

17 October 2022

Fast Track Consenting

Ministry for the Environment

By Email s 9(2)(a)

**PRE-APPLICATION MEETING FOR PROPOSED FAST-TRACK APPLICATION BY CABRA DEVELOPMENTS LIMITED: WHENUAPAI, AUCKLAND**

Thank you for the opportunity to present the above proposal to you for consideration in advance of an application by Cabra Developments Limited (**Cabra**) for referral to a Fast Track Consenting Panel to authorise the development of a mix of residential and light industrial activities across four sites in Whenuapai, Auckland.

The concept plans appended to this cover letter illustrate the proposed scope of works and have been the subject of preliminary assessment by the wider project team, comprising an economist, architect, landscape architect, ecologist, civil engineer, transport engineer, environmental engineer (contamination), geotechnical engineer. The team together has confirmed that, subject to further development towards a resource consent level package of documentation, there are no "showstoppers" to the proposed layout and activities, including in respect of site conditions, infrastructure capacity and connection availability and in respect of design and merit.

We do anticipate further refinement of the scheme as detailed inputs in terms of landscape, urban design and transport are progressed but at this stage, no material change in the scope of works is envisaged. We acknowledge the concept level of the documentation at this point and invite the Ministry to advise Cabra on any matters it wishes to see further clarification. Indeed, the purpose of this pre-application meeting from our perspective is to understand the likelihood of acceptance into the Fast Track Consenting process relative to the scope and nature of the proposal.

To this end, you requested that we provide preliminary commentary on the following items:

1. *Project description/scope and background.*
2. *Strategic context (as applicable), planning (including zoning) framework, types of consents and approvals required.*
3. *Potential to meet the purpose of the FTCA – employment, timing and investment certainty, sustainable management, public benefit etc.*
4. *A location map and plan/s.*

Items 1, 2 and 4 are addressed below with reference to the masterplan drawings attached at **Attachment 1** and the preliminary rule compliance checklists forming the basis of reasons for consent at **Attachment 3**. For item 3, firstly we consider it useful for the Ministry to have an understanding of Cabra and its track

record and to this end we have provided a precis of the company below. In respect of the other matters at item 3, we have liaised with economist Mr Derek Foy and provide you an excerpt of his preliminary findings in respect of employment figures (with reference to his assessment at **Attachment 2**), together with input from Cabra in respect of timing and investment certainty. Sustainable management and public benefit are also addressed below.

## Applicant Details

Cabra is a land development company established in 1987 specialising in greenfield subdivision primarily within the western and northern parts of the Auckland region. Cabra is committed to contributing to responding to the demand for housing through providing additional dwellings to the private market, to facilitate housing supply and enable growth within Auckland.

Cabra has successfully undertaken the subdivision of several large land parcels in the region (including in Huapai, Riverhead, Orewa, Greenhithe, Papakura, Snells Beach and Whangaparaoa) and has a proven track record in the delivery of quality residential outcomes. Cabra are familiar with the opportunities that well-integrated and comprehensive planning and decision-making can make to achieving good quality outcomes, that are both efficient and affordable, and which in turn facilitate and enable the intensification and form of development intended by the Unitary Plan in a timely manner.

Cabra is the sole owner of all four subject landholdings and indeed welcomes the opportunity to commence works on sites as soon as possible given the delay incurred to date (as detailed within the background section below). Thus, Cabra intends to effect to each forthcoming consent within the two year lapse date.

## Sites and Location

Three sites are proposed to accommodate a total of 227 residential dwellings<sup>1</sup> in a mix of standalone, duplex and terrace typologies across three sites situated on a peninsula at the eastern extent of Whenuapai:

- A. 15 Clarks Lane, Whenuapai
- B. 10 Sinton Road, Whenuapai
- C. 16 Sinton Road, Whenuapai

Sites A-C were located within the (now defunct) Plan Change 5 (**PC5**) to the Auckland Unitary Plan (**AUP**) and were intended to be rezoned to provide for residential use. This is further elaborated in the Background section below.

The fourth site (not located within the former PC5) is proposed to accommodate light industrial activities including two warehouse buildings and at-grade storage yards across an area of 5.4ha, situated to the south west of the NZDF Airbase:

- D. 90 Trig Road, Whenuapai

The location of Sites A-D are illustrated in Figure 1.

