
ANNEXURES TO MEMORANDUM OF PLANNING MATTERS FOR AUCKLAND COUNCIL - Project FTAA-2504-1055 ("Rangitooopuni Application")

Dated: 17 September 2025

1. This document contains the following 26 accompanying annexures referred and accompanying the Planning Memorandum (**Memorandum**) which sets out Auckland Council's Statutory Planning Assessments of the substantive application for the Rangitooopuni project (**Application**) lodged by Rangitooopuni Developments Limited Partnership (**Applicant**)
 - a. Policy Planning – Ryan Bradley (**Annexure 1**)
 - b. Healthy Waters – Hillary Johnston (**Annexure 2**)
 - c. Watercare – Helen Shaw (**Annexure 3**)
 - d. Development Engineering – Ray Smith (**Annexure 4**)
 - e. Wastewater – Grant Fleming (**Annexure 5**)
 - f. Stormwater – Martin Meyer (**Annexure 6**)
 - g. Groundwater and Dewatering – Hester Hoogenboezem (**Annexure 7**)
 - h. Groundwater Take – Nicola Jones (**Annexure 8**)
 - i. Dams – Don Tate (**Annexure 9**)
 - j. Traffic Engineering – Mat Collins (**Annexure 10**)
 - k. Auckland Transport – Siva Jegadeeswaran and Martin Peake (transport) and Griffin Benton-Lynne (stormwater) (**Annexure 11**)
 - l. Contamination – Marie Meredith (**Annexure 12**)
 - m. Regional Earthworks, Streamworks and FW Ecology – Shanelle Beer-Robinson (**Annexure 13**)
 - n. Terrestrial Ecology – Rue Statham (**Annexure 14**)
 - o. Arboriculture – Regine Leung (**Annexure 15**)
 - p. Landscape – Peter Kensington (**Annexure 16**)
 - q. Urban Design – Rob Mainwaring (**Annexure 17**)
 - r. Lighting – Domenico de Vincentis (**Annexure 18**)
 - s. Parks Planning – Douglas Sadlier (**Annexure 19**)
 - t. Noise and Vibration – Bin Qiu (**Annexure 20**)
 - u. Waste – Jennifer Jack (**Annexure 21**)
 - v. Heritage and Archaeology – Mica Plowman (**Annexure 22**)
 - w. Subdivision – Ken Berger (**Annexure 23**)
 - x. Economist – James Stewart (**Annexure 24**)
 - y. Local Board – Rodney Local Board (**Annexure 25**)
 - z. Memorandum Response to Minute 2 – Auckland Council (**Annexure 26**).

Policy Planning – Ryan Bradley (**Annexure 1**)

Specialist Response: Policy

Fast-track Approvals Act 2024 (FTA) – Substantive Application

1. Application Summary

- The application summary is as follows.

Project Name	Rangitootuni Project, Riverhead
Applicant	Te Kawerau ā Maki (In partnership with Avant Property Development Limited)
Site Address	Forestry Road, Riverhead (Lot 1 DP 590677 and Lot 2 DP 590677) Lot 1 – 223ha, Lot 2 – 174ha
Fast-track Reference Number	FTAA-2504-1055 (Rangitootuni)
Types of approvals sought	Resource consents
Council reference numbers	BUN60449727
Description of Proposal	Master planned Rangitootuni Countryside Living and Retirement Village development comprising: • 208 vacant-lot 'Countryside Living subdivision' • 296 unit (comprising 260 villas and 36 aged care facilities) Retirement Village, being Integrated Māori Development • New roading and access network • Infrastructure for servicing requirements of the proposed development • Private community facility area for the countryside living subdivision (including sport amenities, community building and parking areas) • Public car park for improved access to the Riverhead Forest walking and cycle network across the site and wider forest area • Retention of existing extensive public cycle and walking track network, with expansion where relevant • Significant native planting & protection, particularly in relation to riparian and wetland areas • Associated earthworks and construction activities to deliver the development.

2. Specialist Response Details

Author: Ryan Bradley

Specialist Area: Policy (Lead Planner, Auckland-wide Planning Team)

Date: 12 September 2025

Technical Specialist Memo – Policy Planning comments

To: Emma Chandler – Lead Planner & Joe Wilson - PPL

From: Ryan Bradley - Lead Planner, Auckland-wide Planning Team

**Qualifications
& Relevant
Experience:**

I hold the qualification of a Bachelor of Planning and have over 20 years of experience in planning, primarily in policy planning but also in resource consents and enforcement.

I am a member of the New Zealand Planning Institute. I have prepared expert evidence and technical assessments for resource consent applications and plan changes and fast-track applications, and I have appeared as an expert witness before consent authorities and the Environment Court.

**Preparation in
Accordance
with the Code
of Conduct:**

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 12 September 2025

3. Specialist Assessment

2. I have been asked to provide comments on a number of policy issues that arise from this proposal. I have grouped my comments under the following headings:

- Auckland's Future Development Strategy
- Resource consent vs Plan Change
- The relevance of Treaty Settlement Land provisions in the Auckland Unitary Plan (AUP)
- The weighting of the AUP Treaty Settlement Land provisions, zone provisions, and Auckland-wide provisions
- Countryside living subdivision density
- Mitigation for increased subdivision density

- Integrated Māori Development definition
 - Retirement villages in the Countryside Living zone
 - Density of the Integrated Māori Development (retirement village)
 - Is the retirement village 'urban'?
 - Permitted baseline
 - Precedent
 - Small parts of Lots 1 and 2 that are zoned Rural Production
 - Consent lapse date
3. I have also included some Attachments, with further detailed information:
- **Attachment A** – Background to the current zoning of the land
 - **Attachment B** – Excerpts from Environment Court decision in *Cabra Rural Developments v Auckland Council* [2020] NZEnvC 153
 - **Attachment C** – Excerpts from Commissioner decisions on 1ha sites in the Countryside Living zone without the use of Transferable Rural Site Subdivision
 - **Attachment D** – Plan Change 20 amendments to the text of *Chapter H19 – Rural zones*.

Auckland's Future Development Strategy

4. Auckland's Future Development Strategy (2023-2053) (**FDS**) is a 30-year plan adopted in November 2023 to guide the region's growth.¹ The FDS continues the quality compact, multi-nodal model established in previous strategies but adds a stronger focus to dealing with flooding hazards. The FDS also outlines the council's financial challenges (constraints) and gives clear signals to the development sector around when the council is likely to be able to invest in infrastructure and services, especially in greenfields areas.
5. The Rangitōopuni application for a Countryside Living subdivision and retirement village development is generally aligned to the FDS.
6. While the proposal is outside the Rural Urban Boundary, where the FDS does not anticipate this scale of development, the FDS does recognise (cl 4.2.8 'Approach to iwi development') that the vast majority of Treaty settlement and Māori land is located outside the existing urban and future urban areas and there are therefore development limitations that disadvantage Māori socio-economic opportunity and undermine redress intent.
7. The FDS goes on to state that it will not constrain Māori land and iwi strategic development, and that developments will be determined through subsequent planning processes. This fast-track consent application is an example of a subsequent planning process.

¹ www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/Documents/future-development-strategy.pdf.

Resource consent vs Plan Change

8. In my view projects of this scale that create a high degree of tension with the zoning and provisions in the AUP would be better addressed through a plan change process. However, I accept that the Rangitooopuni project is a listed project in the FTA and therefore has the ability to apply for a resource consent.
9. The zoning of the Rangitooopuni land was considered during the Proposed AUP (2013) process when a similar type of development² was sought through a Te Kawerau ā Maki submission. I note that during this process, the Council's closing legal statement was clear that any large-scale future development of this land should go through a plan change process:

“However, the Council does recognise that some development is appropriate, particularly to meet the Regional Policy Statement objectives regarding Treaty settlements. Therefore, the Council's position remains that it would welcome continued work with Te Kawerau ā Maki outside this particular stage of the process, with a view to progressing a plan change in future addressing the development of the land.”³

10. Furthermore, the Independent Hearings Panel also supported a plan change approach in their recommendations on the Riverhead 2 precinct (covering the land subject to the Application):

“The Panel acknowledges that the area is Treaty Settlement Land and considers that a future plan change should be pursued to develop specific provisions that are consistent with the enabling provisions in Chapter B6 Mana Whenua of the regional policy statement.”⁴

11. Further details on the background to the zoning of the site are provided in **Attachment A**.
12. However, again, I acknowledge that the Rangitooopuni project is a listed project under the FTA and therefore has access to the fast-track consenting pathway.

The relevance of Treaty Settlement Land provisions in the AUP

13. *Chapter J1 – Definitions* of the AUP contains the definition of “Treaty settlement land”. As required under the special information requirements (E21.9) for applications utilising *Chapter E21 – Treaty Settlement Land*, the applicant has provided confirmation that the

² Subdivision for 300 rural residential lots of 1ha.

³ 081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 1 – Specific Precincts - Attachments A-F - Updated - 19 May 2016 (19 May 2016) (Attachment B, page 47).

⁴ Report to Auckland Council by Independent Hearings Panel. Hearing topics 016, 017 Changes to the Rural Urban Boundary; 080, 081 Rezoning and precincts. Annexure 4 Precincts North (July 2016).

land subject to this application meets this definition. I understand this information supports the view that land qualifies as Treaty settlement land under the AUP.

14. Therefore, the Treaty Settlement provisions in *Chapter B6 – Mana Whenua* and *Chapter E21 – Treaty Settlement Land* of the AUP are relevant to the Application.
15. I agree with many aspects of the applicant’s AEE in relation to AUP Chapter E21. However, as explained further in this memo, I consider that the AEE has placed too much importance on the enabling E21 provisions, with insufficient regard given to the zone and Auckland-wide provisions. I consider that the nature and scale of the proposed Rangitootuni development is contrary to the underlying zoning of Countryside Living⁵. Therefore, in my view, the application places a heavy reliance on the E21 provisions to promote it.

The weighting of the AUP Treaty Settlement Land provisions, zone provisions, and Auckland-wide provisions

Enabling provisions of Chapter E21 – Treaty Settlement Land

16. The Treaty Settlement provisions in *Chapter B6 – Mana Whenua* and *Chapter E21 – Treaty Settlement Land* of the AUP are intended to be enabling of development on Treaty Settlement land. This is clear from objectives and policies referring to using land acquired as commercial redress to support an iwi’s social and economic development and giving effect to the outcomes of Treaty Settlements to promote the economic development of Mana Whenua. These enabling provisions are demonstrated by the excerpts from objectives and policies as shown below:

E21.2 (1) “Mana Whenua have flexibility to use and develop Treaty settlement land in accordance with mātauranga and tikanga...”

E21.2 (2) “Mana Whenua use and develop land acquired as commercial redress to support their social and economic development.”

E21.2 (3) “Mana Whenua can access, manage, use and develop land acquired as cultural redress.”

E21.2 (4) “Mana Whenua use and develop Treaty settlement land in areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character...”

E21.3 (1) “...recognising that the purpose of the Treaty settlement land provisions is to give effect to the outcomes of Treaty settlements to promote the cultural, social and economic development of Mana Whenua.”

⁵ And small areas of Rural Production zoned land.

E21.3 (2) “Provide for a range of activities, including dwellings for papakāinga, marae and associated facilities, customary use, cultural and commercial activities, on Treaty settlement land.”

E21.3 (3) “Encourage integrated development of Treaty settlement land...”

E21.3 (4) “...recognising that the Treaty settlement land provisions facilitate a scale, intensity and range of activities that may not be anticipated in the zone of the site.”

E21.3 (5) “Provide for the integration of appropriate mātauranga and tikanga in determining the scale, intensity, range of activities, layout and location of development.”

E21.3 (7) “Enable alternative approaches to site access and infrastructure provision where the occupation, use and development of Treaty settlement land is constrained by access or the availability of infrastructure.”

E21.3 (8) “Enable the occupation, use and development of Treaty settlement land where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character [considering]

(a) the need to enable occupation, management, use and development of Treaty settlement land in accordance with mātauranga and tikanga in those areas to support the social, cultural and economic well-being of Mana Whenua

...

(c) that there may be no or limited alternative locations for whanau, hapū or iwi to occupy, manage and use their ancestral lands”

17. My reading of the AEE is that it assesses the scheme in context of planning provisions, particularly the interplay between Chapters E39, H19 and E21 of the AUP for a heavy weighting and primacy to be given to the Treaty Settlement Land provisions of E21. I note some of the below excerpts from the AEE on this matter:

“The implication of the above is that significant dwelling density is anticipated on Treaty settlement land in rural zones.” (AEE, p117)

“The enabling nature of the Treaty Settlement provisions is considered a key aspect of the proposal and has informed the following assessment of effects.” (AEE, p118)

“E21.1 confirms a level of predominance and enablement over rules in the underlying zone by acknowledging that the Treaty Settlement provisions are intended to be less restrictive than any counterpart in the zone” (AEE, p163)

“The words in the Treaty Settlement Land provisions mean something. They require different and more enabling outcomes on the Rangitootuni land than are provided for under the Countryside Living Zone and it is not appropriate to apply the zone provisions without recognising and providing for the outcomes that are enabled under Chapter E21 of the AUP in any material way. That position is made clear in the objectives and policies set out above, and in the RPS.” (AEE, p167)

“For the Rangitootuni site, the additional development goes beyond that enabled by the relatively restrictive rural zoning of the land.” (AEE, p167)

18. I also note that the AEE also relies heavily on activity (A3) in Activity Table E21.4.1 that states that “One dwelling per hectare with no more than 10 dwellings per site in the rural zones” is a permitted activity. Based on this rule, the AEE assumes it is reasonable to anticipate a level of development across the site of 1 dwelling per hectare. It is a fact that the development includes two existing lots where this activity status could provide for 20 dwellings, however any greater density would first require subdivision consent as an at least discretionary matter. This matter is covered in further detail later in this memo.

Constraining provisions of Chapter E21 – Treaty Settlement Land

19. As outlined above, the E21 provisions are intended to be enabling development on Treaty Settlement Land. Based on these provisions, in my view it is reasonable for an application to propose a scale, intensity and range of activities that may go beyond what the underlying zoning would otherwise provide.
20. However, while the E21 provisions are no doubt enabling, in my view they do not enable an unfettered development of Treaty Settlement land. While most objectives and policies of *Chapter E21 – Treaty Settlement Land* are focused mostly around enabling development, some acknowledge the constraints or limits to development (excerpts below):

E21.2 (1) “...while ensuring appropriate health, safety and amenity standards are met.”

E21.2 (4) “...provided that adverse effects on those values are avoided, remedied or mitigated.”

E21.3 (1) “Provide for an appropriate character, scale, intensity and range of development on Treaty settlement land...”

E21.3 (3) “...taking into account the requirements of the activities proposed as well as the requirements for access, parking, building design and layout, infrastructure, landscaping, lighting and open space areas.”

E21.3 (4) “Avoid, remedy or mitigate adverse effects on neighbouring properties...”

E21.3 (6) “Require appropriate provision for the treatment and disposal of stormwater, wastewater and the provision of water and electricity supply.”

E21.3 (8) “...where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character, [consider]...”

(b) alternative approaches to or locations for development that avoid adverse effects on the characteristics and qualities that contribute to the values for which the area was scheduled...”

The application of other relevant parts of the AUP

21. In addition to the objectives and policies in E21 that could constrain development, the AUP makes it clear that the Treaty Settlement provisions of Chapter E21 must be read in conjunction with other relevant parts of the AUP. Rule C1.8 in *Chapter C – General Rules* says:

“When considering an application for resource consent for an activity that is classed as a restricted discretionary, discretionary or non-complying activity, the Council will consider all relevant overlay, zone, Auckland-wide and precinct objectives and policies that apply to the activity or to the site or sites where that activity will occur.”

22. For this Application, there are a range of other parts of the AUP that are relevant, including notably *Chapter H19 – Rural zones* and *Chapter E39 – Rural Subdivision*.
23. It is also made clear in *Chapter E21 – Treaty Settlement Land* itself, that a broader assessment of an activity is required against the underlying zoning provisions:

E21.1 and **E21.4** “...The provisions of the zone apply to Treaty Settlement Land unless otherwise specified in this section. The rules provide that where the activity table for the relevant zone provides for the same activity, the less restrictive rule applies.”

E21.6 “The provisions of the zone apply to Treaty settlement land unless otherwise specified below.”

Should the E21 provisions have predominance?

24. The starting point is the AUP Chapter E21.1 which states that “The provisions of the zone apply to Treaty Settlement Land unless otherwise specified in this section. The rules provide that where the activity table for the relevant zone provides for the same activity, the less restrictive rule applies”. In my view, this approach requires the provision of the underlying zone to be considered as well as E21.
25. In terms of the weighting of E21 against the H19 and E39 provisions, I would firstly note that *Chapter E21 - Treaty Settlement Land* covers land use activities only – it does not refer to subdivision or other Auckland-wide matters (such as discharges, water takes, etc).

