



Drury Metropolitan Centre Stage 1 and 2

Fast Track Approval Application

Assessment of Environmental Effects and Statutory Analysis

25 March 2025

B&A

Urban & Environmental

Prepared for:
Kiwi Property Holdings No.2 Limited

B&A Reference:

025632

Status:

Final Revision 1

Date:

25 March 2025

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Contents

1.0	Applicant and Property Details	8
2.0	Executive Summary	10
3.0	Introduction	12
3.1	Statement of Qualifications and Experience	13
3.2	Introduction to Applicant	14
4.0	Background	15
4.1	Plan Change 48 Drury Centre Precinct and Masterplan	15
4.2	Consistency of Project with Drury Centre Precinct	17
4.3	Drury Centre Precinct Consents Background	19
4.4	Drury East Transport Infrastructure Upgrades	24
5.0	Site Context	32
5.1	Site Description	32
5.2	Surrounding Locality	37
5.3	Owner and Occupiers	38
6.0	Proposal	38
6.1	Bulk Earthworks	39
6.2	Buildings and Activities	40
6.3	Subdivision and Staging	43
6.4	National Grid Corridor Overlay	46
6.5	Landscaping and Open Space Network	47
6.6	Transport	48
6.7	Stormwater Management	52
6.8	Infrastructure	54
6.9	Ecology	55
6.10	Consent Duration and Staged Implementation	57
6.11	Any Other Activities	58
6.12	Other Approvals	58
6.13	Proposed Mitigation Measures	59
6.14	Information Requirements	62
6.15	Proposed Consent Conditions	64
7.0	Approvals Required	64
7.1	Overview	64
7.2	Auckland Unitary Plan (Operative in Part)	65
7.3	AUP Plan Change 79	71
7.4	National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health 2011	71
7.5	National Environmental Standards for Freshwater 2020	71
7.6	National Environmental Standards for Air Quality 2004	72
7.7	Other National Environmental Standards	72
7.8	Permitted Activities	72

7.9	AUP Plan Change 79	75
7.10	National Environmental Standards for Contaminated Land	75
7.11	Overall Activity Status	75
8.0	Consultation Undertaken	76
9.0	Statutory Requirements Relating to Iwi Authorities	77
9.1	Treaty Settlements	77
9.2	Planning Document Recognised by a Relevant Iwi Authority	82
9.3	Customary Marine Title Groups	86
9.4	Protected Customary Rights	86
9.5	Iwi Consultation	86
10.0	Assessment of Effects	87
10.1	Positive Effects	88
10.2	Land Disturbance Effects	89
10.3	Contamination Effects	91
10.4	Construction Effects	92
10.5	Acoustic Amenity Effects	95
10.6	Landscape and Visual Effects	95
10.7	Urban Design, Subdivision and Neighbourhood Character	96
10.8	National Grid Corridor	99
10.9	Servicing and Infrastructure Capacity Effects	100
10.10	Flooding and Natural Hazard Effects	101
10.11	Stormwater Management	102
10.12	Ecosystems and Ecology Effects	103
10.13	Traffic Effects	106
10.14	Cultural, Social and Economic Effects	108
10.15	Mitigation and Monitoring of Effects	108
11.0	Assessment of Relevant Statutory Considerations	109
11.1	National Environmental Standards	109
11.2	National Policy Statements	111
11.3	New Zealand Coastal Policy Statement	114
11.4	Regional Policy Statement, Regional Plan and District Plan	115
11.5	Iwi Management Plans	129
11.6	Other Plans	129
11.7	Planning Instrument Considerations Summary	130
12.0	The Fast-track Approvals Act Decision Making Framework	130
12.1	Approvals Relating to Resource Consents Ordinarily Sought under the RMA 1991 – Schedule 5	130
12.2	Declining an Approval Under Section 85	131
13.0	Assessment of the Proposal Against the Fast-track Approvals Act Decision Making Framework	131
13.1	Information Considered	131
13.2	Situations Where the Panel Must Decline an Approval	132
13.3	The Purpose of The Fast-track Approvals Act	132

13.4	Resource Consent and Change of Condition Approvals Sought: Parts 2, 3, 6 and 8 to 10 of the RMA and Relevant Provisions of Any Other Legislation Directing Decision-making Under the RMA	135
13.5	Decision Whether to Grant the Approvals Sought in the Application	139
14.0	Proposed Conditions	140
15.0	Conclusions	141

Appendices

Appendix 1	Completed Application Form
Appendix 2	Legal Opinion – Management Plans and Adequacy of Information
Appendix 3	Record of Titles and Interests
Appendix 4	Full Names and Addresses of Owners and Occupiers of Subject and Adjacent Land
Appendix 5	Proposed Draft Consent Conditions
Appendix 6	Architectural Drawings
Appendix 7	Landscape Design Report
Appendix 8	Subdivision Scheme Plans Stage 1 and 2
Appendix 9	Engineering Drawings
Appendix 10	Infrastructure Report
Appendix 11	Stormwater Report and Hazard Risk Assessment
Appendix 12	Geotechnical Investigation Report
Appendix 13	Contamination Reports
Appendix 13A.	Stage 2 Remediation Action Plan
Appendix 13B.	Stage 1 Contamination Summary
Appendix 13C.	Detailed Site Investigation
Appendix 14	Urban Design Assessment
Appendix 15	Ecological Impact Assessment
Appendix 16	Integrated Transport Assessment and Transport Design Report
Appendix 17	Draft Stage 2 Travel Plan
Appendix 18	Noise and Vibration Assessment
Appendix 19	Archaeology Report
Appendix 20	Economic Impact Assessment
Appendix 21	Rules Assessment
Appendix 22	Consultation Summary Report
Appendix 23	Section 30 Notice
Appendix 24	Ineligible Activity Assessment
Appendix 25	Draft Management Plans
Appendix 25A	Construction Management Plan
Appendix 25B	Operation and Management Manuals
Appendix 25C	Chemical Treatment Management Plan

Appendix 25D	Adaptive Management Plan
Appendix 25E	Erosion and Sediment Control Management Plan
Appendix 25F	Draft Streamworks Methodology Plan
Appendix 25G	Draft Ecological Management Plan
Appendix 25H	Draft Construction Noise and Vibration Management Plan
Appendix 25I	Site Management Plan
Appendix 25J	Draft Construction Traffic Management Plan
Appendix 26	Decision and Approved Plans for Bulk Earthworks Consent BUN60390224
Appendix 27	Decision for Approved Plans for Stage 1 Fast Track Consent BUN60414877
Appendix 28	Decision and Approved Plans for Additional Retail Activities and Buildings LUC60419150
Appendix 29	Decision and Approved Plans for Stage 2 Bulk Earthworks LUC60435472
Appendix 30	Decision and Approved Plans for Drury Access Ramp BUN60423831
Appendix 31	Decision and Approved Plans for Shared User Path Earthworks LUC60431681
Appendix 32	Decision and Approved Plans for Drury Station and Interchange
Appendix 33	HNZPT Authority No. 2022/558 to Modify
Appendix 34	Drury-Opaheke Structure Plan
Appendix 35	Objectives and Policies Assessment
Appendix 36	Pre-application Meeting Minutes for Upgrades to Waihoehoe Road

1.0 Applicant and Property Details

To:	Environmental Protection Authority
Site Address:	64, 68, 108, 120, 124 and 132 Flanagan Road, 133, 139, 155, 173, 189 Fitzgerald Road and 61 Brookfield Road, Drury.
Applicant Name:	Kiwi Property Holdings No.2 Limited
Address for Service:	Barker & Associates Ltd PO Box 1986 Shortland Street Auckland 1140 Attention: Pamela Santos / Mary Wong
Legal Description:	Various, see summary in section 5.1 of report and Records of Title as Appendix 3
Site Area:	48.4 hectares
Site Owner:	Kiwi Property Holdings No.2 Limited
Unitary Plan:	Auckland Unitary Plan (Operative in Part)
AUP(OP) Zoning:	Business – Metropolitan Centre and Business – Mixed Use
AUP(OP) Precinct:	Drury Centre Precinct, sub-precincts A and C
AUP(OP) Overlays & Controls:	Natural Resources: High-use aquifer management areas overlay – Drury Sand Aquifer; and Quality- sensitive aquifer management areas overlay – Drury Sand Aquifer. Infrastructure: National Grid Corridor Overlay – National Grid Yard Uncompromised; and National Grid Subdivision Corridor. Macroinvertebrate Community Index – Rural; Coastal inundation 1% AEP plus 1m control – 1m sea level rise. Stormwater Management Area – Flow 1
Additional Limitations:	Flood plain, flood prone area, overland flow paths, contaminated land, streams and wetlands.
Locality Diagram:	Refer to Figure 12 of this report Error! Reference source not found.

Brief Description of Proposal:

The Proposal is to amend Stage 1 and to obtain all necessary resource consents in respect of Stage 2 of the Drury Metropolitan Centre Project involving: subdivision of superlots on Stage 1; the construction and operation of retail, commercial, community, residential and visitor accommodation activities with associated buildings and ancillary car parking on Stage 2; bulk earthworks to enable the Project; and the construction and installation of reticulation networks and roading infrastructure to service the Project.

Summary of Reasons for Consent:

The application seeks all resource consents necessary for the staged implementation and ongoing operation of the Project including, but not by way of limitation, the list of consents set out in Section 7.0 of this report.

The Project requires: non-complying activity consent overall under the Auckland Unitary Plan; restricted discretionary activity under the National Environmental Standards for Contaminated Land; and restricted discretionary activity under the National Environmental Standards for Freshwater. Overall, all consents sought have been assessed on a collective (bundled) basis and the Project has been assessed in its entirety as a non-complying activity. For completeness, this application seeks consent for any matters that are not listed in Section 7.0 below, but which are subsequently identified as being necessary through the processing of this application. If such matters are identified the applicant will, as a matter of urgency, provide to the EPA an assessment of any relevant adverse effects that are different to, additional to, or cumulative upon those discussed in this report that would be generated by the Project as a consequence of the additional matters.

2.0 Executive Summary

This report has been prepared in support of an application for a List Project submitted by Kiwi Property Holdings No.2 Limited (the 'applicant' or 'Kiwi Property') for development of Stage 1 and 2 of the Drury Centre Precinct across multiple contiguous properties on Flanagan, Fitzgerald and Brookfield Road in Drury. In summary, the Proposal is to amend Stage 1 and to obtain all necessary resource consents in respect of Stage 2 of the Drury Metropolitan Centre Project involving:

- Subdivision of superlots on Stage 1 to create 292 fee simple lots for future residential development; and
- The construction and operation of retail, commercial, community, residential and visitor accommodation activities with associated buildings and ancillary car parking on Stage 2; bulk earthworks to enable the Project; and the construction and installation of reticulation networks and roading infrastructure to service the Project.

This report has been prepared in accordance with the requirements of the Fast-track Approvals Act 2024 ('FTAA'). The FTAA is intended to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The legislation establishes an Expert Consenting Panel ('panel') to determine applications for approvals ordinarily sought under a number of different statutes. The approvals relevant to Drury Centre Stage 1 and 2 are resource consents ordinarily sought under the Resource Management Act 1991 ('RMA'). The panel replaces the role of local authorities under this statute. Two categories of projects can use the FTAA and be considered by a panel: Listed Projects and Referred Projects. This application is for a Listed Project in Schedule 2 of the FTAA. As such, this application is being made in accordance with the FTAA instead of the RMA.

During the development of the proposal, the applicant and its representatives have undertaken consultation with Auckland Council, Healthy Waters, Auckland Transport and the New Zealand Transport Agency ('NZTA'). Consultation was also undertaken with relevant iwi authorities. The objective being to discuss the proposal and infrastructure proposed to service the project, understand any issues that may exist with the site, locality and development as well as the information requirements needed for the application.

The proposal requires resource consent under the Auckland Unitary Plan AUP(OP), National Environmental Standards for Contaminated Land and the National Environmental Standards for Freshwater 2020 (NES-F).

This application and Assessment of Environmental Effects ('AEE') have been prepared in accordance with sections 43 and 44 of the FTAA, Clauses 5-8 of Schedule 5 of the FTAA, and provides a description of the proposal together with an assessment of actual and potential effects on the environment.

The actual and potential adverse effects on the environment are assessed in detail throughout this report, together with the comprehensive suite of technical reports included with the application. Having assessed the effects against the relevant statutory framework, it is considered that any adverse effects will be appropriately avoided, remedied or mitigated to be no more than minor and can be appropriately managed with consent conditions. The proposed consent conditions for this project are an adaptation of the consent conditions from the Stage 1 Fast-track consent for consistency but have been updated to reflect the specific works proposed in this project. In

addition, the proposed consent conditions are based on standard Auckland Council wording for the various consents and permits sought in this application.

There will be significant positive effects on the environment by:

- The delivery of a development project with significant regional benefits, through the provision of a new Metropolitan Centre comprising a variety of intensified land uses to support the accelerated delivery of surrounding infrastructure, including the Drury Central Rail Station, and rapidly increasing residential population in the receiving environment;
- A significant contribution to regional GDP and job availability, through the direct creation of approximately 3,420 FTE years in the construction sector, and a total construction expenditure of approximately \$1.47 billion. The total economic impact on business activity within the Auckland region as a result of the subject development over a 11-year period is estimated to be just over \$1.45 billion; and
- A regionally significant contribution to Auckland's well-functioning urban environment with combination of proposed infrastructure, housing, community and commercial activities, along with the careful integration and support of the surrounding Drury East developments, will provide for a vibrant and attractive location for people to live.

The proposal is considered to be consistent with the Treaty settlements and iwi planning documents relevant to the site, and the applicant has undertaken, and continues to undertake, extensive engagement with iwi.

The application is also considered to be generally consistent with, and will give effect to, the relevant objectives and policies of the National Policy Statement - Urban Development ('NPS-UD'), National Policy Statement for Freshwater Management ('NPS-FW'), National Policy Statement for Indigenous Biodiversity ('NPS-IB'), NPS-F and AUP (OP).

It is considered that the proposal meets the purpose of the FTAA as it will deliver an infrastructure and development project with significant regional benefits. More broadly:

- Drury is recognised by Central and Local Government as a regionally and nationally important growth node.
- The core of that growth area is the Drury Metropolitan Centre zone (being one of only 11 higher order centres in the Auckland region). The metropolitan Centre zones are second only to the City Centre zone in the Region's centres hierarchy.
- The Drury Metropolitan Centre zone is owned by the applicant and is adjacent to the proposed Drury Rail Station (which is currently being constructed) and the Drury SH1 interchange (which is to be upgraded).
- The Project will enable development of the retail, commercial and social heart of the Drury growth area, thus giving effect to those strategic planning decisions and facilitating the early development of a high quality, coherent, comprehensive core for the surrounding residential and industrial developments.
- The Drury centre will be a Transport Oriented Development (TOD) that takes advantage of and will strongly support the public investments that have been and are planned to be made on the rail and road network.

- While consent is required to depart from the AUP provisions for the Drury Metropolitan Centre tying development thresholds to roading and rail infrastructure, for the reasons set out in the transport report, those issues can appropriately be addressed for the mix of activities proposed in the application through the imposition of conditions imposing updated thresholds.
- In terms of section 85 of the FTAA, the positive national and regional strategic planning and amenity effects of the Project (summarised above) vastly outweigh any potential adverse impacts which, for the reasons set out in the supporting reports will be largely avoided, remedied or mitigated through design measures and conditions.
- The combination of roading, housing, economic and ecological benefits will make a regionally significant contribution to ensuring Auckland has a well-functioning urban environment.

3.0 Introduction

This resource consent application is submitted in support of Kiwi Property's proposal for the subdivision of Stage 1, and construction and operation of Stage 2 of the Drury Metropolitan Centre, which includes retail, commercial, community, residential and visitor accommodation activities at 64, 68, 103, 108, 120, 124 and 132 Flanagan Road, 133, 139, 155, 173, 189 Fitzgerald Road and 61 Brookfield Road, Drury (the "site" or the "project area").

This proposal is a Listed Project in Schedule 2 of the FTAA. As such, this application is being made in accordance with the FTAA instead of the RMA. This substantive application and AEE is provided in accordance with the requirements of sections 42 and 43 of the FTAA, the applicable Schedules, and the relevant provisions of the RMA.

The information provided in this application is sufficiently detailed to correspond to the scale and significance of the matters that will be assessed in considering whether to grant the approvals sought, including any adverse effects of the activities to which the approvals relate. This takes into account any proposal by the applicant to manage the adverse effects of an activity through conditions.

In accordance with Section 46 of the Act, the information provided in this application complies with Section 42, Section 43 and Section 44, relates solely to a listed project, and does not seek approval for an ineligible activity, as the proposed activity:

- Would not occur on identified Maori land;
- Would not occur in a customary marine title area;
- Would not occur in a protected customary rights area;
- Would not occur on Maori customary land or land set apart as a Maori reservation as defined in section 4 of Te Ture Whenua Maori Act 1993;
- Is an urban development project and is therefore not an aquaculture activity;
- Is not an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act;

- Will occur on land and therefore does not involve any activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991 which relate to activities in the coastal marine area;
- Would not occur on land that is listed in Schedule 4;
- Would not occur on a national reserve or other reserve land held under the Reserves Act 1977;
- Is not a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act; and
- Is not a prohibited activity under section 15B and 15C of the Resource Management Act 1991.

3.1 Statement of Qualifications and Experience

Mary Wong

I am a Senior Associate at Barker & Associates (B&A) based in the Auckland office. B&A is an independent planning, urban design and landscape consultancy with offices across New Zealand. I have been employed at B&A since 2015. I hold the Degree of Bachelor of Planning with Honours from the University of Auckland and I am an Intermediate Member of the New Zealand Planning Institute. I have over ten years of experience including time in local government and private practice.

My experience includes the preparation of complex resource consent applications and the management of multidisciplinary teams. I also have experience in the RMA plan making process including preparation of private plan changes, structure planning, and community consultation and stakeholder engagement. I also authored the Assessment of Environmental Effects report and was involved with the Drury Centre Stage 1 Fast-track Consent granted under the Covid-19 Recovery (Fast-track Consenting Act) 2020.

I confirm that, in my capacity as co-author of this report, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

Pamela Santos

I am a Senior Associate at B&A based in the Auckland office. I have been employed at B&A since 2018. I hold the Degree of Bachelor of Planning with Honours from the University of Auckland and I am an Intermediate Member of the New Zealand Planning Institute. I have over ten years of experience covering a wide range of land use planning matters on behalf of private entities in New Zealand.

During that time, I have been involved with many aspects of resource management including preparation and lodgement of complex resource consent applications, submissions and presentation of evidence to local authorities in respect of proposed plans and NoRs. I also authored the Assessment of Environmental Effects report and was involved with the Drury East Stage 1 Fast-track Consent granted under the Covid-19 Recovery (Fast-track Consenting Act) 2020.

I confirm that, in my capacity as co-author of this report, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

Nick Roberts

I am the Managing Director at B&A. I hold the Degree of Bachelor of Planning from the University of Auckland and I am Full Member of the New Zealand Planning Institute. I was most recently a

member of the Auckland Council Urban Design Panel and recipient of the Nancy Northcroft Planning Practice award from the New Zealand Planning Institute.

I specialise in strategic and policy planning and have led the development of large-scale strategic plans and significant changes to policy across New Zealand. I have been involved with the strategic planning and development in Drury since my initial engagement by Kiwi Property in 2015 to provide planning advice on the development pathway for the (then) Future Urban zoned sites that Kiwi Property now own in Drury. Since that time, I have been Kiwi Property's lead planner for their Drury development and this has involved a number of steps in the planning process over six years. I was also engaged as the lead planner for Fulton Hogan Land Development Limited's development in Drury east, and Oyster Capital's development to the north of Waihoehoe Road. I was also involved with the Drury Centre Stage 1 Fast-track Consent granted under the Covid-19 Recovery (Fast-track Consenting Act) 2020.

I confirm that, in my capacity as co-author of this report, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

3.2 Introduction to Applicant

The applicant and authorised person under Section 42 of the FTAA for this resource consent application is Kiwi Property Holdings No.2 Limited ('Kiwi Property').

Kiwi Property is a New Zealand listed property company and directly owns \$3.2 billion of New Zealand property. Kiwi Property therefore has strong capability and sufficient funding available to successfully deliver this project. All of the land where this project will occur is already owned and controlled by Kiwi Property with bulk earthworks having already commenced over the Stage 1 large format retail area authorised by a separate bulk earthworks consent granted by Auckland Council in April 2022 and the Stage 1 fast track consent (refer Appendices 26 and 27).

Kiwi Property has a demonstrated and proven track record for creating outstanding retail centres and office buildings through to thriving mixed-use communities. Many of these retail centres have been established around key transport nodes and adjacent to public transport infrastructure facilities which have supported the development of land surrounding these retail centres including residential activities and the emergence of new communities. Examples include:

- Sylvia Park Metropolitan Centre, on the Eastern Train Line. A purpose-built train station (funded by Kiwi Property) is integrated into Sylvia Park and offers high frequency commuter train services. Public bus services and bus stops are located within the core of the centre.
- Centre Place in the Hamilton City Centre and situated along a key arterial road connecting to other parts of Hamilton City and directly opposite the Hamilton Transport Centre offering public bus services and connection to the Te Huia rail service.
- LynnMall shopping centre alongside the New Lynn railway station on Auckland's Western Line.

These transit-orientated retail centres have all been redeveloped or developed, and are owned and operated, by Kiwi Property. Building upon their experience and knowledge in the successful delivery of transit-orientated developments, this project represents the subsequent stage of the development of a new metropolitan centre in Drury by Kiwi Property focussed around the new Drury Central train station, directly north of the site, planned to be constructed and operational by 2025 as part of the Government's New Zealand Upgrade Programme. This project represents the substantial stage of the larger Drury Metropolitan Centre development by Kiwi Property lead

by the vision to create a vibrant pedestrian-centric streetscape and destination where people can work, live, eat, relax and shop.

4.0 Background

4.1 Plan Change 48 Drury Centre Precinct and Masterplan

Plan Change 48 ("PC 48") submitted by Kiwi Property established the Drury Centre Precinct and gave effect to the Council's Drury-Opaheke Structure Plan ("Structure Plan"). An integral component of this Structure Plan is the development of a metropolitan centre in Drury East directly adjacent to the existing railway network and the consented Drury Central Station proposed to be located to the east of SH1 at the Drury Motorway interchange. A copy of this Structure Plan is included as Appendix 34.

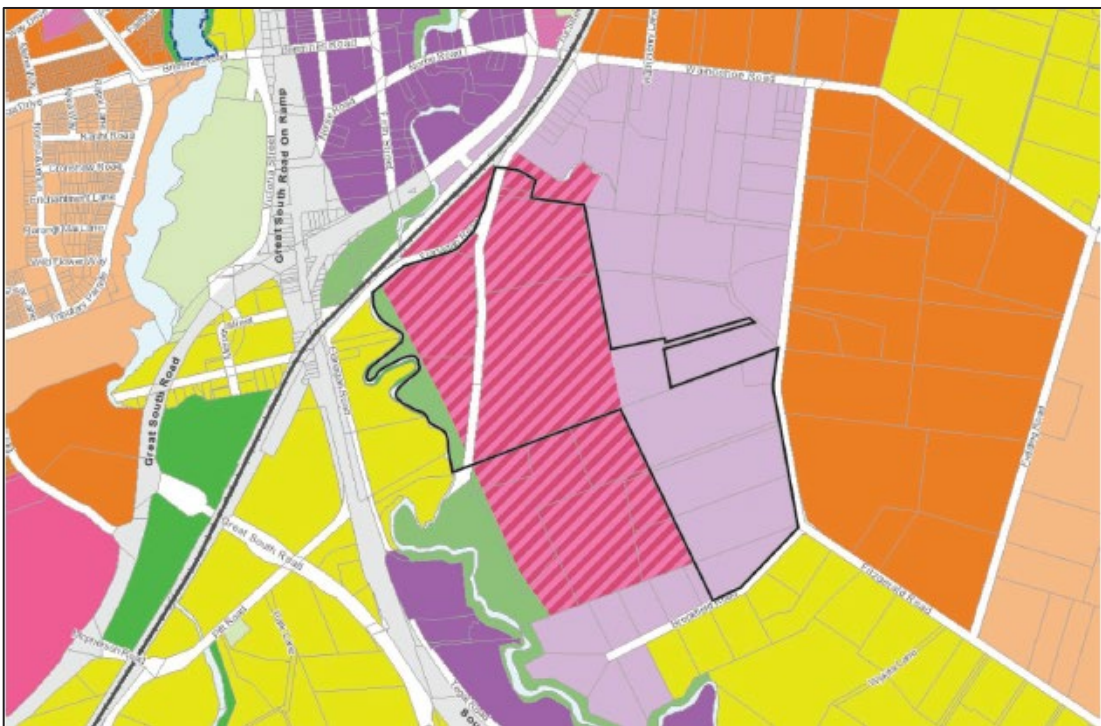


Figure 1: Zoning plan of Drury Centre Precinct and project area outlined in black

The project area is located within the Drury Centre Precinct established by PC 48 submitted by Kiwi Property and approved by way of consent order by the Environment Court on 1 November 2022. PC 48 rezoned 95 hectares of Future Urban Zone land to a combination of Business - Metropolitan Centre, Business – Mixed Use and Open Space – Informal Recreation zones to provide for the development of a new transit orientated metropolitan centre around the consented and fully funded Drury Central train station planned for construction completion in late 2025. The purpose of the Drury Centre Precinct is to provide for the development of a new, comprehensively planned and transit-orientated centre at Drury that supports a quality compact form.

Kiwi Property owns and has full control over a substantial portion of the land within the Drury Centre Precinct totalling approximately 53.3 hectares. Kiwi Property owns all of the land that is the subject of this application for a listed project under the FTAA.



Figure 2: Locality plan of Drury Centre Precinct outlined in purple and sites owned by Kiwi Property outlined in red. Aerial sourced from Auckland Council Geomaps.

A key strategic document that guided development of the Drury Centre Precinct and underpinning this project is the masterplan for Drury Centre. This masterplan is based on the concept of establishing a high-density, integrated and mixed-use metropolitan centre within direct proximity to the Drury Central train station with supporting bus, cycling and walking connections and a comprehensive open space network.

The masterplan proposes the exciting vision for a new centre featuring a dynamic mixed-use environment with commercial, retail and residential, and community uses that are integrated into a publicly accessible network of plazas and open spaces that define varied character precincts. The open space strategy is organised around and connected to a central north-south Main Street which also affords connections to the consented Drury Central train station and existing Brookfield Road.



Figure 3: Kiwi 2048 Masterplan for the Drury Centre, prepared by CIVITAS and Oculus.

4.2 Consistency of Project with Drury Centre Precinct

This Project is consistent with the Drury Centre Precinct promogulated by Kiwi Property and guided by the Drury Centre masterplan. This masterplan has also informed the zoning pattern and sub-precinct boundaries each with specific place-making provisions for particular planned outcomes including height and land use activities.

In this regard, the Project is consistent with the Drury Centre Precinct because:

- Sub-precinct A zoned Metropolitan Centre is intended to contain the primary retail area, key retail street, civic and green open spaces as the focal point for intensive retail, commercial and civic development and pedestrian activity. The Project proposes retail, commercial, community and accommodation activities all within sub-precinct A and as guided by the masterplan for Drury Centre.

- The Project provides for the structuring elements contained within the project area as shown on Precinct Plan 2: Structuring Elements including:
 - Indicative collector roads including Drury Boulevard and continuation of Creek Road to the north;
 - Indicative key retail street by way of High Street;
 - Key intersections in the general locations as depicted; and
 - Valley Park as a high amenity landscaped pocket park with a stormwater management function that integrates with Stream A.

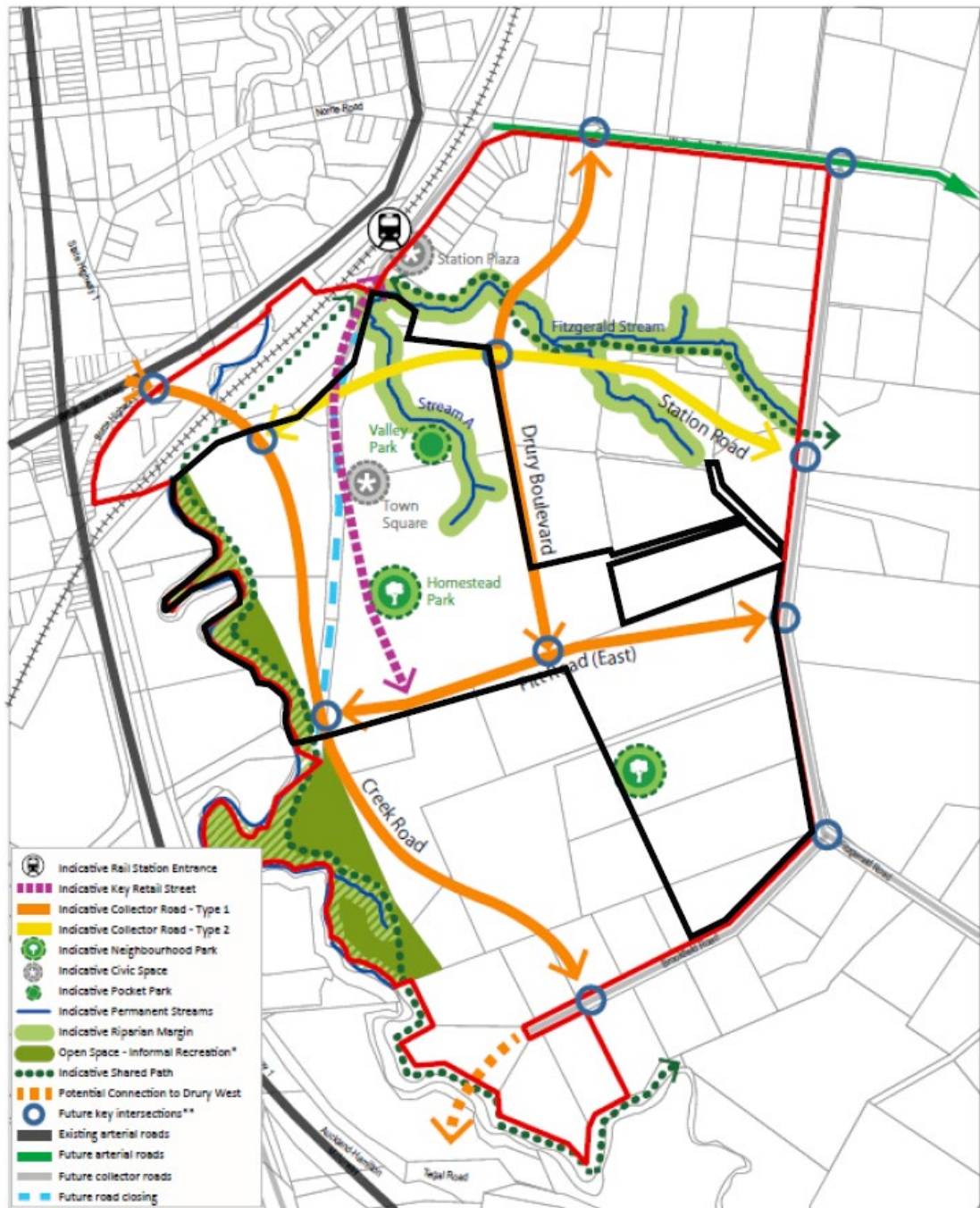


Figure 4: Precinct Plan 2 Structuring Elements plan with project area overlaid

- The Project provides for and is consistent with Precinct Plan 3 – Road Network and Key Retail Area and General Commercial Frontage controls by:
 - Providing for the indicative collector roads in the general locations as shown;
 - Focussing retail, commercial and community activities along High Street identified as the Indicative Key Retail Street; and
 - Building design for new buildings that are consistent with the policy direction for the General Commercial Frontage Control.

4.3 Drury Centre Precinct Consents Background

A series of resource consents have been granted for the subdivision and development of land within the Drury Centre Precinct as summarised below.

4.3.1 Bulk Earthworks (BUN60390224)

Bulk earthworks authorised by BUN60390224 and granted non-notified by Auckland Council in April 2022 have been carried out over the Stage 1 area of Drury Metropolitan Centre located to the south of Pitt Road. The purpose and intent of this bulk earthworks application was to undertake land modification activities and remediate areas of contaminated land to prepare the land for future development. The works authorised by this consent have been implemented on site such that this consent is considered to be given effect to. A copy of the decision and approved plans is provided in Appendix 26.

4.3.2 Stage 1 Fast Track Consent (BUN60414877)

Resource consent for the subdivision and development of Stage 1 of the Drury Metropolitan Centre was granted by an Expert Consenting Panel under the Covid-19 Recovery (Fast-track Consenting) Act 2020 on 17 July 2023 (herein referred to as the “**Stage 1 Fast Track Consent**”). A copy of the decision and approved plans is provided in Appendix 27.

The Stage 1 Fast Track Consent authorised the construction and operation of the first stage of the development in the Drury Metropolitan Centre involving large format retail buildings and activities up to 24,000m² gross floor area (GFA), 13 ‘ready for development superlots’, vesting of an esplanade reserve adjacent to the Hingaia Stream and open space reserve. This application also authorised the construction and installation of reticulation networks, associated enabling bulk earthworks, the construction of roads to vest and roading and infrastructure upgrades to existing transport infrastructure to service the project.

By way of background, the 24,000m² retail GFA in the Stage 1 Fast Track Consent was a deliberate decision to correlate with the transport infrastructure specified and required under Table I450.6.2.1 of the Drury Centre Precinct provisions to service the project. The interim transport infrastructure upgrades required in row A of Table I450.6.2.1 were to be jointly funded and delivered by the Drury East developers (Kiwi Property, Fulton Hogan Land Development Limited and Oyster Capital Limited) as part of the respective fast track projects. The transport infrastructure upgrades required in row B of Table I450.6.2.1 are being delivered by Waka Kotahi NZTA as an approved Listed Project under the Covid-19 Recovery (Fast-track Consenting) Act 2020.

This application seeks further subdivision of the superlots enabled in the Stage 1 consent.

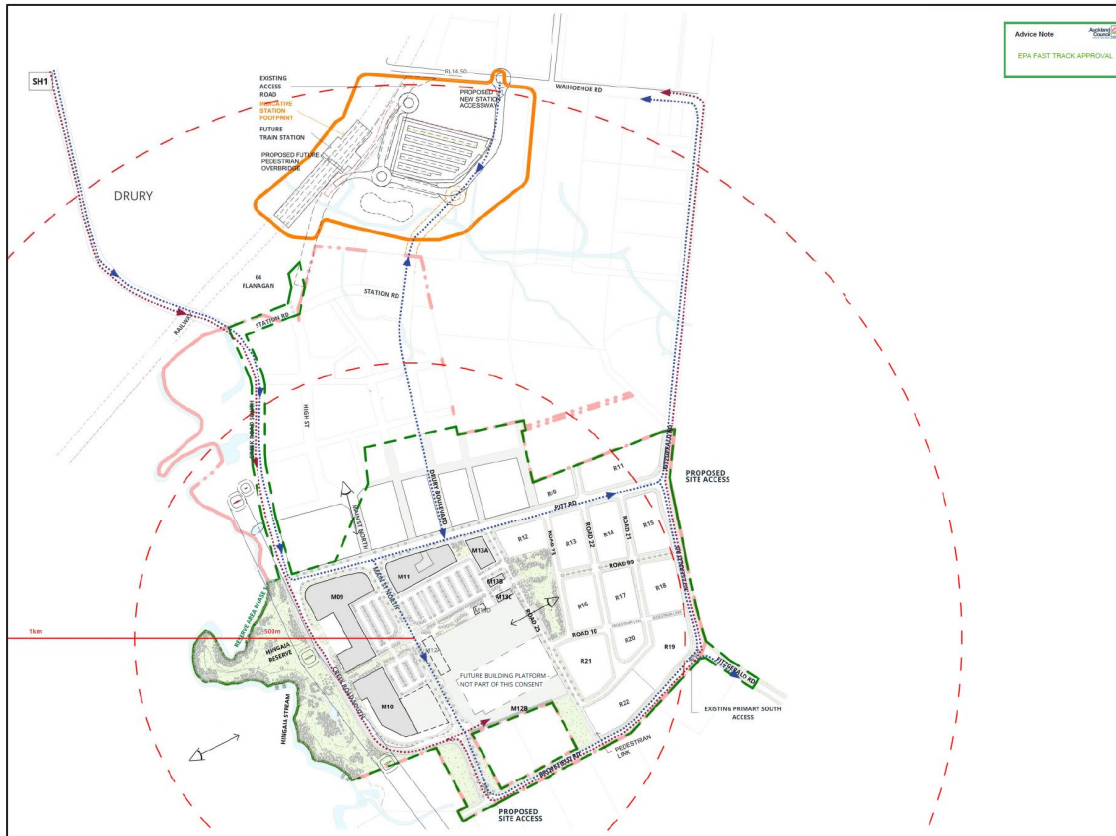


Figure 5: Approved layout plan of Stage 1 Fast Track Consent. Superlots in Stage 1 to be further subdivided in this application are identified as R12 – R22.

4.3.3 Additional Retail Activities (LUC60419150)

Resource consent LUC60419150 granted non-notified by Auckland Council on 30 April 2022 authorised the further development of two buildings for large format retail activities within the Stage 1 Fast Track Consent project area. The total retail GFA approved in this consent is an additional 8,000m² which brought the total retail GFA approved within the Drury Metropolitan Centre and the transport staging boundary of Drury East to 32,000m². A copy of the decision and approved plans is provided in Appendix 28.

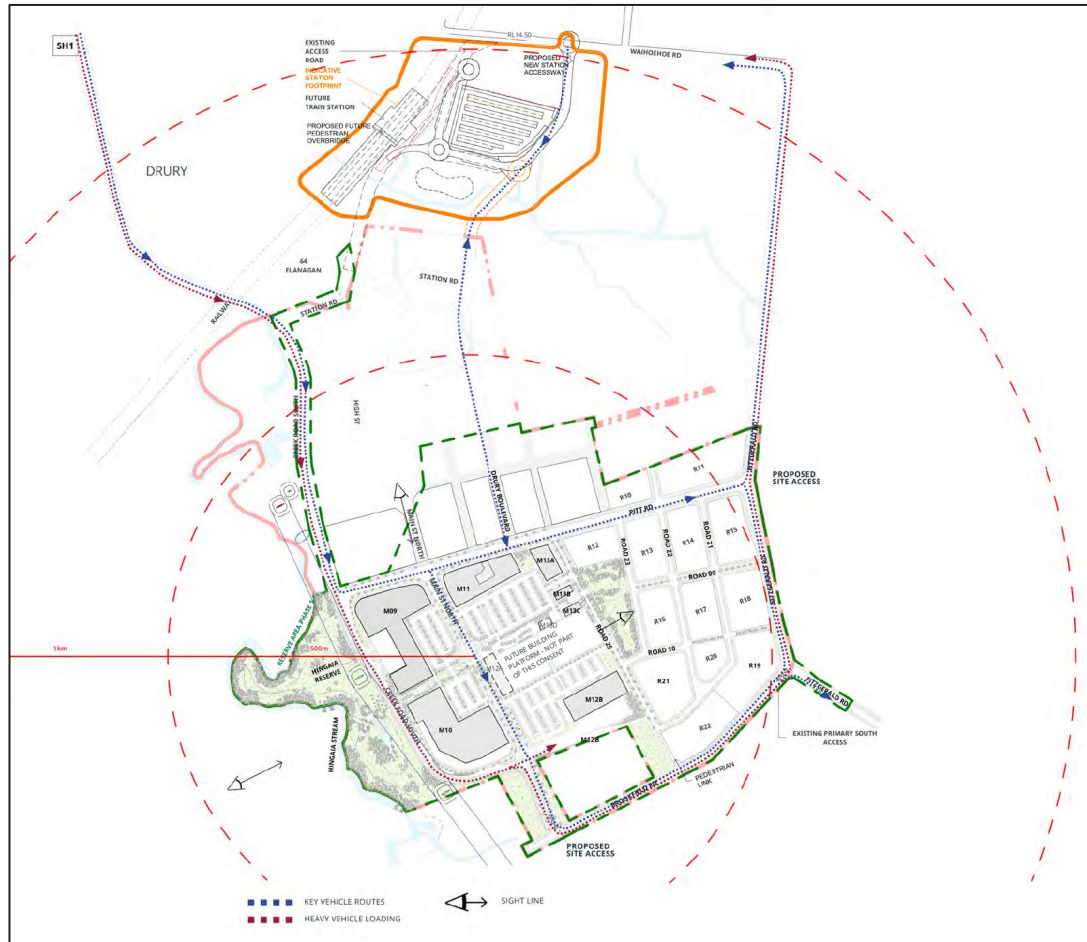


Figure 6: Approved layout plan of additional retail activities within Stage 1 Fast Track Consent. Additional retail activities are identified as building M12B and extension to building M10.

4.3.4 Drury Access Ramp (BUN60423831)

A Notice of Requirement (NOR) to alter designation 6706 – State Highway (SH) 1 and associated regional consent resource consent applications was granted to the New Zealand Transport Agency Waka Kotahi (NZTA) on 12 August 2024. This combined application was for a NOR under s181 of the RMA 1991 to alter AUP designation 6706 which forms part of the existing SH1 corridor in support of the proposed construction of an off-ramp at the Drury Interchange; and the necessary regional resource consents to facilitate construction of the project.