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<sup>1</sup> Final yield to be confirmed after pre-application meeting and prior to lodgement of referral application.

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## Proposal

Cabra are pursuing development of approximately 227 residential dwellings and 4.96ha of light industrial activities, as described in further detail below alongside the current proposed masterplan. A copy of the masterplans is also provided at **Attachment 1**.

### A. 15 Clarks Lane, Whenuapai

Cabra proposes to construct approximately 84 dwellings in a variety of typologies on the 3.4ha site with vehicular access from Clarks Lane. The masterplan is arranged to provide a 20m esplanade reserve along the coastal edge (including the construction of a pedestrian walkway), with a row of larger lots of at least 600m<sup>2</sup> behind, consistent with the coastal interface and Single House zoning arrangement sought by PC5 to the AUP. The balance of the site is comprised of standalone and terrace dwellings in a layout and intensity akin to the Mixed Housing Urban zone, again consistent with the outcome previously intended by PC5. The internal road will be set back from the stream and wetland in the south eastern corner and a 20m (average) esplanade reserve provided with landscaping and stream enhancement works proposed. A wastewater pump station is required at the north western corner (shown in red). Stormwater will be treated prior to discharge to the coast.

### B. 10 Sinton Road, Whenuapai

Cabra proposes to construct approximately 61 dwellings in a variety of typologies on the 2.5ha site with vehicular access from Sinton Road. As with Site A, a 20m esplanade reserve is proposed along the coastal edge (including the construction of a pedestrian walkway), with a row of larger lots of at least 600m<sup>2</sup> behind, consistent with the coastal interface and Single House zoning arrangement sought by PC5. The balance of the site is comprised of standalone and terrace dwellings in a layout and intensity akin to the Mixed Housing Urban zone, again consistent with the outcome previously intended by PC5. A paper road is located adjacent the eastern boundary from which the Applicant would prefer to take access (rather than Sinton Road), and while initial consultation with Auckland Transport indicates that access may be possible, further internal review is required to confirm their acceptance or otherwise. As such, sole vehicle access is illustrated as being provided to Sinton Road until such time that access to the paper road is confirmed, with a T-shape road layout internally within the site. A wastewater pump station is required centrally in the site, within a planted area of open space (shown in red). Stormwater will be treated prior to discharge to the coast.

### C. 16 Sinton Road, Whenuapai

Cabra proposes to construct approximately 71 dwellings in a variety of typologies on the 2.8ha site with vehicular access from Sinton Road. As with Sites A and B, a 20m esplanade reserve is proposed along the coastal edge (including the construction of a pedestrian walkway), with a row of larger lots of at least 600m<sup>2</sup> behind, consistent with the coastal interface and Single House zoning arrangement sought by PC5. The balance of the site is comprised of standalone and terrace dwellings in a layout and intensity akin to the Mixed Housing Urban zone, again consistent with the outcome previously intended by PC5. A paper road is located along a portion of the frontage. Unlike Site A, only a small portion of the paper road would be required to take access from the location illustrated on the masterplan, and preliminary consultation with AT indicates that support is likely to be obtained for Cabra to construct approximately 10m of the paper road to provide access in the location illustrated on the masterplan. If approval is not forthcoming prior to making application for referral to the Fast Track Consenting process, the masterplan will be amended

to illustrate access directly only the formed road at the north eastern corner of the frontage. As with Sites A and B, stormwater will be treated prior to discharge to the coast.

#### D. 90 Trig Road, Whenuapai

Cabra proposes to develop a combination of two warehouse buildings (each with a GFA of 2,260m<sup>2</sup> and 2,290m<sup>2</sup>) and an at-grade industrial storage yard on the 4.96ha corner site. New vehicle access will be required from both Trig Road and Spedding Road with an internal road layout providing access to internal lots. On-site stormwater detention and treatment will be provided in the form of a pond located in the south western corner, prior to discharge to the existing network. The site will be subdivided into freehold lots.

