Auckland Surf Park Community - Stage 2

1320 and 1350 Dairy Flat Highway, 89 and 105 Lascelles Drive, 237 and 253 Postman Road, Dairy Flat

Hyperscale Artificial Intelligence Data Centre, Integrated Residential Development, Town Centre, Industrial Development, Live – Work Development, Associated Activities and Subdivision and Variation to Stage 1 Decision BUN60429155

Assessment of Environmental Effects and Statutory Analysis

24 February 2026

B&A
Urban & Environmental

Prepared for:
AW Holdings 2021 Limited

B&A Reference:

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Status:

Final Revision A

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1.0 Applicant and Property Details

To:	Environmental Protection Authority (EPA)
Site Address:	1320 and 1350 Dairy Flat Highway, 89 and 105 Lascelles Drive, 237 and 253 Postman Road, Dairy Flat
Applicant Name:	AW Holdings 2021 Limited
Address for Service:	Barker & Associates Ltd PO Box 1986, Shortland Street, Auckland 1140 Attention: Magdalena Regnault
Legal Description:	Lots 3 and 4 DP 607404, Lots 1 and 2 DP 151504, Lot 4 DP 66181 and Lot 1 DP 605825 (refer to Records of Title as **Appendix 1**)
Site Area:	54.0889ha
Site Owner:	AW Surf Park SPV Limited (Applicant) Spark New Zealand Trading Limited ASP Bei Land Co Limited [redacted]
Unitary Plan:	Auckland Unitary Plan (Operative in Part) ('AUP (OP)')
AUP (OP) Zoning:	Future Urban Zone
AUP (OP) Overlays & Controls:	Infrastructure: Airport Approach Surface Overlay - North Shore Airport Infrastructure: Aircraft Noise Overlay - North Shore Airport - outer control boundary (55dBA) Infrastructure: Aircraft Noise Overlay - North Shore Airport - air noise boundary (65dBA) Macroinvertebrate Community Index - Rural
Additional Limitations:	Overland flow paths Flood plain Flood Prone Areas Streams Historic Structure in Cultural Heritage Inventory (CHI 16094)

Designations:	Designation 1497 - Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat, Designations, Auckland Transport Designation 1490 - New Connection between Dairy Flat Highway and Wilks Road, Designations, Auckland Transport Notice of Requirement - New Rapid Transit Corridor between Albany Bus Station and Milldale, including a cycleway and/or shared (NoR 1), NZTA/Waka Kotahi (Decision 23/01/2025, under appeal)
Locality Diagram:	Refer to **Figure 3**
Brief Description of Proposal:	Stage 2 of the Auckland Surf Park Community (ASPC) including a hyperscale artificial intelligence data centre, integrated residential development, village centre, light industrial activities, associated infrastructure, and staged and unit title subdivision, as well as variations to the Stage 1 ASPC approval
Summary of Reasons for Consent:	AUP(OP): Refer to section 9.2.1 below. NESCS: Refer to section 9.2.3 below

2.0 Statement of Qualifications and Experience

The following is a statement of the qualifications and experience of the Planners involved in preparing this substantive application. The qualifications and experience of the specialists involved are set out in their respective individual reports.

Nick Roberts

I am a resource management consultant and Managing Director of Barker & Associates Limited (B&A), an independent, specialist planning consultancy with twelve offices throughout New Zealand.

I hold a Bachelor of Planning degree from the University of Auckland (1992) and I am a full member of the New Zealand Planning Institute. I have over 30 years of experience covering a wide range of land use planning matters on behalf of local authorities, government departments and private entities in New Zealand. I am a recipient of the Nancy Northcroft Planning Practice award.

I confirm that, in my capacity as reviewer of the substantive application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

Evita Key

I am a planning consultant and Senior Associate at B&A. I hold a Bachelor of Science with Honours from the University of Canterbury and a Post Graduate Diploma in Resource Studies from Lincoln University.

I have over 25 years' experience covering a wide range of planning matters on behalf of local authorities and private entities in New Zealand, Australia, and the United Kingdom. During that time, I have been involved with many aspects of planning including preparation and lodgement of resource consent applications, submissions, evidence at hearings, and Environment Court mediation. I have been involved with the ASPC development since early 2023 including Stage 1.

I confirm that, in my capacity as reviewer of the substantive application, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023.

Magdalena Regnault

I am a Senior Planner at B&A. I have been employed at B&A since January 2022 and have seven years of experience in planning, in the private and public sector.

I hold the qualifications of Bachelor of Arts from Victoria University of Welling and Post-graduate Diploma in Planning from Massey University. I am an Associate Member of the New Zealand Planning Institute.

I have a broad range of experience in resource management working on behalf of a range of clients including land developers, commercial entities and Councils in Wellington and around New Zealand. This has involved preparation of resource consent applications, including ASPC Stage 1, private plan change requests, policy and plan review submissions.

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

Kaea Anderson

I am an Intermediate Planner at B&A and have been employed with B&A since November 2022. I have over three years of professional experience in planning and resource management. I hold a Bachelor of Commerce and Science, with a double major in Economics and Environmental Management, from the University of Otago. I am an Associate Member of the New Zealand Planning Institute.

My professional experience includes preparing and managing resource consent applications, coordinating specialist inputs and providing planning advice and due diligence support for clients. I regularly engage with Councils and other stakeholders throughout the consenting process. I bring a practical and integrated approach to planning.

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

3.0 Executive Summary

This report has been prepared in support of the Applicant's application to the Environmental Protection Authority (EPA) seeking authorisation for the ASPC Stage 2 project. This application has been prepared in accordance with the requirements of the Fast-track Approvals Act 2024 ('FTAA'). The FTAA is part of the Government's response to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The proposal is for the expansion of the ASPC to include a hyperscale artificial intelligence data centre campus, an integrated residential development including 486 units (detached dwellings, apartments and live/work units), visitor accommodation, a village centre, work-live precinct, industrial precinct, extensive riparian planting and landscaping, subdivision and ancillary activities. The proposal also involves variations to Stage 1 of the development.

During the development of the proposal, the Applicant and its representatives have undertaken consultation with Auckland Council. Consultation was also undertaken with Mana Whenua authorities as well as the Administering Agencies, which in this case is the Ministry for the Environment. The objective of this consultation was to discuss the proposal and infrastructure proposed to service the development, understand any issues that may exist with the site, locality and development as well as the information requirements needed for the application. This consultation meets the requirements of s11 of the FTAA.

The proposal requires resource consent under the Auckland Unitary Plan: Operative in Part 2016 (AUP(OP)) and the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS).

This application and Assessment of Environmental Effects (AEE) has been prepared in accordance with s13 of the FTAA and provides a description of the proposal and explains how the project is

consistent with the purpose of the Act. We also provide a high-level assessment of actual and potential effects on the environment consistent with the requirements of Schedule 5 of the FTAA.

4.0 Introduction

The Substantive Application (Application) has been made by AW Holdings to the EPA for approvals relation to the ASPC development. This application is in relation to Stage 2 of the development in conjunction with variation to Stage 1. This Application has been made in accordance with the requirements of the FTAA.

The proposal seeks to provide capacity for 486 units across three key residential precincts as well as within apartments and live/work units, supporting commercial services in the form of a village centre, an industrial precinct, a hyperscale artificial intelligent data centre campus, 10MW solar farm, ancillary activities, supporting infrastructure, and related site works.

As a Referred Project, this Application has been made in accordance with s42 of the FTAA and approval is sought for:

- Resource consents that would otherwise be sought under the RMA (s42(4)(a)); and
- A change of a resource consent condition that would otherwise be sought under the RMA(s42(4)(b)).

5.0 Requirements under the Fast-Track Approval Act 2024

5.1 Referral Application

The proposal is a Referred Project under the FTAA. Section 43 of the FTAA sets out the information required for a Referred Project, which is addressed within this report. For completeness, a copy of the referral decision is included as **Appendix 2.**

5.2 Substantive Application

Section 43 of the FTAA sets out the information to be included in substantive applications. The information provided in this application, as required by s43 of the FTAA, is specified in sufficient detail to satisfy the purpose for which it is required. Specifically, the application:

- Explains how the proposal is consistent with the purpose of the FTAA;
- Demonstrates that the project does not involve an ineligible activity;
- Describes the proposed activity and map of the project area including details of the Applicant's legal interest in the project area and how that affects their ability to undertake the work;
- Outlines the anticipated commencement and completion dates for construction activities including staging;
- Describes the anticipated and known adverse effects of the project on the environment;

- Lists of the persons or groups that are considered likely to be affected by the project and summary of the consultation undertaken and a list of any Treaty Settlements that apply to the project area;
- Outlines of the types of consents and other authorisations that are considered necessary for the project (consent matters) and whether any of those activities have been the subject of an application or decision under a specified Act;
- Describes whether and how the project would be affected by climate change and natural hazards;
- Confirms that no compliance or enforcement actions have been taken against the Applicant under a specified Act; and
- Meets the detailed information and assessment requirements of Clauses 2 and 5 of Schedule 5.

As required by clause 5(1)(5) – Schedule 5, we confirm that the application complies with the requirements of s46(2)(a), (b) and (d). Specifically, we confirm that:

- The application complies with sections 42-44 of the FTAA as demonstrated throughout this application and as summarised in the FTAA checklist in **Appendix 3**;
- The application relates solely to a Referred Project; and
- All fees, charges or levies payable under regulations have been paid.

6.0 Project Background

6.1 Introduction to the Applicant

AW Holdings, the Applicant, are a joint-venture between international surf-park developers Aventuur, and New Zealand-based partners. Their vision is to develop the world's first surf-anchored, lifestyle, master planned community.

AW Holdings are the authorised person of the project.

6.2 Planning Background

6.2.1 Auckland Future Development Strategy

The Auckland Future Development Strategy 2023-2053 (FDS) incorporates a strategic framework which identifies spatial outcomes and principles for growth within the Auckland region. The FDS identifies four main spatial environments, being existing urban areas, future urban areas, rural areas, and business areas, and also identifies spatial priorities where the greatest benefits of investment can be achieved.

The FDS informs the Council's infrastructure funding priorities and feeds directly into the Council's long-term plans, annual plans and other strategic documents.

In relation to the subject site, the FDS signals an indicative sequencing of 2035+. However, that timing is indicative, not determinative. For example, when preparing and changing planning documents under the Resource Management Act 1991, the FDS is a matter the local authority

must have regard to, and local authorities are encouraged to have it inform decision-making on other strategies and plans. This flexibility is consistent with its status as a high-level strategic document, within which change can, and should, be contemplated as more information comes to light and as specific development proposals come forward.

6.2.2 Structure Plan

The site is subject to the Silverdale West Dairy Flat Industrial Area Structure Plan 2020 (Structure Plan) as shown in **Figure 1**. The Structure Plan has been developed by Auckland Council to inform the rezoning of the land for urban activities and demonstrates how the site and wider area could be developed in a comprehensive manner for light and heavy industries.

The Structure Plan identifies the site for rezoning to a mix of Business - Light Industry (LIZ) and Business – Heavy Industry (HIZ). The exact extent (and requirement) for the HIZ in this location as expressed in the Structure Plan was speculative and subject to more detailed investigation and analysis in the future.

The Structure Plan identifies an Indicative Rapid Transit Network (RTN) Corridor and Strategic Cycle Connection running through the site in a north-south alignment. A Notice of Requirement was lodged for the RTN by the New Zealand Transport Agency (NZTA) in October 2023 and has subsequently been confirmed however is subject to a number of appeals.

The Structure Plan also identifies an indicative new east-west collector road that extends from Dairy Flat Highway to Postman Road centrally through the site. Stage 1 of the ASPC granted consent for the partial delivery of the collector road. This application will see its delivery through to Postman Road as anticipated by the Structure Plan.

The Structure Plan also identifies an indicative cycle and walkway known as a 'green way' bisecting the site from the northwestern corner, across to the east, and exiting via the centre of the southern boundary. The Structure Plan notes that the greenways network is identified based primarily along the stream network. In this case, it is noted that the indicative greenway veers away from the stream network (Rangitopuni Stream) from the centre of the site where it heads south. This anomaly may be the result of incorrectly mapping farm drainage channels as natural streams.

In addition to the above, the Structure Plan includes a brief Neighbourhood Design Statement (NDS). Due to the assumed industrial land uses, the NDS focuses on the landscaping response to development, connections and Te Aranga design principles.

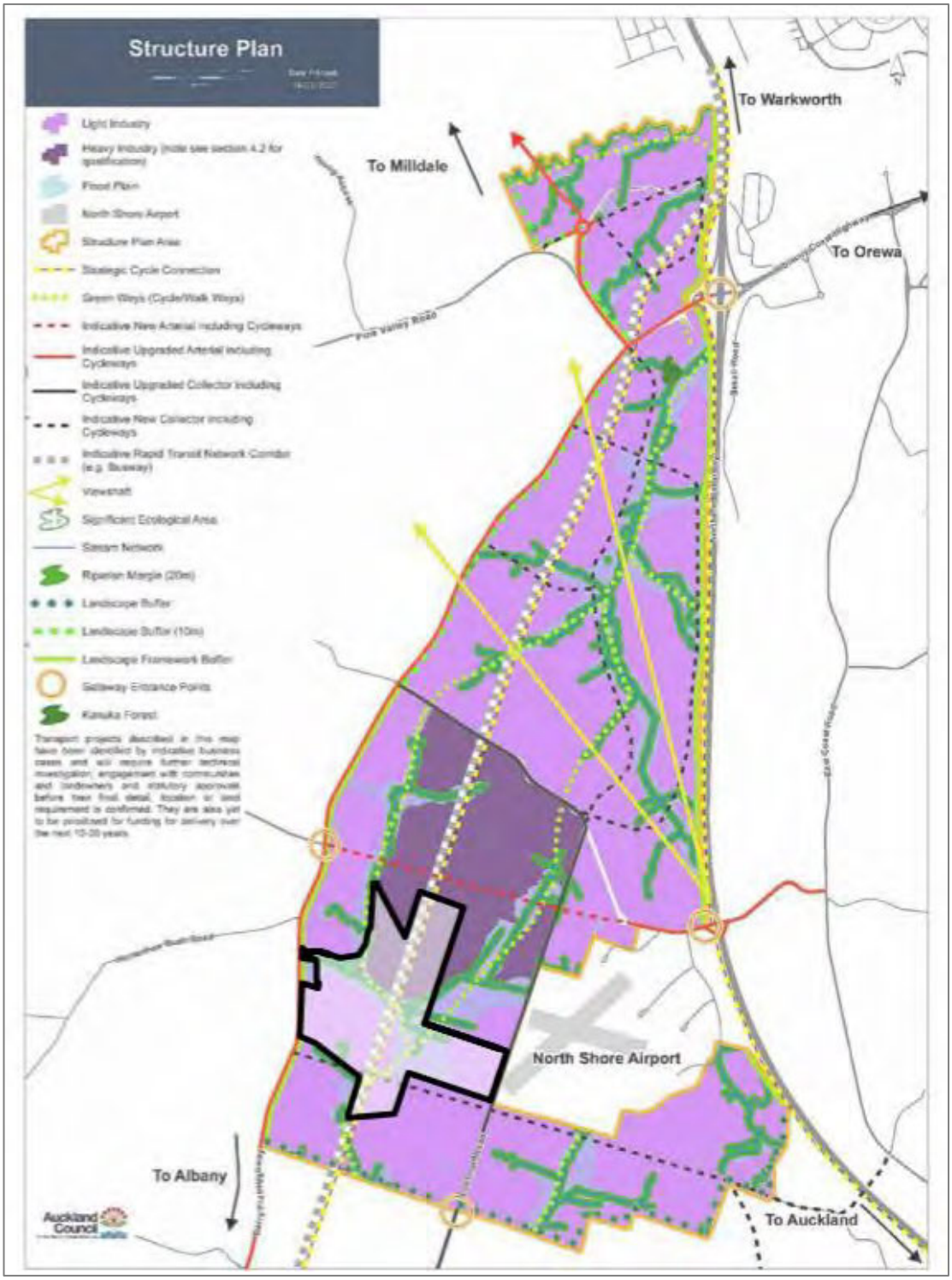

Figure 1: Silverdale West Dairy Flat Industrial Area Structure Plan 2020. Source: Auckland Council & Studio Pacific Architecture.

6.3 Auckland Surf Park Community Consenting History

6.3.1 Stage 1 Fast-Track Approval (BUN60429155)[1]

Resource consent for Stage 1 of the ASPC was approved under the COVID-19 Fast-track Consenting Act 2020 on 25 June 2024. A copy of the decision can be viewed on the Environmental Protection Authority (EPA) website[2] and is included as **Appendix 4**.

The consented development is shown below in **Figure 2** and comprises of:

- Earthworks and vegetation removal and subsequent extensive re-landscaping of the site focused around the stream (Stream Park);
- The construction and operation of a surf park which included a surfing lagoon, restaurant(s), market space and 70 visitor accommodation units consisting of a lodge and eco-cabins;
- A solar farm;
- A standard data centre;
- Roading including the collector anticipated by the structure plan; and
- Three waters infrastructure.

At the time of lodgement of this application, enabling earthworks are currently underway.

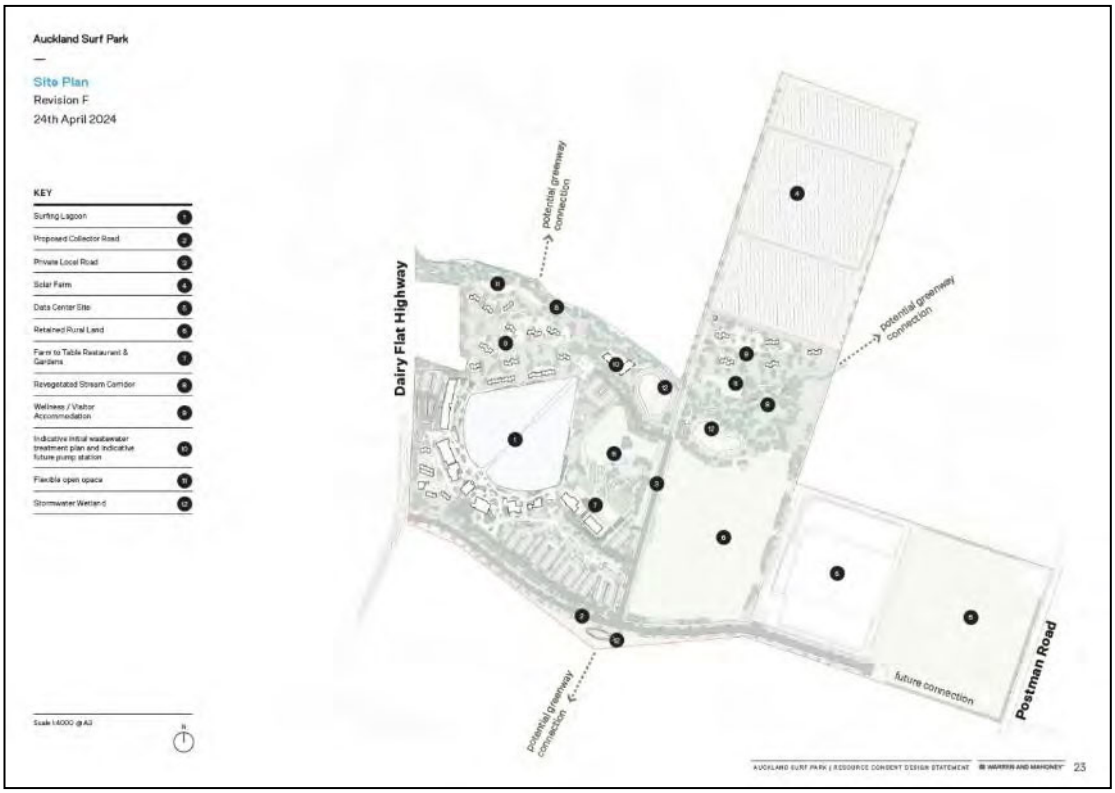

Figure 2: ASPC Stage 1 Masterplan. Source: Warren and Mahoney.

[1] Includes LUC60429156 (Land Use), DIS60429157 (Stormwater), DIS60429158 (Wastewater), DIS60429159 (Contamination), DIS60429190 (ITA), WAT60429183 (Take), WAT60429184 (Groundwater) and LUS60429185 (Streamworks)

[2] https://www.epa.govt.nz/fast-track-consenting/referred-projects/auckland-surf-park-community/decision/

6.3.1.1 S127 Variation to LUC60429156 (BUN60429155)

A variation to conditions 7, 25 and 38 of LUC60429156 was granted in November 2025 to increase the area of open earthworks at any one time from 10ha to 30ha. This change was sought to provide greater operational flexibility, particularly to facilitate natural drying of fill material prior to placement as engineered fill, thereby reducing reliance on lime treatment. Condition 24 (earthworks staging plan) was superseded by the Adaptive Management Plan provided with the application and was therefore deleted.

The proposed variations of the conditions are reflected within the Stage 1 (BUN60429155) Conditions included as Appendix 60.

6.3.2 Boundary Adjustment (SUB60422811)

A subdivision resource consent was granted in January 2024 to adjust the boundary between 1350 Dairy Flat Highway and the land to the northwest (then known as Pt Allot 189 S264 Parish of Pukeatua). The purpose of the subdivision was to provide for boundaries that better rationalised the site for the future ASPC development. This boundary adjustment has subsequently been completed.

6.3.3 Boundary Adjustment (SUB60425790)

Resource consent was granted in February 2024 to adjust the boundary between former Lot 15 DP 65979 and Lot 2 created by SUB60422811. The resulting arrangement was Lot 3 and 4 DP 607404. Similar to the above, the purpose of the subdivision was to provide for boundaries that better rationalised the site for the future ASPC development. This boundary adjustment has subsequently been completed.

6.3.4 Bore (LUC60444889)

Resource consent was granted in April 2025 for the construction of a bore within the northern portion of the site. The resource consent did not provide for a groundwater take. The decision noted that a further resource consent would be required to take groundwater before the bore could be utilised.

At the time of lodgement, the bore has been constructed. As set out in section 8.2.5 of this report, the groundwater take is sought as part of the substantive application.

6.3.5 Bore (LUC60446994)

Resource consent was granted in May 2025 for the construction of a bore within the western portion of the site, adjacent to Dairy Flat Highway. The resource consent did not provide for a groundwater take. The decision noted that a further resource consent would be required to take groundwater before the bore could be utilised.

At the time of lodgement, the bore had not yet been constructed. As set out in section 8.2.5 of this report, the groundwater take is sought as part of the substantive application.

6.3.6 Network Utility Subdivision (LUC60446994)

A resource consent application was lodged in February 2026 for a network utility subdivision at 237 Postman Road. This application is currently being considered by the Council.

7.0 Site Context

This section of the application is provided in accordance with clause 5(1)(b) of Schedule 5 of the FTAA.

Copies of Records of Title (RoT) for the Application site are attached in Appendix 1 and detailed in Section 7.1 below. A detailed site description is provided below.

7.1 Records of Title and Land Ownership

The RoT of the Site and associated interests registered are provided in **Appendix 1. Table 1** below summaries the addresses, owners, legal descriptions and area for each title.

Table 1: Application Site Details

Address	[redacted]	Legal Description	Site Area
1320 Dairy Flat Highway, Dairy Flat		Lot 4 DP 66181	4.4198ha
1350 Dairy Flat Highway, Dairy Flat		Lot 4 DP 607404	14.719ha
237 Postman Road, Dairy Flat		Lot 3 DP 607404	23.9415ha
253 Postman Road, Dairy Flat		Lot 1 DP 605825	4.0001ha
89 Lascelles Drive, Dairy Flat		Lot 1 DP 151504	2.0817ha
105 Lascelles Drive, Dairy Flat		Lot 2 DP 151504	4.9255ha
Total site area:			**54.0875ha**

7.2 Site Description

The subject site is located east of Diary Flat Highway, west of Postman Road and the North Shore Airport as shown below in **Figure 3**. The site is irregular in shape, encompasses a total land area of approximately 54ha and is made up of the following title areas set out above in **Table 1**.

Figure 3: Site Locality Plan. Source: Emaps.

The site has a road frontage of 250m on Postman Road and 300m on Dairy Flat Highway. However, there is a parcel of land (1368 Dairy Flat Highway) along the western boundary that is not included in the Site (and is not included in the same ownership as the site) along 130m of the boundary that resembles a 'missing tooth' in the site shape.

In respect of the AUP(OP), the site is zoned Future Urban Zone (FUZ) and is within the Rural Urban Boundary (RUB) as demonstrated within **Figure 4**. The FUZ is a transitional zone applied to greenfield land that has been identified as suitable for urbanisation.

The site is currently accessed by Dairy Flat Highway to the west, Lascelles Drive to the north and Postman Road to the east. The site is approximately 4km south of the Silverdale interchange with SH1. Both Dairy Flat Highway and Postman Road have a speed limit of 80kph, with a road reserve width of 20m, with shoulders and swales on both sides. There are no footpaths or cycling facilities near the site.

In terms of existing infrastructure, the site is primarily in rural productive use and is not currently served by any primary wastewater or water infrastructure networks. Infrastructure is provisioned for the development area as part of the Structure Plan; however, this is not anticipated to be developed until 2048. The wastewater infrastructure included in the Structure Plan includes a new public pump station located adjacent to the Site and a rising main to a gravity network located on Dairy Flat Highway to new pump stations in the Wainui area. These connect to the Army Bay Wastewater Treatment Plant.

The topography of the site gently declines from the western Dairy Flat Highway boundary, before flatting out throughout the middle of the Site and inclining gently to the eastern boundary with Postman Road and toward the northern boundary. Earthworks are underway on site as consented under Stage 1.

In terms of vegetation, the site currently consists of large areas of pasture which reflects the current use of the site for rural productive grazing. Paddocks are interspersed with a number of isolated exotic trees, exotic shelterbelt planting including pine and cypress through paddocks and along the Dairy Flat Highway frontage, stock ponds with areas of exotic vegetation, and an existing dilapidated farmhouse and farm buildings. Historically, the Site would have been home to pūriri forest, although evidence suggests that the Site and area have been devoid of native vegetation for the last 80 years. Sporadic tī kōuka (cabbage tree, Cordyline australis) are scattered through the hedgerows.

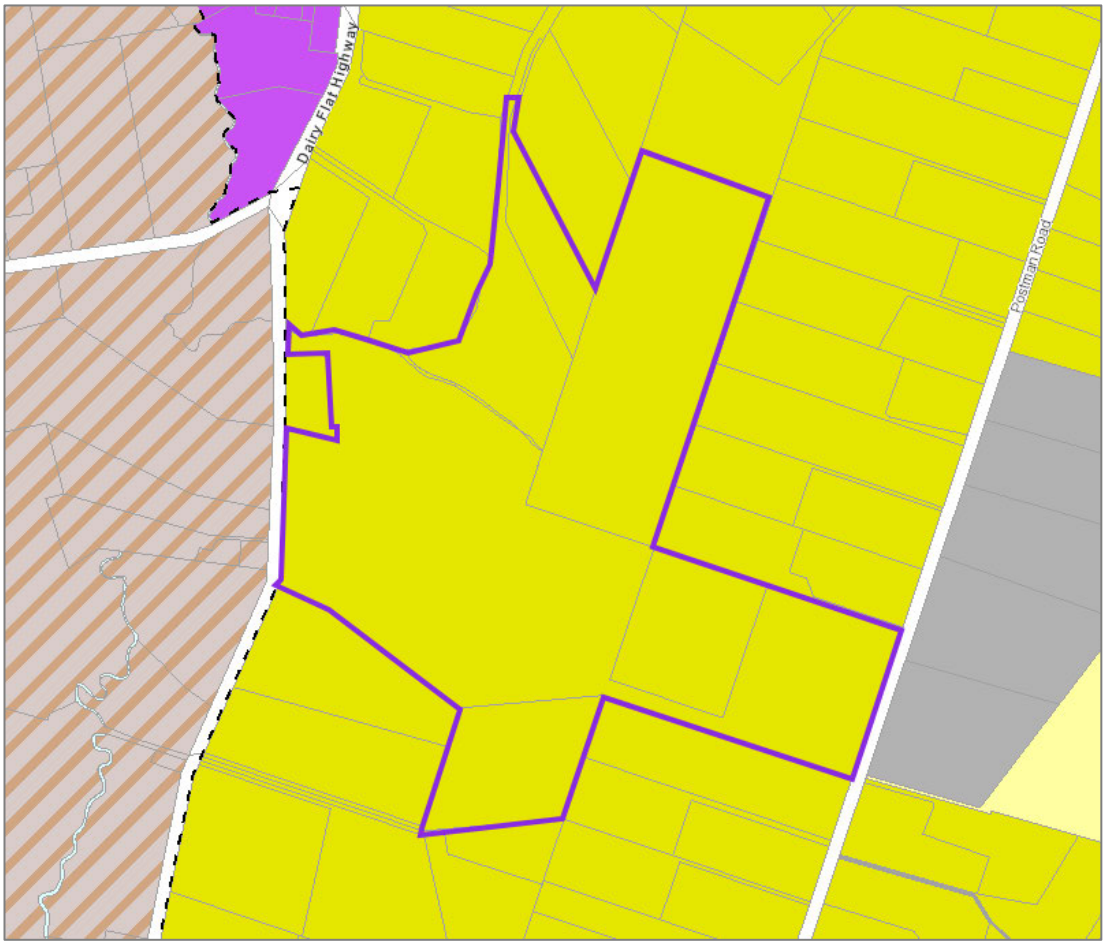

Figure 4: AUP(OP) Site Zoning. Source: Auckland Council Geomaps.

In terms of native species, permanent native birdlife is limited to pukeko. Exotic plague skinks are likely to be present within the site, though this species is not protected and is listed as an 'Unwanted Organism' under the Biosecurity Act 1993. The native bat habitat availability within the Site has been assessed as being low.

In terms of freshwater ecological features, the site contains a number of constructed ponds and drainage channels. However, these features are not putative natural inland wetlands under the National Policy Statement for Freshwater Management (NPS-FM).

Three streams are located within the site, a central stream within the centre of the Site (within the Stage 1 site area), a northern stream within 105 Lascelles Drive and a southern stream within 105 Dairy Flat Highway. All streams are tributaries to the Rangitopuni Stream. The streams have been highly modified to drain the land for agricultural use through the construction of contributing farm channels. The streams have been modified through straightening and deepening, have low riparian

vegetation integrity, low hydrological heterogeneity, very low habitat diversity and presents brown opaque water.

The Site has not been identified as a Significant Ecological Area (SEA). The closest SEA is located approximately 1.6km to the south of the Site

The following additional restrictions apply to the site under the AUP:

- NOR 1 - Rapid Transport Network: As set out in section 6.2.2 above, the Structure Plan identifies an Indicative Rapid Transit Network (RTN) Corridor and Strategic Cycle Connection running through the site in a north-south alignment. A Notice of Requirement was lodged for the RTN by the NZTA in October 2023 and has subsequently been confirmed however is subject to a number of appeals.
- Designation - 1479, Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat, Auckland Transport: The Dairy Flat Highway frontage is subject to a road widening designation that ranges between 8 – 20m into the site.
- Airport Approach Surface Overlay - North Shore Airport: The minimum height restriction over the site is approximately 60m. This is greater than the height of any buildings proposed within the site. For this reason, this overlay is not considered to be relevant to the proposal and is not discussed further.
- Aircraft Noise Overlay - North Shore Airport - Outer control boundary (55dBA): As shown below in **Figure 5**, the 55dBA noise contour expands over the northern and eastern portion of the site.
- Aircraft Noise Overlay - North Shore Airport - Air noise boundary (65dBA): As shown below in **Figure 5** the 55dBA noise contour expands over the eastern most portion of the site.
- Controls: Macroinvertebrate Community Index - Rural.

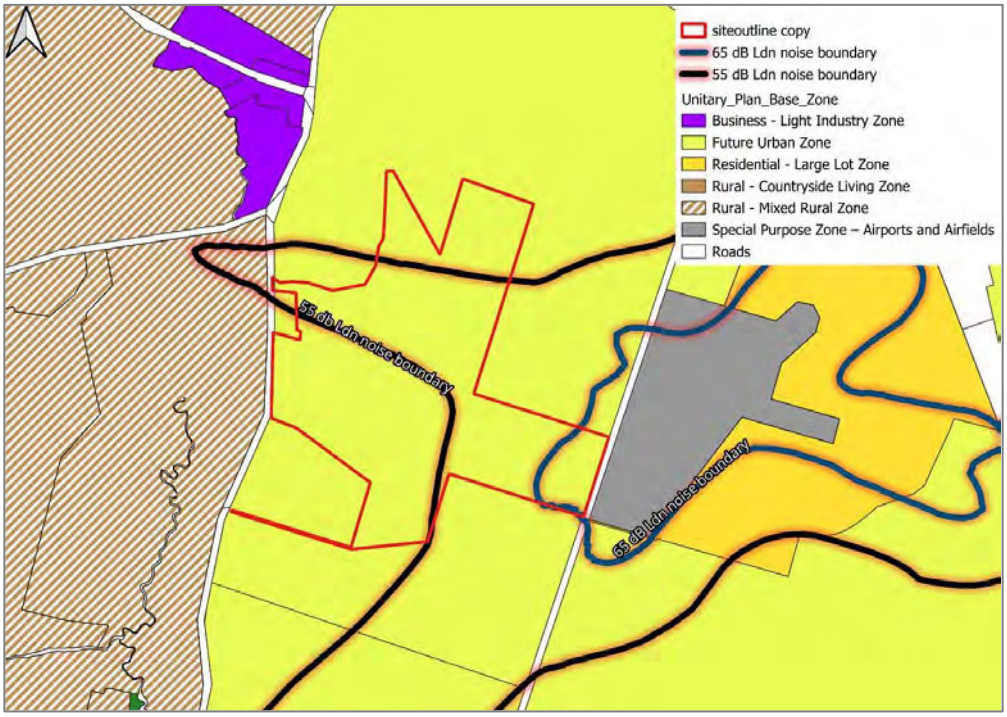

Figure 5: The subject site in relation to the Noise Overlay - North Shore Airport - outer control boundary (55dBA) and air noise boundary (65dBA). Source: Styles Group).

7.3 Surrounding Locality

As mentioned above, the site and the surrounding FUZ area is subject to the Silverdale West Dairy Flat Structure Plan. The structure plan is the first stage to enable and guide urban development and is a prerequisite to determining appropriate urban zoning. The structure plan identifies 294ha (net, excludes floodplains and roads) for light industry and 56ha (net) for heavy industry. For these reasons, the surrounding locality is considered to be in a state of transition toward more urban and industrial uses. However, at this time, the surrounding locality is cognisant of the underlying rural zoning, and generally comprises of rural and rural-residential land uses. The adjacent sites comprise of single residential dwelling, a number of accessory buildings and large areas of pasture. Similar to the subject Site, the surrounding sites incorporate a number of constructed wetlands - this feature is cognisant of productive farmlands and grazing.

A small pocket of Business - Light Industry Zone is located to the north-west of the Site and appears to form a local shopping area. The area includes a petrol station, food and beverage activities, a garden supply store and a number of small - medium sized workshops.