26. However, the E21 provisions do have some relevance to subdivision in light of the following provisions in other chapters that cross-refer to the Auckland-wide provisions:

E39.2. Objectives “Land is subdivided to achieve the objectives of the zones, the relevant overlays and Auckland-wide provisions.”

C1.8. Assessment of restricted discretionary, discretionary and non-complying activities “When considering an application for resource consent for an activity that is classed as a restricted discretionary, discretionary or non-complying activity, the Council will consider all relevant overlay, zone, Auckland-wide and precinct objectives and policies that apply to the activity or to the site or sites where that activity will occur.”

B6.2.2. Policies (4) “Enable the subdivision, use and development of land acquired as commercial redress for social and economic development.”

27. For the subdivision aspect of this proposal, it is difficult in my view to reconcile a high level of predominance of E21 over the AUP subdivision provisions based on the limited cross-reference between them.
28. As outlined later sections of this memo, the Countryside Living zone (in *E39 – Rural Subdivision*) has a clear level of density anticipated (generally minimum lot sizes of 2ha). Smaller lot sizes are only enabled where the Transferable Rural Site Subdivision (‘TRSS’) system is used. TRSS requires significant environmental benefits such as the protection of indigenous vegetation/wetlands, or revegetation planting as mitigation for the smaller lot sizes in the Countryside Living zone. The subdivision proposed in this application is a significant departure from the E39 provisions.
29. In terms of land use activities, as outlined above the E21 provisions are overall enabling and therefore land use activities of a scale, intensity and range that may go beyond what the *Chapter H19 – Rural zonings* would otherwise provide for, may be suitable on Treaty Settlement Land.
30. However, in my view the applicant’s AEE may have tipped the balance too far towards the enabling E21 provisions, with limited consideration of how these should be balanced against the Countryside Living zone and subdivision provisions. While the proposed development reflects the enabling nature of the Treaty Settlement Land framework, it represents a significant departure from what is contemplated in the AUP’s Countryside Living zone and Rural Subdivision provisions. This is particularly in regard to the subdivision density, revegetation standards for subdivision (‘mitigation’), and the scale and nature of the retirement village proposal.⁶ Further details on these matters are included later in this memo.

⁶ Although noting (as explained later in this memo) that the retirement aspect of the proposal is classified as an Integrated Māori Development. This is listed as discretionary activity in E21 and therefore could be argued to apply as the ‘less restrictive’ rule. However, I do note that a retirement village in the AUP H19 is also a discretionary activity (by way of C1.7).

31. My concern with the AEE's approach is that while the E21 provisions are intended to be enabling and may facilitate development not anticipated in the underlying zone, giving such a "level of predominance"⁷ to the E21 provisions risks the underlying zoning and Auckland-wide provisions being afforded inadequate consideration. If E21 was intended to simply override the zoning of Treaty Settlement Land, then this would make the zoning largely irrelevant. It would then be unclear what impact different underlying zonings would have on a proposal on Treaty Settlement Land.
32. For example, would the scale and density of this proposed development be appropriate if the underlying zoning was Rural Production, Mixed Rural, or Rural Coastal? If not, what is the 'trigger' to treat these areas differently (if E21 overrides the zoning)?
33. My concern is that without providing greater weighting to the underlying zoning for Treaty Settlement Land, the 'predominance' argument for the enabling E21 provisions does not appear to be confined to any broader limitations (e.g. could the E21 provisions be used to support any type of development – including urbanisation of rural land?).

Previous examples of rural development using the E21 Treaty Settlement Provisions

34. Te Arai South is an example of a development on Treaty Settlement Land (commercial redress) that attempted to balance the enabling provisions of E21 with the more restrictive provisions of the underlying zone (Rural Coastal in Te Arai South).
35. The Te Arai South precinct (I542) was introduced into the AUP through a submission to the Proposed AUP 2016 (i.e. through a plan process rather than via a resource consent). The outcome was a bespoke precinct that covers 750ha of the former Mangawhai South Forest.
36. The precinct was developed with consideration given to the proposed B6 and E21 Treaty Settlement Land provisions, as well as the Rural Coastal zoning of the land. The Rural Coastal zone has relatively restrictive subdivision provisions that do not enable rural-residential lots to be created unless significant environmental benefits are undertaken (such as protection of indigenous vegetation/wetlands or revegetation planting).
37. The precinct provisions that were approved reflect the lower level of development enabled in the Rural Coastal zone as well as the need for mitigation for any rural-residential subdivision. The Te Arai South precinct provisions enable a total of 60 new sites to be created and 10 papakāinga dwellings (70 new dwellings in total).⁸ The precinct also requires mitigation via the vesting of 180ha of land for a regional park.
38. I note that the precinct was enabling in terms of providing a specific consenting pathway for this development (that was previously not in the AUP and is not available outside the precinct).

Chapter E21.1 which states that "The provisions of the zone apply to Treaty Settlement Land unless otherwise specified in this section. The rules provide that where the activity table for the relevant zone provides for the same activity, the less restrictive rule applies".

⁷ AEE (p163)

⁸ 70 dwellings over 750ha results in a density of 1 dwelling per 10.7ha (or 8.1ha if removing the 180ha park area). I note this density is far less than the 1 dwelling per 1 hectare standard in (A3) of E21.

39. While the precinct recognises that the principles of Te Tiriti o Waitangi require the Council to enable the use and development of commercial redress land acquired by Mana Whenua, the overall level of development enabled in the Te Arai South precinct is still relatively low, and is related to the underlying zoning. The precinct provisions also required that the development achieved significant environmental and public benefits through revegetation and the vesting of public reserve land.
40. While the Te Arai South precinct is enabling of development, it also has directive limits on the scale of that development and prescribes a significant level of mitigation required. The process and outcome of the Te Arai South example reinforces my view that the *Chapter E21 – Treaty Settlement Land* provisions are not so enabling that they could be relied on for unconstrained development of the land.

Countryside living subdivision density

Minimum site size for Countryside Living zoned land

41. The Rangitootuni proposal is located on land in the Countryside Living zone – specifically the Kumeu-Huapai area as identified on the AUP maps (through the Subdivision Variation Control layer).
42. As outlined above in this memo, the E21 provisions have some relevance in terms of subdivision. The AEE argues that the E21 permitted activity (A3) of 1 dwelling per hectare (up to 10 per site) should be applied to the entire site:

“The proposal seeks to give effect to the objectives of AUP Chapter E21 (Treaty Settlement Land) by enabling subdivision at a density of 1ha to align with the permitted dwelling density in on Treaty Settlement Land.” (AEE, p172)

43. The ability to rely on this density is covered in further detail in the ‘Permitted baseline’ section of this memo.

Ability to lower the minimum site size in the Countryside Living zone through transferable subdivision

44. A TRSS system is incorporated throughout the rural subdivision provisions of the AUP. This is notably within Chapter B9 of the Regional Policy Statement and the subdivision provisions in Chapter E39 of the AUP.
45. The TRSS system is a market-mechanism that uses an incentive to encourage rural-residential development opportunities to be transferred into the Countryside Living zone, rather than be used in-situ (i.e. in the wider rural area).
46. The incentive of the system is the ability to create a lot in the Countryside Living zone that is under the standard discretionary 2ha minimum site size when not using TRSS. By using TRSS, a Countryside Living zoned site is able to subdivide down to a minimum of

- 0.8ha, with an average site size of 1ha noting any subdivision application is subject to a wider assessment of effects.⁹
47. The avenue to gain this incentive is the purchase of a transferable title from a landowner in the wider rural area. To generate a transferable title for sale, a rural landowner in the wider rural area must provide a significant environmental benefit via:
 - Protecting at least 2ha of existing Significant Ecological Area ('SEA') (or SEA quality) indigenous vegetation; or
 - Protecting at least 0.5ha of existing SEA (or SEA quality) wetland; or
 - Revegetation of at least 5ha of indigenous vegetation; or
 - Amalgamation of small titles on elite and prime soils.
 48. A landowner in the wider rural area may then legally transfer this transferable title to a landowner in the Countryside Living zone who wishes to create a lot under 2ha (e.g. a 1ha lot).
 49. The TRSS system is based on the incentive of a 1ha site in the Countryside Living zone being attractive enough for rural landowners to pay the costs for achieving the environmental benefits listed above. A Countryside Living zoned site of around 1ha site is a valuable commodity to a purchaser. It offers a rural lifestyle, but at an overall lower cost than a 2ha site. To a landowner in the Countryside Living zone wanting to subdivide, a site size of around 1ha enables greater value per square metre.
 50. The assumption that a 1ha site in the Countryside Living zone is attractive and has a high demand is the very basis of the TRSS system. If this were not the case, then there would be little incentive to transfer sites into the Countryside Living zone and the system would not work. However, from experience through the AUP and the legacy Rodney District Plan, there have been many transfers used to create 1ha sites in the Countryside Living zone (notably in the Kumeu / Riverhead area).
 51. Part of the Rangitopuni application seeks to create 208 lots on Lot 1 (223ha), with the average lot size being around 1ha. No form of TRSS is proposed to be used for this subdivision.
 52. Enabling lot sizes in the Countryside Living zone of under 2ha without using the TRSS pathway can undercut the TRSS system. It gives away the incentive without the offset. If sites under 2ha can be created through a non-complying resource consent, then it opens up a far less onerous avenue than having to generate significant environmental benefits through the TRSS system. With the incentive undermined, there would likely be less overall environmental benefits created and more in-situ rural-residential development in the wider rural area (rather than transferred to the Countryside Living zone). These outcomes are directly opposed to what the rural subdivision framework in the Unitary seeks to achieve.

⁹ Table E39.6.5.2.1

53. Auckland Council's Practice Guidance Note on Rural Subdivision¹⁰ refers to this matter on page 30 where it states:

"If applicants can subdivide a site within the CSL zone to create a site less than 2ha without utilising the TRSS pathway, it undermines any incentive to utilise a TRSS opportunity in the first place. Accordingly, the anticipated benefits to biodiversity (through bush protection etc.) and benefits to rural productivity (reversing fragmentation through the amalgamation of land parcels), as well as the opportunity of fulfilling the objectives of minimising rural character and reverse sensitivity effects, are not achieved, or not achieved to the level anticipated, by not following the TRSS pathway."

54. In setting up the Chapter E39 Rural Subdivision provisions, the Independent Hearings Panel for the AUP provided some discussion around the importance of the minimum site size in the Countryside Living zone. The Panel stated that a minimum site size of "two hectares is appropriate, with the ability through the transferable rural site subdivision provision to create one hectare lots".
55. The panel said that only "where a site is transferred" was "it appropriate to provide for subdivision in Rural - Countryside Living Zones at a one hectare minimum site size (rather than two hectares)." ¹¹ The Panel noted that allowing sites of 1ha to be created in the Countryside Living zone "would essentially result in there being no incentive to transfer a site" to the Countryside Living zone using TRSS.
56. In addition, the preference of transfers to the Countryside Living zone over in-situ development was noticeably stated by the Environment Court¹² in determining the provisions of *Chapter E39 – Rural Subdivision* in the AUP (see relevant excerpts from the decision in **Attachment B**).
57. The Court concluded that the AUP should have a clear preference for the transfer of rural-residential development opportunities to the Countryside Living zone. This again highlights the importance of the TRSS system why consents that undermine the system should generally not be granted.
58. I also note that two recent independent commissioner decisions have endorsed the position that subdivision¹³ in the Countryside Living zone should not create sites of under 2ha without using TRSS. Relevant excerpts from the commissioner's decisions are included in **Attachment C**.
59. Overall, it is my view that to achieve the density proposed in the Countryside Living subdivision part of the Rangitootupuni application, the TRSS system should be used (or potentially an alternative method that achieves similar outcomes).

¹⁰ https://www.aucklanddesignmanual.co.nz/content/dam/adm/adm-website/aup-hub/unitary-plan-practice-and-guidance-notes/RC_3.2.33_Rural_Subdivision.pdf.

¹¹ Report to Auckland Council by Independent Hearings Panel. Hearing topic 064 Subdivision - rural (July 2016).

¹² *Cabra Rural Developments v Auckland Council* [2020] NZEnvC 153.

¹³ Via boundary adjustments in these two cases.

Would subdivision to 1ha lots simply be in keeping with the surrounding Countryside Living zone?

60. The AEE notes that the Countryside Living zoned area to the south is largely subdivided into sites of around 1ha. Therefore, the applicant argues that the subdivision density in the Rangitoopuni application is consistent with the lot sizes in the surrounding Countryside Living zone:

“The existing CLZ sites to the south of Lot 1 are considered to have particular relevance for the proposed subdivision. As depicted by Figure 58 below, the existing CLZ sites were assessed and found to be of a similar size and form to the proposed subdivision on Lot 1, with an average gross lot area of 1.1471 ha.” (AEE, p116)

“The proposed countryside living subdivision is similar to existing subdivision patterns in the area, particular the CLZ sites to the south of Lot 1, and will not facilitate a level of development that is uncharacteristic for the surrounding area, with the subdivision enabling one dwelling per lot consistent with the majority of the surrounding residential properties and the density permitted under the Treaty Settlement Land provisions of the AUP.” (AEE, p126)

“Subdivision is proposed at an average density of 1 hectare per rural lifestyle lot. Development at that density cannot be said to inherently undermine rural character because the AUP specifically provides for lots of that size in the Countryside Living Zone (through in-situ or transferable title environmental enhancement subdivision). Additionally, the existing rural character in this location is defined in part by a large area (around 200ha) of countryside living lots to the south of Lot 1 that are typically around 1ha in size.” (AEE, p174-175)

61. I accept that the Countryside Living zone to the south of the site has been subdivided down so that the average lot size is closer to 1ha than it is to 2ha. However, it is important to be aware that the subdivision density in this area is the direct result of a transferable title rights mechanism under the legacy Rodney District Council.¹⁴
62. Therefore, while these surrounding Countryside Living sites are around 1ha in size, they are only this size due to the wider environmental benefits achieved through a

¹⁴ In 2000 decisions were made on Rodney District Council’s Plan Change 55 (‘PC55’) to the Rodney District Plan (1993). PC55 rezoned the land immediately adjacent to Kumeu-Huapai to a new Countryside Living 2 (Town) Activity Area. This new zoning enabled the land to be used as one of the only ‘receiver’ areas for transferable titles. This area was heavily subdivided between 2000 and 2006 to create 1ha sites. Further 1ha titles in this area have been created through later transferable title systems in the Rodney District Plan (2011) and the AUP.

transferable title rights mechanism.¹⁵ The Rangitooopuni application seeks to create 1ha sized lots, but without comparable environmental benefits.

Mitigation for increased subdivision density

63. As outlined earlier in this memo, the minimum lot size in the Countryside Living zone is 2ha. To achieve a smaller site size the TRSS must be used. The TRSS provisions in the AUP ensure significant environmental benefits by having 'built in' environmental offsets for rural-residential subdivision (for potential effects on rural amenity, character and landscape, reverse sensitivity, loss of productive land, etc). The environmental benefits are prescribed in the plan to set a clear and transparent standard of what is an acceptable environmental benefit.
64. If using the provisions of *Chapter E39 – Rural Subdivision*, it would be a discretionary activity to subdivide Lot 1 into sites with a minimum size of 2ha site (resulting in 111 lots). The Rangitooopuni application seeks to subdivide Lot 1 into 208 lots (an additional 97 lots). As outlined in this memo earlier, the AUP requires that the TRSS system is utilised for these further lots.

Quantity of revegetation planting

65. The different types of environmental benefits that can be used for TRSS are outlined in the AUP (and summarised earlier in this memo). However, the type of environmental benefit most relevant to this proposal is likely¹⁶ to be revegetation planting. The AUP threshold is 5ha of revegetation planting to generate one TRSS (that could be used to subdivide a 1ha site from a Countryside Living zoned lot of at least 2ha). Therefore, to be consistent with the E39 Rural Subdivision provisions, the generation of an additional 97 lots would require an area of 485ha to be revegetated.
66. From my reading, the application is not entirely clear as to the level of revegetation planting being proposed as mitigation for additional subdivision density on Lot 1. The application includes areas of revegetation on Lot 1 as outlined below:

“... the proposal extensively provides for ... significant indigenous revegetation across the site and the restoration of streams and wetlands. The Lot 1 development footprint comprising roads and building platforms will comprise some 34.3ha of the total Lot 1 site area whilst the area revegetated will comprise 188.4ha. The extensive planting will

¹⁵ I do not have the figures for the quantity of indigenous vegetation offset undertaken for the transferable subdivision of this Countryside Living zone adjacent to the Rangitooopuni site. However, based on the PC55 provisions of generating one site per 2ha – 11.99ha of native bush and the approximately 150 lots in this area, it would be reasonable to assume the size of the indigenous protection offset would be in the range of 300 – 1,800ha.