## Strategic Context – Residential Sites

The residential lots (Sites A-C) are zoned Future Urban in the Auckland Unitary Plan – Operative in Part (AUP), with a narrow sliver of the coastal edge zoned Coastal – General Coastal Marine. The planning framework for each site is generally consistent given the sites' proximity, however the location / extent of each overlay, control and designation varies slightly applied relative to the particulars of the site, as evidenced in the following tables.

#### A. 15 Clarks Lane, Whenuapai

Zone	Future Urban Zone
Precinct	None
Overlays	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer
Controls	Macroinvertebrate Community Index – Rural
Designations	Airspace Restriction Designations – ID 4311, Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

#### B. 10 Sinton Road, Whenuapai

Zone	Future Urban Zone Coastal – General Coastal Marine Zone
Precinct	None
Overlays	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer
Controls	Macroinvertebrate Community Index – Rural, Native Coastal Inundation 1% AEP plus 1m control – 1m sea level rise
Designations	Airspace Restriction Designations – ID 4311, Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

### C. 16 Sinton Road, Whenuapai

<b>Zone</b>	Future Urban Zone Coastal – General Coastal Marine Zone
<b>Precinct</b>	None
<b>Overlays</b>	Significant Ecological Area Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer
<b>Controls</b>	Macroinvertebrate Community Index – Rural, Native Coastal Inundation 1% AEP plus 1m control – 1m sea level rise
<b>Designations</b>	Airspace Restriction Designations – ID 4311, Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

Turning to the planning framework for the proposed development and the consents required, the following summary points are noted:

#### Zoning and Background (Plan Change 5)

Sites A-C are zoned Future Urban under the AUP.

Sites A-C are located within Stage 1 of the Whenuapai Structure Plan 2016, identified as being land suitable for residential development, albeit at a lower density along the coastal edge.

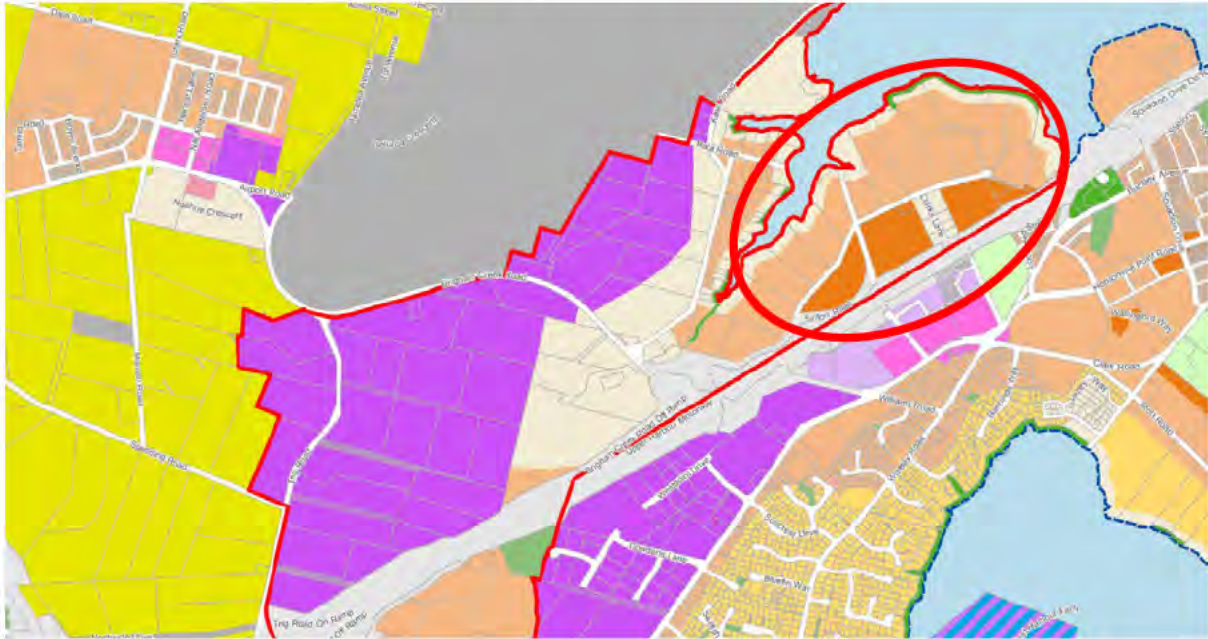
Auckland Council publicly notified PC5 in September 2017, subsequently undertaking the submissions and hearing processes as well as the preparation of (but not notifying) a variation to PC5 over the course of 2017-2022, prior to withdrawing the plan change on 16 June 2022 for the following reasons:

- i. There is no funding budgeted in the lifetime of the Auckland Unitary Plan (ten years) for the upgrading of the wider transport networks to address the anticipated adverse effects from increased traffic generated by the development of land in Proposed Plan Change 5;*
- ii. progressing Proposed Plan Change 5 (and any variation) through to a decision by independent hearing commissioners will not provide sound resource management outcomes in terms of managing adverse effects on the wider transport network;*
- iii. progressing Plan Change 5 will not result in the rezoning of land within the Rural Urban Boundary that is integrated with the provision of infrastructure;*
- iv. progressing Plan Change 5 creates a risk of the council having to provide infrastructure that is currently unfunded, or having to divert funding from other locations for which funding is required and exists.*

We believe the Fast Track Consenting Panel will be familiar with this course of events as we are aware of various other developments which have been referred and/or consented through that process – a description of the background to PC5 will be supplied at the time of making application. It is however important to recognise the efforts Cabra undertook to participate in that Council-led process and the significant costs and delays incurred as a result of Council's decision to withdraw the plan change application. Ultimately, Cabra endured five years of public participation in the plan change process to be left with Future Urban zoned landholdings.

As notified, PC5 proposed to zone Sites A-C in a combination of Residential – Single House (for a depth of approx. 40m along the coastal edge, 20m of which would be vested as esplanade reserve) and the balance zoned Residential - Mixed Housing Urban, as shown in Figure 2. Site A was identified as being subject to a stream and wetland in the southern corner (which has been confirmed by the Applicant's ecologist and embedded in the proposal accordingly).

Figure 2 – Plan Change 5 zone map (as notified) (sites in red)



The first key matter that prolonged the plan change process was the mechanism by which developers would financially contribute to necessary upgrades to the transport network across the wider network, and further, the exact upgrades that were required to mitigate the effects of the increased traffic generation. In this regard, Cabra advised Council on numerous occasions they would be happy to establish an Infrastructure Funding Agreement with Auckland Council to contribute commensurately with the effects its developments would generate.

The second key matter was the re-assessment of engine testing noise levels arising from NZDF's Whenuapai Airbase and the resultant noise contours to be applied in relation to Chapter D24 Aircraft Noise Overlay under the AUP. This process resulted in a change to the aircraft noise contours, becoming more onerous in respect of Sites A-C. These changes were required to be notified via a variation to the plan change (which did not eventuate).

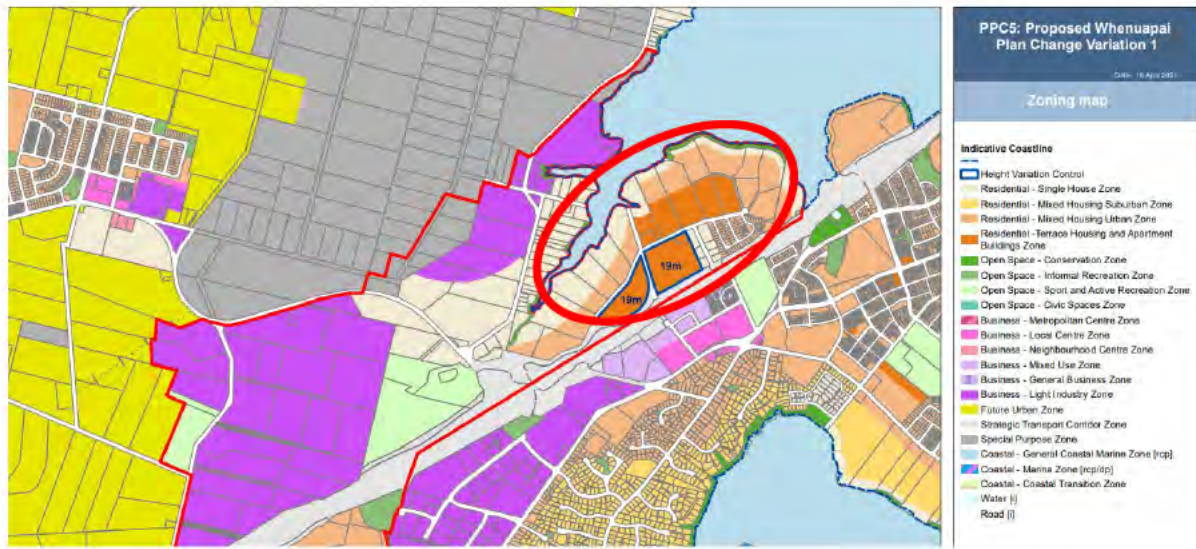
The third key matter was the release of the National Policy Statement on Urban Development 2020 and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Auckland Council revisited the zoning arrangement across the plan change area in order to ensure the Precinct would give effect to both policy/legislation.