In terms of connectivity, SH1 is located approximately 4km from the Site and provides connections to amenities within North Auckland to the south and Silverdale to the north. In terms of public transport, the area is serviced by the Route 986 Dairy Flat - Albany Station bus service that runs along Dairy Flat Highway. The service runs on an hourly timetable during Monday to Friday. The service provides a connection to the Hibiscus Coast Station which links connections further afield. In addition, the North Shore Airport is located to the east of the Site; the airport has a commercial airline service to the Great Barrier Islands and supports private flights and flying lessons. Connectivity will be enhanced through the implementation of the Structure Plan. As discussed in section 4.1, the Structure Plan identifies an Indicative Rapid Transit Network (RTN) Corridor and Strategic Cycle Connection running through the Site generally in a north-south alignment. An indicative new collector road has been identified along the southern boundary of the Site, and north of the Site an indicative new arterial road has been shown on the Structure Plan.

7.4 Owners and Occupiers

In accordance with clause 5(1)(d) 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 provided within **Appendix 6**.

8.0 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 (e) of Schedule 5 of the FTAA.

8.1 Proposal Overview

The Stage 2 Masterplan builds upon the foundational elements of the Stage 1 approval, introducing key developments that enhance the park's functionality and community focus. The masterplan expands on Stage 1 through the inclusion of additional land holdings to the north and south of the consented development site. These expansions enable the creation of a distinct northern and southern neighbourhood surrounding the Surf Lagoon, alongside a live-work precinct to the south.

Together, these enhancements elevate the functionality, community focus and economic opportunities for the surf park.

The Masterplan is shown below in **Figure 6**. A summary of the key elements of Stage 2 are set out below:

- A hyperscale artificial intelligence (AI) data centre campus;
- Three residential neighbourhoods;
- Village centre;
- Live-work precinct;
- Light Industrial precinct;
- Accommodation; and
- Ancillary activities and infrastructure.

Figure 6: ASPC - Stage 2 Masterplan. Source: Studio Pacific Architecture.

The proposal also includes variations to the Stage 1 development. The variation seeks to rationalise the existing site layout and incorporate the additional elements included within Stage 2.

A more comprehensive overview of the proposal is provided below in section 8.2 below.

8.2 Detailed Proposal

8.2.1 Site Works

It is proposed to remove the existing buildings, and structures on site to enable earthworks to establish building platforms, services, gradients for roading and vehicular access. These works are detailed further in the Infrastructure Report and Civil Drawings prepared by McKenzie & Co and included as **Appendices 26 and 29**.

Archaeological Authority (Ref: 2026-306) was granted by Heritage New Zealand Pouhere Taonga for the demolition of the pre-1900s villa and associated earthworks subject to conditions. The Archaeological Authority is included within **Appendix 7.7**.

8.2.2 Vegetation Removal

The site preparation works will require the clearance of existing vegetation across the Site. As described above in section 7.2 onsite vegetation largely consists of pasture, isolated exotic shrubs and trees and exotic shelterbelt planting including pine and cypress through paddocks and along the roadside. The site has not been identified within any SEA overlays.

The site preparation works will include the removal of vegetation within 20m of the rural stream that traverses 89 and 105 Lascelles Drive and 1320 Dairy Flat Highway. Associated effects have been addressed in the Ecological Impact Assessment (EcIA) prepared by Viridis included as **Appendix 44.**

8.2.3 Earthworks

McKenzie & Co have prepared the earthworks cut-full and sediment and erosion control plan included within **Appendix 26**. In summary, the earthworks proposed involve:

- Approximately 275,922m^3 cut and 282,546m^3 fill over an area of 50.48ha;
- Approximately 1,215 bulk truck vehicle movements;
- Typical erosion and sediment control measure stipulated in the Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region GD2016/005 (GD05); and
- Earthworks areas will be progressively stabilised as the earthworks are completed.

Any cut to waste material will be removed from the Site to a licensed landfill where not utilised for respreading. All sediment control devices will remain in place until the contribution catchment is fully stabilised. A geotechnical engineer will ensure stability of the works and safety of the surrounding land, buildings and structures.

8.2.4 Groundwater Diversion and Dewatering

Static groundwater at the subject site generally ranges between RL 51m – 52m, grading down to RL 49m. Seasonal shallow perched groundwater is also present within low lying areas.

The proposal will involve permanent groundwater diversion and dewatering associated with the construction phase of the development. This matter has been addressed within the Geotechnical Report prepared by Initia and included as **Appendices 38 and 39**.

8.2.5 Groundwater Take

As described in section 6.3.4 and 6.3.5 above, the Applicant has obtained resource consents for the construction of two bores within the site. This application seeks to consent for groundwater take from these bores for the purpose of potable water supply.

The availability of the Rangitopuni Waitemata aquifer is set out in **Table 2** below.

Table 2: Water Availability for Rangitopuni Waitemata Aquifer. Source: Auckland Council.

Supply	Allocation	530,000m^3/year
Demand	Consented Allocations	42,650m^3/year
	Permitted Activity Takes	40,000m^3/year
	AC Model S14(3)(b)	81,423m^3/year
	Total Water Demand	164,073m^3/year
Remaining Availability		365,927m^3/year

It is proposed to abstract up to 1,303m^3 of groundwater from the Rangitopuni Waitemata aquifer per day. This equates to an annual abstraction of up to 256,230m^3 a year. There is sufficient allocation within the aquifer to supply the take.

The groundwater take has been assessed by Williamson Water & Land Advisory (WWLA) and their report is included as **Appendix 40**.

8.2.6 Site Arrangement and Buildings

The Masterplan prepared by Studio Pacific Architecture and included as **Appendix 9** s broken down into key Precincts. These Precincts are identified as:

- Data Centre Precincts 1 and 2
- Northeastern Residential Precinct;
- Northwestern Residential Precinct;
- Southern Residential Precinct;
- Village Centre Precinct;
- Live / Work Precinct;
- Wastewater and Water Treatment Plant (WWTP) Precinct;
- Light Industry Precinct;
- Lagoon and Amenity Precinct;
- Accommodation Precinct;
- Stream Park Precinct; and
- Solar Farm Precinct.

The location of the Precincts within the site are shown below in Figure 7. For ease of reference, the Site arrangement and buildings have been described by Precinct below.

Figure 7: Precinct Masterplan. Source: Studio Pacific Architecture.

Data Centre Precincts 1 and 2

The proposal includes the upgrade of the standardised data centre consented under Stage 1 (Data Centre Precinct 1) to an AI data centre and an additional AI data centre module (Data Centre Precinct 2) to form a hyperscale AI data centre campus precinct.

Data centres are critical components of telecommunications infrastructure for modern economies, enabling businesses to securely store and process data within purpose built, large scale, secure and climate-controlled facilities. The proposed AI data centre facility has been specifically designed to handle the high computational demands of AI workloads, providing the necessary infrastructure to train, deploy and run complex machine learning models and algorithms, typically equipped with powerful servers, advanced storage systems and specialised hardware accelerators to process massive amounts of data efficiently.

There is an increasing demand for digital services (in particular AI services) across the country, including within rural communities. The data centre will meet local users demands, and will meet the future demand that will be required to implement the Structure Plan.

Similar to Stage 1, the data centre campus will provide for opportunity for waste heat capture and re-use, creating a highly sustainable model for data centres. Conventionally, data centres perform well in terms of efficiency and sustainability, however they have struggled to find a market for the

waste heat from their servers due to the relatively low temperature of the waste heat. With temperatures that range from 30°C to 40°C, it is too low to be converted into electricity, or to be recirculated through district heating networks. However, within the surf park environment, the waste heat generated through the operation of the data centre will be captured and fed into the water treatment plant for the Surf Lagoon to heat the water and provide for an enhanced experience and increased year-round usage. This symbiotic relationship is demonstrated below in Figure 8.

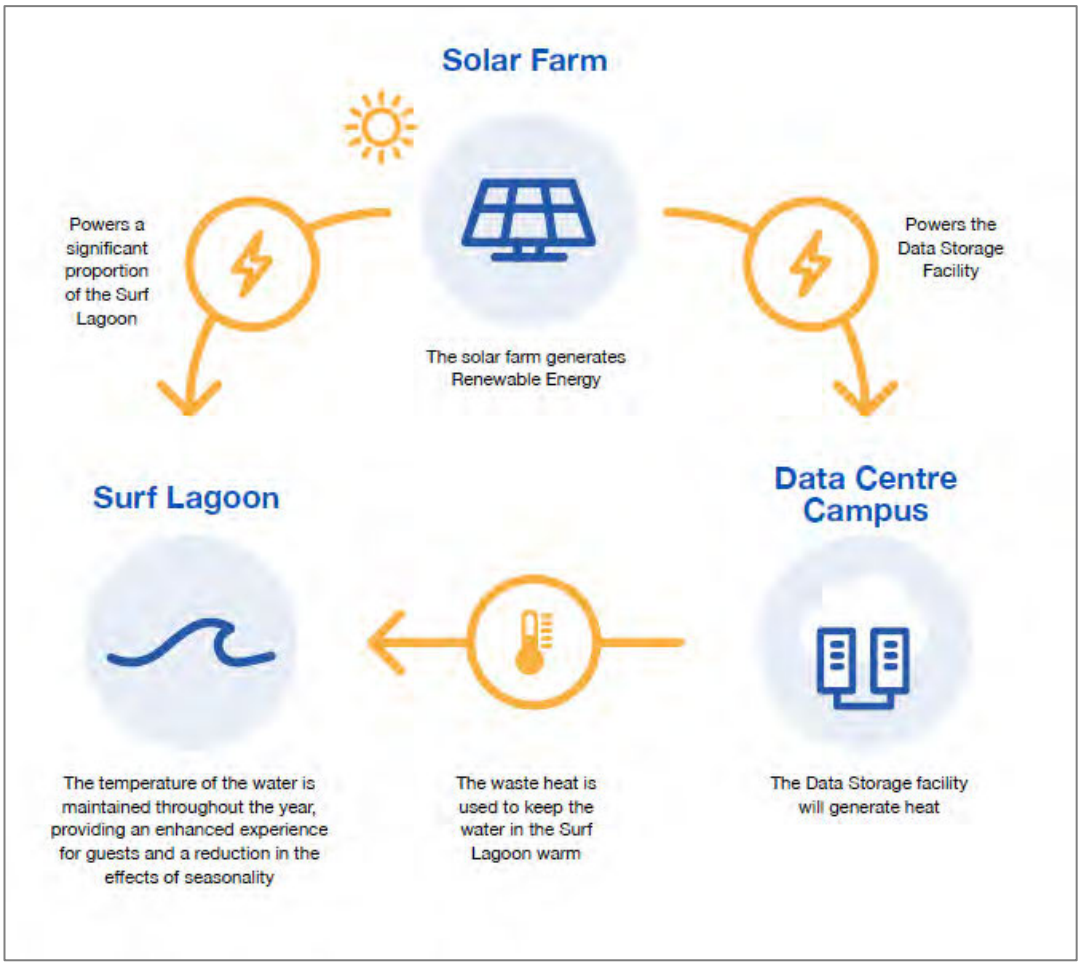

Figure 8: Symbiotic relationship between ASPC elements. Source: Studio Pacific Architecture.

Similar to the Stage 1 proposal, the data centre campus has been co-located with the ASPC, however, will be constructed and operated by a utility provider.

The upgrade of the standard data centre to an AI data centre involves internal changes only. The data centre consented under Stage 1 anticipated a future upgrade and had been designed to accommodate associated fuel storage external plant. No external changes are proposed.

The new AI data centre module will have a maximum height of up to 18.1m and will include the following elements:

- Administration building - 1310m^2 across two levels;
- Equipment rooms and supporting technical facilities - 5,970m^2;
- Northern outdoor plant - 3,110m^2;

- Southern outdoor plant - 2,250m^2; and
- Heat exchange building - 89m^2.

A site plan showing the locailty of the building elements is shown below in **Figure 9**.

Figure 9: Data Centre Site Plan. Source: Studio Pacific Architecture.

The building will be primarily clad in a range of aluminium finishes, with the incorporation of precast concrete panels and glazing. A 3m high trident security fence will surround the entire perimeter of the Site. Further details of the data centre, including the material palate are contained within the Data Centre 2 Precinct Architectural Plans prepared by Studio Pacific Architecture and included as **Appendix 12.**

Landscaping details associated with the data centre element of the proposal are contained within the Data Centre Architectural Plans included as **Appendix 12**. The arrangement follows a similar strategy to the landscaping arrangement for the Stage 1 data centre with the inclusion of specimen trees for screening and lawn areas. A condition to provide final landscape drawings in general accordance with the information provided is proffered as a condition of consent.

Residential Neighbourhoods

The proposal includes residential neighbourhoods within the northern and southern portions of the Site. The residential neighbourhoods have been designed to support a diverse and inclusive community, offering a variety of living options that reflect the needs of different lifestyles and life stages. A detailed analysis of the potential community members that have been considered in

generating the over-all neighbourhood strategy for the entire ASPC has been provided within the Masterplan. In summary the following groups have been considered:

- Surfers and adventurers;
- Weekenders and remote workers;
- National and international visitors (to be accommodated in the Accommodation Precinct and hotel);
- Entrepreneurs and start-ups;
- Young professional;
- Families; and
- Active agers.

The total residential yield anticipated by the Masterplan is 486 units (detached dwellings, apartments and live/work units) as well as visitor accommodation (villas and a hotel).

Northern Neighbourhoods

The northern neighbourhoods celebrate the natural environment while offering a variety housing options. These neighbourhoods includes a range of communal areas throughout, including shared gardens, play areas and open lawn. Pedestrian priority streets and shared pathways promote safety, walkability and accessibility throughout the neighbourhoods as well as to the Stream Park Precinct.

Access northwards via Lascelles Drive is retained as a potential future link, however, the primary access to the northern neighbourhood will be via the collector and village roads.

Northwestern Residential Precinct

The Northwestern Residential Precinct consist of 82 medium - large free-hold allotments ranging in size from 263m^2 – 616m^2. The layout of the northwestern neighbourhood is shown in **Figure 10** below.

The proposal involves the construction of a single dwelling on each allotment as set out in the Northwestern Residential Precinct Architectural Plans prepared by Studio Pacific Architecture and included as **Appendix 16**. The plans include five standardised typologies. See the below Architectural Impression included as **Figure 11.**

Future owners will have the option of constructing the consented dwellings, or a dwelling that complies with the provisions of the Residential Design Controls (RDC) prepared by Studio Pacific Architecture and included as **Appendix 17.** The purpose of the RDC is to provide flexibility for future purchasers by supporting a range of housing choices that promote inclusivity and diversity and respond to different lifestyles, family structures and budgets.

The provisions of the RDC have been based on the design standards and outcomes sought within the Residential – Mixed House Suburban (MHS) and Urban (MHU) zones and have been adapted to reflect the ASPC's vision and the unique landscape of the area.

Figure 10: Northwestern Neighbourhood Masterplan. Source: Studio Pacific Architecture.

Figure 11: Architects perspective of the Northwestern Residential Precinct.

Context images and typical material compositions are provided within the RDC. Facade materials and architectural features have been informed by the local landscape and rural context of the Site. A material palate comprising weatherboards, concrete, and metal cladding in neutral, earthy and recessive colours is proposed. Material and colour have been constrained within the

neighbourhood to establish a consistent and controlled framework while supporting opportunities for individual expression.

The RDC provisions will be imposed as conditions of consent and as consent notices on the northwestern neighbourhood titles.

In terms of the approvals process, where the Residential Design Controls (RDC) are applied, written certification that development has been designed in accordance with the RDC must be submitted at the time of building consent lodgement. This certification must be from an appropriate professional advisor in accordance with the certification process of the RDC.

The complete approvals process, including the criteria for an appropriate professional advisor is set out within the RDC.

If a future landowner/developer seeks to deviate from either the consented dwellings or the standards within the RDC, a new resource consent application under the RMA will be required.

Northeastern Residential Precinct

The Northeastern Residential Precinct adjoins the solar farm at the west and includes a generous native buffer that reinforces the landscape character of the overall development. The neighbourhood will be delivered by the Applicants build partner, Gibbons and Co.

The neighbourhood consist of 178 free-hold allotments ranging in size from 74m^2 – 425m^2. The layout of the northeastern neighbourhood is shown in **Figure 12** below.

The proposal involves the construction of a single dwelling on each allotment as set out in the Northeastern Residential Precinct Architectural Plans prepared by Novak Middleton and included as **Appendix 13**. Housing choice is a key priority within the neighbourhood with a range of options designed to support a diverse and inclusive community. The plans include seven standardised typologies ranging from one - two-storey, 2-3-bedroom dwellings.

Each dwelling is provided with either a garage, an adjoining car pad or a private parking space within a car parking lot.

Facade materials and architectural features within the neighbourhood have been informed by the surf centric vision of the site and design inspiration has come from classic New Zealand coastal architecture. The houses will be constructed from robust, natural materials, including timber, weatherboards, and corrugated pre-painted roofing. These materials will be predominantly painted in light tones with the timber shingles left to weather. A material palate is included within the Design Statement prepared by Novak Middleton and included as **Appendix 14**.

Figure 12: Northeastern Neighbourhood Masterplan. Source: Studio Pacific Architecture.

Southern Residential Precinct

The Southern Residential Precinct is located south of the central Rangitopuni tributary, directly east of the Village Centre. The neighbourhood also adjoins the solar farm to the west.

The southern neighbourhood is intended to be a vibrant residential area designed to foster a strong sense of community while offering a variety of housing options. The layout encourages walkability and connection, with residents able to easily access nearby amenities, green spaces and the Surf Lagoon. The neighbourhood consists of 81 free-hold residential allotments ranging in size from 189m^2 – 416m^2. The layout of the southern neighbourhood is shown in **Figure 13** below.

The neighbourhood includes a range of communal areas including play areas, picnic area and open lawn that have been located adjacent to the Village Centre Precinct to foster a strong sense of community, activation and passive surveillance along the neighbourhood edge as shown in **Figure 14** below.

Similar to the northern neighbourhoods, pedestrian priority streets and shared pathways promote safety, walkability and accessibility throughout the neighbourhood and beyond. The Masterplan also anticipates the construction of RTN by providing for a pedestrian connection to the designation boundary. There is future possibility for a bus stop adjacent to this neighbourhood, providing enhanced accessibility and integration with the transport network. This matter is further discussed below in section 8.2.8.

The proposal involves the construction of a single dwelling on each residential allotment as set out in the Southern Residential Precinct Architectural Plans prepared by Studio Pacific Architecture in

collaboration with Novak Middleton and included as **Appendix 18**. The plans include two standard typologies; a two or three bedroom two-storey dwelling.

Figure 13: Southern Neighbourhood Masterplan. Source: Studio Pacific Architecture.

Figure 14: Visual simulation from within the Southern Neighbourhood Precinct looking west towards the Village Centre Precinct with the Surf Lagoon and Amenity Precinct in the background.

Similar to the Northeastern Neighbourhood Precinct, facade materials and architectural features within the Southern Neighbourhood Precinct have been informed by the surf centric vision of the site and design inspiration has come from classic New Zealand coastal architecture. The houses will be constructed from robust, natural materials, including timber, weatherboards, and corrugated pre-painted roofing. These materials will be predominantly painted in light tones with the timber shingles left to weather. A material palate is included within the Southern Residential Precinct Architectural Plans prepared by Studio Pacific Architecture in collaboration with Novak Middleton and included as **Appendix 18**.

Village Centre Precinct

The Village Centre Precinct is the community heart of the Stage 2 masterplan. The layout of the Village Centre Precinct is shown in **Figure 15** below and is designed to foster community connection and activity.

Figure 15: Village Centre Precinct Masterplan. Source: Studio Pacific Architecture.

The north-south spine road provides access to the area, incorporating street greening, a cycle lane, car parking, and pedestrian areas. Market Lane, a pedestrian only street, provides access to a mix of medium sized commercial spaces, meeting the needs of visitors and ASPC residents.

Buildings throughout the Village Centre Precinct are designed with a simple and natural character, promoting a timeless quality that complements the landscaped setting. Emphasis is placed on landscape-led design, with greenery and natural materials brought to the forefront, creating a campus-like experience that encourages movement through and around buildings while fostering a relaxed and connected community atmosphere.

The buildings featured within the Village Centre Precinct include apartments with commercial spaces at ground floor, an early childhood centre, a wellness centre, food and beverage building and a village market. These buildings are described below and are detailed within the Village Centre Precinct Architectural Plans prepared by Studio Pacific Architecture and included as **Appendix 19**.

Apartment Buildings

Seven apartment buildings including a total of 120 residential units are proposed within the Village Centre Precinct. Apartment typologies A, B and C are located along Market Lane, four levels in height including a commercial ground floor. Apartment typologies D and E are located adjacent to the southern neighbourhood precinct, three levels in height and do not have a commercial ground floor. Each apartment is provided with an outdoor living space in the form of a terrace or balcony that is sized to comfortably accommodate outdoor furniture.

Details of the proposed apartment buildings are set out in **Table 3** below.

Table 3: Apartment Building Typology Metrics.

Apartment Typology	Height	Residential Units	Commercial GFA at GF	Carparks	Cycle Parks
Apartment A	19.6m	24 (12 x 2 bed, 12 x 3 bed)	795m^2	24	24
Apartment B	19.7m	24 (12 x 2 bed, 12 x 3 bed)	795m^2	24	24
Apartment C	20.7m	24 (3 x 1 bed, 8 x 2 bed, 13 x 3 bed)	N/A	24	12
Apartment D1	17.4	16 (4 x 1 bed, 12 x 2 bed)	N/A	16	16
Apartment D2	17.1	8 (2 x 1 bed, 6 x 2 bed)	N/A	8	8
Apartment E1	16.7	16 (4 x 1 bed, 12 x 2 bed)	N/A	16	16
Apartment E2	16.8	8 (2 x 1 bed, 6 x 2 bed)	N/A	8	8

In terms of materiality, the apartments will be constructed from robust materials including profiled metal cladding, timber, glazing, metal screening and metal roofs. Indicative precedent imagery is shown below in **Figure 16** and included within the Village Centre Precinct Architectural Plans prepared by Studio Pacific Architecture and included as **Appendix 19**.

At the time of lodgement, the exact activities / tenant mix of the commercial space within Apartments A and B is unknown. For this reason, consent is sought on the basis that all ground floor tenancies could be a range of commercial uses including offices, services, entertainment, retail or food and beverage.

Figure 16: Architects perspective of the surf lagoon from Apartment A. Source: Studio Pacific Architecture.

Early Childhood Centre

The Early Childhood Centre (ECC) is located to the north of the Village Centre Precinct, adjacent to Apartment B. The key purpose of the ECC is to support the new whānau to the area that will require early childhood childcare services.

The building is a single storey in height and includes a fence outdoor play area as shown below in Figure 17. The building has a total gross floor area (GFA) of 300m^2 and includes two classrooms, a staff room, reception, sleep rooms, kitchen, a small office and ancillary spaces. In addition, the ECC will incorporate approximately 250m^2 of outdoor activity space directly adjacent to the building.

In terms of operational details, the maximum number of enrolled children at the site at one time will be 60. The general hours of operation will be between 7am – 6pm Monday – Friday. However, the following is noted:

- The centre may be accessed by staff or cleaners outside of these hours;
- Small teacher evenings or similar activities may be held between 6pm – 9pm on weeknights; and
- Event associated with the childcare centre may occur on Saturdays within 7am – 7pm.

In respect of materiality and façade details, the building has been designed with both playfulness and safety at mind. The building will be constructed from stained timber cladding and will incorporate recessed and punched windows. Indicative precedent imagery is included within the Village Centre Precinct Architectural Plans prepared by Studio Pacific and included as Appendix 19.

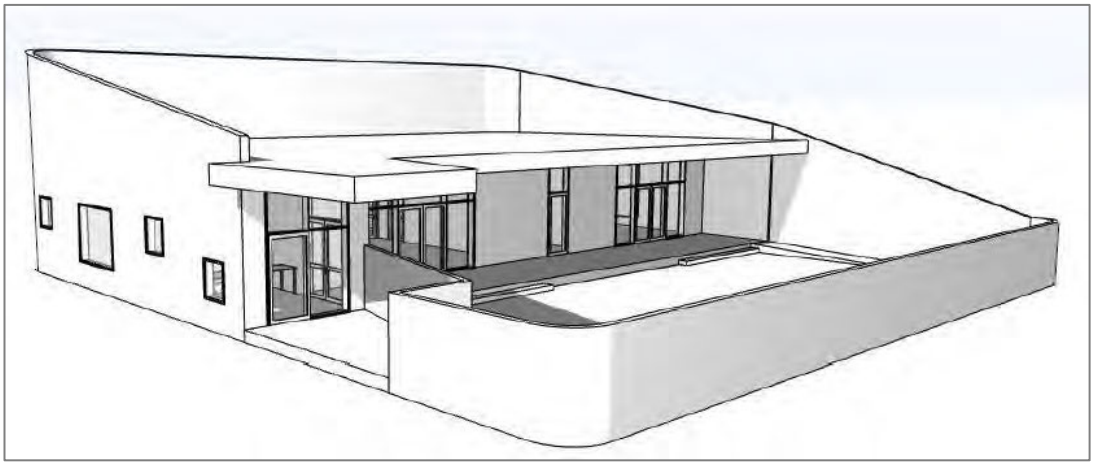

Figure 17: Perspective of the Early Childhood Centre. Source: Studio Pacific Architecture.

Wellness Centre

The Wellness Centre is located between Market Lane and the surf lagoon. The building will be utilised for wellness activities and will include a health spa, sauna, steam room and salon.

The building is a single storey in height and includes a large pool and a roof top terrace that overlooks the surf lagoon as shown below in Figure 18 and Figure 19. The building has a total GFA of 830m^2.

In respect of materiality and façade details, the building will incorporate a timber cladding and canopy. Indicative precedent imagery is included within the Village Centre Precinct Architectural Plans prepared by Studio Pacific Architecture and included as Appendix 19.

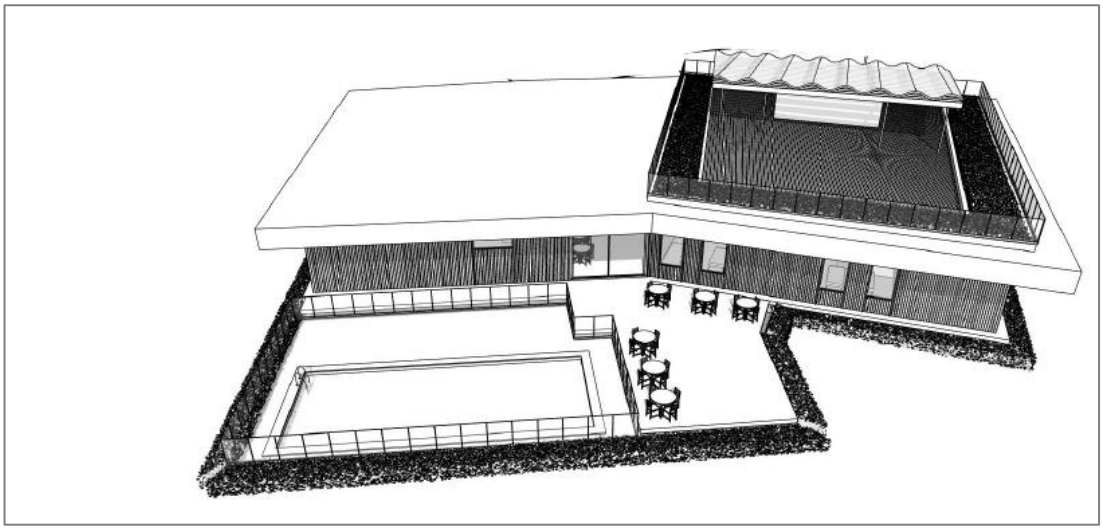

Figure 18: Perspective of the Wellness Centre building. Source: Studio Pacific Architecture.

Figure 19: Architects Perspective of the Wellness Centre. Source: Studio Pacific Architecture.

Food and Beverage Building

The Food and Beverage building is located between Market Lane and the surf lagoon. The building will be utilised for food and beverage activities however; the exact nature of the food and beverage activity (bar, restaurant, café etc) is unknown at the time of lodgement.

The Food and Beverage building is a single store in height and includes a large, covered canopy area as shown in Figure 20 below. The building has a total GFA of 420m^2, inclusive of the 140m^2 sheltered outdoor dining area.

Figure 20: Perspective of the Food and Beverage Building. Source: Studio Pacific Architecture.

In respect of materiality and façade details, the building has been designed with a sawtooth ridgeline and will be constructed from metal wall and roof cladding in a rural context colour palette. Indicative precedent imagery is included within the Village Centre Precinct Architectural Plans prepared by Studio Pacific Architecture and included as Appendix 19.

Village Market

The Village Market is located within the southern portion of the Village Centre Precinct, adjacent to Apartment B. The Village Market will serve as a convenience store to visitors and residents of the community.

The Village Market building is a single storey in height and is shown below in **Figure 21**.

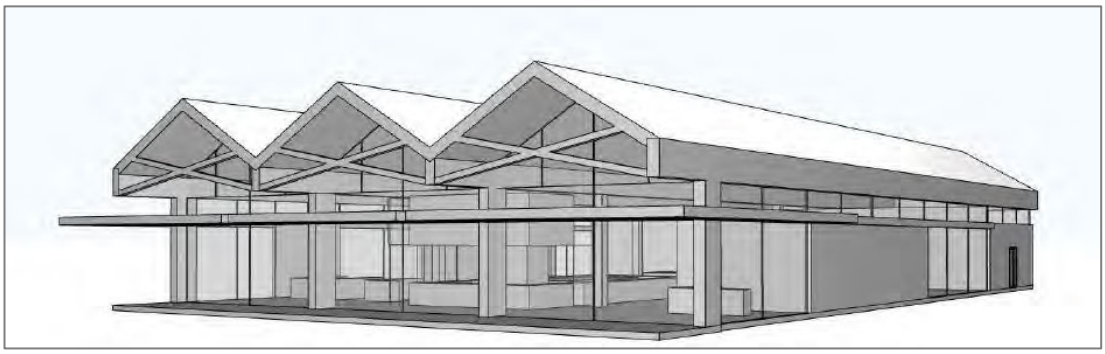

Figure 21: Entry Perspective of the Village Market. Source: Studio Pacific Architecture.

The building has a total GFA of 1090m², including 225m² of back-of-house and approximately 90m² of ancillary offices.

In respect of materiality and façade details, the building will be constructed from in-situ concrete and timber and will include large sections of glazing. Indicative precedent imagery is included within the Village Centre Precinct Architectural Plans prepared by Studio Pacific Architecture and included as **Appendix 19.**

Live-Work Precinct

The Live-Work Precinct is a dynamic hub located south of the collector road as shown below in **Figure 22.** The precinct offers a mix of residential, commercial and light industrial spaces that will cater to a diverse range of lifestyles and business needs. It is considered that the proximity to the surf lagoon, Village Centre Precinct and communal amenities will make the live-work precinct an attractive and highly functional place for entrepreneurs, small business owners and creatives.

As shown in **Figure 22**, 25 live / work units are proposed within the precinct. These are made up of two two-storey building typologies; 15 one bedroom + 75m^2 workspace at ground floor and 10 two bedrooms + 98m^2 workspace at ground floor. This equates to a total of 2,105m^2 of workspace.

At the time of lodgement, the exact activities / tenant mix of the ground floor workspaces is unknown. For this reason, consent is sought on the basis that all ground floor tenancies could be a range of commercial or light industry uses.

In respect of materiality and façade details, indicative precedent imagery is included within the Live / Work Precinct Architectural Plans prepared by Studio Pacific Architecture and included as **Appendix 19.**

Figure 22: Live / Work Precinct Masterplan. Source: Studio Pacific Architecture.

Water and Wastewater Treatment Plant (WWTP) Precinct

The water and wastewater treatment plant (WWTP) compound has been located to the south of the Live / Work Precinct. The proposed location provides easy access for operation and maintenance while minimising its visual and other environmental impacts.

The site compound encompasses all aspects of the WWTP. It includes the hardstand area, treatment plant buildings, tank storage areas, biological treatment area, stormwater dry basin, ground discharge device, vehicle access, and site enhancement planting.

The treatment plant building will be located in the northern portion of the compound as illustrated within Figure 23 below.

The buildings will accommodate key process equipment along with general site facilities such as the control room, toilets, and other amenities.

The treatment plant buildings will be constructed from precast concrete, a material chosen for its ability to provide high noise attenuation and odour containment. By locating key equipment indoors, odour emissions can be reduced. Ventilated air will enter the building through specially designed louvres that maximise fresh air ingress while minimising noise output. The buildings will include an odour extraction and aeration system to limit odours leaving the building. Additionally, the entire treatment plant hall, which houses much of the equipment, will be linked to the odour-scrubbing system.

The WWTP design, ownership and operation, duration and alternatives are further described in sections 8.2.9 below.

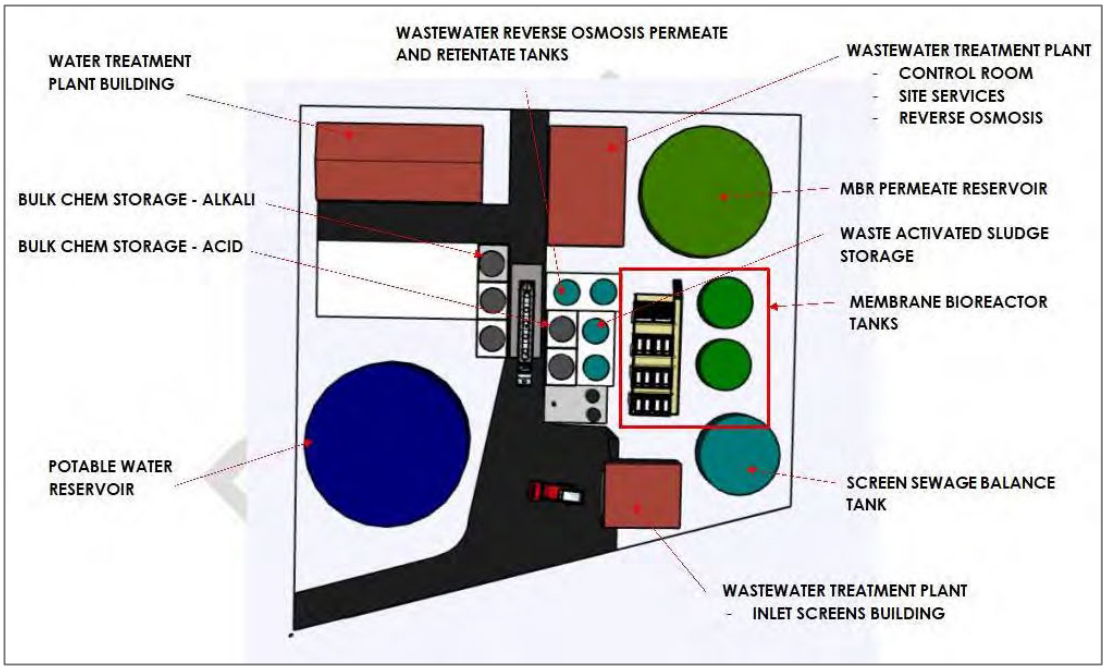

Figure 23: Wastewater Treatment Plant Compound Site Plan. Source: Apex Water.

Light Industry Precinct

The light industry precinct is located along the Postman Road frontage as shown below in **Figure 25**. Typical elevations are shown below in **Figure 24**. In terms of materiality and façade design, indicative precedent imagery is included within the Light Industry Precinct Architectural Plans prepared by Studio Pacific and included as **Appendix 21.**

Ten light industry buildings are proposed within the precinct. Each building has a total GFA of 705m^2; including a GFA of 500m^2 for light industry activities and a GFA of 205m^2 for office activities.