The Project proposes the construction of an additional off-ramp from the southbound lane of SH1 at the Drury Interchange to provide a direct connection to future planned development at the Drury Centre Precinct. The proposed off-ramp will be located at the eastern extent of Drury Interchange, starting from the existing southbound off-ramp to Great South Road (State Highway 22 ('SH22')) and terminating within the Drury Centre Precinct. This southbound access ramp extends for 745m from SH1 and was designed to connect to a future road network within Drury Centre in general proximity of Creek Road South which was established in the Stage 1 fast-track consent.

This access ramp into Drury Centre forms part of the suite of transport infrastructure upgrades required to enable subdivision and development within the Drury East transport staging boundary. This is specified in table I450.6.2.1(c) of the Drury Centre precinct provisions which requires a

“direct connection from State Highway 1 to Drury Centre via a single lane slip lane from SH1 interchange to Creek Road.” A copy of the decision and approved plans is included as Appendix 30.

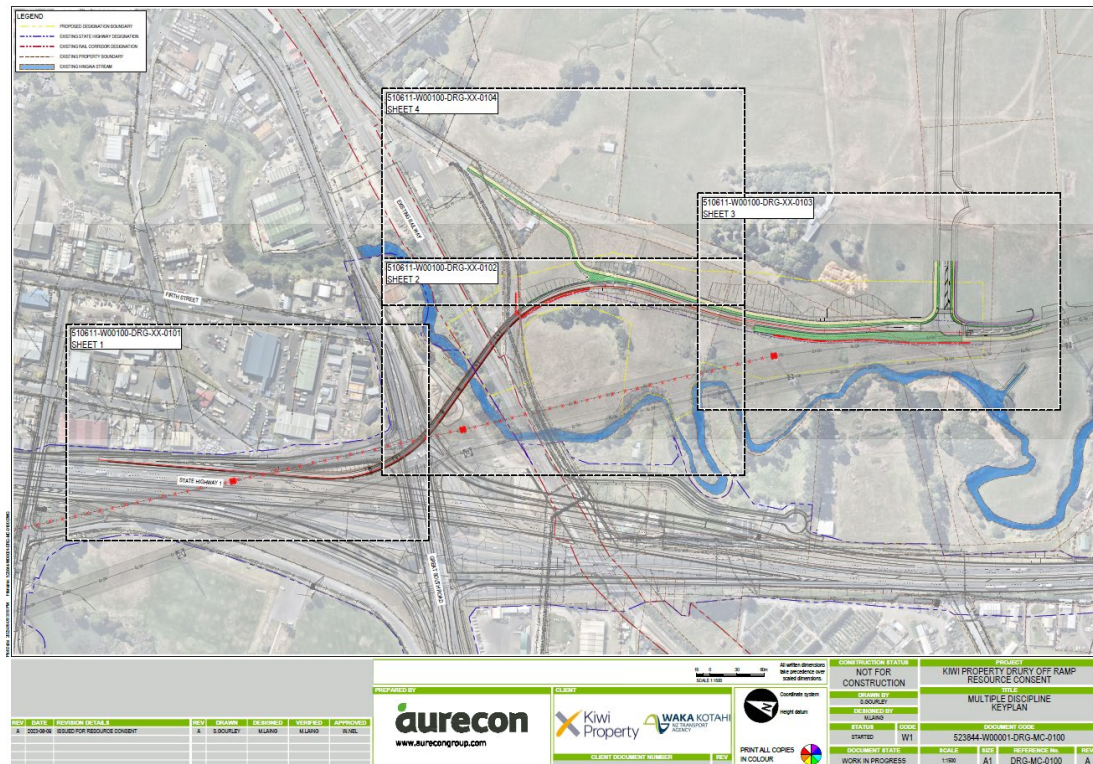


Figure 7: Approved layout plan of Drury Access Ramp.

4.3.5 Shared User Path Earthworks (LUC60431681)

Resource consent LUC60431681 was granted non-notified by Auckland Council on 5 July 2024. This consent authorised earthworks and associated vegetation clearance adjacent to a natural inland wetland, to enable the construction of a temporary shared user path, providing a temporary connection between the retail area (approved in the Stage 1 Fast Track Consent) and the Drury Central train station. A copy of the decision and approved plans is attached as Appendix 31.

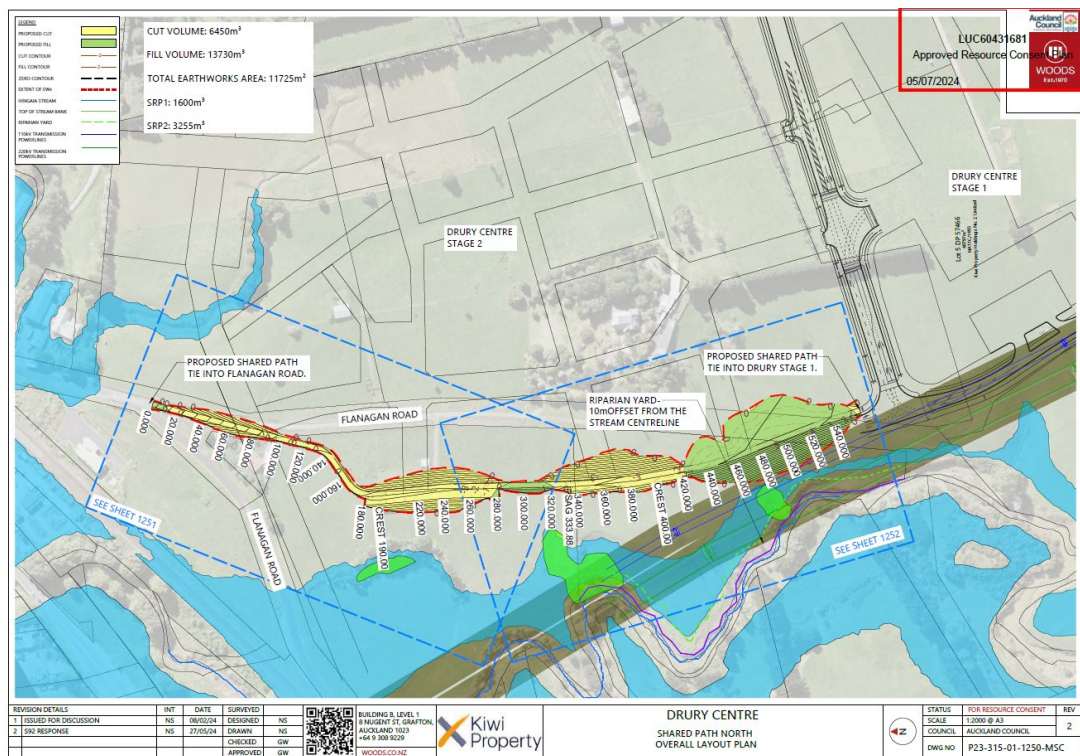


Figure 8: Approved layout plan of shared user path earthworks consent.

4.3.6 Stage 2 Bulk Earthworks (LUC60435472)

Resource consent LUC60435472 was granted non-notified by Auckland Council on 3 October 2024. The consent authorised bulk earthworks of 133,501m³ in cut over a total area of 3.4 hectares at 120 Flanagan Road, Drury to prepare this site for the development of Stage 2 - Drury Metropolitan Centre. The purpose and intent of this application was to undertake bulk earthworks to level a specific portion of this site in preparation for future development. A copy of the decision and approved plans is provided in Appendix 29.

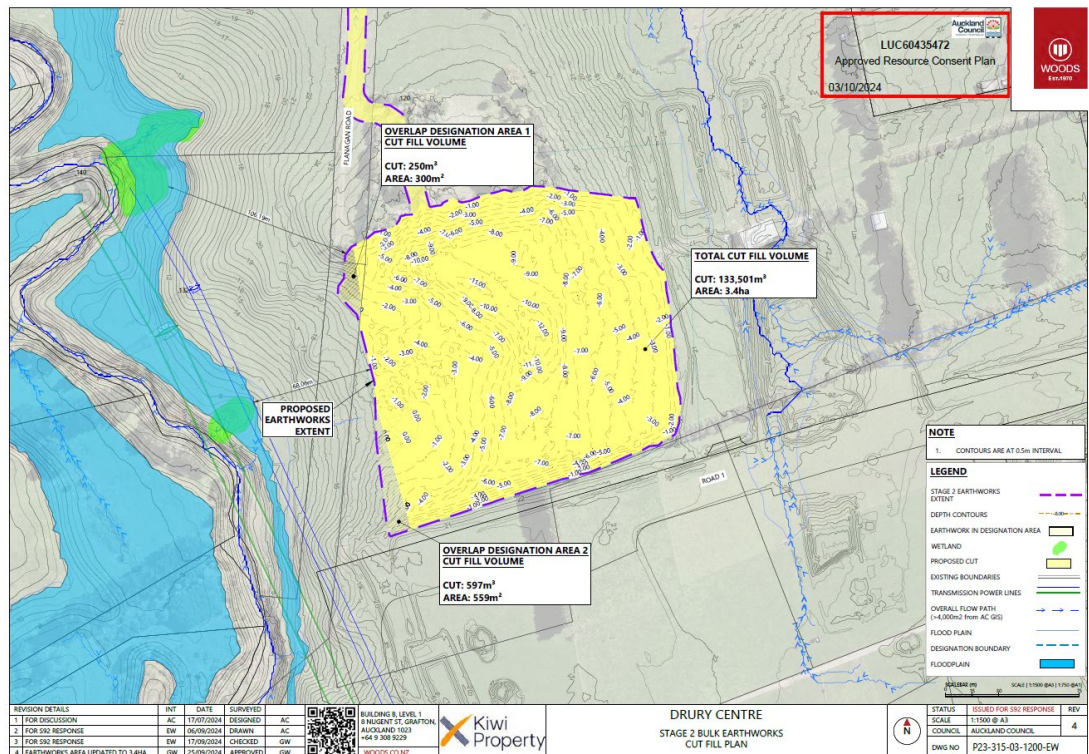


Figure 9: Approved layout plan of bulk earthworks consent.

4.4 Drury East Transport Infrastructure Upgrades

4.4.1 Drury Railway Station and Drury Station Interchange and Accessway

KiwiRail Holdings Limited ('KiwiRail') have Notice of Requirements (NORs) confirmed to provide for railway¹ infrastructure (i.e. the station platform and buildings) and to provide for the interchange² facilities and accessways, in addition to regional resource consents granted under the AUP for construction of this project by an Expert Consenting Panel under the Covid-19 Recovery (Fast-track Consenting) Act 2020 on 3 February 2022. A copy of the decision and approved plans is provided in Appendix 32..

This station is a central part of a programme to undertake route protection for the strategic transport networks needed to support growth in Auckland's future urban areas over the next 30 years including the planned growth in Drury East. Construction of the Drury Station and Interchange is fully funded as part of the New Zealand Upgrade Programme (NZUP) which is a Crown-funded infrastructure investment programme announced in early 2020.

Works have commenced on the Drury Station and Interchange and this is expected to be operational in 2026.

¹ AUP designation ID no. 6308, Drury Railway Station

² AUP designation ID no. 6309, Drury Station and Interchange and Accessway

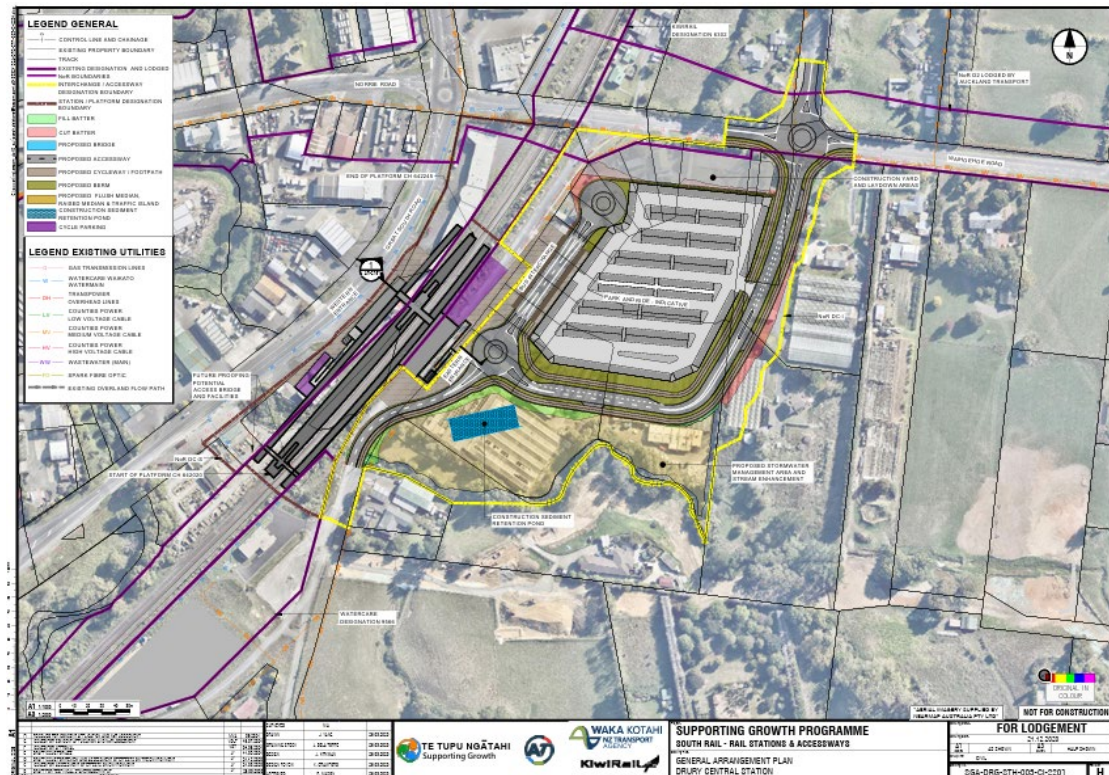


Figure 10: General layout plan of Drury Station and Interchange.

4.4.2 Waihoehoe Road Ultimate Upgrade

The Waihoehoe Road Ultimate Upgrade sits within Row (d) of Table I450.6.2.1 of the Drury Centre precinct provisions relating to the transport infrastructure upgrades for subdivision and development. This upgrade is captured in the AUP as designation 1840, Jesmond to Waihoehoe West FTN upgrade and the Requiring Authority for this is Auckland Transport. In May 2024, the New Zealand Government announced a package of Roads of Regional Significance (RoRS) and Roads of National Significance (RoNS). The western end of the Waihoehoe Road Ultimate upgrade (between and incorporating the Great South Road and Kath Henry Lane intersections) was announced within the RoRS package, and confirmed as fully funded.

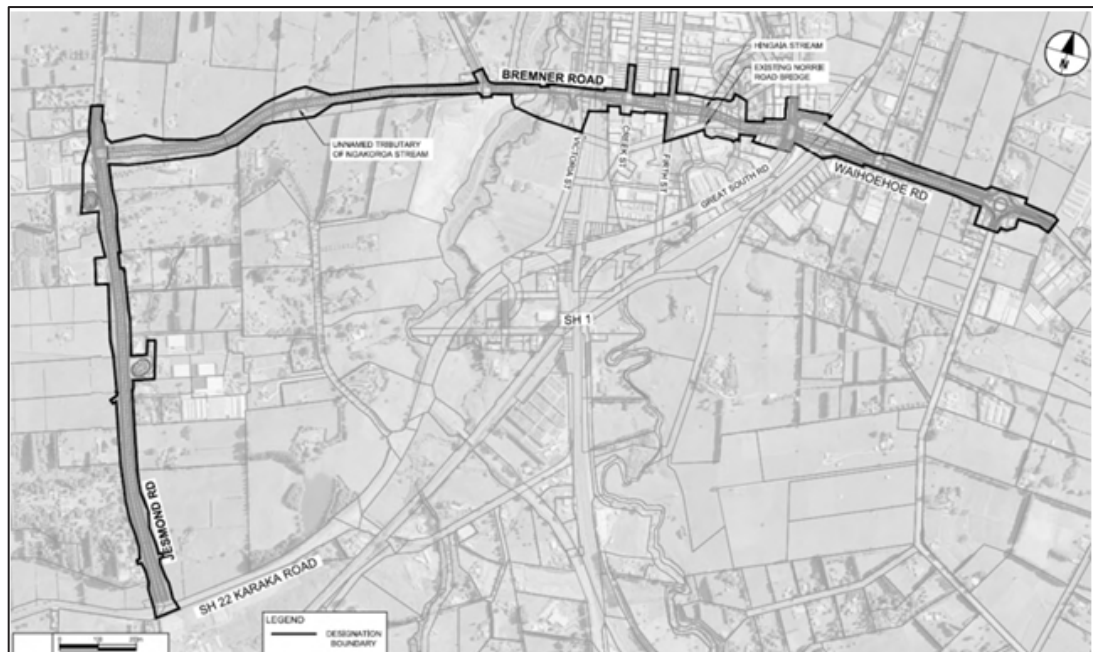


Figure 11: Designation 1840 concept plan in AUP.

The consent holders³ for fast-track consents granted under the Covid-19 Recovery (Fast-track Consenting) Act 2020 are intending to enter into an Infrastructure Funding Agreement (IFA) with Auckland Transport to fund the remaining eastern link of the Ultimate Waihoehoe Road upgrade (between Kath Henry Lane and Fitzgerald Road, including the upgrade of the Fitzgerald Road intersection). As such, Auckland Transport is currently undertaking a detailed design and land procurement process, and the Ultimate Waihoehoe Road upgrade is now expected to commence construction in late 2025/early 2026, with a 2-2.5 year construction programme (taking the programmed opening date to mid-2028). Accordingly, the interim Waihoehoe Road upgrades (as per Row (a) of the precinct provisions trigger table) are considered to be unnecessary and this has been confirmed by Auckland Transport⁴ (Refer Appendix 36). Transport Infrastructure Upgrades Status

The Drury East precincts⁵ in the AUP have commonality in that they are all located within the same transport staging boundary and have the same Staging of Subdivision and Development with Transport Upgrades standard within each of the respective precincts. The purpose of this standard is to mitigate the adverse effects of traffic generation on the surrounding local and wider road network and to ensure that the subdivision and development of land is coordinated with the construction of safe and efficient transport infrastructure upgrades to manage effects on the transport network.

The necessary transport infrastructure upgrades are specified in standard I450.6.2 Staging of Subdivision and Development with Transport Upgrades in the precinct provisions. The following table provides an update on the status of the transport infrastructure upgrades specified in the precinct provisions to the best of our knowledge at the time of writing this report relative to any

³ Kiwi Property, Fulton Hogan and Oyster Capital

⁴ During pre-application discussions with Auckland Transport to discuss timing of interim and ultimate transport upgrades to Waihoehoe Road and separate application to infringe the transport triggers standard.

⁵ Drury Centre Precinct, Waihoehoe Precinct and Drury East Precinct.

consents approved or lodged for subdivision and development in the Drury East transport staging boundary.

Table 1: Subdivision and development in the Drury East transport staging boundary and transport infrastructure upgrades status

Requirements from standards I450.6.2 in the Drury Centre Precinct, I451.6.2 in the Drury East Precinct and I451.6.2 in the Waihoehoe Precinct					Approved and Lodged/Processing RCs	
	Column 1	Column 2	Development		Transport Infrastructure Status	
a)	Up to maximum of 710 dwellings	<p>Interim upgrade to Great South Road/Waihoehoe Road roundabout to signals in accordance with Appendix 2, including pedestrian connections to existing footpaths; and</p> <p>Interim upgrade of Waihoehoe Road in accordance with Appendix 2, including walking and cycling provisions on the Waihoehoe Road rail bridge.</p>	<p>Waihoehoe Precinct FT, 357 dwellings (Approved)</p> <p>Drury East Stage 1 FT fast-track, 248 dwellings (Approved)</p> <p>Drury East Super Lots, 102 dwellings (Lodged/Processing)</p> <p>Total (Approved) – 605 dwellings</p> <p>Total (Approved and Lodged/Processing) – 707 dwellings</p>		<p>These interim upgrades were originally proposed to be constructed and delivered by the Drury East developers to enable the subdivision and development approved in each of the respective fast track applications within the Drury East Precincts. However, these interim upgrades will no longer be provided as there has been confirmation from Auckland Transport (AT) and the New Zealand Transport Agency (NZTA) that several elements of the Ultimate Waihoehoe Road upgrade have been allocated funding through the Government's Roads of Regional Significance package and will therefore soon be constructed – with construction programmed to commence end of 2025 / start of 2026 and last 18-24 months.</p> <p>As noted below, AT are commencing detailed design on the Ultimate Waihoehoe Road upgrade required under Row (d). Given the timing of the expected construction of the ultimate upgrade, agreement has been reached with AT that the Drury East Developers will not deliver the interim upgrade. The Drury East developers have applied to Auckland Council resource consent to infringe the transport upgrades in row (a) (in relation to the developments under the Covid-19 (Fast Track Consenting Act) 2020) to address the discrepancy in timing of the delivery of the Ultimate Waihoehoe Road upgrade (required under Row (d)), noting that this consent matter was not applied for under the three FT consents.</p>	

b)	Up to a maximum of: i. 1,300 dwellings; and/or ii. 24,000m ² retail GFA; and/or iii. 6,000m ² other commercial GFA; and/or iv. 800m ² community GFA.	Upgrades in (a) above and State Highway 1 widening – Stage 1, being six lanes between the Papakura interchange and Drury interchange.	Drury Centre Stage 1 FT, 24,000m ² retail GFA (Approved) Fletcher Residential Limited application at 76 Waihoehoe, 301 dwellings (Lodged/Processing) Total dwellings approved and lodged/processing - 1008	Stage 1 (Papakura Interchange to Drury Interchange) of the Papakura to Bombay (P2B) scheme is fully funded through the Government's Roads of Regional Significance (RoRS) package. EPA resource consent and Engineering Approval (EA) has been granted. Construction of Stage 1A (Papakura to Motorway Service Centre) is complete. Stages 1B1 (Drury Interchange) and Stage 1B2 (Motorway Service Centre to Drury Interchange) are about to commence construction and will take approximately six years to complete (i.e. by late 2029 / early 2030).
c)	Up to a maximum of: i. 1,800 dwellings; and/or ii. 32,000m ² retail GFA; and/or iii. 8,700m ² other commercial GFA; and/or iv. 1,000m ² community	Upgrades in (a) and (b) above and: Drury Central train station, including a pedestrian connection to Waihoehoe Road*; and Direct connection from State Highway 1 to the Drury Centre via a single lane slip lane from SH1 interchange to Creek Road. Creek Road is within the Drury Centre Precinct and is shown on Precinct Plan 2	Drury Centre Stage 2, 8,000m ² retail GFA (Approved) Total retail GFA – 32,000m ²	The Drury Central Station designation is confirmed and resource consent has been granted under the Covid-19 Recovery (Fast Track Consenting) Act 2020. Enabling works to give effect to this consent are underway, and construction has commenced. Construction is expected to be completed later in 2025 / early 2026. Resource consent for the SH1 Direct connection is approved, has EA, and is expected to be completed alongside Stage 1B1 of the P2B project, i.e. late 2029 / early 2030.
d)	Up to a maximum of: i. 3,300 dwellings; and/or ii 56,000m ² retail GFA; and/or iii 17,900m ² other commercial GFA; and/or	Upgrades in (a)-(c) above and: Ultimate Waihoehoe Road upgrade between Fitzgerald Road and Great South Road in accordance with I451.11: Appendix 1, including: i. Two general traffic lanes and two bus lanes, footpaths and		The Ultimate Waihoehoe Road upgrade scheme as described in Column 2 is fully funded through the Government's Roads of Regional Significance package. Detailed design is currently underway, an Infrastructure Funding Agreement (IFA) between the Drury East landowners and AT is imminent, and construction is expected to commence late 2025/early 2026, with an 18-month construction period.

	iv 2,000m2 community GFA.	cycleways on both sides, and a new six-lane bridge over the railway corridor; and ii. Signalisation and increased capacity at the Great South Road/Waihoehoe Road intersection, including fully separated active mode facilities and 3-4 approach lanes in each direction.		
e)	Up to a maximum of: i. 3,800 dwellings; and/or ii. 64,000m2 retail GFA; and/or iii. 21,000m2 other commercial GFA; and/or iv. 2,400m2 community GFA.	Upgrades in (a)-(d) above and: Mill Road southern connection between Fitzgerald Road and State Highway 1, providing four traffic lanes and separated active mode facilities, including a new SH1 Interchange at Drury South - the “Drury South interchange”		<p>The full Mill Road corridor (Papakura to Drury South) is named as a Road of National Significance (RoNS), although only minor improvements to the northernmost section have been allocated funding. NZTA is currently working through route choice for the entire corridor, with an anticipated NOR process expected to start in 2025. The section described in Column 2 of this row falls within the currently unfunded southern section of the corridor that will connect to the proposed SH1 Drury South interchange.</p> <p>The Drury South Interchange is part of Stage 2 of P2B. It is included within the RoNS package, but no funding is currently allocated. Route choice has been undertaken and a Notice of Requirement (NOR) process was initiated in 2024.</p>
f)	Up to a maximum of: i. 5,800 dwellings; and/or ii. 97,000m2 retail GFA; and/or	Upgrades in (a)-(e) above and: Mill Road northern connection between Fitzgerald Road and Papakura, providing four traffic lanes and separated active modes including ultimate upgrade of		As above, other than a small northern section that has funding, the remainder of the Mill Road corridor lies within RoNS but does not currently have funding. NZTA is currently working through route choice for the entire corridor, with an anticipated NOR process expected to start in 2025.

iii. 47,000m2 other commercial GFA; and/or iv. 10,000m2 community GFA.	Waihoehoe Road East from Fitzgerald Road to Mill Road; and Ultimate Opāheke Northern connection, providing four lanes including bus lanes and active mode facilities between Waihoehoe Road and Opāheke Road in Papakura	The interim design of the southern section of Opaheke Road is under construction as part of the Waihoehoe Precinct (PC50 and subsequent fast track Consent), with space provided for the Ultimate upgrade to provide bus lanes in the future, if required. A NOR is in place for the section as it passes through the Waihoehoe Precinct. The route to the north of Waihoehoe Precinct is not currently the subject of an NOR or identified in any future funding policies.
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5.0 Site Context

This section of the application is provided in accordance with clauses 5 and 8 of Schedule 5 of the FTAA.

Copies of Records of Title for the site are attached at **Appendix 3**. In accordance with clause 5 of Schedule 5 of the FTAA, the names and addresses of owners and occupiers of the site and land adjacent to the site (where occupiers were identifiable after reasonable inquiry) are enclosed as **Appendix 4**. A broad summary of the site and locality details is provided below.

5.1 Site Description

The project area comprises multiple contiguous fee simple allotments owned by Kiwi Property which collectively make up the Site for this application.

The physical addresses and legal descriptions for each individual site included in this Project are listed in Table 2 below. The combined site area of all properties included in this application is a total of approximately 48.4 hectares.

Table 2: Project Area Property Addresses and Legal Descriptions

Address	Legal Description	Site Area
64 Flanagan Road, Drury	Lot 1 Deposited Plan 56120 and Lot 7 Deposited Plan 102224	0.3726ha
68 Flanagan Road, Drury	Lot 8 Deposited Plan 165262	4.1394 ha
108 Flanagan Road, Drury	Pt Lot 1 DP 62094, Lot 1 Deposited Plan 80559	4.4325 ha
132 Flanagan Road, Drury	Lot 1 Deposited Plan 580346	2.2748 ha
120 Flanagan Road, Drury	Lot 1 Deposited Plan 165262, 1/6 Share Lot 10 Deposited Plan 165262	12.1077 ha
133 Fitzgerald Road, Drury	Lot 1 DP 87159	0.432 ha
139 Fitzgerald Road, Drury	Pt Lot 1 DP 57466	6.3161 ha
155 Fitzgerald Road, Drury	Lot 2 DP 57466	4.5375 ha
173 Fitzgerald Road, Drury	Lot 3 DP 57466	4.0519 ha
189 Fitzgerald Road, Drury	Lot 4 DP 57466	4.0519 ha
61 Brookfield Road, Drury	Lot 1 DP 101367	1.6025 ha
124 Flanagan Road, Drury	Lot 5 DP 57466	4.0797 ha

The Site has urban zonings under the AUP including Business – Metropolitan Centre, Business – Mixed Use and Open Space – Informal Recreation. The Site is located within the Drury Centre Precinct which provides for the development of a new, comprehensively planned, high density and transit-orientated centre at Drury that supports a quality compact form. There are five sub-precincts (A – E) in the Drury Centre Precinct and the project area is located within sub-precincts A and C.



Figure 12: Locality plan of project area including development in Stage 2 and subdivision of superlots in Stage 1 identified by pink dotted lines. Note that bulk earthworks have since occurred and aerial photograph does not reflect current ground conditions.

The Site is located approximately 35km south of Auckland’s City Centre and 20km from Auckland Airport. The project area is bounded by the Hingaia Stream to the west, the approved Stage 1 Fast Track consent to the south, Fitzgerald Road to the east and Waihoehoe Road/ North Island Main Trunk Line to the north. The westernmost portion of the Site is also characterised by the presence of the Hingaia Stream along with an overhead electricity transmission corridor with associated support structures which is identified on the AUP planning maps as the National Grid Corridor overlay. This National Grid Corridor provides for the recognition and protection of the 110Kv Bombay-Otahuhu A and 220Kv transmission lines and associated support structures within this overlay. In early 2024 the 110Kv Bombay-Otahuhu A transmission lines and support structures previously within this overlay were decommissioned and dismantled. However, the 220Kv transmission lines and support structures remain.

As noted in section 4.3.1 of this report, Kiwi obtained resource consent⁶ from Auckland Council in April 2022 authorising bulk earthworks over a significant portion of the project area to prepare the land for development of Stage 1 of the Drury Metropolitan Centre. This consent has been given effect to which has included the removal of existing buildings/structures, removal of contaminated soils, decommissioning and removal of existing infrastructure.



Figure 13: Recent aerial photograph of bulk earthworks completed over Stage 1 of Drury Metropolitan Centre in foreground and the Stage 2 development area directly to the north.

The Site at which the activity is to occur is located within a statutory acknowledgement area relating to the Hingaia Stream and its tributaries with the relevant settlement party being Ngāti Tamaoho (further details provided in section 9.0 of the AEE). The Site is not located within or adjacent to a statutory overlay as identified in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019). Additionally, the Site is not located within or adjacent to a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.

Ecological features in terms of streams (permanent and intermittent) and NPS-FM⁷ natural wetlands within and adjacent to the project area are shown on the figure below. The ecological features identified by Tonkin and Taylor (“T+T”) demonstrate that there is permanent ‘Stream A’ at the northern part of the project area and NPS-F qualifying wetlands adjacent to the Hingaia Stream west of the project area.

⁶ Application number BUN60390224 granted on 13 April 2022.

⁷ National Policy Statement for Freshwater Management

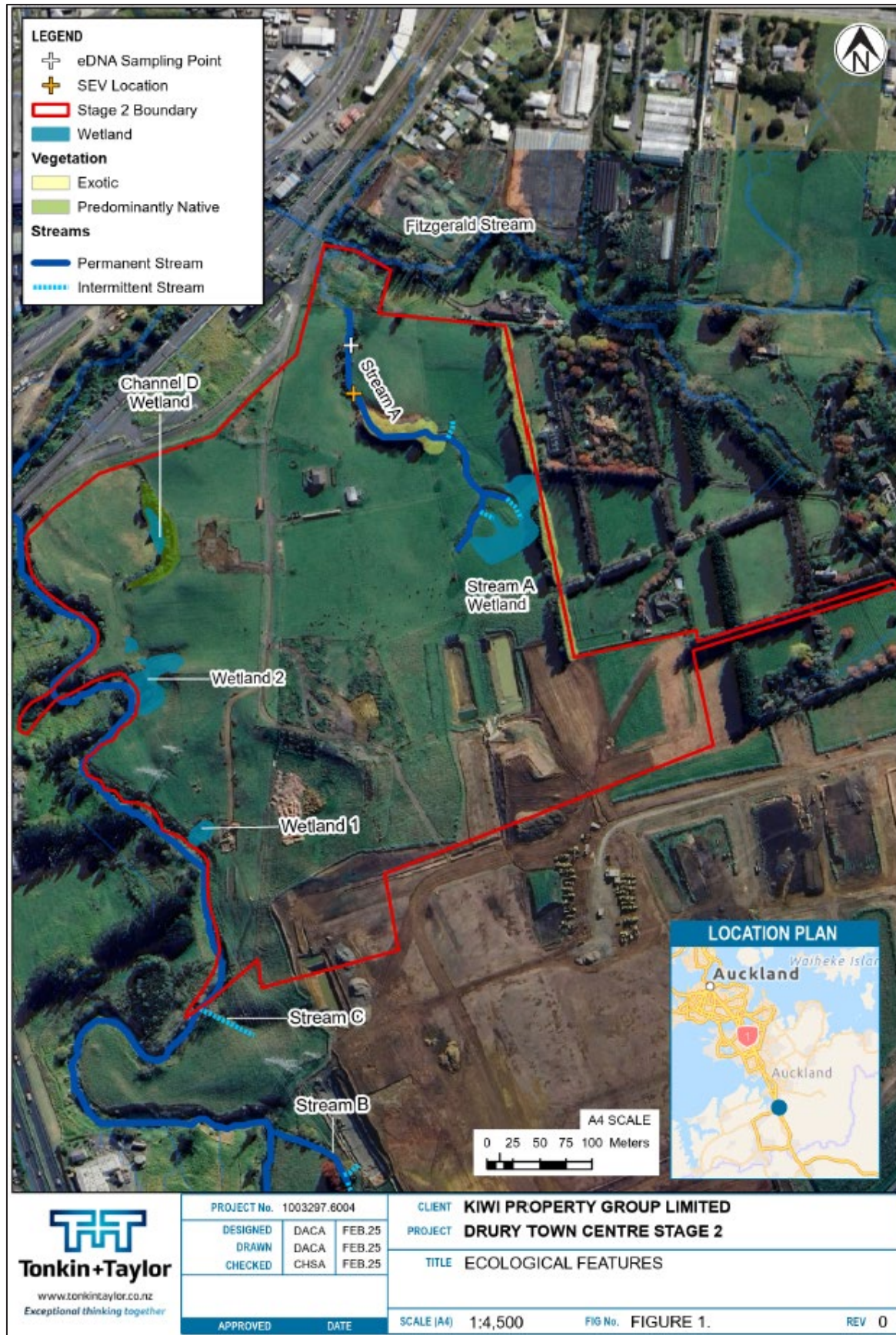


Figure 14: Ecological features within Drury Centre Precinct and Stage 2 project area.

An archaeological study⁸ of the project area confirms that there is one recorded archaeological site within the project area as shown in the figure below. This archaeological site is R12/1125 in relation to the Flanagan Homestead building which has since been removed and relocated elsewhere within the Drury Centre Precinct. Subsurface archaeological remains in vicinity of the former Flanagan Homestead are considered likely.



Figure 15: Indicative location of recorded archaeological site in relation to the project area.

The very eastern extent of the project area is subject to a Notice of Requirement (NOR) by Waka Kotahi for the alteration to designation D6706 in relation to the Drury Access Ramp as shown in the figure⁹ below and discussed in section 5.3.4 of this report.

⁸ Proposed Drury Centre Development Fast Track Stage 2 Archaeological Assessment prepared by Clough & Associates Ltd and dated December 2024.

⁹ <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/nor-drury-access-ramp-aee.pdf>

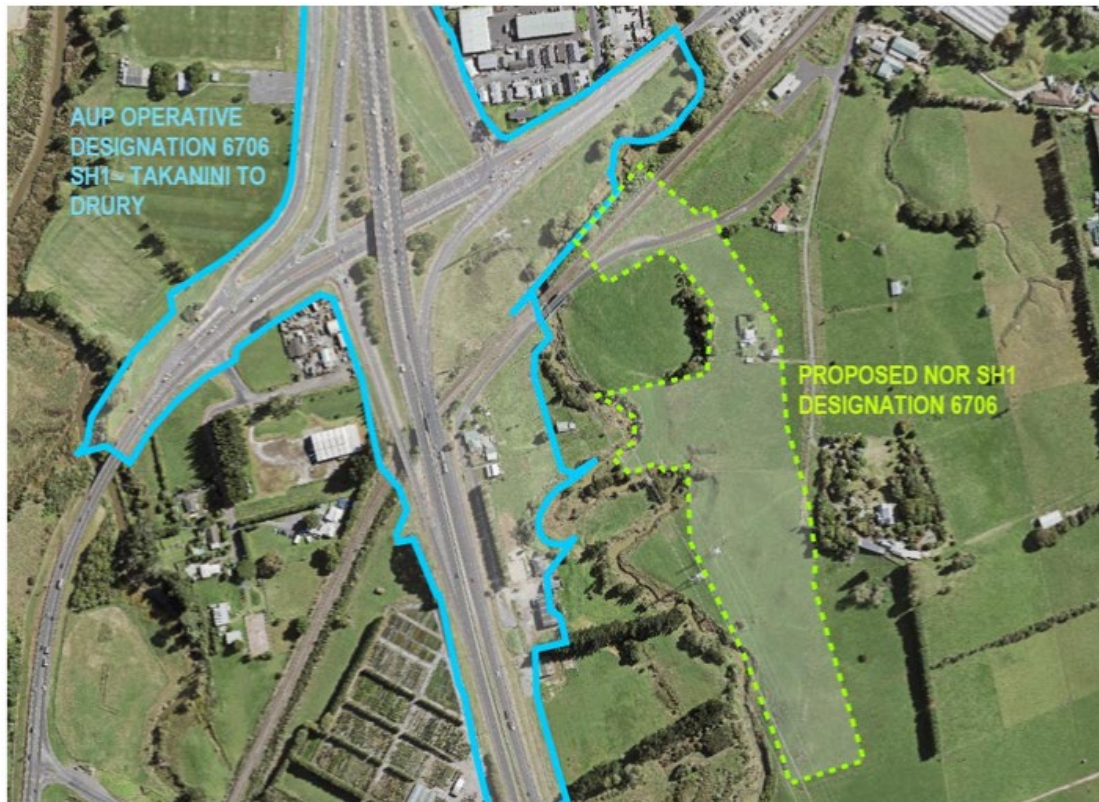


Figure 16: Proposed alteration to designation 6706.

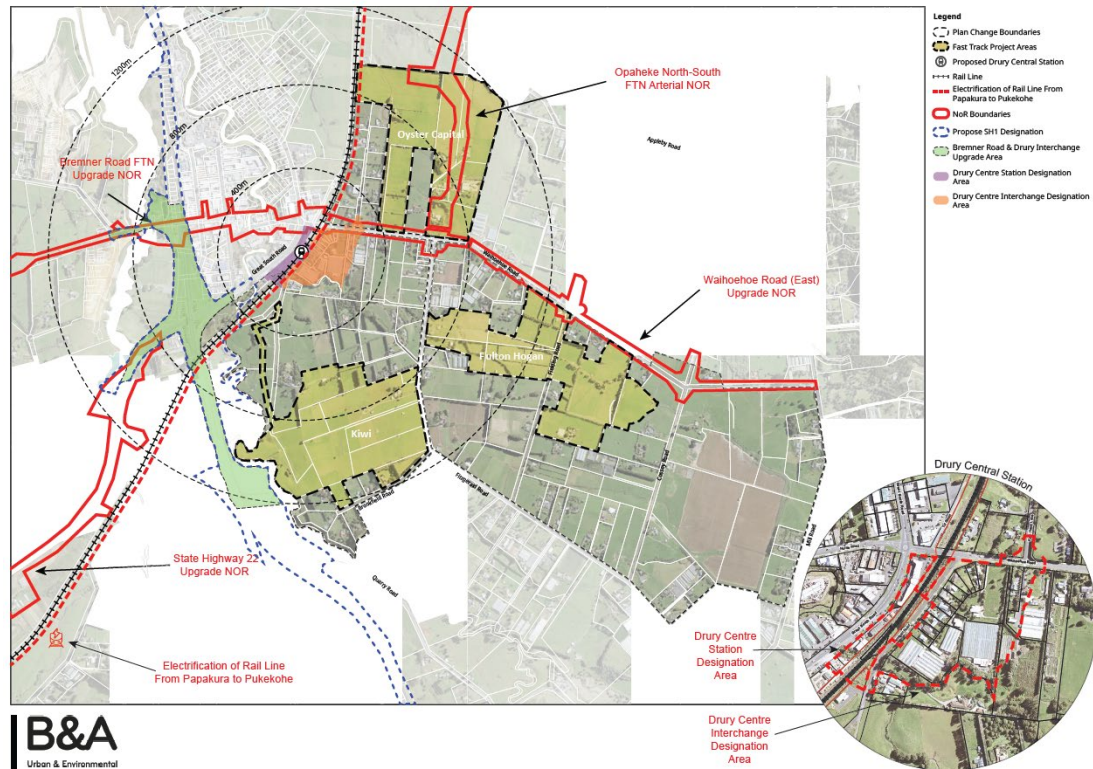
5.2 Surrounding Locality

The surrounding and wider Drury East area is currently undergoing significant urban transformation by way of comprehensive suite of approved, planned, and funded transport projects under the New Zealand Upgrade Programme (NZUP) and the Auckland Regional Land Transport Plan (RLTP). These transport infrastructure projects are intended to support the significant urban development planned and approved in the wider Drury East area which include (but are not limited to):

- Papakura to Pukekohe Rail Electrification
- Papakura to Drury South Stage Highway 1 improvements, Stage 1B1
- Drury Central and Paerata Stations
- SH22 intersection upgrades at Great South Road and Jesmond Road
- Waihoehoe Road west construction;
- Drury local road upgrades; and
- Drury Arterials Notice of Requirement Designations.