Much of the above was deemed out of scope of plan change as notified, and Auckland Council subsequently prepared a variation to PC5 to "mop up" the necessary changes accordingly. Auckland Council released a draft of the variation documentation for preliminary feedback, including revised noise contours and zoning to give effect to the above. The revised zoning map retained Single House buffer

along the coastal edge and Mixed Housing Urban zone for the most part, but up-zoned a portion of Site A to include the Terrace Housing and Apartment Building zone, as shown in Figure 3.

For clarity, draft Variation 1 was publicly released for the purpose of receiving feedback only. Auckland Council did not notify Variation 1 before it withdrew PC5. We reference it here for the purpose of illustrating the policy shift towards greater residential intensification arising from the release of the NPS-UD and Amendment Act, thus reinforcing Council's support for residential intensification in this location.

Figure 3 – Draft Variation 1 to Plan Change 5 zone map (sites in red)



Turning to the NPS-UD 2020, this nationwide policy sets out the objectives and policies for planning for well-functioning urban environments under the RMA 1991 and seeks to deliver well-function urban environments that enable people and communities to provide for their social, economic and cultural wellbeing, and for the health and safety now and in the future by (amongst other things) improving housing affordability by supporting competitive land and development markets.

While the Fast Track Consenting process is not a plan change, Policy 8 of the NPS-UD identifies the need for decision makers to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is unanticipated by RMA planning documents, or out-of-sequence with planned land release.

In this regard, Sites A-C will contribute around 227 residential dwellings to the community of Whenuapai in a location where residential development is anticipated having regard to the Whenuapai Structure Plan and PC5, and is not considered to be out-of-sequence despite this. The proposed development is consistent with the anticipated outcomes of PC5 and will deliver all necessary infrastructure required to support the proposal in a layout and arrangement that will be integrated with future development as and when individual sites are developed over time, or when Council decides to notify a fresh plan change to live-zone the area.

Plainly, Sites A-C are suitable for future residential development having regard to the history described above – the plan change was not withdrawn for any such reason – however it cannot be overlooked that these landholdings are currently zoned Future Urban under the AUP, a zoning that does not anticipate urbanisation until necessary infrastructure is in place and the zoning changed accordingly. The scale and

nature of the proposed development requires resource consent as a Non-Complying Activity in the Future Urban zone.

The objectives and policies of the Future Urban zone generally seek to avoid urbanisation (including use, development and subdivision) until the land is re-zoned accordingly, a process that Cabra has waited since 2017 to occur. However, we draw your attention to Policy H18.3(6) which states that subdivision, use and development of land should be avoided if it may result in one or more of the following:

- a) structures and buildings of a scale and form that will hinder or prevent future urban development;
- b) compromise the efficient and effective operation of the local and wider transport network;
- c) require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure; inhibit the efficient provision of infrastructure;
- d) give rise to reverse sensitivity effects when urban development occurs;
- e) give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure; or
- f) undermine the form or nature of future urban development.

The Fast Track Consenting referral application will address these matters in greater detail, however in summary, the proposal will deliver on all counts and enable rather than undermine the anticipated future urban development and necessary infrastructure upgrades, without compromising the efficient and effective operation of the local and wider transport network (to be assessed by the project's traffic engineer). The proposed residential land use will not result in adverse reverse sensitivity effects, including the NZDF as discussed below. While the proposal plainly brings forward anticipated development, it will not compromise the surrounding Future Urban zoned land to similarly develop over time, and indeed encourages and provides for adjacent development by establishing road and infrastructure connections accordingly.

