Appendix I.</p>
Ngāti Whatua Orakei	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>No response has yet been received.</p>
Te Ahiwaru – Waiohū	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>No response has yet been received.</p>
Te Kawerau a Maki	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>Robin Taua-Gordon responded via email on 21 October 2021 confirming that Te Kawerau a Maki does not require consultation on this project. A copy of this email is included in Appendix I.</p>
Te Patukirikiri	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>Nikky Fisher responded via email on 14 October 2021 confirming that Patukirikiri does not require consultation on this project. A copy of this email is included in Appendix I.</p>
Te Rūnanga Ngāti Whatua	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>No response has yet been received.</p>
Waikato - Tainui	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p> <p>Kahurimu Flavell responded via email on 21 October 2021 confirming that Waikato - Tainui does not require consultation on this project. A copy of this email is included in Appendix I.</p>
Ngāti Tamaoho	<p>Consultation with iwi has been initiated, with details sent to mana whenua identified by Auckland Council for this location. The email and information provided is included in Appendix I.</p>

Lucille Rutherford responded via email on 21 October 2021 confirming that Ngāti Tamaoho does not require consultation on this project. A copy of this email is included in Appendix I.

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.

The site is not treaty settlement land and is not located within any iwi statutory acknowledgement area.

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.

The site is not located in the Coastal Marine area, as such this is not applicable.

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.

The site is not located in the Coastal Marine area, so this is not applicable.

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.

Known and anticipated adverse effects

In terms of sustainable use, the proposed use responds with a significantly greater positive environmental outcome than if the site remains as currently used.

The site is currently comprised of three residential dwellings on the total site area of 7,301m². In this regard, the proposed development in providing up to 58 residential units within a central Auckland suburb, will assist to provide increased housing choice and, to an extent, address the housing shortfall in Auckland. More specifically the additional housing choice is a typology that is in a currently undersupplied price bracket within this locality and provides new choice for people within the community to downsize but continue living in their community. Overall, this is a substantial net environmental positive.

The identified adverse effects are potential adverse effects relating to:

- Increased local traffic on the road network – although a mitigating factor is the proximity to public transport links.
- Perceived amenity effects from the increased use on surrounding residential neighbours.
- Increased building intensity and scale compared to the current under-developed site and a change in appearance of the site given the number, design and location of new buildings.
- Temporary works during the construction and development of the site – i.e. noise, vibration, traffic, and odour.
- Infrastructure effects in terms of wastewater and water supply demand and capacities, and stormwater discharges – including effects on the overland flow path shown on Council's GeoMaps.

These potential adverse effects can be readily addressed through:

- Accessibility to public transport:
- The site is situated approximately 80m to bus stop 7129 at 809 Riddell Road, which accommodates bus service 783, a key bus loop through the eastern bays area, providing public transport access to a number of local services.
- The site is situated approximately 200m to bus stop 7348 at 22 Bay Road, which accommodates bus service 744. It is noted that bus route 744 acts as a key link to further transport routes such as the TMK bus route in addition to the Glen Innes and Panmure Train Stations, both of which provide access to the wider Auckland area and the Central Business District.
- The capacity of the existing road network to absorb additional traffic movements.
- A high standard of urban design and landscape detail to soften the visual impact of the built form; by utilising design approaches including:
- Locating the three storey buildings away from the site boundaries to maintain the character and built form anticipated for the MHS zone.
- Architectural design elements that ensures the proposed scale of the development is complementary to the surrounding environment.
- Otherwise addressing anticipated effects of the development by aligning with the standards and provisions of the MHS zone.
- Upgrading the local infrastructure services as needed and managing potential overland flows through the site.
- Use of standard engineering methods are proposed for earthworks and construction of infrastructure, as well as conditions of consent including:
- Limits on construction
- Construction Noise and Vibration Management Plan.
- Implementation of a Construction Traffic Management Plan.