At the time of lodgement, the exact activities / tenant mix of the buildings are unknown. For this reason, consent is sought on the basis that tenancies will be a range of light industry uses.

In addition to the above, a 2,200m^2 area adjoining Postman Road highway has been reserved within the Precinct for a future network utility substation. The substation does not form part of the proposal.

Figure 24: Typical light industry building elevations. Source: Studio Pacific Architecture.

Figure 25: Light Industry Precinct Masterplan. Source: Studio Pacific Architecture.

Surf Lagoon and Amenity Precinct

The Surf Lagoon and Amenity Precinct (previously known as 'the Surf Park' under the Stage 1 application) is located along the Dairy Flat Highway frontage. The Precinct was a core focus of the Stage 1 application and remains the cornerstone of the wider ASPC development.

For completeness, a surf lagoon consists of a large man-made pool that produces artificially generated successive waves, intended to replicate the ocean. The lagoon will be utilised for visitors to engage in, or learn, recreational surfing not subject to relying on the correct tides, swell, wind and weather conditions, and daylight hours required when in the ocean. As described above, the water of the lagoon will be heated through the waste heat generated through the operation of the AI hyperscale data centre campus.

This application seeks to rationalise the Stage 1 site layout while incorporating the additional elements included within Stage 2. The primary changes include:

- Increasing the size and layout of the surf lagoon from 2ha to 2.3ha. The increased size of the surf lagoon will be supported by the excess heat from the proposed additional data centre module described in section 8.2.6 above.
- Rationalising the design and layout of the ancillary buildings that support the operation of the surf lagoon to meet visitor needs and ensure the primary amenities receive a greater degree of sunlight. This includes:

- Replacing the three-storey lodge (GFA of 2,916m^2) which included 46 accommodation units with an eight-storey hotel. The hotel will have a maximum height of 24.2m, a GFA of 24,900m^2 and will include:
  - Typical hotel amenities such as a reception and lounge, lobby, a small office, a seminar room and back-of-house amenities at ground floor;
  - 175 x 28m^2 studio rooms with 3m^2 balconies across levels 1 – 7;
  - An event space, bar, commercial kitchen and back-of-house amenities at level 8.
- Replacing the single-storey surf academy and rental building (GFA of 916m^2) with a single-storey surf academy and first aid building (GFA of 575m^2) and a single-storey surf rental building (GFA of 475m^2);
- Replacing the two-storey administration, ticketing and retail building (GFA of 517m^2) with a single-storey ticketing and administration and surf lounge building (GFA of 350m^2), and a single-storey retail building (GFA of 255m^2)
- Reducing the GFA of the change building from 216m^2 – 215m^2;
- Reducing the GFA of the two-storey restaurant building from 674m^2 – 575m^2;
- The addition of a single-storey café building (GFA of 45m^2);

Materiality and façade design for all buildings within the Surf Lagoon and Amenity Precinct remains consistent with Stage 1. Context images and typical material compositions are provided within the Design Statement prepared by Warren and Mahoney and included as **Appendix 23.**

- Rationalising the layout of the carpark to improve site functionality and create an enhanced arrival experience.

Accommodation Precinct

The Accommodation Precinct (previously known as part of 'the Surf Park' under the Stage 1 application) is located north of the Surf Lagoon and Amenity Precinct and south of the Stream Park as shown below in **Figure 26**.

A total of 57 accommodation units, hereon referred to as the 'Stream Park Villas,' are proposed within the Precinct. These replaced the 24 eco cabins from the Stage 1 consent. The Stream Park Villas comprise a series of standalone and dual-key villas ranging from studios to three-bedroom units.

In respect of materiality and façade details, the villas will be clad with timber weatherboards with raised batten detail. Indicative precedent imagery is included within the Accommodation Precinct Architectural Plans by Studio Pacific Architecture and included as **Appendix 22.**

A Members Clubhouse located within walking distance of the Stream Park Villas is also proposed within the Precinct. The Clubhouse is a two-storey building with a GFA of 974m^2 that will offer shared amenities including dining, a bar, gym, pool, co-working spaces and administration facilities for the use of guests.

In respect of materiality and façade details, the building will be clad with timber cladding and will include large sections of glazing through large format openings as shown below in **Figure 27**.

Indicative precedent imagery is included within the Accommodation Precinct Architectural Plans prepared by Studio Pacific Architecture and included as Appendix 22.

Figure 26: Accommodation Precinct Masterplan. Source: Studio Pacific Architecture.

Figure 27: Perspective of the Clubhouse Building. Source: Studio Pacific Architecture.

Stream Park Precinct

The Stream Park Precinct encompasses the area either site of the central Rangitopuni Stream tributary as shown below in **Figure 28**. The Stream Park Precinct celebrates the naturalisation and revegetation of the stream corridor, forming the heart of the green infrastructure and recreational networks.

A shared path and side trails provide access along the greenway, offering spaces to pause, learn, and engage with the regenerative landscape and cultural values of the site. Features such as pa harakeke and Rongoā planting support the site's wellbeing potential, while naturalised stream edges, wetland terraces, and rock pools enhance habitat opportunities for indigenous flora and fauna. Integrated stormwater wetlands further contribute to the ecological health and resilience of the stream corridor. Landscaping within the Stream Park Precinct is described in section 8.2.7 below.

Stage 1 of the application involved the naturalisation and realignment of the Rangitopuni Stream within the Precinct (LUS60429185). No new stream works are proposed as part of this application.

Figure 28: Stream Park Precinct located between the Northern Residential Precincts to the north and the Accommodation and Surf Lagoon and Amenity Precincts to the south. Source: Studio Pacific Architecture.

Solar Farm Precinct

The application seeks to rationalise the Stage 1 solar farm layout through relocating the panels and ancillary structures within the extent of the RTN corridor as shown below in **Figure 29** The application also seeks to increase the size of the solar farm from 5 – 6.5MW.

The 6.5MW solar farm will generate approximately 10,900 MWh in energy per year, offsetting 39,000 tons of CO^2 emissions and helping to meet the 100% renewable status sought for the hyperscale AI data centre campus. There is also the possibility for any excess generation to be fed to the national grid during periods when solar generation is high and/or on-site energy usage is low.

The solar farm has been designed to not prohibit or preclude the construction of the RTN. To this respect, solar panels generally have a life span of up to 30-years at which time they must be decommissioned. This anticipated end-of-life generally ties in with the commencement of construction of the RTN (approx. 2048) and provides a good use of the land that would otherwise be sterilised until construction commences. Similar to Stage 1, the Applicant will remove or

relocate the structures within the RTN corridor prior to 2048 or the commencement of construction; whichever comes sooner. Stage 1 was subject to a condition of this effect. This condition remains fit for purpose.

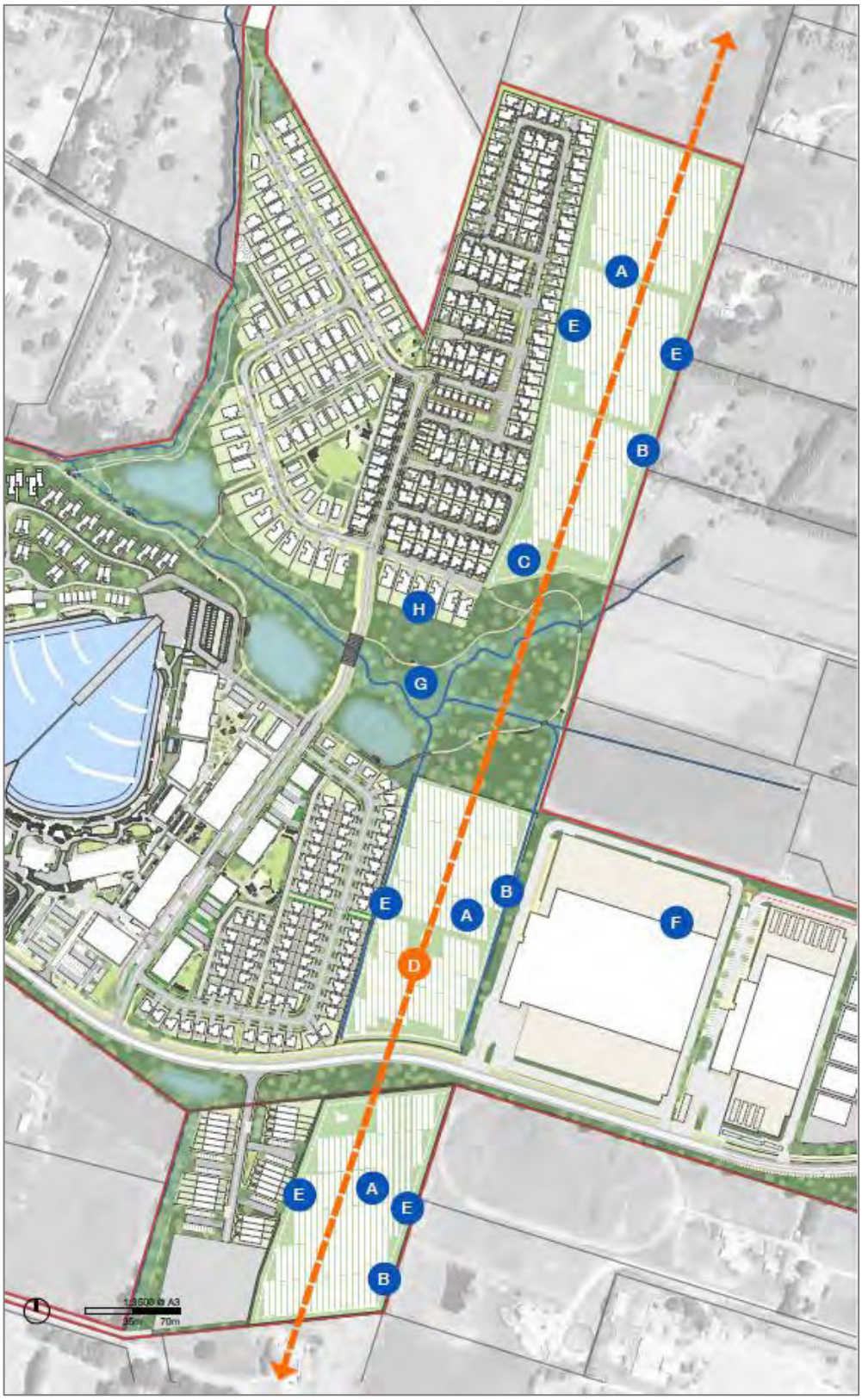

Figure 29: Solar Farm Precinct and RTN corridor. Source: Studio Pacific Architecture.

8.2.7 Landscaping

Landscaping within the Precinct is generally detailed within the Open Space Strategy (OSS) prepared by Studio Pacific Architecture and included as **Appendix 10**. The OSS sets out an overarching framework to ensure a cohesive and high-quality design strategy for the Auckland Surf Park Communities open space network.

The open space network is designed to provide users with seamless access to amenity, recreation, and active transport connections across the precinct. It integrates key destinations within the masterplan including the Surf Lagoon and Amenity Precinct, the Stream Park Precinct, and Residential Precinct with a variety of spaces in between for rest, relaxation and activity.

Beyond recreation, the open space network plays a critical role in environmental resilience. It forms a corridor for stormwater management and biodiversity enhancement, supporting ecological restoration across the site and in relation to this application, namely around the two new tributaries contained within the landholdings.

Together, the network of neighbourhood parks, green spaces, and public squares contributes to the overall enjoyment, identity, and sustainability of the ASPC. With an emphasis on naturalistic design, native planting, and barefoot-friendly landscapes, the open space strategy ensures the ASPC feels simple, relaxed and uniquely of Aotearoa.

The following Precincts are provided for within the OSS:

- Data Centre Precinct 2;
- Northwestern Residential Precinct;
- Southern Residential Precinct;
- Village Centre Precinct;
- Live / Work Precinct;
- Wastewater and Water Treatment Plant Precinct;
- Light Industry Precinct;
- Accommodation Precinct;
- Stream Park Precinct; and

The preparation of final landscaping plans in general accordance the OSS is proffered as conditions of consent.

The landscaping details of the Lagoon and Amenity Precinct are shown on the Landscaping Drawings and Design Statement prepared by Warren and Mahoney included as **Appendices 25 and 23** respectively. The landscaping strategy is consistent with the strategy proposed in this location as part of the Stage 1 consent and is therefore not repeated.

The landscaping strategy for the Northeastern Residential Precinct is shown on the Landscaping Drawings prepared by Greenwood Associates included as **Appendix 15**. The strategy includes, but is not limited to, the following landscape features:

- The planting strategy is split between 'buffer areas', common area (JOALs, parking areas, pedestrian walkways) and individual lot landscaping.

- The 'buffer area' is located around the external boundaries of the Precinct. The buffer will encompass dense native planting and vegetated pedestrian link.
- Common area landscaping will consist of a range of street trees (such as titoki, nikau, rewarewa, pohutakawa) and other plantings including a range of hedging and groundcovers for a shady and sunny spaces.
- Individual lot landscaping includes a range of specimen trees, hedging and ground covers. Seven planting mixes have been designed to provide for variation but general cohesion, and consistent design elements across the Precinct.

- The fencing strategy includes a wide range of fencing typologies to serve varied purposes. 1.8m high laminata fencing is proposed around the sides and rear of the dwellings to provide privacy as well as screening from the Solar Farm Precinct. A mix of 1.2m high timber baton and blade fencing is proposed within the front yards and other locations that will be visible from the street to provide for passive surveillance.
- A mix of surfacing materials such as asphalt, paving, timber boardwalks, permeable concreate, exposed concrete, timber decking and decorative gravel will be utilised to enhance wayfinding and visual interest within the area.

8.2.8 Roading, Access and Parking

8.2.8.1 Roading and Access

Infrastructure elements relating to roading and access have been addressed in the Integrated Transport Assessment (ITA) prepared by Flow Transportation Specialists and included as **Appendix 43,** and the Civil Drawings prepared by McKenzie and Co and included as **Appendix 26**.

In accordance with s27(3)(b)(ii), the roading infrastructure described below will be delivered and funded by the Applicant.

The proposal includes the following arrangements:

- The completion of the collector road consented under Stage 1 from Dairy Flat Highway through to Postman Road.

  The road has been designed to meet the standards contained within the Auckland Transport (AT) Transport Design Manual (TDM) and the Austroads Guide to Road Design. To align with the Structure Plan, the entire road will have a 20.1 – 20.7m wide road reserve, reduced from the 24m wide road reserve consented under Stage 1. The road cross section includes the following aspects:

  - 1m back berm for services;
  - 1.8m wide footpath and a 2.6m wide bi-directional cycle path on the northern side of the road;
  - 2.2m wide front berm from street trees, streetlighting and underground services;
  - 3.5m vehicle lanes;
  - 2.5m – 3m flush median
  - Kerb and channel on both sides of the road;
  - A roadside swale on the southern side of the road; and

- A planted berm on the southern side of the road with an allowance for future footpath if the southern portion of the site intensifies.

The intersection onto Postman Road has been designed as a single lane roundabout which is located within the Site and the existing road reserve.

The completion of the collector road and roundabout will be implemented prior to:

- Traffic generation along the east-west collector road (measured immediately to the east of Dairy Flat Highway) exceeding 300vph (two-way) in the morning peak hour (between 7am and 9am) or 360vph (two-way) in the evening peak hour (between the hours of 4pm and 6pm; or
- Prior to 224C being issued for the Light Industrial Precinct.

Until the collector road is completed a temporary turning head will be provided at the end of the constructed section.

In respect of ownership, the Collector Road and Postman Road intersection is proposed to be vested with Auckland Council.

- The Site will be accessed via the following arrangements:
  - The completion of the Collector Road from Dairy Flat Highway and the Postman Road intersection described above;
  - An outbound only vehicle crossing onto Postman Road from the Light Industry Precinct;
  - A vehicle crossing onto Dairy Flat Highway from the northern portion of the Surf Lagoon and Amenity Precinct carpark. The vehicle crossing will provide an entry for service vehicles only and will be sign posted accordingly;
  - The existing access arrangement to 1320 Dairy Flat Highway to access the WWTP. This access will be used as a left-out exit only and will be sign posted accordingly.

  The existing access via Lascelles Drive will be closed. However, it has been retained as a potential future link.
- The construction of the internal roading network shown in Figure 30 below. The internal network has been designed as a hierarchical system stemming from the Collector Road and will include:
  - The realignment and upgrade of the Spine Road consented under Stage 1. The Spine Road will have a 21m wide road reserve and will be utilised to access the Village Centre Precinct, Southern Residential Precinct, Northern Residential Precincts and Solar Farm. In respect of ownership, the road is proposed to be privately owned and managed via a residents society (or similar);
  - The construction of private Local Roads 1 (16.3m wide road reserve) and 2 (17.3m wide road reserve) within the north-west and south west precincts respectively;
  - The construction of a private industrial road (13.4m wide road reserve) within the Live / Work Precinct;
  - Private residential lanes / jointly owned access lots (JOAL) (8.4m to 12m wide road reserves) within Residential Precincts; and

- Private maintenance and access roads within the Solar Farm and Data Centre 2 Precincts.
- The provision of shared pathways and a cycle lane connecting the top of the Northern Residential Precincts to the Collector Road. This connection is provided in general accordance with the Structure Plan.
- To provide for pedestrian and cycle crossing facilities across the collector road, a refuge island and crossing is proposed towards the east of the Live – Work Precinct.
- The provision of bus stops either side of the Dairy Flat Highway; the upgrade of the existing southbound stop and the provision of a northbound stop remain as consented under Stage 1. Access to these bus stops from the surf park will be provided through the construction of a footpath and pedestrian refuge island across the Dairy Flat Highway.
- Indicative locations for streetlighting are shown within the Civil Drawings included as Appendix 26. A full lighting design to meet the TDM requirements will be provided at the Engineering Plan Approval (EPA) stage.

Figure 30: Internal Roading Network and Typologies (Source: Studio Pacific)

- Road markings and signage will be provided to meet the TDM and Waka Kotahi – New Zealand Transport Agencies (NZTA) Manual of Traffic Signs and Markings.
- Underground services will be located within the berms and footpaths. No manholes or utility access chambers are proposed within the road carriageway.

Trip generation, safety and AUP(OP) non-compliances have been considered within the ITA prepared by Flow and included as **Appendix 43.**

In addition to the arrangements described above, careful thought and consideration has been given to ensure the proposal will not compromise the Structure Plan and provide for the RTN. To this degree:

- There is future provision to provide for a RTN stop adjacent to the Southern Residential Precinct. A pedestrian connection between the Southern Residential Precinct to the RTN corridor is proposed to provide for a potential future connection; and
- Similar to the Stage 1 strategy, all buildings and structures within the RTN corridor will be removed or relocated before 2048 or construction beings on the RTN, whichever comes sooner. A condition of consent to this extent is proffered by the applicant.

8.2.8.2 Parking

The proposed parking arrangement has been assessed within the ITA prepared by Flow and included as **Appendix 43.** In summary the vehicle and cycle parking strategy has been developed in accordance with the AUP(OP) and PC79. This includes:

- 291 car parks within the within the Lagoon and Amenity and Accommodation Precincts. Of these car parks, there are:
  - 150 regular car parks, 7 accessible car parks and 40 overflow car parks within the main Surf Park car park. Of these car parks, 12 car parks will include provisions for electric vehicle charging;
  - 38 car parks associated with the clubhouse and visitor accommodation; and
  - 56 staff car parks at the rear of the surf lagoon.
- 126 regular car parks and 5 accessible car parks within the Village Centre Precinct;
- 61 regular car parks and 6 accessible car parks within the Live – Work precinct;
- In addition to the arrangement consented under Stage 1, an additional 50 regular car parks and 2 accessible car parks within the Data Centre Precinct 2;
- No car parks are proposed within the Solar Farm Precinct as no parking demand is anticipated. The only vehicles accessing the solar farm will be maintenance vehicles;
- 96 cycle parks (a combination of short and long stay) are provided across the non-residential Precincts by way of secure storage and racks; and
- In respect of residential car and cycle parking, these arrangements have been described in section 8.2.6 above and are not repeated here.

All parking spaces have been developed (or can be developed) in accordance with the AUP(OP) parking space dimensions.

The vehicle parking areas meet the AUP(OP) definition for a high contaminant generating car park. Run-off will be treated by the stormwater devices described below within section 8.2.9 and within the Stormwater Management Plan (SMP) prepared by McKenzie and Co included as **Appendix 31**.

8.2.9 Servicing

The proposed servicing strategy for the Site is set out in the engineering reports and plans **(Appendices 26, 29-33 and 48).**

In accordance with s27(3)(b)(ii), the three waters infrastructure described below will be delivered and funded by the Applicant.

By way of summary, the following solutions are proposed:

8.2.9.1 Water Supply

There is currently no public water supply connection available at the Site.

Water supply has been addressed within the Water and Wastewater Servicing Report prepared by McKenzie and Co and included as **Appendix 30** and the ASPC Water and Wastewater Treatment Plant Design Report prepared by Apex and included as **Appendix 48**.

To ensure long-term reliability and resilience, the development will adopt a diversified water-sourcing strategy. The following three strategies are proposed:

(1) A primary supply from the groundwater take of up to two bores.

A detailed description of the proposed water take is provided in section 8.2.5 above. The bores have confirmed capacity to service the entirety of the development if required.

Bore installation and commissioning will be undertaken in staged phases aligned with the development program, allowing progressive verification of aquifer capacity and cumulative drawdown response across the well-field. This staged implementation ensures robust source capacity, redundancy, and a sustainable, independent groundwater supply to service the community.

(2) To supplement bore yield and respond to peak-demand periods, it is proposed to retain the stream water take consented under Stage 1 (LUS60429185).

(3) As an additional optional supplement, and to align with the Applicants sustainability goals and reduce reliance on groundwater resources, rain water collection for non-potable uses is proposed. Developers and building owners will have the ability to opt in at the time of building / dwelling construction.

In respect of treatment, water sources will be conveyed to a centralised onsite water treatment plant co-located with the wastewater treatment plant within the WWT Plant Precinct. The treatment plant will treat water to a potable quality in accordance with the New Zealand Drinking Water Standards. Buildings associated with the plant are described in section 8.2.6. The design, ownership and operational details are discussed in section 8.2.9.2 below.

The water reticulation system has been designed to convey potable water supply toward the water treatment plant. To support distribution the water supply will be integrated with a booster pump. The booster pump will be sized to maintain minimum network pressures under peak demand conditions as well as support firefighting requirement in accordance with FW3 fire water classification.

8.2.9.2 Water Treatment Plant

Water Treatment Plant Design

Reverse osmosis and ion exchange along with ultraviolet disinfection and/or osmosis membrane filtration have been identified as suitable treatment processes to meet or exceed the requirements of the New Zealand Drinking Water Standards based on initial source water monitoring.

Final technology selection shall be confirmed during the detailed design stages of the project.

Residuals produced by the water treatment plant shall be directed to the wastewater treatment plant for treatment

Ownership and Operation

The water treatment plant will be owned and operated by the Utility Company.

Once commissioned, the Utility Company will contract out the ongoing operation of the treatment plant to a suitably qualified operator, ensuring that it operates appropriately and complies with all regulatory standards and consent conditions.

Duration

The proposed treatment system has been designed to operate in perpetuity. However, it may be possible to switch over to a public system should public services be provided for in the future. To enable this option, strategic isolation valves and connection points will be installed at the property boundary, enabling seamless integration should Council infrastructure become available in future years, without compromising the internal system.

8.2.9.3 Wastewater

There is currently no public wastewater connection available at the Site.

Wastewater has been addressed within the Water and Wastewater Servicing Report prepared by McKenzie and Co and included as Appendix 30 and the ASPC Water and Wastewater Treatment Plant Design Report prepared by Apex and included as Appendix 48.

In respect of treatment, the proposal includes the construction and operation of a private onsite wastewater treatment plan co-located with the water treatment plant within the WWT Plant Precinct. Buildings associated with the plant are described in section 8.2.6. The design, assessment of alternative, ownership and operational details are discussed in section 8.2.9.4 below.

The wastewater reticulation system has been designed to convey all wastewater toward the WWTP. Due to the topography of the site in combination with the site layout, a low-pressure sewer (LPS) system has been selected. The LPS system will enable wastewater to be pumped efficiently from the individual lots to the WWTP without requiring extensive gravity reticulation or deep excavation.

In terms of disposal, two solutions are proposed:

(1) Initially, treated wastewater will be directed to wastewater disposal fields underneath the solar farm via irrigation. This mirrors the strategy consented as part of the ASPC - Stage 1; albeit the solar farm and disposal field layout has changed to reflect the RTN designation corridor.

In August 2024 AW Holdings obtained s178 approval from the NZTA to undertake Stage 1 works within the designation including the construction and operation of wastewater disposal field underneath the solar farm. The approval noted that works on the RTN were not expected to occur before 2050. A condition of NZTA's approval (and of the Stage 1 consent), was that the solar farm and wastewater disposal field must be removed before construction of the RTN commenced or before 2050 (whichever was sooner). This condition remains fit for purpose.

In the event that the wastewater disposal field must be removed, treated wastewater can be managed via irrigation to the landscaped areas within the ASCP.

(2) As the development grows and discharge volumes reach the capacity of the disposal field the discharge will be directed to a land contact device prior to entry of the unnamed tributary of the Rangitopuni Stream. The land contact device will be located adjacent to the stream, toward the downstream end of the development. The final location of the land contact device will be submitted to Council for approval prior to lodgement of the building consent for the WWTP.

In all cases, residuals produced by the water treatment plant shall be directed to the WWTP for treatment and reverse osmosis retentate shall be irrigated to land. This process will continue following the removal of the disposal field via irrigation to the landscape areas within the ASPC.

8.2.9.4 Wastewater Treatment Plant

Assessment of Alternatives

Several alternatives were considered during the planning and design phases of the WWTP. The alternatives considered included:

- Option 1: Do nothing.
- Option 2: Construction of a pipeline to a system that has capacity.
- Option 3: WWTP contained within the site (preferred option).

The costs and benefits of each option were evaluated to determine whether any should be advanced for further assessment.

Option 1 was not feasible as no new development would be able to occur until such time that the site is provided with a public connection (anticipated in 2048).

Option 2 would involve significant cost and would impact upon a large number of stakeholders. It would also result in considerable construction impacts including major disruptions to property and / or state highways. For these reasons, Option 2 was not considered practical.

Option 3 would involve significantly less cost than Option 2, would limit impacts on stakeholders (noting that the WWTP and supporting infrastructure would be located within the subject site) and would reduce construction timeframes. For these reasons, Option 3 is the preferred option.

Wastewater Treatment Plant Design

The wastewater treatment plant designed by Apex will employ a hybrid biological nutrient removal system, combining advanced processes to produce exceptionally high-quality permeate. The treatment train will include a four-stage bardenpho activated sludge process, a membrane aerated

biofilm reactor (MABR), hollow-fibre ultrafiltration membranes, and reverse osmosis membranes. As set out above, it is proposed that the treatment infrastructure is staged to accommodate the development as it grows and as environmental constraints require higher levels of treatment.

The system is designed to treat wastewater to an extremely high standard, producing permeate of a quality among the highest achieved by any wastewater treatment plant in New Zealand.

Ownership and Operation

The Applicant will construct the wastewater treatment plant. The wastewater treatment plant will be owned and operated by the private utility company.

Once commissioned, the private utility company will contract out the ongoing operation of the WWTP to Apex (or another suitably qualified operator), ensuring that it operates appropriately and complies with all regulatory standards.

Duration

The proposed treatment system has been designed to operate in perpetuity. However, it may be possible to switch over to a public system should public services be provided for in the future. To enable this option, the proposed water and wastewater treatment infrastructure will be designed and constructed in accordance with current public Watercare standards as much as is practical. This will reduce the requirement for upgrade works should a public service connection become available, noting that the public service delivery timeframe has not yet been confirmed and may be sometime away, and public service requirements may change.

8.2.9.5 Stormwater

There is currently no public stormwater infrastructure within the site or available for connection at the boundary.

Stormwater management for the development employs a private, centralised, catchment scale approach. Constructed wetland, swales, and raingardens will serve as the primary stormwater treatment and detention device for the majority of the site. The stormwater strategy for the site is described within the Infrastructure Report and the Stormwater Management Plan (SMP) prepared by McKenzie and Co and included as Appendices 29 and 31.

Stormwater runoff from the majority of development areas will be collected through conventional piped networks and conveyed directly to the central wetland facility. This piped system ensures efficient capture and delivery of runoff from roofs, driveways and roadways to the primary treatment device.

The wetland will provide comprehensive water quality treatment and quantity control, ensuring post-development peak flow rates for all storm events up to and including the 95th percentile do not exceed pre-development rates. The wetland design also incorporates future climate resilience by applying a 3.8-degree climate change factor for detention storage calculations, exceeding the requirements of both GD01 and the NDC which only mandate detention for historical rainfall conditions.

For the specific lots where site topography prevents gravity discharge to the central wetland, independent stormwater treatment devices will be implemented. These may include raingardens, proprietary treatment systems, or underground infiltration systems, designed to meet the same water quality and quantity performance standards as the main wetland system.

In respect of the solar farm, solar panels do not meet the AUP(OP) definition of either impervious area or building coverage. No specific stormwater disposal infrastructure is proposed for the solar farm itself as the panel mounts will have a very small footprint, and the ground below will remain grassed. During rain events, water will run off the panels and onto the grassed paddock beneath in a similar fashion to the pre-construction scenario. This is the same approach as the strategy consented under Stage 1.

In respect of asset ownership, all stormwater located within the road to vest (Collector Road (Lot 2000)) will be owned by Auckland Council and maintained by Auckland Transport at the time of vesting. These assets exclusively service the future public road.

All remaining stormwater infrastructure will be owned and maintained via the private utility company.

8.2.9.6 Utilities

Indicative locations for electricity and telecommunication are shown within the Civil Drawings prepared by McKenzie and Co and included as **Appendix 26**.

The roading cross sections show the proposed layout can be accommodated within the road corridor.

Detailed design of utilities will commence during Council's Engineering Approval (EA) stages.

8.2.9.7 Refuse and Recycling

The site will be serviced via a private refuse and recycling provider. A Waste Management Plan is proffered by the applicant as a condition of consent.

8.2.10 Subdivision and Development Staging

This section of the application and the subdivision Scheme Plans prepared by McKenzie & Co included as **Appendix 27** is provided in accordance with clause 8 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. With reference to the Scheme Plans, the proposed staged subdivision is detailed is the sections below.

The proposal will see residents' societies (or similar) created to jointly own, be responsible and liable for the ongoing operation, maintenance, and repair of the shared assets including private access lots and private open space lots.

8.2.10.1 Stage 0 - Subdivision

The initial phase of the development will be the subdivision of the site to create a number of lots, one road to vest, one private access lot, three private drainage lots, two private open space lots and a balance lot.

The proposed lots to be created are set out below in **Table 3**.

Table 3: Stage 0 Subdivision.

Lot Type	Lot #	Area
Superlot (further subdivided in Stage 6)	1000	50,170m^2

Superlot (further subdivided in Stage 7)	1001	44,669m^2
Lot	1002	60,285 m^2
Lot	1003	26,503m^2
Lot	1004	21,660m^2
Superlot (further subdivided in Stage 2)	1005	22,549m²
Superlot (further subdivided in Stage 4)	1006	27,927m²
Private Open Space	1007	5,829m²
Superlot (further subdivided in Stage 7A)	1008	2,788m²
Private Open Space	1009	12,633m²
Lot	1010	19,102m²
Lot	1011	5,080m²
Superlot (further subdivided in Stage 1)	1012	61,979m²
Superlot (further subdivided in Stage 5)	1013	53,155m²
Balance Lot	1014	9,783m²
Superlot (further subdivided in Stage 3)	1015	21,541m²
Superlot (further subdivided in Stage 3)	1016	7,079m^2
Road to Vest	2000	24,484m^2
Private Access Lot	2001	10,095m^2
Private Drainage Lot	385	5,080m^2
Private Drainage Lot	390	4,130m^2
Private Drainage Lot	391	3,974 m^2

Hypothetical servicing arrangements for the Stage 0 Subdivision has been proposed by McKenzie & Co to enable 224c certificates to be issued ahead of the construction and operation of the wastewater treatment plant. The intention of this strategy it to enable 224c certificates to be issued without delay so that the build partners can proceed with obtaining the other relevant approvals such as building consent and engineering plan approvals.

8.2.10.2 Stages 1, 2, 3, 4, 5, 5A, 6, 7 and 7A - Creation of Individual Allotments

The following stages of subdivision involves undertaking subdivision around the approved land uses. The subdivision will be implemented in nine sub-stages that further subdivide the Stage 0 superlots. The staging is shown below in **Figure 31**.

The intention of the subdivision is to enable 224c certificates to be issued individually for each

stage so that development on each can occur independently of another stage (excluding Stages 5A and 7A). This is to reflect the delivery of this phase of the project by independent build partners. The proposed conditions for Stages 1-7 have been structured to achieve this outcome.

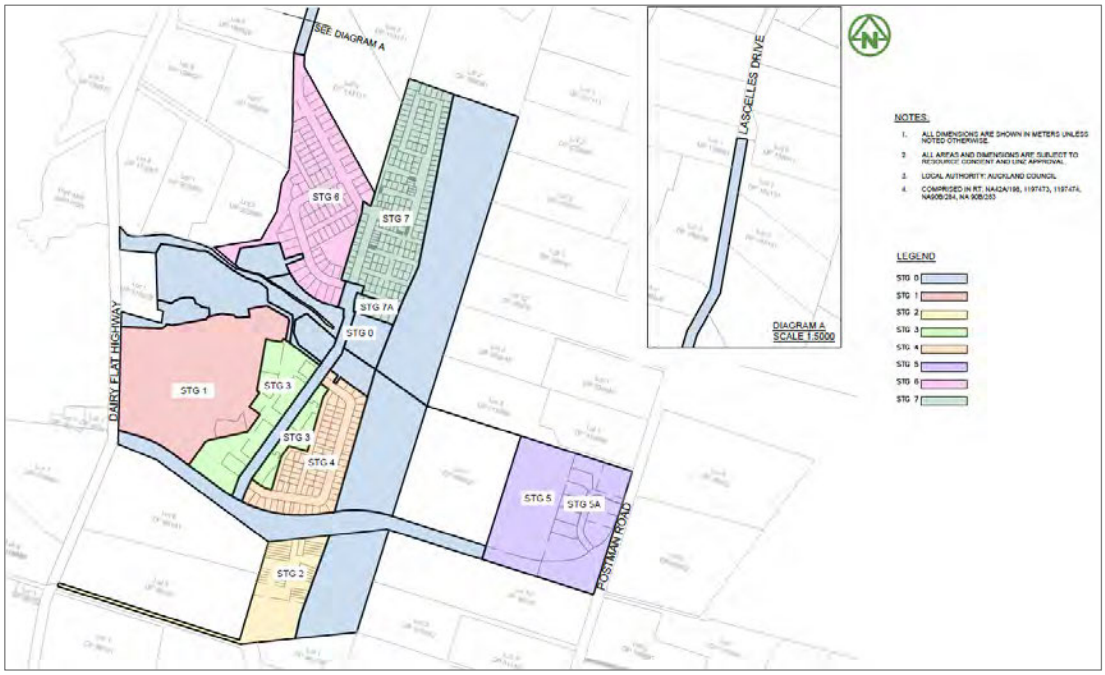

Figure 31: Subdivision Staging Plan. Source: McKenzie and Co.