Turning to the consenting process, we expect one application would be prepared and lodged per site, each requiring consent as a non-complying activity for the proposed scale of development in the Future Urban zone. Under section 104D of the Resource Management Act, a non-complying consent application would be required to demonstrate that the proposed activity *either* does not generate more than minor adverse effects *or* that it is not contrary to relevant objectives and policies, prior to being able to be considered for grant of consent under section 104. While the preliminary analysis prepared by the wider project team to date confirms the high likelihood of passing the effects gateway, the prescribed terminology seeking to avoid urbanisation of the Future Urban zone objectives and policies are such that we have identified a risk in the standard consent process that Council would not look favourably on the proposal relative to the objectives and policies gateway. We consider it highly likely therefore that the resource consent application for each site would be publicly notified and combined with the unique planning history of the area, Cabra opted to approach the Ministry to consider the Fast Track Consenting process, noting the high likelihood of delay via Council.

Beyond the zone provisions, the proposed development would necessitate consenting relative to Auckland-wide provisions in Section E of the AUP, including earthworks, new impervious area within a Stormwater Management Area Flow – control area, among others. A list of potential consent matters is included in **Attachment 3** to this letter. We consider the Auckland-wide provisions are likely to be uncontentious from a consenting perspective.

## Other Key Issues

Having regard to the preceding planning framework, the following matters will be considered in the application:

### *Urban design, streetscape and surrounding residential amenity*

The project architects have masterplanned each site, including consideration as to how future intervening landholdings may be developed so as to integrate esplanade reserves and roads with the approved development. The masterplan delivers a layout, design and amenity consistent with a Single House zone along the coastal edge, and a Mixed Housing Urban outcome across the balance, picking up where Variation 1 to PC5 left off. A series of house typologies are proposed to provide variety of built form across each site, relative to the shape and size constraints of each lot. Streetscape design, both internal to the site and along the frontage, similarly provide the streetscape quality and amenity anticipated by the Single House and Mixed Housing Urban zone respectively.

The Referral application will include the masterplans together with the floor plans for each housing typology.

### *Wetland and stream*

A wetland and stream are located in south eastern corner of Site A, entering the front boundary via a culvert under Clarks Lane providing for the stream to traverse from south to north, discharging to the CMA within the Whenuapai Estuary. As identified in **Attachment 3**, resource consent is required under the National Environmental Standard for Freshwater (NES-F) given the scale of works located beyond 10m of the wetland but within 100m of its edge. The project ecologist has undertaken a preliminary assessment which confirms that resource consent will be required as a non-complying activity under the NES-F but that the potential adverse effects on the wetland will be appropriately managed as the majority of the catchment is located outside of the site (to the south east of Clarks Road) and the proposed native riparian planting will enhance the quality of the wetland environment.

Ecological input has also confirmed that the estuarine environment along the coastal edge of Sites A-C meets the definition of a natural wetland and it is likely therefore that resource consent will be required to undertake earthworks and stormwater discharge within 100m of the wetland, but not within 10m of the wetland, and as such resource consent may be required as a non-complying activity in this regard.

To confirm, the proposal will not result in the complete or partial drainage of any wetland and is therefore not prohibited under regulation 53.

An Ecological Assessment and statement from a Landscape Architect will be supplied in support of the Referral application.

### *Reverse sensitivity*

While there is little concern in respect of reverse sensitivity of the immediately surrounding environment which largely comprises lifestyle blocks with limited (if any) examples of the rural production activities provided for by the Future Urban zone, the greater concern in this location is reverse sensitivity effects upon the NZDF Whenuapai Airbase.

The Applicant has met with Ms Rebecca Davies of the NZDF and supplied updates to the masterplan as the design has progressed. Ms Davies has supplied a list of conditions of consent which Cabra has agreed

to proffer at the time of making application (in relation to acoustic insulation and mechanical ventilation and other matters), and Cabra has confirmed to NZDF that a no-complaints covenant will be placed on the title of all new lots (not only those located within the aircraft noise contour). NZDF are therefore satisfied that the proposal will not result in reverse sensitivity effects upon the operation of the Airbase accordingly. Acceptable on-site amenity can be achieved therefore without externalising the issue.