A preliminary assessment of the public stormwater, wastewater, and water supply servicing for the site has been undertaken by Kirsty Ainsworth and Adrian Percival of Civix (Appendix J) indicating some local upgrades are required to respond to capacity requirements. However, the servicing memorandum confirms that, provided these upgrades are implemented, there is sufficient capacity in the network to service the development.

A preliminary urban design assessment has been prepared by Matt Riley of Boffa Miskell and is included in Appendix K. The urban design assessment details the design principles adopted to develop the layout, characteristics and intended interface of the proposal. Mr Riley concludes that his opinion is that the development is consistent with the planned suburban residential environment, manages potential adverse effects and will achieve a high quality living environment.

With respect to potential traffic effects, a preliminary assessment has been undertaken by Todd Langwell of TPC and is included in Appendix L. Mr Langwell's assessment indicates that the additional vehicle movements resulting from the

proposal can be accommodated within the road network. The proposed parking and access design meets all AUP requirements.

A geotechnical assessment (Appendix M) has been prepared by Blair Griffith of Soil&Rock Consultants, which addresses site stability and earthworks components of the proposal. The preliminary stability analysis indicated global instability not to be an issue, and confirms that any potential localised stability risks can be mitigated during earthworks.

With regards to proposed landscaping, Nick Slattery of Greenwood Associates has prepared a memorandum (Appendix N) which discusses proposed landscape strategy and plant selection for the development.

A Site Waste Management and Minimisation Statement has been prepared by Fiona Lawrence of Green Gorilla and is attached in Appendix O. The statement confirms Green Gorilla's capability to provide operational waste and recycling collection for the development.

Auckland Unitary Plan Operative in Part - Anticipated Effects Assessment

With regard to effects anticipated under the MHS zone of the AUP, the following sets out the key Zone Statement, Objectives and Policies, and provisions in support of this proposal.

Activity status

The AUPOIP Activity Table Rule H4.4.1(A4) states four or more dwelling per site is a restricted discretionary activity. It is confirmed 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)).

H4. Residential – Mixed Housing Suburban

The MHS zone seeks to retain a suburban character by primarily promoting one to two storey dwellings, both attached and detached in form. The Zone Statement confirms that the key difference between the MHS zone and Mixed Housing Urban Zone is the anticipated height of dwellings, where the MHU zone promotes a slightly more dense built form up to three storeys high. However, the MHS zone does intend to facilitate intensity, and permit greater density of built form where appropriate.

Objectives and Policies

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

- Developing neighbourhoods with a planned suburban built character of predominantly two storey buildings, in a variety of forms (attached and detached)
- Provision of quality on-site and off-site residential amenity through urban design, landscaping, and safety (e.g. encouraging passive surveillance of public spaces).

These are addressed in greater detail in the planning memorandum prepared by Feitong Chen of Civix, attached as Appendix D.

This zone is the most widespread residential zone across the region which seeks to achieve a suburban built character which includes high quality on-site living environments and attractive and safe streets. The objectives and policies seek to achieve this outcome by limiting development to predominantly two storey buildings by:

- Requiring sufficient setbacks and landscaped areas;
- Limiting the bulk and dominance of built development to maintain reasonable sunlight access and privacy between sites; and
- By requiring residential activities to have high quality on-site living environments.

Another key outcome promoted by the objectives and policies is housing choice, whereby the zone anticipates a range of housing sizes and types (e.g. detached and attached buildings). This gives effect to higher level strategic direction of the Regional Policy Statement (RPS, contained in Chapter B of the AUP) relating to residential intensification of existing urban areas to increase the regions housing capacity and affordability. The removal of density controls is the critical method to achieve these outcomes and represents a step-change from previous District Plan approaches for suburban zones

It is considered that the proposal strongly aligns with the intent of Chapter B2 of the RPS for the following reasons:

- B2.1(3) identifies the need for growth to be provided in way that optimises the efficient use of the existing urban area. The proposal enables development of the site to provide 58 dwellings in an urban environment where the site currently only comprises 3.