8.2.11 Consent Duration, Construction and Staging

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 staging for the development was included in the Referral Application. This application refines the staging information submitted with the Referral Application based on the more detailed technical investigations and reporting that has been undertaken. The Applicant is seeking up to a- five-year consent lapse in which to give effect to the first stage of the project, a ten further years after the date of commencement of the first stage for the remainder of the development and 15 years for the staged subdivision. Specifically, AW Holdings intends to stage the development broadly as follows:

- Construction of the water and wastewater treatment plant commencing Q3 2026;
- Bulk season three earthworks, site wide infrastructure and Surf Lagoon and Amenity Precinct construction commencing Q4 2026;
- Data Centre Precincts 1 and 2, Accommodation Precinct, Northeastern Residential Precinct construction commencing Q4 2027;
- Bulk season four earthworks and civil works commencing Q4 2027;

- Town Centre Precinct and Stream Park Precinct construction commencing Q1 2028;
- Northwestern Residential Precinct, Southern Residential Precinct and Live / Work Precinct construction commencing Q3 2028; and,
- Industrial Precinct construction commencing Q3 2029.

8.3 Other Approvals Required

This section of the application is provided in accordance with clause 5(1)(f) of Schedule 5 of the FTAA, that an application provides a description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates.

No other resource consents, notices of requirement for designations, or alterations to designations are required to be obtained by the applicant prior to any works commencing on the site.

8.4 Mitigation Measures, Management Plans and Monitoring

This section of the application is provided in accordance with clause 6(1)(d) and (g) of Schedule 5 of the FTAA, that an application provides a description of the mitigation measures to be undertaken to help prevent or reduce the actual and or potential effects of the activity, and a description of any monitoring to be undertaken.

There are various methods to manage the effects associated with the proposal. For some effects, this involves preparing documents that set out how specific activities will be carried out, such as a Construction Management Plan. For other effects, these have been managed through engineering design or consent conditions that require ongoing monitoring.

Table 4 below provides a clear summary of all mitigation measures incorporated into the Application, from design through to construction and long-term ongoing operation. It outlines how each area of potential effect has been addressed at every stage of the project, including:

- Technical assessments;
- Engineering design;
- Consenting;
- Post consent approvals;
- Construction phase; and
- Ongoing monitoring after construction.

Table 4: Mitigation, Management Plans and Monitoring Measures

Area	Mitigation, Management Plans & Monitoring Measures
Geotechnical	• Geotechnical site assessment and risk identification • Mitigation in engineering design and slope stability assessment • Removal of uncontrolled fill during construction • Post-constriction Geotechnical Completion Report

Area	Mitigation, Management Plans & Monitoring Measures
Engineering / Infrastructure	• Engineering site assessment and infrastructure capacity analysis. • Mitigation through Engineering Design • Safety in Design – Hazard Identification & Risk Assessment • Post consent approvals - EA, Building Consent (BC), s224(c) certification
Earthworks	• Mitigation through Engineering Design of earthworks and erosion and sediment controls • Construction phase Management Plans: o Construction Management Plan (CMP) o Construction Traffic Management Plan (CTMP) o Erosion and Sediment Control Plan (ESCP) o Chemical Treatment Management Plan (ChTMP) o Dust Management Plan (DMP) • Monitoring during the construction phase.
Noise and Vibration	• Mitigation through adherence to the Construction Noise and Vibration Management Plan (CNVMP) • Mitigation measures to comply with AUP(OP) noise and vibration limits as determined by the Phases 1 and 2 Acoustic Design Reports (ADR)
Contamination	• Contamination site assessment and risk identification • Contaminated Site Management Plan (CSMP). • Monitoring of works during remediation and appropriate contingency measures • Post-construction – Contamination Site Validation Report (SVR) of remediation being completed
Traffic	• Traffic assessment of the site and the surrounding network • Mitigation through engineering design • CTMP
Groundwater	• Groundwater assessment of site • Mitigation through engineering design
Archaeology	• Archaeological assessment of the site • Mitigation through the appropriate recording of archaeology before removal from the site
Vegetation (Trees)	• Vegetation assessment of the site
Landscaping	• Landscape visual assessment • Landscape Implementation and Maintenance Plans
Ecological	• Ecological assessment of the site. • Ecological Management Plan (EcoMP)
Data Centre	• Environmental Management Plan (EnvMP) • Emergency Response Plan (ERP)
WWTP	• WWTP design report • WWTP air quality assessment

Area	Mitigation, Management Plans & Monitoring Measures
	• Environmental Management Plan (EnvMP) • Emergency Response Plan (ERP) • Odour Control Plan (ODC) • Operations and Management Plan (OMP)

8.5 Proposed Consent Conditions

This section of the application is provided in accordance with clause 5(1)(k), clause 18 of Schedule 5, and clause 5 of Schedule 8 of the FTAA, that an application provides conditions for the 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 included within **Appendices 60 and 61**.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k), 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 of Consent document includes an overview outlining the approach to the proposed conditions and key working principles.

It is considered that the conditions meet the requirements of the FTAA and the Panel may grant the resource consents subject to the conditions in accordance with Section 81(1)(a) of the FTAA.

9.0 Consents Required

9.1 Resource Consents

In accordance with section 42(4)(a) the application is seeking approval for a resource consent that would otherwise be applied for under the RMA. In accordance with Schedule 5, Clause 5(5)(a) there are also permitted activities associated with the application.

Consent is required under the provisions of AUP(OP), and NES-CS as summarised below. A detailed rules assessment against the applicable provisions of the AUP(OP), NES-F and NESCS is attached as **Appendix 8**.

9.2 New Consents Required

9.2.1 Auckland Unitary Plan (Operative in Part)

E5 On-site and Small-Scale Wastewater Treatment and Disposal

- Pursuant to Rule E5.4.1(A6) the discharge of wastewater via on-site disposal is a **discretionary** activity.

E6 Wastewater Network Management

- Pursuant to Rule E6.4.1(A6), the discharge of treated wastewater into water from a wastewater treatment plant is a **discretionary** activity.

E7 Taking, Damming and Diversion of Water and Drilling

- Pursuant to Rule E7.4.1(A20) the dewatering associated with diversion not meeting the permitted activity standard is a **restricted discretionary** activity.
  - The proposal does not meet standard E7.6.1.6(2) – (3) as dewatering will be permanent.
- Pursuant to Rule E7.4.1(A26), the groundwater take of 1,303m^3/day for the purpose of potable water supply from the Rangitopuni Waitemata aquifer is a **discretionary activity.**
- Pursuant to Rule E7.4.1(A28) the diversion of groundwater that does not meet the permitted activity standards is a **restricted discretionary** activity**.**
  - The proposal does not meet standard E7.6.1.10(2) as excavation across the Northeastern and Northwestern Residential Precincts, the Solar Farm Precinct, the Data Centre Precinct and the Light Industry Precinct is greater than 1ha in area.

E8 Stormwater Discharge and Diversion

- Pursuant to Rule E8.4.1(A10) the diversion and discharge of stormwater runoff from impervious areas not otherwise provided for is a **discretionary** activity**.**

E9 Stormwater Quality – High Contaminant Generating Carparks and Roads

- The proposal involves the construction of a new high use road greater than 5,000m² in area. This is a **controlled** activity pursuant to E9.4.1(A7).

E11 Land Disturbance - Regional

- Pursuant to Rule E11.4.1(A5), earthworks over an area of 50.48ha outside of the Sediment Control Protection Area is a **restricted discretionary** activity**.**
- Pursuant to Rule E11.4.1(A9), earthworks greater than 2,500m^2 within the Sediment Control Protection area is a **restricted discretionary** activity.

E12 Land Disturbance - District

- Pursuant to Rules E12.4.1(A6) and (A10) the proposal to undertake approximately 257,992m^3 cut and 282,546m^3 fill over an area of 50.48ha is a **restricted discretionary** activity.
- Pursuant to Rule C1.9(2) land disturbance that does not meet the permitted activity standards is a **restricted discretionary** activity**:**
  - The proposed earthworks within the riparian yard of a stream exceed 5m² and 5m³ under E12.6.2(1);
  - The proposed earthworks involve fill within the flood plains that will exceed depth of 300m and areas of 10m^2 under E12.6.2(11); and
  - The proposed earthworks involve temporary stocking of materials within flood hazards that will exceed 28 days under E12.6.2(13).

E14 Air Quality

- Pursuant to Rule E14.4.1(A163), discharge of contaminants into air from treatment of municipal wastewater is a **discretionary** activity.

E15 Vegetation Management and Biodiversity

- Pursuant to Rule E14.4.1(A16) the proposal to undertake vegetation removal within 20m of a rural stream is a **restricted discretionary** activity.

E25 Noise and Vibration

- Pursuant to Rule E25.4.1(A2) activities that do not meet a permitted standard for noise levels are a **restricted discretionary** activity. The following standards are not met:
  - Standard E25.6.30(1)(b) Construction Vibration Levels: 1368 Dairy Flat Highway is anticipated to experience vibrations levels of up to 2 – 5mm/s PPV when construction works occur within 30m of the building.

E26 Infrastructure

- Pursuant to Rule E26.2.3.1(A54), a wastewater treatment plant in the Future Urban zone is a **restricted discretionary** activity.
- Pursuant to Rule E26.2.3.1(A55), stormwater detention/retention pond in the Future Urban zone is a **controlled** activity.
- Pursuant to Rule E26.2.3(A63) the proposed solar farm meets the definition of 'other electricity generating facilities. 'Other electricity generating facilities' in the FUZ are a **discretionary** activity.

E27 Transport

- Pursuant to Rule E27.4.1(A2), parking, loading and access which is an accessory activity but does not comply with the following standards in a **restricted discretionary** activity:
  - E27.6.4.2. Width and number of vehicle crossings:
    - The main entry / exit vehicle crossing for the data centre is approximately 3m apart where a 6m separation is required; and
    - The vehicle crossing on the Postman Road roundabout to the eastern industrial accessway is 10m wide where a maximum width of 9m is required.
- Pursuant to Rule E27.4.1(A3), trip generation that exceeds the thresholds of T1, T3 and T8A is a **restricted discretionary** activity.
- Pursuant to Rule E27.4.1(A5) the proposal to construct a vehicle crossing subject to vehicle access restrictions is a **restricted discretionary** activity.

E30 Contaminated Land

- Pursuant to Rule E30.4.1(A6), the proposal involves the potential discharge of contaminates onto the land not meeting Standard E30.6.1.2 but meeting Standard E30.6.2.1, which is a **controlled** activity.

E31 Hazardous Substances

- Pursuant to Rule E31.4.1(A7), (A87), (A91), (A101 - A103) and (A106), the proposal to store hazardous substances above the thresholds for controlled and restricted discretionary activities or are otherwise not provided for is a **discretionary** activity.

E33 Industrial or Trade Activity

- Pursuant to Rule E33.4.2 (A12), discharge of contaminants from a new data centre (unlisted activity) not listed in Table E33.4.3 where the permitted discharge standards are not met is a **controlled** activity. The follow standard is not met:
  - Standard E33.6.1.2: Stormwater treatment is proposed where no stormwater treatment is permitted.

E36 Natural Hazards and Flooding

- Pursuant to Rule E36.4.1(A37), the construction of new structure and buildings within the 1% AEP flood plain is a **restricted discretionary** activity.
- The proposal involves the construction of infrastructure such as roads and infrastructure servicing on parts of the site which are located within the 1% AEP flood plain. This is a **restricted discretionary** activity pursuant to E36.4.1(A56).

E39 Rural Subdivision

- Subdivisions unable to comply with the relevant permitted activity standards within E39.6.1 are a **discretionary** activity pursuant to Rule E39.4.1(A2). The proposed subdivision does not meet Standard E39.6.1.1 for Specified Building Area. Lots will not include a single area of at least 2,000m^2 clear of flood hazard areas.
- The proposal involves the subdivision of land within the 1% AEP floodplain. This is a restricted **discretionary** activity pursuant to E39.4.1(A8).
- The proposal involves subdivision which does not meet the standards in E39.6.1. This is a **discretionary** activity pursuant to E39.4.1(A9).
- The proposal involves subdivision for open spaces, reserves and roads in the FUZ. This is a **discretionary** activity pursuant to E39.4.3(A28).
- The proposal involves subdivision in the FUZ not provided for in E39.4.3. This is a **non-complying** activity pursuant to E39.4.3(A29).

E40 Temporary Activities

- Pursuant to Rule E40.4.1(A24), construction activities associated with the proposed development exceeding 24 months is a **restricted discretionary** activity.

H18 Future Urban Zone

- Pursuant to Rule H18.4.1(A2), new buildings have the same activity status as the activity that the building is designed to accommodate. These are all detailed below and are either **discretionary or non-complying** activities.

- Pursuant to Rule H18.4.1(A28), the proposal to construction 486 dwellings, apartments and live/work units that do not comply with Standard H18.6.8 is a **non-complying** activity.
- Pursuant to Rule H18.4.1(A36), the proposal to establish visitor accommodation (a hotel) is a **discretionary** activity.
- Pursuant to Rule H18.4.1(A38), the proposal to establish restaurants and cafes not provided for is a **discretionary** activity.
- Pursuant to Rule H18.4.1(A42), storage and lock up facilities are a **discretionary** activity.
- Pursuant to Rule H18.4.1(A48) the proposal to establish community facilities (ECC) are a **discretionary** activity.
- Pursuant to Rule H18.4.1(A49) the proposal to establish healthcare facilities (wellness centre) are a **discretionary** activity.
- Pursuant to Rule H18.4.1(A50) the proposal to establish education facilities (early childhood centre) are a **discretionary** activity.
- Pursuant to C1.9(2) the proposal involves development that fails to meet the following Future Urban Zone standards and is therefore a **restricted discretionary** activity:
    - H18.6.2 Maximum building height: The proposal involves the following heigh infringements:

      The 15m maximum non-dwelling height will be exceeded by up to 3.1m in respect of the new data centre within the Data Centre Precinct. However, utilises the AUP(OP) definition for height which excludes 1.5m of height for mechanical plants less than 10% of the total roof area. The height infringement is therefore considered to be 1.6m.

      The following infringements are proposed in relation to the Live Work Precinct:

      - The Live/ Work Unit within Lot 507 will exceed the 9m dwelling height by 0.7m over a length of 3.8m.
      - The Live/ Work Unit within Lot 508 will exceed the 9m dwelling height by 0.6m over a length of 2.6m.
      - The Live/ Work Unit within Lot 509 will exceed the 9m dwelling height by 0.5m over a length of 2.5m.
      - The Live/ Work Units within Lot 510 will exceed the 9m dwelling height by 0.4m over a length of 2.1m.
      - The Live/ Work Unit within Lot 511 will exceed the 9m dwelling height by 0.3 over a length of 1.5m.
      - The Live/ Work Unit within Lot 517 will exceed the 9m dwelling height 0.6m over a length of 1.9m.
      - The Live/ Work Unit within Lot 518 will exceed the 9m dwelling height by 0.5m over a length of 1m.
      - The Live/ Work Unit within Lot 519 will exceed the 9m dwelling height by 0.8m over a length of 1.7m.
      - The Live/ Work Unit within Lot 520 will exceed the 9m dwelling height by 0.6m over a length of 1.7m.

- The Live/ Work Unit within Lot 521 will exceed the 9m dwelling height by 0.6m over a length of 1.5m.
- The Live/ Work Unit within Lot 501 will exceed the 9m dwelling height by 1m over a length of 4.6m.
- The Live/ Work Unit within Lot 50 will exceed the 9m dwelling height by 1m over a length of 3.5m.
- The Live/ Work Unit within Lot 503 will exceed the 9m dwelling height by 1m over a length of 3.2m.
- The Live/ Work Unit within Lot 504 will exceed the 9m dwelling height by 1m over a length of 3.3m.
- The Live/ Work Unit within Lot 505 will exceed the 9m dwelling height by 1m over a length of 3.2m.
- The Live/ Work Unit within Lot 506 will exceed the 9m dwelling height by 1m over a length of 2.9m.

The following infringements are proposed in relation to the Village Centre Precinct:

- The Apartment Block A building will exceed the 9m dwelling height by 10.6m over a length of 66.5m.
- The Apartment B building will exceed the 9m dwelling height by 10.7m over a length of 66.5m.
- The Apartment Block C building will exceed the 9m dwelling height by 11.7m over a length of 50.5m.
- The Apartment Block D1 building will exceed the 9m dwelling height by 8.4m over a length of 37.7m.
- The Apartment Block E1 building will exceed the 9m dwelling height by 7.7m over a length of 37.7m.
- The Apartment Block D2 building will exceed the 9m dwelling height by 8.1m over a length of 19.2m.
- The Apartment Block E2 building will exceed the 9m dwelling height by 7.8m over a length of 19.2m.

The 9m maximum dwelling height will be exceeded by up to 4m within the Northwestern Residential Precinct.

The 9m maximum dwelling height will be exceeded by up to 4.15m within the Northeastern Residential Precinct.

The 9m maximum dwelling height will be exceeded by up to 5m within the Southern Residential Precinct.

The 9m maximum dwelling height will be exceeded by up to 0.5m within the Accommodation Precinct.

The 15m maximum non-dwelling height will be exceeded by up to 9.9m in relation to the hotel within the Surf Lagoon and Amenity Precinct.

- H18.6.3 Yards: The proposal involves the following yard infringements to the external boundaries:

  The following infringements are proposed in relation to the Solar Farm Precinct:

  - The 12m side/rear yard setback in relation to the Solar Farm Precinct will be reduced to 5m across the entirety of the Precinct (where applicable).
  - The 20m riparian setback will be reduced to 5m across the entirety of the Precinct (where applicable).

  The following infringements are proposed in relation to the Accommodation Precinct:

  - The accommodation units will infringe the 20m riparian yard by a maximum depth of 3500mm by a maximum length of 5500mm.
  - The accommodation units will infringe the 6m side/rear yard by a maximum depth of 7000mm by a maximum length of 4500mm.

  The following infringements are proposed in relation to the Lagoon and Amenity Precinct:

  - The Dairy Flat Highway transformer will infringe the 20m front yard setback by a maximum depth of 3877mm over a length of 9759mm.
  - The Collector Road transformer will infringe the 12m side/rear yard setback by a maximum depth of 3861mm over a length of 3847mm.

  The following infringements are proposed in relation to the North-Western Residential Precinct:

  - Lot 315 will infringe the 20m riparian setback by a maximum depth of 5404mm by a maximum length of 12,000mm.
  - Lot 316 will infringe the 20m riparian setback by a maximum depth of 4677mm by a maximum length of 7601mm.
  - Lot 344 will infringe the 20m riparian setback by a maximum depth of 11,094mm by a maximum length of 7199mm.
  - Lot 344 will infringe the 6m side/ rear yard setback by a maximum depth of 185mm by a maximum length of 124mm.
  - Lot 338 will infringe the 20m riparian setback by a maximum depth of 8803mm by a maximum length 5096mm.
  - Lot 336 will infringe the 20m riparian setback by a maximum depth of 3361mm by a maximum length of 1976mm.

  In addition to the above, following blanket resource consent is sought within the Northwestern Residential Precinct to apply the Residential Design Control side and rear yard standard (1.1m) and the worst-case front yard standard (1m).

  The following infringements are proposed in relation to the Southern Residential Precinct:

  - Lot 604 will infringe the 20m riparian setback by a maximum depth of 5366mm and a maximum length of 8033mm.

- Lot 605 will infringe the 20m riparian setback by a maximum depth of 10, 110mm by a maximum length of 8772mm.
- Lot 606-613 will infringe the 20m riparian setback by a maximum depth of 10, 410mm by a maximum length of 8772mm.
- Lot 614 will infringe the 20m riparian setback by a maximum depth of 10,410mm by a maximum length of 8070mm.
- Lot 615-621 will infringe the 20m riparian setback by a maximum depth of 10,410mm by a maximum length of 8772mm.
- Lot 622 will infringe the 20m riparian setback by a maximum depth of 10,410mm by a maximum length of 8770mm.
- Lot 623 will infringe the 20m riparian setback by a maximum depth of 4547mm by a maximum length of 2560mm.

The following infringements are proposed in relation to the Light Industrial Precinct:

- Lot 408 will infringe the 12m side/ rear yard setback by a maximum depth of 5985mm by a maximum length of 30,000mm.

The following infringements are proposed in relation to the Live/ Work Precinct:

- Lot 501-506 will infringe the 20m riparian setback by a maximum depth of 3903mm by a maximum length of 32,721mm.

The following infringements are proposed in relation to the Data Centre Precinct:

- The 3m high security fence around the new data centre module meets the definition of a building. The fence aligns the perimeter of the Site reducing the side and rear yard setback to 0m.

In addition to the above, undertaking subdivision will be undertaken following the land use consent will result in a number of internal yard infringements. These are technical non-compliances and blanket resource consent is sought for this matter across the ASPC site.

Chapter D24

- Pursuant to Rule D24.4.1(A1), development associated with activities sensitive to aircraft noise within the 55dB L_{dn} and 65dB L_{dn} noise boundaries are a **restricted discretionary** activity.
- Pursuant to Rule D24.4.1(A8), subdivision of land for activities sensitive to aircraft noise to create new sites between the 55dB L_{dn} and 65dB L_{dn} noise boundaries is a **non-complying** activity.

9.2.1.3 Plan Change 120 (As Notified) November 2025

E12 Land Disturbance – District

- Pursuant to Rule C1.9(2) land disturbance that does not meet the permitted activity standards is a **restricted discretionary** activity:
  - The proposed earthworks involve fill within the flood plains that will exceed depth of 300m and areas of 10m^2 under E12.6.2(11); and

- The proposed earthworks involve temporary stocking of materials within flood hazards that will exceed 28 days under E12.6.2(13).

E36 Natural Hazards

- Pursuant to Rule E36.4.1A(78), the proposal to locate visitor accommodation within the 1% AEP is a **non-complying** activity.
- Pursuant to Rule E36.4.1A(79), activities where natural hazard risk is potentially tolerable is a **restricted discretionary** activity.
- Pursuant to Rule E36.4.1A(A89), the proposal to locate an onsite wastewater treatment plant and disposal field within the 1% AEP is a **restricted discretionary** activity.
- Pursuant to Rule E36.4.1A(84), the proposal to store hazardous substances in a hazard area is a **restricted discretionary** activity**.**
- Pursuant to Rule E36.4.1(A98), the proposal to locate buildings within the floodplain is a **restricted discretionary** activity.

E39 Subdivision

- Pursuant to Rule E39.4.1A(A2), subdivision unable to comply with the relevant permitted activity standards within E39.6.1 are a **discretionary** activity**.** The proposed subdivision does not meet Standard E39.6.1.1 for Specified Building Area. The 2,000m^2 specified building area infringes the front yard by 10m and the side yard by 3.2m.
- Pursuant to Rule E39.4.1A(A8), the subdivision of land within flood hazard areas is a **restricted discretionary** activity.

9.2.2 National Environmental Standard Freshwater (NES-F)

Resource consent is not required under the provisions of the National Environmental Standard for Freshwater ('NES-F'), as described in the report prepared by Viridis (refer to **Appendix 40**).

9.2.3 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

Resource consent is required as a **restricted discretionary** activity under Regulation 10 of the NESCS in respect of the land at 1320 Dairy Flat Highway and land at 237 Postman Road. This is further detailed in the Detailed Site Investigations prepared by Williamson Water and Land Advisory (WWLA) (**Appendix 35**) and the Aurecon (**Appendix 34**)

9.3 Change of Conditions

Approval is sought under Section 42(4)(b) to change a resource consent condition that would otherwise be applied for under the RMA – specifically, to change a number of consent conditions relating to drawing references. This is a **discretionary activity** resource consent pursuant to section 127 of the RMA.

Changes to the conditions are set out in **Appendix 60**. For ease of review, a marked-up word document and clean pdf have been provided.

For completeness, the updated reasons for consent for ASPC Stage 1 are set out below. Changes are **bold underlined** and reasons for consent superseded by ASPC Stage 2 are show as ~~strike through~~.

9.3.1 Auckland Unitary Plan (Operative in Part)

E3 Lakes, Rivers, Streams and Wetlands

- *Pursuant to Rule E3.4.1(A20) the realignment of the stream that traverses the Site is a discretionary activity.*

~~E5 On-site and Small-Scale Wastewater Treatment and Disposal~~

- ~~*Pursuant to Rule E5.4.1(A6) the discharge of wastewater on-site disposal is a discretionary activity.*~~

E7 Taking, Damming and Diversion of Water and Drilling

- *Pursuant to Rule E7.4.1(A9) the proposed take and use of surface water 'not otherwise listed' exceeds 5m³/day. Take and use of surface water within 'all zones' is a discretionary activity.*
- *Pursuant to Rule E7.4.1(A20) the dewatering associated with diversion not meeting the permitted activity standard is a restricted discretionary activity.*
  - *The proposal does not meet standard E7.6.1.6(2 & 3) as water take will exceed more than 30 days in relation to the lagoon.*
- *Pursuant to Rule E7.4.1(A28) the diversion of groundwater that does not meet the permitted activity standards is a restricted discretionary activity.*
  - *The proposal does not meet standard E7.6.1.10(2) as excavation is greater than 1ha in area.*
- *Pursuant to Rule E7.4.1(A35), dams that do not meet the permitted activity standards are a discretionary activity:*
  - *The lagoon depth exceeds 4m of height under Standard E7.6.11(4); and*
  - *The lagoon exceeds 20,000m³ of storage volume of impounded water for off-stream dams under Standard E7.6.12(2).*

E8 Stormwater Discharge and Diversion

- *Pursuant to Rule E8.4.1(A10) the diversion and discharge of stormwater runoff from impervious areas not otherwise provided for is a discretionary activity.*

E9 Stormwater Quality

- *Pursuant to Rule E9.4.1(A6) development of a new high contaminant generating carpark including ~~370~~ **197** spaces over an area of ~~10,770m²~~ **10,925m²** is a controlled activity.*

E11 Land Disturbance - Regional

- ~~*Pursuant to Rule E11.4.1(A5), earthworks over an area of 41.5ha outside of the Sediment Control Protection Area is a restricted discretionary activity.*~~
- ~~*Pursuant to Rule E11.4.1(A5), earthworks greater than 50,000m² where land has a slope of less than 10 degrees outside a Sediment Control Protection Area is a restricted discretionary activity*~~

- ~~*Pursuant to Rule E11.4.1(A9), earthworks greater than 2,500m² within the Sediment Control Protection area is a restricted discretionary activity*~~

E12 Land Disturbance - District

- ~~*Pursuant to Rules E12.4.1(A6) and (A10) the proposal to undertake approximately 206,614m² cut and 179,127m² fill over an area of 41.5ha is a restricted discretionary activity.*~~
- ~~*Pursuant to Rule C1.9(2) land disturbance that does not meet the permitted activity standards is a restricted discretionary activity:*~~
  - ~~*The proposed earthworks within the riparian yard of a stream exceed 5m² and 5m³ under E12.6.2(1).*~~

E15 Vegetation Management and Biodiversity

- *Pursuant to Rule E14.4.1(A16) the proposal to undertake vegetation removal within 20m of a rural stream is a restricted discretionary activity.*

E25 Noise and Vibration

- *Pursuant to Rule E25.4.1(A2) activities that do not meet a permitted standard for noise levels are a restricted discretionary activity. Predicted levels are as follows:*
  - *Standard E25.6.27: Emergency generator noise levels are predicted up to 55 dB L_{Aeq} at the northern boundary and 49 dB L_{Aeq} at the southern boundary which exceeds the permitted nighttime level of 45 dB L_{Aeq}.*

E26 Infrastructure

- *Pursuant to Rule E26.2.3, ~~a~~ **the** data storage network ~~utility~~ **utilities** is a discretionary activity.*
- ~~*Pursuant to Rule E26.2.3(A63) the proposed solar farm meets the definition of 'other electricity generating facilities. 'Other electricity generating facilities' in the FUZ are a discretionary activity.*~~
- *Pursuant to Rule E26.2.3.1(A55), stormwater detention/retention ponds/wetlands are a controlled activity.*

E27 Transport

- *Pursuant to Rule E27.4.1(A2), the proposal involves accesses that do not meeting the following standard and is a restricted discretionary activity:*
  - *Standard E27.6.4.2: Construction of two vehicle crossing with a separation distance of 3.1m whereby 6m is required.*
- *Pursuant to Rule E27.4.1(A3), the generation of more than 100vph is a restricted discretionary activity.*
- *Pursuant to Rule E27.4.1(A5) and Standard E27.6.4.1(3)(c), the proposal to construct a vehicle crossing on the Dairy Flat Highway subject to an arterial road vehicle access restriction is a restricted discretionary activity.*

E30 Contaminated Land

- *Pursuant to Rule E30.4.1(A6), the proposal involves the potential discharge of contaminates onto the land not meeting Standard E30.6.1.2 but meeting Standard E30.6.2.1, which is a controlled activity.*

E31 Hazardous Substances

- *Pursuant to Rule E31.4.1(A7), (A91) and (A101) the proposal involves diesel powered generators with associated fuel storage (approx. 1.3 million tonnes) exceeding the permitted, control and restricted discretionary thresholds are a discretionary activity.*

E33 Industrial or Trade Activity

- *Pursuant to Rule E33.4.1 (A9), data centres (unlisted activity) that do not meet the relevant permitted of controlled land use standards are a discretionary activity.*
- *Pursuant to Rule E33.4.2 (A12), discharge of contaminants from a new data centre (unlisted activity) not listed in Table E33.4.3 where the permitted discharge standards are not met is a controlled activity.*

E36 Natural Hazards and Flooding

- *Pursuant to Rule E36.4.1(A37), the construction of the bridge within the 1% annual exceedance probability (AEP) floodplain is a restricted discretionary activity.*
- *The proposal involves infrastructure on land subject to overland flow paths and the 1% AEP floodplain. This is a restricted discretionary activity pursuant to Rule E36.4.1(A56).*

H18 Future Urban Zone

- *Pursuant to Rule H18.4.1(A2), new buildings have the same activity status as the activity that the building is designed to accommodate.*
- ~~*Pursuant to Rule H18.4.1(A19), the produce sales associated with the 334m² market/flexible space building is a discretionary activity.*~~
- *Pursuant to Rule H18.4.1(A36), the proposal to establish visitor accommodation in the form of ~~a lodge and eco cabins~~ **Stream Park Villas** is a discretionary activity.*
- ~~*Pursuant to Rule H18.4.1(A37), the proposal to establish a farm to table restaurant being ancillary to farming carried out on the same site is a restricted discretionary activity.*~~
- *Pursuant to Rule H18.4.1(A38), the proposal to establish other restaurants is a discretionary activity.*
- *Pursuant to Rule H18.4.1(A45), the proposal to establish rural tourist and visitor activities is a discretionary activity.*
- *Pursuant to Rule H18.4.1(A54), the proposal to establish an organised sport and recreational facility [3] being a surf park including ancillary surf academy, rental, changing rooms, administration, ticketing and retail facilities is a restricted discretionary activity.*

[3] The surf park is considered to meet the definition for the reasons described in section 9.

- *Pursuant to Rule H18.4.1(A56) the proposal to establish clubrooms (members club) is a restricted discretionary activity*
- *Pursuant to C1.9(2) the proposal involves development that fails to meet the following Future Urban Zone standards and is therefore a restricted discretionary activity:*
    - *The six light columns associated with the surf lagoon do not meet maximum height standard H18.6.2. The six light columns will have a maximum height of 28m exceeding the maximum height limit by 13m.*
    - *The data centre does not meet yards standard H18.6.3.1 as follows:*
        - *The 3m high security fence meets the definition of a building. The fence aligns the perimeter of the Site reducing the side and rear yard setback to 0m.*
        - *A portion of the front façade will extend 1.85m into the side yard across an approximate width of 131m*

9.3.2 National Environmental Standard Freshwater (NES-F)

Resource consent is not required under the provisions of the National Environmental Standard for Freshwater ('NES-F'), as described in the report prepared by Viridis (refer to Appendix 40) the proposal only includes re-alignment of the highly modified stream, no reclamation is proposed.

9.3.3 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

Resource consent is not required under the provisions of the NESCS as detailed in the contamination report prepared by Williamson Water and Land Advisory (WWLA) (refer Appendix 21) in relation to the surf park, and the report prepared by Aurecon (refer Appendix 33) in relation to the data centre.

9.4 Activity Status

Overall, the Stage 2 application is for a **non-complying** activity, and the Stage 1 variation is a **discretionary** activity.

10.0 Assessment of Effects

10.1 Framework for Assessment

This section of the report is provided in accordance with clauses 6 and 7 of Schedule 5, and clause 2 of Schedule 8 of the Act.

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.

The activities which are permitted on the site under the AUP (OP) are identified in the Rules Assessment as **Appendix 8**.

An assessment of all actual and potential effects on people and the environment is set out below, as well as within the supporting specialist reports. It is considered that effects in relation to the following matters are relevant:

- Positive effects;
- Earthworks and construction activities;
- Archaeological values;
- Groundwater take;
- Servicing and infrastructure;
- Ecology;
- Transport and roading;
- Servicing;
- Stormwater and flooding;
- Character, built form and appearance;
- Landscape visual;
- Urban design;
- Reverse sensitivity; and
- Mitigation and monitoring.

10.2 Positive Effects

The development accords with the purpose of the FTAA to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. The development will result in significant regional and national benefits namely through the delivery of infrastructure, increasing the supply of housing, delivering economic benefits, supporting climate change mitigation and other matters including lifestyle and community, as well as mental health and physical well-being benefits. These positive effects are outlined in detail in section 11.

Overall, the proposal is considered to result in a significant contribution to the social and economic well-being of communities, as well as associated environmental benefits.

10.3 Earthworks and Construction Activities

10.3.1 Sediment and Erosion Control

As set out in section 8.2.3, the proposal involves approximately 275,922m^3 cut and 282,546m^3 fill over an area of 50.48ha.

During construction it is proposed to install sediment and erosion control measures to avoid any adverse environmental effects. ESCP have been prepared by McKenzie & Co and are included as Appendix 26. All proposed erosion and sediment control measures will be designed in accordance with the Auckland Council's GD05. Key elements of the sediment control plans include sediment retention ponds, dirty and clean water bunds, silt fences as well as minimising the amount of land disturbance at any one time by completing and stabilising areas before moving onto the construction of the next area. It is anticipated that regular Site visits, weekly contractor meetings, and meetings with the council officers will ensure that the measures planned on site are robust, and up to date with the works program.

On the basis of the above, it is considered that any adverse effects associated with sediment runoff and erosion control, including resulting effects on water quality, will be less than minor.

10.3.2 Stability

With respect to suitability of the site for the proposed development, Initia have prepared Geotechnical Factual and Interpretive Reports (Appendix 38 and Appendix 39).

The geotechnical assessments consider that for the majority of the bulk earthworks the risk of slope instability is low. Notwithstanding this, appropriate batter and protection is recommended by Initia.

In respect of PC120, the site is mapped as having very low susceptibility to deep landslides and generally low susceptibility to shallow landslides apart from in a small number of localised area mapped as moderate to very high. For this reason, Initia have undertaken an Appendix 24 Assessment which is included within Appendix 39. The assessment confirms that landslide risk will be low (acceptable) provided that their recommendations are adhered to.