¹⁶ I note that the protection of indigenous vegetation/wetland (SEA) on the wider Te Kawerau ā Maki site could also be a method to achieve environmental benefits in exchange for subdivision. This method could be used instead of, or addition to, revegetation planting. Protection of indigenous vegetation/wetland (SEA) on the wider Te Kawerau ā Maki site was part of an earlier proposal for developing the site (see **Attachment A**).

be suitably maintained to ensure successful establishment and long term sustainability of revegetation areas.” (AEE, p120)

67. Were the 189ha of revegetation planting on Lot 1 (in this application) to be considered under the E39 provisions, there would be a significant shortfall of 296ha of planting to achieve the 208 lots. This is well below half of the revegetation planting threshold.
68. However, while the application proposes revegetation planting, it does not appear that this is considered as ‘mitigation’ in the application. While there are some general statements around mitigation measures, I could not find any specific reference in the application to revegetation being offered as a mitigation measure for the 1ha lifestyle block subdivision area.
69. A key reason it appears the AEE does not consider the revegetation areas to be ‘mitigation’ is due to the proposed use of these revegetation areas for future TRSS (i.e. as ‘donor’ areas rather than ‘receiver’ areas).

“The applicant proposes to protect wetlands on the site and undertake extensive indigenous revegetation. While not the motivation for those initiatives, it intends over time to generate titles though that work that can be sold to provide an income source for the iwi. That is an outcome that is anticipated by Objective E39.2(14).” (AEE, p174)

“6.11.1 Transferable Rural Site Subdivision: There is an intention to potentially claim Transferable Rural Subdivision Sites (‘TRSS’) as a result of the revegetation that is being undertaken. Consideration of the eligibility requirements as set out in Appendix 15 and 16 of the AUP is generally included in the Landscape Plans and Landscape Management Plan.” (AEE, p82)

70. In my view, such an approach detaches this application even further from the zone and Auckland-wide provisions. The application appears to not only propose to undertake less than half of the 5ha per lot revegetation planting threshold, but in fact seems to state that no revegetation planting is necessary as ‘mitigation’ for the additional Countryside Living density. Furthermore, the application then states that any revegetation planting that is carried out is planned to be used as a TRSS ‘donor’ area to generate further subdivision opportunities for future sale. This approach in the application is a very significant departure from the E39 Rural Subdivision provisions.
71. In addition, it is not clear how the revegetation areas could be used future TRSS ‘donor’ areas as the application proposes “protection”¹⁷ of these areas¹⁸. The AUP provisions

¹⁷ “...significant native planting, particularly in relation to wetland and riparian areas which will be protected and restored as part of the proposed development.” (AEE, p12)

¹⁸ I have assumed the “protection” would encompass some legal mechanism for doing so.

are clear that any areas of indigenous vegetation for use in a subdivision (in-situ or TRSS) must not already be subject to legal protection.¹⁹

72. I am aware however that in response to a clarification from Council officers on this matter the applicant confirmed the following updating their position within the AEE in respect to seeking TRSS:

Confirmation of the revegetation as qualifying for TRSS donor sites is not proposed as part of this application.

73. Overall, I consider that there are some potential environmental benefits already proposed as part of the application. In addition to the 189ha of revegetation planting I note that the application proposes to make some areas of the site accessible to the public.

“...public access to the walkway network across the site.” (AEE, p12)

74. In my view, the proposed revegetation planting and public access through parts of the site should be considered as ‘mitigation’ for the increased density (under 2ha lots) in the Countryside Living zone. I consider that some level of mitigation must be applied to the proposal – whether that be 5ha of revegetation per lot or a lower level of planting coupled with the public access benefits.

Quality of revegetation planting

75. In my view, any revegetation planting that is used to mitigate or offset effects of this proposal should be consistent with the standards set out in the AUP. These are outlined in detail in E39.6.4.5 and *Appendix 16 – Guideline for native revegetation plantings*. Amongst other things, these provisions require:
- Protective covenants to legally protect the revegetation areas;
 - Minimum planting densities;
 - Secure stock exclusion;
 - Maintenance of plantings (including the ongoing replacement of plants that do not survive); and
 - Ongoing animal and plant pest control.
76. It is not entirely clear to me whether the application proposes to follow the AUP requirements for revegetation planting. I note the previous Te Kawerau ā Maki proposal for the land (see Attachment A) included legal protection (covenanting), fencing, and animal and plant pest control for SEAs on the land.

¹⁹ E39.6.4.4 (7) Areas of indigenous vegetation or wetland to be legally protected as part of the proposed subdivision must not already be subject to legal protection.

Integrated Māori Development definition

77. The applicant's AEE has classified the retirement village part of the application on Lot 2 as an 'Integrated Māori development'. The definition of an Integrated Māori development is:

"An integrated development comprising one or more activities on Māori Land, Treaty Settlement Land or in the Māori Purpose Zone.

The activities provided for may include, but are not limited to:

- *marae;*
 - *papakāinga;*
 - *urupā*
 - *wānanga*
 - *care centres, including kohanga reo;*
 - *cultural activities;*
 - *dwellings;*
 - *commercial activities;*
 - *tourism activities;*
 - *educational facilities;*
 - *healthcare services;*
 - *community facilities; and*
 - *organised sport and recreation."*
78. Due to the very broad scope of this definition and the application being on Treaty Settlement Land, I agree with the applicant's AEE that the proposed retirement village would sit within this definition.
79. However, I do note that the AEE does acknowledge the proposal is a "retirement village". Essentially, the Integrated Māori Development definition reclassifies the activity due to the Treaty Settlement Land provisions apply to the site.
80. I note this as (outlined later in this memo) the Council amended the AUP in 2022 to clarify that retirement villages are not anticipated in the Countryside Living zone.

Retirement villages in the Countryside Living zone

81. The application is for an Integrated Māori Development and not specifically for a retirement village. However, the following may still be relevant in considering the retirement village aspect of the proposal on Lot 2.
82. The Auckland Plan, Future Development Strategy, and the AUP did not intend to enable retirement village type developments to occur in the rural areas. Such developments do not align with the compact city approach to growth for Auckland. The AUP guides

- retirement villages to the urban centres and surrounding mixed use/high density residential zones.²⁰
83. The purpose of the Countryside Living zone is to provide for “a range of rural lifestyle developments, characterised as low-density rural lifestyle dwellings on rural land. These rural lifestyle sites include scattered rural dwellings sites, farmlets and horticultural sites, bush dwelling sites and papakāinga.”²¹ The zone in isolation of the treaty settlement provisions is not intended to accommodate retirement villages, particularly not of the scale proposed in this application.²²
 84. Since the AUP became operative in part in 2016, the resource consent process has in some cases delivered outcomes not anticipated by the Council for the rural zones. One example was an Environment Court decision to grant consent for a retirement village development in the Countryside Living zone in Taupaki (supported care facility).²³ This decision caused the Council to review the provisions around retirement villages in rural zones.
 85. A key reason that the Court granted the consent was due to specific wording in *Chapter H19 – Rural zones* of the AUP. The Court ruled that references to ‘residential activities’ in various policies and zone description were not limited to ‘dwellings’ but could be considered to cover much broader activities.
 86. The Court ruled that any of the activities listed in the Residential nesting Table J1.3.5 in Chapter J1 Definitions could be considered ‘residential’. This nesting table includes Dwellings, Home occupations, Visitor accommodation, Camping grounds, Boarding houses, Student accommodation, Integrated residential developments, Retirement villages, Supported residential care.
 87. Reading the AUP in this way meant that some rural policies and zone descriptions were inadvertently referring to a broad range of residential activities being anticipated in the rural zones, including retirement villages.
 88. Plan Change 20 (**PC20**) was undertaken by the Council to (amongst other things) close the ‘loophole’ in *Chapter H19 – Rural zones* where references to ‘residential’ were being interpreted as covering a broad range of residential activities, including retirement villages.
 89. PC20 specifically changed the term “residential activities” in various rural policies and zone descriptions to “dwellings” (see **Attachment D**). This was to limit the range of residential activities (including retirement villages) anticipated in these zones.
 90. While other parts of PC20 were not supported by the independent hearing commissioners, the changes from “residential activities” to “dwellings” was approved. The commissioner decision stated:

²⁰ Through the “retirement village” or “Integrated residential development” activities having more enabling activity status in the higher density residential zones and in centres.

²¹ H19.7.1 Countryside Living zone description.

²² Although recognising that the E21 provisions can facilitate a scale, intensity and range of activities that may not be anticipated in the underlying zoning.

²³ *Kumeu Property Limited v. Auckland Council* ENV-2017-AKL-44.

“Amending the term ‘residential’ to ‘dwellings’ provides better alignment with the RPS objectives and policies in respect of, elite and prime soils, urban growth and form, residential growth and intensification, commercial and industrial growth, rural lifestyle development, rural production and rural character and amenity.”²⁴

“We find that there is a primacy given to rural production activities within the rural zones, within the rural general objectives and policies and within the RPS objectives and policies enabling rural production. That primacy does not appear to apply to the Rural – Countryside Living zone, which has a focus on rural lifestyle living rather than rural production, albeit with some low-level rural productivity. The Rural – Countryside Living zone would be particularly vulnerable to conversion to more intensive residential and commercial land uses, if the zone description and policy structure were not sufficiently clear as to the zone purpose.”²⁵

91. PC20 was made operative in 2022 and has been incorporated into the AUP which is now clear that the Countryside Living zone only anticipates residential dwellings and not larger residential activities such as retirement villages.

Density of the Integrated Māori Development (retirement village)

92. Lot 2 (174ha) contains the Integrated Māori Development (retirement village) aspect of the proposal. The retirement village is proposed to have 296 units covering a footprint of around 32ha of a total retirement village development area of around 90ha.
93. As outlined above, retirement villages are not anticipated in the Countryside Living zone, although an Integrated Māori Development is listed as a discretionary activity on Treaty Settlement Land.²⁶ The Countryside Living zone provisions enable one dwelling per site. The Treaty Settlement Land provisions in E21 apply to the application site and these go further and enable up to 10 dwellings on a site (at one dwelling per hectare).
94. In relation to the retirement village aspect of the proposal the AEE uses the 1 dwelling per hectare ratio as a basis for potential effects on planned character:

“It is also noted that the proposal is occurring on Treaty Settlement land. Those provisions enable a greater extent of development than the underlying zone, including dwellings on land at a density of one dwelling per hectare per site as a permitted activity. That permitted residential density must form part of the

²⁴ Paragraph 92 of the PC20 Decision

²⁵ Paragraph 94 of the PC20 Decision

²⁶ In terms of the description of discretionary activities in A1.7.4 an Integrated Māori Development is likely to be a discretionary activity due to the effects being so variable and unable to have standards prescribed in advance, rather than the activity generally not being anticipated on Treaty Settlement Land.

character of this rural land, suggesting that rural character and amenity for Treaty Settlement land is not undermined by the proposal.” (AEE, p120).

95. However, even allowing for a discretionary subdivision consent to subdivide the site to maximise the dwelling yield,²⁷ the site could potentially have 174 dwellings (1 dwelling per hectare). The density of the proposed retirement village on Lot 2 is already much higher than this at around 1 dwelling per 0.6ha (296 dwellings across 174ha).
96. The application proposes some revegetation planting and public access²⁸ on Lot 2 as outlined below:

“An extensive fringe of planting and gullies that run into the village will be extensively revegetated. Walking tracks are provided around the perimeter of the village and a golf cart/pedestrian access track to the edge of Lot 2 will be available for the residents.” (AEE, p85)

“The retirement village includes a pedestrian path from the eastern side of the village to the edge of the site (a future connection to the Riverhead township will be undertaken as part of a future separate application) in addition to various pedestrian links across the site connecting residents to the range of services and amenities proposed as part of the retirement village.” (AEE, p68)

97. However, the application does not appear to label this as formal ‘mitigation’ for the increased density of the retirement village. I note that the retirement village is a land use activity and not a subdivision. Therefore, the discussion earlier in this memo around ‘thresholds’ for revegetation planting are not as relevant for the retirement village on Lot 2 (as they are for the subdivision on Lot 1).
98. While the issue of offset mitigation could be considered further by the Panel in relation to the retirement village, in my view the application should at least include a method to extinguish any remaining potential development opportunities on the balance of Lot 2 (e.g. through covenanted planting or general ‘no build’ covenants).
99. The balance area of Lot 2 (outside of the retirement village development) is at least 80ha and is proposed to remain in its current production pine forest cover. However, in the future this area of forest may be cleared and the Countryside Living zone (along with the E21 provisions) could be utilised for further development of Lot 2 (e.g. rural lifestyle subdivision or an expansion of the retirement village). Essentially, this application proposes that the balance of Lot 2 is to be left free to be developed in the future.²⁹
100. While acknowledging that the E21 provisions can enable development of a scale, intensity, and range that is not anticipated in the underlying zone, the 296 unit retirement village proposal is already significantly beyond what could be achieved in the

²⁷ Refer to the section in this memo on Permitted baseline for further details.

²⁸ I have assumed the track from Riverhead to the retirement village will be publicly accessible.

²⁹ Note that I do not support the 1 dwelling per hectare density across the entire site (as covered in other parts of this memo).

Countryside Living zone. Therefore, in my view the Application should extinguish any remaining potential development opportunities on Lot 2.

101. I also note that the AEE should not rely on a density of 1 dwelling per hectare across the entire site for matters such as planned character. Any density calculations should exclude the balance area, which could be developed in the future.

Is the retirement village 'urban'?

102. Whether the retirement village is a rural or urban development is a relevant consideration in terms of *Chapter B2 – Urban Growth and Form* of the AUP. The following objectives and policies in Chapter B2 are particularly relevant (bold added for emphasis):

Objective B2.2.1. (Urban growth and form)

- (1) A quality compact urban form that enables all of the following:...
 - (f) better maintenance of **rural character**...;
- (4) **Urbanisation is contained** within the Rural Urban Boundary, towns, and rural and coastal towns and villages.

Policy B2.2.2.

Quality compact urban form

- (4) **Concentrate urban growth and activities** within the metropolitan area 2010 (as identified in Appendix 1A), enable urban growth and activities within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and **avoid urbanisation outside these areas**.

Objectives B9.2.1 (Rural activities)

- (4) Auckland's rural areas outside the Rural Urban Boundary and rural and coastal towns and villages are protected from inappropriate subdivision, **urban use** and development.

Policy B9.2.2 (Rural activities)

- (1) Enable a diverse range of activities while avoiding significant adverse effects on and **urbanisation of rural areas**, including within the coastal environment, and avoiding, remedying, or mitigating other adverse effects on rural character, amenity, landscape and biodiversity values.

103. The AEE states that the retirement village proposal is a 'clustered' form of development on Lot 2:

“The proposed retirement village footprint occupies only a portion of Lot 2, being 32.3 ha of the total 89.8 ha retirement village development area. Approximately 81.8 ha of Lot 2 will remain in its current production pine forest cover.” (AEE, p85)

104. The AEE argues that the retirement village proposal is not ‘urban’:

“...it is considered that the proposal will maintain and enhance rural character and amenity values and avoid an urban form and character, as those terms are described in Policy 19.7.3(1). Notably, there is nothing in the policies that attempts to characterise ‘urban form’ in a way that extends beyond the matters set out in Subclauses (a) to (f). That is of particular relevance to the retirement village and confirms that the clustered nature of buildings in the proposed village format does not constitute an urban form in the Countryside Living Zone if the identified policy matters are appropriately addressed (as they are in this case).” (AEE, p171)

105. The AEE also states that, as the proposal is outside the urban area, it does not engage Regional Policy Statement provisions around urbanisation or the Rural Urban Boundary:

“Not all the RPS objectives and policies will be relevant to the proposal. It is considered that the countryside living subdivision and retirement village only engages in any material way with issues (2), (5), (6), (8) and (9). Issues (1), (3), (4), and (7) do not apply as the site is outside the urban area...” (AEE, p158)

“The Rural Urban Boundary will not be undermined as the project is outside the RUB and located within a rural zone.” (AEE, p162)

106. I note that the AEE also states that:

“Chapter H19.2 contains general objectives and policies that apply to all rural zones. These have been reviewed and considered. However, they do not add significantly to the evaluation, given the consideration that has been given to the more specific objectives and policies relating to the Countryside Living Zone, Rural Production Zone and the rural environment section of the RPS.” (AEE, p177)

107. In terms of H19.2, it is my view that the provisions in this section *are* relevant to the retirement village proposal. The particular policy that I consider relevant is:

H19.2.4 Policies – rural character, amenity and biodiversity values

- (1) Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics:

- (a) a predominantly working rural environment;
- (b) fewer buildings of an urban scale, nature and design, other than dwellings and their accessory buildings and buildings accessory to farming; and
- (c) a general absence of infrastructure which is of an urban type and scale.