- B2.2.1(3) identifies as an objective that urban growth is primarily accommodated within the 2016 urban area. By optimising development intensity, the proposal assists to reduce pressure to expand beyond the 2016 urban area.
- B2.3.1 identifies the object of a quality built environment
- Responding to intrinsic qualities and physical characteristics of the site – the subject site is well suited for development as it is not subject to any material overlay controls (SEA, heritage, etc).
- The proposal contributes to a diverse mix of choice and opportunities for people and communities by providing an increase in the range of more affordable houses in a location that has a shortage of such housing, as demonstrated by the economic assessment.
- The proposal maximises resource and infrastructure efficiency by providing a greater residential intensity within a well-connected central Auckland suburb.
- The proposal responds to the effects of climate change, in that the site is sufficiently distanced from the sea or watercourses to be low risk and any adverse effects on the overland flow path within the site are considered to be negligible.
- B2.4.2(11) seeks to enable a sufficient supply and diverse range of dwelling types and sizes that meet the housing needs of people of people and communities. The proposed development achieves this outcome to a greater extent than would otherwise be seen within the eastern bays area by providing terraced housing in a currently undersupplied price bracket, which is currently lacking within the locality.

Standards and Application Approach

The assessment criteria listed under H4.8.2(2) relating to the activity of establishing four or more dwellings flesh out the objectives and policies for the MHS zone and provide a clear framework against which to assess the appropriateness of this proposal, however the standards that must be complied with are the following:

- Height in relation to boundary at the external / interface boundary.
- Alternative height in relation to boundary at the external / interface boundary.
- Maximum height of 8m.
- Relevant external / interface yard (side or rear boundary).

The application approach as directed by the AUP is therefore to design a proposal which:

- Responds to an appropriate scale of built form providing 2 storey dwellings in the form terraced houses near the boundaries with adjacent neighbours. 2.5 and 3 storey dwellings are also provided but given the topography, will visually present as a two-storey built form.
- Achieves high amenity outcomes through high quality urban design.
- Can be serviced by existing public and newly proposed infrastructure (roads and underground services).

As a **Restricted Discretionary activity** only those effects that relate to matters within the Council's discretion under the relevant AUP rules can be considered pursuant to s104C of the RMA.

The relevant matters of discretion for four or more dwellings per site in the MHS zone are:

- The effects on the neighbouring character, residential amenity, safety and the surrounding residential area from all of the following:
 - Building intensity, scale, location, form and appearance;
 - Traffic; and
 - Location and design of parking and access.
- All of the following standards:
 - Standard H4.6.8 Maximum impervious area;
 - Standard H4.6.9 Building coverage;
 - Standard H4.6.10 Landscaped area;
 - Standard H4.6.11 Outlook space;
 - Standard H4.6.12 Daylight;
 - Standard H4.6.13 Outdoor living space;
 - Standard H4.6.14 Front, side and rear fences and walls; and
 - Standard H4.6.15 Minimum dwelling size
- Infrastructure and servicing.

The proposal complies with almost all of the H4 standards to which discretion is restricted. There are three exceptions:

- Standard H4.6.4 – Building height;
- Standard H4.6.5 – Height in relation to boundary (HIRB); and
- Standard H4.6.7 – Yards.

The extent of these infringements is detailed in Section 5 of the *Planning Memorandum* (Appendix D). It is considered that the infringements can be appropriately dealt with to ensure adverse effects are no more than minor.

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. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill 2021 was introduced in October 2021, which seeks to strengthen and expedite implementation NPSUD. The Bill intends to achieve this by using the existing streamlined planned process with modifications (intensified streamlined planning process) as an alternative to the Schedule 1 process to make or change plans.

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. The clear direction for increased intensity in appropriate locations is further obviated under Policy 3 which, for Tier 1 urban environments, seeks that planning documents enable building heights maximising intensification as much as possible. Policy 3(c)(i) seeks to enable building heights of at least six storeys within at least a walkable catchment of existing and planned rapid transit stops. To an extent, this applies to this proposal, being within a short walk to bus stops along Waimarie Street and Riddell Road although the proposed building heights are lesser being two and three storeys.