10.3.3 Dewatering

Groundwater diversion and a permanent groundwater take will be required in order to establish suitable building platforms and cuts below the groundwater mark associated with the northeastern, northwestern, solar farm, data centre and industrial precincts.

Initia consider that there will be no offsite groundwater settlement effects relating to the proposed works. Accordingly, Initia consider that no specific groundwater or settlement monitoring is required.

10.3.4 Dust

Where any dust effects are generated during the earthworks phase, the Site will be sprayed with water as necessary to suppress any dust particles. Any adverse dust effects can be appropriately managed with proposed conditions.

10.3.5 Construction Noise and Vibration

The construction of the proposed development has the potential to result in noise levels greater than the permitted activity standard thresholds of the AUP(OP). For this reason, an assessment of the construction noise and vibration effects has been undertaken by Styles Group and is included as Appendix 41. In summary, Styles Group note the following key conclusions:

- The works will be carried out in accordance with a Construction Noise and Vibration Management Plan ('CNVMP') offered as a condition of consent. A draft CNVMP has been prepared and is included within Appendix 42. The CNVMP includes mitigation measures and standard management practices such as informing the neighbours of when the works will take place to allow for planning ahead;
- With adherence to the CNVMP, noise associated with construction activities is anticipated to comply with the AUP(OP) thresholds; and
- Construction activities will likely exceed the permitted vibration amenity limit of 2 mm/s at the building contained within 1368 Dairy Flat Highway when works are undertaken within 30m of the southern boundary. Occupants within the building may experience brief, intermittent, but perceptible vibration when earthworks machinery is operating in the areas close by however,

vibration levels are not expected to unreasonably disrupt residential or business activities. Styles Group note that while vibration levels could be reduced to comply with the amenity standard, this would result in longer construction timeframes and only provide a modest reduction in vibration levels than would what otherwise be received. Given the relatively low levels of vibration, Styles Group consider that the effects of allowing activities to exceed the amenity limit but complete the work faster is preferrable. Furthermore, adherence to the CNVMP will ensure that receivers are provided with advance notice of the timing and duration of the proposed construction works to allow occupiers to plan ahead.

In addition to the above, it is noted that the AUP(OP) specifically seeks to enable construction activities that cannot meet noise and vibration standards, while controlling duration, frequency and timing to manage adverse effects.

In summary, adherence to the CNVMP will ensure that any temporary adverse construction noise and vibration effects on neighbours will be less than minor and controlled to reasonable and acceptable levels.

10.3.6 Contamination

The Preliminary and Detailed Site Investigations (PSI and DSI), prepared by WWLA (**Appendix 35**), identifies that the new land holdings have a history of uses including for residential and pastoral agriculture purposes. Hazardous Activities and Industries List (HAIL) activities were identified at 1320 Dairy Flat Highway (use of animal drenches and use of asbestos building materials) and 105 Lascelles Drive (use of animal drenches). No HAIL activities were identified at 89 Lascelles Drive.

In addition to the above, the PSI prepared by Aurecon and included as **Appendix 36** did not identify that new development areas at 237 Postman Road being subject to any contamination.

Given the potential sources of contamination at 1320 Dairy Flat Highway, further soil investigations were undertaken. Based on these investigations, it is noted that soils across the new land holdings were generally within the background ranges for the contaminants tested and no asbestos was identified in the soil. However, arsenic in topsoil within the stockyards around the dwelling at 1320 Dairy Flat Highway exceeded the NES-CS high-density residential criteria.

To mitigate effects on human health and environmental discharge, a CSMP has been prepared by WWLA and is included as **Appendix 36**, and CSMP has also been prepared by Aurecon as a precautionary measure and is also included within **Appendix 36**. The CSMP has been prepared to support the enabling works / demolition and provides procedures to guide contractors in materials management, efficient onsite reuse, offsite disposal (if necessary), health and safety and across the wider project, response to unexpected contamination encounters.

Any contaminated soil disposed of off-site will need to be disposed of at a facility licenced to accept such materials. This will ensure that the Site is remediated ensuring that any adverse effects are appropriately mitigated.

Overall, it is considered that with adherence to the CSMP included as **Appendix 36** will appropriately manage and mitigate any adverse effects as a result of the disturbance and removal of contaminated material. For these reasons, contaminated land effects are considered to be less than minor.

10.3.7 Construction Traffic

A CTMP will be prepared to manage the traffic effects associated with construction activities. Given the size of the Site, there is sufficient space on site to accommodate workers vehicles and is it not expected that there will be spillover effects to on-street parking during the construction period. Overall, it is considered that traffic effects during the construction period can be appropriately managed subject to a condition to prepare, and adhere to a CTMP.

10.3.8 Summary

On the basis of the above, and subject to adherence with the ESCP, CMP, CNVMP, CTMP and CSMP it is considered that any adverse effects associated with earthworks and construction will be temporary and any one receiver will not be exposed to high noise levels activities for long periods of time. Furthermore, there are no significant geotechnical constraints that would preclude the type of development proposed. Overall, it is considered that any adverse effects will be managed to a level which are less than minor.

10.4 Archaeology

The Site is subject to a recorded heritage Site within the Auckland Council Heritage Inventory (CHI 16094) in relation to an existing villa. As set out in section 8.2.1 above, the villa will be removed to facilitate the development.

As part of the structure planning for the Kumeu-Huapai, Riverhead, and Red Hill North Business Area, Auckland Council reviewed the Site but have determined it does not merit further evaluation as a scheduled historic heritage place (Francesco and Brassey 2019). As a result, this building is assessed as having no more than moderate heritage values based on the Auckland Unitary Plan RPS criteria.

Archaeological Authority (Ref: 2026-306) was granted by Heritage New Zealand Pouhere Taonga for the destruction of the pre-1900s villa and associated site works. The Archaeological Authority is included within Appendix 7.7.

No archaeological sites are recorded on the properties under the New Zealand Archaeological Associates (NZAA) Site Recording Scheme (SRS).

For the reasons set out above, any potential effects associated with land disturbance in nearby proximity to the heritage site are considered to be less than minor.

10.5 Groundwater Take

The proposed groundwater take for water supply has been assessed by Williamson Water & Land Advisory (WWLA) and their report is included as Appendix 40. In summary, potential effects associated with the groundwater take are considered to be less than minor for the following reasons:

- The water availability for the Rangitopuni Waitemata aquifer can meet the demand of the proposed water take;
- Potential drawdown on neighbouring bores within the zone of influence of the proposed bores are considered negligible;

- Stream depletion may occur at a rate of 2.1L/s. This is anticipated to be spread across both the Rangitopuni Stream and the Dairy Stream and will represent a weighted average stream depletion of 5.8% and a maximum of 6.7% of mean annual low flow. WWLA consider this to be an insignificant change;
- Due to the depth of the bores in conjunction with the use of impermeable casings that will separate the Aquifer from surface features such as estuaries and the coast the risk of saline intrusions developing will be low; and
- Due to the ground conditions, the bores are not considered to be at risk of settlement.

10.6 Servicing and Infrastructure

Details of the proposed infrastructure services such as stormwater, wastewater, water supply and utilities, are outlined in section 8.2.9 above and are further detailed in **Appendices 26, 29-33 and 48-54**. Their engineering reports confirm that the Site is able to be appropriately serviced.

10.7 Stormwater and Flooding

The proposal will result in an increase in impermeable surfaces throughout the Site, in addition to an increased intensity of use. Auckland Council's GeoMaps indicates that there are a number of overland flow paths that traverse the Site, as well as a floodplain associated with the stream that extends through the Site as shown below in **Figure 32**. For these reasons, a Stormwater Management Plan (SMP) and Flood Memorandum have been prepared by McKenzie and Co and are included as **Appendices 31** and **32**. A Flood Assessment has been prepared by Wood and Partners Consulting Limited (Woods) and is included as **Appendix 33**.

Stormwater management is addressed within **Appendix 31**. The approach seeks to continue to promote sustainable stormwater management and land development at the site. To this respect, the Stage 1 principles have been reviewed and remain applicable to the Stage 2 proposal. In respect of stormwater treatment devices (treatment, detention, conveyance and outlets), McKenzie's have identified the BPO's based on the site catchment areas. These are outlined within **Appendix 31** and are not repeated here. In respect of asset ownership, all stormwater devices located within the road to vest will be owned by Auckland Council and maintained by Auckland Transport. The remaining stormwater infrastructure will be maintained and owned and operated by the private utility company. In respect of ongoing maintenance, this will be managed by the asset owners. Draft operations and maintenance manuals will be prepared for all devices prior to their operation. This is proffered as a condition of consent.

In respect of flooding, Woods have undertaken flood modelling of the pre-development and post-development scenarios. The result of the modelling are discussed **Appendix 33**. All scenarios were simulated for the 2, 10 and 100-year ARI storm events using rainfall conditions and with an allowance for a 3.8-degree future temperature increase by 2110. Further, 2 and 10-year ARI events were simulated with an allowance for a 2.1°C future temperature increase by 2090.

In respect of flood extents and depth, the modelling demonstrates that the overall flood level outside of the site extent remains largely unchanged when comparing the pre and post-development scenarios.

In respect of water level changes, the modelling demonstrates small-scale increases in water levels outside the development extent at two locations shown in **Figure 32** below. Across all scenarios,

these increases were observed as highly localised and generally do not exceed 30mm. Further, the increases remain within the pre-development flood extent and occur in isolated areas only. The increases do not result in changes to flood pathways nor flood hazard classification. On this basis, Woods consider that these increases pose no additional risk to people, property nor infrastructure.

In respect of Plan Change 120 (PC120), Woods have reviewed the modelling results against the PC120 hazard classification thresholds. The assessment indicates that the areas proposed for development are generally not located within zones classified as moderate, high, or very high flood hazard under PC120, where there is vertical separation is proposed and therefore will not be located within the hazard area. Modelled flood depths and depth-velocity products within the site are generally within the low hazard category or below the applicable PC120 thresholds. Furthermore, any limited areas shown within mapped flood hazard extents are anticipated to be appropriately managed through the proposed development. This includes the integration of site layout, earthworks levels, finished floor levels, overland flow path provision, and stormwater management measures detailed within the SMP and Flood Memorandum included as Appendices 31 and 32 to ensure flood hazards are appropriately addressed.

In addition to the above, McKenzie and Co have undertaken a Hazard Risk Assessment (HRA) in line with the requirements of PC120. In all case, the HRA determines risk to people, property, infrastructure and the environment is low.

Overall, the development has been designed to mitigate stormwater flows to ensure that they do not cause any increased flooding risk for the Site and up/downstream properties. The design will appropriately mitigate the flood hazard and will not increase the risk on adjacent properties or public safety. Furthermore, the proposed development is considered to be consistent with the intent and assessment framework of PC120.

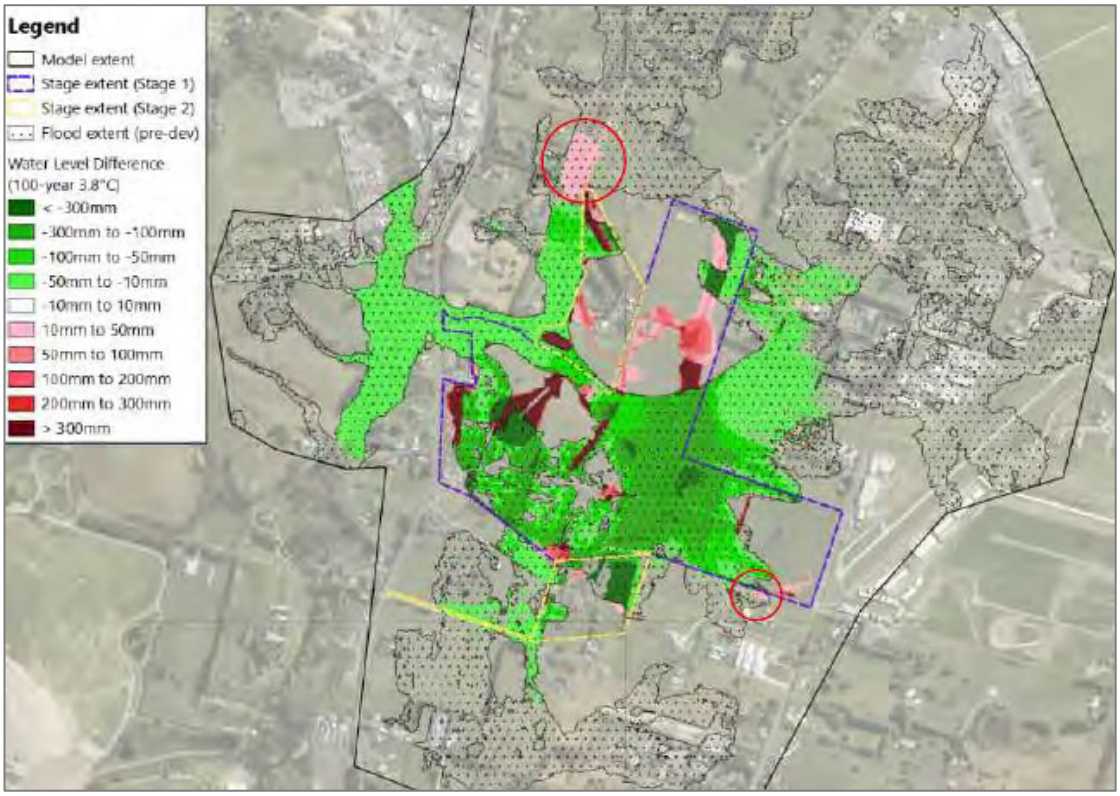

Figure 32: Water Level Difference – 100-year ARI 3.8 degrees. Source: Wood and Partners Consultants Limited.

10.8 Storage of Hazardous Substances

The proposal involves the storage of hazardous substances associated with both the WWTP and the new data centre module. Effects associated with the storage of hazardous substances relevant to each are addressed below.

10.8.1 Data Centre Module

The data centre includes the provision of diesel-powered generators (gensets) with associated fuel storage on site. For this reason, an AUP(OP) E31 and E33 assessment and a draft Environmental Management Plan have been prepared by Engeo and is included as Appendix 46.

In summary, potential effects associated with the storage and use of diesel on site are considered to be less than minor for the following reasons:

- Each generator will be tested each month for one hour as part of the maintenance requirements.
- Apart from initial engine cranking during the first 15-30 seconds of the generator starting, there should not be visible soot from normal generator operation. To further reduce the potential of visible soot the generators are switched on each month for one hour as part of the maintenance regime.
- The separation distances of tanks to public and protected places exceed the requirements set by Health and Safety at Work (Hazardous Substances) Regulations 2017. These are the regulations relating to the Duty of Person Conducting Business (PCBU) to ensure that adverse effects of unintended ignition are controlled. The fuel storage area is setback from the boundary, eliminating the risk of fuel spillage into watercourses outside of the boundary.
- The proposed secondary containment (tanker bays, double walled tanks) prevents the release of unintended liquid spills and prevents any accumulation within the Site. In respect of stormwater, treatment will be provided through the provision of the stormwater interceptor. The storage of diesel is not expected to result in any significant accumulation of gas or vapour outside of the Site area, as diesel is a combustible with low vapour pressure and volatility. The insulation of underground tanks and fire rated aboveground tanks regulates the fuel temperature to further reduce the trivial evaporation.
- The drainage systems have been designed to prevent diesel entering the stormwater and sewer as well as air, land or water.
- Spill containment systems have been appropriately designed as to prevent any spill or other unintentional release of hazardous substances
- The land in the locality of the data centre module is predominantly in grass cover and does not feature any significant or sensitive natural features.
- There are no important or significant topographical features in the vicinity of or affected by the proposal.
- Any nearby watercourses will not be affected by the data centre fuel storage tanks as they are well separated by the data centre building consented under Stage 1 and the solar farm and are greater than 30m away from any watercourses.

- There are no residential neighbours in proximity to or that are affected by the proposed underground storage tanks including their proposed location. The tanks will also be physically well separated from any areas where the public have access. As a result, the fuel storage tanks will not affect the sensitivity of the surrounding natural, human and physical environment.
- A draft Environmental Management Plan (EMP) has been prepared by Engeo and included as Appendix 47. The draft EMP includes an inventory of the hazardous substances on site, management and storage requirements, spill procedures, and provision for an Emergency Management Plan (ERP). The EMP will ensure adverse effects associated with the storage and use of hazardous substances on the site will be appropriately managed and mitigated.

In summary, any potential effects of storage of hazardous substances can be managed to minimise risk to all persons and the environment.

10.8.2 Wastewater Treatment Plant

The wastewater treatment plant includes the provision of hazardous substances on site. For this reason, an AUP(OP) E31 and E33 assessment have been prepared by Apex Water and included within the Water and Wastewater Treatment Plan Design Report included as Appendix 48.

In summary, potential effects associated with the storage and use of hazardous substances on site are considered to be less than minor for the following reasons:

- Generators will be used for emergencies only. Each generator will be tested each month for one hour as part of the maintenance requirements.
- Apart from initial engine cranking during the first 15-30s of generator starting, there should not be visible soot from normal generator operation. To further reduce the potential of visible soot the generators are switched on each month for one hour as part of the maintenance regime.
- The separation distances of tanks to public and protected places exceed the requirements set by Health and Safety at Work (Hazardous Substances) Regulations 2017. These are the regulations relating to the Duty of Person Conducting Business (PCBU) to ensure that adverse effects of unintended ignition are controlled. The hazardous substance storage area is setback from the boundary, eliminating the risk of spillage into watercourses.
- All compatible substances shall be kept in segregated areas to avoid mixing.
- Secondary containment (tanker bays, bunding, double walled tanks) will prevent the release of unintended liquid spills and prevents any accumulation within the Site. Spill containment systems will be appropriately designed as to prevent any spill or other unintentional release of hazardous substances. Chemical storage areas and unloading areas will be designed to capture and hold any spill or accidental release. Once captured, these spills can be recovered for removal, neutralised in place or diverted into dedicated drainage that is separate from the site's stormwater handling.
- In respect of stormwater treatment, stormwater generated in in areas where hazardous substances are stored or used will be collected and diverted for treatment through the WWTP process.
- The land in the locality of the wastewater treatment plan is predominantly in grass cover and does not feature any significant or sensitive natural features.

- There are no important or significant topographical features in the vicinity of or affected by the proposal.
- Any nearby watercourses will not be affected by the storage and use of hazardous substances as they are greater than 20m away from any watercourses.
- There are no residential neighbours in proximity to or that are affected by the proposed underground storage tanks including their proposed location. The tanks will also be physically separated from any areas where the public have access. As a result, the fuel storage tanks will not affect the sensitivity of the surrounding natural, human and physical environment.
- A draft EMP has been prepared by Apex Water and is included as **Appendix 51.** The draft EMP includes an inventory of the hazardous substances on site, management and storage requirements and spill procedures. The EMP will ensure adverse effects associated with the storage and use of hazardous substances on the site will be appropriately managed and mitigated. Further, a draft ERP has been prepared by Apex Water and is included as **Appendix 52**. The ERP identifies risk to personnel on site and with the vicinity of the plant and how these shall be responded to in the event of an emergency.

In summary, any potential effects of storage of hazardous substances associated with the wastewater treatment plant can be managed to minimise risk to all persons and the environment.

10.9 Ecology

10.9.1 Flora, Fauna, and Freshwater

An Ecological Impact Assessment (EcIA) has been prepared by Viridis and is included as **Appendix 44.**

In respect of vegetation, approximately 2.1ha of vegetation will be removed across the Stage 2 site area to enable construction, earthworks, infrastructure installation, landscaping and the implementation of restorative riparian planting. Although the magnitude of vegetation removal is relatively high in a spatial sense, Viridis consider the low ecological value of the vegetation means that the overall level of adverse effect is considered to be low. Furthermore, Viridis consider that the substantial native replanting, including riparian planting along the northern, central and southern streams outside of the Stage 1 footprint, will significantly increase the extent, quality and diversity of indigenous vegetation across the site.

In respect of fauna, due to vegetation removal primarily relating to exotic pasture species, pest plants and low-quality vegetation Viridis consider effects on native fauna will be minimal. In respect of avifauna, low numbers of native birds were observed during surveys, and the vegetation provides limited foraging and nesting habit. Therefore, Viridis considers effects on native avifauna to be low. In respect of lizards, due to poor quality habitat, lack of connectivity and absence of any confirmed native lizard populations (despite targeted survey efforts) Viridis considers effects on lizards will be negligible to low. In respect of bats, no bat activity was detected during monitoring. This is likely linked to low quality roosting and foraging opportunities within the site. Therefore, Viridis considers effects on bats to be negligible to low. Overall, Viridis consider the extensive programme of native riparian and landscape planting will produce a net ecological gain, delivering long-term improvements to vegetation structure, habitat quality and biodiversity values for indigenous birds, lizards, bats and invertebrates.

In respect of freshwater ecology, no additional in-stream works are proposed as part of Stage 2 beyond those already consented under the Stage 1 consent, which includes the diversion of the upper reach of the central stream and a single culverted road crossing. Three new pedestrian crossings are proposed across the central stream; however, these crossings will fully span the watercourse, and no works within the wetted channel are required. Across the site, approximately 2.2ha of land lies within 10m of the stream margins. Earthworks will occur over approximately 1.2ha of this area (55%), although the vast majority (approximately 1.1ha) is associated with the consented Stage 1 footprint. Stage 2 therefore introduces an additional 0.1ha of earthworks within the 10m margin, equating to roughly 5% of the total riparian area. To this extent, Viridis consider that the proposed riparian restoration and landscape planting will substantially improve freshwater ecological values by enhancing shading, increasing filtration and bank stability, strengthening buffering functions and providing organic matter inputs to the stream system. Overall, with the avoidance of further instream works, the implementation of the Streamworks Management Plan and the Steam Restoration Plan (as conditioned by Stage 1) and the implementation of the ESCP Viridis consider that adverse effects of the proposal on stream ecological values are low and will lead to long-term enhancement of freshwater habitat within the Site.

In respect of stormwater management, Viridis note that provided the stormwater system is constructed as designed and maintained appropriately, potential stormwater-related effects on freshwater environments are assessed as low. Viridis consider that well-controlled and distributed nature of the proposed network is expected to protect existing hydrological and ecological functions within the site and downstream catchments.

In terms of the NPS-FM and National Policy Statement for Indigenous Biodiversity (NPS-IB), the effects management hierarchy contained within the NPS-FM and NPS-IB outlines the approach for managing adverse effects of activities. Where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting should be provided where possible. Virdis consider that all adverse effects can be remedied or mitigated. No offset is required.

Overall, Viridis consider that the proposal is expected to have a low level of ecological effect and instead will result in a net ecological gain. For these reasons, ecological effects are considered to be positive and otherwise less than minor.

10.9.2 Wastewater Discharge

Effects of the proposed wastewater discharge on water quality and stream ecology are addressed in a separate WWTP Ecological Impact Assessment prepared by Viridis and included as **Appendix 49.**

In respect of receiving water quality, modelling undertaken by Viridis demonstrates that modelling demonstrates that, across all assessed scenarios, concentrations of most contaminants are maintained at, or improved relative to, baseline stream conditions. This outcome reflects the close alignment between existing receiving water quality and the quality of the proposed treated discharge. Nitrate nitrogen is the only parameter for which an increase is predicted, and this occurs under dry weather and average flow conditions. Notwithstanding this, Viridis note that effects are considered unlikely, even for sensitive species. Overall, due to the existing community condition, and the small and temporary nature of increases in nitrate nitrogen, Viridis do not anticipate adverse effects to the stream's benthic ecosystem health. For the same reasons, Viridis anticipate effects on the stream's fish community to be negligible.

In respect of land use change, the proposal represents a net reduction in nutrient loading relative to the former pastoral use (beef grazing and stocking of up to 100 cattle), replacing a larger diffuse source with a smaller, controlled discharge. The monitoring programme proffered by the applicant as conditions of consent will confirm Viridis predictions and provide a basis for early warning of any unforeseen events.

In terms of the NPS-FM and NPS-IB, the effects management hierarchy contained within the NPS-FM and NPS-IB outlines the approach for managing adverse effects of activities. Where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting should be provided where possible. As above, Virdis consider that all adverse effects can be remedied or mitigated. No offset is required.

Overall, Viridis consider that the proposal is expected to provide appropriate protection of receiving water quality and associated ecological values. For these reasons, ecological effects associated with the wastewater discharge are considered to be less than minor.

10.10 Traffic, Access and Parking

Traffic, access and parking matters related to this proposal have been assessed by Flow Transportation Consultants (Flow) and their ITA is included as Appendix 43. In summary, Flow note the following key conclusions:

- The proposed roading arrangement has been designed in general accordance with the Silverdale West Dairy Flat Structure Plan. To this respect:
    - The proposal involves the construction and operation of a solar farm within the extent of the RTN corridor. The solar farm is temporary in nature and will be relocated or removed prior to 2048 or when construction commences on the RTN; whichever comes sooner; and
    - The Stage 1 application involved the partial completion of the Collector Road from Dairy Flat Highway. This application seeks to complete the connection through to Postman Road as anticipated by the Structure Plan. The connection, including a roundabout intersection, will be constructed when:
        - Traffic volumes on the east-west Collector Road exceed 300 vehicles per hour (two-way) during the morning peak hour (between 7:00am and 9:00am) or 360 vehicles per hour (two-way) during the evening peak hour (between 4:00pm and 6:00pm); or
        - Prior to 224C being issued for the lots within the Light Industrial Precinct.

      Engineering Approval plans for the design of the roundabout will be submitted within 6 months of the threshold being exceeded (or as otherwise agreed in writing by Council) and will be in accordance with the requirements of Auckland Transport and applicable engineering standards. Construction of the approved roundabout design will be commence within 6 months of the issue of engineering approval (or as otherwise agreed in writing by Council). A condition of consent is proffered to this extent.
- The Site layout does not preclude or prohibit the designation for the widening of the Dairy Flat Highway. All proposed buildings have been appropriately setback from the Dairy Flat Highway frontage and the site levels have been designed to tie in with the widened road.

- Traffic generated by the Stage 1 proposal was anticipated to result in 210 vehicles per hour (VPH) during peak hours. This is anticipated to increase to approximately 560vph at morning peak hour and 630vph in the evening peak hour. With the completion of planned local upgrades (signalisation of Wilks Road / Dairy Flat Highway intersection, signalisation of the Wilks Road / East Coast Road Intersection and Penlink (currently under construction)) in conjunction with the completion of the Collector Road and roundabout intersection at Postman Road (when required by the thresholds / trigger set out above) it is considered that anticipated traffic can be accommodated within the road network without compromising the function, capacity or safety of the roading network.
- The Site is not currently well connected to the public transport network. The Site and surrounding area are rural in nature, giving a rise to reliance on private vehicles. Currently, the Dairy Flat bus services do not run during weekends. Whilst trip generation modelling concluded that the proposed roading arrangement will accommodate expected traffic volumes, the following is noted in relation to public transport:
  - The proposal anticipates the construction of RTN by providing for a pedestrian connection from the Southern Residential Precinct to the NOR boundary. There is future possibility for a stop adjacent to this neighbourhood, providing enhanced accessibility and integration with the transport network.
  - The Stage 1 proposal included bus stops either side of the Dairy Flat Highway; the upgrade of the existing southbound and the construction of the northbound stop. Access to these bus stops from the surf park will be provided through the construction of a footpath and pedestrian refuge island across the Dairy Flat Highway, and a footpath along the collector road frontage. These consented upgrades are considered to improve public transport accessibility to the Site and will support Auckland Transport in any future increase in the frequency of the current bus services.
  - A weekend shuttle between the Site and the Hibiscus Coast station for staff and customers was proffered as a condition of consent for Stage 1. The shuttle will provide an alternative transport solution for visitors, reducing reliance on private cars until improvements to the public transport services are undertaken by Auckland Transport. This condition remains fit for purpose.
  - In July 2025, Waka Kotahi have released the Silverdale Northbound Bus Priority Lane for tender[4]. This piece of infrastructure shown in **Figure 33** below is a significant investment in the Silverdale/Dairy Flat network and a step toward improving public transportation within the area. The project will improve reliability for northbound busses on SH1 by creating a bypass through the afternoon peak queues generated from the Silverdale northbound off-ramp.

[4] https://www.gets.govt.nz/NZTAHNO/ExternalTenderDetails.htm?id=32170028

Figure 33: Silverdale Northbound Bus Priority project currently out for tender. Source: Gets.govt.nz.

- Visitor and long-stay cycle storage is provided in excess of the AUP(OP) requirements.
- Waste is proposed to be collected privately. A condition of consent for a waste management plan for each Precinct to be submitted to Auckland Council for certification that the servicing requirements of the commercial and residential units are adequality provided for is proffered by the Applicant.
- The car parking provision and layout provides for efficient and safe operation of the Site.
- The Site has operational needs that require vehicle crossings on Dairy Flat Highway. The vehicle crossing is considered to be acceptable from a traffic safety perspective, as both approaches have good views in excess of 200m and complies with the minimum dimension and separation distances.
- Similar to the Stage 1 data centre, the separate entry and exit crossings associated with the new data centre module will have a non-complying separation distance of 3m. The arrangement is considered acceptable from a safety perspective. In addition, the separation distance is considered to provide for sufficient waiting room for users of the adjacent shared path.

In addition to the above, it is noted that while an intensification of activities on the Site will result in additional vehicle traffic on the road network, this is an inevitable outcome of the AUP(OP) FUZ.

Mitigating factors to intensification effects include the provision of a shuttle service to connect the Site to the public transportation network and reduced reliance of private vehicles to access the Site, as well as provision of sheltered bus stops either side of the Dairy Flat Highway to support Auckland Transport in any future increase in the frequency of the current bus services. Notwithstanding this, as described above it is considered that this increase in traffic generation can be accommodated within the road network.

The proposal is largely compliant with all the AUP(OP) transportation standards apart from the provision of an additional vehicle access where a vehicle access restriction applies, and a reduced separation between the exit and entry crossings associated with the new data centre module. As noted above, the Transport Report prepared by Flow (Appendix 43) considers that these infringements will not give rise to any significant adverse traffic or safety effects.

In conclusion, the proposed trip generation, access, parking and servicing arrangements are considered to be appropriate for the development. The proposal will not compromise the function, capacity or safety of the roading network.

10.11 Glint and Glare

As set out in section 8.2.6 above, the proposal involves the expansion and realignment of the solar farm that was consented under Stage 1 within RTN corridor. For this reason, a Glint and Glare Assessment have been undertaken by SLR Consulting Australia (SLR) and is included as **Appendix 45**.

In respect of aviation glare, with the adoption of rest angles recommended by SLR all potential instances of glare to the runway will be eliminated.

In respect of residential receivers, SLR consider that 4m high vegetation around the western perimeter of the central and southern sub-arrays will mitigate glare effects on proposed residential receivers within the site. Until a 4m planting height is achieved, the adoption of rest angles recommended by SLR will eliminate all glare to the proposed dwellings. Conditions of consent are proffered to this effect.

SLR do not anticipate glint or glare effects on residential receivers outside of the site, road or rail users.

For the above reasons, glint and glare effects are considered to be less than minor.

10.12 Air Quality and Odour Effects

The wastewater treatment process has the potential to generate odours, primarily due to the anaerobic decomposition of organic matter such as food waste, human waste, and oils. While odour generation in the wastewater network leading to the plant cannot be fully controlled, the WWTP design includes multiple mitigation measures to minimise odour emissions during treatment.

Apex has assessed each stage of the wastewater treatment process to identify potential odour sources and has proposed appropriate control measures that have been integrated into the design and operation of the plant (**Appendix 50**).

Additionally, the technical air discharge assessment by Air Matters Ltd concluded that:

- The WWTP's mitigation measures represent the best practical option for eliminating and minimising odour; and
- The modern plant design and integrated odour control system ensure that no odour emissions beyond the site boundary are expected.

Based on the above, the WWTP is not anticipated to generate any significant adverse air discharge and odour effects to external receivers, with appropriate mitigation and operational measures proposed to avoid any impacts on the surrounding residential community.

10.13 Noise and Vibration

Noise and vibration matters relating the proposal have been assessed by Styles Group and their Noise and Vibration Assessment is included as **Appendix 41**.

10.13.1 Operational Noise and Vibration

In respect of operational noise and vibration to receivers outside of the site, all noise generating activities are anticipated to comply with the AUP(OP) thresholds at the notional boundaries. Styles

Group note that some elements of the detailed design may changes or are yet to be confirmed. For this reason, they have recommended that Phase 1 and 2 Acoustic Design Reports (ADR) are prepared. The Phase 1 ADR process requires final noise level predictions and confirmation of what, if any mitigation measures will be required to comply with the consented noise limits. The ADR would be submitted to the Council after consent is granted, but before the operation of the noise-generating features. The ADR will ensure that the surf lagoon, data centre and solar farm are designed, constructed and maintained to ensure compliance with the AUP(OP) thresholds at any notional boundary adjacent to the Site. Conditions of consent are proffered to this effect.

In respect of operational noise and vibration to receivers within the site, noise modelling undertaken by Styles Group demonstrates the surf lagoon will exceed the maximum permitted noise level of 45dB L_{Aeq} applying "at all other times" at future dwellings inside the Northwestern and Southern Residential Precincts. The noise modelling demonstrates that the noise levels from the surf lagoon will comply with the daytime limit of 55dB L_{Aeq} at the future dwellings. To mitigate effects to future receivers, Styles Group recommend that dwellings that are exposed to external noise levels greater than 45dB L_{Aeq} "at all other times" are provided with a mechanical cooling and ventilation system inside bedrooms. Styles Group consider that this system will enable windows to be closed to reduce external noise intrusion in the early morning period and will ensure occupants are provided with an adequate level of noise amenity for sleeping. A Phase 2 ADR will be utilised to identify the specific dwellings that will require mechanical and ventilation systems. Conditions of consent are proffered to this effect.

In addition to the above, the proposal involves the construction and operation of an early childhood education (ECE) centre within the Village Centre Precinct. The ECE centre will be located approximately 20m west of the Southern Residential Precinct and 10m north of Apartment Block B contained within the Village Centre Precinct. With the adoption of a 2m high acoustic fence around the perimeter of the outdoor play area, Styles Group anticipate that the ECE centre will comply with the AUP(OP) thresholds at all residential receivers within the site. Styles Group recommend that a Phase 2 ADR is prepared to ensure the ECE is constructed and maintained to ensure compliance with the AUP(OP) thresholds at any notional boundary. Conditions are proffered to this respect.

All activities are expected to comply with the operational vibration limits.

10.13.2 Noise Associated with the North Shore Aerodrome

As shown within **Figure 5**, a portion of the Northwestern and Northwestern Residential Precincts is located within the Aircraft Noise Overlay – Outer Control Boundary (55dBLDN) which is associated with Runway 09/27.

The North Shore Airport released a masterplan on 29 September 2024[5]. The masterplan states that Runway 09/27 is infrequently used and that it is primarily used for helicopter landings and departures when the 03/21 runway is in use. The masterplan describes this use as "*a luxury that has little necessity*". The masterplan proposes to disestablish the runway and notes that this would result in several benefits including that "*the airport noise overlays in the AUP(OP) can be amended to reshape the 55dB and 65dB boundaries reducing their impact on neighbouring properties."* Following the disestablishment of Runway 09/27, all noise sensitive receivers (residential activities)

[5] www.northshoreairport.co.nz/wp-content/uploads/2024/07/NSA-MP.pdf

will be outside the Noise Overlay - Outer Control Boundary (55dB L_{DN}). On this basis, no acoustic treatment would be required.