108. As referred to above, the AEE uses the tests of Policy 19.7.3(1) (a) to (f) of the Countryside Living zone to determine whether the retirement village is 'urban'. While useful, in my view this policy is not a comprehensive test of whether an activity is urban or rural. Rather, this policy guides the location and design of a development to avoid urban form and character.
109. In my view, case law from the *Ahuareka* decision³⁰ outlines a more suitable method to determine whether a proposal is 'urban'. This case considered whether a proposed development of a village/hamlet (186 dwellings on 16.5ha of Countryside Living zoned land) constituted urbanisation or not. The appellant argued the development was not urban but rather a "novel form of countryside living".
110. The Court used the following factors to decide that the development was urbanisation:
- Intensity of development
 - Nature of development
 - Whether there are urban components
 - The mix of residential components
 - The size of the development
 - The scale of the development
 - Sizes of lots
 - Visual character
111. The Court also stated:

"A significant factor in Ahuareka's case was the contention that although there was an urban element to the development, that had to be considered in conjunction with the remaining undeveloped rural land which form part of the proposal. We agree that it is necessary to look at the proposal "in the round". However, even doing that we do not accept the proposition that the retention of a remnant rural area free of development means that the "development" is itself not urban in nature."

³⁰ *Ahuareka Trustees (No.2) Ltd vs Auckland Council* [2019] NZHC 3142. This decision upheld the Environment Court's decision that had confirmed the Council decision to decline a land use application for 186 households on 16.5ha of Countryside Living zoned land in Whitford. Leave to appeal to the Court of Appeal was refused.

112. Using the factors listed above and my understanding of the Application, I consider the retirement village component of the proposal is likely to be an urban development and therefore the objectives and policies of Chapter B2 are relevant.

Permitted baseline

113. There is no permitted baseline for the 1ha rural residential subdivision component of the proposal on Lot 1. Subdivision in the Countryside Living zone is either a Discretionary or Non-Complying activity.
114. In terms of the retirement village, the most enabling land use provision for dwellings is in *Chapter E21 – Treaty Settlement Land* and allows as a permitted activity one dwelling per hectare with no more than 10 dwellings per site.³¹ The permitted baseline is therefore 10 dwellings on the site of the proposed retirement village (Lot 2).
115. The AEE argues that it is reasonable to assume around 397 dwellings could be developed across both Lots 1 and 2 (at a density of 1 dwelling per hectare):

“Although that provision is limited to 10 dwellings per site in the rural zones, it could reasonably be expected that the land could be subdivided into 10 hectare lots and each of those lots could then accommodate 10 dwellings. That would enable the same overall density as is sought in the application for the countryside living subdivision.” (AEE, p167)

“Of particular note in relation to intensity is the Treaty Settlement Land provisions under the AUP which enable one dwelling per hectare (with no more than 10 dwellings per site in the rural zones) as a permitted activity. Although it is acknowledged that any proposed subdivision requires consent, any subdivision of the site that then utilises the dwellings enabled as a permitted activity under the Treaty Settlement Land provisions would exhibit an intensity of development similar to the proposal. Therefore, the proposal is considered to strike a balance between achieving the outcomes enabled under the Treaty Settlement Land provisions while remaining cohesive with the surrounding development patterns”. (AEE, p126)

“Subdivision through Chapter E39 subdivision rules down to an average net site area of 2ha is achievable. Two dwellings per site would be permitted on such sites.” (AEE, p118)

“When considering that the proposed density is consistent with the outcomes enabled under the Treaty Settlement provisions, the proposed countryside living subdivision is not considered to be at odds with what could be enabled on the site.” (AEE, p118)

³¹ Table E21.4.1 (A3)

“It is also noted that the proposal is occurring on Treaty Settlement land. Those provisions enable a greater extent of development than the underlying zone, including dwellings on land at a density of one dwelling per hectare per site as a permitted activity. That permitted residential density must form part of the character of this rural land, suggesting that rural character and amenity for Treaty Settlement land is not undermined by the proposal. It is acknowledged that subdivision around houses established at that density would require resource consent as a non-complying activity, however the subdivision would create no additional effects in and of itself.” (AEE, p120)

116. In my view, a density of 1 dwelling per hectare across both Lots 1 and 2 cannot be considered as the permitted baseline. This is because in order to achieve this density a discretionary activity subdivision consent is required (i.e. it is not a permitted activity).
117. I do not agree with the argument in the AEE that the land is ‘reasonably expected’ to be subdivided³² and then up to 10 dwellings established on new lots as a permitted activity (resulting in 397 dwellings across both lots).³³
118. In my view, any subdivision consent applied for on this site would need to consider the permitted density of development on each newly created site. A discretionary activity application could be declined on the basis of the number of new dwellings enabled, or conditions could be placed on the consent to prevent this number of dwellings. In my view, there is no certainty that a subdivision for a 10ha site would be granted without conditions to limit development to less than 10 dwellings.
119. As an example of the Council recognising this matter to support my view I note that this issue was considered in the development of the Te Arai South precinct (discussed earlier in this memo). The precinct provisions include a specific rule to ensure that in the comprehensive subdivision and development of the site, the permitted dwellings rule in E21 was not further utilised.³⁴
120. Overall, my view is that the permitted baseline tests do not assist in any significant way in assessing this proposal.

Precedent

121. In my view, the matters of precedent and plan integrity are relevant considerations under s104(1)(c) of the RMA.³⁵ To retain public faith in the AUP, the Council (or any

³² Into 10ha lots or down as low as 2ha (being minimum site size in the Countryside Living zone)

³³ For example, subdivide Lot 1 into 23 lots of 10ha each – with each of those containing 10 dwellings as permitted activities = 230 dwellings in total.

³⁴ I542.6.6 (15): The provision of “One dwelling per hectare with no more than 10 dwellings per site in the rural zones” from E20 Treaty Settlement Land, Activity table E20.4.1(A3), does not apply to the 60 sites provided for by this rule.

³⁵ “any other matter the consent authority considers relevant and reasonably necessary to determine the Application”.

other decision-making body) must make decisions in a consistent manner, so that similar situations have similar decisions.

122. The AEE argues that the rare combination of the Countryside Living zone and the Treaty Settlement land (commercial redress) means this proposal will not set a precedent:

“Treaty settlement land is not widespread. The only other site in the Auckland region that is both Treaty Settlement Land and Countryside Living Zone is a 31.9 ha block at 540 Paremoremo Road (refer Figure 65), but that is the Paremoremo Prison staff housing area and is already intensively developed. As no other equivalent situations exist, there is no potential for a precedent to be established.” (AEE, p175)

123. Firstly, I note that the 80ha balance area of Lot 2 is Treaty Settlement Land and is zoned Countryside Living so any precedent based on these factors would apply to this balance land.
124. Secondly, while I accept that this site is unusual, I do not think that it is simply the combination of Treaty Settlement Land and the Countryside Living zone that sets it apart. This is particularly in light of the AEE’s argument that the *Chapter E21 – Treaty Settlement Land* provisions have almost complete primacy over the zone (e.g. 1 dwelling per hectare across the whole site³⁶ is viewed as the standard for density across all Treaty Settlement Land). As outlined earlier in this memo, my concern with that approach is that it renders the zoning largely irrelevant. Therefore, the zoning would not be able to be used as such a distinguishing factor for this application (in terms of potentially setting a precedent).
125. Discounting the zoning would then leave the Treaty Settlement Land as the main distinguishing feature. While Treaty Settlement Land is not ‘common’, it does cover some large areas of Auckland’s rural land.
126. This application covers around 400ha of the 3,828ha of the Rangitōopuni-Riverhead Forest (Treaty Settlement Land) owned by Te Kawerau ā Maki. In addition, the Woodhill Forest (12,500ha) is another former crown forestry area that is now covered by the Treaty Settlement provisions. Any precedent for applying a density of 1 dwelling per hectare would have significant implications on the potential future development of this land.
127. Furthermore, already developed Treaty Settlement Land such as Te Arai South may seek to come back to seek more development³⁷ of the land should a precedent be set for Treaty Settlement Land through this decision.

³⁶ Beyond 10 dwellings and/or assuming a subdivision consent would be granted.

³⁷ I note that there is a listed Fast Track referral for Te Arai South to “Develop Te Ārai South Precinct and Regional Park, including sand mining, a visitor development for Te Ārai Regional Park, accommodation, and land-based aquaculture.” The fastrack.govt.nz website states the proposal includes 600 new dwellings (the precinct currently enables 60). No application has yet been lodged for this proposal.

128. In my view, should the consent be granted for this application it may not set a precedent if the decision carefully considers a number of factors that could distinguish this site and the proposed development from others. Depending on the 'mitigation' levels proposed by the applicant, I consider a combination of a number of matters³⁸ are required to potentially differentiate it from other applications, such as:

- The commercial redress Treaty Settlement nature of the land
- The land being zoned Countryside Living
- The large size of the sites (in comparison to other Countryside Living zoned land)
- The comprehensive, long term development proposals for the sites (extinguishing further development opportunities on the sites)
- The mitigation levels provided through revegetation planting and public access (and/or potentially protection of SEAs across the wider site)

Small parts of Lots 1 and 2 that are zoned Rural Production

129. While the majority of Lots 1 and 2 are zoned Countryside Living, there are some 'slivers' of Rural Production zoned land on the northern edges of the sites.

"A small portion of the northern parts of Lot 1 and 2 are located within the RPZ, with the purpose of the zone being to provide for the use and development of land for rural production activities and rural industries and services while maintaining rural character and amenity values. It is noted that presence of the RPZ within the site is due to the site boundaries logically following the existing forestry roads and not the zone boundary. Although the proposed development is not for activities entirely consistent with the outcomes sought under the RPZ, no highly productive land is located on the site and the productive capability of the small portion of PPZ is already undermined due to the parent lot subdivision. It is noted that outside of the proposed retirement village development, the remainder of Lot 2 will retain the existing pine forest where the majority of the RPZ land is located." (AEE, p120-121)

130. I understand the mismatch between the lot boundaries and the zone boundary to be a case of the zone boundary being located using less detail than the later subdivision. It would have been useful if the application had included a map showing where Rural production zone overlaps with the proposed new lots as part of the subdivision on Lot 1. However, I do not have any significant policy concerns about the slivers of Rural Production land on Lots 1 and 2.

131. Nonetheless, should consent be granted for this application, I consider that the decision would need to specifically address the 'split zoning' issue to avoid a precedent.

³⁸ Attributes of this site and the proposed development.

Consent lapse date

132. The standard 5 year lapse date is included in most consents to prevent old, unimplemented consents potentially hindering a future change in the policy context. In this application, the AEE seeks a lapse date of 10 years because it is expected the development will take 9 years to complete.

“Given the full build out time for the subdivision and land use consent is likely to be at least 9 years, a lapse date on both the subdivision and land use consent is sought for a period of 10 years under s125 of the RMA.” (AEE, p89)

133. I note that any lapse date of a consent is irrelevant once the consent has been ‘given effect to’. This does not mean the whole development must be finished, but has made significant progress.
134. I query whether an extended lapse date of 10 years is necessary, noting that if the proposal is underway within standard 5 years timeframe, the consent will not lapse.

4. Comment on Proposed Conditions

I have no comments on any proposed conditions.

5. Supporting Documents

Please find attached:

- **Attachment A** – Background to the current zoning of the land
- **Attachment B** – Excerpts from Environment Court decision in Cabra Rural Developments v Auckland Council [2020] NZEnvC 153
- **Attachment C** – Excerpts from Commissioner decisions on 1ha sites in the Countryside Living zone without the use of Transferable Rural Site Subdivision
- **Attachment D** – Plan Change 20 amendments to the text of Chapter H19 – Rural zones

Attachment A

- Background to the zoning of the land

Background to the zoning of the land

The land that is subject to this Application was zoned 'General Rural' in the legacy Rodney District Plan. A Scheduled Activity notation also covered the land to enable outdoor recreation and motorsport in the Riverhead Forest.

Riverhead Forest was returned to Te Kawerau ā Maki under the Te Kawerau ā Maki Claims Settlement Act 2015 for commercial redress. When the Proposed AUP (**PAUP**) was notified in 2013 the Te Kawerau ā Maki treaty settlement process with the Crown was still before parliament. However, the return of the Riverhead Forest to Te Kawerau ā Maki was clearly signaled prior to this.

Therefore, the PAUP (as notified in 2013) showed a 'Riverhead 2' precinct over the part of the Riverhead Forest identified as going to Te Kawerau ā Maki. The purpose of the Riverhead 2 precinct was to protect the development potential of the land as at the time of settlement with the Crown, particularly in regards the ability to develop housing for Māori.

The precinct proposed to carry forward provisions from the legacy Rodney District Plan, which were generally more enabling than the equivalent provisions in the PAUP. The provisions proposed to be carried forward in the precinct covered:

- rural subdivision provisions for Māori land and the provision of Māori Housing;
- rural subdivision that achieves the protection of natural areas, the creation of additional public reserve land, and significant enhancement planting; and
- land use rules providing for outdoor recreation and motorsport activities as permitted activities.

Te Kawerau ā Maki lodged a submission (#4321) to the PAUP seeking that the precinct be amended to enable a specific development proposal. The submission sought the introduction of three sub-precincts – A, B and C as shown on Figure 1 below. Areas B and C are in the southern portion of the Riverhead Forest and they generally cover the same area of land subject to the current Fast Track resource consent proposal.

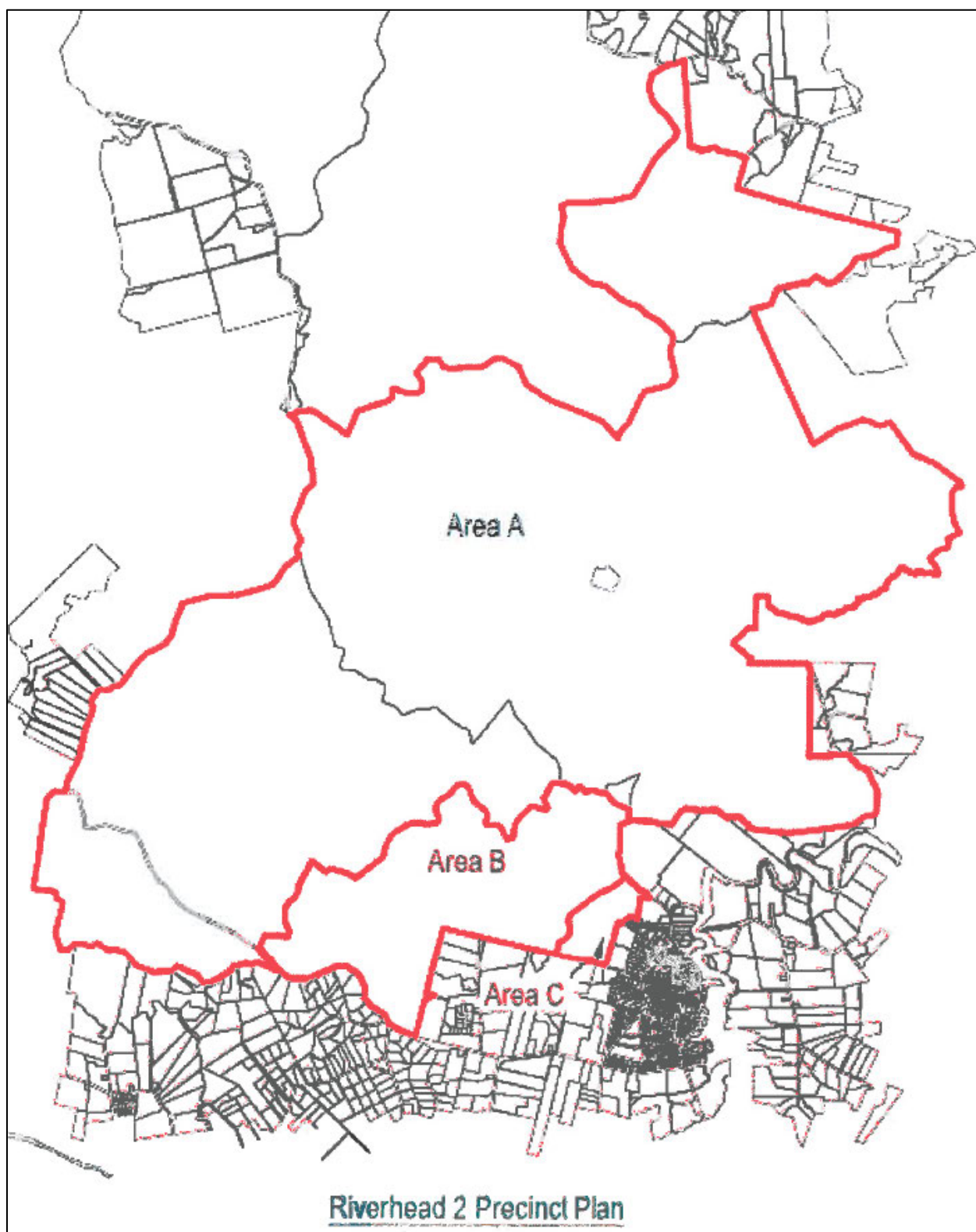


Figure 1 – Sub-precincts sought in Te Kawerau ā Maki submission to PAUP

The submission sought that sub-precinct A be retained for rural activities (forestry) while sub-precincts B and C be enabled for an intensive form of countryside living (around 300 sites of 1ha each). A concept plan of the subdivision is shown in Figure 2 below. The submission proposed that subdivision resulting in more than 150 lots would require all of the Significant Ecological Areas (SEAs) (62ha) in the wider precinct to be covenanted, fenced and have weed and pest management control plans implemented.