Significant urban development projects approved in the surrounding area include those within Waihoehoe and Drury East Precincts which have urban zonings under the AUP and resource consents approved under the Covid-19 Recovery (Fast-track Consenting) Act 2020. Within the Waihoehoe Precinct to the directly north of the project area, resource consent has been granted to Oyster Capital Limited for the subdivision of an approximately 35 hectares of land to construct up to 376 residential units, nine balance lots, an open space park; and the construction of

supporting infrastructure at 76, 76A and 116, 136 and 140 Waihoehoe Road. Within the Drury East Precinct directly to east of the project area, resource consent has been granted to Fulton Hogan Land Development Limited for subdivision of approximately 33 hectares of land to create up to 248 residential lots, 28 balance lots, neighbourhood parks and esplanade reserves to be vested with associated supporting infrastructure located at 86 and 94 Fitzgerald Road, 251 and 383 Waihoehoe Road, 65, 76 and 108 Fielding Road. The location and extent of these urban development projects relative to the Stage 1 Fast Track Consent and project area are shown in the figure below.



The wider balance of the surrounding locality is zoned Future Urban zone under AUP.

Figure 17: General location and extent of fast-track projects approved in Drury East.

5.3 Owner and Occupiers

In accordance with clause 5(1)(d) of Schedule 5 of the FTAA, the full names and addresses of the following are provided at **Appendix 4**.

- (a) each owner of the site and of land adjacent to the site; and
- (b) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry;

6.0 Proposal

This section of the application is a summary of the key elements of the proposal provided in accordance with clause 5(1)(a) and 8 of Schedule 5 of the FTAA.

The extent of the project is shown on the drawings enclosed as **Appendices 6, 7, 8 and 9**. The following provides an overall summary of the proposal and is intended to be read alongside the visual material and technical reports accompanying this application for a full understanding of the proposal.

For completeness, the following approvals are sought under Section 42(4):

- A resource consent (as an approval under Section 42(4)(a) that would otherwise be applied for under the RMA).

6.1 Bulk Earthworks

Bulk earthworks are proposed within the project area to facilitate construction of the proposal to the proposed design levels, installation of underground infrastructure and associated roading. This is detailed within the Sediment Control Management Plan prepared by Woods in Appendix 10 and generally involves the removal of all existing buildings and structures within the project area, incremental stripping of the topsoil, excavations and placing of material to achieve subgrade levels for road carriageways and building platforms.

The bulk earthworks will involve a cut to fill operation volume of approximately 212,225m³ of cut and 195,873m³ of fill over approximately 20.85 hectares inclusive of allowance for expansion factor, excess unsuitable materials and excess topsoil. The earthworks methodology proposes to open minimal areas in undertaking the earthworks and to progressively stabilise completed areas to minimise the areas that are open.

It is noted that the separate bulk earthworks consent obtained from Auckland Council in October 2024 ("**2024 Earthworks Consent**") involves bulk earthworks over an area of approximately 3.4ha, whereas the earthworks in this fast-track consent ("**Fast Track Earthworks**") incorporates relatively minor additional earthworks in the area covered by the 2024 Earthworks Consent as well as bulk earthworks in an area beyond that covered by the 2024 Earthworks Consent (total area approximately 18.5ha). This is because the Fast Track Earthworks also takes into account the earthworks required for the installation of underground services and proposed roading and building platform design levels (in the area covered by the 2024 Earthworks Consent) and is therefore proposed to a greater level of design detail. In summary:

- The scope covered in the 2024 Earthworks Consent is for bulk earthworks only. This mainly targets the large-scale movement of in-situ soil from areas identified to be lowered in relative height to areas identified where the relative height will increase. The aim is not to provide finished levels for the proposed development.
- The scope covered by the Fast Track Earthworks takes the work covered in the 2024 Earthworks Consent further in order to provide the finished levels required to enable construction of the commercial centre and road corridors.

Preliminary geotechnical investigations to date confirm that the underlying soils of the site are suitable for a bulk cut to fill operation. The Remediation Action Plan (RAP) in **Appendix 13A** confirms that earthworks are not planned in areas where contaminants of concern have been identified above the remedial criteria. Notwithstanding this, the RAP includes an appropriate range of methodologies that can be implemented in the event that any contaminated land requires remediation including disposal at a licensed facility in accordance recommendations within the Site Management Plan (SMP) in **Appendix 25I**.

A 108m long timber pole retaining wall is proposed along the eastern edge of the Stage 2 project boundary. This retaining wall is typically 2.9m high with a maximum height of 3.2m and a suitable safety barrier on top to satisfy Building Code requirements.

6.2 Buildings and Activities

The architectural drawings prepared by Ignite in Appendix 6 illustrate the location, design and spatial arrangement of the proposed buildings and activities in this project together with its relationship with the Stage 1 Fast Track Consent. As shown in the figure below, this proposal for Stage 2 of the Drury Metropolitan Centre is located immediately north of the Stage 1 Fast Track Consent and has been designed as an integrated and connected centre that achieves the key structuring elements envisaged on Precinct Plan 2.

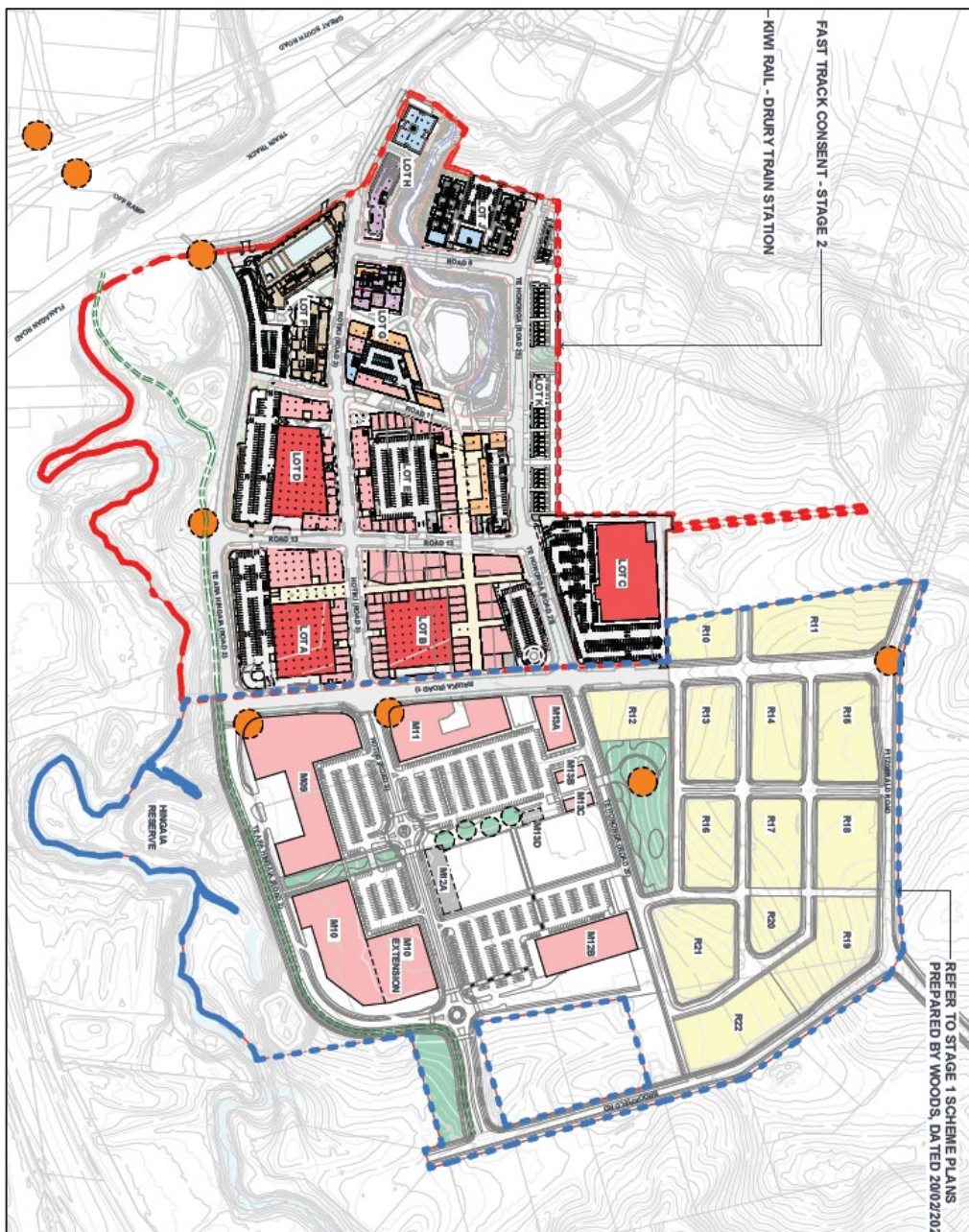


Figure 18: General layout plan of Drury Metropolitan Centre with the approved Stage 1 Fast Track Consent area outlined in blue and the proposed Stage 2 project area outlined in red.

In summary, and with reference to the drawings in Appendix 6, this includes a series of new buildings for retail, commercial and community, residential and visitor accommodation activities as summarised below.

Table 3: Land Use and Activities Proposed in Stage 2

Activity / Land Use	Gross Floor Area	Dwellings	Rooms
Commercial	33,048m ²		
Retail	63,547m ²		
Residential		102	
Visitor Accommodation			282
Community	10,216m ²		
Total	106,811m ²	102	282

The combination of GFA and dwellings proposed in this application and the GFA of activities approved in the Stage 1 Fast Track Consent, plus other consents approved in the Drury East transport staging boundary are summarised in the tables¹⁰ below.

Table 4: Land Use and Activities Approved and Proposed in Drury Centre Precinct

Activity / Land Use	Stage 1		Stage 2	Total
	Approved	Proposed	Proposed	
Commercial	-		33,048m ²	33,048m ²
Retail	32,000m ²		63,547m ²	95,547m ²
Residential	-	292 lots	102 dwellings	394 dwellings/lots
Visitor Accommodation	-		282 rooms	282
Community			10,216m ²	10,216m ²

Table 5: Land Use and Activities Proposed in Drury Centre Precinct and Approved in the Drury East Transport Staging Boundary

Activity / Land Use	Drury East Transport Staging Boundary	Drury Centre Stage 1 and 2	Total
	Approved	Proposed	
Commercial	-	33,048m ²	33,048m ²
Retail	32,000m ²	63,547m ²	95,547m ²
Residential	592 dwellings/lots	394 dwellings/lots	986 dwellings/lots
Visitor Accommodation	-	282 rooms	282
Community	-	10,216m ²	10,216m ²

External lighting is proposed throughout commercial elements of the Centre including around the retail buildings and within the car parking areas. The lighting strategy for the Stage 2 area is indicatively shown in the Landscape Design Report in Appendix 7 and are intended for CPTED

¹⁰ Note that visitor accommodation is not included in the transport trigger standard and Table I450.6.2.1 but are included for completeness to demonstrate the full range of activities approved and proposed in the Drury East Transport Staging Boundary.

purposes to provide lighting during hours of darkness and wayfinding. The luminance levels of external lighting are proposed to be designed and operated in accordance with the permitted activity standards in Chapter E24 of the AUP and consent conditions are proposed to that effect including the provision of detailed lighting plan to Council for review and certification prior to installation.

6.2.1 Signage

Comprehensive development signage (“signage”) is also proposed throughout the Centre and for each of the proposed buildings, with the exception of residential buildings. Indicative signage types and their relative dimensions are shown on the drawings in **Appendix 6**. Three freestanding pylon signs measuring 7.4m high and 1.2m wide is also proposed for wayfinding and advertising and purposes. Any backlit or illuminated signs will be designed and installed to comply with the relevant permitted activity standards in Chapter E24 Lighting of the AUP and a condition of consent with respect to signage and lighting is proposed to that effect.

6.2.2 Retail Activities

Retail activities are proposed across Lots A-G which will extend the retail offering approved in the Stage 1 Fast Track Consent directly to the south of Road 1. Tenants for the various retail spaces proposed in this application are undetermined at this early stage of the design and development process. However, it is envisaged that the retail buildings and spaces will be occupied by major (large format) retailers, food and beverage and other main street retailers. The size of the individual retail tenancy spaces varies to provide a full retail offering in a modern transit-orientated metropolitan centre.

The drawings in **Appendix 6** depict that the spatial arrangement of retail activities on Lots A-D each contain a major retail space with smaller retailer spaces sleeved around. The intention is for these major retail spaces to function as ‘anchors’ to those individual lots attracting customers and to support the commercial vitality and viability of the smaller surrounding retail activities.

The spatial configuration of the smaller retailer spaces is also deliberately designed and located to extend along the frontage of Road 3 which is identified as a Key Retail Street on Precinct Plan 3 which is the focus for pedestrian activity, and where the General Commercial Frontage controls apply which provide a supporting function to the Key Retail Street.

6.2.3 Commercial Activities

The commercial activities proposed include offices and entertainment facilities.

Offices are proposed on Lot H as an individual office building (Building ‘H2’), on the ground floor (in part) of the building on Lot J and directly above the retail tenancies on Lots A, D, E and G, on the first floors. The office building H2 will comprise of an undercroft carpark with 26 spaces and service areas on the ground floor with five storeys of office space above surrounding a centralised core.

Entertainment facilities are proposed on the first floor of the retail building above Lot E.

6.2.4 Community Activities

Community activities proposed include an aquatic leisure centre (Building ‘F1’) and library building (Building ‘F2’) both of which will be located on Lot F.

The aquatic leisure centre will have a GFA of 6199m² and is a two storey in parts. This leisure centre comprises of an indoor swimming pool, multi-purpose leisure and learning spaces, gym and changing facilities together with areas for staff and spectators. The design of this building features highly glazed facades for interactivity between interior and exterior spaces of the building and a floor-to-floor ceiling height of at least 5m to meet the functional requirements as an indoor aquatic leisure centre.

The library building will have a GFA of 3491m² and is also two storeys in part. The library will comprise spaces for common learning, private meeting rooms, computer and study spaces, and café area.

6.2.5 Accommodation Activities

Accommodation activities proposed include a residential apartment building on Lot J, visitor accommodation in the form of a hotel (Building 'H1') on Lot H and terrace dwellings on Lot K.

6.2.5.1 Visitor Accommodation

The hotel on Lot H features a basement carpark level with 47 spaces, hotel amenities such as a restaurant/bar and communal areas on the ground floor and a combined total of 282 private rooms/suites over four storeys directly above. Each of the rooms and suites have outlook space either over the street, the site on which the building is located or public open space in terms the reserve area surrounding Stream A.

6.2.5.2 Residential

The apartment building on Lot J features a total of 60 units over a total of three storeys. This includes a combination of one, two and three bedroom units with sizes ranging between 69m² to 117m². The apartment building is presented in a U-shaped configuration surrounding an at-grade carpark with a total of 61 spaces. Each of the apartments have outlook space from the principal living areas and bedroom provided either over the street, the site on which the building is located or public open space in terms the reserve area surrounding Stream A.

A total of 38 live-work type terrace units are proposed on Lot K. These are three storey buildings and based on two types of typologies which generally feature a street-facing office space and single car garage accessed via rear lanes on the ground floor with living areas and bedrooms on the two storeys directly above.

6.3 Subdivision and Staging

This section of the application and the subdivision scheme plans prepared by Woods enclosed as **Appendix 8** is provided in accordance with clause 8(1) of Schedule 5 of the Act in respect of the proposed subdivision within the project area.

The position of all new boundaries, areas of all new allotments and areas of land to be set aside for new roads are all illustrated on the subdivision scheme plans.

6.3.1 Stage 2 Subdivision

With reference to the scheme plans for Stage 2, the proposed subdivision is detailed as follows:

- 16 fee simple lots;
- 4 local purpose reserves;

- 5 roads to vest; and
- 9 access lots.

Table 6: Fee Simple Lots

Stage	Lot Reference	Site Area
2.1	Lot 38	19,532m ²
2.2	Lot 32	22,461m ²
2.3	Lot 31	17,165m ²
	Lot 600	26,682m ²
	Lot 609	407m ²
2.4.1	Lot 41	3,058m ²
2.4.2	Lot 42	3,875m ²
2.4.3	Lot 43	1,010m ²
2.5	Lot 34	18,626m ²
2.6.1	Lot 603	4908m ²
2.6.2	Lot 36	11,401m ²
2.7	Lot 33	14,804m ²
2.8	Lot 35	15,003m ²
2.9	Lot 37	8,219m ²
2.10.1	Lot 39	3,301m ²
2.10.2	Lot 40	2,423m ²

Table 7: Local Purpose Reserves

Stage	Reserve Type	Lot Reference	Site Area
2.3	Esplanade	Lot 610	12,385m ²
2.6.1	Drainage	Lot 604	6,804m ²
2.10.1	Drainage	Lot 602	2,412m ²
2.10.2	Drainage	Lot 601	1,197m ²

Table 8: Roads to Vest

Stage	Lot Reference	Site Area
2.1	Lot 510	3,747m ²
2.3	Lot 506	12,223m ²
2.4.1	Lot 511	2,517m ²
2.4.2	Lot 512	3,931m ²
2.4.3	Lot 517	1,496m ²

Table 9: Access Lots

Stage	Lot Reference	Site Area
2.2	Lot 502	3,210m ²
	Lot 514	3,415m ²

2.3	Lot 503	2,355m ²
2.4.2	Lot 508	554m ²
2.5	Lot 501	2,659m ²
	Lot 515	3,152m ²
2.6.2	Lot 500	789m ²
	Lot 516	4,216m ²
2.9	Lot 518	2,721m ²

All roads to be vested with Auckland Council are shown on the scheme plans. All other access lots within the project area that will not be vested will be privately owned and maintained by Kiwi Property but will be designed and constructed to the relevant Auckland Transport standards and the Road Function and Required Design Elements Table in Appendix 1 of the precinct provisions.

The open spaces on Lots 600 and 603 will contain communal stormwater management devices (Wetlands 2-1 and 2-2) that will also be privately owned and maintained by Kiwi Property and will accordingly be held as privately owned fee simple lots. Lots 601, 602 and 604 will contain Stream A and is proposed to be vested as a Local Purpose drainage reserve to Auckland Council. Stream A has an average width of 2.95m and therefore does not meet the requirement for an esplanade reserve under section 230 of the RMA.

Due to the large scale of this project the actual construction of the various buildings and roads (public and private) will be coordinated and constructed in a staged manner. Each section of road is intended to be incrementally constructed to provide the necessary access to each substage of the subdivision and to service the proposed buildings, as well as logically connecting to any preceding stages. While the subdivision staging and release of titles are intended to be sequenced per the groups of sub-stages identified on the scheme plans, flexibility is sought with respect to the subdivision staging to provide flexibility in the construction of what is considered to be a significant urban development project. It is proposed that the sequencing of the subdivision will not be restricted to any particular sequence or order in their implementation, provided that appropriate legal access and infrastructure servicing are available for each sub-stage (and any preceding contingent stages are created) which must be demonstrated and satisfied as part of the necessary section 224c process.

6.3.2 Stage 1 Fee Simple Subdivision

The Stage 1 Fast Track Consent created 13 vacant superlots as shown in the figure below. These superlots have an underlying zoning of Mixed Use and are located in sub-precinct D.



- 13 JOALs; and
- 292 vacant residential lots

6.4 National Grid Corridor Overlay

Importantly, the proposed earthworks for Road 2 North have been designed to comply with and be completed in accordance with the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34: 2001) and in particular Section 2, “Minimum Safe Distances for Excavation

and Construction Near Overhead Electric Line Supports”. Compliance with NZECP 34: 2001 is demonstrated on the civil drawings in Appendix 9.

The drawings demonstrate that no development or buildings as part of the Drury Metropolitan Centre will be located within this overlay. The closest buildings on Lots A, D and F all exceed the minimum setback requirement of 12m from a national grid support structure under standard D26.6.1.4 of the AUP and NZECP 34:2001.

The Infrastructure Report in Appendix 10 also confirm that any earthworks proposed within this overlay will be in accordance with relevant permitted activity standards in the AUP as it relates to the National Grid Corridor. Subdivision is also proposed within this overlay to create the esplanade reserve adjacent to the Hingaia Stream and adjoining balance lot.

6.5 Landscaping and Open Space Network

The Landscape Design Report by Boffa Miskell in Appendix 7 explains and illustrates the overall landscaping strategy for the project. The overall design philosophy is to create a connected, green and engaging public domain that appropriately responds to the site and context.

With reference to this design report, the key landscape design moves are as follows:

- Streetscape design and functionality guided by road hierarchy:
 - SH1 offramp acts as a prominent regional gateway, setting a green, scenic tone for visitors and commuters;
 - Public collector roads provide vital connections between key nodes with a landscape approach emphasising accessibility and continuity;
 - Key Retail Street prioritises pedestrian activity, fostering vibrant retail environments and active urban edges; and
 - Local roads focus on enhancing pedestrian connectivity within Drury Stage 2, integrating with retail and activity-oriented spaces.
- Arrival experience: the landscape design considers the arrival experience at each arrival point to Drury Centre to create a cohesive and engaging journey aligned with the site's character and accessibility hierarchy.
- Design hierarchy: identifies areas of high pedestrian flow and dwell activity, guiding the design response with a focus on quality, materiality, and detail.

- Green linkages: the green network creates a cohesive system that supports recreational activity, sustainability, and environmental connectivity. Anchored by the stormwater wetland (Wetland 2-1) and Stream A, the design enhances water quality while promoting biodiversity and habitat restoration.



Figure 20: Stage 2 landscape masterplan.

6.6 Transport

6.6.1 Road Design

Road 25 and 2 North within the project area will be formed and vested with Auckland Transport (AT) as shown on the scheme plans in Appendix 8. Road 2 North is located on the western side of the project area and has been appropriately designed to tie in with the consented Drury Access Offramp from SH1. Both Road 25 and Road 2 North are identified as Collector Roads on Precinct Plan 2 and have been designed as Collector Roads with separated active transport provisions with a road reserve width of 23m, complying with the 'Road Function and Required Design Elements Table' in Appendix 1 of the precinct provisions. Cross section designs for these Collector Roads are provided in the engineering drawings in Appendix 9 and generally shown below.

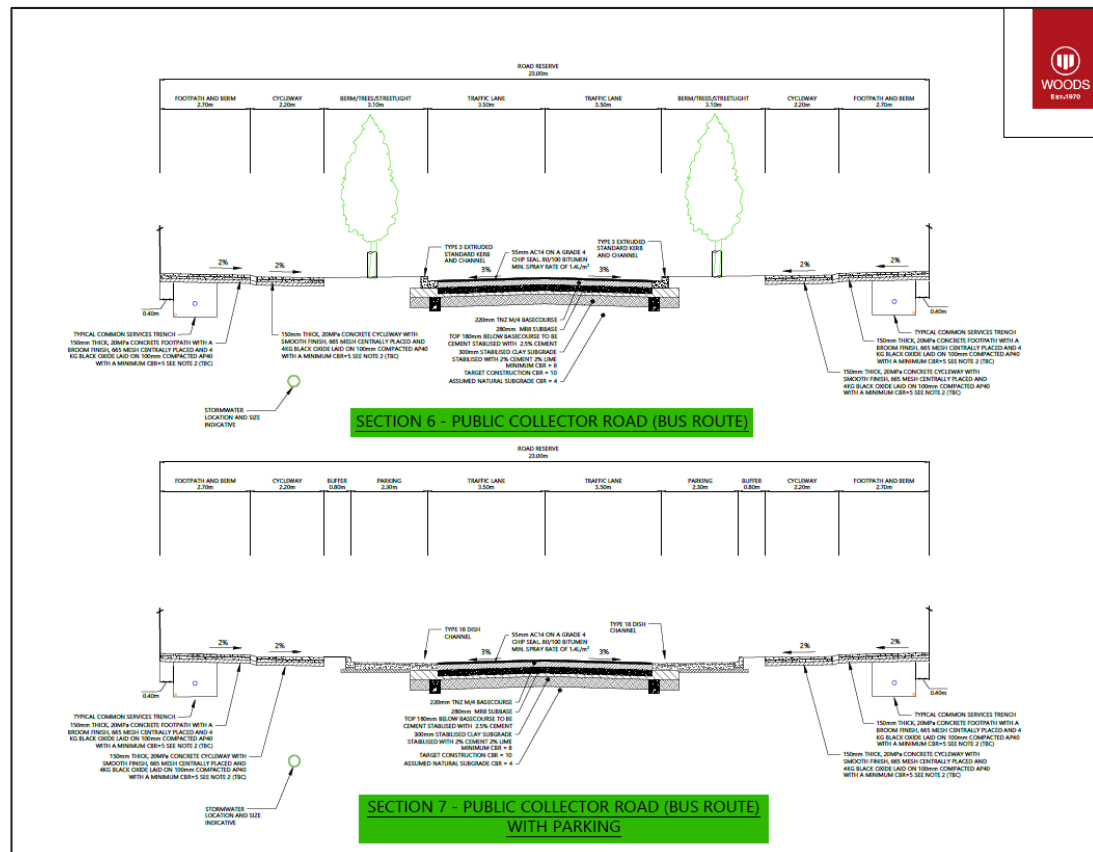


Figure 21: Cross section drawings for Collector Roads to be vested in project.

Road 3 within the project area is identified as a Key Retail Street on Precinct Pan 2 and is designed to achieve a road reserve width of 20m with pedestrian provision on both sides but no cycle or bus provision. The Key Retail Street is a private road that will be owned and maintained by Kiwi Property.

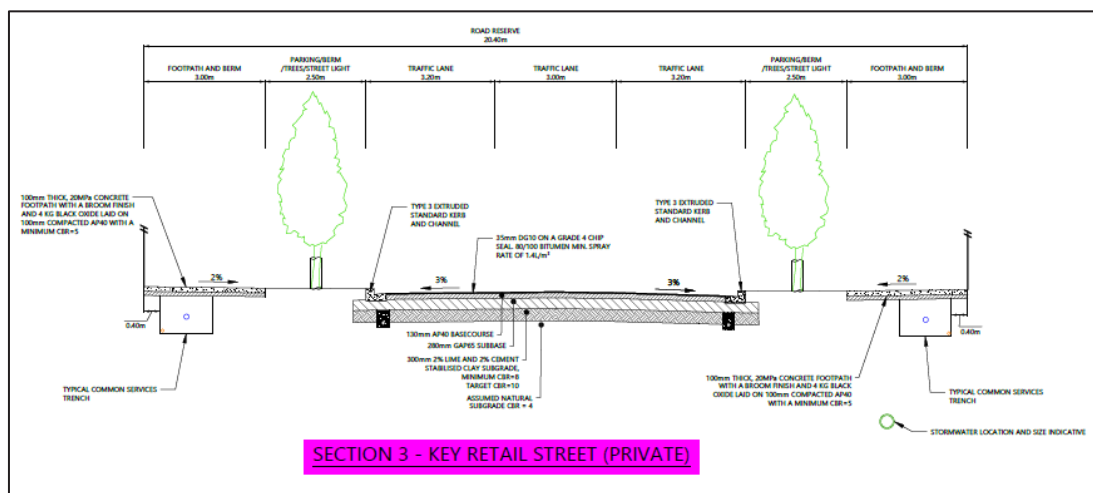


Figure 22: Cross section drawing of the Key Retail Street.

All other roads proposed within the project are Local Roads that will also be privately owned and maintained by Kiwi Property. The Local Roads are designed to comply with the 'Road Function and Required Design Elements Table' in Appendix 1 of the precinct provisions and achieve the minimum road reserve width of 16. Two designs are proposed for the Local Roads. One design

proposes a 16m road reserve width which does not include cycle provision on both sides, and the second design proposes a 20.4m road reserve width which includes cycle provision on both sides.

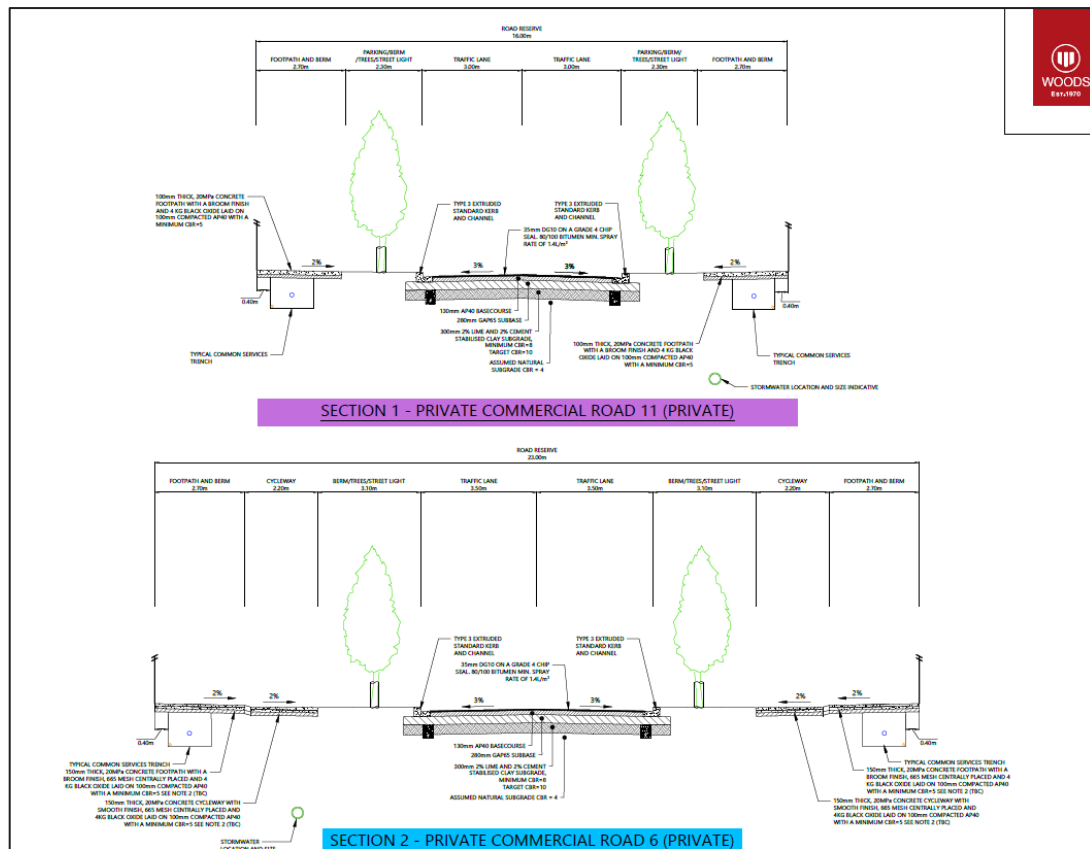


Figure 23: Cross section drawings for Local Roads in project.

6.6.2 Upgrade of Existing Rural Roads

The public roads (Fitzgerald Road, Waihoehoe Road and Brookfield Road) surrounding the project area are currently of a rural standard. These roads will not be upgraded to urban standard as part of this project because these road upgrades are proposed and consented as part of the Stage 1 Fast Track Consent and other fast track consents granted within the Drury East transport staging boundary. Accordingly, no further upgrades to existing rural roads are required as part of this project.

Flanagan Road in the project area is identified as an unformed paper road within the AUP planning maps and is partly formed as a farm road on site. Flanagan Road is not required for transport purposes in this project or for the wider movement network in Drury Centre, noting that it is not specifically identified on Precinct Plan 3 as part of the key road network for the Precinct. Precinct Plan 2 also notes 'Future road closing' over the existing alignment of Flanagan Road. Flanagan Road is therefore not required for transport purpose and Kiwi Property has commenced the relevant road stopping process with Auckland Transport to change the current legal status of Flanagan Road as a road to a freehold title.

6.6.3 Parking and Loading

The Stage 2 area of the project will provide the following transport related spaces and facilities. As shown in the table below, the proposal complies with all the maximum requirements¹¹ and the ITA in **Appendix 16** also confirms that the design and dimension of these spaces satisfy the standards of the AUP too, or would be addressed as part of the subsequent detailed design process.

Table 10: Car parking and Loading Spaces

Lot Ref	Provision			AUP Requirement	
	Car parking for all other activities	Car parking for office activities	Loading	Maximum Car parking requirement for office activities	Minimum Loading requirement
A	329	84	1	84	2
B	218	140	1	140	3
C	270	-	1	-	2
D	323	81	1	81	2
E	315	166	2	166	3
F	120 (25+95)	-	1	-	1
G	285	421	2	421	3
H	73 (47+26)	210	2	210	2
J	61	-	1	-	1
K	76	-	0	-	-

Table 11: Bicycle Spaces

Lot Ref	Provision		Minimum AUP Requirement	
	Visitor	Secure	Visitor	Secure
A	14	10	14	10
B	37	18	37	18
C	8	1	8	1
D	12	9	12	9
E	23	19	23	19
F	51	21	51	21
G	24	50	24	50
H	14	28	14	28
J	3	64	3	64
K	2	0	2	0

Table 12: End of Trip Facilities

Lot Reference	Provision	Minimum AUP Requirement
A	2	2

¹¹ There is no minimum or maximum parking requirements in the AUP apart from office activities. To ensure compliance, parking provided for office activities within each Lot has been allocated based on the maximum parking requirements set out in the AUP.

B	2	2
C	0	0
D	2	2
E	2	2
F	2	2
G	2	2
H	2	2

6.7 Stormwater Management

The Stormwater Assessment Report in Appendix 11 provides a detailed explanation of the proposed stormwater management for this project. In summary, a water sensitive design philosophy and integrated stormwater management approach is proposed and water quality treatment in a manner consistent with the Drury Centre and Drury East Stormwater Management Plan (SMP).

Stormwater management for the project is split into two distinct areas. Area 1 is approximately 14.8 hectares and drains to Fitzgerald Stream, while Area 2 is approximately 9.8 hectares and drains to Hingaia Stream. In summary:

- Stormwater generated in Area 1 discharges to Stream A and subsequently to Fitzgerald Stream which is a tributary of the wider Hingaia Stream. Prior to the upgrades of any culverts along Fitzgerald Stream and to enable the extent of development proposed in this project, attenuation of the larger flood events is required to be provided in Area 1 to ensure it is no greater than 100-year pre-development flows. This attenuation will be provided by the construction of Wetland 2-1 as a communal bioretention device adjacent to Stream A and the attenuation volume has been sized for 2.1°C of climate change allowance. Wetland 2-1 has a contributing catchment area of 9.21ha and is appropriately sized to provide the necessary water quality treatment and SMAF 1 hydrological mitigation.
- Stormwater generated in Area 2 discharges to Hingaia Stream. During the larger storm events areas discharging to the Hingaia Stream are able to pass flows forward consistent with the approach in the Drury Centre and Drury East SMP. An additional communal bioretention device Wetland 2-2 with a contributing catchment area of 2.88ha is proposed adjacent to the consented Drury Access Offramp to manage stormwater runoff in Area 2 including runoff from the offramp itself. Wetland 2-2 is also appropriately sized to provide the necessary water quality treatment and SMAF 1 hydrological mitigation.
- Bioretention raingardens designed in accordance with GD01 are also proposed in the road reserve area to provide SMAF 1 hydrological mitigation and water quality treatment of public and private roads.

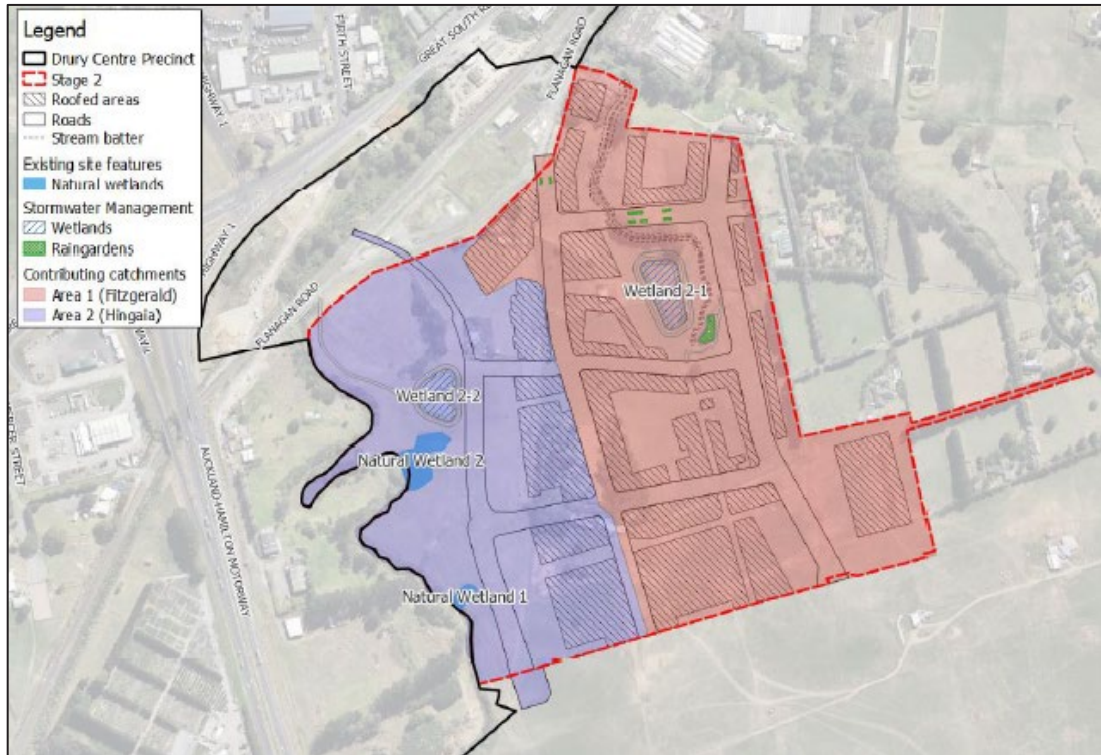


Figure 24: Stormwater management devices and areas.

Both Wetland 2-1 and Wetland 2-2 will be privately owned and maintained by Kiwi Property and therefore will not be vested.

All the proposed buildings will be constructed using insert cladding, roofing and spouting roofing material that avoid the use of high contaminant yielding products in accordance with standard I450.6.8 Stormwater Quality of the precinct provisions.

6.7.1 Relationship with Auckland Regionwide Network Discharge Consent

The Auckland regionwide Network Discharge Consent (NDC) replaces 116 different consents for the discharge of stormwater in the Auckland Region. Applicants have the option to avoid obtaining their own separate private discharge consent by coming under Auckland Council's NDC, provided they meet the conditions of the NDC (i.e., compliance with Schedule 4 of the NDC, provision of a Stormwater Management Plan (SMP)).

The Drury Centre and Drury East was prepared as part of PC48. The SMP is considered to be consistent with the regulatory and stormwater-specific requirements and conditions of the NDC.

The SMP for Drury East is yet to be provisionally approved by Auckland Council and formally adopted under the NDC. Accordingly, the timing of and approach to this application requires Kiwi Property to seek a separate stormwater discharge consent as an interim solution. In parallel, the proposed stormwater management and reticulation network in this application has been designed to be in accordance with the SMP and ultimately the NDC too. Once the SMP is provisionally approved and formally adopted under the NDC, the intention is for the proposed stormwater network to be vested with Auckland Council for ownership and ongoing management thereafter. The separate stormwater discharge consent by Kiwi Property as part of this application would then be surrendered as appropriate too.

6.8 Infrastructure

The proposed three waters servicing infrastructure, stormwater and flood management for the project is fully described in the respective technical reports enclosed as **Appendices 10 and 11**. By way of summary, the following are proposed:

- Wastewater** - There is an existing and recently upgraded Stage 1 wastewater pump station located at 103 Flanagan Road, directly north-west of the project area and east of the Drury Interchange (known as the 'Drury South Pump Station' or 'Drury Pump Station') as part of Watercare Services Ltd ("WSL") Southern Wastewater Network. The Drury South Pump Station as part of the Southern Wastewater Network is designed to cater for 8,500 Dwelling Unit Equivalents (DUEs) in the long-term, with the current Network designed to cater for an interim 4,130 DUEs. The Drury South Wastewater Pump Station will need to be further upsized (Stage 2 long-term) once the area reaches the capacity of the Stage 1 interim infrastructure¹². The Stage 1 Fast Track Consent included the establishment of a new gravity sewer network draining to this wastewater pump station which subsequently transfers wastewater to the WSL Southern Interceptor and ultimately to the Mangere Sewage Treatment Plan. This gravity sewer network established in the Stage 1 Fast Track Consent will service the extent of development proposed in this Stage 2 development of Drury Centre by connecting to this gravity wastewater network.