Up until such time that Runway 09 is disestablished, Styles Group recommend that the internal noise environment of habitable rooms within the Outer Control overlay are designed to not exceed a maximum noise level of 40dB L_{DN}. Further, Styles Group recommend mechanical ventilation and cooling systems. These measures will protect the health and amenity of occupants while indoors. These recommendations are to be addressed in the Phase 2 ADR and are proffered as conditions of consent. This approach is in line with the consent conditions applied to the residential airport subdivision located within the North Shore Airport Precinct and are within the more restrictive Noise Overlay - Outer Control Boundary (65dB L_{DN}), as well as Chapter D24 of the AUP(OP) which seeks to manage activities sensitive to aircraft noise (ASAN). In respect of outdoor noise, Styles Gorup consider that the receivers outdoors within the Noise Overlay - Outer Control Boundary (55dB L_{DN}) may be moderately affected by aircraft noise. To this extent, Styles Group note that noise levels of 55dB to 60dB L_{dn} from a variety of transport and business noise sources is very common across Auckland and New Zealand.

All activities are expected to comply with the operational vibration limits.

For the reasons set out above, any residual noise effects are considered to be mitigated through the provision of the noise mitigations measures as outlined above. For these reasons, noise and vibration effects are considered to be less than minor.

10.14 Character, Built Form and Appearance

As described in section 7, the surrounding locality is cognisant of the underlying rural zoning and generally comprises of rural and rural-residential land uses. Notwithstanding this, the Site has a FUZ which foreshadows transition toward the character set out by the Structure Plan which anticipates Business - Light Industry Zone.

In considering the effects of the proposal on the neighbourhood character and residential amenity, it is relevant to consider the environment as it existing today and in addition to how it may be modified by consented activity. In this case, the Stage 1 proposal is considered to form a part of the existing environment.

To this degree, the site and surrounds are not considered to present a typical, high-quality rural character. The existing environment includes the ASPC Stage 1 development (which is not inherently rural nor urban for the reasons discussed in the Stage 1 application material and decision), a nearby industrial development approximately 200m north on Dairy Flat Highway which include stockyards, warehousing, workshops and other commercial developments, the Redvale Landfill approximately 800m south-west of the site and the North Shore Airport directly across Postman Road.

Notwithstanding the above, the proposal is considered appropriate in the context of the character of the existing environment for the following reasons:

- The comprehensive masterplan for the development has been designed to integrate seamlessly with existing and planned future development of the Dairy Flat area. Part of achieving this is the Applicant's commitment to delivering a complete urban outcome (dwellings; amenities; environmental enhancements; infrastructure) not just vacant, urban allotments that may lead to ad hoc development;

- Urban development of the site is not considered to impact on wider rural character and amenity given the logical location and proximity to existing and planned urban development and planned arterial roads to support growth in the area.
- The development has been designed (and will continue to be designed through detailed design phase) to respect and buffer the peripheries of the site through extensive landscaping. **Figure 34 and Figure 35** below show that from Dairy Flat Highway and Postman Road respectively, extensive landscaping will significantly obscure views into the site.
- Buildings within the ASPC have been thoughtfully designed in order to represent a character and appearance that positively contributes to the amenity values of the area, including in relation to the Stage 1 development, and the immediate streetscape and surrounds.
- The development has been designed to ensure seamless integration both with the current rural environment, the environment as consented under Stage 1 and any future rezoning and development of the wider area.
- The new data centre is a network utility which is anticipated in the zone. It will present an appearance and character that is similar to the data centre consented under Stage 1 (albeit half the size), a large barn or productive rural building (such as a chicken or pig farm). It is also similar in character (albeit less conspicuous), to the industrial buildings located along the adjacent side of Postman Road associated with the North Shore Aerodrome.

Figure 34: Visual simulation (Y10 and occluded) from Dairy Flat Highway looking towards the site. Source: Warren and Mahoney.

Figure 35: Visual simulation (Y10 and occluded) from the proposed Postman Road intersection looking towards the site. Source: Warren and Mahoney.

- Similar to the above, the light industrial precinct buildings are similar in character to the Stage 1 data centre, and the industrial buildings located along the adjacent side of Postman Road associated with the North Shore Aerodrome (see Figure 36 below).

Figure 36: Buildings associated with the North Shore Aerodrome. Source: Google Images.

- The collection of photovoltaic (PV) solar panels associated with the solar farm will be relatively low lying with a maximum height of 2.5m. Similar to Stage 1, the panels will be obscured from view from the surrounding streetscape as they will be located in a contained portion of the Site not subject to road frontage, in addition to being surrounded by comprehensive shelter belt planting;

- Any potential glare effects from the solar farm have been addressed above within section 10.11.
- The Assessment of Landscape Effects prepared by B&A and included as Appendix 56 considers that the visibility of the proposal is relatively contained within the extent of the Site. The Site has a comparably low elevation to its surrounds and is afforded screening from the surrounding higher landforms. The visual simulations prepared by Warren and Mahoney supports this analysis. As such, visibility is limited to people within the immediate localised area.

Overall, while the proposal will involve a change to the character of the area, with the landscape shifting from rural to urban, associated effects have largely been localised within the immediate area. Further, future urban development of the site is anticipated by the FUZ under the AUP (OP) and therefore a change in character is anticipated.

In terms of built form and appearance, these matters have been assessed within the Urban Design Assessment prepared by B&A and included as Appendix 55. Overall, the proposed development is considered to positively contribute to the amenity values of the area and the immediate streetscape and surrounds. The following comments are made in relation to built form and appearance:

- In respect of the Surf Lagoon and Amenity Precinct and the Accommodation Precinct, the design of the buildings continues to follow the lead of the landscape concept. Utilising horizontal, low slung, planted roofs the buildings are designed to recede into the landscape and reveal themselves to visitors upon their approach.

  All buildings within the Surf Lagoon and Amenity Precinct are one - two storeys in height with the exception of the hotel which has a maximum height of 24.9m. While the hotel will exceed the maximum height limit, it is considerably setback into the site and will be integrated and anchored into the Site through the provision of high-quality landscaping.

- In respect of the Data Centre Precinct, the built form and appearance of the buildings is balanced with the practical needs of the activity. As noted above, the new module is half the size of the data centre consented as a part of Stage 1, and is otherwise comparable to a large productive barn, or buildings associated with the North Shore Airport. The building will primarily be clad with a variety of aluminium finishes, with the incorporation of precast concrete panels and glazing. The variation in façade material will aid in reducing the potential dominance of the building through providing visual interest and relief to what may otherwise be blank walls comparable to the industrial structures associated with the North Shore Aerodrome. A 3m high vertical trident fence will surround the entire perimeter of the Site. The fence has been designed in balance to meet the security needs of the operation, whilst ensuring views through the Site are maintained.

- In respect of the Live / Work Precinct, the built form and appearance of the buildings is similarly balance with the practical needs of the activity. Buildings within the development have been broken down into a series of smaller buildings, are setback over 15m from external site boundaries (and associated revegetation of an existing steam corridor), utilise a varied roof line and provide good levels of glazing to the street and internal car parking areas.

- In respect of the Village Centre Precinct, commercial buildings are considered to be relatively small in size and range between one – two storeys in height. The architectural approach of adopting varied roof lines, high levels of glazing, vertically profiled claddings (both timber and

metal), contributes to a positive architectural character. In respect of the apartment buildings both the vertical and horizontal building mass across each of the apartment buildings is broken down through a range of design measures including the approach to materiality, articulation and modulation of building façades (including the use of recessed balconies) and the adoption of varied roof profiles. These are all consistent with good design practice within both residential and centre zones of the AUP and will help to establish a positive architectural character in the Village Centre Precinct.

- In respect of the Northwestern Residential Precinct, built form is established through six different housing typologies on large lots, which collectively establish a cohesive architectural response with appropriate levels of visual diversity consistent with an overall design theme which acknowledges the Site's rural history as well as proximity to the surf lagoon. Application of the RDC's within the Precinct will provide for further variation and bespoke design while providing certainty to future lot owners as to the character of the neighbourhood in which they will be living.

  Each residential typology is reasonably consistent in its overall design and appearance, adopting a simple range of claddings and colour finishes. Building façades are well modulated, with parts of the façade being 'pushed' and 'pulled' back or forwards and materiality aligned with these volumes. This serves to break up the visual expanse of each façade in a manner consistent with the human scale of residential development anticipated within less intensive residential zones.

- In respect of the Northeastern Residential Precinct, built form responds positively to anticipated design outcomes of the MHS (and medium density type development more broadly) by avoiding uniformity and monotony in built form through subtle variations in materiality, roof forms and typology placement. In this context, the proposal incorporates nine distinct housing typologies, which collectively establish a cohesive architectural response with appropriate levels of visual diversity consistent with the evolving character of medium density areas across Auckland.

  Variation in building footprints (including setbacks from the street), heights, and orientations ensures that the development reads as a fine-grain suburban residential neighbourhood rather than a single, homogenous complex, aligning with the intended design outcomes of the AUP.

  In respect of appearance, buildings utilise a palette of vertically and horizontally profiled materials along with series of neutral coloured and earthy colours. These are applied in a manner that helps reinforce individual dwelling identity while maintaining overall aesthetic cohesion. Façades are modulated through setbacks at both ground and upper levels, changes in materials, and articulation of entries consistent with positive design outcomes related to visual interest, human scale, and avoidance of long, uninterrupted building forms and elevations.

- In respect of the Southern Residential Precinct, a similar approach to built form is adopted by the two typologies that utilise a gabled roof form, subtle variations in materiality and a single garage housed in a "lean-to" type structure.

  In respect of appearance, similar to the Northeastern Precinct, buildings utilise a palette of vertically and horizontally profiled materials along with series of neutral coloured and earthy colours.

There will be a higher degree of visual consistency due to the limited typologies proposed and their configuration within the Southern Residential Precinct. To reduce potential effects associated with this approach in the short-to-medium term, a condition of consent is proffered to limit the adoption of exact same material composition and colour on any typology to no more than one adjoining lot to ensure a greater degree of variety in the appearance of dwellings within the Southern Residential Neighbourhood. This will support a richer architectural environment as well as provide for some personalisation / differentiation between individual dwellings to assist with legibility.

Across the development, the proposed facade materials and architectural features have been informed by the local landscape, rural context of the area, and surf focused vision of the development. The mix of materials across the site will aid in breaking up the potential bulk of the buildings by providing visual interest and dimension. Context images and typical material compositions are provided within the various architectural plan packages.

All large vehicle parking areas will be contained within the Site, broken up into several smaller parking lots and concealed through the provision of comprehensive perimeter planting. Hard surfaces associated with the vehicle parking areas and pathway connections are provided with visual relief through the use of a range of surface treatments.

In respect of non-compliances with the zone standards, the proposal will result in non-compliance with the maximum height limit and yard setbacks. These infringements are considered acceptable for the following reasons:

- The proposal involves significant and comprehensive landscaping across the entirety of the site as to mitigate any potential visual amenity effects associated with the front and side / rear yard setback infringements. In respect of riparian yard infringements, it is noted that a 10m wide uninterrupted riparian buffer is proposed throughout the development and is considered to be appropriate from an amenity and ecological perspective.
- Dwellings have been designed to generally comply with the zone standards corresponding to the nature of development proposed (Residential – Mixed Housing Suburban and Urban across the Residential Neighbourhood Precincts, and the Residential – Terrace Housing and Apartment Buildings and Business – Mixed Use in relation to the Village Centre). This approach provides for a level of development that is consistent with the AUP(OP) zone thresholds albeit does not reflect the current zoning.
- Two height limits apply within the FUZ, a maximum height limit of 9m applies to dwellings and a 15m height limit applies to buildings accessory to dwelling[6]. The 15m height limit is considered to provide for a baseline for development noting that if the same built forms were not utilised for residential uses a 15m height limit would apply.
- All buildings and dwellings that exceed the height limit have been strategically located within the site to provide for generous setbacks from any neighbouring properties. To this degree it is noted that bulk and dominance effects reduce over distance. Screening provided by the comprehensive periphery landscaping will further mitigate the potential feeling of bulk and dominance to neighbouring properties and the surrounding environment.

[6] No height limit is stipulated for building that are not accessory to dwellings. However, we note this is likely a drafting error and have applied the 15m height limit for accessory buildings as a precautionary approach.

Figure 37: Visual simulation from an elevated vantage point north-east of the subject site. Source: Warren and Mahoney.

- Landscape visual effects have been assessed in section 10.16 below. In summary, it is noted that visibility of the proposed buildings is relatively contained due to the Site's location at a relatively low elevation, the screening provided by higher landforms external to the property and from existing established vegetation. While the hotel will be more readily visible than other elements of the proposal from elevated vantage points, the Landscape Visual Assessment (LVA) considers that at these viewpoints the airfield and other established large-scale buildings form a prominent part of the existing landscape setting (see Figure 37 above). In respect of near range vantage points, the portion of the hotel that rises above the canopy will make it a more distinctive element, the use of recessive, less reflective materials and dark-toned colours will reduce contrast in the wider landscape context.

For the reasons set out above any potential character, built form and appearance effects are considered to be less than minor.

10.15 Urban Design

An Urban Design Assessment has been undertaken by B&A and is included as Appendix 55. In summary, the report notes the following key urban design conclusions:

- The proposed introduction of land-uses are a logical response to the context of the Site – with residential uses concentrated around the Surf Park and natural amenities like the Stream Park, and industrial uses positioned around the Data Centre and adjacent to the Aerodrome. The general placement and configuration of land-uses within the Site is considered appropriate in urban design terms.

- The layout proposed is the logical response to the site based on its size and shape and identified constraints including streams and proposed road corridors including NOR 1 and the Collector Road anticipated by the Structure Plan.
- Blocks in the eastern half of the Site are large and aligned to the proposed industrial uses and data centre campus. In urban design terms, this is an expected design outcome that can facilitate the larger buildings that these types of activities are required to accommodate.
- Wider connectivity with properties immediately to the south would be facilitated by their access onto the collector road proposed.
- At the north-western corner of the development a future onward connection for pedestrians and cyclist to Lascelles Road (and the future Diary Flat Highway to Wilks Road connection) is maintained, while an eventual road connection could be secured when properties to the north are redeveloped.
- Connections to the north-east and southern residential neighbourhoods are impacted by the presence of the proposed solar farms. However, it is anticipated that the future RTN corridor would likely form a barrier to movement to the east if constructed.
- The proposal seeks to provide for approximately 486 dwellings across the Site. In addition to the overall number of new homes/apartments proposed, the Masterplan provides for a large amount of variety in housing typologies. Based on this, the proposal has the potential to accommodate a wide range of different household types in terms of their size and socio-economic characteristics consistent with the expectations of the National Policy Statement on Urban Development 2020 (NPS-UD). This is likely to have a positive benefit for the area relating to its overall vibrancy and attractiveness as a community / neighbourhood that can appeal to a diverse group of people with varying needs that change throughout any given day. Further, the proposed housing could support a diverse local labour force that would help meet the needs of emerging local businesses.
- The Masterplan includes provision for five key areas of open space to serve the development. This includes three neighbourhood parks to serve the residential neighbourhoods, an open space / civic area within the Village Centre, and the Stream Park. This in addition to the surf lagoon and ancillary amenities. The Open Space Strategy prepared by Studio Pacific Architecture helps to demonstrate the variety of uses these spaces are intended to support which is well aligned with the wide variety of housing typologies proposed. In addition, these spaces have been positioned to provide close coverage to the proposed residential and commercial uses, with almost all lots located within 200m of an open space. This provides for a high-level of coverage consistent with Auckland Council's own provision metrics and provides opportunities for these spaces to be better utilised to support the amenity needs of the smaller housing typologies proposed within the development.

10.16 Landscape Visual

In terms of planning context, the Site is not located within any outstanding natural feature, character or landscape overlays of the AUP(OP), nor identified as a high natural character Site. There are also no significant indigenous vegetation areas, biodiversity areas or notable trees identified within the project area. The Site is zoned FUZ which is a transitional zone applied to greenfield land that has been identified as suitable for urbanisation. For the purpose of this

assessment, the landscape and visual effects have been assessed on the basis of the existing rural character of the Site albeit with consideration to Stage 1 of the application which was considered to be not inherently urban nor rural, giving regard to the future Light Industrial zoning as envisaged by the Structure Plan.

An LVA has been prepared by Barker and Associates and is included as Appendix 56. The assessment supports the suitability of the Site for the purpose of the proposed activities. A summary of the key findings of the report is provided below:

- The proposed development will require the removal of all vegetation within the project area; however, these are not notable or considered as having significant ecological values.
- The proposal will result in significant positive landscape effects through the rehabilitation and revegetation of the riparian margins located within the Site.
- Visibility of the proposed buildings is relatively contained due to the Site's location at a relatively low elevation, the screening provided by higher landforms external to the property and from existing established vegetation. As such, visibility is limited to people within the immediate localised area proximate to the Site. The visual simulations prepared by Warren and Mahoney included as Appendix 56 demonstrate at completion and 10-year views.
- In terms of where the proposal is visible, the development has been comprehensively designed to ensure an effective integration of new built form into the rural landscape, acknowledging that the FUZ of the land and the presence of the nearby North Shore Airport. Overall, the LVA concludes that with the adoption of the recommendations contained within the LVA (proffered as conditions of consent):

  > *…residual effects on landscape values are assessed as Low adverse overall. This reflects the modified baseline, the retention of key landform/drainage structure, and the embedded restoration/planting framework that can strengthen natural character and place identity over time. No high-value heritage features are identified as being lost (on the information available), and cultural outcomes are best supported where waterways are protected, restored, and culturally informed through ongoing mana whenua engagement.*
  >
  > *Residual visual amenity effects are assessed as Low–Moderate adverse overall, with localised higher effects concentrated in close-range and high-exposure views along Dairy Flat Highway (notably VP4, where the hotel remains prominent above planting) and along Postman Road (VP2–VP3, where the industrial/urban edge becomes more defined). Effects reduce quickly beyond these edges where distance, screening, existing context (airfield/industrial influences and the Future Urban transition) and planting structure moderate prominence.*

Further to the above, future urban development of the site is anticipated by the FUZ under the AUP(OP) albeit to a mix of light and heavy industrial uses. Notwithstanding this, a change in landscape and amenity values is anticipated by the FUZ. The proposal is considered to improve landscape and amenity values when comparing it to the nature of ad hoc industrial development which may occur in the future.

For the reasons set out above, it is considered that any adverse effects on landscape and visual effects will be appropriately avoided and mitigated to be less than minor.

10.17 Reserve Sensitivity

The proposal includes activities such a residential and visitor accommodation. Such activities have the potential to be incompatible with their surrounds where they may result in restrictions on existing lawfully established, or anticipated activities as a consequence of complaints. As such an assessment of reverse sensitivity effects has been undertaken below in relation to the North Shore Airport, the RTN (NOR 1), and future industrial uses anticipated by the Structure Plan.

As discussed above in section 10.13, the northern residential precincts are partially located within the Aircraft Noise Overlay – Outer Control Boundary (55dBLDN) which is associated with Runway 09/27. It is noted that the North Shore Airport released a masterplan on 29 September 2024. The masterplan states that Runway 09/27 is infrequently used and that it is primarily used for helicopter landings and departures when the 03/21 runway is in use. The masterplan describes this use as "*a luxury that has little necessity*". The masterplan proposes to disestablish the runway and notes that this would result in several benefits including that *the airport noise overlays in the AUP(OP) can be amended to reshape the 55dB and 65dB boundaries reducing their impact on neighbouring properties.* Noise effects of aircraft activities on residential receivers have been assessed in detail in section 10.13. In summary, with the adoptions of mitigation measures recommended by Styles Group, reverse sensitivity effects are considered to be appropriately managed.

As set out above, the Structure Plan identifies an Indicative Rapid Transit Network (RTN) Corridor and Strategic Cycle Connection running through the Site generally in a north-south alignment. The Notice of Requirement for the RTN was lodged in 2024 and subsequently approved 23 January 2025. It is now subject to a number of appeals. To this regard we note that all residential activities have been strategically located approximately 100m away from the construction extent of the RTN. This separation distance may increase once construction has been completed. As demonstrated within the Masterplan, a strong landscaping buffer will also be established along the interface with the RTN. The landscaping will establish a natural buffer while ensuring that a high level of amenity is retained within the site.

In addition to the above, the site is located within the FUZ and is subject to the Structure Plan which anticipates rezoning of the site and surrounding area to Business – Light Industry and Heavy Industry. In respect of reverse sensitivity with future industrial uses we note that:

- Visitor accommodation is not defined by the AUP(OP) as an activity sensitive to noise;
- The proposal involves significant landscaping buffers around the periphery of the entire site;
- Residential activities have been set back from future industrial zone interfaces to the north, south and west. The solar farm and future RTN provided a significant buffer (approx. 100m) to the data centre campus and other potential future industrial activities to the east;
- In respect of the 1368 Dairy Flat Highway, we note that due to the small size of the fragmented land parcel, it is unlikely to enable activity of a scale that may be impacted by reverse sensitivity effects

There are no other rural activities or infrastructure surrounding the proposal to the extent that reverse sensitivity effects could arise. For the above reasons, the reverse sensitivity effects are considered to be less than minor.

10.18 Subdivision

It is proposed to undertake freehold subdivision around the development to contain each dwelling / land-use on its own lot, create a vested road, private access and open space lots, JOALs and other utilities. Unit title subdivision is also proposed in relation to the apartment buildings and Stream Park Villas. The following comments are made with regard to potential effects of the subdivision:

- Physical and legal access is provided to each allotment to be created by the subdivision;
- For the reasons set out in section 10.15, it is considered that the lot layout will provide for a well-functioning urban environment. The proposed subdivision will not result in the fragmentation of FUZ land and will provide for a comprehensive urban outcome for the site;
- For the reasons set out in section 10.6 and the Infrastructure Assessment (Appendix 29), it is considered that the proposed subdivision can be appropriately serviced;
- For the reasons outlined within section 10.3 above and the Geotechnical Report (Appendices 38 and 39), it is considered that any land instability effects will be controlled so that the proposed sites, supporting infrastructure, and development as a whole, are stable and suitable; and
- The site is in a flood prone area and is subject to flooding from overland flow paths and associated 1% AEP flood plains. To this respect, all residential allotment have been designed to ensure that they are free from any inundation. Based on the advice provided by McKenzie & Co within the Flood Memorandum and the advice provided by Woods within the Flood Assessment, it is considered that the proposed subdivision will not affect the function of any floodplain or overland flow path or worsen the risk associated with any natural hazard.

Rear lots serving more than ten dwellings will be created post-subdivision in accordance with an approved land use consent. The ITA relating to the safety of the proposed JOALs has considered this post-subdivision non-compliance. To this effect, non-compliances are considered to be acceptable from a transport perspective and will not result in adverse safety nor operational effects.

In terms of subdivision effects, as noted above, it is considered that the proposed subdivision will be undertaken in accordance with an approved land use consent. With regard to access, legal mechanisms in the form of easements have been provided such that each lot is provided with legal access to a public road.

Taking the above into account, it is considered that any potential adverse effects arising from the proposed subdivision will be less than minor and acceptable.

10.19 Economics

The proposal will result in the loss of the future industrial land anticipated by the Site's FUZ. For this reason, effects associated with the loss of industrial land have been assessed by Property Economics and their report is included as Appendix 57.

Property Economics note that regional evidence indicates that Auckland retains a substantial surplus in business and industrial land capacity across the short, medium and long term. To provide context for this reduction, Property Economics note that the region has more than sufficient business land capacity over the short, medium and long term to accommodate the anticipated growth. Specifically, the Housing and Business Development Capacity Assessment 2023 (HBA)

projected a surplus of 32,660,000m^2 GFA over the short-term, increasing to 75,040,000m^2 over the medium term and 94,260,000m^2 over the long term.

Further to the above, the ASPC site incorporates a range of industrial uses including the hyperscale AI data centre campus, and light industrial precinct, a live / work precinct, solar farm an ancillary infrastructure.

On this basis, the proposal is not anticipated to materially undermine the region's ability to accommodate projected industrial land development.

In addition to the above, it is noted that the proposal will result in significant regional and national economic benefits. These benefits are discussed in section 11 below and are not repeated here.

For these reasons, economic effects associated with the project are considered to be less than minor.

10.20 Mitigation and Monitoring

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 effect 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 if the scale and significance of the activity's effects are such that monitoring is required, an AEE assessment of effects includes a description of how the effects will be monitored and by whom, if the activity is approved.

In this case, conditions are proposed to ensure that monitoring is undertaken as part of the construction of the development, in accordance with monitoring recommendations made in the technical assessments. These conditions are consistent with those that would usually apply to developments of this kind. Beyond the construction phase of the project, ongoing monitoring will be required with respect to the wastewater discharge quality.

10.21 Summary of Effects

Overall, it is considered that the actual and potential effects on the environment relating to this proposal will be less than minor and appropriate.

11.0 Consistency with the Purpose of the FTAA

Section 43(1)(b)(i) of the FTAA requires the substantive application to explain how the project to which the application relates is consistent with the purpose of the FTAA.

The purpose of the FTAA is set out in Section 3 as follows:

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

"Significant regional or national benefits" is not specifically defined in the FTAA, however, Section 22(2)(a) provides guidance on the matter and provides the following criteria (emphasis added):

(a) whether the project—

(i) has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list:

(ii) will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure:

(iii) will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020):

(iv) will deliver significant economic benefits:

(v) will support primary industries, including aquaculture:

(vi) will support development of natural resources, including minerals and petroleum:

(vii) will support climate change mitigation, including the reduction or removal of greenhouse gas emissions:

(viii) will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards:

(ix) will address significant environmental issues:

(x) is consistent with local or regional planning documents, including spatial strategies:

The proposal is a Referred Project under the FTAA. This means that the project has already been identified as having significant regional or national benefits[7]. However, for completeness, we provide further commentary below.

The economic impacts of the application have been comprehensively assessed in the economic assessment prepared by Property Economics. We rely on this assessment to evaluate the economic benefits of the proposal. As detailed within the Referral Application, the ASPC, since its inception was always intended to be a comprehensive master-planned development. The investment required to deliver on the original consent is contingent on a belief that there is a pathway to fully realising the aspiration articulated under this current application. To this effect, the full realisation of the Stage 1 benefits is dependent on Stage 2. For this reason, while the economic assessment focusses on the benefits that are derived from the Stage 2 proposal, benefits derived from Stage 1 have also been considered.

In our opinion, the proposal is consistent with the purpose of the FTAA for the following reasons:

- The development will deliver new regionally and nationally significant infrastructure including:
    - A hyperscale AI data centre campus. An AI data centre facility specifically designed to handle the high computational demands of AI workloads, providing the necessary infrastructure to train, deploy, and run complex machine learning models and algorithms, typically equipped with powerful servers, advanced storage systems, and specialised hardware accelerators to

[7] www.fasttrack.govt.nz/projects/auckland-surf-park-community-stage-2/referral-application

process massive amounts of data efficiently. A data centre of this nature is nationally significant, and an important piece of infrastructure required to keep up with the AI market. At this time, we are aware of only one other AI data centre in the country, located within the Auckland's North Shore[8]. Another facility will provide for competition in the region and national markets.

- Opportunity to integrate with the future delivery of the RTN which will intersect the site by facilitating a village centre and residential neighbourhoods in the location of a future potential bus/light rail station.
- The completion of the Collector Road connecting Dairy Flat Highway with Postman Road as anticipated under the Silverdale West and Dairy Flat Structure Plan. The collector road represents a key link single connection to the arterial network which was proposed by the Supporting Growth Alliance (Auckland Transport and NZTA) to avoid having multiple intersections close to the motorway interchange.

- Increase the supply of housing, addressing housing needs and contributing to a well-functioning urban environment:
  - The delivery of 486 modern and high-quality homes in Dairy Flat represents a highly significant boost to housing supply for the Auckland Region, particularly in the context of Auckland's housing affordability challenges and supply constraints. Related to this, the additional housing supply will assist to boost competition in the housing market and therefore increase economic efficiency.
  - The proposed housing will make significant contributions to a well-functioning urban environment in the Auckland Region through enabling:
    - A highly accessible, walkable, neighbourhood to be delivered as a single stage where people can work, live and play. Benefits associated with a community of this nature have been addressed in detail in section 11.1 of this report.
    - A large variety of homes (large lots, single dwellings, townhouses, walk-up apartments and live-work units) that will meet the needs of the surfing and active community by enabling residents to realise the benefits of the surfing lagoon and ancillary amenities contained within the larger development as well as providing increased market choice in terms of type, price and location. The variety of homes proposed will also meet the needs in terms of type, price and location for different households.
    - A sustainable development which will support the removal of greenhouse gas emissions.
- Delivering significant economic benefits:
  - Stage 2 of the wider Surf Park Project is estimated to generate around $1.85 billion in economic activity (value added GDP) across the Auckland region over its approximately six-year development timeframe, with much of this activity representing new economic contribution rather than a redistribution of existing growth.

[8] www.rnz.co.nz/news/national/536389/microsoft-opens-first-hyperscale-data-centre-in-new-zealand

- In total (Stage 1 and 2), the ASPC is estimated to generate approximately $2.6 billion in economic activity across the Auckland Region over its development timeframe. Due to the scale and specialised nature of the development, a significant proportion of this activity represents net new economic growth rather than the displacement of existing activity. This equates to approximately 7% of the annual regional impact of building development in Auckland.
- In terms of employment multipliers, Stage 2 of the ASPC would contribute around 4,800 jobs during the peak construction year within the Auckland Region, with a total number of FTE years at around 14,000 over the development and construction period.
- The scale of employment generation is significant in the regional context. Regional unemployment increased from 3.5% in 2022 to 6.1% in 2025, equating to approximately 68,800 unemployed people within the Auckland Region. Against this context, the Project will make a direct contribution to supporting regional employment levels.

- Supporting climate change mitigation, including the reduction or removal of greenhouse gas emissions through:
  - The expansion of the consented solar farm increasing energy generation from 8,400MWh - 10,900MWh and thereby offsetting an additional 9,000 tons of CO^2 each year.
  - The surf park, solar farm and data centre present a unique symbiotic relationship. The data centre's sustainable energy requirements, as well as the surf park, will be supported by the on-site solar power generated from the solar farm. The waste heat generated through the operation of the data centre will be captured and fed into the water treatment plant for the surf lagoon in order to heat the water and provide for an enhanced experience and increased year-round usage.
  - High quality riparian planting will increase the ecological value of the site and the riparian integrity of the realigned stream through increasing connectivity, shade, ground filtration, bank stability and organic matter input.
  - The proposal will support future sustainable transport patterns by providing an employment hub alongside a key potential future public transport station associated with the Rapid Transit Network thereby reducing private vehicle trips and consequential CO^2 emissions.
  - The provision of 486 dwellings will enable people to live closer to areas of future employment, services and recreation. Thereby further reducing private vehicle trips and consequential CO^2 emissions.
- s22(2)(b) of the FTAA states that significant regional or national benefits include any other matters that the Minster considers relevant. To this extent, significant regional and national lifestyle/community, mental and physical well-being benefits will be derived from the on-going development of Stage 1, both exclusively and together with Stage 2 noting that the project is both synergistic in nature and since its inception, has always intended to be a comprehensive masterplanned development. These benefits have been addressed in detail in sections 11.1-11.2 below.

11.1 A Unique Housing Development with Work, Live and Play Benefits for the Residential Community

The project is a unique housing development with work, live and play benefits for the residential community. This project is not comparable to a typical housing development. Significant regional housing benefits will be realised through the unique nature of the project being a surf-anchored, lifestyle, masterplan community that incorporates all elements of the project as summarised above and described within the referral application.

The above combined elements of the project mean that the surf park community will have all the necessary amenities to live, work, and play within a walkable area. There will be significant benefits in the context of Auckland, and Nationally for residents for living in a community with this unique offering including:

- Convenience and reduced commuting: Residents will benefit from not having to commute long distances for work, shopping, dining, recreation and other needs. This benefit is unique to other green field developments in Auckland as the project seeks to deliver a complete development in a single stage rather than piecemeal subdivision and development.
- Enhanced work-Life balance: The proximity of work (including home offices) to the surf lagoon and other amenities including a skate park, walking and cycle pathways allows for a better balance between work and personal life than a traditional residential development. There are no other developments in Auckland that are providing such a significant and high-quality offering in terms of recreational opportunities.
- Community building: Access to shared spaces, such as the club house, and amenities encourages social interaction and the development of strong community bonds.
- Variety of housing options: Mixed-use developments offer a range of housing types, accommodating singles, couples, families, and the ageing population. The proposed development provides a unique range of housing options including single dwellings, apartments and a live – work precinct.
- Improved overall well-being: The combination of living, working, and leisure all in one location can contribute to a healthier and more balanced lifestyle. Health and wellbeing benefits have been assessed in detailed below.

11.2 Mental Health and Wellbeing Benefits of the Residential Community

AW Holdings 2021 and its principal shareholder, Aventuur, purpose is to enhance physical and mental wellbeing by unleashing the power of surfing for people all over the world; enriching lives as they transform communities. The mental and physical wellbeing benefits of surfing are well documented and will be predominantly realised by the community residing in this unique environment. These benefits include:

- Co-locating a high-quality, sport and recreational facility being the surf lagoon, with a residential community will provide a sense of identity, place, and be a unique focal point for the community.
- The provision of a controlled and supervised environment where wave height and frequency can be adjusted and thereby creating an ideal learning environment to attract new people to

the sport of surfing, or to help learners improve in a reduced timeframe compared to within the ocean.

- In regard to inclusivity, a man-made surfing lagoon presents an opportunity for young people from across a broad range of socio-economic backgrounds to participate in surfing. Co-locating a community with such a facility means that participants do not necessarily need to own a private motor vehicle or holiday home near the sea. This ensures that social effects are spread across the entire community and not limited to one particular group.
- In terms of cultural benefits, co-locating the surf lagoon with a residential community will allow for an opportunity for Māori to reconnect with surfing or Whakekeheke. Whakekeheke was an observed feature of Māori life at the time of European arrival (as it was in wider Polynesian culture throughout the Pacific). In a broader sense, it also offers people a greater opportunity to access or experience surf culture; which spans fashion, music, linguistics, lifestyle and even environmentalism and spirituality.
- Surfing is a highly active sport, so as a recreation facility, it will also offer an opportunity to improve the community's fitness, strength and physical wellbeing.
- Surfing has also long been considered a method of improving people's mental wellbeing. The surf park community will realise the following mental health benefits from co-locating with the surf lagoon:
    - Surf Therapy: Surf Therapy is the fast-growing global practice of combining the positive health benefits of surfing with activities proven to build relationships, grow self-esteem and build a positive image of the future.
    - Biophillia: Biophilia is the hypothesis that humans possess an innate tendency to seek connections with nature and other forms of life. Studies have shown that connecting with nature through biophilia can lead to numerous benefits, including reduced stress, improved mood, enhanced cognitive function, and even physical health improvements.
    - Blue Health: Blue health refers to the concept that being near or on water positively impacts physical and mental well-being. This includes the positive effects of spending time in, on, or near the water, as well as even just having a view of it.