Additionally, on 27 October 2021, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill 2021 was introduced, which intends to bring forward and strengthen the implementation of the NPSUD, as well as enable greater intensity, with up to three dwellings up to three storeys to be permitted as of right on most residential lots. The intention of the Bill is to expedite development and permit greater intensity. This proposal has sought to strike a balance between avoiding adverse amenity effects on adjacent properties, as well as ensure an aesthetic design by maintaining some of the 58 proposed dwellings at a 2 storey height, while also seeking to align with the national direction on maximising intensity on these sites, and proposes some dwellings to be 2.5 and 3 storeys in height.

Employment Adam Thompson has prepared an economic assessment of the proposal (Appendix P) and has stated that the proposal will generate significant employment opportunities. Specifically, Mr Thompson has estimated that construction of the proposed development will generate 212 Full Time Equivalent ("FTE") jobs over the life of the project.

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 \$18.54m

Housing supply

The proposal will result in the contribution of 58 new dwellings to the housing supply in the St Heliers. It is notable that the locality has relatively little land that is zoned to enable terrace housing when compared to other location in Auckland, which reduces the supply of this type of dwelling in this location.

The proposal will supply up to 58 terraced houses in the s 9(2)(b)(ii) price range, which aligns with the current price of terrace dwellings within the locality. It is noted that terrace housing is shown to be the most affordable housing type within St Heliers, whilst apartments achieved the highest average price.

Well-functioning urban environments

Mr Thompson's assessment is that the proposal helps to achieve this objective, as the proposal increases the range of housing available to the market, being terraced dwellings in a variety of configurations, contributing to the regional shortage of dwellings.

This project will also contribute to well functioning urban environments by proposing housing in an area that is well serviced and well connected to community facilities, including nearby schools, recreational areas such as beaches and parks, and local conveniences and retail opportunities. The site is an optimal location to support a well functioning urban environment by having good accessibility to these needs, including by being supported by public transport and being sufficiently proximate to be accessed by active modes of transport such as walking and cycling.

This project will assist in accelerating regeneration of the area, by enabling people to move out of older homes into brand new, modern housing, which will enable other development opportunities of older houses in the area. It provides opportunities to meet needs of different households, and can cater for different family groups at price points that are lower, and therefore more affordable, for this particular suburb. These new modern dwellings will be built to a high quality, and will mean people can move out of old dwellings that are not as energy efficient. See Appendix Q.

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:

The proposal's economic costs and benefits have been assessed by Urban Economics, and this is included in Appendix P. with a section specifically responding to Section 19(a).

The summary of this is that Covid-19 is likely to result in a decline of houses demanded and constructed, placing considerable pressure on the construction sector over coming years.

This proposal would create a considerable number of jobs within the construction industry, with an estimated 212 Full Time Equivalent ("FTE") jobs created over the duration of the project. On an annualised basis (i.e. if construction takes two years) then 106 FTE jobs would be created in each year; and if the project takes 3 years, then 70 FTE's will be generated in each year. Mr Thompson in his economic assessment has also broken this down further, and estimates that the project will generate:

- 49 FTE jobs in building construction;
- 115 FTE jobs in construction services; and
- 48 jobs in professional services.

The project will also contribute to the wider economy in that the construction industry has a value-added figure of \$133,000 per FTE employee, as such an estimated 212 FTE jobs will equate to a GDP contribution of \$28.2m.

In addition to the economic benefits accruing from construction employment, are spin off effects to the local retail economy (particularly the wider St Heliers area) from having more people introduced to the area.

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

The proposed development will result in significant benefit to the social and cultural well-being of current and future generations. Given the provision of employment and a diverse range of housing typologies, the proposal will have a positive impact through the provision of jobs in the in the construction sector and generate more affordable housing, within an otherwise largely unaffordable central Auckland suburb.