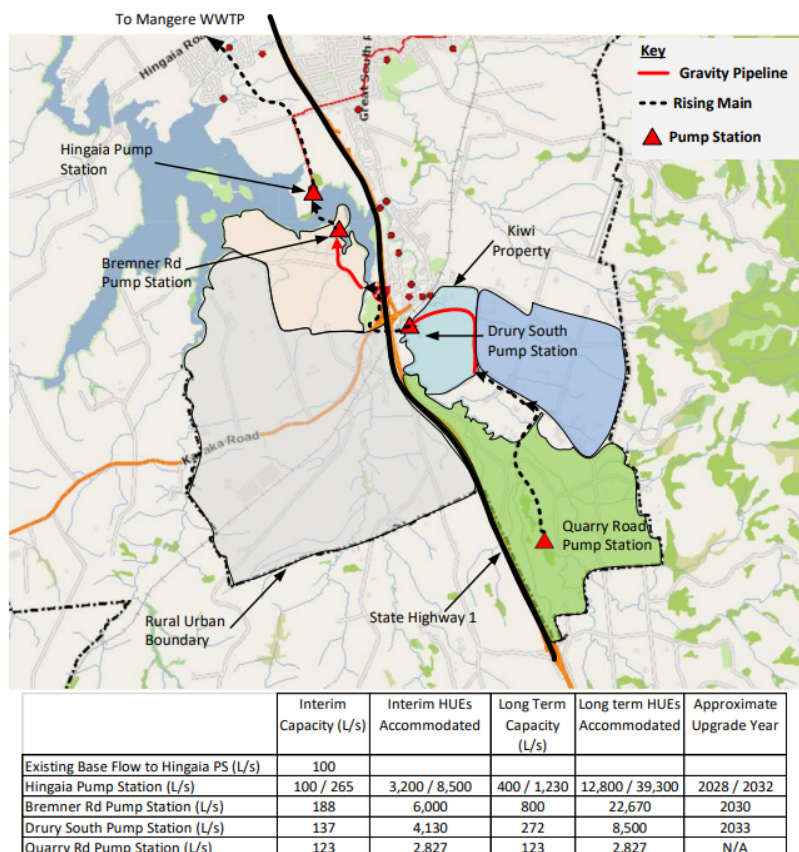


Figure 25: Southern Wastewater Network Schematic (Source: Statement of Evidence of Ilze Gotelli on behalf of Watercare Services Limited for Plan Change 48).

¹² Paragraph 4.6 of Statement of Evidence of Ilze Gotelli on behalf of Watercare Services Limited for Plan Change 48.

- **Water Supply** - There is an existing an existing 450mm public water main along Fitzgerald Road and Flanagan Road which provides water supply from the Flanagan Rad bulk supply point. The proposed reticulation system will connect to this bulk supply point and will consist of a 200 mm NB distribution main with a grid of 100 mm NB pipes in the residential areas and a grid of 150 mm NB pipes in the commercial areas.
- **Stormwater** - The stormwater network has been designed to convey flows up to the 10-year ARI event through a piped system ranging from 225mm to 1350mm diameter. For events exceeding the pipe network capacity, overland flow paths have been incorporated into the road layout to safely convey flows toward designated discharge points. The network design ensures that building platforms maintain appropriate freeboard above the 100-year flood levels. The stormwater outlet structures will feature energy dissipating systems and erosion protection measures. These new stormwater outlet structures have been designed to comply with the permitted activity standards E3.6.1.14¹³ of the AUP and are included as proposed consent conditions.

6.9 Ecology

The Ecological Impact Assessment (EIA) in Appendix 15 provides a detailed explanation of the proposed freshwater ecology activities in this application with respect to streams and natural inland wetlands identified within and immediately surrounding the project area. By way of summary, the project involves the following activities with respect to ecology:

6.9.1 Wetland Reclamation and Changes to Wetland Hydrology

The natural inland wetland located at the headwater of Stream A ("Stream A Wetland") is proposed to be reclaimed to enable the construction of Drury Boulevard. Drury Boulevard is identified as an indicative collector road and key structuring element for Drury Centre on Precinct Plan 2 and a key component of the road network on Precinct Plan 3 also. The Stream A Wetland is approximately 2,172m² in size and has been assessed by Tonkin and Taylor as having low current value due to its modification and moderate potential ecological value due to its size and location at the headwaters of Stream A.

- Based on the proposed stormwater design for the project, and with reference to the ecological features plan in Figure 14 of this report, the following changes to wetland hydrology are expected: Wetland 1: The catchment will be reduced from the construction of Road 2 North and Lot 31. It can be reasonably expected based on contour lines that surface water input is likely to reduce by more than 50%.
- Wetland 2: The catchment will increase from approx. 1.74 ha in size to 2.88 ha in size. The water will be captured and cycled through the stormwater Wetland 2-2 before the water will be released into Wetland 2.

¹³ Standards for new structures and the associated bed disturbance or depositing any substance, diversion of water and incident temporary damming of water.

6.9.2 Streamworks

This section of the application and the engineering plans prepared by Woods enclosed as **Appendix 9** is provided in accordance with clause 8(2) of Schedule 5 of the Act in respect of the proposed stream reclamation within the project area.

To also facilitate the construction of Drury Boulevard in its indicative location as shown on Precinct Plans 2 and 3, the proposal involves the reclamation of 176m of existing stream length of which 10m is currently culverted (211m² stream bed area) in the upstream reach of Stream A and the subsequent the diversion of flows to a 97m realigned stream channel (135m² stream bed area). The realigned channel will have a wetted stream bed width of 2.9 m and will reflect existing habitat conditions in terms of stream width, flow and depth. The proposed realignment of the existing open channel in the upper reaches will remove current fish barriers by removing the existing farm culverts across the stream length that will be realigned and thereby improving fish passage outcomes.

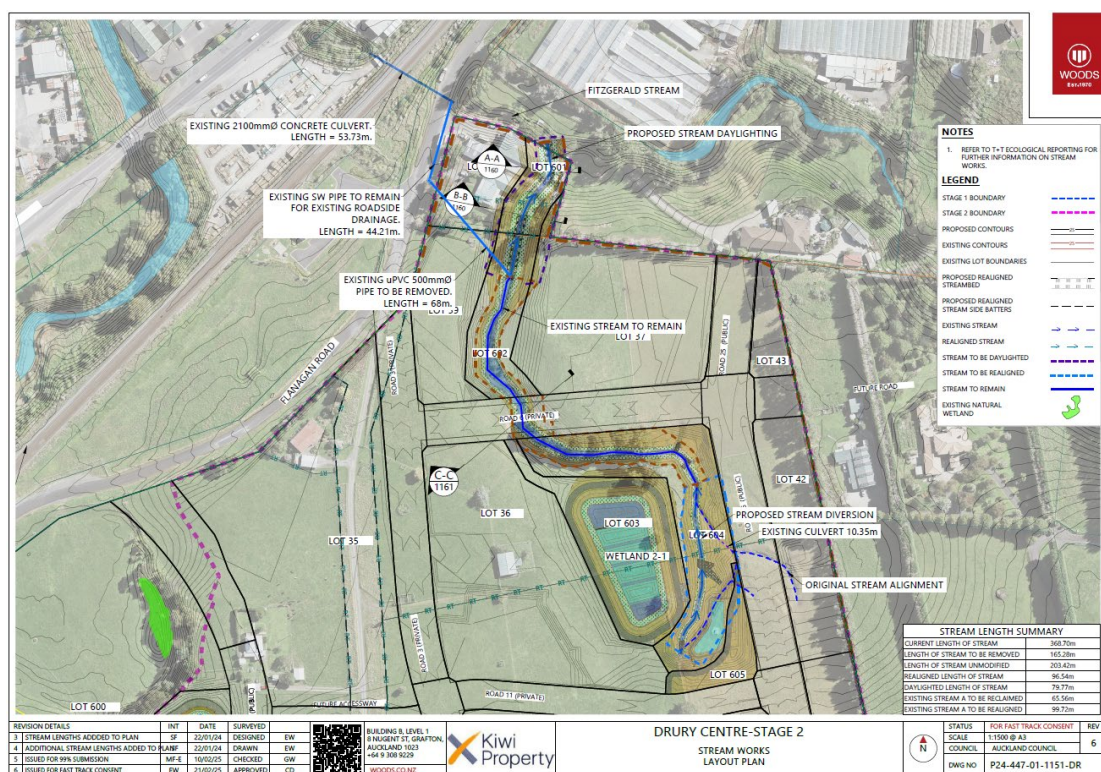


Figure 26: Proposed streamworks layout plan for Stream A.

The lower reaches of Stream A adjacent to the northern boundary of the site is also piped for approximately 112m from its confluence with Fitzgerald Stream. This piped reach of Stream A has been highly modified and is considered to provide little ecological value as it is also likely to present a barrier for fish entering the upper open reaches of Stream A. It is proposed to daylight this piped section of Stream A and restoring this by removing the culvert structure to create an open stream channel and associated stream habitat to its likely original alignment thereby restoring a historically modified and degraded system. The daylighted stream will be approximately 80m in stream length and 112m² of stream bed area to tie into the Fitzgerald Stream upstream of Flanagan Road. A 10m riparian margin is proposed to be planted along the daylighted section of stream to enhance ecological function of the stream. This design also includes boulders, large woody debris and variation in channel morphology to increase hydrologic heterogeneity and provide instream habitat for freshwater fauna.

The streamworks described above at both the lower and upstream reach of Stream A will include instream works to tie in the created daylighted channel and realigned channel to the existing watercourse upstream and downstream (Stream A and Fitzgerald Stream).

Precinct Plans 2 and 3 also feature an indicative east-west collector road connecting between the two north-south indicative collector roads. Road 5 forms this east-west indicative collector road and a portion of this is proposed over Stream A. That portion of Road 5 over Stream A will avoid instream works because the design involves an arched culvert that will retain and span the stream bed and its margins. This length of this arched culvert is approximately 20m and will be designed to comply with the relevant permitted activity standards in Chapter E3 of the AUP and permitted activity conditions in regulation 70(2) of the National Environmental Standards for Freshwater Regulations.

6.9.3 Riparian Margins

The proposal will involve works within the 10 riparian margins of Stream A and the Hingaia Stream with respect to:

- Bulk earthworks across the project area to facilitate construction and development of the project as shown on the engineering drawings in Appendix 9 including formation of the maintenance path on the western side of Wetland 2-2;
- Vegetation alteration and/or removal;
- A corner of building G1 (hotel) extending into the riparian yard; and
- Riparian planting for a minimum of 10m on both sides of Stream A.

6.9.4 Terrestrial Ecology

The EIA describes that the vegetation on site predominantly consists of grazed pasture grasses with some interspersed clusters of predominantly exotic woody vegetation, primarily along shelterbelts and streams. Particular native vegetation species observed on site are listed in EIA, however the overall characterisation of vegetation within the project area is of low ecological value as it is dominated by exotic species with very few and mainly non-threatened native species interspersed.

It is proposed to remove approximately 5,837m² of vegetation covered by exotic trees and shrubs including approximately 8.95 hectares of grazed land to facilitate construction and development of the project.

6.10 Consent Duration and Staged Implementation

Section 43 of the FTAA requires the substantive application to:

- State whether the application relates to a priority project, and if so, states specific requirements (s43(h));
- With reference to the requirements of s13(4), include a statement of whether the project is planned to proceed in stages and if so, an outline of the nature and timing of the stages, together with other requirements that relate to the referral application (s43(2)).

This application does not relate to a priority project.

High level information on the proposed implementation of the development was included in the Referral Application, stating:

it is anticipated that delivery of Stage 2 will occur in phases. Earthworks and civil design for the entirety of Stage 2 will be completed immediately following issue of decision, followed by civils construction for the first phase of Stage 2 (2A) taking place between Q4 2026 and end of Q4 2027 (assuming fast track approval is granted by end of Q2 2025). Development of Stage 2A would start Q1 2028 and be delivered end of Q3 2029.

This application refines the implementation information submitted with the Referral Application based on the more detailed technical investigations and reporting that has been undertaken. Kiwi Property are seeking a fifteen year consent duration in which to give effect to the resource consent. Specifically, Kiwi Property intends to implement the development broadly as follows assuming a late-2025 start:

- Stage 2 bulk earthworks – October 2025 to April 2026 (anticipate to complete bulk earthworks in one earthworks season).
- Lot 38 civil works – Year 2026
- Lot 38 building construction and Lot 32 civil works – Year 2027
- Lot 32 building construction and Lot 31 civil works – Year 2028
- Lot 31 building construction and Lot 34 civil works – Year 2029
- Lot 34 building construction and Lot 36 civil works – Year 2030
- Lot 36 building construction and Lot 35 civil works – Year 2031
- Lot 35 building construction and Lot 33 civil works – Year 2032
- Lot 33 building construction and Lot 39 civil works – Year 2033
- Lot 39 building construction, Lot 37 civil works and building construction and Lot 40 civil works and building construction – Year 2034

6.11 Any Other Activities

This section is provided in accordance with clause 5(1)(e) of Schedule 5 of the FTAA. There are no other activities that are part of the proposal to which the consent application relates.

6.12 Other Approvals

In accordance with clause 5(1)(f) of Schedule 5 of the FTAA, the following approvals are required, and either have been obtained, or will be sought separate to this FTAA application:

- Requiring Authority Approvals
 - A small portion of the project will be undertaken on land that is subject to the NOR for alteration to Drury Access Ramp designation D6706 and the Requiring Authority for this is Waka Kotahi. In accordance with s178(2) of the RMA, no person may do anything that would prevent or hinder the public work, project, or work to which the designation relates unless the person has the prior written consent of the requiring authority. Accordingly, an advice note is included in the proposed conditions that Kiwi Property

must obtain written from Waka Kotahi for that portion of the project within this designation.

- Archaeological Authority – an Archaeological Authority to modify an archaeological site at 120 Flanagan Road, and the wider project area, from Heritage New Zealand Pouhere Taonga (HNZPT) has been obtained and this is enclosed as Appendix 33.
- Road stopping is required under Section 116 of the Public Works Act.

6.13 Proposed Mitigation Measures

In accordance with clause 6(1)(d) of Schedule 5 of the Act, the following mitigation measures are proposed to address actual and potential effects on the environment assessed in section 10.0 of this report relative to specific subject matters, but are not strictly limited to:

Table 13: Summary of Mitigation

Subject Matter	Summary of Mitigation and Condition Response
Transport	<ul style="list-style-type: none"> • Draft Construction Traffic Management Plan (CTMP) provided in Appendix 25J and final CTMP required as consent condition • Transport infrastructure upgrades required at specified levels of subdivision and development and required as consent condition • Intersection upgrades as consent condition • Draft Travel Plan provided in Appendix 20 and final Travel Plan required as consent condition
Landscape and Visual	<ul style="list-style-type: none"> • Concept Landscape Design Report provided in Appendix 7 and final landscape plans required as consent condition. • Concept riparian planting plan provided in Concept Landscape Design Report in Appendix 7 and implementation of final riparian planting required as a condition of consent. • Concept Lighting Plan provided in Landscape Design Report in Appendix 7 and final Lighting Plans to be provided for certification prior to installation and required as consent condition.
Urban Design and Subdivision	<ul style="list-style-type: none"> • Architectural drawings provided in Appendix 6 and final architectural design details required as consent condition • Concept signage details provided in Architectural drawings in Appendix 6 and final

	signage details to be provided prior to installation required as consent condition.
Noise and Vibration	<ul style="list-style-type: none"> • Draft Construction Noise and Vibration Management Plan (CNVMP) provided in Appendix 25H and final CNVMP required as consent condition • Post construction Acoustic Design Report required as consent condition • Post construction acoustic design certification for noise sensitive activities required as consent condition • During construction consent conditions to manage construction noise and vibration effects • Neighbour consultation within 50m of works required as consent condition
Terrestrial and Freshwater Ecology	<ul style="list-style-type: none"> • Draft Ecological Management Plan (EMP) provided in Appendix 25G and final EMP required as consent condition. • Concept riparian planting plan provided in Concept Landscape Design Report in Appendix 7 and final riparian planting required as a condition of consent. • Riparian planting along Stream A to be protected in perpetuity required as consent condition • Culvert removal in accordance with permitted activity standards and daylighting a portion of Stream A required as consent conditions • Boardwalk construction over Stream A to be undertaken in accordance with permitted activity standards required as consent conditions. • Draft Streamworks Methodology Plan provided in Appendix 25F and final required as consent condition • Stream Enhancement Plan required as consent condition • Concept riparian planting plan provided in Concept Landscape Design Report in Appendix

	<p>7 final Riparian Planting Plan required as consent condition</p> <ul style="list-style-type: none"> Draft Native Freshwater Fish Relocation Plan provided in Appendix 25G and final required as consent condition
Stormwater Management	<ul style="list-style-type: none"> Installation of bioretention devices including Wetland 2-1, Wetland 2-2 and aggregated rain gardens all required as consent conditions. Stormwater outfall structures to be constructed in accordance permitted activity standards and required as consent conditions Water quality treatment and hydrological mitigation required as consent conditions.
Archaeology	<ul style="list-style-type: none"> Appoint project archaeologist to supervise preliminary earthworks in specified locations and required as consent condition. Project archaeologist to monitor, investigate, record and recover any information (if discovered) and required as consent condition.
Servicing Infrastructure	<ul style="list-style-type: none"> Installation of local three waters infrastructure required as consent condition Staged construction and implementation of development coinciding with the timing of long-term capacity and upgrades to bulk wastewater infrastructure at the Drury South Pump Station
Geotechnical	<ul style="list-style-type: none"> Excavation, retaining wall and foundation construction to be in accordance with recommendations in geotechnical report and required as consent condition. Method statement and certification to be provided by engineer confirming works in accordance with recommendations in geotechnical report and required as consent condition
Contamination	<ul style="list-style-type: none"> Handling of contaminated land in accordance with Site Management Plan in Appendix 25I

	<ul style="list-style-type: none"> • Draft Remediation Action Plan provided in Appendix 13A and final required (if necessary) as consent condition • Site Validation Report required following completion of remedial works on site and required as consent condition.
Bulk earthworks	<ul style="list-style-type: none"> • Draft Chemical Treatment Management Plan (ChTMP) in Appendix 25C and final ChTMP required as consent condition. • Draft Adaptive Management Plan (AMP) in Appendix 25D and final AMP required as consent condition. • Season restrictions on bulk earthworks as a consent condition. • Erosion and sediment control to be implemented in accordance with Earthworks Methodology Report and draft erosion and sediment control plans with finals required as consent conditions.
Cultural Values	<ul style="list-style-type: none"> • Requirement for cultural inductions prior to commencement of bulk earthworks in consent conditions. • Requirement for provision of cultural monitoring at specified project milestones in consent conditions.

6.14 Information Requirements

6.14.1 Schedule 5(5)(1) and 5(8)(1) of the Act

Clauses 5 and 8 of Schedule 5 of the Act sets out specific information to be submitted to the Panel. These requirements are addressed throughout the consent application and supporting technical documents. A checklist is attached as Appendix 2 which sets out how and where this information has been provided.

6.14.1.3 Auckland Unitary Plan – Special Information Requirements

This section sets out the special information requirements relevant to the reasons for consent that are required under the AUP(OP).

Auckland-wide – Special Information Requirements

E36.9 Hazard Risk Assessment

A hazard risk assessment must be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land subject to instability, the 1% AEP flood plain or overland flow paths.

A hazard risk assessment is appended with the Stormwater Assessment in **Appendix 11**.

Drury Centre Precinct – Special Information Requirements

Riparian Planting Plan

Clause I450.9(1) of the precinct provisions requires an application for land modification, development and subdivision which adjoins a permanent or intermittent stream must be accompanied by a riparian planting plan identifying the location, species, planter bag size and density of the plants. The Landscape Design Drawings **Appendix 7** contains a riparian planting plan.

Archaeology Assessment

Clause I450.9(2) of the precinct provisions require an application for land modification must be accompanied by an archaeological assessment, including a survey. An Archaeology Report is provided in **Appendix 19** of the application material.

Travel Plan

Clause I450.9(3) of the precinct provisions require a travel plan for offices greater than 500m² and integrated retail development and this must be prepared by suitably qualified and experienced person. A draft travel plan for the integrated retail development and office activities proposed in this project is appended with the ITA in **Appendix 17** and has been prepared by CKL who are suitably qualified traffic engineers.

Integrated Transport Assessment

Clause I450.9(4) of the precinct provisions require an ITA to be provided when an application is made to infringe standard I450.6.2 Staging of Subdivision and Development with Transport Upgrades and this must be prepared by a suitably qualified transport planner or traffic engineer. This project does not comply with standard I450.9 Staging of Subdivision and Development with Transport Upgrades and therefore an ITA prepared by CKL is provided as **Appendix 16** of the application material.

I450.9(5) Monitoring of Rule I450.6.1 Staging of Subdivision and Development with Transport Upgrades

Clause I450.9(5)(a) of the precinct provisions require any proposal for land use or subdivision for retail and commercial activities to demonstrate compliance with standard I450.6.2 Staging of Subdivision and Development with Transport Upgrades. An application must also contain details of the amount of retail and commercial GFA proposed, as well as anticipated dwellings/GFA for any subdivision proposal involving superlots). This monitoring of retail GFA and number of dwellings in this project, as well as the other applications approved and proposed in the Drury East transport staging boundary, is provided in Table 1 of this report and the ITA with the application material. Clause I450.9(5)(b) in respect of demonstrating compliance with the maximum parking

rate for office activities is also addressed in the ITA provided in Appendix 16 and summarised in Table 1 above.

Transport Design Report

Clause 1450.9(6) of the precinct provisions require any proposed new road intersection or upgrading of existing road intersections must be supported by a Transport Design Report and Concept Plans (including forecast transport modelling and land use assumptions), prepared by a suitably qualified transport engineer. This is provided with the ITA in **Appendix 16**.

6.15 Proposed Consent Conditions

This section of the application is provided in accordance with clause 5(1)(k) and clause 18 of Schedule 5 of the Act. These clauses require that an application provide resource consent conditions. With specific reference to clause 18 of Schedule 5, conditions have been drafted with reference to Section 108, which relate to Part 6 and 10 of the RMA. The proposed conditions of consent relating to necessary mitigation and monitoring, as identified within the technical assessments, are appended to this AEE as Appendix 5.

The proposed consent conditions for this project are an adaptation of the consent conditions from the Stage 1 Fast-track consent for consistency but have been updated to reflect the specific works proposed in this project. In addition, the proposed consent conditions are based on standard Auckland Council wording for the various consents and permits sought in this application.

In accordance with clause 5(1)(k) of Schedule 5, the conditions are proposed to:

- Appropriately manage adverse effects, including providing mitigation to prevent or reduce adverse effects during and after construction in accordance with Clause 6(1)(d) of Schedule 5;
- Provide for monitoring as required by Clause 6(1)(g) of Schedule 5; and
- Give effect to those matters that the Panel must consider under Section 81(2)(a).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d). It is considered that they meet the requirements of the Act and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the Fast-track Approvals Act 2024.

7.0 Approvals Required

7.1 Overview

This section of the application is provided in accordance with clauses 5(1)(h), 5(2) and 5(3)(a) of Schedule 5 of the Act.

The application seeks all resource consents necessary for the staged implementation and ongoing operation of the Project. It is understood that the list of consents set out below is exhaustive but, for completeness, the list is presented on the basis that it does not limit the scope of the application. For completeness, this application also seeks consent for any matters that are not listed below but which are subsequently identified as being necessary through the processing of this application. If such matters are identified the applicant will, as a matter of urgency, provide to the EPA an assessment of any relevant adverse effects that are different to, additional to, or

cumulative upon those discussed in this report and which would be generated by the Project as a consequence of the additional matters.

In summary, the Project requires: non-complying activity consent overall under the Auckland Unitary Plan; restricted discretionary activity under the National Environmental Standards for Contaminated Land; and restricted discretionary activity under the National Environmental Standards for Freshwater. Overall, the Project is to be assessed as a non-complying activity.

The site has urban zonings of Business – Metropolitan Centre, Business – Mixed Use and Open Space – Informal Recreation under the AUP as illustrated on Figure 1 of this report. The site is also located within the Drury Centre Precinct and is subject to the various overlays, controls and additional limitations as listed in section 1.0 of this report.

The proposal requires consent for the matters outlined in Sections 7.2 - 7.11 below. A detailed rules assessment against the applicable provisions of the AUP(OP), NESCS and NES-F is attached as Appendix 21.

7.2 Auckland Unitary Plan (Operative in Part)

On 2016, Auckland Council made the Proposed Auckland Unitary Plan 'Operative in part'. This plan combines the regional policy statement, regional coastal plan, regional plans and district plans into one combined plan. The AUP (OP) has a hierarchical policy framework with the regional policy statement at the top, then with regional and district plan provisions giving effect to the regional policy statement.

Since being made operative in part in 2016, there have been a number of appeals and plan changes. The only Plan Change that has a bearing on this application is Plan Change 79 Amendments to the Transport Provisions ('PC79'). The decision for PC79 was publicly notified on 9 August 2024 and therefore has legal effect. However, there have been several appeals on PC79 and therefore both the operative and PC79 transport provisions apply to this project.

Reasons for consent under the Auckland Unitary Plan (Operative in Part) in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

National Grid Corridor Overlay

- D26.4.3(A34) – The proposal involves the subdivision of land within the National Grid Subdivision Corridor overlay. This is a restricted discretionary activity.

Streams, Rivers, Streams and Wetlands

- E3.4.1(A1) – The proposal involves the construction of an arched culvert over Stream A approximately 20m in length where Road 5 crosses over Stream A in an east west direction. This activity is not otherwise provided for because the alignment of the arched culvert is not parallel to the direction of water flow. This is a discretionary activity.
- E3.4.1(A19) – The proposal involves the diversion of a section of Stream A to a new course and associated disturbance and stream discharge outside of the relevant overlays listed in Chapter E3. This is a discretionary activity.

Note: I450.4 of the Activity Table for Drury Centre Precinct states that all relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table I450.4.1 below. Therefore, non-complying consent is not required under E3.4.1(A49) for the new reclamation of Stream A proposed in this application because I450.4.1(A10) in the precinct

provisions specifies that new reclamation or drainage within Stream A shown on Precinct Plan 2 required to construct Drury Boulevard is a discretionary activity and is therefore listed in Activity Table I450.4.1.

Stormwater Discharge and Diversion

- E8.4.1(A10) - The proposal involves the discharge of stormwater runoff from impervious areas not otherwise provided for by Table E8.4.1. This is a discretionary activity.
- E8.4.1(A11) – The proposal involves the diversion and discharge of stormwater runoff from a new stormwater network. This is a discretionary activity.

Stormwater quality – High contaminant generating car parks and high use roads

- E9.4.1(A6) – The proposal involves the development of a new high contaminant generating car park greater than 5,000m² with approximately 66,864m² of car parking and associated accessways proposed within the project area which complies with controlled activity standards E9.6.2.1. This is a controlled activity.
- E9.4.1(A7) – The proposal involves the development of a new high use road¹⁴ greater than 5,000m² with approximately 45,042m² of new high use road proposed which complies with controlled activity standards E9.6.2.2. This is a controlled activity.

Stormwater Management Area – Flow 1 and Flow 2

- E10.4.1(A3) – The proposal involves the development of new impervious area other than for a road greater than 50m² within the SMAF 1 control complying with standard E10.6.1 and E10.6.4.1. This is a restricted discretionary activity.
- E10.4.1(A6) – The proposal involves the development of new impervious area greater than 5,000m² for roads to be vested and operated by a road controlling authority within the SMAF 1 control with approximately 66,864m² proposed and complying with Standard E10.6.1 and Standard E10.6.4.2. This is a restricted discretionary activity.

Land Disturbance – Regional

- E11.4.1(A5) - The proposal involves approximately 20.85 hectares of earthworks where land has a slope less than 10 degrees outside the SPCA in the Business – Mixed Use Zone and Business – Metropolitan Centre Zone. This is a restricted discretionary activity.
- E11.4.1(A8) – The proposal involves greater than 2,500m² of earthworks where the land has a slope greater than 10 degrees on business zoned land with approximately 20.85 hectares of earthworks proposed. This is a restricted discretionary activity.
- E11.4.1(A9) – The proposal involves greater than 2,500m² of earthworks within the sediment control protection area on business zoned land with approximately 3.38 hectares proposed. This is a restricted discretionary activity.

Land Disturbance – District

- E12.6.2(1) (12) and (13) – The proposal requires restricted discretionary activity consent for earthworks which do not comply with the general standards under E12.6.2 for the following

¹⁴ Defined in Chapter J of the AUP as “A road, motorway or state highway that carries more than 5000 vehicles per day, excluding cycle lanes, footpaths and ancillary areas that do not receive stormwater runoff from the road carriageway.”

reasons which requires consideration as a restricted discretionary activity pursuant to standard C1.9(2).

- Land disturbance within the 10m riparian yards will exceed 5m² and 5m³ for general earthworks with 8m³ of cut and 251m² of fill proposed within the riparian margins of the Hingaia Stream, and 3,200m³ of cut and 7,150m² of fill within the riparian margins of Stream A; and
- Earthworks within the 100-year AEP flood plain on site will raise ground levels more than 300mm and the fill volume will exceed 10m³.
- E12.4.1(A6) – The proposal involves greater than 2,500m² of earthworks on business zoned land with approximately 20.85 hectares of earthworks proposed across the project area. This is a restricted discretionary activity.
- E12.4.1(A10) – The proposal involves greater than 2,500m³ of earthworks on business zoned land to facilitate development of this project. The proposed approximate earthworks volumes are approximately 212,225m³ of cut and approximately 195,873m³ of fill. This is a restricted discretionary activity.

Chapter E15 Vegetation management and biodiversity

- E15.4.1(A18) – The proposal involves vegetation alteration or removal within 20m of a natural wetland. This is a restricted discretionary activity.
- E15.4.1(A19) – The proposal involves vegetation alteration or removal within 10m of urban streams. This is a restricted discretionary activity.

Signs

- E23.4.2(A53) – The proposal involves the establishment of comprehensive development signage associated with Drury Centre and the various activities and buildings proposed. This is a restricted discretionary activity.

Noise and Vibration

- E25.6.27 – The proposal is predicted to involve exceedances to the permitted construction noise standards in Table E25.6.27.1 by up to 10dB that apply to receivers in the Business Mixed Use zone during the excavation and building foundation establishment/construction phases of the proposal. This is a restricted discretionary activity pursuant to standard E25.4.1(A2).
- E25.6.28 – The proposal is predicted to involve exceedances to the permitted construction noise standards in Table E25.6.28.2 by up to 5Db that apply to receivers in the Business Metropolitan Centre zone during the excavation and building foundation establishment/construction phases of the proposal. This is a restricted discretionary activity pursuant to standard E25.4.1(A2).
- E25.6.30(1)(b) – The proposal is predicted to involve exceedances to the permitted vibration amenity limits in Table E25.6.30.1 during construction phases of the project. This is a restricted discretionary activity pursuant to standard E25.4.1(A2).

Infrastructure

- E26.2.3(A55) – The proposal involves the construction of two stormwater detention/retention ponds (Wetland 2-1 and Wetland 2-2) within the Metropolitan Centre zone. This is a controlled activity.

Transport

- E27.4.1(A2) – The proposal involves the following parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access thereby requiring consideration as a restricted discretionary activity:
 - Standard E27.6.2(8) – The loading space provision for Lots A, B, C, D, E and G does not meet the minimum requirement as summarised in Table 10 of this report.
 - E27.6.3.5(1) – Insufficient manoeuvring space is provided on site because in order to access the on-street loading space serving Lot H, the design vehicle will turn into the accessway serving H2, and reverse onto the road corridor before accessing the loading space.
 - E27.6.4.2(1) – The vehicle crossing serving the customer carpark on Lot A and the entry access into the loading zone does not comply with the minimum separation distance requirements.
 - E27.6.4.2(2) – The vehicle crossings serving Lot A, B, C, D and E do not comply with the vehicle crossing width requirements.
- E27.4.1(A5) - The vehicle crossing serving Lot C and Lot H does not comply with the Vehicle Access Restriction minimum requirements for separation from an adjacent intersection as they only achieve 0m and 7m separation from the nearest intersections, as required in standard E27.6.4.1(3). This is a restricted discretionary activity.

Contaminated Land

- E30.4.1(A6) – The proposal involves the discharge of contaminants into land and water from disturbing soil on land containing elevated levels of contaminants which exceed background concentrations and do not meet permitted standards E30.6.1.4, as a controlled activity. This consent is sought on a precautionary basis with respect to the ongoing additional investigation works at 108 Flanagan Road.
- E30.4.1(A7) – The proposal involves the discharge of contaminants into land and water from disturbing soil on land containing elevated levels of contaminants which exceed background concentrations and do not meet controlled activity standard E30.6.2.1, as a discretionary activity. This consent is sought on a precautionary basis with respect to the ongoing additional investigation works at 108 Flanagan Road.

Natural Hazards

- E36.4.1(A56) – The proposal involves the construction of infrastructure such as roads and reticulation system for water supply and drainage on parts of the site which are located within the 1% AEP flood plain and on land which may be subject to instability. This is a restricted discretionary activity.

Subdivision – Urban

- E38.4.1(A7) – The proposal involves the subdivision of a site with two or more zones being Metropolitan Centre and Mixed Use zones in the Stage 1 and 2 area. This is a restricted discretionary activity.
- E38.4.1(A8) – The proposal involves subdivision establishing an esplanade reserve adjacent to the Hingaia Stream. This is a restricted discretionary activity.
- E38.4.1(A10) – The proposal involves subdivision with a reduction of the esplanade reserve to 19.5m at the pinch point abutting Lot 507 as a road to vest. This is a discretionary activity.
- E38.4.1(A11) – The proposal involves the subdivision of land within the natural hazard areas of the 1% AEP flood plain and land which may be subject to instability. This is a restricted discretionary activity.
- E38.4.1(A12) - The proposal involves the subdivision of land in the Stage 2 area that does not meet the standards in E38.6 General standards for subdivision with respect to E38.6.4 Staging due to the proposed flexibility sought in relation to staging. This is a discretionary activity.
- E38.4.1(A13) – The proposal involves the subdivision of land in the Stage 2 area which does not meet subdivision for specific purposes standard E38.7.1.2 Subdivision for a network utility because the two stormwater wetlands require controlled activity consent in Chapter E26 and are therefore not permitted activities. This is a discretionary activity.
- E38.4.1(A13) - The proposal involves the subdivision of land in the Stage 2 area that does not meet the standards in E38.6 General standards for subdivision with respect to E38.6.4 Staging due to the proposed flexibility sought in relation to staging. This is a discretionary activity.
- E38.4.3(A35) – The proposal involves the subdivision of land in the Stage 1 area complying with standard E38.9.2.3 with respect to the minimum net site area of 200m² for vacant sites in the Mixed Use zone. This is a restricted discretionary activity.
- E38.4.3(A37) - The proposal involves the subdivision of land in the Stage 2 area with Business zoning that does not meet the standards in E38.6 General standards for subdivision with respect to E38.6.4 Staging due to the proposed flexibility sought in relation to staging. This is a discretionary activity.
- E38.4.3(A39) - The proposal includes subdivision for open spaces, reserves, and roads which are not otherwise provided for in Business zones. This is a discretionary activity.
- E38.4.4(A42) - The proposal involves the subdivision of land in the Stage 2 area with Open Space zoning that does not meet the standards in E38.6 General standards for subdivision with respect to E38.6.4 Staging due to the proposed flexibility sought in relation to staging. This is a discretionary activity.
- E38.4.4(A43) – The proposal involves the subdivision of business zoned land for the purposes of creating local purpose drainage reserves to be vested which is not otherwise provided for in Tables E39.4.1 and E38.4.4. This is a discretionary activity.

Temporary Activities

- E40.4.1(A24) – The proposal will involve temporary activities associated with building and construction (including structures and buildings that are accessory activities) for a duration of more than 24 months as provided or in E40.4.1(A20). These temporary activities include

construction of the various buildings and associated enabling works such as bulk earthworks and the proposed roading. This is a restricted discretionary activity.

Business – Metropolitan Centre Zone

- H9.4.1(A33) – The proposal involves the development of new buildings in the Metropolitan Centre zone. This is a restricted discretionary activity.
- H9.4.1(A34) – The proposal involves the demolition of buildings in the Metropolitan Centre zone to enable construction of the project. This is a controlled activity.
- H9.6.5 – The proposal involves the development of residential activity at ground floor in the form of an integrated residential development (apartments) and terrace dwellings within the Metropolitan Centre zone where there is frontage to public open space. This does not comply with standard H9.6.5 and requires consent as a restricted discretionary activity under C1.9(2).
- H9.6.6 – The proposal involves an infringement to the 10m riparian yard at Stream A with respect to a corner of the cantilevered deck of the hotel building ('H2'), a public shelter structure and Building G1 (hotel) extending into the riparian yard. This does not comply with standard H9.6.6 and requires consent as a restricted discretionary activity under C1.9(2).

Mixed Use Zone

- H13.4.1(A21) – The proposal involves retail greater than 200m² GFA per tenancy by way of the retail building on Lot C which has a GFA of 6,000m². This is a discretionary activity.
- H13.4.1(A45) – The proposal involves the development of a new building on Lot C in the Mixed Use zone. This is a restricted discretionary activity.

Drury Centre Precinct

- I450.4.1(A1) – The proposal involves the subdivision of land including private roads in the Precinct. This is a restricted discretionary activity.
- I450.4.1(A3) – The proposal involves the development of new buildings in the Precinct. This is a restricted discretionary activity.
- I450.4.1(A5) – The proposal involves subdivision and development in the Precinct that does not comply with Standard I450.6.2 Staging of Subdivision and Development with Transport Upgrades with respect to the transport upgrades in rows (a) and (b). This is a non-complying activity.
- I450.4.1(A6) – The proposal involves subdivision and development in the Precinct that does not comply with Standard I450.6.2 Staging of Subdivision and Development with Transport Upgrades with respect to the transport upgrades in rows (c) and (d) to (f). This is a discretionary activity.
- I450.4.1(A10) – The proposal involves new reclamation within Stream A as shown on I450.10.2 Precinct Plan for the construction of Drury Boulevard. This is a discretionary activity.
- I450.6.7(1)(b) – The proposed landscape design surrounding Stream A includes walkways within the 10m riparian planting area. This does not comply with the standard and requires consent as a restricted discretionary activity under C1.9(2).

Overall, the application is a non-complying activity under the AUP.

7.3 AUP Plan Change 79

- E27.4.1(A2) – The proposal involves the following parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access thereby requiring consideration as a restricted discretionary activity:
 - E27.6.3.2(A) - Accessible parking spaces have been provided in accordance with the requirements outlined in Table 1, operative AUP and NZS4121:2001, however the provisions do not comply with Appendix 23 of PC79.

7.4 National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health 2011

The NESCS is a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or the contaminants contained to make the land safe for human use.

A Preliminary Site Investigation was undertaken for the project area and this identified that there was the potential for contamination to be present on site with the sources including the residential dwellings and associated outbuildings, offal and/or burn pits, and the storage and usage of super-phosphate fertiliser. As such, this piece of land is deemed to have been used for the Ministry for the Environment's HAIL activities and industries which may have the potential to lead to soil contamination.

The Remediation Action Plan (RAP) prepared by Engeo in **Appendix 13A** concludes that the site will be suitable for development. However, resource consent is required under the NESCS regulations as follows:

- Regulation 10 – The proposal involves the subdivision of land, change of land use and soil disturbance to a piece of land whereby soil contaminants exceed human health criteria within the earthworks area. This is a restricted discretionary activity.

7.5 National Environmental Standards for Freshwater 2020

The NES Freshwater regulates activities that pose risks to the health of freshwater and freshwater ecosystems such as farming activities reclamation of streams and wetlands, and the passage of fish affected by structures.

Resource consent is required under the NES-F regulations as follows:

- Regulation 45C(1) – The proposal involves vegetation clearance within Stream A wetland and within a 10m setback of Wetlands 1 and 2 and Channel D wetland for the purpose of constructing urban development. This is a restricted discretionary activity.
- Regulation 45C(2) – The proposal involves earthworks or land disturbance within a 10m setback of Wetlands 1 and 2 and Channel D wetland for the purpose of constructing urban development. Earthworks are also proposed within the Stream A wetland that will result in the complete drainage and reclamation of this wetland. This is a restricted discretionary activity.
- Regulation 45C(3) - The proposal involves earthworks or land disturbance within a 100m setback of Wetlands 1 and 2 and Channel D wetland for the purpose of constructing urban

development and is likely to result in the partial drainage of those wetlands. This is a restricted discretionary activity.

- Regulation 45C(4) - The proposal involves the diversion of water within a 100m setback of Wetlands 1 and 2 and Channel D wetland for the purpose of constructing urban development and is likely to change the water level range or hydrological function of the wetlands. This is a restricted discretionary activity.
- Regulation 45C(5) - The proposal involves the discharge of water within a 100m setback of Wetlands 1 and 2 and Channel D wetland for the purpose of constructing urban development and is likely to change the water level range or hydrological function of the wetlands. This is a restricted discretionary activity
- Regulation 57 – The proposal involves the reclamation of the reclamation of 66m of existing stream length of which 10m is currently culverted (118m² stream bed area) in the upstream reach of Stream A. This is a discretionary activity.

7.6 National Environmental Standards for Air Quality 2004

The NES Air Quality contains prohibitions and restrictions on discharges from certain activities, requirements for ambient air quality standards for contaminants, and other requirements in relation to the discharge of PM10, other contaminants, and domestic burners. Resource consent is not required for air discharges under the NES Air Quality.

7.7 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, including:

- National Environmental Standards for Sources of Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standards for Plantation Forestry
- National Environmental Standards for Marine Aquaculture

7.8 Permitted Activities

In accordance with clause 5(5)(a) of Schedule 5 of the FTAA the following permitted activities are part of the proposal to which the consent application relates such that a resource consent is not required for the activities under section 87A of the RMA 1991.

7.8.1 Auckland Unitary Plan Operative in Part

Chapter D26 National Grid Corridor Overlay

- The proposal involves land disturbance partly located within the National Grid Corridor overlay that complies with the relevant permitted activity standards in Table D26.4.1(A19). Table 2 of Infrastructure Report and drawings in Appendices 9 and 10 provides an assessment against these standards and demonstrate how the activity complies with the permitted activity standards.