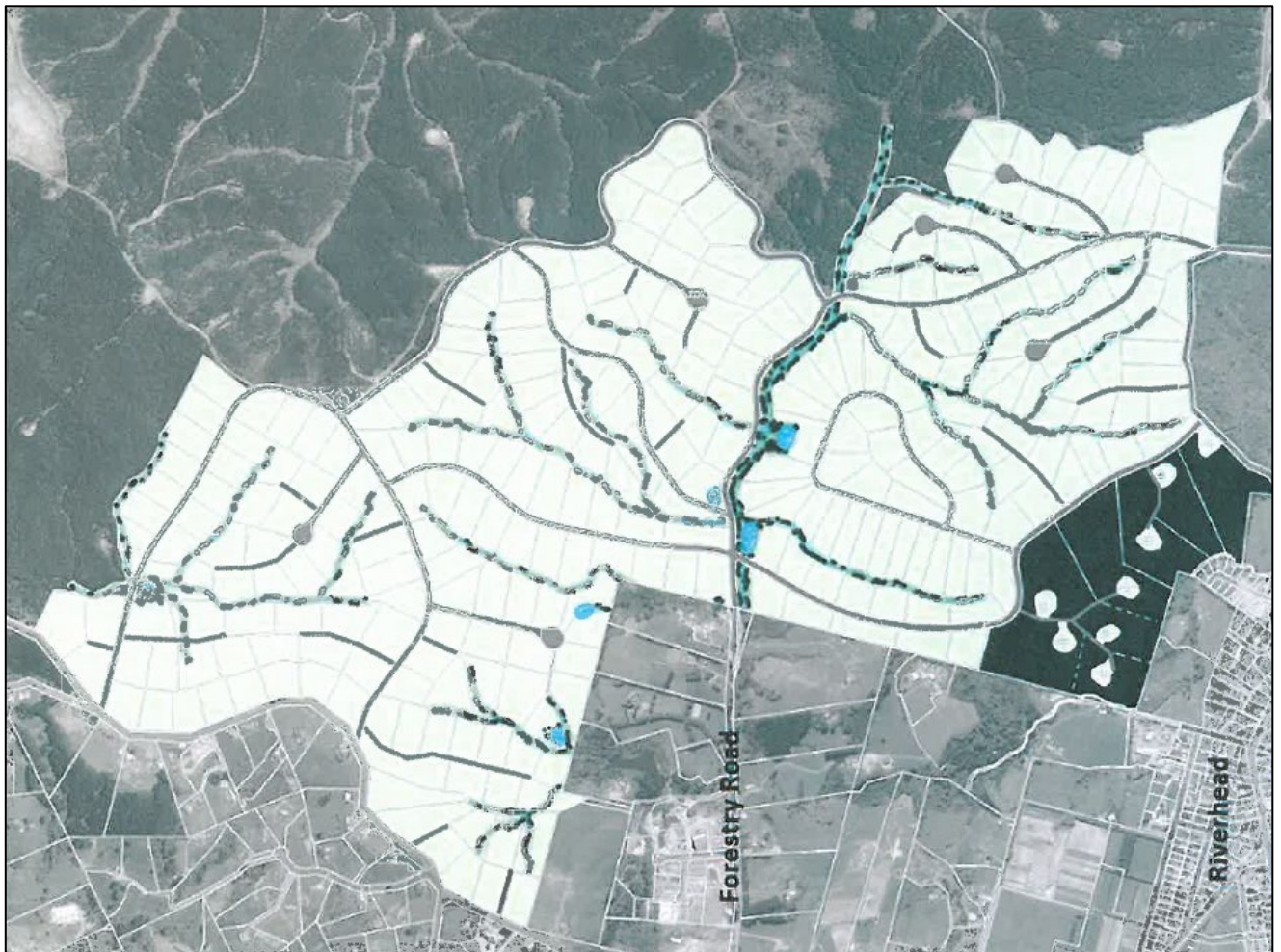


Figure 2 – Concept subdivision based on 1ha density (Te Kawerau ā Maki submission on PAUP)

The Council's evidence on the PAUP did not support the Te Kawerau ā Maki submission as it was not considered that sufficient information had been provided to justify the scale and nature of the proposed development.

The Independent Hearings Panel ('IHP') recommendation report agreed with the council's evidence and stated:

"The Panel considered that the land use provisions need more attention before it could confirm any particular approach in the Plan. Insufficient information was provided to assess the effects on the environment of the future development sought, in particular how the density of development could fit with the landscape, servicing, and transport-related considerations...The Panel recommends that the precinct be deleted from the Plan as notified, but recommends rezoning part of the land (389ha) as Rural - Countryside Living Zone. The rezoning recognises that the zoning in the proposed Auckland Unitary Plan is not appropriate for the anticipated future use of the land, based on the evidence."³⁹

Therefore, the AUP does not include a precinct over the land and it zones the majority of the Te Kawerau ā Maki land as Rural Production, with a 389ha portion in the south being zoned Countryside Living.

Is the Countryside Living zone a 'manifestation' of the Treaty Settlement provisions?

A matter to consider in this Application is whether the Countryside Living zoning applied to 389ha of the Te Kawerau ā Maki land represents the application of the Treaty Settlement provisions of the AUP to the Te Kawerau ā Maki landholding. In other words, how much more enabling of development could the Treaty Settlement provisions be interpreted over and above the Countryside Living zoning?

It is clear from the Te Kawerau ā Maki submission and evidence on the PAUP that the full Riverhead Forest site was being considered in a comprehensive way, in the context the proposed Treaty Settlement provisions in the PAUP. The submission proposed that development be focused in the southern area of the Riverhead Forest and the balance of the land was not viewed as being suitable for significant development. Some excerpts from the submission below illustrate this:

"A small part only (11%) of that land is sought to be utilised for low density residential settlement. In that area there will be a balance created between built form and natural resources... Overall, considering a large part of the site (89%) would contain little or no built development, and the extra resource protection proposed in this submission, natural resources will dominate over built forms."

"The option as now sought in this submission has many similarities to what may otherwise be possible in the Countryside Living zone, although that zoning is not being

³⁹ Report to Auckland Council by Independent Hearings Panel. Hearing topics 016, 017 Changes to the Rural Urban Boundary; 080, 081 Rezoning and precincts. Annexure 4 Precincts North (July 2016)

sought. It is important that this option be seen as part of a unique combination of a large site being settlement land”

“Policies 13 and 14 address the possibility of a future process that may lead to subdivision possibilities for the land. These policies are no longer necessary if the proposals put forward in this submission are accepted.”

“The policies need to be amended to recognise the small percentage of the precinct that Te Kawerau ā Maki seeks be made available for rural residential development.”

“Te Kawerau ā Maki has determined that provision for rural-residential development over a limited area of the Riverhead 2 precinct will enable a commercial return whilst minimising demands on public services and avoiding any significant adverse effects on the environment”

The specific relief sought in the Te Kawerau ā Maki submission was not accepted through the PAUP process. Rather, the IHP deleted the council’s Riverhead 2 precinct, declined the specific proposal in Te Kawerau ā Maki’s submission, and rezoned the portion of the land Te Kawerau ā Maki had sought for 1ha rural-residential development to the Countryside Living zone.

In some ways the rezoning was more enabling of development opportunities than the Te Kawerau ā Maki precinct had sought, while in other ways it was less enabling. For example, the Countryside Living rezoning resulted in a subdivision pathway (down to sites of 2ha) that did not require any protection of SEAs (which were required in Te Kawerau ā Maki’s submission once more than 150 lots were created). Conversely, the minimum site size sought by Te Kawerau ā Maki was 1ha, whereas the Countryside Living zone from the IHP only enables minimum site sizes down to 2ha. The Transferable Rural Site Subdivision system must be used to create site less than 2ha in the Countryside Living zone.

Overall, it is not clear from the IHP recommendation report whether the Panel considered that the application of the Countryside Living zoning was the full and final ‘expression’ of the Treaty Settlement provisions applying to the Te Kawerau ā Maki land. The IHP stated:

“The Panel acknowledges that the area is Treaty Settlement Land and considers that a future plan change should be pursued to develop specific provisions that are consistent with the enabling provisions in Chapter B6 Mana Whenua of the regional policy statement.”

This statement could indicate that the Panel did see potential further development opportunities, beyond what the Countryside Living zone provisions offered. However, in my view it is not clear whether this statement was referring to a future plan change being for

additional development opportunities, or a simply a 'reorganisation' of the overall development opportunities provided by the Countryside Living zoning.

Overall, I consider that it is not clear that the Countryside Living zoning applied by the IHP was intended to be the 'manifestation' of the Treaty Settlement provisions onto the land. Therefore, in my view the Treaty Settlement provisions can be viewed as potentially enabling additional development of the site beyond that anticipated in the Countryside Living zone.⁴⁰

⁴⁰ Refer to the section in this memo on the weighting of E21 vs H19/E39.

Attachment B

– Excerpts from Environment Court in *Cabra Rural Developments v Auckland Council* [2020] NZEnvC 153

Environment Court in Cabra Rural Developments v Auckland Council [2020] NZEnvC 153

“[94] In our view we see in-situ subdivision (and consequential development), as being less desirable than the transfer of subdivision rights into the Countryside Living Zone.

This is for several reasons:

- a) Transferrable Rights maintain the openness and natural aspect of these areas without buildings, roads and other infrastructure and pressures that occur as a result of additional people in the rural area.
 - b) There is a tension between the desire to protect the indigenous features and extend them, and retaining the existing amenities, particularly those relating to naturalness, character and landscapes which arise in certain parts of the rural area and particularly in many coastal locations.
 - c) The Policy support for in-situ subdivision in the rural area is less pronounced.
- In short, a subdivision should be for a purpose:
- i) to enable proper management of rural activities; or
 - ii) to provide for protection in certain circumstances of indigenous ecological / biodiversity features and in more limited circumstances support for that through revegetation.”

Attachment C

- Excerpts from Commissioner decisions on 1ha sites in the Countryside Living zone without the use of Transferable Rural Site Subdivision

108 Lloyd Road, Riverhead SUB60427212

“The application has not utilised the incentivised “Transferable Rural Site Subdivision” (TRSS) framework to achieve the smaller lot site size in the Countryside Living Zone and as such the benefits of the TRSS framework outlined in policy B9.4.2(3)(a)-(e) will not be achieved. This is inconsistent with Policies B9.4.2(3) and (5).

...

I find that the proposal is inconsistent with the TRSS framework as set up in Objective E39.2(14).

...

Consent to undertake a subdivision in the Rural – Countryside Living Zone by way of the boundary adjustment mechanism resulting in reduced lot sizes below the 2 hectare minimum without the use of a transferable rural site subdivision (TRSS) could raise the potential proliferation of small sites of less 1ha in rural countryside living zones. This would occur without the positive outcomes within rural zones resulting from the protection of indigenous vegetation, indigenous revegetation planting and wetland.”

44 Hardens Lane, Paremoremo SUB60436064

“We also find that the metrics set out at Table E39.6.5.2.1 for the Paremoremo – Albany Heights R-CSL Zone for minimum net site area without TRSS (being the environmental benefit which achieves the relevant objectives and policies) at 2.0ha, being a strong ‘line in the sand’ which should not be crossed without some form of environmental benefit being achieved on the site, for example.

The incentive for subdivision (including boundary adjustments) seeking a minimum net site area of 1.0ha (which this application more closely aligns with) is the TRSS system being engaged with so that the requisite rural environmental benefits can be delivered.

...

We find that the application is seeking to circumnavigate these outcomes by achieving a 1.0ha (or thereabouts) lot without achieving biodiversity outcomes. It is this matter which potentially would undermine the AUP(OP) intent if granted.”

Attachment D

- Plan Change 20 amendments to the text of *Chapter H19 – Rural zones*

19.2.4 Policies – rural character, amenity and biodiversity values

(1) *Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics:*

- (a) *a predominantly working rural environment;*
- (b) *fewer buildings of an urban scale, nature and design, other than ~~residential buildings~~ dwellings and buildings accessory to farming; and*
- (c) *a general absence of infrastructure which is of an urban type and scale.....*

H19.7.Rural – Countryside Living

H19.7.1 Zone Description

..... This zone incorporates a range of rural lifestyle developments, characterised as low-density ~~rural lifestyle development~~ dwellings on rural land. These rural lifestyle sites include scattered rural ~~residential~~ dwelling sites, farmlets and horticultural sites, ~~residential-bush~~ dwelling sites and papakāinga.....

Healthy Waters – Hillary Johnston (**Annexure 2**)

Memorandum – Specialist input: Healthy Waters and Flood Resilience

To: Joe Wilson – Premium Unit
Emma Chandler – Consultant Planner

From: Hillary Johnston – Consultant Specialist

Approved by: Mark Iszard – Manager, Growth and Development

Subject: FTAA-2504-1055 – Rangitootuni Fast Track – Auckland Council Application
Reference: BUN60449727

Date: 9 September 2025

1. INTRODUCTION

- 1.1 This memorandum provides Healthy Waters and Flood Resilience Department (**HWFR**) comments on the stormwater aspects of the Rangitootuni Fast Track approval application (**Application**) including as it relates to effects on watercourses and flood hazards within and downstream from the development.
- 1.2 It is structured as follows:
- (a) Introduction
 - i. Executive summary
 - ii. Documents reviewed
 - iii. Engagement with the Applicant
 - iv. Site visit
 - (b) Network Discharge Consent Application
 - (c) Assessment of the stormwater aspects of the Application
 - (d) Proposed conditions
- 1.3 I hold the qualification(s) of Bachelor of Science in Environmental Science and Geography, and have 12 years of experience in regulatory stormwater assessments. I am a Certified Environmental Practitioner, a full member of the Environmental Institute of Australia and New Zealand, a member of WaterNZ, and an associate member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement

for designation, and fast-track applications, and have appeared as an expert for Council before consent authorities and the Environment Court.

- 1.4 I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Executive Summary

- 1.5 This Application proposes a Countryside Living residential subdivision development as well as a Retirement Village development within Te Kawerau ā Maki Treaty Settlement Land, adjacent to the Riverhead Forest. The development areas indicated within Figure 1 are identified within the application documents by:

- Lot 1: Proposed residential Countryside Living subdivision, 208 approximately 1ha lots
- Lot 2: Proposed Retirement Village, 260 villas, 36 care units, and associated amenities

- 1.6 Lot 1 is divided into two catchments, with the western portion located in the Kaipara Catchment and the eastern portion in the Riverhead Catchment. Lot 2 lies entirely within the Riverhead Catchment. The Riverhead Catchment is subject to significant existing flood hazards discuss in further detail in Section 3 of this memo.

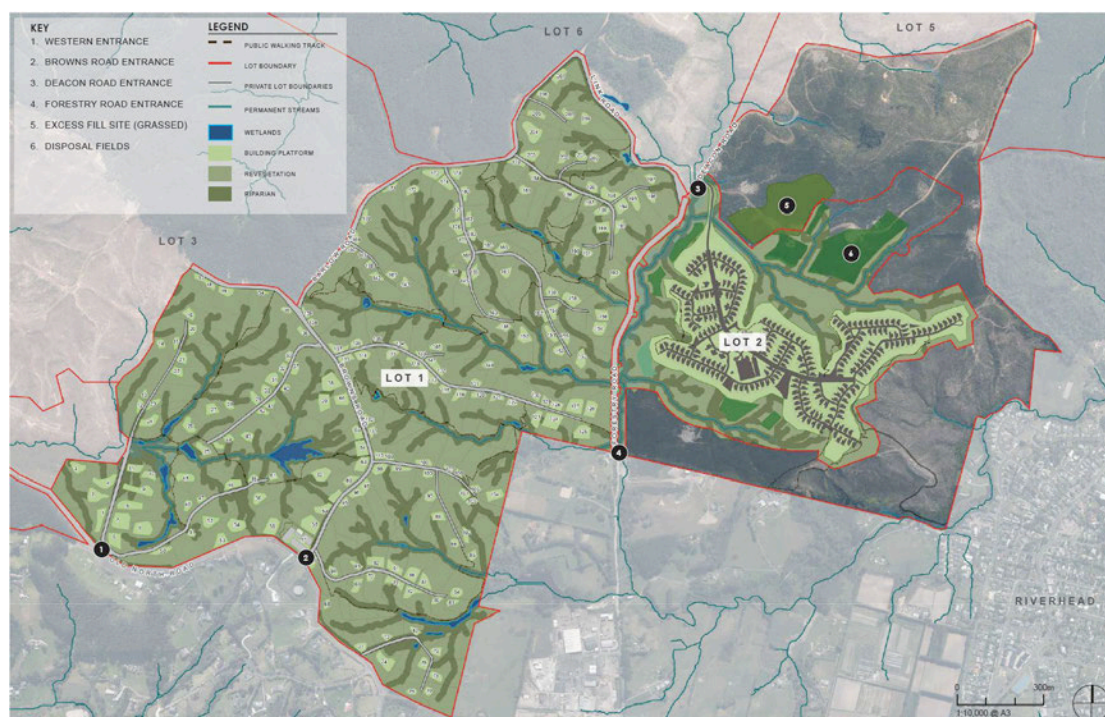


Figure 1. Rangitoopuni: Lot 1 & Lot 2 Landscape Concept Masterplan (Boffa Miskell)

- 1.7 The development areas are predominantly within the *Rural – Countryside Living* zone.