The mixture of 2-4 bedroom dwellings reduces the social pressures caused by inadequate housing supply and quality, and allows residents to move into a well-connected locality. These new modern dwellings will also enable people to move out of older homes that are not as energy efficient, so will support families moving into healthier homes, and assist in accelerating regeneration of the area by vacating older homes that then provide additional opportunities for development of the suburb..

In addition to the economic well-being from additional housing is the social and cultural benefits of being part of a localised community with access to internal recreation reserves, and also in proximity to Glover Park, Churchill Park and St Heliers Beach. The design of the proposal, together with the benefits of its location substantially provides for the social and cultural well-being of future generations, without adversely affecting current residents in the area. This site is optimally located to access these community and recreational facilities and locations by public transport, and is sufficiently proximate to access these by active transport options as well, including walking and cycling. Ultimately, the design is focussed on achieving a compact urban form, and high quality and high amenity development, that will have positive effects on the social and cultural wellbeing of both 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:

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 seven months.

By contrast, under the RMA, based on present experience with Auckland Council ("AC"), 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. With particular consideration of the height exceedances, it is considered likely that the application would need to be processed on a notified basis, and a hearing held, which would significantly delay the consenting process. It is noted that recent resource consent applications for medium-intensity residential development within the catchment area has been subject to extensive opposition from local residents. Two recent projects in Meadowbank / Remuera and Glendowie have both been subject to judicial review applications seeking to force limited or public notification because the development is inconsistent with the 'existing character' of the area, irrespective of whether it is consistent with the planned built character of the area.

The case numbers are: *Wallace and others v 44 Ventnor Road Limited* CIV-2021-404-000549; and *Hawley and others v Auckland Council and 69 Roberta Avenue Limited* CIV-2021-404-1727. A decision has now been issued by the High Court for the *Wallace v 44 Ventnor Road Limited* matter, which ultimately upheld the judicial review application. The reasons why the High Court overturned the non-notified consents were that: The Council considered matters which are not part of the existing environment and which are not permitted as of right under the Auckland Unitary Plan – Operative in Part and are therefore outside the scope of s 104(1)(a) of the RMA; and The Council did not turn its mind to the effects of building intensity on neighbourhood character and residential amenity in its consideration of the assessment criteria in H4.8.2 of the Auckland Unitary Plan as required by the Plan.

It is likely that the High Court's decision will be appealed, but the timing for any appeal is unhelpful for Sanctum as that is likely to be around 9 months away from a decision. It is anticipated that it would be possible to demonstrate that the adverse effects of this development are not more than minor (test for notification). There are a number of ways to do so, one of which is to establish the greatest extent of permitted baseline. However to do so in the context of a non-notified application is likely to take some time. For example, the land is presently held in 4 titles which give a permitted baseline of 12 dwellings (3 per title). AC might say that the proposed 52 dwellings has greater effects than the permitted baseline of 12.

However if a vacant lot subdivision was first undertaken, the site could be split in about 18 lots (7,301m² divided by the 400m² minimum lot size), which would result in a permitted baseline of 54 dwellings. To achieve this outcome would be somewhat complicated: This process, substantially increases the timeframe for consenting (as the vacant lot subdivision has to be first applied for and then partially implemented, given the definition of site); Given the need to provide for vehicle manoeuvring it is likely to be difficult to design a subdivision which exactly aligns with the layout of the proposed development; Even then, the permitted baseline is a discretionary tool and the Council or commissioner could decide not to apply the permitted baseline, rendering a vacant subdivision strategy nugatory; and Even if a non-notified consent was obtained, a group of motivated neighbours could still file judicial review proceedings which is likely to cause delays, now that lenders have seen the impact flowing from the Wallace decision (which left a mostly completed development at a standstill). Thus it can be seen that there are significant uncertainties about whether a non-notified consent could be obtained and even if it was whether it could be implemented if a judicial review was filed.