- The proposal involves road activities in the form of a short section of Road 2 North located within the National Grid Corridor overlay which is provided for as a permitted activity in Table D26.4.2(A28).

Chapter E3 Lakes Rivers Streams and Wetlands

- Pest plant removal complying with the standards in E3.6.1.8 outside of any overlays is provided for as a permitted activity in Table E3.4.1(A14).
- The demolition or removal of the existing culvert structure in the lower reaches of Stream A complying with the standards in E3.6.1.13 is provided for as a permitted activity in Table E3.4.1(A23). The Infrastructure Report in Appendix 10 provides an assessment against these standards to demonstrate how the activity complies with the requirements.
- Bridges and the associated bed disturbance complying with standards in E3.6.1.16 is provided for as a permitted activity outside of any overlays in Table E3.4.1(A29). The landscape design for the area around Stream A includes bridges in the form of boardwalks over Stream A. The relevant standards are captured in the proposed consent conditions in Appendix 5 to ensure compliance will be achieved.
- Stormwater outfall structures and the associated bed disturbance complying with standards E3.6.1.14 is provided for as a permitted activity outside of overlays in Table E3.4.1(A39). The design for stormwater discharge from this project includes stormwater outfall structures discharging to Stream A. The Infrastructure Report in Appendix 10 provides an assessment against these standards to demonstrate how the activity complies with the requirements and the relevant standards are captured in the proposed consent conditions in Appendix 5 to ensure compliance will be achieved.
- The removal of an existing reclamation or drained area complying with the standards in E3.6.1.24 outside of overlays is provided for as a permitted activity in Table E3.4.1(A45). The existing reclamation in the lower reaches of Stream A where it has been piped will be removed. The Infrastructure Report in Appendix 10 provides an assessment against these standards to demonstrate how the activity complies with the requirements.

Chapter E7 Taking, using, damming and diversion of water and drilling

- The diversion of groundwater caused by any excavation in all zones and outside of the overlays complying with permitted standards in E7.6.1.10 is provided for as a permitted activity in Table E7.4.1(A27). The geotechnical report in Appendix 12 provides an assessment against these standards to demonstrate how the activity complies with the requirements.

Chapter E12 Land Disturbance – District

- The proposal involves earthworks including 20m³ of cut and 383m³ of fill on the Open Space zoned land of the project area. This is provided for as a permitted activity in Table E12.4.1(A8).
- The proposal involves earthworks over an area of 577m² on the Open Space zoned land of the project area. This is provided for as a permitted activity in Table E12.4.1(A4).

Chapter E15 Vegetation management and biodiversity

- The proposal involves vegetation removal within the project area to facilitate development of the project which is likely to include pest plant removal which is provided for as permitted activity in Table E15.4.1(A6).

- The proposal involves vegetation alteration or removal within the project area to facilitate development of the project in the Metropolitan Centre, Mixed Use and Open Space zones and areas not otherwise covered in the activity table which is provided for as permitted activity in Table E15.4.1(A22A). This is discussed in the EIA in Appendix 17.

Chapter E16 Trees in Open Space Zones

- E16.4.1(A4) - Pest plant removal of any tree less than 4m height and less than 400mm in girth on land zoned Open Space is a permitted activity.
- E16.4.1(A9) - Pest plant removal of any tree less than 4m height and less than 400mm in girth on land zoned Open Space is a permitted activity.

Chapter E24 Lighting

- The proposal involves the provision of external lighting throughout Stage 2 of Drury Centre complying with general standards E24.6.1 and the relevant standards that apply in Table E24.6.1.1 for lighting in the project in the Metropolitan Centre, Mixed Use and Open Space zones. Lighting activities that comply with all the relevant permitted activity standards is provided for as a permitted activity in Table E24.4.1(A1). The relevant standards are captured in the proposed consent conditions in Appendix 5 to ensure compliance will be achieved.

Chapter E25 Noise and vibration

- The proposal involves both activities emitting construction and operational noise and vibration during construction that will comply with the relevant permitted activity standards and is provided for as a permitted activity in Table E25.4.1(A1). The acoustic report in Appendix 18 demonstrates how the relevant permitted activity standards will be complied with and the proposed conditions of consent in Appendix 5 include relevant noise and vibration standards to ensure compliance will be achieved.
- The proposal involves the development of 'noise sensitive spaces' in terms of dwellings and visitor accommodation within the Metropolitan Centre zone that will be designed and/or insulated so that the internal noise levels do not exceed those specified in Table E25.6.10.1 for the zone. The acoustic report specifies in Appendix 18 states that there will no challenges to achieving compliance with this design standard and the proposed conditions of consent in Appendix 5 requires an acoustic engineer to provide written certification to confirm buildings containing 'activities sensitive to noise' have been designed and constructed to those standards.

Chapter E27 Transport

- Section 7.1 of the ITA in Appendix 16 provides a detailed permitted activity assessment of the proposal against the relevant transportation standards.

Chapter E36 Natural hazards and flooding

- The proposal involves surface parking and above ground parking areas in the 1% AEP floodplain that comply with standard E36.6.1.7 which is provided for as a permitted activity in Table E36.4.1(A24). The Infrastructure Report and drawings in Appendices 9 and 10 demonstrate how the activity complies with the permitted activity standards.
- The proposal involves the construction of private roads and accessways within the 1% AEP flood plain which is provided for as a permitted activity under Table E36.4.1(A27). The engineering

drawings in Appendix 9 and Stormwater Report in Appendix 11 demonstrate how the activity complies with the permitted activity standards.

- The proposal involves buildings and structures on land which may be subject to land instability that comply with standard E36.6.1.11. The geotechnical report in Appendix 12 provides site stability or geotechnical recommendations for the proposal and the proposed conditions of consent in Appendix 5 contains those recommendations to ensure they will be complied with.

Chapter H9 Metropolitan Centre zone

- The proposal involves dwellings on land zoned Metropolitan Centre which is provided for as a permitted activity in Table H9.4.1(A2).
- The proposal involves visitor accommodation on land zoned Metropolitan Centre which is provided for as a permitted activity in Table H9.4.1(A6).
- The proposal involves entertainment facilities on land zoned Metropolitan Centre which is provided for as a permitted activity in Table H9.4.1(A10).
- The proposal involves commercial services and offices on land zoned Metropolitan Centre which is provided for as permitted activities in Table H9.4.1(A7) and (A12).
- The proposal involves retail activities on land zoned Metropolitan Centre which is provided for as a permitted activity in Table H9.4.1(A13).
- The proposal involves community facilities on land zoned Metropolitan Centre which is provided for as a permitted activity in Table H9.4.1(A17).

7.9 AUP Plan Change 79

Section 7.2 of the ITA in Appendix 16 provides a detailed permitted activity assessment of the proposal against the relevant transportation standards in PC79.

7.10 National Environmental Standards for Contaminated Land

- Regulation 8(4) provides for the subdivision of land as a permitted activity where the requirements in subpart (a) to (d) are met. Engeo whom are suitably qualified and experienced practitioners in relation to contaminated land have provided a summary of the previous investigations and remediation of the land within the Stage 1 area where the superlots are proposed to further subdivided, and the extent to which the permitted activity requirements of Regulation 8(4) are met – see Appendix 13B.

7.11 Overall Activity Status

Overall, the application requires non-complying activity consent under the AUP-OP, restricted discretionary activity consent under the NES Regulations for Contaminated Land and restricted discretionary activity consent under the NES Regulations for Freshwater. The majority of reasons for consent either have a controlled, restricted discretionary or discretionary activity status under the AUP-OP.

However, in this case, we have taken a conservative approach and assessed the application overall as a non-complying activity. Where there is a group of activities in an application which are closely associated with each other, or are directed towards one dominant use or purpose, they should be

assessed holistically as a single “bundle”, according to the most stringent activity status. Part C1.5 of the Unitary Plan (Applications for more than one activity) and Part C1.6. (Overall activity status) also inform this judgment.

For efficiency purposes, to enable the proposal to be comprehensively considered, this approach has been taken here however this does not preclude scope in the future to have the activities considered separately. The overall activity status for this application is **non-complying**.

8.0 Consultation Undertaken

This section of the application is provided in accordance with Section 11 and 29 of the FTAA. Under Section 29 of the Act, before lodging a substantive application for a Listed Project, the authorised person for the project must consult the persons and groups referred to in Section 11, and outline how the consultation informed the project.

Consultation has been undertaken jointly by the applicant and project team in a robust manner, and records have been well maintained. This approach has enabled the consideration of evolving issues and the provision of feedback which has enabled refinement of the design or to inform subsequent detailed design stages.

An overview of the consultation undertaken with the persons and groups referred to in section 11(1) is provided below with further details and meeting minutes of that consultation provided in the Consultation Summary Report in Appendix 22.

Table 14: Summary of Consultation

Persons or Group	Consultation Undertaken
(a) Relevant local authorities	A series of pre-application meetings with Auckland Council have occurred in relation to this project. This includes discussions on the project from a broad level to more focussed discussion on particular subject matters including transport, ecology and landscape/urban design. Meeting minutes from those meetings are enclosed with the Consultation Summary Report.
(b) Relevant iwi authorities, hapu and Treaty settlement entities, including <div style="margin-left: 40px;">(i) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; and</div> <div style="margin-left: 40px;">(i) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a</div>	The relevant iwi authorities, hapu and Treaty settlement entities for the project area are listed in the Consultation Summary Report which also details the consultation undertaken with the individual iwi authorities and Treaty settlement entities. <div style="margin-left: 40px;">(i) This does not apply because there are no relevant Mana Whakahono ā Rohe agreements that apply in the project area.</div>

mātaihai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996; and	(ii) This does not apply because the project is for urban development on land and therefore does not involve taiāpure-local fishery, a mātaihai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.
(c) any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011; and	This does not apply because the project is for urban development on land and does not involve any activities within the coastal marine area.
(d) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou; and	This does not apply because the project area is not within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.
(e) the relevant administering agencies; and	Multiple attempts were made to meet with representatives from the Ministry for the Environment (MfE) to discuss the application prior to lodgement, a record of the engagement attempts has been included in the Consultation Summary Report included as Appendix 22.
(f) if the proposed approvals for the project are to include an approval described in section 42(4)(f) (land exchange), the holder of an interest in the land that is to be exchanged by the Crown.	This does not apply to the project.

9.0 Statutory Requirements Relating to Iwi Authorities

9.1 Treaty Settlements

This section of the application is provided in accordance with clause 5(1)(i) of Schedule 5 of the FTAA, which requires an application to provide information about any Treaty settlements that apply in the project area, including:

- (i) the identification of the relevant provisions in those Treaty settlements; and
- (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area

The four Treaty settlement Acts identified that apply in the project area are:

- Ngāti Tamaoho Claims Settlement Act 2018
- Ngāi Tai ki Tāmaki Claims Settlement Act 2018
- Ngāti Paoa Deed of Settlement – signed 20 March 2021
- Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014

9.1.1 Ngāti Tamaoho Settlement Act 2018

The purpose of the Ngāti Tamaoho Settlement Act 2018 is to:

- (a) to record in English and te reo Māori the acknowledgements and apology given by the Crown to Ngāti Tamaoho in the deed of settlement; and*
- (b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Ngāti Tamaoho.*

Section 9 of the Ngāti Tamaoho Settlement Act 2018 sets out the Crown’s acknowledgements of its past failings and of Ngāti Tamaoho’s grievances. Section 9(12) summarises the impact of these failings, acknowledging that the alienation of Ngāti Tamaoho from their lands has hindered their economic, social and cultural development and is a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Section 10 of the Ngāti Tamaoho Settlement Act 2018 sets out the Crown’s apology.

Section 31 sets out that the relevant consent authority “*must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity*”.

Schedule 1 of the Ngāti Tamaoho Settlement Act 2018 contains a list of areas subject to statutory acknowledgement, which is also recorded at Appendix 21 of the AUP (OP). The site is located within the statutory acknowledgement area for the Hingaia Stream and its tributaries. The extent of this statutory acknowledgement area for the Hingaia Stream and its tributaries is shown on deed plan¹⁵ OTS-129-06 in the figure below.

¹⁵ https://www.tearawhiti.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngati-Tamaoho/DOS_documents/Ngati-Tamaoho-Deed-of-Settlement-Schedule-Attachments-30-April-2017.pdf

Hingaia Stream and its tributaries (OTS-129-06)

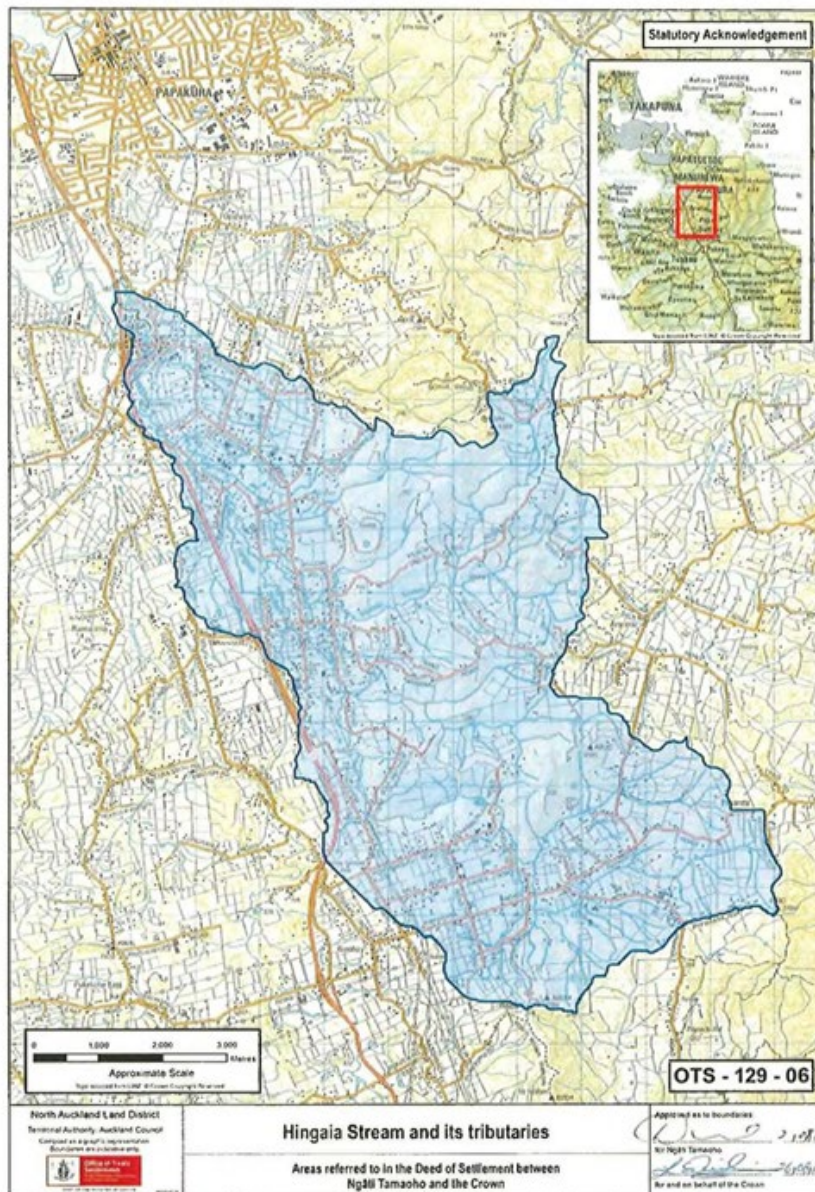


Figure 27: Hingaia Stream deed plan.

The applicant has consulted with Ngāti Tamaoho in relation to this project and a record of the discussions with Ngāti Tamaoho have been attached to the Consultation Summary Report (see Appendix 22).

9.1.2 Ngāi Tai ki Tāmaki Claims Settlement Act 2018

The purpose of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 is to:

- (a) to record in English and te reo Māori the acknowledgements and apology given by the Crown to Ngāi Tai ki Tāmaki in the deed of settlement; and
- (b) to give effect to certain provisions of the deed of settlement that settles the historical claims of Ngāi Tai ki Tāmaki.

Section 9 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 sets out the Crown's acknowledgements of its past failings and of grieves of Ngāi Tai ki Tāmaki. Section 9(12)

summarises the impact of these failings, acknowledging that *“by 1880, Ngāi Tai ki Tāmaki were left virtually landless, and the Crown’s failure to ensure that they retained sufficient land for their present and future needs was a breach of Te Tiriti o Waitangi/the Treaty of Waitangi and its principles. This hindered the social, economic, and cultural development of Ngāi Tai ki Tāmaki and undermined the ability of Ngāi Tai ki Tāmaki to protect and manage their taonga (including te reo Māori) and their wāhi tapu, and to maintain spiritual connections to their lands. The Crown further acknowledges that this has severely impacted on the well-being of Ngāi Tai ki Tāmaki today and has compromised the ability of Ngāi Tai ki Tāmaki to exercise manaakitanga in their traditional rohe”*.

Section 10 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 sets out the Crown’s apology.

Section 76 sets out that the relevant consent authority *“must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity”*. Section 79 also requires that *“each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area”*.

Schedule 2 of the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 sets out those areas subject to statutory acknowledgement, which is also recorded at Appendix 21 of the AUP (OP). The site is not located within any of these statutory acknowledgement areas and as such there is no redress within the Ngāi Tai ki Tāmaki Claims Settlement Act 2018 which affects natural and physical resources relevant to the proposal or project area.

The applicant has undertaken on-going consultation with Ngāi Tai ki Tāmaki over a number of years on the development of the Drury Centre Precinct. As set out in Section 9.5 below, Ngāi Tai ki Tāmaki have been invited to comment on the application, however Ngāi Tai ki Tāmaki have not expressed an interest in being involved during this stage of the application.

9.1.3 Ngāti Paoa Deed of Settlement – Signed 20 March 2021

The purpose of the Ngāti Paoa Deed of Settlement (signed 20 March 2021) is to:

- *“sets out an account of the acts and omissions of the Crown before 21 September 1992 that affected Ngāti Paoa and breached te Tiriti o Waitangi / the Treaty of Waitangi and its principles; and*
- *provides an acknowledgment by the Crown of the Treaty breaches and an apology; and*
- *settles the historical claims of Ngāti Paoa; and*
- *specifies the cultural redress and the financial and commercial redress to be provided in settlement to the governance entity that has been approved by Ngāti Paoa to receive the redress”*.

Section 3 of the Ngāti Paoa Deed of Settlement (signed 20 March 2021) sets out the Crown’s acknowledgement of its past failings and long-standing grievances of Ngāti Paoa. Sections 3.3 - 3.8 of the Ngāti Paoa Deed of Settlement (signed 20 March 2021) acknowledges specific actions undertaken by the Crown (including, but not limited to the acquisition of land and use of armed forces), which breached the principles of te Tiriti o Waitangi / the Treaty of Waitangi.

Sections 3.22 – 3.25 of the Ngāti Paoa Deed of Settlement (signed 20 March 2021) sets out the Crown’s apology.

Section 5.27.3 of the Ngāti Paoa Deed of Settlement (signed 20 March 2021) requires relevant consent authorities to forward resource consent applications within, adjacent to, or directly affecting a statutory area to the governance entity.

Section 5.27.1 of the Ngāti Paoa Deed of Settlement (signed 20 March 2021) sets out areas subject to statutory acknowledgement. The site is not located within any of these statutory acknowledgement areas and as such there is no redress within the Ngāti Paoa Deed of Settlement (signed 20 March 2021) which affects natural and physical resources relevant to the proposal or project area.

As set out in Section 9.5 below, Ngāti Paoa have been invited to comment on the application, however Ngāti Paoa have not expressed an interest in being involved in this application.

9.1.4 Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014

The Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 addresses the shared interests of 13 iwi¹⁶ with historical treaty claims in Tāmaki Makaurau.

The purpose of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 is to:

“Give effect to certain provisions of the collective deed, which provides shared redress to the iwi and hapū constituting Ngā Mana Whenua o Tāmaki Makaurau, including by—

- (a) restoring ownership of certain maunga and motu of Tāmaki Makaurau to the iwi and hapū, the maunga and motu being treasured sources of mana to the iwi and hapū; and*
- (b) providing mechanisms by which the iwi and hapū may exercise mana whenua and kaitiakitanga over the maunga and motu; and*
- (c) providing a right of first refusal regime in respect of certain land of Tāmaki Makaurau to enable those iwi and hapū to build an economic base for their members”.*

Section 17 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 sets out the statutory acknowledgement by the Crown, which acknowledges the statements of association for the statutory area, which is defined as:

“statements of association of iwi and hapū means the statements—

- (a) that are made by the iwi and hapū of Ngā Mana Whenua o Tāmaki Makaurau of their particular spiritual, ancestral, cultural, customary, and historical interests in the lands referred to in the statements; and*
- (b) that are in the form—*
 - (i) set out in part 1 of the documents schedule:*
 - (ii) set out in a deed of settlement between the Crown and 1 or more iwi or hapū specified in section 9(a)”.*

The project area is not within the listed maunga or motu and, as such, the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 is not applicable to the proposal.

¹⁶ Collective comprising Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Pāoa, Ngāti Tamaoho, Ngāti Tamaterā, Ngāti Te Ata, Ngāti Whanaunga, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, Te Āitai Waiohua, Te Kawerau ā Maki, Te Patukirikiri, and Te Rūnanga o Ngāti Whātua

The proposal is on private land and therefore cannot be subject to a right of first refusal under the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014.

9.2 Planning Document Recognised by a Relevant Iwi Authority

Clauses 5(1)(h) and 5(2)(g) of Schedule 5 of the Act requires an application to provide an assessment against a planning document recognised by a relevant iwi authority and lodged with a local authority.

The applicant has requested copies of planning documents recognised by a relevant iwi authority and lodged with Auckland Council from the relevant iwi authorities. The planning documents received from the relevant iwi authorities are assessed below.

9.2.1 Ngāti Te Ata Tribal Policy Statement 1991 and Ngāti Te Ata Waiohū Issues and Values 2011

The purpose of these documents is to lay down the Kaupapa of Ngāti Te Ata, to define procedures for negotiation between Ngāti Te Ata and external agencies, to articulate Ngāti Te Ata tribal policy for external agencies and to identify obligations of external agencies to Ngāti Te Ata. The 1991 document covers a ten-year planning period which has since passed. However, the key principles and issues that are of importance to Ngāti Te Ata remain relevant and are referred to in Ngāti Te Ata Waiohū Issues and Values 2011.

The key policies of relevance from these documents include that all resource management agencies, including the Minister for the Environment, shall recognise and provide for the fact that only Ngāti Te Ata has the right to determine what is significant in terms of the Treaty of Waitangi in respect of natural and physical resources and other taonga within its tribal territories.

As outlined in the Consultation Summary Report at Appendix 22, Kiwi Property has held regular hui and invited representatives from Ngāti Te Ata to attend and facilitate open communication regarding the project. Kiwi Property have provided the opportunity for any relevant iwi authorities to prepare a CIA in relation to this project. Ngāti Te Ata have prepared an Addendum CIA for this project and it is included at Appendix 22.

9.2.2 Hauraki Iwi Environment Plan (2000) and Waikato-Tainui Environmental Plan (2013)

The applicant has been actively engaging with Ngāi Tai ki Tāmaki throughout the previous Plan Change process and the Drury Centre Stage 1 project. The iwi representative for this project has previously confirmed in writing that they do not have a management plan lodged with Auckland Council and they are in the process of developing a Taiao Plan. However, they acknowledge that there are two existing plans lodged with Auckland Council (Hauraki and Waikato-Tainui) and are commonly referred to for their relevance to Ngāi Tai ki Tāmaki. These other management plans are considered below.

9.2.2.4 Hauraki Iwi Environment Plan (2000)

The Whaia Te Mahere Taiao o Hauraki – Hauraki Iwi Environment Plan is a strategy for collective action by Hauraki Whānui to sustain the mauri of the natural environment and cultural heritage of the Hauraki rohe over the next 50 years.

The objectives of the plan are to identify resource, geographic and process based-issues of concern to Hauraki Whānui and to develop action orientated programmes and working models for

kaitiakitanga. The resource and geographic based issues of concern are contained within Part 3 of the Plan. These are identified and assessed in the table below.

Table 15: Assessment against the Hauraki Iwi Environment Plan

Resource / geographic based issues	Assessment
Papatūanuku	
Wetland loss	<p>The wetland at the head of Stream A is proposed to be reclaimed as part of this application. An on-site hui with mana whenua representatives established that while technically defined as a wetland, all agreed the wetland was highly degraded and unlikely to be able to be restored to a high value, functioning wetland.</p> <p>As part of this application, a new wetland is proposed at the head of Stream A which will ensure base flows are maintained within Stream A, and to treat stormwater runoff before it enters the awa.</p>
Peatland loss	Not applicable. There is no peatland on the site.
Loss of coastal dunes	Not applicable. There are no coastal dunes on the site.
Riparian margins of rivers and streams	<p>Stream A (including the portions proposed to be daylighted and realigned) will be protected and enhanced through revegetation and riparian planting. The proposal does result in net loss of ecological values and extent of Stream A. However, the proposal does achieve the Key Principles established by mana whenua when discussing the reclamation of Stream A. The proposal will maintain base flows, result in a culverted section of the stream being daylighted, provide good stormwater outcomes, native landscape planting, fish passage and naturalise the stream and return portions to its natural alignment.</p> <p>The proposal provides revegetation and riparian planting along the Hingaia Stream.</p>
Productive capacity of whenua	Not applicable. Soil on the site is not classified as highly productive, nor is it currently used for rural productive uses.
Contaminants onto land	Contaminants onto land from stormwater will be managed by a treatment train approach with water quality treatment proposed as part of the stormwater management strategy for the site. Contaminated soil on the site will be remediated. There will be no disposal of contaminants from wastewater or sewage from the development.
Erosion and sedimentation	Erosion and sediment control measures will be in place to manage potential sedimentation effects.
Ranginui	
Air pollution	Not applicable. No air discharges are proposed.
Ozone depletion	The development is highly connected in terms of pedestrian and cycling connections and will encourage active transport modes.
Climate change	Flood modelling for the project has been considered together with the long-term effects of climate change;

	and the buildings in this project will be constructed to achieve a 5-star green rating as part of Kiwi Property’s long-term commitment to sustainability and mitigating climate change.
Tāne Mahuta	
Loss of forest ecosystems	Not applicable. There are no forest ecosystems on the site.
Animal and plant pests	Animal and plant pests will be removed as part of the enabling works and native plants re-established across the site. A Ecological Management Plan is proposed as a condition of consent.
Native plants and animals	
Tangaroa Rerenga Wai Māori	
Loss of river and stream habitats	Stream A (including the portions proposed to be daylighted and realigned) will be protected and enhanced through revegetation and riparian planting. The proposal does result in net loss of ecological values and extent of Stream A. However, the proposal does achieve the Key Principles established by mana whenua when discussing the reclamation of Stream A. The proposal will maintain base flows, result in a culverted section of the stream being daylighted, provide good stormwater outcomes, native landscape planting, fish passage and naturalise the stream and return portions to its natural alignment.
Water pollution	Stormwater water quality treatment is proposed at source to reduce the potential for contaminants to enter receiving freshwater and coastal environments.
Water use	Not applicable. The proposal does not involve any water takes.
Loss of fisheries	Not applicable. There are no fisheries on the site.
Tangaroa Rerenga Wai Tai	
These issues are not relevant to the proposal as they relate to the coastal environment.	
Rongomatāne	
Loss of Wāhi Tapu	Not applicable. The project is not located within any wāhi tapu sites.
Loss of Heritage Sites, Features, Places & Landscapes	The applicant will continue to undertake consultation and work with mana whenua regarding site inductions and/or cultural monitoring. Condition of consent are proposed to this effect.
Statutory Heritage Management Systems	
Access to Heritage Sites	
Customary Use	
Traditional Knowledge & Practice	
Intellectual Property Rights	
Genetic Modification	Not applicable. The project does not involve any genetic modification or associated activities.

9.2.2.5 Waikato-Tainui Environmental Plan (2013)

The Waikato-Tainui Environmental Plan seeks to provide a pathway that will result in the environmental restoration of the Waikato-Tainui rohe. This plan seeks to achieve a consistent approach to environmental management across the Wakato-Tainui rohe.

The plan states that it does not “*substitute or alleviate the need for external agencies to engage directly with Waikato-Tainui*”.

The plan identifies 19 key issues and objectives, policies and methods for addressing these. The issues identified in the plan relevant to the proposal are considered in Table 8 below.

Table 16: Assessment against the relevant sections of the Waikato-Tainui Environmental Plan

Key issues	Assessment
Natural heritage and biodiversity	There are no identified areas of natural heritage or biodiversity on the site (such as significant natural areas). However, the proposal does propose to reclaim a heavily degraded wetland and establish an enhanced wetland at the head of Stream A which will treat stormwater runoff prior to it entering sensitive freshwater environments and ensure base flows are maintained within Stream A.
Valuable historical items, highly prized sites, sites of significance	There are no recorded archaeological sites within the project area, and there are no historic heritage sites or sites of significance within the project area either. Notwithstanding, an accidental discovery protocol is proposed as a condition of consent, recognising that there is the potential for sensitive material to be uncovered during bulk earthworks.
Natural hazards	The development has been managed to avoid the construction of buildings on land affected by flood hazards and any minor increases in water levels are contained within streams.
Freshwater	The proposed stormwater management strategy for the site involves a range of treatment measures to ensure contaminants and pollutants are removed and stormwater is treated prior to discharge to sensitive freshwater environments.
Wetlands	As assessed above, the proposed development does propose to reclaim a heavily degraded wetland and establish an enhanced wetland at the head of Stream A which will treat stormwater runoff prior to it entering sensitive freshwater environments and ensure base flows are maintained within Stream A. With respect to the remaining wetlands, these are being restored as part of Stage 1. In terms of effects on wetland hydrology, the overall level of effect of the proposal on wetland hydrology is found to be very low to low, and to some extent positive, as the proposed works will not significantly modify the surface water catchment area of the wetlands, and the works are unlikely to impact any subsurface flows.

Land	Erosion and sediment control measures will be implemented to manage sediment loss across the site and maintain water quality. Contaminated land will be remediated. The development takes an integrated catchment management approach as detailed in the Stormwater Assessment at Appendix 11.
Land use planning	The project is considered to deliver a high-quality metropolitan centre in a manner which improves the quality of freshwater ecosystems on the site, identifies and enhances sensitive areas (such as streams and wetlands), manages natural hazards and encourages re-use on-site of stormwater.
Transportation	The road and site layout for the development has been designed to minimise impact on wetlands and watercourses.

9.2.3 Summary

Overall, it is considered that the proposed development can be constructed and operated in a manner that is generally consistent with the environmental outcomes sought by planning documents recognised by relevant iwi authorities and lodged with Auckland Council, while ensuring that the key principles established by mana whenua with regard to the reclamation of Stream A are achieved.

9.3 Customary Marine Title Groups

This section of the application is provided in accordance with clause 5(1)(j) of Schedule 5 of the FTAA which requires:

a list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011; and

This information requirement is not relevant to Drury Centre Stage 1 and 2 as the site is not within the “common marine and coastal area” as defined in s9 of the Marine and Coastal (Takutai Moana) Act 2011, and so does not and cannot have a customary marine title group with customary marine title over the site (as those terms are defined in s9 of Marine and Coastal (Takutai Moana) Act 2011. In addition, the site is not within or adjacent to, and would have no effect on, ngā rohe moana o ngā hapū o Ngāti Porou.

9.4 Protected Customary Rights

Clause 6(1)(h) of Schedule 5 of the Act requires an application to include an assessment of any effects of the activity on the exercise of a protected customary right.

There are no protected customary rights that relate to the site and as such an assessment under Clause 6(1)(h) is not required.

9.5 Iwi Consultation

This section of the application is provided in accordance with Clause 6(1)(e) and clause 6(1)(f) of Schedule 5 of the Act which requires:

identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal

if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision

As noted above, eight relevant iwi authorities were contacted. Of those initially contacted Ngaati Te Ata Waiohua, Ngāti Tamaoho and Te Ākitai o Waiohua confirmed an interest in the proposal. A hui was held with representatives of each of the interested iwi authorities, to provide an overview of the proposal and the FTAA process. At each of the hui, iwi groups agreed to continue working with Kiwi Property collaboratively to ensure best outcomes were achieved on behalf of mana whenua in an efficient and constructive manner. Kiwi Property have been actively engaging with and involving mana whenua in design of the Drury Centre development over the past eight years, and the mana whenua representatives emphasised that the relationship between Kiwi property and mana whenua should continue to grow and strengthen as development progresses. The hui minutes are included within the Consultation Summary Report (Appendix 22).

After correspondence attempts, no response was received from the remaining Mana Whenua authorities. A summary of the consultation undertaken, and correspondence received, is included in Appendix 22. Furthermore, Kiwi property is committed to ongoing Mana Whenua engagement beyond the regulatory process, and places a strong value on the continued contribution and input from mana whenua into development and design of the Drury Centre over the past eight years.

10.0 Assessment of Effects

This section of the application is provided in accordance with clauses 5(4), 6 and 7 of Schedule 5 of the FTAA. These provisions require an assessment of the actual or potential effects on the environment. Clause 6 of Schedule 5 sets out information required to assess environmental effects. Clause 7 of Schedule 5 sets out the matters to be covered in the assessment of the environment effects. **Appendix 4** identifies the owners and occupiers of the land adjacent to the project area. The persons identified in **Appendix 4** are considered to be the same people who may be affected by the activity (with reference to clause 6(1)(e) of schedule 5) and are considered in the assessment of effects below relative to the respective disciplines or topics identified.

The actual and potential effects of these matters on people in the neighbourhood and, where relevant, the wider community, as well as on the environment more generally, are assessed below and in the supporting technical reports submitted with this application. Having regard to the above, the scope of the application and consents required, it is considered that effects on the environment (including on the matters set out at clause 7 of Schedule 5) in relation to the following matters are relevant:

- Positive effects
- Geotechnical and bulk earthworks
- Servicing and infrastructure
- Stormwater discharge and quality
- Natural hazards and flooding

- Traffic, access and parking
- Contamination
- Construction activities
- Archaeology / Heritage
- Landscape and visual
- National grid corridor
- Ecology and ecosystems
- Urban Design, Subdivision and Neighbourhood Character
- Operational noise
- Cultural, social and economic effects

These matters are set out and discussed below.

10.1 Positive Effects

It is considered that the proposal will result in positive effects and economic and social benefits including:

- The delivery of a development project with significant regional benefits, through the provision of a Centre comprising a variety of intensified land uses to support the accelerated delivery of surrounding infrastructure, including the Drury Central Rail Station, and rapidly increasing residential population in the receiving environment which has been enabled by Fulton Hogan and Oyster Capital developments in the surrounding Drury East area;
- As outlined in the Economic Report attached as Appendix 20, the proposal will make a significant contribution to regional GDP and job availability, through the direct creation of approximately 3,420 FTE years in the construction sector, and a total construction expenditure of approximately \$1.47 billion. A total of 7,750 FTE years will be directly or indirectly created during the development phase of the proposal. The total economic impact on business activity within the Auckland region as a result of the subject development over a 11-year period is estimated to be just over \$1.45 billion. The proposal will also generate employment for the use of the Drury Metropolitan Centre once completed, which is considered likely to enable population retention within the South Auckland sub-region and deliver a greater economy of scale and productivity; and
- Drury Metropolitan Centre will also make a regionally significant contribution to Auckland's well-functioning urban environment. The combination of proposed infrastructure, housing, community and commercial activities, along with the careful integration with and support of the surrounding Drury developments, will provide for a vibrant and attractive location for people to live. The project, being for the development of a key metropolitan centre, will be transformational for Drury and the wider South Auckland area which is expected to house an additional 120,000 people and induce demand for 38,000 jobs over the next three decades.

10.2 Land Disturbance Effects

10.2.1 Geotechnical and Site Stability

Earthworks and excavations across the project area are proposed to recontour the land to the proposed design levels, the installation of roading and civil infrastructure and to prepare the necessary building platforms for development. The geotechnical report by CMW in Appendix 12 provides a detailed analysis of subsurface conditions beneath the site and a suite of recommendations for the detailed design of earthworks, retaining walls, foundation design options for the proposed buildings and settlement monitoring together with recommended methodologies during the construction phase to ensure that land and slope stability is maintained. These recommendations are endorsed by Kiwi Property and are included in the proposed consent conditions.

Importantly, as part of the geotechnical assessment CMW has undertaken a slope stability analysis with consideration to the existing steep slopes of the land and the proposed earthfill. In reference to this analysis, the results demonstrate that appropriate factors of safety can be achieved for the proposed profile with further assessment to be undertaken in subsequent detailed engineering and earthworks design which is consistent standard development and consenting practices.

The geotechnical report overall concludes that there are no significant geotechnical hazards and by implementing the recommendations contained within this report, the development is unlikely be affected by significant geotechnical hazards nor will the development worsen, accelerate or result in material damage to the extent that the site is considered to be suitable for the proposed development.

In reference to the proposed subdivision of the superlots in the Stage 1 area, CMW have completed a Geotechnical Completion Report for the Stage 1 area which provides engineered fill certification in accordance with NZS4431:1986 for fills suitable for development. On the basis, that no additional earthworks are proposed to facilitate further subdivision of the superlots CMW considers that they will be suitable for residential development with the recommendation of removing all unsuitable stockpiles and undertaking additional expansive soil testing. These recommendations are endorsed by Kiwi Property and are included in the proposed consent conditions.

We accept the expert advice of CMW given the technical nature of this matter. In reliance on this advice and noting that the suite of mitigation measures recommended are endorsed by Kiwi Property, it is considered that any adverse geotechnical and land instability effects will be avoided or mitigated to be less than minor.

10.2.2 Sedimentation

The Erosion and Sediment Control Management Plan (ESCMP) in Appendix 25E provides a detailed overview of the proposed bulk earthworks methodology and specific erosion and sediment control methodologies in accordance with GD05 that are to be implemented on site over the earthworks phase, and these are also illustrated on the preliminary erosion and sediment control plans.

In summary, the overall management strategy for the bulk earthworks phase of the project includes minimising site disturbance as far as practicable and staging construction of the project to limit the area of exposed surfaces that could be sources for erosion and sediment. Exposed areas would also be progressively and rapidly stabilised as soon as practicable and sediment

retention devices will be employed together with installation of a series of perimeter controls and diversions around exposed and material storage areas. Additionally, the bulk earthworks are planned to be completed within one earthworks season to minimise the overall duration of exposed areas and the potential for adverse sedimentation effects on the environment. Without repeating the full suite of proposed erosion and sediment control measures contained within the ESCMP, these are endorsed by Kiwi Property and a final set of staged erosion and sediment control plans will be further developed by the appointed contractor with reference to any erosion and sediment measures or management plans already certified by Council as part of the separate bulk earthworks consent obtained by Kiwi Property as appropriate. This will be ensured by the proposed conditions of consent for this project.

Any dust effects arising from the earthwork activities can be suitably managed by spraying the site with water so that dust particles are dampened and suppressed to avoid spread in the surrounding environment. The ESCMP also includes a site-specific Dust Management Plan to appropriately mitigate and manage potential adverse effects from the discharge of dust during bulk earthworks.

To the greatest extent possible, streamworks will be undertaken in dry environments to minimise disturbance and sediment releases into the receiving environment. The construction of the daylighted channel and Stream A realignment will be undertaken offline to reduce the level of disturbance to the receiving environment and topsoil bunds will be used to prevent runoff entering the works area for the duration of the realignment works. The tie in of the upstream and downstream of the created channel will be undertaken in as short as duration as possible and connection points will be stabilised immediately. Areas will be stabilised prior to livening of the channel and all instream works will be undertaken during a period of forecasted fine weather.

Having regard to the above, and noting that best practicable erosion and sediment control measures will be implemented on site with specific methodologies for works in proximity to streams and measures to minimise changes to contributing catchments, it is considered that any adverse sedimentation effects will be avoided or mitigated to be less than minor.

10.2.3 Archaeology

Clough & Associates has undertaken archaeological investigations across the project area and an archaeological report for the proposal is enclosed as Appendix 19.

In summary and with reference to Figure 15 of this report, there is one recorded archaeological site (R12/1125) within the project area which relates to the Flanagan Homestead. Clough & Associates have assessed this site to have limited to moderate local archaeological value based on Heritage New Zealand criteria and B5.2.2 in the Regional Policy Statement of the AUP as it relates to historic heritage significance. The house has since been removed from its original location and is intended to be relocated elsewhere within Drury Centre in the future for adaptive reuse. Following its removal a shell midden was identified in exposed soils in the ground. On this basis, the bulk earthworks proposed in the original location of Flanagan Homestead and its surrounds are considered likely to affect the shell midden identified and any other subsurface remains relating to site R12/1125. To mitigate the effects of this Clough & Associates have recommended that earthworks within the area outlined in black in Figure 44 of the archaeological report surrounding the original Flanagan Homestead is carried out under archaeological supervision to identify and record archaeological remains.

Clough & Associates have also noted steep banks, vegetation and ground conditions along the Hingaia Stream and Stream A have hindered a full inspection of these areas during site surveys and it is considered possible that unrecorded archaeological sites such as shell midden may be present. Noting that modifications and diversions are proposed to Stream A along with associated earthworks, vegetation removal and replanting with the latter apply to the Hingaia Stream also, Clough & Associates have also recommended archaeological monitoring for preliminary earthworks within the riparian margins of the Hingaia Stream and Stream A to determine if any archaeological sites are present in these areas and ensure they are avoided if identified, or to investigate and record them if avoidance is not practicable. These recommendations are endorsed by Kiwi Property and are included in the proposed conditions of consent.