Minor sections are within the *Rural – Production* zone. The site is also subject to E21 (AUP(OP)) Treaty Settlement overlay. As the sites are not subject to urban zoning, the proposed developments require private diversion and discharge consents which have been sought as part of the fast-track application.

- 1.8 Downstream of the proposed developments a number of residential properties, including the habitable floor level, are already exposed to flood hazards. This is further discussed in Section 3. Forestry Road is also subject to existing flood hazards, with flood water depths of 1.5m in the 1% AEP flood event. If stormwater discharges from the development sites are not effectively mitigated, the flood risk and effects on downstream properties will increase.
- 1.9 To mitigate the effects of increased flooding caused by the proposed development, the Applicant's Engineers have proposed to attenuate flows from a range of storm events primarily by in-stream culverts as well as an attenuation basin within the Retirement Village development. These stormwater assets are proposed to remain privately owned.
- 1.10 HWFR assessment and key points of concern with the Application are addressed in further detail in **Section 3** below and include:
 - (a) **Flooding**
 - (b) **In-stream Attenuation**
 - (c) **Stream Erosion**
 - (d) **Water Quality**
- 1.11 The key recommendations arising from the assessment outlined in this memorandum are summarised in **Section 4**. Comments on the Applicant's proposed conditions are provided in **Section 5** and **Appendix B**. Additional recommended conditions are provided in **Appendix C**.

Documents Reviewed

- 1.12 The following documents have been reviewed in preparing this memorandum:
 - '*Rangitōopuni, Application under the Fast-track Approvals Act 2024*' – Revision A, dated 5 May 2025 and prepared by Campbell Brown
 - Appendix A: Proposed Conditions prepared by Campbell Brown
 - Appendix F: '*Rangitōopuni, Ecological Impact Assessment for: Rangitōopuni Developments Limited Partnerships*' – Final Version, dated 1 May 2025 and prepared by Bioresarches
 - Appendix H – H.23: '*Geotechnical Investigation Report, Stages 1 (Substages 1 to 5), Old North Road, Riverhead, Auckland*' – Revision 1, dated 3 March 2025 and prepared by ENGEO
 - Appendix J: '*Civil Infrastructure Report, Rangitōopuni Development, Riverhead, Auckland*' – Revision A, dated 30 April 2025 and prepared by Maven
 - Appendix W – W.17: Engineering Drawings – 147007 and 147016, Revision A, dated March 2025 and prepared by Maven

- Appendix W.18: Engineering Calculations – Revision A, dated 13 February 2025 and prepared by Maven
- Appendix AA – AA.7: '*Stormwater Management Plan, Rangitōopuni Development, Riverhead, Auckland*' – Revision A, dated 30 April 2025 and prepared by Maven
- Appendix II – II.2: '*Flood Assessment Report, , Rangitōopuni Development, Riverhead, Auckland*' – Revision A, dated 5 May 2025 and prepared by Maven
- S67 Comments Tracker: '*BUN60449727 250819 s67 and specialist comments tracker - applicant response (final)*'
- Engineering Drawing – 147007 C484 Culvert 1-1 Long Section, Revision B, dated August 2025 and prepared by Maven
- Engineering Drawing – 147016 C481-5 Retirement Village Proposed Culvert Plan and Longsection, Revision B, dated August 2025 and prepared by Maven

Engagement

- 1.13 A pre-application meeting with Council and the Applicant's team was held on 7th March 2025 to introduce the project and to discuss preliminary comments, areas of concern, and key areas of interest.
- 1.14 A post-lodgement meeting between HWFR and the Applicant's Stormwater Engineers was held on the 23rd of July to discuss HWFR comments, primarily in respect of flooding. The purpose of the workshop was to ensure that there was understanding on areas of concern and alignment on a pathway to resolution.

Site Visit

- 1.15 Hillary Johnston (Growth and Development) and Mereene Mathew (Catchment Planning) visited the site with the Applicant and their Agents on 11th August 2025.

2. NETWORK DISCHARGE CONSENT APPLICATION

- 2.1 HWFR holds a Regionwide Network Discharge consent (RWNDC) which authorises the diversion into and discharge from public stormwater networks within the Auckland Region. The RWNDC is only applicable to urban zoned land and as the underlying zoning of the development site is Rural, it cannot be authorised by the RWNDC.
- 2.2 The AEE acknowledges that the diversion and discharge of stormwater from development proposed under this Fast-Track application cannot be authorised under the RWNDC¹. Consent has therefore been sought as a Discretionary Activity under rule E8.4.1.(A10).
- 2.3 The Applicant's Agents have provided a stormwater management plan (SMP) which provides a detailed assessment of the proposed stormwater management for the development. This has been reviewed in the context of explaining the proposed stormwater management, but has not been reviewed in the context of adoption under Schedule 4 of the RWNDC.

¹ Section 8.2.4, page 99

3. ASSESSMENT OF STORMWATER ASPECTS OF APPLICATION

Context

- 3.1. Stormwater runoff from a large portion of the development discharges to the Riverhead Stormwater Catchment. Downstream areas within this catchment are already subject to significant existing flood hazards, including of habitable floors.
- 3.2. Flooding of buildings and property within the Riverhead Catchment is well documented, most notably during the January and February 2023 events. These events caused widespread flooding of property and infrastructure (roads), including habitable floor flooding in the vicinity of Mill Grove, Te Roera Place, Duke Street, Cambridge Road and surrounding areas. Properties within this catchment have been purchased by Auckland Council following categorisation and assessment of flooding impacts which pose an intolerable risk to life.
- 3.3. Duke Street, at the intersection with Te Roera Place, is already understood to be subject to flooding from the adjacent stream during the 50% AEP event. This is occurring at present with existing land use and no climate change.
- 3.4. New development must not create new, or exacerbate existing natural hazard risks. Management of stormwater runoff from the proposed development to ensure that downstream flood risks to people, property, and infrastructure is avoided and/or effectively mitigated is essential. Sufficient information demonstrating that impacts of existing flood hazards have been effectively managed is required to be provided as part of any resource consent process, and is particularly important in this case given the sensitive nature of the receiving environment. Development in this catchment cannot be enabled without sufficient demonstration that potential effects have been avoided and/or effectively mitigated.

Stormwater Management Proposed

- 3.5. The proposed stormwater management for Lot 1 and Lot 2 is outlined in detail within the SMP². No stormwater management assets are proposed to be vested as public assets to HWFR.

Lot 1 – Countryside Living Development

- 3.6. Stormwater runoff from roof areas within Lot 1 will provide potable and non-potable supply for dwellings. Each lot will include stormwater tanks which provide storage for household use as well as fire-fighting needs, consistent with FENZ requirements. The Applicant's Engineer has proposed that the stormwater tanks will achieve SMAF-1 retention and detention. Runoff from private accessways and JOALs is proposed to discharge to private swales for conveyance and preliminary filtration where gradients allow. Outfalls are proposed to include erosion protection in accordance with TR2013/018. Peak flow attenuation is proposed to be provided by what is described as an instream attenuation Culvert 1-1.

² Section 7 and Section 8, pages 24 - 29

Lot 2 – Retirement Village

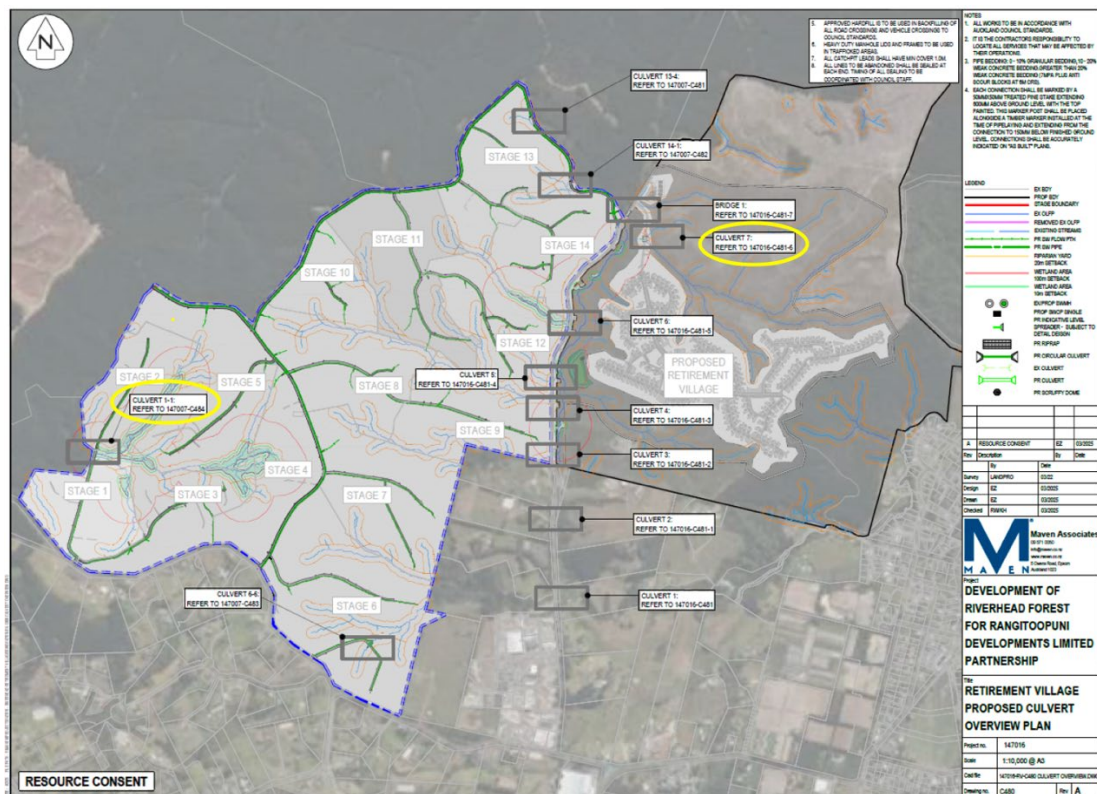
- 3.7. The Retirement Village will be serviced by a private dual stormwater network separating roof runoff from runoff from the JOAL areas. In addition to the proposed bore and water take consent sought, roof water will be collected to be used for potable water supply. Stormwater management tanks will achieve SMAF-1 hydrology mitigation, retention and detention of the 95th percentile rainfall event. Runoff from impervious areas including carparks and JOALs will be managed through a separate private network. Stormwater quality treatment will be provided through a combination of proprietary filters and raingardens. It is not proposed to provide treatment of driveway areas that service less than 10 units. Discharges will occur via outfalls incorporating riprap for energy dissipation that has been designed in accordance with TR2013/108 to streams or overland flow paths. Attenuation of peak flows will be achieved through an engineered ponding area upstream of what is described as Culvert 7 and a dry attenuation basin northwest of the Village.

Flooding

- 3.8. To enable verification and support of the proposed management of stormwater in relation to potential effects on flood hazards, the HWFR Catchment Management Team has requested a full copy of the Applicant's stormwater model, including all pre- and post-development scenarios. A full copy of the model, including clarification of model build parameters and inputs, was sought as part of initial feedback provided on the application (**Appendix A**). At the time of writing, some clarification has been provided in respect of flooding matters outlined within **Appendix A** however a full copy of the model has not yet been provided. The Applicant's Engineer has outlined the model will be provided upon a formal RFI being received, which has been taken to mean S67 request by the Panel. This is necessary to confirm the modelling assumptions, assess downstream effects, verify that the stormwater management approach is appropriate, and confirm HW's support for the proposed stormwater management strategy.

Instream Attenuation

- 3.9. Peak flow attenuation relies on what is described as two attenuation culverts, one located within Lot 1, the proposed countryside living development (Culvert 1-1), and one located within Lot 2, the proposed retirement village (Culvert 7). The location of these culverts is indicatively shown within Figure 2.



with areas of erosion and scarps present, and also what appears to be areas of high sediment load and possible aggradation within the streams.

- 3.14. In addition, the site's stream network is expected to adjust (widen, deepen, meander) in response to urbanisation. Hydrology mitigation and riparian planting alone may not prevent erosion or protect stream health in the long term.
- 3.15. Hydrology mitigation of runoff from the proposed developments is only proposed to be achieved for roof areas via rainwater tanks. Remaining hardstand areas including driveways and JOALs are proposed to be unmitigated. Revegetation is proposed, however no supporting assessment has been provided to demonstrate that the proposed overall hydrology mitigation approach will not result in an increase in volumes and flows to the receiving stream environment during frequent low intensity rainfall events and consequently increase the risk of stream erosion.
- 3.16. A Geomorphic Risk Assessment has been requested as part of initial comments provided on the application (**Appendix A**) and is essential to understand the potential effects of the proposed development on the stream network.
- 3.17. The site's waterways are already highly sensitive due to historic commercial forestry, steep slopes, and erosion-prone soils. Without an assessment of current channel conditions, soil stability, and stream sensitivity, it is not possible to determine whether the proposed development, including impervious areas and stormwater management measures, will exacerbate scour, erosion, or instability.
- 3.18. The recommended riparian setbacks, particularly adjacent to proposed infrastructure such as roads and culverts, may need to exceed those currently proposed. Infringements of the 10 m setback required by the NES:F have been confirmed to occur in relation to roads, where a 10 m margin is unlikely to be appropriate. Observations from the site visit indicate that areas downstream of culvert structures are particularly vulnerable, highlighting the need for wider setbacks in these locations to manage erosion risk and maintain stream stability.
- 3.19. A Geomorphic Risk Assessment was sought to justify the proposed riparian setbacks and support the existing ecological and geotechnical assessments however has not been provided at the time of writing. A Geomorphic Risk assessment will also help determine whether additional mitigation such as battering of stream banks and/or instream works to stabilise streams would be appropriate to implement. This information cannot reasonably be deferred to later stages or addressed solely through conditions, as it is fundamental to ensuring that hydrologic, ecological, and geotechnical risks are appropriately managed over the design life of the development.

Water Quality

- 3.20. Runoff from private accessways and JOALs is proposed to discharge to private swales for conveyance and preliminary filtration where gradients allow. No information has been provided on the water quality treatment requirements for hardstand surfaces within future individual Countryside Living lots. A preliminary analysis of the JOAL longitudinal grades within the Stages 8-14 indicates that approximately 50% exceed the 8% longitudinal grade threshold, which is generally considered the upper limit for providing water quality treatment via a swale. It has been estimated that overall, the proposed development could generate an estimated 20 hectares of untreated impervious surfaces which will increase the risk of adverse effects on the water quality of receiving environment.

- 3.21. Within Section 7.3.2 of the SMP the Applicant's Engineer has asserted that as the site is not bound by Healthy Water Region Wide Network Discharge Consent, and as the private roads will be low volume (less than 5,000 vehicle movements per day), that water quality treatment is not required. This is in reference to the high contaminant generating area provisions under E9 of the AUP, which are a specific, targeted overlay for land uses that are regarded as being high contaminant generating. However, the provisions of E8 together with the overarching objectives and policies outlined through E1 set a broader framework for water quality, with expectations beyond just the high contaminant generating land uses. This framework includes directive policies E1.3(2)(a) (*to maintain or enhance water quality, flows, stream channels and their margins and other freshwater values...*) and E1.3(8)(b)/(e) (*minimising the generation and discharge of contaminants... and providing for the management of gross stormwater pollutants...*).
- 3.22. Further information was sought justifying the proposed stormwater management approach for the JOALs and private accessways areas serving less than 10 units as part of initial comments provided on the application (**Appendix A**). Sufficient information, for example, an evaluation of how the various stormwater management devices and strategies proposed will maintain or enhance the quality of stormwater runoff within the receiving environment and is the Best Practicable Option (BPO) has not yet been provided. A BPO framework is set out by AUP policy E1.3(14).
- 3.23. It is essential that this information is provided and addressed as part of the resource consent process as the response may have direct implications for the stormwater management strategy and the development layout. If additional measures to achieve water quality treatment of the private accessways and JOALS is required, such as changes to the grade of the proposed swales or implementation of further devices, the subdivision and infrastructure design will likely need amending. It is therefore considered not appropriate to address via a condition of consent.