By comparison the fast-tracking process assists the developer and the community because it creates a much faster process (for the developer), but also one which is akin to limited notification because the adjoining owners are all given an opportunity to have their say (and so will not feel disenfranchised, which they likely would do in a non-notification process). All in all, the fast-track process is much better because it allows the community to have their say and it provides faster development certainty than any option available under the RMA. Additionally, it is noted that a recent resource consent application was made to Auckland Council to construct 19 dwellings on 21-23 Riddell Road, which is also subject to considerable pressure from local residents. All three examples involve large parties of neighbours seeking to oppose and delay development and intensification anticipated by the Auckland Unitary Plan – even though they are not directly impacted by tangible effects (shading, dominance, privacy etc). In fact, in *Hawley*, none of the original parties to the judicial review were adjacent to the site (recently an additional party was added who does live next to the development site). As such, given the scope of the proposed development on the subject site, it is considered inevitable that the application would subject to similar push-back from local residents, resulting in significant time-delays noted above.

In conclusion, the fast-track legislation will enable the project to be delivered faster than if consenting proceeds under the RMA through Auckland Council. The uncertainty and likelihood of public opposition to this project (resulting in a likely judicial review or submissions on a limited notified application) means there is substantial uncertainty about the timing for a non-notified consent and/or a judicial review which would slow down the delivery of the project even if a non-notified consent was obtained (having a court order preventing the completion of partially completed dwellings is a major commercial risk that is likely to impact any decision about whether or not to proceed). Conversely, the faster and more certain fast track process is more likely to enable the applicant to commence works onsite by the anticipated start date of October 2022 (while allowing neighbours to have their say). Therefore, it is considered that in terms of actual delivery of the project, the project is likely to proceed substantially faster under the fast track legislation.

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 noted above, Adam Thompson has calculated that the project would create an estimated 212 FTE jobs in numerous industries including roading, construction, landscaping and other related activities. This is clearly in alignment with the necessary response needed to address the housing crisis and stimulate job creation.

Housing supply:

The public benefit of increasing housing supply has been assessed by Urban Economics (Appendix P) which notes that the proposal will provide housing in a currently undersupplied price bracket, providing an analysis identifying that the proposal would provide additional housing within the s 9(2)(b)(ii) price range, which is currently undersupplied within the catchment.

In more general terms, and in relation to the shortage of housing supply in Auckland identified by the Urban Growth Agenda (UGA) and referred in the National Policy Statement on Urban Development, the proposed 58 dwellings will significantly increase residential capacity by an addition 45 dwellings over the site which currently comprises 3 dwellings.

Contributing to well-functioning urban environments:

The subject site is located in a well-connected central Auckland suburb where land for developments of this scale is uncommon. The NPSUD requires that planning decisions contribute to “well-functioning urban environments” which is achieved through the provision of a range of housing available to the market.

Adam Thompson has stated in his economic assessment that the proposal helps achieve the NPSUD by increasing the range of 2–3-bedroom terraced dwellings within the s 9(2)(b)(ii) price range, which are currently undersupplied in the locality. Additionally, the provision of new more affordable dwellings constructed by modern building standards reduces the social pressures caused by inadequate housing. The subject site is located in a well-served area, in close proximity to public reserves, public transport links and other services including schools, supermarkets and general retail centres.

Matt Riley has provided a brief qualified summary of the proposal in urban design terms, included in Appendix K. This sets out how the design achieves high amenity, safe and functional living, recreational spaces, which also supports the social and economic well-being of the community. Mr Riley confirms that the development is compatible with the surrounding urban environment.

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

The proposal will contribute to the local economy through increasing population.

Stormwater, wastewater and water supply servicing for the area are available via the existing public networks adjacent to the site. Civix Ltd is currently working through capacity assessment for the surrounding networks, initial results indicate some local asset upgrades being required but no significant downstream network upgrades have been identified.

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

The proposal does not present any significant adverse environmental effects in terms of freshwater quality or air quality.