In addition to the above, Sir John Kirwan, New Zealand project partner and mental health advocate, has provided a letter of support for the project (refer to Appendix 67). In Sir John Kirwan's letter, he discusses his own journey with mental health, the six pillars of mental health and how these pillars are tied into the ASPC development. He states that *a surfing park that has a permanent community built around it offers much more than waves and thrills. It presents a foundation for a vibrant community focused on mental and physical health, underpinned by the six pillars of mental health.*

Further to the health and wellbeing benefits listed above, a driver to co-locate a residential community with a surf lagoon is to provide for an active ageing community. In November 2024, Ministry of Health released a Long-Term Insights Briefing on *Unlocking the Potential of Active Ageing* for public consultation[9]. The briefing was driven by the trend of an ageing population in New Zealand and heavily referenced materials published the World Health Organisation (WHO). WHO states that *'if ageing is to be a positive experience, longer life must be accompanied by*

[9] https://www.health.govt.nz/news/unlocking-the-potential-of-active-ageing

continuing opportunities for health, participation and security'[10]. To promote such opportunities, the WHO introduced the concept of active ageing in 2002 which it defines as *'increasing opportunities for participation so people are contributing to society and taking opportunities to enhance their wellbeing and quality of life as they age'*. Active ageing acknowledges that broad factors, including social and physical environments, affect how individuals age and how they continue to contribute to society. These factors can include housing and the wider built environment and social connectedness. The challenges of ocean surfing can become intimidating as surfers age. The sport also requires regular participation to retain skills and confidence. The provision of a controlled and supervised environment where wave height and frequency can be adjusted and thereby creating an ideal environment for ageing and adaptive surfers. The arrival of surf parks is already creating a surge of beginners but is also now extending the joy of surfing for years to come for many committed participants who will soon be able to reside and active age in the community.

A community of this kind is not only the first for Auckland, New Zealand but also globally. The unique nature of this project will provide significant health and well-being benefits participants, and these will be magnified for the residents of the development. These combined benefits along with the unique nature of the development, are significant regionally and nationally within the New Zealand context.

For these reasons, in our opinion, the Stage 2 proposal and Stage 1 variation is consistent with the purpose of the FTAA.

12.0 Ineligible Activities

Section 43(1)(c) of the FTAA states that a substantive application must demonstrate that the project does not involve any ineligible activities.

Section 5 of the FTAA sets out the meaning of ineligible activity. We make the following comments to confirm that the proposal does not involve any ineligible activities:

- None of the sites subject to the application would occur on:
  - Identified Māori land;
  - A customary marine title area;
  - Māori customary land;
  - Land set apart as a Māori reservation as defined in Section 4 of the Te Ture Whenua Maori Act 1993;
- The proposal is not for an aquaculture activity;
- The proposal is not for an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991;

[10]World Health Organization. 2002. Active Ageing: A policy framework. URL: extranet.who.int/agefriendlyworld/wp-content/uploads/2014/06/WHO-Active-AgeingFramework.pdf

- The proposal is not for an activity that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the Resource Management Act 1991 as the proposal does not involve a coastal permit or relate to the common marine and coastal area;
- The proposal does not involve land that is listed in Schedule 4 and is unrelated to Section 24 of the FTAA;
- The proposal does not involve land on a national reserve held under the Reserves Act 1977 or a reserve held under the Reserves Act 1977 that is vested to someone other than the Crown, the local authority or Department of Conservation;
- The proposal does not involve a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act;
- The proposal does not involve an activity that is described in section 15B of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it;
- The proposal does not involve an activity that is prohibited by section 15C of the Resource Management Act 1991;
- The proposal does not involve a decommissioning-related activity (which is an activity described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012); and
- The proposal is not for an offshore renewable energy project.

13.0 Compliance and Enforcement

With reference to s13(4) of the FTAA, s43(2) requires a substantive application to provide a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant under a specified Act.

No enforcement action has been undertaken against AW Holdings.

14.0 Section 30 FTAA

Section 30 of the FTAA sets out the preliminary steps for substantive applications. This requires the Council to advise the Applicant in writing whether there are any existing resource consents to which section 124C(1)(c) or 165ZI of the Resource Management Act 1991 would apply if the approval were to be applied for as a resource consent under that Act. Or alternatively, that there are no existing resource consents of that kind.

The written notice from the Council is included at Appendix 5. This confirms that Auckland Council has reviewed their records and do not hold any existing resource consents of that kind.

This letter from Council satisfies the requirements of Section 47 of the FTAA relating to obligations of the EPA following lodgement of the substantive application.

15.0 Consultation Undertaken

Section 29 of the FTAA requires that the applicant consult with the persons and groups referred to in s11 of the FTAA prior to lodging the substantive application. Section 11 requires the applicant to consult with:

(a) the relevant local authorities; and

(b) any relevant iwi authorities, hapū, and Treaty settlement entities, including—

(i) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements; and

(ii) the tangata whenua of any area within the project area that is a taiāpure-local fishery, a mātaitai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996; and

(c) any relevant applicant groups with applications for customary marine title under the Marine and Coastal Area (Takutai Moana Act) 2011; and

(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

(e) the relevant administering agencies; and

(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

Details of consultation undertaken with the relevant local authorities, mana whenua and the relevant administering agencies are provided below. The requirements of s11(c), (d) and (f) do not apply in this case.

Under clause 6(1)(e) of Schedule 5 of the FTAA, persons who may be affected by the proposal must be identified and any response to the views of any such person must be provided. The persons who may be affected by the proposal are set out below in sections 15.1 - 15.4 and within the Consultation Summary included as **Appendix 7.** Responses to the views of those persons identified as being potentially affected by the activity have been provided below and within the Consultation Summary included as **Appendix 7.**

15.1 Auckland Council

In meeting the requirements of s11(a), the Applicant has undertaken early and ongoing engagement with Auckland Council in relation to the Stage 2 proposal.

The proposal was first discussed at a formal kick-off hui held on 1 September 2025, followed by ongoing engagement through emails, phone calls and written correspondence. These discussions focused on the proposed Stage 2 masterplan, changes from the consented Stage 1 baseline and the implications for infrastructure servicing, water supply, wastewater management, transport, ecology and urban design effects.

Auckland Council provided preliminary guidance on consenting pathways, specialist reporting requirements and the need to clearly distinguish approved and proposed activities. Particular emphasis was placed on the preparation of robust technical assessments and the coordination of specialist input.

Feedback received throughout this process has informed the refinement of the proposal and the preparation of supporting technical documentation.

A summary of the correspondence with Auckland Council is included in Appendix 7.

The Applicant is committed to working with the Auckland Council constructively and will continue to meet with its representatives to discuss the lodged application and recommended conditions.

15.2 Mana Whenua

In meeting the requirements of s11(b) of the FTAA, the applicant has engaged with the relevant iwi authorities who have historic and territorial rights in Tāmaki Makaurau, Auckland.

All iwi authorities listed on the Auckland Council's mana whenua consultation register were initially contacted during the preparation of the Stage 1 application in October 2022. All iwi authorities in relation to the site were subsequently re-engaged in November 2024 and August 2025, with a follow in September 2025 in relation to the Stage 2 proposal.

The following iwi authorities were contacted:

- Ngāti Manuhiri
- Ngāti Whātua o Kaipara
- Ngāi Tai ki Tāmaki
- Ngāti Te Ata
- Te Kawerau a Maki
- Ngāti Whanaunga
- Te Rūnanga o Ngāti Whātua
- Ngāti Maru
- Ngāti Paoa
- Te Ākitai Waiohua
- Ngātiwai
- Ngāti Whātua o Kaipara
- Ngāti Whātua Ōrākei

A number of iwi expressed interest in the proposal and engaged with the Applicant, including Ngāti Manuhiri and Te Kawerau a Maki. A summary of the consultation undertaken, and correspondence received is included in Appendix 7.

Engagement has included the provision of project information, opportunities for feedback and ongoing communication regarding the scope and progression of the proposal. Matters raised during consultation have informed development of the project and the preparation of supporting assessments where relevant.

The Applicant is committed to working with the iwi authorities constructively and will continue to meet with its representatives to discuss the lodged application and recommended conditions.

15.3 Administering Agencies

The Applicant has consulted with the relevant administering agencies including the Ministry for Environment and the Environmental Protection Authority. This included an email in August 2025 outlining the proposal and advising of the intention to lodge a substantive application. A meeting was held with the Environment Protection Agency in September 2025 to discuss the Fast Track process and application requirements.

Correspondence undertaken with the Ministry for the Environment in relation to the proposal and lodgement process and application process. Details of this correspondence are included at **Appendix 7.**

The applicant will continue to liaise with the administering agencies as required throughout the processing of the application.

15.4 Potentially Affected Landowners

Under clause 6(1)(e) of Schedule 5 of the FTAA, persons who may be affected by the proposal must be identified and any response to the views of any such person must be provided.

No potentially affected landowners have been identified.

In accordance with clause 5(1)(d) of Schedule 5 of the FTAA, the names and addresses of adjacent landowners and occupiers is included as **Appendix 6.**

16.0 Statutory Requirements Relating to Iwi Authorities

16.1 Planning Document Recognised by a Relevant Iwi Authority

Clause 5(1)(i) of the FTAA requires an application to provide:

> *(h) an assessment of the activity against any relevant provisions in any of the documents listed in subclause (2).*

The relevant documents referred to in subclause (2) include:

> (*g) 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.

16.2 Te Kawerau ā Maki Iwi Management Plan

The Site is located within the rohe of Te Kawerau ā Maki. The Te Kawerau ā Maki Resource Management Statement (1995) is the Iwi Management Plan (IMP) for Te Kawerau ā Maki for the purposes of the RMA. This is the only IMP lodged with Council by a relevant iwi that we are aware of.

The IMP describes the continuing role of Te Kawerau ā Maki as kaitiaki (guardians) and provides policies to guide statutory authorities and applicants:

- Policy 2.2(2) promotes the integration of Te Kawerau ā Maki tikanga in resource management, while clause (3) requires engagement by all agencies within the rohe to help give effect to the kaitiaki role of the iwi;
- Policy 4.1.2(3) requires that cumulative effects upon Te Kawerau ā Maki are fully recognised and provided for;
- Policy 4.2.2 concerns Te Kawerau ā Maki cultural heritage and requires the protection of all heritage Sites including access requirements (s4.2.2(1)); the involvement of Te Kawerau ā Maki in all instances where potential effects may arise (s4.2.2(2)); and the recognition of Te Kawerau ā Maki cultural and spiritual values (s4.2.2(3 and 4));
- Policy 4.3.2 concerns the management of kōiwi, while s4.4.2 regards the management of water. Activities in the Coastal Marine Area are covered by s4.5.2. Waste management policies are described in s4.6.2 and land and landscape policies are set out in s4.7.2; and
- Policy 4.9.2 concerns Te Kawerau ā Maki participation in design of the built environment and interpretation of heritage.

It is considered that the proposal is well aligned with the IMP as it will appropriately treat and manage the quality of stormwater from the Site and will incorporate significant native vegetation planting and sustainability practices. Conditions of consent will manage the effects of earthworks, particularly in terms of any discharges to the streams.

16.3 Treaty Settlement Provisions and Redress

Section 13(4)(l) and clause 5(1)(i) of Schedule 5 of the FTAA requires an application to provide:

information about any Treaty settlements that apply in the area covered by the consent application, 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

It is acknowledged that the site drains to the Rangitopuni Stream tributaries and that this is a river catchment statutory acknowledgement for Te Kawerau ā Maki. Te Kawerau ā Maki have been consulted with throughout the project's history, including in Stage 1 where they provided a cultural advice memo which confirmed that they did not oppose the proposal. Te Kawerau ā Maki were contacted for comment on this application, however, no response was received. It is noted that enhancement and restoration works around the Rangitopuni Stream tributary are similar to what was proposed under Stage 1. The same recommendations from their Iwi Management Plan provided by Te Kawerau ā Maki in respect of the stream (water sensitive design, kaitiakitanga, erosion and sediment controls, habitat protection, avoidance of native vegetation removal) can be adopted into the Stage 2 proposal. These matters will be addressed at the substantiative application stage. A copy of the cultural advice memorandum provided by Te Kawerau ā Maki for the Stage 1 proposal can be provided upon request.

Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014. The Deed acknowledges that Te Kawerau ā Maki suffered injustices that impaired the economic, social and cultural development of Te Kawerau ā Maki and records the matters required to give effect to a settlement of all the historical claims of Te Kawerau ā Maki.

The Settlement seeks to provide redress to Te Kawerau ā Maki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. Te Kawerau ā Maki will also receive cultural redress through Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed.

Only Crown assets are involved in the property redress offered to Te Kawerau ā Maki. Apart from in respect of the tributary to the Rangitopuni Stream as addressed above, the site is unaffected by the redress offered.

There are no other Treaty Settlement Statutory Acknowledgement areas identified on Auckland Council's GeoMaps for the application site or any adjacent properties.

The Treaty Settlements in **Table 5** below apply to the site due to the respective iwi groups having an interest over the area the site is located. We do not consider that any provisions of the treaty settlements are relevant as only Crown assets are involved in the redress offered, and the statutory acknowledgments are over Crown owned land only.

Table 5: Summary of Treaty Settlements and relevance to the project area.

Treaty Settlement	Relevance to the Project Area
Ngāti Whātua o Kaipara Settlement Act 2013	The Ngāti Whātua o Kaipara Deed of Settlement Act 2013 gave effect to certain provisions of the deed of settlement signed on 9 September 2011. Amendment deeds were signed in August 2012 and July 2020. The Deed acknowledges that Ngāti Whātua o Kaipara suffered injustices that impaired the economic, social and cultural development of Ngāti Whātua o Kaipara and records the matters required to give effect to a settlement of all the historical claims of Ngāti Whātua o Kaipara. The Land Settlement provides redress to Ngāti Whātua o Kaipara in the form of land, money, the right of first refusal of Crown lands, statutory acknowledgements; letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, assigning place names and place name changes, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Kaipara Harbour. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the property redress offered to Ngāti Whātua o Kaipara, and the statutory acknowledgements are over Crown owned land only; therefore, the site is unaffected by the redress offered.
Te Kawerau ā Maki Claims Settlement Act 2015	Te Kawerau ā Maki and the Crown signed a Deed of Settlement on 22 February 2014. The Deed acknowledges that Te Kawerau ā Maki suffered injustices that impaired the economic, social and cultural development of Te Kawerau ā Maki and records the matters required to give effect to a settlement of all the historical claims of Te Kawerau ā Maki.

Treaty Settlement	Relevance to the Project Area
	The Settlement seeks to provide redress to Te Kawerau ā Maki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. Te Kawerau ā Maki will also receive cultural redress through Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed. Only Crown assets are involved in the property redress offered to Te Kawerau ā Maki. The site is unaffected by the redress offered
Ngāi Tai ki Tāmaki Claims Settlement Act 2018	Ngā Tai ki Tāmaki Claims Settlement Act 2018 gave effect to certain provisions of the deed of settlement signed on 7 November 2015. Amendment deeds were signed in June 2016, July 2017 and June 2018. The deed of settlement acknowledges that Ngā Tai ki Tāmaki suffered injustices that impaired the economic, social and cultural development of Ngā Tai ki Tāmaki and records the matters required to give effect to a settlement of all the historical claims of Ngā Tai ki Tāmaki. The Land Settlement provides redress to Ngā Tai ki Tāmaki in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, imposition of overlay classifications and statutory acknowledgements/deeds of recognition placed over land sites recognising their interest, relationship agreements with government agencies, place name changes and an apology from the Crown. Only Crown assets are involved in the redress offered, and the statutory acknowledgments are over Crown owned land only; therefore, the site is unaffected by the Deed in this regard.
Ngāti Pāoa Deed of Settlement 2021	The Ngāti Paoa Deed of Settlement 2021 was signed on 20 March 2021. The deed of settlement acknowledges that Ngāti Paoa suffered injustices that impaired the economic, social and cultural development of Ngāti Paoa and records the matters required to give effect to a settlement of all the historical claims of Ngāti Paoa. The Settlement seeks to provide redress to Ngāti Paoa in the form of land, money, the right of first refusal of Crown lands, an agreed historical account, overlay classifications, statutory acknowledgements, statements of association, name changes to certain sites of interest, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Hauraki Gulf. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the redress offered to Ngāti Paoa, and the overlay classifications, statutory acknowledgements, and statements of association are over Crown owned land only; therefore, the project site is unaffected by the redress offered
Te Ākitai Waiohua Deed of Settlement 2021.	The Te Ākitai Waiohua Deed of Settlement was initialled on 23 December 2022 and was signed on 12 November 2021. The deed of settlement acknowledges that Te Ākitai Waiohua suffered injustices that impaired the economic, social and cultural development

Treaty Settlement	Relevance to the Project Area
	of Te Ākitai Waiohua and records the matters required to give effect to a settlement of all the historical claims of Te Ākitai Waiohua. The Land Settlement provides redress to Te Ākitai Waiohua in the form of land, money, the right of first refusal of Crown lands, leaseback agreements, statutory acknowledgements, letters of introduction to certain Ministers/crown agencies, organisations and the Auckland Council, an agreed historical account, agreements with MPI with respect to fisheries, statements of association, relationship agreements with government agencies, and an apology from the Crown. It is noted that the settlement does not provide for redress in relation to the Manukau or Waitemata Harbours. Agreement has been reached to address this relationship in the future. Only Crown assets are involved in the redress offered to Te Ākitai Waiohua, and the statutory acknowledgements/statements of association/leaseback agreements are over Crown owned land only; therefore, the project site is unaffected by the redress offered.
Ngāti Manuhiri Claims Settlement Act 2012	The Ngāti Manuhiri Claims Settlement Act 2012 gave effect to certain provisions of the deed of settlement signed by Ngāti Manuhiri and the Crown on 21 May 2011. Deeds to amend the settlement deed were signed in February and June 2012. The deed of settlement acknowledged that Ngāti Manuhiri suffered injustices that impaired the economic, social and cultural development of Ngāti Manuhiri and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Manuhiri. The Land Settlement provided redress to Ngāti Manuhiri in the form of land, money, the right of first refusal of certain Crown lands, facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, place name changes and an apology from the Crown. The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.
Ngātiwai	The Crown recognised the Ngātiwai Deed of Mandate on 21 October 2015. The Deed of Mandate was amended on 27 May 2016.
Ngāti Whātua Ōrākei	Ngāti Whātua Ōrākei and the Crown signed a Deed of Settlement on 5 November 2011. The deed of settlement acknowledged that Ngāti Whātua Ōrākei suffered injustices that impaired the economic, social and cultural development of Ngāti Whātua Ōrākei and recorded the matters required to give effect to a settlement of all the historical claims of Ngāti Whātua Ōrākei. The Settlement provided redress to Ngāti Whātua Ōrākei in the form of land, money, the right of first refusal of certain Crown lands, facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, place name changes and an apology from the Crown.

Treaty Settlement	Relevance to the Project Area
	The site is not impacted by the Act or Deed because only Crown assets are involved in the redress offered, and because none of the statutory acknowledgement areas identified applies.

All other iwi settlement Acts and Deeds have been reviewed and there are no other statutory acknowledgement areas, cultural redress properties or deeds of recognition that affect the application site.

16.4 Customary Marine Title Groups

Clause 5(5)(b) of Schedule 5 of the FTAA requires:

> *if the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document*

There are currently several hundred applications for recognition of customary marine title (CMT) before the High Court under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA), as well as direct negotiations that are currently being conducted with the Crown.

There are no CMTs which affect the proposal, and as such there is no requirement to assess the activity under clause 5(5)(b) of Schedule 5 of the FTAA.

Additionally, the activity will not occur in an area that is within the scope of a planning document prepared by a customary marine title group under Section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.

16.5 Protected Customary Rights

Clause 3(1)(j) of Schedule 5 of the FTAA 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 3(h) is not required.

17.0 Strategic Assessment of Relevant Statutory Documents

This section of the application is provided in accordance with clauses 5(1)(h), and 5(2) of Schedule 5 of the FTAA. This requires that applications include an assessment of the activity against the relevant provisions and requirements of the following statutory documents:

(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.

As required by clause 5(3) of Schedule 5, this includes an assessment of the relevant objectives, policies and rules and any requirements, conditions or permissions in any rules of those documents.

17.1 National Environmental Standards

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

Resource consents required under the NES-CS have been considered in section 9.

The intent of the NES-CS 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.

It is proposed to remediate the contaminated area of the site and manage earthworks in accordance with the CSMP which will ensure that the site is suitable for the intended residential land use and for the health and safety of persons during works.

The CSMP have been prepared in accordance with the requirements of the NES-CS. The recommendations included in the CSMP will be followed during the site remediation works, and an SVR will be provided to the Council following the completion of remediation. Following the completion of remediation works, there will be no ongoing risk of contamination associated with the subject site. All lots within the ASPC will be suitable for development and safe for residential and commercial occupation and have no residual contamination risk.

Based on the above, as the site will be remediated, potential risks to human health will be appropriately managed, and it is considered that the intent of the NES-CS will be met.

17.1.2 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, and therefore, an assessment against the intent of those documents is not required.

17.2 National Policy Statements

17.2.1 National Policy Statement on Urban Development 2020

The NPS-UD recognises the national significance of:

- Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future;
- Planning decisions improve housing affordability by supporting competitive land and development markets;
- Providing sufficient development capacity to meet the different needs of people and communities; and

- Improving how cities reposed to growth to enable improved housing affordability and community wellbeing.

The NPS-UD contains objectives and policies that require councils to carry out long term planning to accommodate growth and ensure well-functioning cities. There is an emphasis on allowing for growth 'up' and 'out' in a way that contributes to a quality urban environment and to ensure their rules do not necessarily constrain growth. Councils must also enable higher density development in areas close to employment, amenity, infrastructure and demand and in some instances remove minimum car parking requirements.

The proposal is considered to be consistent with the relevant objectives and policies of the NPS-UD and will contribute to a well-functioning urban environment for the following reasons:

- Objective 1 and Policy 1 seek to achieve a well-functioning urban environment that provides for a number of outcomes. The proposed subdivision and roading network contribute towards achieving a well-functioning urban environment as it will provide for transport linkages and residential lots to meet development capacity. It will support an increase in homes in an area identified for planned and future growth, close to transport links, employment, and commercial centres, including the Village Centre Precinct proposed as a part of the proposal.
- The range in lot sizes proposed will support a range of households in needs in terms of type, price and location in an area close to key amenities. The proposed roading network will also support a well-functioning urban environment for all modes of transport.
- Objective 2 and Policy 2 direct local authorities to provide sufficient development capacity in the short, medium and long term to meet demand. The project will deliver 486 residential dwellings, thereby making a real and sustained contribution to Auckland housing supply. This will support improved housing affordability and support competitive land and development markets.
- In accordance with Objective 4, the project will facilitate a range of dwelling typologies and sizes anticipated within the residential lots. This will contribute to the creation of a diverse and vibrant community and assist in responding to the changing needs of people, communities and future generations.
- Policy 10 directs local authorities to achieve integrated land use and infrastructure planning, including additional infrastructure. The project will be fully serviced by onsite development infrastructure that forms a part of the application.
- Objective 8 requires New Zealand's urban environments to support reductions in greenhouse gas emissions and be resilient to the current and future effects of climate change. To this regard:
    - The proposal will likely contribute to an overall reduction in greenhouse gas emissions across the Auckland region, by delivering a large number of houses within close proximity to both existing and planned employment areas. The proposal will reduce travel distances from places of employment through an increase in housing stock in North Auckland. The proposal incorporates new transport infrastructure including walking and cycling facilities to encourage active transport modes, thereby reducing reliance on and use of cars.
    - The proposal will provide a number of shared cycle and pedestrian pathways and continue to provide for the construction of bus stops and a private shuttle connection to the Hibiscus

Bus Station as consented under Stage 1. These aspects of proposal will provide for improved, safe and attractive active transport facilities for pedestrians and cyclists. This will reduce the reliance on car travel by providing more options for travel and supports a reduction in vehicle emissions.

- The proposal provides for a future potential connection between the Site and the RTN (NOR 1). A RTN stop at the site will improve active transport facilities for residents and visitors at the site and further reduce the reliance on car travel.
- The proposal involves the expansion of the solar farm from 5MW to 6.5MW. The solar farm will generate approximately 10,900 MWh in energy per year, offsetting 39,000 tons of CO^2 emissions and helping to meet the 100% renewable status sought for the hyperscale AI data centre campus.

17.2.2 National Policy Statement on Freshwater Management 2020 (NPS-FM)

The NPS-FM requirements include:

- Managing freshwater in a way that 'gives effect' to Te Mana o te Wai;
- Improving degraded water bodies, and maintaining or improving all others; and
- Avoiding any further loss or degradation of wetlands and streams, map existing wetlands and encourage their restoration.

The proposal is considered to be consistent with the relevant objectives and policies of the NPS-FM that relate to land development for the following reasons:

- The NPS-FM recognises the need for urban growth and specified infrastructure while integrating and managing the effects of development on freshwater, ecosystems and the coastal environment. The proposed works are required to support the delivery of residential and urban development in Auckland with measures proposed to mitigate and manage effects on adjacent freshwater bodies;
- The NPS-FM priorities the health and wellbeing of freshwater systems, including water quality. The proposal seeks to ensure the water quality of downstream and adjacent freshwater systems in the catchment is maintained and improved;
- The proposal includes the extensive enhancement of riparian margins through riparian planting.
- The proposal will manage the adverse effects on Mana Whenua cultural heritage if discovered on site and will comply with the protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin. Appropriate actions will be undertaken in accordance with mātauranga and tikanga Māori and any adverse effects will be avoided, remedied or mitigated where possible; and

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

The relevant objectives and policies of the NPS-IB includes:

- Indigenous biodiversity is managed in a way that gives effect to Te Rito o te Harakeke;
- Significant indigenous vegetation and significant habitats of indigenous fauna are identified as Significant Natural Areas (SNAs) using a consistent approach; and

- The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.

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

- Mana Whenua have been consulted throughout the development of the proposal as set out in the Consultation Summary. No concerns have been raised in regard to indigenous biodiversity;
- The Site has not been identified as a SEA or SNA;
- 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; and
- The Site does not present any features, fauna or flora habitats that present significant ecological values.

17.2.4 National Policy Statement for Renewable Electricity Generation (NPS-REG)

The relevant objectives and policies of the NPS-REG include:

- Recognising the benefits of renewable electricity generation activities;
- Acknowledging the practical implications of achieving New Zealand's target for electricity generation from renewable resources; and
- Managing reverse sensitivity effects on renewable electricity generation activities.

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

- The proposal will aid in New Zealand's target for electricity generation from renewable resources. The 6.5MW Solar Farm will generate approximately 10,000 MWh in energy per year, offsetting 39,000 tons of CO^2 emissions;
- The proposed solar farm will provide for a circular energy system, by powering the data centre and thereby heating the surf lagoon. Any excess generation will be fed to the national grid for periods when solar generation is high and/or on-Site energy usage low; and
- The provision of the solar farm is not considered to result in adverse reverse sensitivity effects. The outcomes sought by the Structure Plan, including the RTN through a portion of the solar farm, will not be inhibited. The solar farm will be removed or relocated at the time the RTN is constructed.

17.2.5 National Policy Statement for Natural Hazards 2026

The National Policy Statement for Natural Hazards (NPS-NH) requires decision-makers to assess and manage natural hazard risks (flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami) in a consistent, risk-based and proportionate manner. It has a strong emphasis on avoiding very high risks, using the best available information. It also considers long-term natural hazard risk and requires decision-makers to consider mitigations. The NPS-NH does not apply to infrastructure.

In summary, the relevant objective and policies of the NPS-NH relate to:

- Managing natural hazard risk proportionate to the assessed level of risk;
- Avoidance of subdivision, use or development with very high risk, while medium or high risks need to be either avoided or reduced through mitigations;
- Recognition of the need for decisions to proceed even when data and information are incomplete; and
- Consideration of the impacts of climate change at least 100 years into the future.

The proposal is considered to be consistent with the relevant objective and policies of the NPS-NH for the following reasons:

- Risk associated with natural hazards including flooding and land instability have been assessed within Flooding Memorandum, Flood Assessment and Geotechnical Assessment. In all cases, risk associates with flood and land instability has been assessed as low.
- In respect of flooding, the Flood Memorandum and Flood Assessment confirms that flood hazards present on site have been incorporated into the development, such that the development will not worse any existing or create and new flood hazards for properties upstream or downstream.

17.2.6 National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023 (NPS-IGHG)

The relevant objectives and policies of the NPS-IGHG includes:

- To reduce greenhouse gas emissions by managing the discharge to air from the production of industrial processes heat, in order to mitigate climate change and its current and future adverse effects on the environment and the wellbeing of people and communities; and
- Avoid greenhouse discharges from new heat devices that burn fossil fuel unless there is no technically feasible and financially viable lower emissions alternative.

Section 1.3(2)(a) states that the NPS-IGHG does not apply to “back-up heat devices”.

Under the National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat, a back-up device means a heat device that produces industrial process heat—

(a) for 400 hours or less each year; and

(b) only when the heat is required but cannot be produced by another heat device at the site because its operation—

(i) is prevented by maintenance or an unexpected event; or

(ii) is not enough to meet a temporary, additional demand for the heat.

The proposed solar farm will send the energy it creates directly into the hyperscale AI data centre. Under normal operation, the data centre will utilise this power from the grid however on occasion this can be subject to power failures. As noted in section 10.8 above, the proposed data centre includes emergency diesel powered generators. Given that these generators are only to be utilised during power failures, it is considered that they meet the definition of a back-up device. Therefore, in this instance the NPS-IGHG does not apply.

17.2.7 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:

- New Zealand Coastal Policy Statement 2010 - As the proposed development is not located within close vicinity to the coastal environment, the NZCPS is not relevant.
- National Policy Statement for Highly Productive Land (NPS-HPL) - This NPS sets out objectives and policies for managing highly productive land. Prior to the territorial authority including the relevant objectives, policies and rules in their district plan, the NPS-HPL has limited application in a consenting context. The site is situated within a key future urban growth area identified under the AUP(OP). For this reason, an assessment of this NPS is not required;
- National Policy Statement on Electricity Transmission - This NPS sets out the objectives and policies for managing the electricity transmission network. There are no electricity transmission lines or transmission network structures within the site, and therefore an assessment of this NPS is not required; and
- Greenhouse Gas Emissions from Industrial Process Heat - This NPS sets out the objectives and policies to reduce greenhouse gas emissions by managing the discharge to air from the production of heat for industrial processes. The proposal does not involve the emission of greenhouse gases from fossil fuel-fire heat devices. Therefore, an assessment of this NPS is not required.

17.3 Weighting of Proposed Plan Changes

17.3.1 Plan Change 78

PC 78 to the AUP(OP) is an Intensification Planning Instrument (IPI) prepared under section 870F and seeks to give effect to the NPS-UD and incorporates the MDRS into relevant residential zones. PC78 was notified on 18 August 2022 and is progressing through the Hearing process. PC78 is not relevant to FUZ land.

17.3.2 Plan Change 79 - Decision Version (PC79)

Auckland Council notified its decision on PC79 on 9 August 2024, which seeks to respond to and reflect the mandatory residential intensification provisions under the NPS-UD and MDRS and addresses matters such as pedestrian safety, accessible car parking, loading and heavy vehicle management and catering for electric vehicle charging and cycle parking.

While the Plan Change has been appealed to the Environment Court in its entirety, under section 86F of the Act, the PC79 provisions still have legal effect, and have been considered in this application. Namely, the proposal has been designed to comply with PC79 where relevant (Appendix 43)

17.3.3 Proposed Plan Change 120 (PC120)

Auckland Council publicly notified PC120 on 3 November 20205. PC120 responds to a government requirement to enable more opportunities for housing and development, mainly through the rezoning of land to allow for significant increases in building heights in many parts of the city.

PC120 also seeks to strengthen the AUP rules that relate to building in areas prone to natural hazards

With regard to the weighting of the PC120 and the operative AUP(OP), it is considered that greater weighting should be given to the operative provisions of the plan, noting thatPC120 has only been recently notified and has not been subject to legal tests or public submissions.

17.4 Regional Policy Statement, Regional Plan and District Plan

17.4.1 Auckland Unitary Plan (Operative in Part) 2016

17.4.2 Regional Policy Statement

The RPS sets out the overall strategic statutory framework to achieve integrated management of the natural and physical resources of the Auckland Region. The RPS broadly gives effect to the strategic direction set out in the Auckland Plan.

Of particular relevance to this proposal are:

- B2.2 Urban Growth and Form;
- B2.3 Quality Built Environment;
- B2.4 Residential Intensification;
- B6 Mana Whenua; and
- B7 Natural Resources

B2.2 Urban Growth and Form

The relevant objectives and policies of B2 Urban Growth and Form seek to achieve a quality compact urban form with urban growth contained within the Rural Urban Boundary (RUB). Sufficient development capacity and supply of land for urban development is required to accommodate residential and commercial growth with social facilities to support this growth. There is an emphasis on achieving a higher quality urban environment and better use of existing infrastructure, through enabling higher residential intensities in areas closest to centres, the public transport network, open space and social amenities. The proposal is considered to be consistent with this policy direction as it provides for a quality, compact neighbourhood that includes both residential and commercial activities within the RUB which has been strategically identified as appropriate to accommodate urban growth through the application of the Future Urban zone, to provide much needed residential capacity in Auckland and in an accessible location to a potential future public transport network. Importantly, the objectives and policies of B2 Urban Growth and Form do not preclude resource consents for urban land use in the Future Urban zone prior to the land being rezoned.

The comprehensive development, which has been informed by a Structure Plan will deliver additional housing stock to accommodate residential growth and support the provision of sufficient development capacity through the delivery of a range of housing typologies surrounded by quality open spaces for amenity and recreation. The proposal will support the Councils requirements to provide sufficient development capacity and supply of land for urban development, of which, at any one-time sufficient land which enables a minimum of seven years' projected growth in terms of residential, commercial and industrial demand should be available.

Currently, there are limited opportunities for growth in the Dairy Flat area through live zoned land, despite there being significant market demand. The development of the site will be integrated and delivered with the required transport and servicing infrastructure upgrades. As demonstrated throughout the AEE and supporting technical documents, the proposed activities on the site will deliver urban use of the land albeit in a manner that is partially inconsistent with anticipated future zoning, and will contribute to the provision of sufficient development capacity and much needed land supply to accommodate and support growth that is integrated with the provision of appropriate infrastructure, and hence the proposal is considered to be consistent with the relevant objectives and policies of B2 Urban Growth and Form.

B2.3 A Quality Built Environment

The relevant objectives and policies within B2.3 A Quality Built Environment seek to achieve a quality-built environment by ensuring that development responds to the qualities and characteristics of the site. There is an emphasis on achieving a high level of amenity and safety for pedestrians and cyclists, contributing to the safety of the site, street and neighbourhood, contributing to a diverse mix of choice for people and communities, and maximising resource and infrastructure efficiency.

The proposal is considered to be consistent with this policy direction as the development has been comprehensively master planned and designed to result in a quality-built environment. The development has been designed to respond to the intrinsic qualities and physical characteristics of the site, including natural watercourses and the natural topography of the site. Although the proposed earthworks will disrupt the landform during construction, the general overall topography and low points (including stream) of the site will be maintained.

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 and landscaping. CPTED principles have been considered throughout the design of the development to ensure the development provides an environment which is safe for residents. In particular, passive surveillance is provided for street and public open spaces throughout the development.