Overall, based on the moderate archaeological value of site R12/1125 and the removal of Flanagan Homestead from the original location already, the effects of the proposal on site R12/1125 are considered are assessed by Clough & Associates to be minor and can be mitigated by archaeological monitoring, investigation and recording to recover information relating to the history of the area. The potential effects on any sites that cannot be avoided in vicinity of the Hingaia Stream and Stream A are also considered likely to be minor, as the sites would most likely consist of shell midden and effects could either be avoided through preservation in situ or mitigated through investigation, recording and collection of material. We accept the expert advice in this regard.

Given the project will affect a recorded archaeological site, Kiwi Property has already obtained an authority from Heritage New Zealand Pouhere Taonga (HNZPT) for this project encompassing Stage 2 of the Drury Metropolitan Centre and this is enclosed as Appendix 33. This authority is granted subject to a suite of conditions which Kiwi Property are required to comply with to ensure that any adverse archaeological effects are appropriately remedied or mitigated. Additionally, in the event that any unrecorded subsurface remains are uncovered, we note that the accidental discovery protocol will immediately come into effect and will need to be applied under the HNZPT Act 2014. This includes ceasing works and securing the area, informing relevant authorities and parties and enabling inspection of the site before works can recommence.

Overall, relying on the advice of Clough & Associates and given that an authority has been granted by HNZPT together with application of the accidental discovery protocol under the necessary circumstances, it is considered that any adverse effects on the archaeological history of the area will be avoided, or remedied and mitigated to be minor.

10.3 Contamination Effects

A Detailed Site Investigation (DSI) was previously prepared for land across both Stages 1 and 2 of the Drury Metropolitan Centre and this revealed that HAIL activities have been undertaken on this piece of land. Additional soil testing was more recently carried out on specific areas at 64 and 120 Flanagan Road and the results are presented in the Remediation Action Plan (RAP) by CMW in Appendix 13A. In summary, the previous investigations and more recent soil testing identified contaminated material which exceeded remedial criteria in terms of undocumented fill and historical fill containing asbestos above public human health criteria and therefore have the potential to have an impact on human health.

Previous investigations in the DSI and the more recent soil testing adopted a targeted investigation approach and this confirmed that the site is generally suitable for the proposed development.

However, remedial earthworks will be necessary to remove the undocumented fill at 64 Flanagan Road containing fragments of asbestos containing material and further testing is to be carried out for the filled area on the property at 108 Flanagan Road. The remedial strategy selected for the undocumented fill at 64 Flanagan Road is removal of soil that has been identified as containing contaminants above the adopted human health and environmental criteria to remove or control the risk to human health for future residents.

The handling of contaminated soils and the remediation of land within the project area will be guided and managed in accordance with the recommendations and procedures contained within Site Management Plan (SMP) and Remediation Action Plan (RAP) in **Appendices 25I and 13A**. These documents detail the additional sampling to confirm controls for earthworks, health and safety and contingency procedures should unexpected contamination be encountered. By undertaking the works in accordance with the SMP and RAP, CMW concludes that potential adverse effects on human health and the environment from the contaminated land will be acceptable.

We accept the expert advice of CMW. On this basis and by implementing the measures contained within the SMP and RAP during the earthworks phase, it is our overall conclusion that any adverse effects on human health and the environment will be avoided, remedied or mitigated to be less than minor.

10.4 Construction Effects

10.4.1 Demolition and Construction Activities

In this case, the large landholding of the project area owned and controlled by Kiwi Property provides the benefit that all demolition and construction-related activities and construction laydown areas will be internalised within the site and the site can easily be secured without adversely affecting people in the neighbourhood, pedestrian safety, adjacent sites or the surrounding transport network.

Considering the large scale of this project, the actual construction of the various buildings and proposed roads (to be vested or privately owned) will be coordinated and constructed in a staged manner with regard to any roads authorised and formed from the Stage 1 Fast Track consent. Each section of road is intended to be incrementally constructed to provide the necessary access to each substage of the subdivision or development and to service the proposed buildings.

At this stage, a contractor to undertake the physical construction activities associated with the proposal is yet to be appointed. However, it is expected that the appointed contractor will prepare a final Construction Management Plan (CMP) which will outline the final construction staging, construction laydown areas, any temporary hoarding required for health and safety purposes and a series of best practicable options to be implemented on site appropriate for avoiding adverse effects on the adjacent and wider environment. A draft CMP is provided in Appendix 25A.

Overall, having regard to the above and noting that a final CMP is proposed as a condition of consent, it is considered that any potential adverse effects arising from demolition and construction activities will be appropriately avoided and mitigated to be less than minor.

10.4.2 Construction Traffic

To manage potential construction traffic effects from the proposal a draft Construction Traffic Management Plan (CTMP) has been prepared in Appendix 25J and a final CTMP is proposed as a

condition of consent. The overall objective of the CTMP is to ensure that during earthworks and construction phases of the project the surrounding road network operates safely and efficiently for all road users including pedestrians. The proposed conditions also require the final CTMP to be prepared and submitted to Council for certification and be prepared by a suitably qualified and experienced person prior to the commencement of physical works on site to ensure that the management framework is appropriate and acceptable.

In particular, the proposed final CTMP condition requires travel haulage routes to and from the site to be identified, consideration of other construction projects in the Drury East and Drury South area, and a list of specific details to be provided for avoiding, remedying and mitigating adverse effects on the environment from earthworks, construction and management of all works associated with this project. The condition also requires the process to record and investigate any traffic complaints and procedures to be followed investigation of the complaints, review of the mitigation/management measures and recording outcomes of the investigation.

In our experience, the provision of a final CTMP as a condition of consent for large scale urban development projects is considered to be appropriate and standard practice. We also understand that the appointed contractor would normally contribute to the development of the final CTMP to provide real life practical input into the development of this management plan to ensure it would be workable and feasible in context. Given that a contractor has not been appointed to this project it would therefore be impractical to provide a draft CTMP at this stage. Notwithstanding this, the draft CTMP is considered to provide an appropriate framework to ensure that operations of the surrounding road network and pedestrian safety including people in the neighbourhood will be appropriately managed and maintained to the extent that that any adverse demolition and construction traffic effects arising from the proposal will be avoided or mitigated to be minor.

10.4.3 Construction Noise and Vibration

Styles Group has prepared a construction noise and vibration assessment for the proposal and this is enclosed as Appendix 25H.

In terms of construction noise predicted during the demolition, bulk earthworks and building construction phases, Styles Group have predicted that there would be some exceedances to the relevant construction noise standards from the use of noisy equipment with the main sources being excavators and loaders, trucks, rollers and plate compactor. Specifically, Styles Group have predicted that construction noise levels from the major works could as high as 80dB L_{Aeq} intermittently for a cumulative total of up to 15-20 working days across the project and for short periods when works are undertaken within 10-20m of the receiving building. This will include works adjacent to the occupied buildings at 54 Flanagan Road and those in the Mixed Use zone to the north and northwest of the Site. Works further inside the boundary of the site, and further away from adjacent properties, are predicted to comply with the relevant construction noise standards for all or much of the remainder of the construction period. Properties in the wider environment further away from the project are predicted to comply with the construction noise standards without the need for any mitigation measures because of the greater separation distances and intervening properties providing shielding to the construction noise received. Furthermore, the geological profile of the site is such that no rock breaking is proposed and therefore adverse construction noise effects from this usual source of construction will be avoided.

In respect of construction vibration effects, Styles Group predicts that the project is likely to comply with the permitted construction vibration limits for avoiding cosmetic building damage without

requiring any specific mitigation due to the distance between any vibration-generating activities on Site and the nearest buildings. However, a marginal and intermittent exceedance to the 2mm/s PPV vibration amenity limit is predicted to any occupied buildings at 54 Flanagan Road and those in the Mixed Use zone to the north and northwest of the Site. This temporary exceedance is predicted when vibratory compaction works are undertaken within approximately 20-30m of any neighbouring occupied building, or other heavy tracked plant is operated within 10-20m of any neighbouring occupied building. Styles Group considers that marginal exceedances are typically tolerated providing that it occurs intermittently, during the day, and where there is effective prior engagement. We accept the advice in this regard.

To mitigate and minimise the construction noise effects experienced by the closest receivers, Styles Group recommends the preparation and implementation of a final Construction Noise and Vibration Management Plan (CNVMP) throughout the duration of the construction period for the project to building upon the management framework of the draft CNVMP in Appendix 25H. The final CNVMP is recommended to include details such as limiting work hours for those receivers in a day or workdays in a week, selecting low noise or smaller equipment (which may lead to a longer overall construction period), carefully planning site operations and applying localised barriers where practicable as an alternative to these restrictions. Importantly, Styles Group notes that communication with neighbours during all stages of construction is critical to successfully managing and mitigating adverse construction noise and vibration effects. Such communication will need to acknowledge that some activities are predicted to generate high noise levels that may result in disturbance for short periods. It should also include details of the overall works, its timing, duration and contact details where complaints and enquiries should be directed. Additionally, we note that a portion of the potentially affected persons and property at 54 Flanagan Road is subject to designation 6309 as it relates to the Drury Station Interchange and Accessway. This designation applies over the entire front portion of the property which includes their legal accessway to Flanagan Road and resource consents have been approved for its construction with funding also confirmed. Having reviewed the approved layout plans¹⁷ for the Drury Station and Interchange, it is considered that the existing dwelling on site is unlikely to be occupied for residential purposes in the long term because physical access to the dwelling will be impeded by the designation which includes fill batters and stormwater management devices over the existing accessway. We understand that the Drury Station and Interchange is expected to be operational in 2026 so the dwelling at 54 Flanagan Road is most likely to be unoccupied by the time construction noise and vibration is generated by the project.

We accept the advice of Styles Group. The preparation and implementation of a final CNVMP over the duration of construction is endorsed by Kiwi Property. In our view, this management framework for construction noise effects is considered to represent the best practicable option for enabling construction of the project while avoiding and protecting people in the neighbourhood from the unreasonable emission of noise. By undertaking these mitigation measures, which will be ensured by consent conditions, it is considered that that any adverse construction noise effects will be appropriately avoided, remedied or mitigated to be minor and temporary in nature.

¹⁷ <https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Paerata-and-Drury-Central-stations/Vol-3-01-Indicative-Drawing-Set.pdf>

10.5 Acoustic Amenity Effects

As a metropolitan centre, the operational nature of the activity is expected to generate some noise from visitors with people and vehicles arriving and departing the centre and general background noise from activities occurring within the centre. In our view, retail and commercial activities are not considered to be a particularly noisy activities that would generate a significant amount of noise that would cause nuisance effects or the unreasonable emission of noise.

As with standard retail and commercial operations there is potential for the individual buildings to involve the use of amplified music. Any such amplification of music is expected to be of a low level only and would generally be internal to the building at a background level only. It is not expected to be discernible to any people or property beyond the site itself or to cause any adverse effect.

The acoustic report in Appendix 18 also predicts that compliance with the relevant operational noise standards under the AUP would be readily achieved without the requirement for any mitigation. Based on this advice and having regard to the considerations above, it is considered that operational noise arising from the metropolitan centre will be within permitted limits and that an appropriate acoustic environment will be maintained. Any adverse effects in this regard are therefore considered to be avoided and mitigated to be less than minor.

With respect to the accommodation components of the project, these are deemed to be 'activities sensitive to noise' and Chapter E25 of the AUP contains specific standards that buildings must be designed and constructed to in order to ensure specific internal noise levels are achieved. All buildings containing 'activities sensitive to noise' in the project are proposed to be designed and constructed to the relevant internal noise levels and conditions of consent are proposed to ensure this. On this basis, it is considered that an appropriate and acceptable internal acoustic environment will be achieved for all accommodation activities in the project.

10.6 Landscape and Visual Effects

The land has urban zonings of Metropolitan Centre, Mixed Use and Open Space – Informal Recreation. Urban development of the land is therefore clearly contemplated under the planning framework of the AUP-OP and the Drury Centre Precinct provisions in particular. While it is acknowledged that the Project will significantly change the physical locality of the project area, the receiving environment is already undergoing significant change and transformation from the approved Stage 1 Fast Track Consent directly south of the project area. In our view, it is also important that the landscape and visual character effects of the Project are considered *in context*. This context includes:

- The existing environment which includes activities permitted in the Plan, operative planning provisions and approved but unimplemented resource consents that are likely to be implemented;
- The statutory framework of the AUP which includes the urban zonings and Drury Centre Precinct; and
- The parameters for that urbanisation which were determined through the Council's Drury structure planning process and are shown in the Drury Structure Plan that resulted from that process. This includes development of the Kiwi land for a metropolitan centre, supported by peripheral mixed use and residential activities.

In our view, significant physical and visual change, and a departure from the current rural character (which is already peri-urban), is clearly contemplated in the planning framework. The Council's Drury Structure Plan has already determined the future environment as being a metropolitan centre in this location and this is now embedded in the AUP by way of the Drury Centre Precinct. In addition, the existing environment is already in process of significant change and transition to a more urban environment with the approved Stage 1 Fast Track consent and significant extent of consented, funded or in-development infrastructure proposals for Drury all supported by government and private investment and funding.

In a planning context, the site is not located within any of outstanding natural feature, character or landscape overlays of the AUP, and it is not identified as a high natural character site either. The urban zonings of the land provide for the development of a metropolitan centre in this location and the location and type of land uses proposed in this application is consistent with anticipated outcomes planned in sub-precincts A and C of Drury Centre, as well as key structuring elements identified on Precinct Plan 2 too. The proposed changes to the physical locality are therefore considered to be appropriate given the absence of any discernible or special landscape character associated with the current landform. The landscape and visual outcomes of the site are considered to be consistent with the planned future character in the Drury Centre Precinct provisions and as forecasted within the Council's Structure Plan too.

The Hingaia Stream and Stream A are considered to be key ecological features of the landscape and their retention and restoration are considered to represent the protection and enhancement of significant landscape features while contributing to recreational amenity of the urban landscape. In this regard, we also consider the ecological enhancement initiatives to Stream A and its tributaries to be a positive restoration and celebration of landscape values within the project area. While the proposed earthworks and those approved to date in the receiving environment will change the more natural rolling nature of the topography, at the same time, vestiges of the general landform will be retained and most significantly the predominance of the Hingaia Stream corridor. Views of the project as seen by people in the neighbourhood would also change noticeably as a result of landform modifications and subsequent development. However, in our view, this change of views and outlook as seen from the surrounding locality does not represent an unacceptable adverse effect because the urban zoning and Drury Centre Precinct contemplates the land is destined for such change.

In summary, whilst a substantial change to the landscape will be introduced, over time the future form of the Drury Metropolitan Centre will retain a response to the site's natural landscape and connect future residents and users to the natural environment via a generous provision of pedestrian oriented open space. Overall, it is considered that any potential adverse landscape and visual effects on the environment will be appropriately avoided and mitigated to be less than minor.

10.7 Urban Design, Subdivision and Neighbourhood Character

This proposal for the subdivision and development of land for Drury Centre represents the second stage of a new metropolitan centre in Drury which is clearly contemplated and planned within the Council's Structure Plan and the Drury Centre Precinct provisions. Drury is earmarked for growth by the government and in Council's strategic planning documents and, if consent is granted, the proposal will complement other medium density residential projects approved in Drury East and

the planned completion of the Drury Central Train Station to create well-functioning urban environments with a strong focus as a transit-oriented development.

The proposed development of the site into Drury Metropolitan Centre is consistent with the land use plan of the Structure Plan and AUP which envisages a metropolitan centre in this location. The proposed built form and configuration of the various buildings in the centre therefore reflect this urban character of a metropolitan centre with a mix of activities with a strong focus on retail development with associated at-grade car parking to service the activities.

An Urban Design Assessment (UDA) has been prepared by Barker and Associates and is enclosed as **Appendix 14**. This report sets out the design response and assessment against key urban design principles. A summary of key findings is provided as follows:

10.7.1 Block Structure and Connectivity

The configuration of the blocks and street network has been designed to respond to the identified constraints and opportunities of the site, the key structuring elements and key roads identified in Precinct Plan 2 of the Drury Centre Precinct. Several proposed blocks are broken down by a series of pedestrian accessways, plazas and landscaped areas which will provide accessibility and connectivity across the proposal to support a walkable pedestrian network. The block structure is configured to create a well-connected street layout, linking Drury Centre to the wider network and the future Drury Centre Train Station to the north. The proposal will provide an attractive street environment which is designed to positively contribute to pedestrian amenity and safety. The blocks are of a perimeter and length which will provide a good degree of accessibility and support a walkable environment, while also designed to an appropriate size and layout for the proposed activities.

10.7.2 Built Form and Appearance

The overall built form appearance for the site is considered to be generally consistent with the anticipated outcomes of the Business – Metropolitan Centre Zone ('MCZ') principally by complying with the relevant development controls of the zoning and precinct. The development area will comprise a variety of commercial, retail, food and beverage, entertainment, community, visitor accommodation and residential activities in densities considered to be appropriate for the MCZ.

Whilst the Proposal represents a significant development in what is currently an open, undeveloped rural area, the development will respond well to the site context and future public realm and will help establish a positive design context for the more intensive parts of the new Drury Metropolitan Centre. The proposed layout is considerate of the existing landform, with Valley Park proposed to incorporate the riparian margins of Stream A. Valley Park will act as a focal point for activity within the centre of the site. Its integration with the Town Square and Stream A will assist in creating a well-connected movement network as well as provide for activity and a high-level of amenity. Hingaia Reserve will be retained as an open space area, with recreational walkways within the Reserve proposed.

Proposed buildings will positively address and engage with the street. Fine-grain retail, commercial and residential uses are proposed at heights and densities that are considered to support the function of the Drury Centre and Drury Central Rail Station. Fine grain retail and commercial activities are proposed within Lots A, B, D, and E, and have been strategically located to create a strong edge and frame Hotiki Road. The fine grain retail is oriented to face Hotiki Road with legible and accessible entryways at ground floor. Large Format Retail (LFR) activities and multi-storey

carparks have been strategically located at the centre of the blocks and are sleeved by finer grain retail activities to help break up the built form and increase activity and movement along the street edge. The UDA considers that the proposed development appropriately balances good built form and amenity outcomes with the operational and access requirements needed to provide a functional and attractive environment, and will be well connected both internally and to surrounding amenities.

In terms of materiality, a diverse mixture of materials is proposed. Vertical and horizontal modulation will be provided, and roof forms will be varied. High levels of glazing at ground floors will create interaction between buildings and the street. Large windows are also proposed within upper floors to maximise outlook and passive surveillance. Landscaping in the form of street trees will be located at regular intervals, and further landscaping will be provided within at-grade parking areas to provide additional softening and screening. The development signage has been designed to integrate sympathetically with the buildings' design and architectural features and not appear overly dominant in the surrounding environment. It is also noted that consent conditions are proposed requiring final architectural design plans with materials and finishes, and final signage design details, are submitted to Council for certification to ensure that the final architectural treatments and finished appearances are consistent with the approved plans. This approach is consistent with the Stage 1 Fast-track consent which imposed a similar condition.

10.7.3 Amenity and CPTED

Proposed Stage 2 residential dwellings are located within the north-eastern portion of the site. Valley Park and the promenade will provide a buffer between the commercial activities and the residential activities, reducing common effects associated with commercial operations (e.g. light spill, noise) and are considered to be separated by generous open space area from any activities which might have the potential to generate adverse reverse sensitivity effects. Ground floor residential units have been located and designed to manage potential adverse residential privacy and amenity effects, while also contributing to an attractive and safe pedestrian environment. All residential units are designed and oriented to achieve good levels of on-site amenity for future residents, and will provide outlooks to provide for passive surveillance.

Buildings (in particular G1 and G2) have been designed to provide an active frontage and engage with the town square and Valley Park open space. All proposed buildings will provide a generous level of glazing, such that passive surveillance of streets and carparking areas can be achieved. The configuration of walkways within Hingaia Reserve is comparable to routes commonly found in newly established greenfield areas or larger public open spaces across Auckland. The pathways and associated planting will be designed to be legible and maintain open views (including forward visibility) to the surrounding environment with passing vehicles providing opportunities for passive surveillance.

10.7.4 Stage 1 and 2 Subdivision

In terms of the proposed vacant residential lots within the Stage 1 area, these have been configured to support good levels of on-site amenity and solar orientation, while also providing appropriate access to support walking and cycling. The proposed lots are regular in shape, and have an area ranging between 200m² – 342m². The majority of lots are at least 8m wide, with larger widths (and more irregular shapes) provided at several corner locations. The general size and shape of the lots proposed ensures there will be sufficient flexibility to deliver a range of quality building types and activities consistent with the expectations of the AUP Zoning and

Precinct. It is also noted that future development could occur across multiple lots, enabling larger and higher intensity building forms to be accommodated.

Subdivision within the Stage 2 area has been guided by the configuration of development activities and roading pattern, both of which have been informed by the precinct plans and Drury Centre masterplan. On this basis, the subdivision pattern in Stage 2 is considered to be a positive design response consistent with intended outcomes in the Drury Centre precinct plans and underlying masterplan. The flood assessment by Woods also confirms that in the post-development scenario none of the development lots will be located within flood hazards; and the engineering design by Woods also confirm the overland flows will be redirected to the extent that they largely be contained within roads and will not extend over the developable areas. While flexibility is sought with respect to the proposed sequencing of the subdivision staging, in our view, provided that the necessary legal and physical access to a road is provided to the relevant respective lots in each substage together with the necessary infrastructure, we do not consider there to be any practical issues or adverse effects with the flexibility sought in relation to the subdivision staging.

10.7.5 Summary

In summary, and with reference to the UDA, the subdivision and urban development of this land is considered to be an appropriate outcome because it is consistent with the form and nature of development contemplated in the Council's Structure Plan and the Drury Centre precinct provisions. The organisation of activities, open spaces and roading pattern are considered to be positive design responses, consistent with intended outcomes of the Drury Centre sub-precincts and key structuring elements identified on Precinct Plan 2 within the project area. The buildings have been designed to present high architectural qualities and achieve the necessary operational and functional requirements for the proposed uses. Also, importantly, the form and layout of the proposal is consistent with Kiwi Property's masterplan for Drury Centre and will give effect to the planned future form. Accordingly, subdivision urban development and neighbourhood character of this land is considered to be appropriate and adverse effects in this regard on the environment are considered to be less than minor.

10.8 National Grid Corridor

The planning and layout of the project, particularly along the western extent adjacent to the national grid corridor overlay, has been designed to avoid and not compromise the transmission line support structures. Woods have also designed the proposed earthworks to comply with NZECP34:2001¹⁸ which are the equivalent standards in Chapter D26 National Grid Corridor Overlay of the AUP. On this basis, we consider that the proposal will not compromise the safe operation of the national grid yard transmission lines.

With respect to the proposed subdivision within the national grid corridor overlay, it is considered that this does not put people or property in the neighbourhood at the risk of electrical hazards because the support structures would remain in their current locations and no development is proposed within 12m of any National Grid support structure. A suite of consent conditions regarding civil construction and final design phases with respect to infrastructure and building design are also proposed to ensure people and property are appropriately protected from electrical hazards during and post construction of the proposal.

¹⁸ New Zealand Electrical Code of Practice for Electrical Safe Distances.

Overall, it is considered that any actual or potential effects on the safe operation of and access to the national grid transmission lines will be appropriately avoided, remedied or mitigated to be less than minor given that the proposal has been designed to comply with NZECP34:2001 and conditions of consent are proposed to protect people and property from electrical hazards.

10.9 Servicing and Infrastructure Capacity Effects

Woods has undertaken a detailed capacity assessment of the three waters infrastructure to service this project. This matter is detailed within the Infrastructure Report in **Appendix 10** together with the supporting calculations of expected flows relative to the extent of development proposed in this application.

In terms of wastewater, Woods notes that the infrastructure from the approved Stage 1 development includes a newly constructed gravity network that connects to the Drury Pump Station at 103 Flanagan Road. Woods have confirmed in discussions with Watercare and Veolia that the Drury South Pump Station has a current interim capacity of 4,130 HUE's (Household equivalent units) or 137L/s and has been designed to be upgraded in the future to provide more capacity for the wider catchment. In those discussions, it was estimated that a peaking factor (PWWF) of 53l/s would be generated from Stage 1 and 2 of the Drury Centre development thereby indicating that the current pump station has adequate capacity to service the two proposed stages in the Drury Centre development. However, based on wastewater flow calculations by Woods relative to the extent of subdivision and development proposed in Stages 1 and 2 of this project, it has indicated that the total PWWF will be 59.9l/s being slightly higher than the initial estimate of 53l/s discussed with Watercare and Viola. In effect, this indicates that the project exceeds the interim capacity of the Drury South Pump Station and the long-term upgrade and capacity planned for the pump station will be required to service the project. This long-term upgrade to the Drury South Pump Station is planned for approximately year 2027-2033. Given the large scale of this project and extent of civil works required, the first building is not programmed for construction until year 2027 which would then generally align with the timing of the planned long-term upgrade to the Drury South Pump Station. Therefore, while there may currently be insufficient interim bulk wastewater infrastructure capacity, the planned staged implementation of the consent and incremental construction of buildings is such that it will be generally aligned with the long-term capacity planned for the Southern Wastewater Network and the Drury South Pump Station in particular which will provide sufficient wastewater infrastructure capacity for the project. Finally, the Stage 2 area will connect to the gravity wastewater network established in Stage 1 as part of the local infrastructure within the project area and this will be funded and constructed by Kiwi Property.

For water supply, Woods advise that this will be drawn from the existing public 450mm in Fitzgerald Road and Flanagan Road which are supplied by the bulk supply point on Flanagan Road. The demand assessment carried out by Woods also indicate that there is sufficient supply capacity to cater for the water supply demands of this project. The connection to the main supply and all internal reticulation with the project as shown on the civil drawings in **Appendix 9** will also be funded and delivered by Kiwi Property.

With respect to proposed subdivision in the Stage 1 area, Woods advise that Engineering Plan Approval (EPA) has been issued with approved wastewater and water supply connections for each of the 13 superlots with the required capacity for further subdivision (in anticipation of future development) of the superlots. Therefore, the necessary servicing infrastructure to each of the

superlots exist and the necessary extensions to each fee simple lot proposed can be readily achieved.

Overall, in reliance on the advice of the Woods and from Watercare to date, it is considered that this project will be adequately serviced with the existing bulk infrastructure in place without the need for any further upgrades to service the project. Local water supply and wastewater infrastructure within the project area itself will need to be constructed and installed by Kiwi Property, however, this is not considered to be unusual for any new urban development project. Accordingly, it is considered that adverse servicing and infrastructure capacity effects will be avoided and less than minor.

10.10 Flooding and Natural Hazard Effects

The Council's Geomaps viewer and Drury-Opaheke Structure Plan identifies the wider Drury East area is subject to natural hazards such as flood plain, flood sensitive area and the Drury-Opaheke Structure Plan also identifies that flood hazards are a prominent risk associated with urban development. To understand the potential adverse flooding effects on the environment from the development in Stage 2, Woods has undertaken flooding modelling of this Drury East catchment specifically analysing the pre and post development scenarios and this is enclosed as Appendix 11. It is noted that this flood modelling has been undertaken on an integrated basis which includes this project by Kiwi Property and consented developments by FHLDL because both projects are located in the same stormwater catchment and expected to be advanced at the same time. The potential flooding effects have therefore been analysed on a holistic basis which we consider to be appropriate for understanding the cumulative effects of urban development in this catchment of Drury East.

With reference to this flood assessment by Woods, the pre and post development scenarios analysed have taken into account land use changes, landform modifications from bulk earthworks and existing/upgraded structures. The modelling has also taken into account a 2.1°C climate change uplift factor and a flood resilience assessment based on future climate change of 3.8°C. Based on this flood modelling, the following conclusions are provided by Woods:

- Comparison of the modelled results shows negligible change in the overall flood extent in areas immediately downstream of Area 1 and Area 2. Flood extents within the development are limited to Stream A, discharging to Fitzgerald Stream, and do not encroach into any proposed lots.
- The results indicate that the post-development flood levels generally decrease when compared to the pre-development scenario which is noted to be predominantly as result of the works completed as part of Drury Centre Stage 1 resulting in a reduction to the contributing catchment discharging to Fitzgerald Stream and therefore reducing water levels.
- Flood modelling undertaken for the site predicts there will be no increased risk of flooding to third party land as a result of the development. Minor increases in water levels are noted in the northern (A) and western (B) portions of the site. Increases at point A are in excess of 2500mm and can be attributed to the proposed stream daylighting in this area. These increases are not considered to pose any threat to the proposed development as they do not encroach any proposed building footprints and is contained within the stream. The flood level within area B increase up to 300mm and is related to the model representation of Wetland 2-2.

- The lots have been designed to be located outside of the future 100-year floodplain inclusive of climate change (3.8oC). A resilience assessment has been undertaken to assess the development's resilience against future climate change scenarios. This assessment has adopted the flood management strategy of the wider plan change area. Results from the resilience assessment show that the proposed development and associated lots are located outside the modelled flood extent.
- Flood management strategy for Stage 2 is proposed to enable conveyance in larger storm events. Flood modelling undertaken for the site predicts that there are no third-party effects expected downstream of development as a result of Stage 2 development. External OLFP entering the site and internal OLFP are to be conveyed within the proposed road corridor and conveyance structures, therefore considered as low risk.
- The flood risk assessment carried out for the project confirms that there is no change in the level of risk resulting from the development for areas within and outside Drury Centre respectively.
- The flood modelling undertaken confirms that the Great South Road stormwater pipe is not a dependency to enable development in Stage 2 of Drury Centre but is included as part of this application to enable the wider pass flows forward flood management strategy in Drury East.

We accept the expert advice of Woods given the technical nature of this subject matter. Based on this advice, we are satisfied that existing flooding effects in the upstream and downstream environments of the project area will not be exacerbated by the proposal. In summary, based on the expert advice of Woods, it is considered that any potential adverse flooding effects on the downstream and upstream environment arising from development of the project area will be avoided and mitigated to be less than minor.

10.11 Stormwater Management

The stormwater management strategy and approaches for the site are aligned with the Drury East SMP. The Drury East SMP is consistent with regulatory and stormwater-specific guidelines and requirement based on conventional stormwater management techniques to meet AUP (OP) provisions. The stormwater management approach includes implementing a range of measures to manage water quality, hydrological mitigation for streams, conveyance of stormwater in piped network, conveyance of water via overland flow path and management of flooding both on site and in the receiving environment.

The proposed stormwater management for the project is split across two catchment areas. Area 1 is approximately 14.7ha and drains to Fitzgerald Stream while Area 2 is approximately 9.9ha and drains to Hingaia Stream. Area 1 is further split across two zones.

A summary of the proposed stormwater management of each area is summarised below:

Area 1

- Zone A:
 - All stormwater runoff up to the 95th percentile from Zone A is proposed to be directed to Wetland 2-1;
 - Wetland 2-1 is designed in accordance with GD01 and provides water quality treatment and SMAF 1 level hydrology mitigation;

- The roofed areas of the Large Format Retail (LFR) areas are proposed to provide retention via re-use for non-potable use. It is noted this is also considered BPO for water quality treatment for roofed areas; and
- All flows greater than the 95th percentile is proposed to bypass the wetland and discharge directly to Stream A, along 5 outfall locations.
- Zone B:
 - All stormwater runoff up to the 95th percentile from public roads is proposed to be directed to a large communal raingarden;
 - All stormwater runoff from private roads are proposed to be directed to at-source private raingardens;
 - All raingardens are designed in accordance with GD01 and provide water quality treatment and SMAF 1 level hydrology mitigation;
 - Hardstand areas of the LFR areas are proposed to provide at-source water quality treatment and SMAF 1 level hydrology mitigation;
 - Retention and detention of the roofed areas of the LFR areas are proposed to be met via dual purpose tanks. This is also considered BPO for water quality treatment for roofed areas;
 - All flows greater than the 95th percentile is proposed to bypass the raingardens and discharge directly to Stream A, along 5 outfall locations.

Area 2

- All stormwater runoff up to the 95th percentile is proposed to be directed to Wetland 2-2;
- Wetland 2-2 is designed in accordance with GD01 and provides water quality treatment and SMAF 1 level hydrology mitigation;
- Retention and detention of the roofed areas of the LFR areas are proposed to be met via dual purpose tanks. This is also considered BPO for water quality treatment;
- All flows greater than the 95th percentile is proposed to bypass the Wetland 2-2 and discharge directly to the natural wetland; and
- During the larger storm events, areas discharging to Hingaia Stream are able to pass flows forward as outlined in the Drury East SMP.

Overall, the proposed stormwater management strategy for the project is considered the best practicable option, taking into consideration the existing site features and the proposed land uses. The proposed stormwater management approach and design for the project will ensure that stormwater runoff can be managed and potential water quality effects of stormwater on the environment are avoided, remedied or mitigated to be less than minor.

10.12 Ecosystems and Ecology Effects

10.12.1 Terrestrial Ecology

The Ecological Impact Assessment (EIA) in Appendix 15 describes that vegetation within the project area is considered to be low in ecological value because it is dominated by exotic species with very

few and most 'not threatened' native interspersed. The effects from the removal of vegetation within the project area is assessed by Tonkin and Taylor to be low overall. This is because the vegetation is considered to be common in the wider landscape and the adverse effects are considered to be mitigated by the proposed landscaping strategy for the project which includes denser planting around the stormwater wetland (Wetland 2-1) adjacent to Stream A and the 10m wide riparian planting to be restored along each side of Stream A. The landscape plans demonstrate that planting around the Wetland 2-1 and along the riparian margins of Stream A consists of understory and canopy tier species with the aim to create a diverse environment for plant and fauna species to thrive which is considered to be a significant improvement in comparison to existing conditions.

In respect of effects on fauna, the EIA also notes that the existing vegetation on site provides limited habitat for lizards and bats and some suitable habitats for birds. To avoid harming or killing lizards, bats and native avifauna from the proposed vegetation removal, Tonkin and Taylor recommends the preparation of series of management plans¹⁹ to reduce the overall magnitude of effects to low or very low. These management plans are captured in the Ecological Management Plan prepared by Tonkin and Taylor in Appendix 25G and is included in the proposed consent conditions for this project.

Overall, in reliance on the advice of Tonkin and Taylor and by implementation of the Ecological Management Plan, adverse effects on terrestrial ecology are considered to be mitigated and less than minor and the effects will be positive overall due to the proposed landscaping strategy which will improve and enhance ecological values.

10.12.2 Freshwater Ecology

Reclamation of Stream A and Stream A Wetland

The land to which the project will occur on is live zoned and therefore identified for urban development in the AUP with key structuring elements of this Metropolitan Centre embedded in the planning framework by way of precinct plans in the Drury Centre Precinct. Precinct Plans 2 and 3 in the precinct provisions spatially identify the indicative locations of Stream A, Drury Boulevard, Key Retail Street and the general commercial and key retail frontage controls that apply these key road networks of Drury Centre. For context, planning for the location of Drury Boulevard is intended to divert traffic away from the metropolitan centre and to provide a more direct route to the Drury Central train station, thereby allowing the Key Retail Street to become a lower traffic and pedestrian friendly corridor for the precinct. Additionally, the location and alignment of Drury Boulevard is such that it needs to be directed to the train station and the ultimate future key intersection with Waihoehoe Road as depicted on Precinct Plan 2. The location and alignment of the Key Retail Street is such that it needs to be central between Creek Road and Stream A as a walking catchment spine road with retail frontage on both sides as directed by the Key Retail Frontage controls.

The spatial configuration of the project has been designed to best achieve these key structuring elements and urban design outcomes for Drury Centre while seeking to avoid and maintain the ecological features of Stream A and the Stream A wetland as far as practicable. In doing so, the project team undertook a consideration of alternatives exercise in consultation with mana whenua which applied the effects management hierarchy with the objectives of avoiding impact and

¹⁹ Bat Management Plan, Lizard Management Plan and Native Avifauna Management Plans

adverse effects on these ecological features, and achieving mana whenua priorities for these features. The consideration of alternatives by the project team identified seven potential options (including the proposed) to achieve the key structuring elements of Drury Centre and namely Drury Boulevard while avoiding and minimising adverse effects on Stream A and the wetland (refer to appendices of Consultation Summary Report in Appendix 22 to view alternatives considered. Those various options included the relocation, diversion and weaving of Drury Boulevard to avoid and minimise adverse effects. However, those alternative options were ultimately disregarded due to issues relating to levels and grades challenges, traffic engineering, the ability to achieve design outcomes associated with the frontage controls, physical implementation with property ownership and geotechnical remediation. The final and proposed option provides for the formation of Drury Boulevard in the indicative locations depicted on Precinct Plans 2 and 3 while providing the opportunity to achieve broader connections surrounding Drury Centre and design outcomes along Key Retail Street and Drury Boulevard with respect to the frontage controls but with effects on Stream A that have been minimised as far as practicable.

The proposed location and alignment of Drury Boulevard is such that it would require reclamation of the Stream A wetland and the two eastern tributaries of Stream A resulting in the total loss of 176m stream length (211m² stream bed area) and 112m (modified) piped stream (56m²) and 2,172m² of a natural inland wetland. The ecological effects from the loss of these freshwater features are assessed in detail within the EIA in Appendix 15. In summary, while the ecological value of the Stream A Wetland is considered to be of low due to its modification and moderate potential ecological value, the overall magnitude of effect is considered to be moderate. Residual adverse effects for the loss of Stream A Wetland is not proposed to be addressed through effects management measures.

With respect to the effects arising from reclamation of the two eastern tributaries of Stream A, the offsetting of residual effects is proposed to be addressed through daylighting, riparian planting and habitat creation in the lower each of Stream A where it is currently piped to its confluence with Fitzgerald Stream. The EIA describes that the proposed realignment and daylighting will provide 77% of the offset required to address permanent loss of ecological value while no net loss of extent of the stream open channel can be achieved through the creation of approximately 176m (247m²) of stream which will tie into Fitzgerald Stream. However, the loss of extent and values of the piped stream is not proposed to be addressed through effects management measures. Although the 10m riparian margin proposed cannot be counted as offset given this is a requirement of the Precinct provisions, this will contribute to ecological values and function of Stream A following the proposed works.

10.12.3 Modifications to Wetland Hydrology and Contributing Flows to Streams

During construction, modification of contributing flows has been minimised as far as practicable while also enabling effective sediment management to be undertaken. Several sediment retention ponds are proposed to discharge at several locations along the length of Stream A and Hingaia Stream. This will ensure that flows are maintained during construction.

Following construction, it is anticipated that there will be a small change in the contributing catchments discharging to Stream A and Hingaia Stream. However, the stormwater management proposed for the site will ensure baseflows are retained for the streams such that the effects are considered to be low for Stream A and no effects anticipated on the Hingaia Stream.

In terms of effects on wetland hydrology, the overall level of effect of the proposal on wetland hydrology is found to be very low to low, and to some extent positive, as the proposed works will not significantly modify the surface water catchment area of the wetlands, and the works are unlikely to impact any subsurface flows.

10.12.4 Summary

Having regard to the expert advice of T+T and the proposed suite of mitigation measures together with the implementation of restoration and management plans, the majority of the adverse ecology effects are considered to appropriately avoided, remedied and mitigated. Any residual adverse effects that cannot be avoided, remedied or mitigated will be offset onsite where possible. Where not possible, offsite compensation is not sought. As such, residual adverse effects remain in respect of the loss of 2,172m² natural inland wetland, 48m² of open stream channel and 56m² of piped stream which are not addressed through effects management measures. There is therefore a net loss in ecological value of natural inland wetland and open stream channel, and a net loss in extent of natural inland wetland and piped stream. Overall, given the net loss in biodiversity values anticipated, adverse freshwater ecology effects are considered to be more than minor.

10.13 Traffic Effects

CKL has prepared an Integrated Transport Assessment (ITA) for the proposal satisfying special information requirements of the precinct provisions and this is enclosed as **Appendix 16**. This ITA provides a detailed assessment of the proposal including trip generation, access, parking, and active transport modes. With reference to this ITA, the following key conclusions are noted:

- The road safety analysis in the ITA concludes that there are no significant safety issues arising from the proposed road or intersection designs. The proposed roading infrastructure provides a well-connected and integrated active mode network with provision of uni-directional cycle lanes and footpaths on all collector roads, and footpaths on both sides of all local roads. The proposed road corridors will connect to the Drury Centre Stage 1 roading networks and has been designed to connect the development to the wider transport network, including the new Drury Central rail station.
- The traffic effects of the proposal are discussed in detail at Section 5 of the ITA at Appendix 16. In summary and as described in earlier in Section 4.4.2 of the AEE, the project is located within the Drury Centre Precinct which is subject to a Staging of Subdivision and Development with Transport Upgrades standard, which is identical and included in the related Waihoehoe Precinct and Drury East Precincts of the AUP. The purpose of the standard seeks to manage the adverse effects of traffic generation on the surrounding local and wider road network and to ensure that the subdivision and development of land is coordinated with the construction of safe and efficient transport infrastructure upgrades. Since the precincts (and subsequently the aforementioned standard) were made operative, changes to the timing of infrastructure construction have occurred. This has, in turn, resulted in non-compliances with the standard which have been applied for in this consent application.
- CKL has undertaken further traffic modelling to reflect the recent infrastructure timing changes to land use mix and work from home (WFH) adjustments as detailed in section 5.5 of the ITA. The updated traffic modelling demonstrates that the effects of the development will be effectively managed, and a new development/infrastructure sequencing table has been

created to ensure that the development proposed in this consent can be supported by infrastructure upgrades as they occur. To ensure that the actual traffic effects of the proposal are as assessed in this application, the applicant offers consent conditions requiring development to be in accordance with the new development/infrastructure sequencing table prior to the occupation of any retail, commercial or community uses and prior to the occupation of any dwellings or release of 224(c) for residential lots under this consent application.