#### *Effects on the transport network*

The Applicant will undertake all necessary works to mitigate the effects of the proposed development, namely the traffic capacity, operational and safety effects arising from increasing the intensity of residential development across all three sites. Preliminary traffic engineering analysis confirms the wider network has capacity to accommodate the proposed increase in traffic generation, and further assessment will be undertaken at the time of resource consent application. Should wider upgrades be required, the Applicant will undertake the usual process of working with Auckland Transport (AT) to deliver the necessary upgrades, or agree an Infrastructure Funding Agreement accordingly. Local transport effects can be readily managed through appropriate design of new infrastructure and upgrade of frontage to deliver an urban road form.

Commute Transportation has undertaken preliminary discussions with AT to understand whether they would be amenable to Cabra constructing the paper road along the north eastern boundary of Site B and an extension to Sinton Road to provide wider access to Site C on their behalf. Preliminary discussions are positive and indicate the 'door is open' to such works, however further engagement is on-going to confirm either way. The site layout has been designed to avoid the need for the paper road to Site B, but has assumed a short extension to Sinton Road will be achievable for Site C given the limited amount of works involved. We have tested alternative layouts on both sites to confirm that the layout of the development is workable either with or without AT approval. This is a matter that will be confirmed prior to submitting the Referral application.

Any proposal is likely to be able to comply with all relevant provisions in Chapter E27 Transport in the AUP, which can be ascertained once further design development occurs. An Integrated Transport Assessment will be supplied with the referral application.

#### *Civils, infrastructure and hazards*

Preliminary civil engineering input has determined the scope of infrastructure required to support the proposal, as follows:

- Two new wastewater pump stations are required (Sites A and C) and Cabra is undertaking ongoing consultation with Watercare to confirm the size and location of each pump. Extensions will be provided to the public network in the road reserve.
- Stormwater will be treated and discharged to the coast.
- Water supply is available in the road reserve.

All sites are subject to overland flow paths and/or flood plains which have been integrated into the masterplan ensuring neither hazard will result in adverse effects off site, nor on the future residents of the site or their property.

Civil earthworks will plainly be required to facilitate construction of roads and building platforms, the exact volume of which will be determined at consent stage, noting however that no significant cut or fill or retaining walls are required. Groundwater is not anticipated to be reached. Soil remediation will be

required at Site A as a minimum, owing to former viticulture activities. All such works are standard for this scale of development, in a greenfield location.

Further supporting documentation will accompany the application in this regard.

## Strategic context and planning commentary – Site D

The property at 90 Trig Road (Site D) is located within Stage 1 of the Whenuapai Structure Plan, but was located outside of PC5, the boundary of which stopped short on the opposite side of Trig Road.

Site D is similarly zoned Future Urban in the AUP. The Whenuapai Structure Plan identifies the future zoning of the site as being Light Industry, consistent with the site's surrounds.

### D. 90 Trig Road, Whenuapai

<b>Zone</b>	Future Urban Zone
<b>Precinct</b>	None
<b>Overlays</b>	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer Infrastructure: Aircraft Noise Overlay - Whenuapai Airbase - noise control area (55dBA) – north western half of site only
<b>Controls</b>	Macroinvertebrate Community Index – Rural
<b>Designations</b>	Airspace Restriction Designations – ID 4311, Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence

Turning to the planning framework for the proposed development and the consents required, the same comments are made in respect of the proposed development in the Future Urban zone. Plainly, the urbanisation of the site to provide industrial activities is contrary to the rural activities currently provided for in the Future Urban zone, but 'brings forward' the use of the land for industrial purposes consistent with the Structure Plan.

Approximately 500m to the west of the site, (private) Plan Change 69 to the AUP proposes to rezone 52ha of Future Urban zone land to Light Industry at the western edge of the Whenuapai Structure Plan. That proposal includes the construction of a signalised intersection at the corner of Trig and Spedding Roads. Cabra has a copy of that design and the traffic engineer has confirmed that the proposed location of the vehicle crossings can be integrated to the road network despite the signalised design, should the plan change application be granted. A decision is expected in the coming weeks.