4. RECOMMENDATIONS

- 4.1. The Applicant has responded to comments provided by HWFR as part of preliminary feedback and engagement outlined within **Appendix A**. Items in relation to flooding were discussed at a post lodgement meeting as described in Section 1.14 above. Some matters raised have been addressed by information provided by the Applicant on 18th August 2025. Key areas of concern outlined in the above assessment that remain are summarised as follows.
- 4.2. These matters must be resolved before HWFR can confirm its position on the proposed developments. Without resolution or the provision of further information, HWFR is unable to adequately assess the potential for significant adverse effects. In addition, they are considered to be fundamentally tied to development layout, and therefore must be addressed as part the Resource Consent process, rather than deferred to Engineering Plan Approval (EPA) stage.

Flooding

- To ensure the development will not create new, or exacerbate existing natural hazard risks, the Applicant must provide the full stormwater model to Healthy Waters, including both pre- and post-development scenarios, to enable verification of modelling assumptions and support of the proposed management of stormwater in relation to potential effects on flood hazards.

- Further assessment needs to be provided on the management of overland flows within Lots 1 and Lot 2 to demonstrate that the overland flow paths within JOALs, access roads and designated overland flow path corridors have been designed in a way that does not introduce flood hazards that present a risk to people, property and infrastructure.

Stream Erosion

- To justify the appropriateness of the proposed riparian set-backs a Geomorphic Risk Assessment should be undertaken to evaluate the current condition, sensitivity, and likely adjustment of the proposed and existing stream networks in response to urbanisation. This must include assessment of soil strength and resistance characteristics, flow energy, and long-term geomorphic evolution.
- The assessment should specifically outline the potential for increased stream erosion and channel instability relative to the proposed stormwater management approach that includes limited application of hydrology mitigation for private hardstand areas and JOALs. The assessment shall demonstrate that the proposed stormwater management approach will not increase the risk of scour and erosion in the receiving environment.

Water Quality

- An evaluation of the stormwater management devices and strategies proposed, such as a Best Practicable Option (BPO) assessment, must be provided to demonstrate that the proposal will maintain or enhance water quality.

5. PROPOSED CONDITIONS

- 5.1 Initial comments on the Applicant's proposed stormwater related conditions,³ as well as additional conditions sought to be imposed, if the Panel is minded to grant approval, are provided as **Appendix B** and **Appendix C** respectively.
- 5.2 These initial suggestions are provided to assist the Panel, but are offered without prejudice to the Council's ability to make more comprehensive comments on any draft conditions under Section 70 of the Fast Track Approvals Act 2024, should the Panel decide to grant approval.

³ Appendix A to the AEE.

APPENDIX A: HEALTHY WATERS S67 ITEMS

HWFR COMMENT	PRELIMINARY APPLICANT COMMENTS	APPLICANT RESPONSE – 19.08.2025	HW COMMENT – 02.09.2025
FLOOD ASSESSMENT <u>Description of Missing Information</u> <i>Clearly describe the specific information or assessment that is missing from the application.</i> 1.1. A copy of the Applicant's flood model for the Riverhead catchment including all of the modelled pre-development model and post-development scenarios. 1.2. Additional modelling scenarios (50%, 20%, 10%, 5%, 2% and 1%) and associated assessment of effects for the development relative to existing land-use and rainfall. These scenarios are to be included with copy of the model requested under Item 1.1 1.3. Further justification on the filtering of flood comparison maps to 10mm. 1.4. Further justification on the use of a uniform pre-development curve number (CN) of 74 across the entirety of the proposed site. 1.5. Details on how the function of the Retirement Village Stormwater Pond was incorporated in the model. 1.6. Further assessment of effects on flooding from the proposed Forestry Road upgrade pertaining to the effects	Given extent and amount of information required to be addressed – reasons as to why information is required should be referred to. Meeting notes 23/07/25 Focus on flood assessment component today. 1.1 No problems, will provide the model. 1.2 Model does include these in the more recent lodgement package. 1.3 Applicant to provide more clarity on the approach here and HW then to advise further on whether tolerance needs any modifications in their opinion. 1.4 HW to discuss justification provided/discussed at meeting & confirm. 1.5 HW to interrogate how this got modelled once model has been circulated. 1.6 Maven to model the ramp down to the existing vehicle crossings where they will have to be built up to the new road level proposed. Frequency + velocities.	1.1 We can provide the model to HWs for review. As discussed with HWs meeting (23/07/25), the model will be provided for review upon formal RFI being received; and any further scenarios run. 1.2 These have already been done and included in the flood memo and report within the application. The additional modelling was done prior to the re-lodgement, after we received the request as part of the formal pre-application minutes. 1.3 Hydraulic models, which are used to simulate flood events, have inherent limitations and uncertainties. These models are complex mathematical representations of real-world conditions and are influenced by the quality of input data, such as ground level surveys (LiDAR), rainfall data, and assumptions about a catchment's characteristics. The vertical accuracy of the LiDAR data used in these models is typically in the range of +/- 0.20 meters. Given these tolerances, changes in water surface elevation that are less than 10mm (0.01m) are generally considered to be within the "noise" or margin of error of the model. Attempting to report on such small differences would be statistically insignificant and could be misleading.	1.1 No further comment. Model not yet provided. 1.2 Flood Assessment Report Section 7 (Table 1: Modelled Scenarios Summary) does not list the requested scenarios. There was also no associated assessment of effects provided within the application documents. 1.3 The hydraulic modelling carried out is comparative (i.e. comparing pre-development scenarios to post-development scenarios) and as such the LiDAR vertical accuracy is consistent across all scenarios. It is unclear how the margin of error of 10mm was determined. Removal of filtering in the updated reporting is supported, reiterating that as per the meeting discussions on 23/07/2025 Healthy Waters requests for removal of all filtering from the pre-development to post-development results comparison layers. 1.4 Further advice was provided to the Applicant on 25/07/2025. For clarity the following was provided: <i>Pre-development CN (logging areas) – Healthy Waters modelling specialists have been</i>

from the upgraded culverts, and the effects from upgraded vehicle access to private driveways. 1.7. Further assessment of effects on flooding from the proposed Forestry Road upgrade pertaining to changes in flood velocities. 1.8. Confirmation whether consultation was carried out with the landowner of 100 Forestry Road on the increase in flooding within their property. 1.9. Overland flow path assessment including catchment plans and representative cross-sections of the overland flow conveyance corridors, and culvert spill/overtopping points with supporting calculations assuming Maximum Probable Development (MPD) and 3.8-degree climate change (and primary network blockages as required). 1.10. Details on the provisions that will ensure the spillway function on Lot 1 (Countryside Living Subdivision) doesn't restrict access for residents or emergency services during high intensity rainfall and details on whether easements or consent notices will be implemented to secure this overland flow path and its function. 1.11. The Flood Modelling Report states that the downstream bridges do not result in an increase in flood levels. However, it is noted that the bridge decks were not included in model. Please clarify whether this conclusion is based on the	1.7 As above 1.6 1.8 As above 1.6 1.9 Maven to provide a few more indicative cross sections at critical points (culvert crossings & then all JOALS in CSL), point to anything that is already provided & might have been missed. 1.10 Maven to talk to this in the response and point to key report sections ETC that address. 1.11 HW to circulate the survey data for the bridges and then Maven to consider including into the model. HW to clearly specify which bridges are needed. Noted also for PPC 100 and being discussed. 1.12 HW to provide more guidance on their thinking here. HW clarifications, sent 25/07/25 1. Pre-development CN (logging areas) – Healthy Waters modelling specialists have been consulted and have advised that a CN number of 70 is to be used for all logging areas irrespective of whether these have been logged. This is largely based on observations from calibration modelling after January 2023 events. 2. Post-development CN (covenanted bush) – Following	That being said, the legend of the difference mapping shall be updated to shall differences less than 10mm. 1.4 The site and wider forest catchment are associated with a plantation forest that is in the process of being logged, and is in a continued forest harvest. Thus, we have to assume an assumption for the forest (and pre-development area), that allows for the removal of forest cover, and the possibility of this going back to pasture. Outside of the site (Lots 1 and 2) we have assumed the same CN value for pre and post, which is CN74. The same CN value has been applied in all modelled scenarios. Altering the CN value of these areas will not change the outcome of the model, as they will remain relative. We note that we are not able to remove downstream flooding, and instead we are tasked with ensuring no downstream effects, to which the civil design currently achieves. For Lot 2, with respect to the balance of the site around the RV, we have also retained the CN of 74, as there is no formal mechanism to protect the planting. Therefore, we are not assuming any benefit from the planted areas within Lot 2 in the flood model. For Lot 1, as part of the CSL development, we have assumed CN 74 for the pre-development for the largely logged site. We remain of the view that this is a conservative representation, with the current CN (at time of the	<i>consulted and have advised that a CN number of 70 is to be used for all logging areas irrespective of whether these have been logged. This is largely based on observations from calibration modelling after January 2023 events.</i> <i>Post-development CN (covenanted bush) – Following from pre-development CN advice above, CN 70 can be applied to all covenanted and planted bush areas provided these will not be subjected to extensive earthworks.</i> In addition, logged areas still retain significant hydrological function. Residual vegetation, forest litter, branches, and root systems continue to intercept rainfall, enhance infiltration, and slow runoff. These features are not comparable to a cleared or developed land and therefore do not justify the use of a higher CN typically associated with disturbed or compacted soil conditions. 1.5 The details of the input parameters (e.g. elevation-volume, outflow structure, etc.) including the HEC-HMS model to be provided for review. 1.6 Addressed subject to review of agreed updates.
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comparison between pre-development and post-development flood levels, if so, please provide flood extent and depth maps. Please also include the justification for omitting bridge decks from the model.

1.12. Clarification whether the use of initial abstraction (I_a) of 5mm is appropriate for the existing bush areas and whether the use of $I_a = 0.2S$ (where S is determined by TP108 Equation 3.2) is more appropriate.

1.13. Clarification of whether the referred 'eastern catchment' only provides attention to 2% AEP as it has not been specifically mentioned in the SMP that 1% AEP will also be attenuated to. This would impact the design of the proposed culverts, and also the area/height behind the culverts.

Why is this Information Essential?

Explain why the absence of this information significantly limits your ability to assess the project or its effects.

A review of the supporting hydraulic model is required in order to confirm the modelling assumptions, proposed and existing stormwater infrastructure size, verify the model performance and outputs, and confirm that the model is 'fit for purpose' to support the associated flood hazard and risk assessment.

Due to the receiving environment being subject to flooding at present (considering existing land use and no climate change) the modelling of additional scenarios relative to existing land use

from pre-development CN advice above, CN 70 can be applied to all covenanted and planted bush areas provided these will not be subjected to extensive earthworks.

3. Initial abstraction (I_a) – Confirming I_a as per TP108 Table 3.1 is acceptable across all scenarios.

4. Model Runs: Healthy Waters hydraulic model shows that the stream is already overtopping its banks into Duke Street at the intersection with Te Roera Place, including into the surrounding private properties, during the 50% AEP event with existing land use and no climate change. On this basis, as requested under S67 Item 1.2, Healthy Waters will require the existing-land use, and no climate change events (i.e. having lower overall intensity and runoff) to be modelled and assessed to demonstrate the flood hazards and risks to downstream properties and infrastructure are not exacerbated. The need for this is further reinforced with to the use of culverts to provide attenuation, which may provide limited attenuation as the intensity of rainfall and associated peak flows reduce.

5. Bridge Structures: For completeness the bridge structures within the stream should be represented in the

consent being lodged), in the views of Maven most likely defined at Class C, pasture/Grassland with Poor conditions (86), as per Table 2-2c TP108 Appendix B. Refer TP108 extracts below:

Table 2-2c-Runoff curve numbers for other agricultural lands¹ (SCS, 1986)

Cover description	Hydrologic condition	Curve numbers for hydrologic soil group ²			
		A	B	C	D
Pasture, grassland, or range-continuous forage for grazing. ³	Poor	68	79	86	89
	Fair	49	60	79	84
	Good	39	61	74	80
Meadow-continuous grass, protected from grazing and generally mowed for hay. Brush-brush-weed-grass mixture with brush the major element. ⁴	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	20	48	65	73
Woods-grass combination (orchard or tree farm). ⁵	Poor	57	73	82	86
	Fair	41	65	76	82
	Good	32	58	72	79
Woods. ⁶	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	20	55	70	77
Farmsteads-buildings, lanes, driveways, and surrounding lots.		39	74	82	86

¹ Average runoff condition, and $I_a = 0.2S$.

² Poor: <50% ground cover or heavily grazed with no mulch.

Fair: 50 to 75% ground cover and not heavily grazed.

Good: > 75% ground cover and lightly or only occasionally grazed.

³ Poor: <50% ground cover.

Fair: 50 to 75% ground cover.

Good: > 75% ground cover.

⁴ Actual curve number is less than 30; use CN = 30 for runoff computations.

⁵ CNs shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CNs for woods and pasture.

⁶ Poor: Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.

Fair: Woods are grazed but not burned, and some forest litter covers the soil.

Good: Woods are protected from grazing, and litter and brush adequately cover the soil.

The planting and protection (via covenant) of the native bush within Lot 1 will provide benefit for the receiving catchment. This is consistent with all literature on the topic, where bush provides decreased runoff in a catchment.

We have not sought to rely upon the possible full reduction of CN value from the current state, rather, the assumption is that the post-development CN for the bush area within Lot 1 is CN 70. The lower pre-development CN base value ensures

1.7 Addressed subject to review of agreed updates.

1.8 Evidence of consultation to be provided. Subject to updated assessment of effects considering 1.6 and 1.7 above to be reviewed.

1.9 Representative cross-sections need to be incorporated with the catchment plans to demonstrate that the conveyance of the overland flows within JOALs, access roads and designated overland flow path corridors can be achieved in a way that does not introduce flood hazards that present a risk to people, property and infrastructure.

1.10 Blockage assessment for all culverts to be provided including design of an overland flow path that meets the relevant safety design criteria. Refer to SWCoP Section 4.3.9.8(h) and 4.3.9.8(i) for blockage assessment design requirements. Given the nature of the catchment being bush, a higher blockage rate is considered appropriate.