- The project provides for a collector road network in generally the same locations as identified on Precinct Plan 2 and within the project area. This includes Station Road (Road 6), Drury Boulevard (Road 25) and Creek Road (Road 2 North) which provide the foundation for a highly connected street network with direct connection to the SH1 off-ramp and provisions to integrate with the surrounding transport network including Drury Central rail station, as well as the wider Stage 1 development. These collector roads within the project area have also been designed in accordance with the Road Function and Required Design Elements Table in Appendix 1 of the precinct provisions thereby ensuring that the roading network will be designed to a consistent roading function and standard. This is with the exception of Road 2 North where it does not comply with Appendix 1 of the precinct provisions as it has been designed in accordance with the NZTA off-ramp design.
- The subdivision provides for a network of local roads that will support the integrated completion of the transport network within the precinct over time. The local road provides for the development of a fine-grained urban block structure with clear and direct links to the proposed collector roads and adjacent Stage 1 roads, as well as pedestrian accessways which will provide direct pedestrian connections to the Centre and strengthening walkability of the precinct too.
- The proposal provides a high degree of pedestrian and cycling connectivity both internally and externally to the site. The proposal provides for separated pedestrian footpaths and cycle paths on collector roads with the exception of some local roads where no dedicated cycle path is provided but can still supporting walking and cycling. The proposed active mode facilities will connect to the active mode facilities consented along the upgraded external road corridors resulting in a well-connected active mode network. Further, all proposed road corridors have been designed to encourage a low vehicle operating speed and safe crossing provisions for both pedestrians and cyclists will be provided at intersections and specific mid-block locations. As such, the site and surrounding roads are designed to ensure high standards of service and safety for active modes of transport, such as walking, cycling, and scootering, within the Drury Centre Precinct
- The proposal provides for bus facilities both in the interim and long-term until such time Road 25 can be extended further north to provide direct connection to the Drury Public Transport Hub. In the interim, buses will travel along Road 25 through to Road 6 and then through to Road 3 where it connects to Flanagan Road and eventually connect to the Drury Public Transport Hub. As such, Road 25, Road 6 and Road 3 have been designed accordingly to accommodate the interim bus route within the site. Overall, the project will have excellent connectivity to the bus network and the wider rail network respectively.

We rely on the expert advice of CKL. Based on this advice, it is considered that the proposed trip generation and access arrangements alongside the proposed road corridors and intersection

upgrades are considered to be appropriate for the development such that proposal will not compromise the function, capacity or safety of the roading network. Overall, it is considered that any adverse effects with respect to traffic, access and parking related matters will be minor.

10.14 Cultural, Social and Economic Effects

10.14.1 Cultural Values

In a planning context, there are no sites or places of significance to mana whenua within or surrounding the project area. Notwithstanding this, Section 9 of this report provides a summary of all the consultation that has occurred to date with the relevant iwi authorities and Kiwi Property continues to actively engage with the Drury East Mana Whenua Group on the development and cultural narrative for Drury Centre to honour its cultural history.

While the project will impact Stream A and the Stream A wetland, a series of alternative options were considered by the project team prior to proceeding with the proposed design which takes into account mana whenua priorities identified during regular hui with the Drury East Mana Whenua Group. The lower reach of Stream A will also be daylighted, restored and enhanced as part of the project with riparian planting to a minimum of 10m on both sides of streams, and an Ecological Management Plan is proposed as a condition of consent. These enhancements are considered to improve and enhance the mauri of freshwater and aligned with mana whenua values, notwithstanding that there will be a net loss in ecological values. In addition, water-sensitive design providing stormwater quality treatment of contaminants prior to discharge will also contribute to improving water quality and will again enhance the mauri of freshwater.

Overall, on the basis that the relevant iwi authorities consulted have not expressed strong objection to the project and the ecological enhancements proposed are aligned with mana whenua values, it is considered that adverse effects on cultural values will be avoided or mitigated and the overall the effects will be positive.

10.14.2 Social Effects

Social benefits are addressed in section 10.1 above. With regards to potential adverse effects, it is acknowledged that this proposal represents change to the current community but these are already anticipated and addressed through plan change process. Potential effects relating to construction and amenity will be addressed through mitigation proposed in relation to those matters (refer to assessment in sections 10.4 to 10.7).

10.14.3 Economic Effects

Economic benefits are addressed in section 10.1 above. There are no anticipated economic adverse effects associated with this proposal.

10.15 Mitigation and Monitoring of Effects

Clause 6(1)(d) of Schedule 5 of the Act requires that an assessment of an activity's effects on the environment must include:

"a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects of the activity".

A description of the mitigation measures proposed is provided in the technical assessments appended to this AEE, summarised in the preceding subsections and are also documented in the consent conditions appended to this AEE.

Clause 6(1)(g) of Schedule 5 of the Act also requires that an AEE include:

“if the scale and significance of the activity’s effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved”.

The monitoring that is proposed as part of the construction of the development is also documented in the consent conditions enclosed in the application material.

11.0 Assessment of Relevant Statutory Considerations

This section of the application is provided in accordance with clauses 5(1)(h), 5(2) and 5(3) of Schedule 5 of the Act. The Act requires that applications must include an assessment of the activity against the relevant provisions and requirements of those documents listed in clause 5(2) being:

- (a) a national environmental standard:
- (b) other regulations made under the Resource Management Act 1991:
- (c) a national policy statement:
- (d) a New Zealand coastal policy statement:
- (e) a regional policy statement or proposed regional policy statement:
- (f) a plan or proposed plan; and
- (g) a planning document recognised by a relevant iwi authority and lodged with a local authority.

11.1 National Environmental Standards

11.1.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

The NES for Contaminated Land came into effect on 1 January 2012. All territorial authorities are required to give effect to and enforce the requirements of the NES in accordance with their functions under the RMA relating to contaminated land.

The purpose of the NESCS is to provide a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or contaminants contained to ensure the land is safe for human use.

The relevant consent matters identified for the proposal under NESCS regulations have been identified in section 7.4 of this report and the potential effects on human health are assessed in section 10.3 of this report too. In summary, the proposed soil disturbance is considered to be essential for enabling and facilitating development of the site and the DSI/RAP in Appendix 13C and 13A has appropriately identified the type and concentration of contaminants in the soil.

The SMP and RAP in **Appendix 25I and 13A** outlines the health and safety practices to be implemented on site during the handling of contaminated soils and remediation actions required to ensure the land can be safely occupied for their intended commercial, open space and residential uses in this project. In doing so, the overarching purpose and objective of the NES to protect human health is considered to be achieved.

11.1.2 National Environmental Standard for Freshwater 2020

The NES-F came into force on 3 September 2020 and provides a national set of requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. It seeks to:

- Protect existing inland and coastal wetlands;
- Protect urban and rural stream from in-filling;
- Ensure connectivity of fish habitat (fish passage);
- Set minimum requirements for feedlots and other stockholding areas;
- Improve poor practice intensive winter grazing of forage crops;
- Restrict further agricultural intensification until the end of 2024; and
- Limit the discharge of synthetic nitrogen fertiliser to land, and require reporting of fertiliser use.

The relevant consent matters identified for the proposal under the NES-F are set out in section 7.5 of this report and the effects on freshwater ecosystems are assessed in section 10.11 of this report with reliance on the EIA provided in Appendix 15.

In summary, the spatial configuration of the project has been designed to best achieve these key structuring elements and urban design outcomes for Drury Centre while seeking to avoid and maintain the ecological features of Stream A and the Stream A wetland as far as practicable. The project team undertook a consideration of alternatives exercise in consultation with mana whenua whereby seven potential options (including the proposed) were explored to achieve the key structuring elements of Drury Centre and namely Drury Boulevard while avoiding and minimising adverse effects on Stream A and the wetland (refer to appendices of Consultation Summary Report in Appendix 22 to view alternatives considered).

As previously discussed, the final and proposed location and alignment of Drury Boulevard is such that it would require reclamation of the Stream A wetland and the two eastern tributaries of Stream A resulting in the total loss of 176m stream length (211m² stream bed area) and 112m piped stream (56m²) and 2,172 m² of a natural inland wetland. The effects management hierarchy has been applied as far as practicable to address the effects of the proposed reclamation.

With respect to the Stream A wetland, the ecological value is considered to be low due to its modification. It was not considered feasible to retain the wetland due to the location of Drury Boulevard. Further, the change of impervious areas across the site would have impacted the hydrological function of the wetland if retained. While technically cannot be considered offsetting or compensation, the proposed stormwater wetland (Wetland 2-1) at the head of Stream A will provide some ecological function by ensuring baseflows are maintained within Stream A and at the same time treat stormwater runoff from a portion of the project area. As such, there remains to be residual adverse effects associated with the reclamation of Stream A wetland.

Stream A is considered to be of moderate ecological value, typical of rural streams. As with Stream A wetland, it was not feasible to retain the current alignment of the two eastern tributaries of Stream A due to the location of Drury Boulevard. In terms of the effects arising from reclamation of the two eastern tributaries of Stream A, the offsetting of residual effects is proposed to be addressed through daylighting, riparian planting and habitat creation in the lower reach of Stream A where it is currently piped to its confluence with Fitzgerald Stream. However, the proposed realignment and daylighting will provide 77% of the offset required to address permanent loss of ecological value while no net loss of extent of the stream open channel can be achieved through the creation of approximately 176m (247m²) of stream which will tie into Fitzgerald Stream. However, the loss of extent and values of the piped stream is not proposed to be addressed through offsetting or compensation. This means that the proposal will result in an overall net loss of ecological values and extent of Stream A. Notwithstanding, the proposal does achieve the Key Principles established by mana whenua during recent hui regarding the reclamation of Stream A and this is considered to be acceptable.

Overall, while the proposal is not strictly aligned with the intent of the NES-F given the net loss anticipated, there are still several positive freshwater ecology outcomes as the proposal will maintain base flows, result in a culverted section of the stream being daylighted, provide good stormwater outcomes, native riparian planting, fish passage and naturalisation of the stream including returning portions to its natural alignment.

11.1.3 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards (listed in Section 7.7), and therefore an assessment against the intent of these is not required.

11.2 National Policy Statements

11.2.1 National Policy Statement on Urban Development 2020

The NPS-UD came into effect on 20 August 2020 with the overall purpose to ensure well-functioning urban environments that meet the changing needs of diverse communities. In our view, the proposal is consistent with the NPS-UD for reasons as given below with reference to the objectives and policies of particular relevance.

- Objective 1: The project is for a comprehensively planned, transit-orientated metropolitan centre which has been earmarked in the Council's Drury-Opaheke Structure Plan since 2019 and is now embedded in the AUP. The project will deliver stage two of the Drury Metropolitan Centre, a transit orientated development focused around the new Drury Central Train Station planned to be constructed and operational by 2025/early 2026 as part of the Government's New Zealand Upgrade Programme. The project includes the development of a new metropolitan centre with a focus on large format retail activities and fine-grained retail, commercial, community and visitor accommodation activities and a total of 394 residential dwellings (mixture of apartments, work/live terraces and vacant lots) within walking distance to a rapid rail corridor. The comprehensively planned and transit-oriented nature of the development will ensure that the project will deliver and contribute to well-functioning urban environments. The project, will complement the urbanisation project occurring in Drury

including Stage 1 of the Drury Centre and will provide for the social, economic, and cultural wellbeing, and for their health and safety both now and into the future.

- Objective 2: The project will deliver 102 dwellings (mixture of apartments and work/live terraces) and 292 vacant lots ranging between 200m² - 342m². With respect to the vacant lots, the general size and shape of the lots proposed ensures that there will be sufficient flexibility to deliver a range of quality building types and densities consistent with the expectations of the AUP zoning and precinct. It is also noted that any future development across these vacant lots could occur across multiple lots, enabling larger and higher intensity building forms to be accommodated. Overall, the residential activities proposed as part of this development will significantly contribute to housing stock in an accelerated manner because these lots will be serviced with all the necessary local infrastructure connections and will be serviced with the necessary roading for access. This is considered to support competitive land and development markets.
- Objective 4: The project will deliver the second stage of Drury Centre which will become a key focal point providing employment, retail and amenity for the wider southern Auckland area. It will also deliver the construction of 102 dwellings (mixture of apartments and work/live terraces) and 292 vacant lots which will enable for dwellings of a range of typologies and sizes which will contribute to the emergence of a diverse and vibrant community. This will also assist in responding to the changing needs of people, communities and future generations.
- Objective 8: The project will result in an urban environment which support reductions in greenhouse gas emissions. In particular, the project includes new transport infrastructure which include walking and cycling facilities and greater walking and cycling connectivity to encourage active transport modes, thereby reducing reliance on and use of cars. The concept of this project as a transit-orientated development and ensuring there is an established residential catchment alongside other Drury East projects to support the new Drury Central Train Station also contributes to giving effect to this objective.
- Policy 1: The project provides a high level of internal accessibility in terms of walking and cycling. The project provides a range of open spaces, all of which are within walking or cycling distance from the proposed superlots. The Drury Central Train Station (due for completion in 2025/early 2026) is within walking and cycling distance of the project area and will significantly improve accessibility from the development to Manukau or the City Centre. The development will offer employment opportunities and has good accessibility to employment opportunities in the Drury South industrial area and to State Highway 1 for access to the remainder of Auckland. The accessibility for people between housing, jobs and community services will improve overtime as the wider Drury area develops further.
- Policy 6: The area is currently undergoing significant change with the landscape shifting from rural to urban. The development of the land is consistent with the urban zonings under the AUP(OP), the Drury Centre Precinct as well as the Drury-Opaheke Structure Plan and therefore a change in amenity values is expected. The proposal will improve amenity values appreciated by other people, communities and future generations due to the comprehensively planned nature of the project and the variety of housing densities and types enabled by this project.
- Policy 8: This policy is not applicable as it is directed at plan changes and this is a resource consent application.

In summary, it is considered that this project will add to development capacity for housing and contribute to well-functioning urban environments.

11.2.2 National Policy Statement on Freshwater Management 2020 (NPS – FM)

The NPS-FM came into effect on 3 September 2020 and focusses on the fundamental concept of Te Mana o te Wai referring to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. In our view, the proposal as whole is generally consistent with the NPS-FM for reasons as given below with reference to the objectives and policies of particular relevance. However, the offsetting and compensation principles are not strictly adhered to thereby resulting in a net loss of ecological values and extent associated with the reclamation of Stream A wetland and the two eastern tributaries of Stream A.

- Objective (1)(a), Policy 6 and 7: The protection and enhancement of the health and well-being water bodies, streams and freshwater ecosystems has been considered through the design of the development. This is evident through the subdivision pattern and development layout which has been purposely located and designed to avoid streams and natural wetlands as far as practicable. However, it was not feasible to retain Stream A wetland and the two eastern tributaries of Stream A due to the location of Drury Boulevard and this was discussed with mana whenua extensively. The ecological value of Stream A wetland is considered to be low due to its modification while Stream A is considered to be of moderate ecological value, typical of rural streams. The effects of the proposed reclamation are addressed through the creation of new stormwater wetland, daylighting, riparian planting and habitat creation in the lower each of Stream A. Though strictly not meeting the offsetting and compensation principles of the effects management hierarchy, the proposal prioritises the health and well-being of water bodies and freshwater ecosystems. The proposal also provides for people and communities to provide for their social, economic and cultural wellbeing, as well as health and safety, now and into the future, through the provision of additional employment opportunities and retail to meet their needs.
- Policy 1 and 2: The proposal is considered to meet Policy 1 as assessed under Objective 1 above and consistent with the hierarchy of obligations in Te Mana o te Wai. In respect of Policy 2, Kiwi Property has engaged extensively with mana whenua and those discussions have addressed freshwater values, restoration of ecological values and stormwater management principles and the applicant has taken on board feedback from tangata whenua into the proposal.
- Policy 3: The proposal has been designed with a strong focus on ensuring freshwater is managed in an integrated way, and which considers activities and development on a whole-of-catchment basis. The development adopts a holistic, treatment train approach across the site which begins with stormwater runoff controls at-source (e.g., inert materials), followed by capture and treatment, and then the enhancement of receiving environments to enhance their stormwater management function. This is considered to demonstrate that the freshwater is managed in an integrated and whole-of-catchment manner.
- Policy 4: As explained within the stormwater and hazard risk assessment in Appendix 11, climate change has been considered in all aspects of the stormwater management approach for the site.

- Policy 8: While there are currently minimal indigenous freshwater species present within Stream A, the daylighting of the stream will provide for the enhancement of indigenous freshwater species on the site.

11.3 New Zealand Coastal Policy Statement

We have considered the NZCPS as a national planning document to achieve the purpose of the RMA in relation to the coastal environment. The objectives and policies for the NZCPS specifically focus on the preservation and protection of the coastal environment, and the maintenance and enhancement of amenity values. As the site and proposal is not located in or adjacent to the coastal environment, we consider that the NZCPS is not directly relevant to consideration of this application and do not comment on it further.

11.3.1 National Policy Statement on Indigenous Biodiversity (NPS-IB)

The NPS-IB concerns “SNA or significant natural areas” and “indigenous biodiversity”, both of which are defined terms under the NPS. The objective of the NPS-IB is to maintain indigenous biodiversity across New Zealand so that there is no overall loss. The policies seek to restore and enhance ecosystems and habitats where necessary, and avoid adverse effects to SNAs.

In the context of this project, there are no SNAs across the site because there are no ‘SEA or Significant Ecological Areas’ mapped across the project area in the AUP planning maps.

Clause 3.16 of the NPS-IB concerns indigenous biodiversity outside SNAs and requires:

- Any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy; and
- All other adverse effects of any activities that may adversely affect indigenous biodiversity that is outside an SNA, must be managed to give effect to the objective and policies of this National Policy Statement.

It is considered that the proposed development accords with the relevant NPS-IB objectives and policies for the following reasons:

- Policy 1 and 2: It is considered that the proposal does manage indigenous biodiversity in a way that gives effect to the decision-making principles and takes into account the principles of Treaty of Waitangi by way of the pre-application engagement and on-going hui with the key iwi groups for Drury East. indigenous biodiversity. Iwi is supportive of the proposed riparian and enhancement planting that will be achieved across the proposal as a whole. Iwi will also continue to be engaged and involved with other decision making about indigenous biodiversity across the project by way of developing a cultural narrative framework for Drury East. Engagement with iwi on refining and finalising this cultural narrative framework is ongoing and in that regard is considered to be consistent with Policy 2(c) of the NPS-IB.
- Policy 6, 8 and 14: The Site is currently vegetated with pasture, low lying shrubs and sparse trees. The proposal will result in ecological gains through the provision of comprehensive native landscaping, in conjunction with riparian planting to aid in the restoration of the site. In particular, the proposed riparian planting along Stream A and Hingaia Stream will increase indigenous vegetation within the site and provide improved habitats for indigenous fauna

present with respect to indigenous dominance, ecological integrity and resilience as well as connectivity.

11.3.2 Other National Policy Statements

The proposal does not require an assessment against the following National Policy Statements below for the reasons set out as follows:

- National Policy Statement for Renewable Energy Generation – this NPS provides guidance for local authorities on how renewable energy generation (including the construction, operation and maintenance of structures associated with renewable energy generation) should be dealt with in RMA planning documents. The proposal does not include the construction or operation of renewable energy generation structures or related activities. Therefore, an assessment of this NPS is not required; and
- National Policy Statement on Electricity Generation – this NPS sets out the objectives and policies for managing the electricity transmission network. The project does not involve any activities relating to the operation, maintenance and upgrade of the existing transmission network or the establishment of new transmission resources and therefore an assessment of this NPS is not required. An assessment of the project in relation to the National Grid Corridor overlay is provided in section 11.4.3 below in relation to the AUP objectives and policies.
- National Policy Statement on Highly Productive Land (NPSHPL) – this NPS sets out the objectives and policies for the protection of highly productive land for land-based primary production. The site is zoned Business – Metropolitan Centre and Business – Mixed Use and therefore the NPSHPL does not apply.

11.4 Regional Policy Statement, Regional Plan and District Plan

11.4.1 Auckland Unitary Plan (Operative in Part) 2016

The AUP(OP) combines the regional policy statement, regional coastal plan, regional plans and district plans into one combined plan. The Plan has a hierarchical policy framework with the regional policy statement at the top, then with regional and district plan provisions giving effect to the regional policy statement. The proposal has not been assessed against Chapters B4 Natural heritage, B5 Historic heritage and special character, B8 Coastal environment or B9 Rural environment because these sections of the RPS are not applicable to the proposal. All other relevant chapters of the RPS are assessed below.

11.4.2 Regional Policy Statement

11.4.2.1 Chapter B2 Urban Growth and Form

The Drury Centre project gives effect to objective B2.2.1(1) to achieve a quality compact urban form with a high-quality urban environment by the development of a new metropolitan centre which is an extension to the development and activities approved in Stage 1, with quality designed retail, commercial and community buildings, hotel, apartment and terraced houses and vacant lots for future development and surrounded by quality open spaces for recreation. The development of Stage 2 of the Drury Centre will stimulate greater productivity and economic growth in this part of the Auckland region earmarked for growth in the Council's Structure Plan. Additionally, the

project provides a solid foundation for further economic growth in Drury East with development of the wider area.

The timing and staging of development in this project will be aligned with the planned long-term upgrades to bulk infrastructure to service reticulation demands of the project which, in our view, is considered to represent better and efficient use of existing (and planned) infrastructure. New local infrastructure within the Centre such as reticulation and roading will all be funded and installed by Kiwi Property.

The development of Stage 2 of the Drury Centre and enabling the accelerated construction of future development in this location would also support the effectiveness and success of public transport in this location with respect to the fully funded Drury Central Train Station that is within walking distance to the centre. The land use diversity of this project in terms of commercial, retail and community uses, public open spaces and residential development will enable social vitality, while cultural vitality is also enabled with the proposed stormwater management framework and enhancement of degraded stream corridors which are aligned with mana whenua values. The proposal gives effect to the policy framework of policy B2.2.2(4), (5) and (6) because such urban growth and intensification will be contained within the Rural Urban Boundary (RUB) and higher residential intensification is enabled within a planned metropolitan centre.

Policy B2.3.2(1) is achieved because the proposal is consistent with the Council's Structure Plan and AUP which clearly contemplates a new metropolitan centre in this planned future environment. The subdivision layout is also considered to be legible and provides a high level of amenity for pedestrians and cyclists with the proposed roading design incorporating generous footpaths, cycleways within an attractive and high-quality centre.

Objectives B2.7.1(1) and (2) will also be given effect to with the creation and development of public open spaces such as the promenade which fronts the stormwater wetland and civic plazas as well Hingaia Reserve which would be publicly accessible and generously sized to meet recreational needs of people and communities. While these public open spaces (with the exception of Hingaia esplanade reserve to be vested) will remain in private ownership, public access will be provided. The provision and vesting of an esplanade reserve along the Hingaia Stream will also ensure public access along this Auckland stream is maintained and enhanced.

11.4.2.2 Chapter B3 Infrastructure, Transport and Energy

The objectives and policies for infrastructure under B3.2.1 and B3.2.2 in our reading are principally focused on ensuring the importance of infrastructure is recognised and there is appropriate provision of this. With reference to objective B3.2.1(1), the development and upgrading of infrastructure is specifically enabled which in this case includes the necessary reticulation system to service the proposal and achieving the necessary connections to existing bulk infrastructure. Adverse effects on the Hingaia Stream and Stream A as a natural resource will also be avoided and mitigated by designing and constructing the stormwater outfall structures to avoid scouring, bed erosion and disturbance to the streambed too.

Objective B3.2.1(7) will also be given effect to because the proposal and development layout has been designed to recognise and provide for the national grid by complying with NZECP34:2001. The associated support structures of the national grid would be located within the Hingaia Reserve which will be publicly accessible for any maintenance and upgrading as required.

With respect to transport objective B3.3.1(1), the proposal gives effect to this as the development provides for roading infrastructure that can safely support the movement of people, goods and services in an efficient and effective manner and have been designed to integrate with the wider transport network including those roads that are planned to be upgraded as part of Stage 1 consent. In doing so, this would also give effect to policy B3.3.2(5) in terms of land use and transport integration to the extent that the necessary transport infrastructure is planned, funded and staged to integrate with urban growth of this proposal, and that of other Drury East developers by planning and providing for this in a coordinated and integrated manner. Development of the centre at this location directly south of the new fully funded and consented Drury Central Train Station would also mean that the project is efficiently served by a key public transport service and private vehicle trips will inherently reduce.

Finally, as part of Kiwi Property's ongoing commitment to climate change responses, this Drury Centre project is targeted to be a 5-star green community and is therefore consistent with the energy efficiency initiative promoted in objective B3.4.1(2).

11.4.2.3 Chapter B6 Mana Whenua

The project gives effect to objectives B6.2.1(1) and (2) and policy B6.2.2(1) due to the extensive consultation and engagement with Mana Whenua groups that have occurred to date and over a series of hui extending back to 2017 as part of PC 48 and more recently for this application. This process also gives effect to policy B6.2.2(1) in terms of providing the opportunity for Mana Whenua to actively participate in the sustainable management of natural and physical resources, and building and maintaining partnerships and relationships with iwi authorities.

The project also give effect to objective B6.3.1(2), particularly in relation to the natural resource of freshwater, and enhancing this overall with the proposed riparian planting along the both sides of streams for a minimum of 10m with native species.

11.4.2.4 Chapter B7 Natural Resources

The relevant objectives and policies of B7.3 and B7.4 seek to ensure that degraded freshwater systems are enhanced and the loss of freshwater systems is minimised. There is an emphasis to integrate the management of subdivision, use and development and freshwater systems, identify degraded freshwater systems and to avoid the permanent loss and significant modification of lakes, rivers, streams and wetlands unless no practicable alternatives exist or mitigation measures are implemented to address the adverse effects arising from the loss in freshwater system functions and values.

As previously discussed, it was not feasible to retain Stream A wetland and the two eastern tributaries of Stream A due to the location of Drury Boulevard and this was discussed with mana whenua extensively. The ecological value of Stream A wetland is considered to be low due to its modification while Stream A is considered to be of moderate ecological value, typical of rural streams. The effects of the proposed reclamation are addressed through the creation of new stormwater wetland, daylighting, riparian planting and habitat creation in the lower each of Stream A. As these measures are not strictly meeting the offsetting and compensation principles of the effects management hierarchy, the project in this regard is not generally consistent with policy B7.3.2(4).

Adverse effects will also be avoided by implementing best practice erosion and sediment control in accordance GD05 to minimise sediment discharge and providing quality treatment of

stormwater prior to discharge into the Hingaia Stream and Stream A. These mitigation measures are also consistent with policy B7.4.2(7) in terms managing the effects of discharge on water quality and policy B7.4.2(8) with managing sediment runoff from land disturbance.

Stream A (realigned and daylighted portion) and the Hingaia Stream will also be restored and enhanced as part of this project through the proposed riparian planting, thereby also giving effect to objective B7.2.1(2). For these reasons, objectives B7.3.1(1), (2) and (3) in relation to freshwater systems are also considered to be achieved in addition to policies B7.3.2(2) and (3) with respect to identifying degraded freshwater systems and enhancing these systems.

The site is largely void of any significant vegetation and largely limited to shelterbelt planting and pasture. There are no Significant Ecological Areas across the site either and therefore the policies under B7.2.2 do not apply to the proposal.

11.4.2.5 Chapter B10 Environmental Risk

The flood modelling by Woods confirms that there would be no change to the existing flood extent brought about by the proposal and there would be no exacerbation of existing flood hazards with the exception of minor increases in water levels contained within the streams, thereby giving effect to objective B10.2.1(2) and (3). The proposal is also consistent with objective B10.2.1(4) because the flood modelling and stormwater management approach has also factored in the effects of climate change on natural hazards, including future climate change temperature rises. In respect of objective B10.2.1(5), the flood modelling confirms that no development will occur within a flood plain and therefore the functions of these natural systems would remain unaffected by the proposal. The conveyance and function of overland flow paths are maintained by diverting these within the road corridors as part of the earthworks design and thereby achieving objective B10.2.1(6).

11.4.2.6 Summary

Based on the foregoing, the proposal is considered to be generally consistent with the policy direction of the RPS. The proposal is strongly supportive of the provisions relating to urbanisation of the land (being the purpose of the zoning applied to the site). The provisions which are not promoted or not met are relatively few in number. These relate primarily to ecological matters where the proposal, while not strictly compliant, is generally consistent with the intent of the provisions; and are of relatively less importance in the context of urbanisation of a high-density area such as a Metropolitan Centre zone in comparison with, say, a rural zone.

11.4.3 Regional and District Objectives and Policies

11.4.3.1 Chapter D26 – National Grid Corridor Overlay

The National Grid Corridor overlay contains the single objective that the efficient development, operation, maintenance and upgrading of the national grid is not compromised by subdivision, use and development. The proposal gives effect to this objective and the relevant supporting policies for the reasons below:

- Detailed planning and design have been undertaken to ensure that the project complies with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) in terms of earthworks design, building setback relative to support structures and underground infrastructure. Consent conditions are also proposed to ensure this and therefore the

proposal does not compromise security of supply and/or the integrity of the National Grid asset. Collectively, policy D26.3(1)(a) and (b) will be given effect to.

- The support structures will continue to be publicly accessible thereby achieving ongoing uncompromised access to the support structures as required in policy D26.3(1)(c).
- A suite of precautionary recommendations for the general site civil construction and final design phases with respect to infrastructure and building design to ensure people and property are appropriately protected from electrical hazards during and post construction of the proposal have been adopted as consent conditions. In conjunction with designing the proposal to comply with NZECP 34:2001, this will give effect to policy D26.3(1)(f).
- There are no 'activities sensitive to the national grid'²⁰ proposed within this overlay; and the nearest buildings from the support structures far exceed the minimum requirement of a 12m setback and there would be no buildings located within the uncompromised national grid yard as result. As such, policy D26.3(1)(g) and (j) will be given effect to.

11.4.3.2 Chapter E1 – Water Quality and Integrated Management

Chapter E1 gives effect to the NPS - FM. The objectives are to progressively improve the quality of freshwater in areas where this is degraded; and the mauri of freshwater is maintained or progressively improved over time to enable traditional and cultural use of this resource by Mana Whenua.

The freshwater quality in this environment is considered to be degraded, however this is expected to be progressively improved over time as result of this proposal through the proposed restoration and enhancement of streams with native riparian planting for a minimum of 10m on both sides of streams. This would contribute to the improving the quality of freshwater and provide shading, and would enhance the mauri of freshwater in a manner aligned with mana whenua values.

A water sensitive design philosophy is proposed for the project. At a minimum, SMAF 1 hydrological mitigation will be provided for all impervious surfaces within the development. This includes the design of stormwater treatment devices consistent with Auckland Council's GD05 "Water Sensitive Design for Stormwater". The proposed treatment devices include a combination of communal (temporary and permanent) bioretention devices and raingardens. With the level of stormwater treatment proposed, it is considered that the discharge of stormwater will not result in a more than minor adverse effects on freshwater.

The stormwater and flood modelling completed indicates that stormwater attenuation is not required within the proposed development. A "Pass Forward" approach is being adopted for the peak runoff from the Drury Centre development to ensure the peak flows from the development precede the overall peak flow within the Hingaia Stream. As such, no allowance for on-site storage will be located within the project area based on this stormwater design approach.

11.4.3.3 Chapter E3 - Lakes, Rivers, Streams and Wetlands

Chapter E3 requires streams with *high natural values* to be protected from degradation and permanent loss. In the context of this application, the network of watercourses to be reclaimed from this proposal is not considered to possess high natural value because the site is not located

²⁰ Any dwellings, papakāinga, visitor accommodation, boarding houses, integrated residential development, retirement villages, supported residential care, education facilities, hospitals and healthcare facilities and care centres.

any of the identified management overlays which signal this. This is further evidenced by the low SEV score of their current state and the MCI which is below the guideline for rural areas.

In our view, the main consideration of outcomes in this framework is E3.2(6) in relation to avoiding the reclamation of a stream or wetland unless there is no practicable alternative; and E3.2(2) whereby Auckland's lakes, rivers, streams and wetlands are restored, maintained and enhanced. It is important to note that the Drury Centre Precinct contemplates stream works including reclamation where they are required to construct Drury Boulevard (Policy I450.3(24)).

The policy framework on the matter of reclamation seeks that this is avoided unless there is no practicable alternative for undertaking the activity outside of the stream, it is part of an activity designed to restore or enhance natural values, and the activity avoids significant adverse effects on Mana Whenua values. We consider these provisions to be met. It is accepted that the reclamation of streams and wetlands is not, normally, a desirable outcome and this should therefore be avoided. However, in this case, the reclamation of Stream A wetland and a portion of Stream A is necessary in order to enable efficient land use and optimisation of the roading layout through the proposed location of Drury Boulevard, as well as ensuring excellent stormwater outcomes.

As discussed, the project team undertook a consideration of alternatives exercise in consultation with mana whenua whereby seven potential options (including the proposed) were explored to achieve the key structuring elements of Drury Centre and namely Drury Boulevard while avoiding and minimising adverse effects on Stream A and the wetland (refer to appendices of Consultation Summary Report in Appendix 22 to view alternatives considered). The final and proposed location and alignment of Drury Boulevard is such that it would require reclamation of the Stream A wetland and the two eastern tributaries of Stream A resulting in the total loss of 176m stream length (211m² stream bed area) and 112m piped stream (56m²) and 2,172 m² of a natural inland wetland. The effects management hierarchy has been applied as far as practicable to address the effects of the proposed reclamation. Though strictly not meeting the offsetting and compensation principles of the effects management hierarchy, the effects of the proposed reclamation are addressed through the creation of new stormwater wetland, daylighting, riparian planting and habitat creation in the lower reach of Stream A. The proposed stormwater wetland (Wetland 2-1) at the head of Stream A will provide some ecological function by ensuring baseflows are maintained within Stream A and at the same time treat stormwater runoff from a portion of the project area thereby improving water quality of the sensitive receiving environment. The daylighting and realignment of Stream A will naturalise the stream and return portions to its natural alignment as well as provide fish passage. Further, the 10m riparian margin provided will contribute to ecological values and functions of Stream A following the works proposed. Further, enhancement planting is also proposed along the Hingaia Stream.

Based on the analysis above it is considered that the proposal is generally consistent with these relevant provisions of Chapter E3, particularly from the perspective of restoring and enhancing streams and wetlands.

11.4.3.4 Chapter E10 – Stormwater Management Area Flow 1 and 2

The objectives and policies for stormwater management areas are contained in sections E10.2 and E10.3, and aim to ensure that high value rivers, streams and aquatic biodiversity in identified urbanised catchments are protected from further adverse effects of stormwater runoff associated with urban development.

The proposal is considered to be consistent with these objectives and policies. Appropriate stormwater mitigation has been provided for the development as outlined at Appendix 11. This includes the design of stormwater treatment devices consistent with Auckland Council's GD05 "Water Sensitive Design for Stormwater" such as communal bioretention devices and raingardens for example. For the reasons outlined above, it is considered that the proposal accords with the objectives and policies for the Stormwater Management Area – Flow 1.

11.4.3.5 Chapters E11 and E12 - Land Disturbance - Regional and District

The objectives and policies for land disturbance seek to ensure that land disturbance is undertaken in a manner where the safety of people is protected and adverse effects on the environment is avoided, remedied or mitigated. In our view, the proposal will give effect to these objectives and policies for the reasons below:

- The land subject to earthworks is not located within any overlays associated with natural heritage, mana whenua, natural resources, historic heritage or special character. The earthworks therefore will not adversely affect the matters associated with these overlays (Policy E12.3(2)).
- The Council's Geomaps viewer confirms that there is no Mana Whenua cultural heritage within the site itself or in close vicinity; and the archaeological investigations undertaken confirm that there are no recorded archaeological sites within the project area which will be subject to land disturbance either. Notwithstanding this, Kiwi Property has obtained an authority from HNZPT on a precautionary basis and the accidental discovery protocol is proposed as a condition of consent thereby giving effect to Policy E11.3(3) and Policy E12.3(4).
- The geotechnical report in the application material confirms the site is not subject to instability and provides a suite of recommendations that are accepted by Kiwi Property to ensure the stability and safety of surrounding land, buildings and structures, thereby giving effect to Policy E11.3(6) and Policy E12.4(6).
- The earthworks will be completed within 7 months during one earthwork season (1 October to 30 April) to minimise the amount and overall duration of exposed areas as the source of erosion and sediment discharge effects. Together with the implementation of a suite of erosion and sediment control measures in line with GD05, it is considered that sediment runoff or discharge will be suitably mitigated and minimised (Objective E11.2.(3)).

11.4.3.6 E15 Vegetation Management and Biodiversity

The overall outcomes sought Chapter E15 seek the following:

- The maintenance and *enhancement* of ecosystem services and biodiversity values in sensitive receiving environments and areas of contiguous indigenous vegetation cover.
- The *restoration* and *enhancement* of indigenous biodiversity in areas where ecological values are degraded, or where development is occurring.

The provisions also seek to avoid, remedy or mitigate any other adverse effects on indigenous biological diversity and ecosystem services including soil conservation, water quality and quantity management, and the mitigation of natural hazards.

In the context of this application, the site has been assessed as being in a significantly degraded state as a consequence of previous rural land practices and more recent rural land use activities.

It is also evident that there are no areas of contiguous vegetation cover on site and the vegetation to be removed are primarily exotic species.

Enhancement planting is proposed along the Hingaia Stream and Stream A which will enhance these ecosystems. The implementation of an Ecological Management Plan will also protect and maintain wildlife. Overall, the objectives of restoring and enhancing ecosystems are considered to be achieved.

11.4.3.7 Chapter E23 – Signs

The objectives for signs seek to ensure that comprehensive development signage (CDS) contribute to the social and economic well-being of communities through place identification, and advertising goods and services. They should also be managed to maintain traffic and pedestrian safety, historic heritage values and the visual amenity of the surrounding environment.

The CDS proposed is considered to be consistent with these desired outcomes. The elevations demonstrate that the signs on the exterior of the buildings do not visually dominate the façade on which they are located. Content for this signage is yet to be developed and is expected to be in collaboration with future tenants of the individual buildings. However, given that this would be a retail centre, it is a reasonable expectation that this will feature the name or logo (or both) of the retailer occupying that particular building and a style of design that reflects their particular branding. The taller freestanding pylon signs also commonly found in other retail centres as part of the overall branding and performs an important wayfinding function for customers and visitors too. A condition of consent is proposed to ensure that the final design details of all signage are appropriate and commensurate with a metropolitan centre environment. Overall, the relevant signage provisions are considered to be met to the extent that visual amenity, traffic and pedestrian safety will be maintained.

11.4.3.8 Chapter E25 - Noise and Vibration

The objectives and policies for noise and seek to ensure that people are protected from unreasonable levels of noise and vibration. In particular, it is also clear from our review of the provisions that where construction activities cannot comply with the noise or vibration standards, regardless of the zoning and site surrounds, this is not considered to be an acceptable outcome.

We consider the proposal to be consistent with these provisions. Construction noise is an inherent part of development in any environment and this is not considered to be an acceptable outcome. Predicted exceedances to the construction noise standards will be limited to the immediate surrounding environment only. As such, construction noise effects can be adequately managed by limiting the days and hours of construction with consent conditions, monitoring and proactive management by the applicant (or its nominated contractors) as well as preparing and implementing the management framework of the CNVMP which is proposed as a condition of consent. The proposal is also predicted to comply with the vibration amenity limits of the AUP and therefore the proposal is considered to be consistent with, and not in tension with, the objectives and policies of in relation to vibration.

Overall, having regard to the analysis above we consider the proposal to be consistent with the relevant objectives and policies for noise and vibration.

11.4.3.9 Chapter E27 - Infrastructure

The applicable objectives and policies recognise the benefits of infrastructure such as the provision of roading and network utilities. They seek to enable the development and upgrading of infrastructure by recognising their functional and operational needs, design constraints, complexity, interconnectedness and their role in servicing existing, consented and planned development.

The proposal will provide extensions to existing roading, power and telecommunication utilities and new three waters infrastructure to service the development.

11.4.3.10 Chapter E27 - Transport

The relevant transport objectives and policies seek to encourage that land use and all modes transport (including public transport, walking and cycling) is integrated in a manner that enables adverse effects of traffic generation on the transport network to be managed and the benefits of an integrated transport network to be realised. In addition, the objectives and policies ensure that parking and access is designed, located and accessed safely and efficiently for pedestrians and vehicles within and outside the site.

The proposal is considered to give effect to and strongly support these objectives and policies as it provides for an integrated transport network with public, vehicular, cycling and walking transport modes provided for within the development. The development has also been comprehensively designed to provide cycling and walking connections with the surrounding road network and connectivity to the Drury Central Train Station. The Drury centre will be a Transport Oriented Development (TOD) that takes advantage of and will strongly support the public investments that have been and are planned to be made on the rail and road network and therefore the development of a metropolitan centre in this location will enable the benefits of an integrated transport network to be realised and the significant public investment in transport infrastructure. Vehicular and bicycle parking commensurate to the scale and nature of the proposal which complies with the requirements of the AUP has been provided. Parking has been designed to avoid adverse effects on the amenity of the streetscape by generally locating these in the middle of the centre where the proposed retail buildings will provide screening. All parking spaces are provided with safe access and egress and have been designed with clear sightlines to reduce potential conflicts between vehicles, pedestrian and cyclists. The ITA confirms also that the key intersections proposed perform satisfactorily and operate within an acceptable level of service in both the AM and PM peak.