Minimising waste:

It is proposed that contractors minimise waste during construction and recycle materials where possible. Waste generated by residents will be managed as possible by the public waste collection services.

Green Gorilla has been engaged to provide private waste management services (Appendix O).

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 site is situated in a well-connected area with key links to public transport within a pedestrian walking catchment, including bus stops along Waimarie Street and Riddell Road. 58 car parks are proposed with a mixture of internal garages and communal parking areas. The capping of car parks to 1 per unit encourages the use of alternative modes

of transport which will assist with the reduction of vehicle emissions. Additionally, the proposed design allows scope for the installation of electric vehicle charging ports to be accommodated, to support residents electing to operate electric vehicles.

We further note that, the buildings will be designed to modern standards, and will be energy efficiency from less heating will also assist to minimise emissions.

Promoting the protection of historic heritage:

The Applicant is awaiting receipt of an archaeological report prepared by Clough & Associates (Appendix G) to confirm whether there are any archaeological or heritage values on site. At this stage, it is not anticipated that any heritage or archaeological values will be identified, and the site is not identified by the AUP as having any cultural or heritage items of significance. However, the Applicant will implement any recommendations made by Clough & associates to ensure protection of any historic heritage.

During site works, standard heritage protections protocols will be implemented.

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

There are no significant flood hazards that affect the site and all flood modelling has taken into account the effects of climate change. Whilst the development triggers consent for building over an overland flow path, modelling has been undertaken which indicates that the proposal can comfortably convey flows through the site, whilst maintain sufficient freeboard to the proposed dwellings.

The site is sufficiently setback from the coastline and is not subject to any natural hazard risks such as coastal erosion or sea level rise.

The geotechnical report in Appendix M notes that the ground surface across the site is dominated by a low-lying overland flow feature which enters the site at the southern end. The low-lying area is near level and there a moderate to steep slopes present in the eastern and western portions of the site.

Overall, the site is not subject to any significant geotechnical constraints that would unduly prevent redevelopment of the site.

Other public benefit:

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

- Provision of more affordable housing in a terraced typology, in a catchment currently undersupplied for the price points available.
- Provision of additional housing stock in response to the housing supply shortage in Auckland, assisting to address the associated adverse social and well-being effects.
- Creating employment opportunities in the construction sector.
- Spin-off economic effects to the local retail sector.
- Associated upgrades of local infrastructure
- 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 present any significant adverse environmental effects, including greenhouse gas emissions.

As discussed above, the cap on car parking combined with the proximity of the ferry services facilities assists to reduce the number of vehicles on roads, and associated 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 considered to be suitable for development in terms of natural hazards and climate change. The natural hazards that could potentially apply to the site include ground stability and overland flow paths. While the site has an

overland flow path shown through it, this has been investigated and does not meet the definition of a watercourse. Nevertheless, a flood risk assessment will be provided at resource consent stage to confirm there will be no risk of flooding both on site and on adjacent sites.

With regard to climate change, one of the main considerations is development levels for dwellings and access in terms of sea level rise. As noted above, the site is located [X]km away from the coast, and is therefore well set back from the coast, mitigating any risk of sea level rise or coastal erosion.

The Geotechnical Investigation (Appendix M) does not identify any ground stability issues and the proposed design will make allowances for drainage and overland flow paths, so as to ensure that flooding risk is not increased.

Overall, it is considered that the proposal accords with the purpose of the Act and will not have any significant adverse effects on the sustainable management of natural and physical resources on the subject site or its surrounds.

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	<p>Sanctum Projects Limited is a specific development entity, incorporated in 2021 and as such, has not undertaken any development projects, and has not been subject to any compliance or enforcement actions.</p> <p>The director of SPL is Aaron (Teik Huat) Ghee, who is an experienced land developer who is well versed in the practice of establishing site/project specific development entities to carry out development projects. Some of Mr Ghee's recent development projects are identified in his letter at Appendix C.</p> <p>s 9(2)(h)</p>

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.

Olivia Manning

23/11/2021

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.