The project will deliver a range of dwelling sizes and typologies to support choice and meet the needs of Auckland's diverse population.

B2.4 Residential Intensification

The relevant objectives and policies within B2.4 Residential Intensification seek to provide for residential intensification which supports a quality compact form. There is an emphasis on residential areas being attractive, healthy and safe and in keeping with the planned built character of the area, increasing housing capacity and choice to support the provisions of sufficient, feasible development capacity for housing and ensuring development is adequately serviced by infrastructure.

The proposal is considered to be consistent with this policy direction as it will deliver additional residential capacity and support a range of housing choice to help meet the varied needs of Auckland diverse and growing population, within a quality compact urban form, for the reasons set out in the B2.2 Urban Growth and Form assessment above. The project will deliver development that is partially in keeping with the future built character of the area and has been

master planned to ensure that departures from the future built character are localised within the centre of the site or surrounding by comprehensive screening from the surrounds.

The proposal supports the provision of sufficient and feasible development capacity for housing and in turn will assist the minimum dwelling targets set out in Table B2.4.1 of the RPS being achieved, through the delivery of additional housing in an area where there is significant market demand, on land that has been identified as appropriate for future urbanisation through the provision of the Future Urban zoning being applied. The development will be adequately serviced by infrastructure to be provided prior to, or at the same time as, the delivery of residential intensification.

B6 Mana Whenua

The relevant objectives and policies set out in B6 Mana Whenua seek to ensure that the principles of Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources. There is an emphasis to provide opportunities for Mana Whenua to actively participate in the sustainable management of natural and physical resources, the mauri of and relationship of Mana Whenua with natural and physical resources are enhanced and the holistic nature of the Mana Whenua world view is taken into account.

The proposal is considered to be consistent with this policy direction as the proposal recognises the unique relationship between Mana Whenua and natural and physical resources. Consultation has been undertaken with Mana Whenua, and feedback from Mana Whenua has been considered in the design of the proposal. The holistic nature of the Mana Whenua world view and opportunities to enhance the mauri of freshwater ecosystems has been taken into account in the proposed development, particularly in terms of the landscaping and proposed stormwater management.

B7 Natural Resources

The relevant objectives and policies of B7 Natural Resources 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.

The proposal is consistent with this policy direction. The proposal involves significant restoration and planting of degraded riparian margins in addition to significant landscaping across the site.

In addition, 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. These mitigation measures are also consistent with GD01 in terms managing the effects of discharge on water quality and with managing sediment runoff from land disturbance.

Summary

Based on the foregoing, the proposal is considered to be consistent with the policy direction of the RPS.

17.4.3 Summary

Based on the foregoing, the proposal is considered to be consistent with the policy direction of the RPS.

17.5 Regional and District Plan

The relevant Regional and District Plan objectives and policies are contained within chapters:

- E7 - Diversion, Dewatering and Water Take;
- E11 and E12 - Land Disturbance - Regional and District;
- E14 - Air Quality;
- E15 - Vegetation Management and Biodiversity;
- E25 - Noise and Vibration;
- E26 - Infrastructure;
- E27 - Transport;
- E30 - Contaminated Land;
- E31 - Hazardous Substances;
- E33 - Industrial and Trade activities;
- E36 - Flooding;
- E39 - Subdivision Rural;
- E40 - Temporary Activities
- D24 - Aircraft Noise Overlay; and
- H18 - Future Urban Zone.

The proposal is consistent with the relevant objectives and policies of the District and Regional Plan.

E7 - Diversion, Dewatering and Water Take

The objectives and policies for Chapter E7 refer to the objectives and policies located in in E1 Water quality and integrated management, E2 Water quantity, allocation and use, D3 High-use Stream Management Areas Overlay and D8 Wetland Management Areas Overlay. These provisions seek to ensure freshwater and sediment quality is maintained, to prevent or minimise adverse effects of contaminants on freshwater and coastal water quality, to maintain the mauri of freshwater, to ensure the allocation and use of water meets current and future water needs and that surface river and groundwater aquifer limits are not exceeded.

The proposed groundwater take associated with the bores has been assessed by WWLA (**Appendix 40**). Dewatering and diversion associated with the earthworks phase has been assessed by Initia (**Appendix 38 and 39**). Initia consider that there will be no offsite groundwater settlement effects relating to the proposed works and specific monitoring is not required.

Accordingly, is considered that the proposal is consistent with the relevant groundwater objectives and policies.

E11 and E12 - Land Disturbance

The objectives and policies for land disturbance and earthworks are contained in Chapters E11 and E12 of the AUP. These provisions recognise that earthworks are an essential component of urban development and seek to ensure that land disturbance is managed using best practice techniques to minimise adverse effects such as sediment, erosion, dust, and instability and to protect cultural heritage values.

The proposal involves bulk earthworks across approximately 50.48ha. ESCPs, prepared by McKenzie & Co (Appendix 26), have been designed in accordance with GD05 and provide for sediment retention ponds, water management systems and stages earthworks to minimise exposed areas. Regular site monitoring and liaison with Council officers will ensure that these measures remain effective.

Geotechnical Assessments prepared by Initia (Appendix 38 and 39) confirm that the risk of slope instability and landslide effects will be low, provided recommended construction and protection measures are implemented. Dust will be managed through water suppression and standard site practices. Further, appropriate accidental discovery protocols will also be followed to manage any potential effects on cultural heritage.

Overall, the proposed earthworks will be undertaken in a controlled and staged manner, supported by comprehensive technical assessments and management plans. It is considered that the proposal accords with the objectives and policies of the regional and district land disturbance provisions.

E14 - Air Quality

The E14 Air Quality chapter establishes a framework for managing air quality across Auckland. It focuses on managing air quality from individual discharges to air and the separation of incompatible land uses. Industrial processes and their operation need to be recognised because they cannot avoid discharging contaminants into the air. Their effects need to be managed using suitable control technology and on-site management techniques. These industries also need to be located in appropriate areas.

The proposal is considered to be consistent with these provisions for the following reasons:

- Air quality will be maintained within the WWTP's location due to the high degree of mitigation measures designed into the plant. This will avoid any significant odours emanating from the site, mitigating nuisance impacts on the surrounding community and protecting any significant adverse effects on human health;
- Odour will be appropriately managed in accordance with the Odour Management Plan prepared by Apex;
- The on-site odour management measures, combined with operational procedures including robust monitoring and a robust set of proposed consent conditions, will ensure that significant adverse effects on human health, including cumulative adverse effects, can be avoided, remedied or mitigated

Overall, it is considered that the proposal accords with the objectives and policies of the air quality provisions.

E15 - Vegetation Management and Biodiversity

The objectives and policies for vegetation management and biodiversity are contained in Chapter E15 of the AUP. These provisions seek to maintain ecosystem services and indigenous biodiversity values, particularly in sensitive environments while enabling development. The proposal is considered to be consistent with the objectives and policies of Chapter E15 for the following reasons:

- The proposed works are part of necessary site preparation to facilitate a proposal that will provide significant regional and national benefits. The earthworks modelling and geotechnical constraints of the site have further determined finished contours to achieve a cut to fill balance and subsequent roading gradients, building platforms, infrastructure service levels and requirements;
- As confirmed within the EcIA (Appendix 44), any adverse effects on adjoining watercourses, freshwater habitat and stream ecology will be very low;
- The proposal minimises and avoids effects on the Rangitopuni Stream tributaries that traverse the site;
- As described above in section 7 on-site vegetation largely consists of pasture, isolated exotic shrubs and trees and exotic shelterbelt planting including pine and cypress through paddocks and along the roadside. The site has not been identified within any SEA overlays. The proposal does not involve the removal of any areas of contiguous native vegetation.
- The site preparation works will include the removal of vegetation within 20m of the rural stream that traverses 89 and 105 Lascelles Drive and 1320 Dairy Flat Highway. The vegetation is of low ecological value, and the removal will not result in adverse effects on non-transitory, threatened, at-risk or rare indigenous species, ecosystems and vegetation types. The removal of the vegetation will not increase natural hazards. The removal of this vegetation will enable reasonable use of the site for future residential development.
- Extensive riparian planting along the Rangitopuni Stream tributaries will provide significantly more and higher quality riparian vegetation than is currently present. Once established, the planned planting is expected to provide high levels of shade, organic matter inputs, bank stability, filtration of overland flow, and provide habitat for native fauna, improving riparian functioning and water quality of the streams to be retained.

Overall, it is considered that the proposal accords with the objectives and policies of the E15 Vegetation Management and Biodiversity provisions.

E25 - Noise and Vibration

The objectives and policies for noise and vibration management in Chapter E25 of the AUP seek to control the levels of noise and vibration created by activities to limit the adverse effects of noise and vibration on amenity values and human health and to protect existing noise activities from reserve sensitivity effects.

The proposal is considered to be consistent with these provisions for the following reasons:

- The proposal provides site management and mitigation measures to ensure people are protected from unreasonable levels of noise and vibration;

- With respect to the earthworks stages, the temporary duration of proposed works, hours of operation, and construction methodology take into account the sensitive environment and seek to avoid, remedy or mitigate effects on adjoining residential receivers as far as practicable. All residential owners and occupiers adjoining the works will be consulted with leading up to the commencement of works and advised when activities are to be carried out.
- With respect to reverse sensitivity, noise and vibration effects from the North Shore Airport have been assessed below in relation to Chapter D24.
- Reverse sensitivity effects from operational noise has been considered in Section 10.13.1 of this AEE and conditions of consent are proposed to appropriately mitigate effects.

Overall, it is considered that the proposal accords with the objectives and policies of the noise and vibration provisions.

E26 - Infrastructure

Infrastructure is critical to the social, economic, and cultural well-being of people and communities and the quality of the environment. The E26 Infrastructure chapter provides a framework for developing, operating, using, maintaining, repairing, upgrading and removing infrastructure. Additionally, it recognises the benefits that infrastructure can have a range of adverse effects on the environment, visual amenity of an area, and public health and safety.

The proposal is considered to be consistent with these provisions for the following reasons:

- The proposed roads have been designed to provide for the needs of all road users and modes of transport; and
- Construction effects will be managed through the proposed earthworks methodology as outlined above, ensuring that any potential adverse impacts of the earthworks on the receiving environment will be appropriately mitigated.

E27 - Transport

The relevant provision of E27 Transport seeks to encourage that land use and transport (including public transport, walking and cycling) be integrated in a manner that enables adverse effects of traffic generation on the transport network to be managed. 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 be consistent with these provisions for the following reasons:

- The proposed roading network has been designed to connect and integrate with the existing network. The network has been designed to accommodate the level of future traffic envisaged in the area and will maintain safety, operation and efficiency within the road network;
- The proposed roads tie into the wider roading network to maintain traffic circulation and connectivity. Namely:
    - As anticipated by the Structure Plan, the Stage 2 proposal will complete the Collector Road connection to Postman Road that was partially consented under Stage 1; and
    - As anticipated by the Structure Plan, the proposal has been designed to provide for, and integrate with the RTN.

- The layout and design of the roading network provides for the needs of all road users and modes of transport, including pedestrians and cyclists with shared pathways and dedicated cycle ways / shared paths; and
- The layout and design of the roading network ensures that parking and pedestrian footpaths are readily accommodated within roads to provide for an appropriate level of accessibility to and within the subdivision; and
- While there are currently limited public transport options available within a close proximity to the site, no changes are proposed to the provision of the sheltered bus stops and private shuttle to the Hibiscus Coast Station as consented under Stage 1. Provision of these facilities will support alternative transport modes, thereby reducing reliance on private vehicles.

Overall, the proposal is considered consistent with the objectives and policies as it integrates with the wider transport network, provides safe and efficient access and mitigates adverse effects of additional traffic while supporting sustainable transport options.

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 PSI prepared by Aurecon (Appendix 36) did not identify that new development area at 237 Postman Road being subject to any contamination.

The PSI and DSI prepared by WWLA, included at Appendices 34 and 35 confirms that parts of the new landholdings (1320 Dairy Flat Highway and 105 Lascelles Drive) have a history of rural residential and pastoral use with limited HAIL activities identified. A CSMP has been prepared to manage disturbance, handling, reuse and disposal of contaminated material.

With the implementation of the CSMP and associated remediation measures, potential discharges and risks to human health and the environment will be appropriately avoided, remedied, or mitigated. Accordingly, contaminated land effects associated with Stage 2 are expected to be less than minor.

Overall, it is considered that the proposal accords with the objectives and policies of E30.

E31 - Hazardous Substances

The objective and policies for hazardous substances are contained in sections E31.2 and E31.3 of the AUP (OP). The objective seeks to minimise the risks of hazardous facilities to people, property and the environment to an acceptable level. The supporting policies reinforce this as they seek to manage hazardous substances by avoiding or adequately mitigating adverse effects, managing cumulative effects of hazardous facilities so they do not reach an unacceptable level, locating activities to minimise effects on road infrastructure, and requiring adequate separation between such facilities and sensitive activities.

In respect of both the new data centre module, and the WWTP, stormwater treatment, containment measures, and operational procedures, including segregation of refuelling areas, use of bunded storage, and treatment via on-site separators, will be implemented to manage potential spills. The sites will also operate in accordance with a site-specific EMP and ERP. To this regard, a range of measures have been included in the design to reduce any potential effects associated

with spills at the site. The proposed measures are consistent with the objectives and policies of Chapter E31, as they avoid or adequately mitigate adverse effects, minimise cumulative risk, and ensure safe separation from sensitive land uses.

E33 - Industrial and Trade activities

The objectives and policies of Chapter E33 seek to manage industrial and trade activities, including the storage and use of hazardous substances to avoid or minimise adverse effects on land and water. These provisions emphasise appropriate containment, treatment and operational management to prevent or mitigate contaminant discharges. The Stage 2 proposal involves an additional AI data centre module within the industrial and trade activity area.

Stormwater from roofs, outdoor plant yards, parking areas and roadways will be appropriately managed and operational procedures, including a site-specific EMP and ERP that establish inspection, monitoring, maintenance and spill response protocols.

The proposal is considered consistent with the objectives and policies of Chapter E33 as stormwater and potential contaminants will be managed through treatment and, containment and operational procedures to minimise adverse effects. Where avoidance of discharge is not practicable, the proposed measures reflect good on-site management practices.

E36 - Natural Hazards and Flooding

The relevant objectives and policies seek to ensure that use and development do not increase the overall risk of adverse effects from natural hazards to people, buildings, infrastructure and the environment, and where practicable, adverse effects are reduced or minimised. The design and construction of buildings and structures should assess whether the effects of flooding are avoided or mitigated through site layout and management. The proposal is considered to be consistent with these provisions, for the following reasons:

- Risk associated with natural hazards including flooding and land instability have been assessed within Flooding Memorandum, Flood Assessment and Geotechnical Assessment. In all cases, risk associates with flood and land instability has been assessed as low.
- In respect of flooding, the Flood Memorandum and Flood Assessment confirms that flood hazards present on site have been incorporated into the development, such that the development will not worse any existing or create and new flood hazards for properties upstream or downstream.

Overall, it is considered that the proposal will meet the relevant objectives and policies that relate to flooding hazards.

E39 - Subdivision Rural

The relevant objectives and policies of E39 Subdivision - Rural seek to ensure that land is subdivided to achieve and support the objectives and policies of the zones, the relevant overlays and Auckland-wide provisions, and in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment. There is an emphasis on ensuring infrastructure is in place to support the proposed subdivision or development, subdivision has a safe, efficient, convenient and accessible layout and maintains or enhances the natural features and landscapes that contribute to the character and amenity values of rural areas.

Holistically, the subdivision of the site is considered to achieve the purpose of the FUZ, which is assessed below, and the Auckland-wide provisions above, which are not repeated here.

The proposal will provide for the long-term needs of the community through the provision of high-quality housing stock within an area which has been signalled for urbanisation by the FUZ under the AUP(OP). The assessment in section 10.18 above demonstrates that the development appropriately minimises adverse effects of development on the environment.

The infrastructure required to support the subdivision (and associated development) will be in place at the time of subdivision/development and as such the proposal is considered to meet the E39 objectives and policies related to the provision of infrastructure.

The subdivision layout is considered to be safe, efficient, convenient and accessible as it has specifically been designed to minimise the number of intersections on roads through the provision of access lots and JOALs, thereby improving the safety and efficiency of the road network. The development layout also provides multiple accessways for pedestrians and cyclists to improve the convenience and accessibility for active transport modes. These design factors are all considered to contribute to a subdivision layout which is safe, efficient, convenient and accessible.

With regard to objective E39.2(8) and E39.2(15), it is recognised that the proposal will change the character and amenity values of the site, noting that the site has been identified as an area that will transition from rural to urban through the FUZ zoning. The subdivision has been designed to maintain and enhance the natural features on the site, including existing watercourses.

The risk of adverse effects arising from natural flooding hazards are managed through the overall layout and design of development and open space across the site. The development provides safe and stable building platforms and vehicle access.

Overall, it is considered that the proposal is not contrary to the relevant objectives and policies that relate to rural subdivision.

E40 - Temporary Activities

The objectives and policies for temporary activities are enabling for such activities to occur but seek to ensure that adverse effects on the environment are minimised, managed and mitigated.

The proposal is considered to be consistent with these provisions, for the following reasons:

- It is considered that adverse construction noise and vibration and construction traffic effects arising from the temporary construction activities proposed will be appropriately managed with best practicable measures in response to and in recognition of surrounding site conditions and will also be minimised where practically possible.
- Traffic management procedures will prioritise pedestrian and vehicles safety over the course of construction.

Overall, it is considered that the proposal will meet the relevant objectives and policies that relate to temporary activities.

D24 - Aircraft Noise Overlay

The objectives and policies of Chapter D24 seek to protect airports and airfields from reverse sensitivity effects and avoid, remedy and mitigate adverse effects of aircraft noise on residential and other activities sensitive to aircraft noise. The policies reinforce the objectives by seeking to

manage residential intensification and activities sensitive to aircraft noise within areas identified for accommodating urban growth in a way that avoids reverse sensitivity effects as far as practicable, including reverse sensitivity effects between those land uses and such effects on the North Shore Airport.

The North Shore Airport released a masterplan on 29 September 2024. The masterplan states that Runway 09/27 is infrequently used and that it is primarily used for helicopter landings and departures when the 03/21 runway is in use. The masterplan proposes to disestablish the runway and notes that this would result in several benefits including that "the airport noise overlays in the AUP(OP) can be amended to reshape the 55dB and 65dB boundaries reducing their impact on neighbouring properties." Following the disestablishment of Runway 09/27, all noise sensitive receivers (residential activities) will be outside the Noise Overlay - Outer Control Boundary (55dB L_{DN}). On this basis, no acoustic treatment would be required in future.

Notwithstanding the above, noise associated with the North Shore Airport on residential receivers has been assessed within the Acoustic Report prepared by Styles Group. With the adoption of their recommendations, including designing dwellings within the noise boundary to comply with the applicable internal amenity standards contained within D24 and E25, the health and amenity of occupants while indoors will be protected. This approach is also consistent with the consent conditions applied to the residential airport subdivision located within the North Shore Airport Precinct and the within the more restrictive Noise Overlay - Outer Control Boundary (65dB L_{DN}).

In respect of outdoor noise, Styles Gorup consider that the receivers outdoors within the Noise Overlay - Outer Control Boundary (55dB L_{DN}) may be moderately affected by aircraft noise. To this extent, Styles Group note that noise levels of 55dB to 60dB L_{dn} from a variety of transport and business noise sources is very common across Auckland and New Zealand.

For the above reasons, reverse sensitivity effects in addition to effects on receivers are considered to be appropriately managed and mitigated. Overall, it is considered that the proposal accords with the objectives and policies of D24.

H18 - Future Urban Zone

The relevant objectives and policies of the FUZ seek to ensure that land is used and developed to achieve the objectives of the Rural - Rural Production Zone until it has been rezoned for urban purposes. There is an emphasis on requiring subdivision, use and development to maintain and complement rural character and amenity and avoiding subdivision that will result in the fragmentation of land and compromise future urban development.

With regards to objective H18.2(1), whilst this proposal urbanises the subject land without a formal plan change process, as contemplated by the AUP(OP), it is considered that this proposal nevertheless demonstrates that the key elements of the substance of structure planning (as articulated in Appendix 1 of the AUP(OP)) have been observed. The underlying intent that urban development in the FUZ is comprehensively and strategically designed to complement and integrate with the wider urban environment and create a high-quality urban environment internally will be achieved. Notwithstanding this it is envisaged by the applicant that appropriate zoning will be applied to the site at a later stage. While the proposal is not rural and does not strictly achieve all of the Rural - Rural Production zone objectives and policies, it is not inconsistent with the FUZ objectives and policies assessed below.

With regards to objective H18.2(2) and corresponding policy H18.3(2) it is proposed to urbanise the land by way of resource consent application for land use and subdivision. Whilst the proposal is not necessarily consistent with the process which this objective and policy prescribes, it is considered to achieve the outcome of avoiding ad hoc/compromising development that is intended by the wider objective and policy framework for the zone. As such, it is considered that the proposal is not contrary with this objective and policy.

The intent of objective H18.2(3) and corresponding policy H18.3(4) is to prevent ad hoc development or subdivision in the FUZ that will result in the fragmentation of land and which compromises future urban development and in turn hinders achieving the ultimate outcome for the land under the AUP (OP). The proposal will not compromise future urban development, rather, it is expediting the delivery of urban development of a significant landholding by a credible developer that is progressing the initial stage of development. The proposal will not result in fragmentation of land that will compromise or undermine future urban development in this location, rather it will bring forward development that is both anticipated and appropriate at this site, along with the integrated delivery of appropriate and sufficient infrastructure. While the proposal is not entirely consistent with the Structure Plan (in particular in relation to the anticipated industrial land-uses), the Masterplan demonstrates how this development will integrate with planned and existing development (including residential, commercial and industrial development) within the area. Furthermore, the proposal includes a new AI data centre module to form an hyperscale AI data centre campus, an industrial precinct, a solar farm and a live work precinct. These activities are considered to be envisaged within the future industrial zoning anticipated by the Structure Plan.

With respect to objective H18.2(4), while urbanisation is not avoided until the site is rezoned for urban purposes, the outcome that the objective is concerned with (i.e. preventing ad hoc development that hinders future urban development (see Policy B2.2.2(8)) will not eventuate and, as such, the proposal avoids the outcomes that the objectives and policies are seeking to avoid.

The development of the sites would not result in any of the situations in (a) to (g) of policy H18.3(6) as noted in **Table 6**Table 6 below:

Table 6: Assessment against Policy H18.3.(6).

Policy H18.3(6)	Assessment
(a) Structures and buildings of a scale and form that will hinder or prevent future urban development.	For the reasons noted above in relation to H18.2(3), the proposal is not considered to compromise or prevent future urban development in the winder area.
(b) Compromise the efficient and effective operation of the local and wider transport network.	The ITA attached as **Appendix 43** confirms that the proposed development will not compromise the efficient operation of the local and wider network. The development involves the necessary upgrades to the transport network to accommodate the proposed development. In addition, the proposal will deliver the completion of the Collector Road as

	anticipated by the Structure Plan. Furthermore, the proposal will not prohibit or prevent the construction and operation of the RTN (NOR 1) that transects the site. Instead, the proposal has been designed tie into the future construction, namely through provide for a direct link to the corridor to facilitate a future stop.
(c) Require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure. (d) Inhibit the efficient provision of infrastructure	The proposal does not require any three-waters upgrades. The ASPC will be adequately serviced via an on-site servicing strategy funded by the Applicant. Several options for infrastructure have been considered, and the proposed servicing strategy is considered to be the most efficient.
(e) Give rise to reverse sensitivity effects when urban development occurs.	The proposed master planned comprehensive residential development is not considered to create or give rise to adverse reverse sensitivity effects. Any potential reverse sensitivity effects in relation to the North Shore Airport, RTN and future industrial uses have been mitigated through the design of the development in conjunction with conditions of consent.
(f) Give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure.	The proposed development will avoid reverse sensitivity effects to existing rural activities or infrastructure, with vegetation or riparian separation from neighbouring properties provided throughout the proposed subdivision. Further, the development will not give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure as the wider environment is predominantly comprised of mixed rural-residential land uses.
(g) Undermine the form or nature of future urban development.	The comprehensively masterplan development has been designed to integrate with anticipated future development of surrounding land (being industrial uses). In particular, the careful consideration has been given to the interfaces of the residential aspects of the development. As such, it is considered that the proposed masterplan has

	been designed to integrate with existing and future development and is not considered to compromise any future urban development.

With regard to policy H18.3(3), the proposal will involve a change to the amenity and character of the area, with the landscape shifting from rural to urban. However, future urban development of the sites is anticipated by the FUZ under the AUP (OP) 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 proposal. The layout and design of the development has been specifically designed to reduce adverse environmental effects, including maintaining and enhancing natural watercourses. The subdivision will retain natural features such as contouring, waterbodies and vegetation where possible. The development layout has been designed to respond to the intrinsic qualities and physical characteristics of the site, including providing for a development layout and road network that complements the natural contouring, watercourses, vegetation and open space, minimising effects on the rural character of neighbouring areas.

Overall, it is considered that the proposal is not contrary to the relevant objectives and policies of the FUZ.

17.5.1 Summary

It is understood that the evaluation of the policy framework is not whether the proposal complies entirely with each and every relevant objective and policy, but rather whether, reading the relevant objectives and policies in the round, it can be said that the proposal is not contrary to them as a whole. In addition, the absence of support for an activity in the objectives and policies of a plan does not equate with "contrary to", which requires repugnancy or opposition. Therefore, it is considered that the assessment of the relevant objectives and policies should be taken as a whole, rather than considering whether the activity is not contrary to each and every relevant objective and policy.

Based in the above assessment, while there are some *inconsistencies* with the Future Urban Zone provisions, it is considered that the proposal will not be contrary to the objectives and policies overall.

Overall, the application is considered to be consistent with, and not contrary to, the applicable provisions of the NESCS, NESF, NPS-UD, NPS-FM and AUP (OP).

17.6 Assessment of Sections 5, 6 and 7 of the RMA

This section of the application provides an overall assessment of the activity against sections 5, 6 and 7 of the RMA, as required by clause 5(1)(g) of Schedule 5 of the FTAA.

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 judgment is informed by the principles in sections 6 to 7 and considered in light of the particular circumstances of each application.

Section 5 - Purpose of the RMA

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 capacity for approximately 500 new, healthy homes 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.

Section 6 - Matters of National Importance

With regard to Section 6 of the RMA, the proposal will enhance public access along the sites stream network. AW Holdings has consulted with Mana Whenua and their recommendations have been addressed in the design of the temporary wastewater treatment plant. This provides for the relationship of Maori and their culture and transitions with water, waahi tapu and other taonga.

Section 7 - Other Matters

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. The proposal is considered to be consistent with the matters in section 7, in particular, it enables and facilitates the efficient use and development of land, will not compromise the visual amenity of the environment and will protect natural water resources.

Overall, as the effects of the proposal are considered to be consistent with all of the above sections of the RMA, and the proposal 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.

17.7 Parts 3, 6 and 8 - 10 of the RMA

This section of the application provides an overall assessment of the activity against Parts 3, 6 and 8-10 of the RMA, as required by clause 17(1)(b) of Schedule 5 of the FTAA.

Part 3 - Duties and Restrictions under the RMA

Part 3 of the RMA relates to the duties and restrictions under the RMA, with particular regard to use of land, subdivision, discharge of contaminants, uses of beds of rivers, and contravention of designations. It is considered that the proposal meets Part 3 of the RMA as the proposal seeks resource consent to provide for land use activities that have been identified as contravening a standard or rule.

Part 6 - Resource Consents, Proposals of National Significance, Aquaculture Moratorium

Part 6 of the RMA relates to resource consents, proposals of national significance and aquaculture moratorium. With particular regard to resource consents, the proposal is considered to be consistent with and assesses against the resource consent framework identified within Part 6 of the RMA, except where such assessment is not required as directed by the FTAA legislation (such as assessing environmental effects under clause 6 of Schedule 5 of the FTAA, or the exclusion of s104D under clause 17 schedule 5 of the FTAA). As such, for the reasons identified within the AEE it is considered that the proposal will not offend against Part 6 of the RMA.

Section 105 – Discharge and Coastal Permits, Section 106 – Subdivisions, and Section 107 – Discharge Permit Restrictions contained within Part 6 of the RMA are considered to be directly relevant to this Application. Further commentary in relation to these sections of the RMA are provided below.

Part 8 - Designations and Heritage Orders

Part 8 of the RMA relates to designations and heritage orders.

As set out in section 7 above, the site is subject to Designation - 1479, Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat, Auckland Transport. This designation relates to a road widening which in which the levels have been incorporated into the proposal. As establish through prior correspondence with Auckland Transport in relation to the Stage 1 development, the proposal is not considered to hinder or prevent the designation. No s176 approval was required under the Stage 1 development and this is considered to remain the case.

In addition to the above, the site is subject a NOR lodged by NZTA for a rapid transit network in October 2023. The NOR has subsequently been confirmed however is subject to a number of appeals. For the reasons discussed within the assessment above, the proposal is not considered to hinder or prevent the construction and operation of the RTN. A s176 approval was granted by NZTA in relation to the Stage 1 development, an updated s176 approval will be sought in relation to the Stage 2 development.

Part 9 - Water Conservation Orders, Freshwater Farm Plans, and Freshwater Ecosystems

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. Part 9 of the RMA is not relevant to this proposal.

Part 10 - Subdivision and Reclamations

Part 10 of the RMA relates to subdivision and reclamations. With particular regard to subdivision proposed, the proposal is considered to be consistent with and assesses against the subdivision framework. In particular, an assessment of effects has been undertaken in section 10.18, and all new boundaries and allotments have been provided within the Scheme Plan as required by Schedule 4 of the RMA. Conditions of consent will ensure that the proposal accords with s223 and s224 and also provides for roads to vest and granting of easements.

17.7.1 Section 105 Discharge and Coastal Permits

Under section 105(1) of the RMA, in addition to the matters in section 104(1) of the RMA, a consent authority must have regard to:

- the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
- the applicant's reasons for the proposed choice; and
- any possible alternative methods of discharge, including discharge into any other receiving environment.

With regard to the stormwater discharges, it is considered that the discharges will be acceptable for the reasons set out in sections 10.3.6 and 10.9.2 above. 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 regard to the potential wastewater discharge, the WWTP process produces exceptionally high-quality treated water that will be discharged via a ground discharge device. The discharge will be acceptable due to the nature of the discharge, the nature of the receiving environment, and the proposed treatment methods as outlined in the Apex Design Report. 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 regard to the air discharge, it is considered the discharges will be acceptable for the reasons outlined within the Air Quality Assessment. There are no alternative methods available given the requirement of an on-site wastewater treatment plant may be required to meet the infrastructure needs of the proposed development.

17.7.2 Section 106 Subdivision

Section 106 of the RMA sets out additional circumstances when a consent authority may refuse 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 subdivision will not worsen any flooding or land instability hazards and includes appropriate management and mitigation measures to manage these hazards. Sufficient provision has been made for legal and physical access to each allotment created by the subdivision. As a consequence, there are no reasons to refuse to grant the subdivision under Section 106 of the RMA.

17.7.3 Section 107 Discharge Permit Restrictions

Under section 107 of the RMA, unless there are exceptional circumstances, or the discharge is temporary, or it is associated with maintenance work, a consent authority cannot grant a discharge permit that would have following effects:

- if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:
    - the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
    - any conspicuous change in the colour or visual clarity:
    - any emission of objectionable odour:
    - the rendering of fresh water unsuitable for consumption by farm animals:

- any significant adverse effects on aquatic life.

The proposal is not anticipated to give rise to any of the matters listed above. As detailed in the SMP, the stormwater management approach has been comprehensively considered to ensure stormwater discharge from the site will not adversely affect receiving freshwater environments.

18.0 Clause 17 Assessment - Criteria for Assessment of Consent Application

Clause 17 of Schedule 5 of the FTAA sets out the criteria and other matters for assessment of consent applications. This relates to Section 81 of the FTAA which sets out the process for making decisions on approvals sought in a substantive application.

Clause 17 states that when considering a consent application, including conditions, the Panel must take into account the following, giving the greatest weight to (a), being the purpose of the FTAA:

(a) the purpose of this Act; and

(b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and

(c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.

Section 81(4) states that when taking the purpose of the FTAA into account, the panel must consider the extent of the project's regional or national benefits.

The purpose of the FTAA is simply to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. As described in section 10 of the report above, the proposal has significant regional or national benefits, as assessed by both the Government, having been referred to the FTAA, and as assessed in this AEE. The Panel would give effect to the purpose of the FTAA by granting consent as this would facilitate, or enable, the project to occur.

The criteria at clause 17 also states that the various provisions of the RMA must also be taken into account, excluding s104D and Section 8 of Part 2. The assessment included in this AEE demonstrates that the proposal is entirely consistent with the relevant provisions of the RMA. The proposal is considered to be consistent with the purpose of the RMA.

In terms of the actual and potential effects of the proposal on the environment (s104(1)(a)), the proposal will have significant social and economic positive effects, by enabling a substantial increase in the supply of high quality housing to the market supported by amenities and open spaces, and by enabling job creation and economic growth for the sub-region. Where the proposal is likely to generate adverse effects, these are temporary and/or can be appropriately mitigated through the design of the development and the proposed conditions of consent.

To the extent that the project generates adverse effects, taking into account proposed conditions to avoid, remedy, mitigate or offset such effects, any adverse impacts are not sufficiently significant to be out of proportion to the project's regional or national benefits.

With respect to the relevant statutory documents (s104(1)(b)), the proposal is generally consistent with the full suite of plans and policies, including the AUP(OP). Where there are partial inconsistencies, the intent of the plans and policies is considered to be met. This concludes that the proposal is consistent with the relevant statutory documents.

19.0 Conclusion

The proposal is for the expansion of the ASPC to include a hyperscale artificial intelligence data centre campus, an integrated residential development including 486 units, a village centre, work-live precinct, industrial precinct, extensive riparian planting and landscaping, subdivision and ancillary activities. The proposal also involves variations to Stage 1 of the development.

Based on the above report and supporting plans and assessments, it is considered that:

- Appropriate consultation and engagement have been undertaken with Auckland Council, Mana Whenua, and the Administering Agencies;
- Consideration of planning documents recognised by relevant iwi authorities and lodged with Auckland Council has been undertaken;
- Having considered the actual and potential effects of the proposal, the proposal will generate only minor adverse effects that, subject to appropriate conditions of resource consent, will be avoided, remedied or mitigated;
- The proposal accords with the relevant AUP (OP) objectives, policies and assessment criteria;
- The proposal meets the requirements of the NESCS;
- The proposal accords with the CPS, NPS-UD, NPS-FM, NPS-IB, NPS-REG and NPS-IGHG;
- The proposal achieves the purpose of the FTAA to facilitate delivery of infrastructure and development projects with significant regional or national benefits;
- The proposal is considered to be consistent with Parts 2, 3, 6, and 8 to 10 of the RMA; and
- The proposal is considered to be consistent with the purpose, principles, and relevant sections of the Heritage New Zealand Pouhere Taonga Act.

It is therefore concluded that the proposal satisfies all matters the Panel is required to assess, and therefore the Panel can approve the resource consents sought by this application package under the FTAA subject to conditions.