The proposal comprises all necessary infrastructure and servicing to facilitate its use and development, including the creation of a stormwater pond for the detention and treatment of stormwater prior to discharge. Preliminary engineering input has determined the size and preferred location of the pond relative to gradients within the site and the connection location. The detail of civil engineering works including earthworks and contamination remediation will be confirmed at consenting stage, however both are likely owing the slight gradient and history of the site. No substantial cut, fill or retaining is required. Two overland flow paths commence within the site discharging to the west; while works are proposed within the flow paths, the exit point and rate of flow will be retained by the proposed development.

In terms of reverse sensitivity effects, while a light industrial outcome is proposed, neither the storage of goods nor use of warehouse buildings are activities that are sensitive to surrounding permitted or existing activities. Despite this, as with Sites A-C, Cabra is willing to propose the conditions provided by NZDF and to adopt a no-complaint covenant on all lots.

Turning to the consent process, resource consent is required as a non-complying activity. With reference to the assessment in respect of Sites A-C, the project team can appropriately manage the potential adverse effects of the proposal, however the urban nature of the activity relative to the objectives and policies of the Future Urban zone in the AUP renders it likely that Council will consider the objectives and policies gateway to have been passed resulting in significant consenting delay accordingly.

## Approvals Required

Finally, beyond the resource consent matters listed above, the proposed development would not be likely to give rise to a need to consult beyond Council and its associated organisations (Auckland Transport, Watercare, Healthy Waters). There is no need to engage with Waka Kotahi for example. Cabra contacted all iwi listed on Auckland Council's website on 14 September 2022 and no responses have been received at the time of writing. Building consents will be required following receipt of resource consent (land use and subdivision). No authority to modify and no other licences or approvals under other legislation are envisaged.

## Potential to meet the purpose of the Act

As noted, Formative has provided the attached preliminary memorandum, which concludes that the proposed development would achieve the following:

- *Stimulate a significant amount of employment during the construction phase, equivalent to 1,585 full time equivalent employment years in Auckland (1,420 from the residential sites, and 165 from the industrial sites).*
- *Support an ongoing level of employment at Site D of around 140 workers per year through the accommodation of industrial activity.*
- *Generate total direct, indirect and induced impacts of <sup>s 9(2)(b)(ii)</sup> in GDP <sup>s 9(2)(b)(iii)</sup> from the residential sites, and <sup>s 9(2)(b)(iii)</sup> from the industrial sites). Of that <sup>s 9(2)(b)(i) & s 9(2)(b)(iii)</sup> would be in the Auckland economy an <sup>s 9(2)(b)(iii)</sup> would be directed elsewhere in New Zealand.*
- *Generate a range of public benefits, primarily as a result of the location of the Site adjacent and proximate to a wide range of established retail, commercial, and employment activities, and existing infrastructure.*

Further to this assessment, we note as follows:

- Cabra is the sole owner of all lots.
- Cabra is committed to commencing development as soon as statutory approvals are obtained, given the delay incurred to date.

- For the reasons stated above, pursuing the standard consenting process would likely prove protracted and unnecessarily complex compared to the Fast Track process.
- Despite the zoning and planning framework more broadly, the proposal can be demonstrated to deliver a more efficient and complementary use of the physical resource represented by the site, and in a manner that more effectively manages potential adverse effects on the environment.
- The proposal contributes to the development of a well-functioning urban environment through the introduction of compatible land uses that together with existing activities in the vicinity achieve the objectives of the NPSU-UD (a matter that would be further elaborated upon in the application).
- The proposal delivers a range of housing typologies (including ranging in price point and affordability) in a location proximate to commercial and community services and assets, and conveniently located relative to existing and proposed public transport networks at both Westgate and Hobsonville.

We trust the above and attached are helpful to you in preparing for our pre-application meeting on 20 October 2022. We look forward to taking you through the proposal and discussing further.

Yours Sincerely,



**Hannah Edwards**

Director

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**Attachments:**

1. Drawings
2. Formative economic memorandum
3. Draft rule compliance checklists

## Attachment 1: Drawings

## Attachment 2: Formative Economic Memorandum

## Attachment 3: Rule Compliance Checklists

*Yellow highlighted text indicates possible reason for consent*