On this basis, it is considered that the safe and efficient operation of the transport network will not be unreasonably compromised in the future such that the proposal is consistent with the outcomes sought by the AUP (OP) and will not be contrary to relevant objectives and policies that relate to transport.

11.4.3.11 Chapter E30 - Contaminated Land

The relevant objectives and policies seek to manage discharges of contaminants to protect the environment and human health, and enable land to be used for suitable activities now and in the future.

The proposal will meet these provisions as the discharge of contaminants from contaminated land into air, water or into land will be managed to protect the environment and human health via the measures outlined in the SMP and RAP. The remediation of contamination hot spots on the site in

accordance with the RAP will enable the land to be used and developed for planned residential and commercial purposes thereby giving effect to relevant objectives and policies.

11.4.3.12 Chapter E36 – Natural Hazards and Flooding

A key outcome for development in urban areas is that subdivision, use and development only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long-term effects of climate change. In our view, the proposal will give effect to these objectives and policies for the reasons below:

- The development has been managed to avoid the construction of buildings on land affected by flood hazards and minor increases in water levels are contained within streams. The flood modelling confirms there would be no increased risk of flooding to third party land as a result of the development and thereby overall giving effect to policy E36.3(4).
- In reference to policy E36.3(29) and policy E36.3(30), the development maintains the conveyance function of overland flow paths. While the proposed earthworks will change the overland flow catchment such that there would be an increase in flows discharging to the Hingaia Stream catchment and a decrease to the Fitzgerald Stream catchment, this is considered to be a benefit due to existing flood risks relating to the Fitzgerald Stream. The overland flow paths will also be redirected to be contained with the roads.
- The proposal provides for replanting and riparian vegetation along the Hingaia Stream and Stream A which does not exacerbate flooding effects, thereby giving effect to E36.3(23).
- In reference to policies E36.3(31), (32) and (33) regarding land instability, the geotechnical report in Appendix 12 and the Council's Geomaps viewer has identified the land instability hazard associated with the land. A hazard risk assessment is attached to the Infrastructure Report in Appendix 10 and land instability hazards are more comprehensively assessed in the geotechnical report which provides a suite of recommendations to avoid, remedy or mitigate adverse effects on people, property and the environment.

11.4.3.13 Chapter E38 Subdivision Urban

The proposal gives effect to the relevant objectives and policies for urban subdivision for the reasons given below:

- The proposed subdivision will achieve objective E38.2(1) and (2) because it provides for a subdivision pattern that will give effect to the Business – Metropolitan Centre and Business – Mixed Use zones of the AUP. It provides for the land to be developed in a form and manner that is consistent with the Council's Structure Plan and Kiwi Property's masterplan for the land which guides future development stages of Drury Metropolitan Centre. Subdivision of the land to enable development of the centre will provide for the long-term needs of the community while minimising adverse effects of future development on the environment. With respect to the 292 vacant lot subdivision, the general size and shape of the lots proposed ensures there will be sufficient flexibility to deliver a range of quality building types and activities consistent with the expectations of the AUP Zoning and Precinct. It is also noted that future development could occur across multiple lots, enabling larger and higher intensity building forms to be accommodated.

- The subdivision provides for an esplanade reserve and roads to be vested with the Council, thereby achieving objective E38.2(2).
- All roading, transport and reticulation infrastructure supporting subdivision and development of the land in this project will be provided for in a comprehensive and integrated manner. Specifically, the necessary wastewater and water supply connections to the existing bulk infrastructure will be installed together with the local infrastructure connections to each individual lot. The necessary roading network have also been planned in an integrated manner taking into account other development projects in Drury East. This gives effect to objective E38.2(4).
- In reference to objective E38.2(4), the subdivision layout is considered to be safe, efficient and accessible with a legible roading and block pattern. All sites created in the subdivision will be provided with legal access to a road in a legible street and block pattern that will be easy and safe to use for all pedestrians, thereby giving effect to Policy E38.3(10)(b) too.
- There are no significant landscape features identified on site that will be adversely affected or modified by the subdivision. There is no evidence to suggest there are features of historic or archaeological significance present within the Site that may be adversely affected by the subdivision either and this is confirmed in the archaeological report provided (Objectives E38.2(7) and (8)).
- The subdivision will not result in adverse effects on people, property and the environment from natural hazards. The flood modelling carried out for the pre and post development scenarios and future climate changes considerations all demonstrate the flooding effects will be negligible and will be contained within the Hingaia Stream corridor. None of the proposed lots will be subject to flood hazards thereby achieving objective E38.2(10).

11.4.3.14 Chapter E40 – Temporary Activities

Our reading of the objectives and policies for temporary activities adopt an overall enabling approach but seek to ensure that adverse effects on the environment are minimised, managed and mitigated. In summary, we consider the Proposal will give effect to these provisions because:

- Adverse construction noise and traffic effects arising from the temporary construction activities proposed will be appropriately managed with best practicable measures and will be minimised as far as practicable.
- Construction activities are planned during standard days and hours of construction to ensure that an acceptable level of amenity will be maintained.
- A series of management plans in relation to construction management, construction traffic and noise are proposed as conditions of consent which will ensure that construction effects of this nature will be appropriately avoided where practicable, or mitigated and minimised where avoidance cannot be practically achieved.

11.4.3.15 Chapter H9 – Business Metropolitan Centre Zone

In summary, the proposal gives effect to the relevant Business Metropolitan Centre zone objectives and policies for the reasons below:

- In reference to objective H9.2(1) and (2), the project will deliver the second stage of Drury Centre which will become a key focal point providing employment, retail and amenity for the

wider southern Auckland area. The proposed buildings are proposed to be of a form, scale and design quality that will establish a quality identity and identifiable character to the first stage of centre development drawing on the rural heritage of the site.

- In reference to objective H9.2(3), the proposal positively contributes towards the planned future form of Drury Centre consistent with the Drury Centre Precinct and masterplan. The landscaping strategy seeks to create a connected, green and engaging public domain that appropriately responds to the site and context. In particular, the green network within the Drury Stage 2 development creates a cohesive system that supports recreational activity, sustainability, and environmental connectivity. Anchored by the stormwater wetland (Wetland 2-1) and Stream A, the design enhances water quality while promoting biodiversity and habitat restoration. The network extends to the Hingaia Reserve, forming an interconnected green corridor that links key civic plaza spaces within the Precinct. The design considers passive and active recreation opportunities while addressing environmental resilience, ecological health and sustainability objectives.
- In reference to policy H9.3(3), the development will provide a pedestrian-focused network of publicly vested streets and pedestrian connections. The proposed layout provides a logical hierarchy of vehicular and cycle connections that provides convenient access to the retail precinct. The streets are designed to provide a comfortable pedestrian environment through footpaths, tree planting, lighting and soft landscaping.
- In reference to policy H9.3(7), the proposed carparking will be largely located within the middle of the blocks so that it is largely screened and sleeved from the streetscape by buildings. Where at grade carparks or carparking buildings are located next the street these are proposed to be softened by landscaping or architectural features on the buildings.
- In reference to policy H9.3(20), the project supports a range of transport modes such as private vehicles with the new roading network, walking and cycling active modes in dedicated footpaths or cycle lanes that will integrate well with the wider transport network including Stage 1. These transport modes will serve this metropolitan centre and support the ability for people to change transport modes.

11.4.3.16 Chapter H13 – Business Mixed Use Zone

The development in Lot C and subdivision of the Stage 1 superlots is on land zoned Mixed Use. The proposal is consistent with the relevant Business Mixed Use zone objectives and policies for the reasons below:

- The retail activity proposed in Lot C will not compromise the function, role and amenity of the Metropolitan Centre. Rather, the retail activity on Lot C forms part of the retail offering in Drury Centre and is complementary to retail activities in the Metropolitan Centre zone.
- While the subdivision pattern and lot sizes in the Stage 1 area generally lends itself to the potential development of detached dwellings, objective H13.2(6) states the moderate to high intensity residential activities are *provided for*, and not specifically *required*. This is supported with policy H13.3(2) *enable* an increase in the *density, diversity and quality* of housing in the centre and policy H13.3(18) to *enable* the development of intensive residential activities. In our reading, both of these are enabling policies for intensive residential development and the diversity of housing. They are not policies requiring intensive residential activities. Notwithstanding this, the UDA provides the observation that the general size and shape of the

proposed lots ensure there will be sufficient flexibility to deliver a range of quality building types and activities consistent with the expectations of the zoning and precinct. In addition, future development could occur across multiple lots, enabling larger and higher intensity building forms to be accommodated.

11.4.3.17 Chapter I450 – Drury Centre Precinct

The Drury Centre precinct is to provide for the development of a new, comprehensively planned, high density, transit-orientated centre at Drury that supports a quality compact urban form. These provisions are, in our view, most important to the consideration of this application. An assessment of the proposal against the objectives and policies of the Drury Centre Precinct is provided in **Appendix 29**

In summary, the proposal is considered to give effect to relevant objectives and policies for the reasons below:

- In reference to objective I450.2(1) and (2), the project will deliver Stage 2 of Drury Centre, an integrated, sustainable and transit oriented metropolitan centre to be established around the fully funded and consented Drury Central train station programmed for completion in the final quarter of 2025/early 2026. Major anchor retail tenants are proposed sleeved by smaller retail units closer to Stage 1 development with commercial, community and other smaller and more fine grain retail activities and higher density residential to be located to the north, closer to the train station.
- In reference to objective I450.2(4), the project provides for development of a walkable Drury Centre with a street-based environment that positively contributes to pedestrian amenity, safety and convenience by designing the collector and local roads to be generally in accordance with Appendix 1: Road Design and Required Design Elements table which include specific design elements such as separated footpaths, cycle provision, space for street planting and low speed limits. Collectively, this street environment will provide a safe and comfortable environment for pedestrians and cyclists too.
- The project is largely for the development of retail, commercial, community activities and higher density residential with sub-precinct A which will form the core centre. A large format retail lot is provided with sub-precinct C with the further subdivision of approved superlots in sub-precinct D into 292 vacant lots for residential development. This gives effect to policy I450.3(3).
- In reference to policy I450.3(9), (10) and (11), the project includes a mix of land uses, open spaces and public amenities to reinforce the function of Sub-precinct A as the core of the Drury Centre. Further, the project has an attractive street environment which is designed to positively contribute to pedestrian amenity, safety and safety, with a particular focus on Hotiki Street as the key retail street. The project will also provide buildings that positively address and engage with the street and provide visual interest and quality.
- In reference to policy I450.3(14), the proposed further subdivision of the superlots approved in sub-precinct D into 292 vacant lots have been designed so that the general size and shape of the lots proposed ensures there will be sufficient flexibility to deliver a range of quality building types and activities consistent with the expectations of the AUP Zoning and Precinct. It is also noted that future development could occur across multiple lots, enabling larger and higher intensity building forms to be accommodated.

- In reference to policy I450.3(15), Homestead Park is no longer proposed as part of the development as envisioned in the original masterplan and Drury Centre Precinct provisions. In lieu of Homestead Park, Valley Park has been significantly expanded to provide a focal point for the civic and public activity at the centre of the proposal. The more extensive design of Valley Park is also a response to the stormwater/ecological requirements needed to enhance Stream A. This aligns with the Drury Centre precinct which seeks to maintain and enhance the waterways on site, integrating them with the open space network as a key feature.
- In reference to policy I450.3(24) and (25), the project requires the reclamation of Stream A wetland and the two eastern tributaries of Stream A to construct Drury Boulevard. The realigned and daylighted portions of Stream A and Hingaia Stream will provide planting on the riparian margins which will contribute to the improvement to water quality, habitat and biodiversity.
- In reference to objective I450.2(5) and policy 450.3(20), subdivision and development of the land will not occur in advance of the availability of operational transport infrastructure, including regional or local transport infrastructure. An inherent part of the proposal is a suite of proposed traffic mitigation measures and transport infrastructure upgrades to ensure that the transport network can accommodate the vehicle trips expected to be generated by the proposal and other residential development projects in Drury East. Appropriate consent conditions have been proposed for these transport infrastructure upgrades to ensure they are constructed and operational prior to the retail activities operating and thereby ensuring that the effective and efficient operation of the local and wider transport network is not compromised.
- In reference to objective I450.2(6) and policy I450.3(19), the project includes upgrades to external road intersections into Stage 1 development and those intersections providing access into the precinct at Fitzgerald and Brookfield Roads.
- In reference to objective I450.2(8) and policy I450.3(21), significant upgrades, provisions or extension to the wastewater, water supply, stormwater network or other infrastructure are not required to service the Proposal. This is confirmed in the civil design report in **Appendix 10** which explains that the necessary bulk infrastructure already exists and local service connections, as with any other development, would be installed by Kiwi Property as part of this project.
- In reference to policy I450.3(26) relating to stormwater management, the development has been designed to be consistent with the Drury East SMP and Auckland Council NDC to manage flooding effects and to adopt the treatment train approach. These matters are set out in the Stormwater Assessment at **Appendix 11** and includes:
 - Application of water sensitive design and the SMAF 1 hydrological mitigation requirements;
 - Use of inert building materials for the buildings
 - Providing quality treatment to GD01 standards for roads, at-grade car parking and other trafficked impervious surfaces; and
 - Provision of riparian planting adjacent to the Hingaia Stream and Stream A. This would also give effect to objective I450.2(9) and policy I450.3(25).

- In reference to policy I450.3(27), the flood modelling and assessment carried out confirms that the 'pass flows' forward approach is appropriate for the peak runoff to ensure peak flows from the development precede the overall peak flow in the Hingaia Stream to the extent that attenuation and culvert upgrades are not required for this project.

11.5 Iwi Management Plans

Iwi management plans have been assessed in Section 9.0 above.

11.6 Other Plans

11.6.1 Auckland Plan 2050

The Auckland Plan is the key strategic document which sets the Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2050. In terms of the form of development, the Auckland Plan takes a quality compact approach to growth and development. The Auckland Plan defines this as²¹:

- Most development occurs in areas that are easily accessible by public transport, walking and cycling;
- Most development is within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities and open space;
- Future development maximises efficient use of land; and
- Delivery of necessary infrastructure is coordinated to support growth in the right place at the right time.

Under the Auckland Plan achieving the quality compact approach for future development is twofold. There needs to be sufficient capacity for growth across Auckland and good design needs to be embedded in all development.

This Drury Centre project is a transit-oriented development that supports a quality compact urban form. The project represents a significant opportunity to provide the first stage of a new Metropolitan Centre to service the needs of Drury and the wider southern Auckland area, adjacent to the fully funded and planned Drury Central train station. The project also prioritises access to and within Drury Centre by public and active modes and integrating rail, pedestrian and cycle networks with the existing transport network.

The project will also deliver new open spaces to service the growing Drury East population. This includes the vesting of an esplanade reserve along the Hingaia Stream together with enhancement planting providing for protection and enhancement of public access along this stream and the creation of Valley Park incorporating Wetland 2-1 and Stream A and adjoining civic plaza spaces for civic and public activity at the centre of the development.

The project will also be within walking distance of the Drury Central train station planned for completion in 2025/early aligning with when the first Stage of Drury Centre is also planned to open, alongside the completion of other residential developments in Drury East. In conjunction with the active modes proposed, Drury Centre is expected to be a highly accessible metropolitan centre

²¹ Auckland Plan 2050, pg. 206.

and this accessibility will continue to improve over time as more development commences and emerges.

The necessary bulk reticulation infrastructure is also already installed and there is sufficient capacity to service this project with the necessary local infrastructure services and connections to be installed by Kiwi Property.

Overall, the project is consistent with the strategic direction of the Auckland Plan and will contribute to achieving a quality compact approach to urban growth, while ensuring that good design is also delivered as part of the development. These strategic objectives of the Auckland Plan are reflected in the AUP objectives and policies, which are assessed in detail below.

11.6.2 Drury-Opaheke Structure Plan

An integral component of this Structure Plan is the development of a metropolitan centre in Drury East directly adjacent to the existing railway network and the funded Drury Central train station. The key outcomes in the Structure Plan are considered to be given effect through Plan Change 48 and the Drury Centre Precinct now embedded in the statutory planning framework of the AUP which have implemented its key elements. For reasons given above that the project gives effect to the relevant objectives and policies of the Drury Centre Precinct, the project is also considered to be consistent with the Structure Plan.

11.7 Planning Instrument Considerations Summary

Overall, the application is considered to be consistent with, and not contrary to, the applicable provisions of the NESCS, NESF, NPSUD, NPSFM and AUP (OP), relevant iwi authority documents, and any relevant regional or local plans.

12.0 The Fast-track Approvals Act Decision Making Framework

In considering whether to grant the approvals sought in this application, the panel must meet the requirements of Section 81, which includes applying the specific decision-making clauses in Schedule 5.

12.1 Approvals Relating to Resource Consents Ordinarily Sought under the RMA 1991 – Schedule 5

Clause 17 of Schedule 5 outlines that when considering a consent application and setting conditions, the Panel must take into account the following:

- The purpose of the FTAA;
- The provisions of Parts 2, 3, 6 and 8 to 10 of the RMA that direct decision making on an application for a resource consent (but excluding s104D); and
- The relevant provisions of any other legislation that directs decision making under the RMA.

The Panel must give the greatest weight to the purpose of the FTAA.

The reference to Part 2 excludes Section 8 of the RMA and the reference to Part 6 excludes Section 104D. Any provision in Parts 2, 3, 6 and 8 to 10 that would require a decision-maker to decline an

application for resource consent under the RMA, “but must not treat the provision as requiring the panel to decline the application”.

Consideration of Section 104(1)(c) of the RMA must include consideration of any mana whakahono a rohe or joint management agreements. This application has been prepared on the basis that Treaty settlements (as defined by the FTAA) and iwi planning documents lodged with the Council, would also be matters considered under this section.

Clause 18 of Schedule 5 outlines that Parts 6, 9 and 10 of the Resource Management Act 1991 relevant to setting conditions on a resource consent apply to the Panel.

12.2 Declining an Approval Under Section 85

The Panel must decline an approval if 1 or more of the situations in s 85(1). The situations relevant to all types of approvals that can be sought under the FTAA are:

- The approval is for an ineligible activity;
- The Panel considers that granting the approval would breach obligations relating to Treaty settlements and recognised customary rights; and
- In the case of an approval for a resource consent, the approval must be declined if it is in an area covered by clause 17(5) Schedule 5 in an area.

The Panel may also decline an approval if the Panel forms the view that:

- The activity or activities for which the approval is sought would have one or more adverse impacts; and
- Those adverse impacts are sufficiently significant to be out of proportion to the project’s regional or national benefits that the Panel has considered, even after taking into account any conditions that the Panel may set in relation to those adverse impacts, and any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

In subsections (3) and (4), adverse impact means any matter considered by the Panel in complying with Section 81(2) that weighs against granting the approval.

13.0 Assessment of the Proposal Against the Fast-track Approvals Act Decision Making Framework

13.1 Information Considered

This AEE, and Section 13 in particular, has been prepared considering the information referred to in s 81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- All of the technical reports supporting the application;
- Information from MFE relating to the Schedule application;
- The CVA addendum received from Ngaati Te Ata Waiohua and the careful analysis of Treaty settlements and iwi planning documents as prepared for the application. This was prepared

with reference to the comments about these matters in MFE’s feedback on the Schedule application; and

- Feedback received from engagement.

13.2 Situations Where the Panel Must Decline an Approval

None of the situations where the Panel must decline an approval apply to the application.

- The application does not seek approval for an ineligible activity as defined in Section 5 of the FTAA;
- The detailed assessment of the Treaty settlements that apply to the site provided in Section 9.1 confirms that granting the approvals sought would be consistent with obligations arising under existing Treaty settlements, and so not breach Section 7 of the FTAA. This conclusion is supported by the provisional support for the project expressed in the CVA addendum prepared by Ngaati Te Ata Waiohū and the engagement with iwi to date which has not raised any strong objection to the project.
- Clause 17(5) of Schedule 5 does not apply to the resource consent approvals sought because they do not include an application for a coastal permit for aquaculture activities.

13.3 The Purpose of The Fast-track Approvals Act

Assessment of the proposal against the purpose of the FTAA is undertaken first because it is relevant to all of the approvals sought in this application, and is to be given the most weight by the Panel in its decision on all approvals.

The purpose of the FTAA is (Section 3 of the FTAA):

“The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits”

What constitutes a significant regional or national benefit is not defined in the FTAA. However, the considerations in Section 22(2)(a) have been used as a reference point for the purposes of this analysis.

Drury Metropolitan Centre Stage 2, and the specific approvals sought to enable its development, is considered to meet the purpose of the Act for the following reasons:

- The regional significance of Drury as a key node for future urbanisation has been recognised by central and local government. For example:
 - The Ministry of Housing and Urban Development’s Urban Growth Agenda identifies Drury as one of five priority growth and investment areas for Auckland (as part of the Auckland Housing and Urban Growth Joint Programme (February 2019) which is a collaboration between Auckland Council and the Government).
 - The Government Policy Statement on Housing and Urban Development (September 2021) identifies Drury as one of two ‘Priority greenfield growth areas for priority focus and investment within the Urban Growth Partnership.’
 - The Hamilton - Auckland Corridor Plan & Implementation Programme (June 2019) identifies Drury as a “priority development area” with the objective to “support the development of

this significant and strategic growth node through new partnerships and applying new tools”. This is reflected in the draft 2024 Future Proof Strategy (Waikato) which also recognises the importance of Drury as a regional centre to the Hamilton -Auckland corridor.

In enabling the build out of the Drury metropolitan centre, this fast-track proposal gives effect to those strategic documents which recognise the significance of the Drury area to the growth of the region. This wider public benefits of developing a new metropolitan centre in this location are discussed further below.

- In recognition of its regional significance, significant investment in infrastructure is underway or proposed in Drury. As outlined earlier in this report:
 - Central Government has committed funding amounting to \$2.7 billion as part of NZUP South Auckland package for investment in new train stations, delivery of a smaller scale northern section of Mill Road and investment in Drury transport upgrades that support releasing additional housing and connectivity with the stations. It is understood that the contribution towards Drury project amounts to over \$1.2 billion. Auckland Council’s ATAP allocates \$243 million for local road improvements in the Drury area to support the NZUP investment.
 - To that end, there are a number of significant infrastructure projects that are proposed, have been approved or are underway at and in the vicinity of Drury Centre – These include:
 - The widening of the Southern Motorway between the Papakura and Drury Interchanges (funding and consents approved, under construction).
 - Improvements to the Drury interchange (funding and consents approved).
 - The approval of the Drury Central Railway Station through the FTA (under construction).
 - Electrification of the NIMT to Pukekohe (under construction).
 - Designations for local roading improvements including to Waihoehoe Road and to the intersection of Great South Road and Waihoehoe Road (consents and some funding approved).
 - Extensions to bulk water supply and wastewater truck services (under construction).

Drury Metropolitan Centre Stage 2 will enable the benefits of that infrastructure investment to be realised.

- Drury Metropolitan Centre Stage 2 will deliver an infrastructure and development project with significant regional benefits. The project will enable the accelerated construction and delivery of a large portion of the planned Drury Centre which is considered to result in significant public benefit for Drury and the wider South Auckland region. The proposal will result in a well-functioning urban environment in the form of an integrated, sustainable and transit oriented Metropolitan Centre to be established around the new consented Drury Central train station with approved funding and programmed for completion in 2026. The construction programme and timing for the delivery of this project, alongside the other projects by the Drury East developers will ensure that there is a destination to support the new train station (alongside the residential catchment proposed to be established on the adjacent Fulton Hogan and Oyster Capital developments, which have already been consented). The significant level of infrastructure investment (\$1.2 billion for transport improvements in the Drury area through NZUP and an additional \$243 million allocated by Auckland Council’s ATAP) indicates that the

Government and Council are committed to supporting development in Drury, and recognise the regional significance of growth in this area. The Government is also accelerating the delivery of the critical projects needed to support development, including the Drury Central Rail Station. Developing the land in Drury East in an accelerated manner will ensure that housing and jobs are delivered in time to efficiently co-ordinate with the delivery of this infrastructure;

- Anticipated employment generation and contribution to GDP is considered to be a significant regional benefit. The Economic Report attached as Appendix 20 demonstrates that Drury Centre Stage 2 will provide for the direct generation of approximately 3,420 full-time equivalent years in the construction sector and the contribution of approximately \$1.47 billion to the construction sector's GDP. Approximately 3,403 indirect/induced construction FTE years will be generated by the development. A total of 7,750 FTE years of employment is anticipated to be generated during the development phase. Further, long-term employment in the operation and maintenance of the Metropolitan Centre will deliver a regionally significant economic benefit for the Drury and wider South Auckland area by providing significant employment opportunities within the metropolitan centre. The total economic impact on business activity within the Auckland region as a result of the subject development over a 11-year period is estimated to be just over \$1.45 billion. The delivery of Drury Metropolitan Centre is anticipated by the Economic Report (Appendix 20) to increase locational employment sooner, which is vital for the economic wellbeing of the region's economies (and to a proportionally greater degree, the South Auckland sub-region). This provision of employment is considered by the Economic Report to be likely to increase population growth and provide greater economies of scale and productivity;
- The Drury Metropolitan Centre is considered to support climate change mitigation through reduction of greenhouse gas emissions. This support is provided firstly by the Drury Metropolitan Centre being a comprehensive and integrated development over a large land holding that is contiguous with existing and consented urban development in Drury. The proposal will provide for social, commercial, community amenities and open spaces. This creates opportunities for residents of the wider Drury development to live and work closer to home, thereby reducing the need for travel to other centres. This project will provide for active mode facilities, providing increased and safer opportunities for walking and cycling to contribute to the health and well-being of people and communities as well as supporting a reduction in greenhouse gas emissions;
- The consequence of the strategic and integrated approach taken to designing Drury Metropolitan Centre is that it will also make a regionally significant contribution to a well-functioning urban environment. The combination of the roading, housing, community and employment benefits as a result of the project, along with its careful integration with and support of the surrounding Drury developments, means the project will make a regionally significant contribution to ensuring Auckland has a well-functioning urban environment, and in turn gives effect to the National Policy Statement on Urban Development 2020 as well as the Auckland Regional Policy Statement. The project provides for a vibrant and attractive location for people to live which will in turn generate increased demand for housing and ongoing employment opportunities. By funding and delivering the internal roading network, it provides efficient and safe accessibility for its residents. This is expected to contribute to reduced transport and greenhouse gas emissions. The development has been carefully designed to give its residents multiple different open spaces in the form of an esplanade reserve and public

promenade with plaza spaces surrounding the stormwater wetland and stream edge. It has been designed with neighbouring Drury developments directly in mind, to ensure a seamless ‘fit’ and integration with wider urban development in the area.

13.4 Resource Consent and Change of Condition Approvals Sought: Parts 2, 3, 6 and 8 to 10 of the RMA and Relevant Provisions of Any Other Legislation Directing Decision-making Under the RMA

13.4.1 Part 2 of the RMA

This section of the application is provided in accordance with clauses 5(1)(g) and 17 of Schedule 5 of the Act.

Part 2 contains the purpose and principles of the RMA. Section 5 sets out the purpose of the RMA and requires a broad judgement as to whether a proposal would promote the sustainable management of natural and physical resources. This exercise of this judgement is informed by the principles in sections 6 to 8 and considered in light of the particular circumstances of each application.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. It is considered that the proposed development is complementary to these objectives as it will provide for the social and economic well-being of people and communities by increasing expenditure, employment and income within the local economy and provide 102 new, healthy homes and 292 vacant residential lots to assist with Auckland’s housing shortage. The preceding assessments demonstrate that the development will be appropriately managed and carried out in a manner which will not give rise to significant adverse environmental effects and which will, on balance, have significant positive effects for the region whilst managing potential adverse effects appropriately.

Drury Centre provides for all parts of Section 6 RMA that are relevant to the site by:

- Preserving the natural character of the Hingaia Stream, wetlands and Stream A albeit in a modified form with the proposed diversions and daylighting to restore this to a more natural and enhanced state. Further enhancements are proposed in terms of riparian planting along Stream A and wetland restoration in accordance with the draft Ecological Management Plan in Appendix 25H;
- The maintenance and enhancement of public access to and along the Hingaia Stream through the provision and vesting of an esplanade reserve;
- Kiwi Property having undertaken extension and ongoing engagement with the Drury East Mana Whenua Group and carefully responded to feedback received to ensure that the site’s taonga, lands and waters are provided for. This is achieved through actions like riparian planting, the comprehensive approach taken to managing discharges, providing for cultural induction and monitoring in consent conditions, input into road naming, and the ongoing development of a cultural narrative for Drury Centre including cultural markers, pou, or other works.

- Designing Drury Centre to manage significant risks from natural hazards basing design of specialist geotechnical and stormwater engineers to ensure flooding and stability hazards will not impact on the safety of the final development.

Section 7 of the RMA identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment. Drury Centre is also consistent with the relevant parts of section 7 because:

- It enables the efficient use and development of land and will not compromise the visual amenity of the environment and protect natural water resources as far as practicable;
- Particular regard has been given to kaitiakitanga through the iwi engagement process and the subsequent actions in response to recommendations from iwi including providing for cultural monitoring, the approach to stormwater management and incorporating recommendations relating to planting;
- The project is for a comprehensively planned, high density and transit-oriented metropolitan centre at Drury that supports a quality compact form that maintains and enhances the quality of the environment. The organisation of activities, open spaces and roading pattern are considered to be positive design responses and the buildings have been designed to present high architectural qualities; and
- The flood modelling and stormwater management approach for the project has been designed with consideration to the effects of climate change.

With regard to the principles of the Treaty of Waitangi (Section 8 of the RMA), the proposal will not generate any significant adverse effects on the natural environment or on any sites of cultural importance.

Overall, as the effects of the proposal are considered to be consistent with all of the above sections of the RMA, and the proposal generally accords with the relevant AUP (OP) objectives, policies, and assessment criteria, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the RMA.

13.4.2 Part 3 of the RMA

Part 3 of the RMA relates to the duties and restrictions under the RMA. It is considered that the proposal meets Part 3 of the RMA because:

- The approvals sought are all approvals required under Sections 9, 11, 13, 14, and 15 of the RMA;
- Construction noise and vibration effects have been assessed (Appendix 18) and the noise limits set in the AUP (OP) can be met at several adjoining properties. The specific properties at risk of an exceedance are to be covered by the CNVMP, and the draft CNVMP provided demonstrates that there are a range of specific methods available for managing noise and vibration on those properties. As a result, Section 16 of the RMA has been complied with; and
- As has been set out in the earlier sections of this AEE, the development has been designed to minimise effects on the natural environment, and any effects that remain are proposed to be

managed through a comprehensive suite of conditions. As a result, Section 17 of the RMA has been complied with.

13.4.3 Part 6 of the RMA

Part 6 of the RMA relates to resource consents. It sets out how decisions on applications for resource consents are considered if applied for under the RMA. The relevant sections in Part 6 are addressed below:

- The primary decision-making section applying to both is Section 104 of the RMA. A comprehensive assessment against Section 104 has been undertaken above. In short, it concludes that the resource consent approvals sought are consistent with all of the planning instruments to which regard must be had, with the exception of not strictly meeting the offsetting and compensation principles of the effects management hierarchy for reclamation. The implications of this for deciding the application is addressed below;
- Under Section 105 RMA when deciding an application for a discharge permit the decision maker must have regard to the nature of the discharge and the sensitivity of the receiving environment to adverse effects; the applicant's reasons for the proposed choice; and any possible alternative methods of discharge, including discharge into any other receiving environment;
 - With regards to the stormwater discharge, the proposed discharge is considered to be acceptable with regards to the above matters as the nature of the discharge and sensitivity of the receiving environment have been assessed in detail in the Infrastructure and Stormwater Reports at **Appendices 10 and 11**. Alternative methods of discharge have been considered and the application demonstrates that effects will be avoided, remedied or mitigated by the nature of the activity and the proposed conditions of consent.
 - With regards to the discharge of contaminants from the disturbance of contaminated land, the nature of the discharge and sensitivity of the receiving environment are discussed in the RAP at **Appendix 13A**. The discharge is required in order to remediate the land so it is safe for the intended commercial and residential land uses and there are no possible alternative methods of discharge.
- Under Section 106 of the Act, a consent authority may refuse to grant a subdivision consent if it considers that there is significant risk from natural hazards, or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision. The Geotechnical Report by CMW attached as Appendix 12 confirms that the proposed development is suitable for the site provided the geotechnical recommendations outlined within the report are adopted. The Stormwater Report by Woods attached as Appendix 11 confirms that the development can be carried out in such a way that appropriately avoids and mitigates any flood risks. Sufficient provision has been made for legal and physical access to each allotment created by the subdivision. This can be seen on the scheme plans. Based on the above, it is considered that there is no reason to refuse to grant subdivision consent under Section 106 of the RMA. While the site is subject to risk from natural hazards, all flood hazards will be contained within the streams where no development is proposed and all geotechnical hazards will be managed in accordance with recommendations contained within the

geotechnical report. As such, there are no reasons to refuse to grant subdivision consent under Section 106 of the RMA.

- Section 107 specifies specific circumstances when a discharge consent cannot be granted. The proposal is not anticipated to give rise to any of the matters listed above. As detailed in the Infrastructure and Stormwater Reports at Appendices 10 and 11, and throughout this AEE, the stormwater management approach for the development has been comprehensively considered to ensure stormwater discharge from the site will not adversely affect receiving freshwater or coastal environments. With regard to the discharge of contaminants from the disturbance of contaminated land, appropriate measures will be in place to ensure the discharge is managed and will not result in any of the listed matters above.

13.4.4 Part 8 of the RMA

Part 8 of the RMA relates to designations and heritage orders. No heritage orders apply to the site or are proposed. Where any part of the project is to be undertaken on land subject to a designation, Kiwi Property must obtain written consent of that Requiring Authority before doing anything in relation to the land that is subject to the designation that would prevent or hinder a public work or project or work to which the designation relates. Appropriate advice notes to that effect are included in the proposed consent conditions.

13.4.5 Part 9 of the RMA

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. These matters are not relevant to any of the RMA approvals sought.

13.4.6 Part 10 of the RMA

Part 10 of the RMA relates to subdivision and reclamations. All of the provisions addressed below are relevant to the resource consent subdivision approvals sought:

- Specific conditions have been proposed in relation to the subdivision consent approval that is sought. These conditions align with Section 220 of the RMA;
- Some of the conditions proposed provide for the issue of a consent notice in accordance with Section 221 of the RMA;
- Esplanade reserves will be provided in accordance with the requirements of Section 230 of the RMA;
- Roads and reserves to vest, and easements are shown on the engineering drawings and accord with standard RMA practice; and
- All boundaries and allotments are shown on the scheme plans.

13.4.7 Other Relevant Legislation

There is no other primary legislation relevant to the RMA approvals being sought in this application under the RMA. This requirement in clause 17(1)(c) also captures secondary legislation. All the secondary legislation relevant to the application has already been addressed comprehensively in this AEE.

13.4.8 Conclusion

Based on the analysis above, it is considered that the application is consistent with the parts of the RMA relevant to decision making under the FTAA, and the documents to which they refer.

13.5 Decision Whether to Grant the Approvals Sought in the Application

13.5.1 Resource Consent Approvals

As set out in Section 14.2 above none of the situations that require the panel to decline an application apply to this application.

Assessment of the application against Sections 81 and 85 support a decision to grant the approvals sought in the application.

Drury Metropolitan Centre Stages 1 and 2 provides several benefits of regional significance. In particular:

- The project will enable the accelerated construction and delivery of a large portion of the planned Drury Centre which is considered to result in significant public benefit for Drury and the wider South Auckland region. The significance of the urbanisation of Drury to the growth of the Auckland Region has been recognised by both Central and Local Government, and the project will enable a key plank of that urbanisation (the metropolitan centre) to be delivered. The project will also assist in ensuring that the benefits of significant infrastructure investments being made in Drury by Central and Local Government can be realised. For example, the proposal will result in a well-functioning urban environment in the form of an integrated, sustainable and transit oriented Metropolitan Centre to be established around the new consented Drury Central train station will ensure that there is a destination to support the new train station.
- Anticipated employment generation and contribution to GDP is considered to be a significant regional benefit. The Economic Report attached as Appendix 20 demonstrates that Drury Centre Stage 2 will provide for the direct generation of approximately 3,420 full-time equivalent years in the construction sector and the contribution of approximately \$1.47 billion to the construction sector's GDP. Approximately 3,403 indirect/induced construction FTE years will be generated by the development. A total of 7,750 FTE years of employment is anticipated to be generated during the development phase. Further, long-term employment in the operation and maintenance of the Metropolitan Centre will deliver a regionally significant economic benefit for the Drury and wider South Auckland area. The total economic impact on business activity within the Auckland region as a result of the subject development over a 11-year period is estimated to be just over \$1.45 billion. The delivery of Drury Metropolitan Centre is anticipated by the Economic Report to increase locational employment sooner, which is vital for the economic wellbeing of the region's economies (and to a proportionally greater degree, the South Auckland sub-region). This provision of employment is considered by the Economic Report to be likely to increase population growth and provide greater economies of scale and productivity.
- The Drury Metropolitan Centre is considered to support climate change mitigation through reduction of greenhouse gas emissions. This support is provided firstly by the Drury Metropolitan Centre being a comprehensive and integrated development over a large land holding that is contiguous with existing and consented urban development in Drury. The

proposal will provide for social, commercial, community amenities and open spaces. This creates opportunities for residents of the wider Drury development to live and work closer to home, thereby reducing the need for travel to other centres. This project will provide for active mode facilities, providing increased and safer opportunities for walking and cycling to contribute to the health and well-being of people and communities as well as supporting a reduction in greenhouse gas emissions.

- The combination of the roading, housing, community and employment benefits as a result of the project, along with its careful integration with and support of the surrounding Drury developments, means the project will make a regionally significant contribution to ensuring Auckland has a well-functioning urban environment, and in turn gives effect to the National Policy Statement on Urban Development 2020 as well as the Auckland Regional Policy Statement.

The potential adverse impacts of the proposal have been avoided, remedied or mitigated through the design of the proposal and the mitigation measures secured through conditions of consent, and the proposal is generally in accordance with the relevant planning documents. The one exception to this is the proposal's inconsistency with policy 7 of the NPSFM which states "*the loss of river extent and values is avoided to the extent practicable*", and the policy direction in E3 of the AUP(OP) which applies the effects management hierarchy. As noted in this report, there is a net loss in ecological values and stream extent when applying the effects management hierarchy at a technical level notwithstanding that offsetting is proposed within the site to the extent practicable. In the absence of the project being undertaken, the watercourses on site would remain in their current degraded state. In that context, the project provides for an ecological improvement for those streams that are to be improved. The project provides the opportunity to restore a highly modified and degraded stream habitat to a more natural state and enhancements to occur by way of riparian planting that will be required to be protected in perpetuity. In that context, it is considered that the offsetting achieved within site is aligned with mana whenua cultural values and key principles and policy 7 of the NPSFM.

The relevant test for declining an approval in section 85 of the FTAA is whether the adverse impacts of the proposal are sufficiently significant to be out of proportion to the project's regional or national benefits, noting that a panel cannot form the view that an adverse impact meets this threshold solely on the basis that the adverse impact is inconsistent with or contrary to a planning or policy document. In our opinion, the adverse impacts arising from the shortfall in offsetting in this case are far outweighed by the extensive positive effects that will be generated by the project.

That is, this single policy inconsistency does not support a decision to decline the resource consent. Approvals. The loss of stream extent and value through the reclamation of Stream A and the Stream A Wetland is not an adverse impact sufficiently significant to outweigh the numerous regionally significant benefits provided by Drury Centre, and there are no other significant environmental impacts from the development that are not appropriately avoided, remedied or mitigated.

14.0 Proposed Conditions

This section of the application is provided in accordance with clause 5(1)(k) and clause 18 of Schedule 5 of the Act. These clauses require that an application provides conditions for the

resource consent. The proposed conditions of consent which seek to implement the mitigation and monitoring that has been identified in the technical assessments as being necessary are appended to this AEE as Appendix 5.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k) of Schedule 5, the conditions are proposed to:

- Appropriately manage adverse effects, including providing mitigation to prevent or reduce adverse effects during and after construction in accordance with Clause 6(1)(d) of Schedule 5;
- Provide for monitoring as required by Clause 6(1)(g) of Schedule 5; and
- Give effect to those matters that the panel must consider under Section 81(2)(a).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d). It is considered that they meet the requirements of the Act and that the Panel may grant the resource consent subject to the conditions in accordance with Section 81(1)(a) of the Fast-track Approvals Act 2024.

15.0 Conclusions

Drury Metropolitan Centre Stage 2 involves subdivision of the superlots on Stage 1 to create 292 fee simple lots for future residential development; and the construction and operation of retail, commercial, community, residential and visitor accommodation activities with associated buildings and ancillary car parking on Stage 2; bulk earthworks to enable the Project; and the construction and installation of reticulation networks and roading infrastructure to service the Project at 64, 68, 108, 120, 124 and 132 Flanagan Road, 133, 139, 155, 173, 189 Fitzgerald Road and 61 Brookfield Road, Drury. For the reasons set out in this AEE it is considered that the panel is required to grant the approvals sought, subject to appropriate conditions, in accordance with Sections 81 and 85 of the FTAA.