1.11 Further advice was provided to the Applicant on 25/07/2025. For clarity the following was provided:

Bridge Structures: For completeness the bridge structures within the stream

and no climate change is required to assess the potential effects of the proposed development in the immediate future (i.e. in the short-term). Logged areas still have vegetative cover. The justification that a CN number of 88 could be appropriate and that the modelled CN of 74 is conservative is not agreed with. Based on the latest aerial imagery, large portions of the site are covered by existing forested areas (not logged). Logged areas would have forest floor coverage, which warrant a lower CN number than 74 (i.e. 70 as a minimum). Overall, this would lower the baseline pre-development runoff from the site and increase the risk of potential effects on the proposed development in regard to flooding. The difference between post-development and pre-development runoff would be higher than currently assumed. Any changes to the existing flood characteristics should be captured to enable the assessment of potential flood related effects. It is not clear why changes in flood elevation of less than 10mm between pre-development and post-development scenarios have been excluded from the assessment. Section 3.2.7 of the Flood Modelling Report outlines that the Retirement Village stormwater attenuation basin was modelled using a combination of increasing the initial abstraction and using an inflow hydrograph, however no further details were provided on the functionality of these modelling assumptions (e.g. showing catchment flows, pond volume relationship and outflows, and total catchment outflows). As such Healthy Waters cannot assess the appropriateness of the methodology and complete the review.	model. Should this not be incorporated into the model, then the stormwater modelling report will need to provide clear justification on the appropriateness and accuracy of the results. As discussed, HW have the bridge structures surveyed, and please find the survey file saved in this link here: Bridge Survey.zip. Please note that the survey data being shared was originally completed in 2017 and is being provided in good faith to assist the work. While due care was taken at the time to procure the survey results, Auckland Council makes no warranty as to the accuracy or completeness of the information and accepts no liability for any errors, omissions, or reliance on this data. This information does not replace the need for a suitable site-specific assessment.	further conservatism whilst the bush is reaching maturity. Finally, we note that we are ensuring flows are attenuated to pre-development rates, which is considerably less than the assumed MPD in Council's model. 1.5 Inflow hydrographs have been generated in HEC HMS for the RV catchment which is collect and discharged into the attenuation pond via a piped network. The hydrographs were applied in the 2d model as a inflow boundary conditions. 1.6 The effects on Forestry Road upgrade have been considered in the Maven Flood Modelling Report. This was based on the post development design surface. This model includes the new road alignment, surface, upgrades culverts etc, and discussion was made specifically where there was an effect, i.e. No. 100 Forestry Road. As agreed, with Healthy Waters during meeting of 23/07/25, the access ramp from the road to the existing bridge will be included and the model re-run as part of the formal RFI process. 1.7 This will be provided as part of the formal RFI. We note that the overall flows are being reduced from the site. The modelling report and assessment can look at flows, alongside height and duration which has currently been assessed. 1.8 Initial consultation with the owner has been undertaken and they were	<i>should be represented in the model. Should this not be incorporated into the model, then the stormwater modelling report will need to provide clear justification on the appropriateness and accuracy of the results.</i> 1.12 Addressed. Initial abstraction (Ia) to be implemented as per TP108 Table 3.1 across all scenarios. 1.13 Addressed subject to SMP being updated to clearly capture the approach.
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Section 9.3.1 of the Flood Modelling Report outlines the potential flooding effects of the proposed development on 100 Forestry Road. Healthy Waters are concerned that the scale of potential effects from the proposed Forestry Road upgrade has not been adequately represented in the flood model. This is based on the provided cross-section depicted in Figure 7, which indicates that the formation of the new property access connecting the existing 100 Forestry Road driveway to the elevated Forestry Road (which has the potential to obstruct the flood flows) has been omitted from the model. JOALs and access roads are proposed to convey the proposed development overland flows to the receiving environment. Overflow spill points are also expected at culvert crossings. Details of the overland flow path conveyance and culvert overflow design including peak flow, depth, velocity and hazard (depth x velocity) is required so that it can be verified that the flows within the proposed development can be conveyed in a way that does not present hazard and risk to people, property, and infrastructure.		supportive of the project. The design of Forestry Road extension has factored in downstream effects. Whilst there is reduction of flood levels along Forestry Road to that of pre-development levels; in one location, where significant - and assumed to be unlawful modification has occurred – there is no ability to avoid a minor increase in flood levels. A maximum ponding depth increase of 80mm is modelled which affects a private accessway, under the 100yr (blocked scenario). Please refer to the Maven Flood Modelling Report for further detail and assessment. The conclusion is that the effects results in less than minor effects. The owners of 100 Forestry Road will have the ability to provide comment on the application through the process. 1.9 Maven has produced stormwater catchment plans which show location of OLFPs and associated 100-yr flows. Please refer to drawings C455-C457 PN147007. The OLFP locations are also shown within the relevant drawings C450-0 – C470-13 PN 147016. These flows are all shown as per SW CoP v4. 1.10 Refer to drawing number C484 Rev A, the 100-yr flows are conveyed through the 1.5m x 4m box culvert. Which according to SwCoP will not be blocked. We have modelled a 50% blockage as sensitivity test, and the flood waters did not overtop the roadway. A further sensitivity check of the culverts being 100% blocked was also done, and it will overtop, but less than 200mm flood	
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		depth across the JOAL, which ensures compliance with AUP and TDM. 1.11 We are decreasing flows post-development, therefore we didn't see the need to include the bridges, as the effects would be reduced. We have been provided with this information from Healthy Waters (post meeting on 23/07/25), and we can include this within the pre and post model if required, and this can be included in the formal response. 1.12 The initial abstraction would increase if this alternative solution was used. However, it would be the same for pre and post, therefore in Maven's eyes would not result in any net difference. Thus, reliance on the TP108 guidance remains suitable. Written confirmation has been received from Healthy Waters following meeting on the 23/07/25, which confirmed approval of this approach. 1.13 Confirming that the overall attenuation strategy is to 1% AEP. The western catchment has been modelled for the 2, 10 and 100-yr. The eastern catchment has been modelled for the 2, 5, 10, 20, 50 and 100-yr events, due to the sensitivity.	
2. IN-STREAM ATTENUATION – CONDITIONS <u>Description of Missing Information</u> <i>Clearly describe the specific information or assessment that is missing from the application.</i>		2 IN STREAM CONDITIONS Thank you for noting this. The draft conditions will evolve through the process and be updated to address this matter. We have proposed a draft conditions workshop with the	Addressed. Subject to the final conditions being agreed to by Council.

2.1. Culvert 1-1 (Lot 1), Culvert 7 (Lot 2), and the Retirement Village attenuation basin (Lot 2) are proposed to provide peak flow attenuation in a range of storm events. Condition 83 outlines proposed stormwater management works, catchment area, and design objectives for the Retirement Village, the Countryside Living Development, and the Forestry Road upgrades. Condition 83. Culvert 1-1 (Lot 1), Culvert 7 (Lot 2), and the Retirement Village attenuation basin (Lot 2) are not included within the proposed Stormwater Management Works condition. 2.2. Conditions outlining the long term operation and maintenance requirements of the Culvert 1-1 (Lot 1), Culvert 7 (Lot 2), and the Retirement Village attenuation basin (Lot 2) are not included within the proposed conditions. With respect to the stormwater management works within Lot 1, conditions that outline and will ensure any legal mechanisms required to facilitate ongoing joint operation and maintenance of these assets in perpetuity (via consent notice, or managed through a residents association or body corporate) have not been included within the proposed conditions. <u>Why is this Information Essential?</u> <i>Explain why the absence of this information significantly limits your ability to assess the</i>		Council to ensure that the conditions are acceptable.	
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<i>project or its effects.</i> Culvert 1-1 (Lot 1), Culvert 7 (Lot 2), and the attenuation basin serving the Retirement Village (Lot 2) are key stormwater management assets proposed to mitigate downstream effects of the development. However, in the absence of consent conditions specifying the design objectives for these assets, there is no mechanism for Council to ensure they are constructed and perform as intended. Without such conditions, the effectiveness of these devices in managing stormwater and protecting downstream environments cannot be guaranteed. Culvert 1-1 and Culvert 7 are proposed to provide flood attenuation for the overall development. As the culverts will remain in private ownership it needs to be clear what legal mechanisms and procedures are proposed that will ensure the operation, maintenance and renewal of these culverts in perpetuity. In absence of this, it is considered that the potential risk of flooding downstream of the proposed development will be increased.			
3. STREAM EROSION <u>Description of Missing Information</u> <i>Clearly describe the specific information or assessment that is missing from the application.</i> A fluvial geomorphology review has been conducted. In summary, key areas of concern are outlined in the following section. <u>Context</u>		3 STREAM EROSION 3.1 Maven response: The planted areas are clearly shown on relevant plans, with the corresponding covenant extents also included on the Maven scheme plans. Any infringements have been listed. Applicant Ecologist Response: Riparian margins in the EclA are determined by the relevant setbacks outlined in the AUP	Geomorphic Risk Assessment has not been provided. 3.1 Infringements of 10m setback are confirmed to be in relation to roads. 10m set back not likely appropriate, especially in close proximity to roads. From site visit there is evidence that downstream of culvert structures are particularly vulnerable.

The watercourse is actively eroding. A council Watercourse Assessment from 2014 shows the main stem of the stream within the FTA is marked as having 40-60% erosion on the banks. The lodged Geotechnical Report describes the stream as having incised gullies, a high risk of slope instability, and a medium risk of soil erosion. The Ecological Impact Assessment (EiA) describes various streams as being damaged from slash and mobilised sediment, having little riparian yard function for stream stability, being relatively incised, eroded and steep, with some heavy loaded of fine sediment. The sites history as a commercial forestry operation presents a risk due to the effects of deforestation (e.g. landuse change resulting in hydrological changes, increased sediment runoff, slash effecting stream geomorphology). These streams will be highly sensitive to change. The existing 100-year floodplain will be modified due to impervious surface increase from development. If there is an attempt to contain these flows within the stream channel, this will cause incision and widening, putting homes and assets at risk. 3.1. Figure 6 in the SMP and Figure 8 in the EiA indicate a range of riparian setbacks (10, 20, 100m). It is not clear how these different margins have been determined for the different areas, or how the margins are being planted or enforced. The SMP and EiA also indicate infringements into the riparian margin of infrastructure such as roads and building platforms. While this may be offset in		OP (20 m for wetlands and streams under current zoning) and the NES-F standards for wetlands (10 m and 100m). Building platforms are located outside the 10 m setback. Infringements into this setback occur from roading. Where the roading intersects via culverts, no riparian yard infringement occurs as water that is in a pipe is not a “waterbody” under the RMA, and riparian yards are measured perpendicular to the waterbody. All riparian margins will be re-vegetated with indigenous riparian vegetation per the landscape plan. 3.2 The Maven flood modelling completed, included 2yr rainfall events, and confirmed that the 2-yr rainfall flows were reduced. Summary below CSL • roof area assumed detained for 95th percentile. • Driveways and JOALs unattenuated • Bush area CN value improvement • = less runoff in 2yr event. RV • Roof area – 95th percentile captures and reuse • JOAL and driveways (western catchment RV) to pond which contains 10yr attenuation • Eastern catchment unattenuated. • = less runoff in 2yr event. 3.3 Question the need, given we are improving current stream health. i.e if there is no effect, why should more reporting be requested? 3.4 Maven response: Question the need, given we are improving current stream health. I.e if	3.2 The channel forming flows that contribute to the risk of stream erosion are subject to rainfall events that may be more frequent than the 2yr ARI. As such, insufficient evidence has been provided to demonstrate that the 2yr ARI storm event can be considered as the representative benchmark for assessing potential effects on stream erosion. The proposed hydrology mitigation strategy to manage potential effects from impervious surface runoff on stream erosion remains unclear. 3.3 Geomorphic Assessment has not been provided. See comments beneath 3.1 3.4 Geomorphic Assessment has not been provided. See comments beneath 3.1
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other areas, a 10m riparian margin is required as a minimum which should be adjusted based on site specific parameters like soil and slope. From a geomorphic point of view, retaining the appropriate width for the length of the stream is critical (see below, '<i>Why is this information Essential?</i>'). 3.2. Further information is required on the proposed management of stormwater runoff from impervious surfaces during low intensity rainfall events and the associated potential effects on stream erosion. 3.3. A Geomorphic Risk Assessment is required to: a. Evaluate the Current State of the Network: Assess the present condition and sensitivity of the present stream networks, including its response to flow modifications and increased impervious surfaces, as well as assess the strength and resistance parameters of the soils to be used for the constructed networks. b. Identify Development Impacts and Mitigation Strategies: Determine whether the proposed development will affect the health and stability of the stream network over the design life of the development and provide a detailed mitigation plan to address any adverse impacts. c. Assess Natural Hazards and Public Safety Risks: Evaluate whether the stream network's sensitivity poses risks to the development or public safety. Develop strategies to mitigate these		there is no effect, why should more reporting be requested? Applicant Ecologist Response: Refer to Section 5.4.3.1 of the EclA and landscape/management plan	
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risks, with a preference towards nature-based solutions and green infrastructure. 3.4. Proposed strategies should: a. Specify the type and scale of instream and stream margin work required to manage ecological and geomorphological impacts and ensure resilience to future flow changes. b. Ensure that instream and stream margin work improve degraded channels over time or maintains high-value stream conditions where they exist. c. Prioritise nature-based solutions and green infrastructure that are resilient and adaptable to climate and flow changes, rather than relying on permanent hard engineering solutions. <u>Why is this Information Essential?</u> <i>Explain why the absence of this information significantly limits your ability to assess the project or its effects.</i> The missing information is required to gain an understanding of effects from the proposed development. Scour, erosion and movement of waterways are a common occurrence which can damage infrastructure, buildings, and land. The missing information is critical for understanding the scale, function, and form of infrastructure, including streams. The stability of the proposed network over the design life of the development needs to be			
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determined, considering increased impervious areas, efficient flow delivery, the effects of climate change and constrained flood energies. The proposed increase in impervious surfaces increases the stormwater flows and volumes from the site. Retention via non-potable and potable rainwater reuse of the 95th percentile event is proposed for all roof areas within the Countryside Living Stages 1-14 and the Retirement Village. However, no information has been provided on how the runoff from the remaining proposed impervious surfaces will be managed in order to ensure the proposed development does not result in an increase in volumes and flows to the receiving stream environment during frequent low intensity rainfall events and consequently increase the risk of stream erosion. In this context, it is unclear how the proposed revegetation has been incorporated into the assessment as no supporting information or calculations have been provided. Without this information, it is impossible to undertake a complete assessment of the application. This information cannot reasonably be deferred to implementation, or addressed through conditions, and the information is not considered a minor uncertainty. This assessment is essential due to: a. Environment: allowing the stream to perform critical hydrologic functions; b. Health and safety: reducing risk of flooding and geotechnical failure in habitable areas; and c. Economy: increasing asset lifespan,			
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reducing need for ongoing maintenance or replacement, and avoiding buy out of private properties following erosion and scour of land due to geomorphological processes.			
4. WATER QUALITY <u>Description of Missing Information</u> <i>Clearly describe the specific information or assessment that is missing from the application.</i> 4.1. Further information is required that demonstrates the proposed stormwater management approach will maintain or enhance the quality of stormwater runoff within the receiving environment and is the Best Practicable Option (BPO). For example, an evaluation of the various stormwater management devices and strategies. 4.2. It is noted that stormwater treatment is not proposed for private driveways and hardstand areas with the justification that the development is not subject to Healthy Waters Region Wide Network Discharge Consent, and as the private roads will be low volume (less than 5000 vehicle movements per day. Please clarify total impervious area proposed per lot as well as shared driveways and JOALS. 4.3. In the drawing 'Retirement Village Stormwater Dry Pond Plan' (Appendix AA.4), it shows a proposed 3.0m wide		4 WATER QUALITY 4.1 We are not in the Region Wide NDC, so we are we needing to argue a BPO. We are bound by the AUP, which we have demonstrated full compliance with. In fact, we are providing treatment via means detailed within the reporting which is above what is expressly required. We have also justified the approach taken and the nature of the devices within the Maven SMP. As the assets (aside from Forestry Road which will not have treatment as per AT comments) are being held in private ownership, ongoing costs to Council are not a matter for consideration which normally forms the BPO. 4.2 We have assumptions for the lots, which has a maximum impervious of 1000m² modelled. 250m² assumed to be roof (and thus 95th percentile attenuated (35mm abstraction) the remaining impervious is assumed to be uncontrolled. The actual impervious make up will be subject to future design and is likely to be much less than what is listed. A consent notice is assumed that will limit impervious to 1000m² per lot, unless mitigation is provided for increased impervious as to ensure there are no effects caused from more than 1000m² of impervious being provided in a lot(s).	4.1 Demonstrating that a BPO approach has been adopted is guided by Auckland Unitary Plan (AUP) Chapter E1 under Policy E1.3(14). The documents provided have not demonstrated that a BPO has been implemented to avoid, minimise or mitigate the risk of adverse effects on the water quality of receiving environment. 4.2 As above, the documents provided do not demonstrate that the uncontrolled/non-mitigated discharges from impervious surfaces are the BPO in this context. 4.3 Addressed. To be managed by conditions.

dry pond maintenance track (up to 20% grade). However, GD01 states that vehicle access should be 3.5m wide and no steeper than 1V:8H, with no sharp bends. <u>Why is this Information Essential?</u> <i>Explain why the absence of this information significantly limits your ability to assess the project or its effects.</i> No information has been provided on the water quality treatment requirements for hardstand surfaces within future individual Countryside Living lots. No water quality is proposed within the Retirement Village for access ways servicing less than 10 units. Swales have been proposed for Countryside Living JOALs, however preliminary analysis of the JOAL longitudinal grades within the Stages 8-14 indicates that 50% of these exceed the 8% longitudinal grade which is the upper limit to provide water quality treatment within a swale. Overall, the proposed development will potentially generate over an estimated 20 hectares of untreated impervious surfaces which will increase the risk of adverse effects on the water quality of receiving environment. Within Section 7.3.2 of the SMP the Applicant's Engineer has asserted that as the site is not bound by Healthy Water Region Wide Network Discharge Consent, and as the private roads will be low volume (less than 5000 vehicle movements per day), that water quality treatment is not required. This is in reference to the high contaminant generating area provisions under E9 of the AUP, which are a specific, targeted overlay for land uses that are regarded		4.3 Maven has reviewed this and has confirmed that a compliant access track can be provided. Updated drawings can be provided as part of the formal RFI.	
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as being high contaminant generating. However, the provisions of E8 together with the overarching objectives and policies outlined through E1 set a broader framework for water quality, with expectations beyond just the high contaminant generating land uses. This framework includes directive policies E1.3(2)(a) <i>(to maintain or enhance water quality, flows, stream channels and their margins and other freshwater values...)</i> and E1.3(8)(b)/(e) <i>(minimising the generation and discharge of contaminants... and providing for the management of gross stormwater pollutants...)</i>. It is recommended that a Best Practicable Option (BPO) assessment is undertaken to evaluate the potential stormwater management solutions that will ensure the stormwater runoff from the proposed development will maintain or enhance the water quality of the receiving environment.			
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APPENDIX B: PROPOSED CONDITIONS COMMENTS REGISTER

#	PROPOSED CONDITIONS	HEALTHY WATERS COMMENT: 02.09.2025																								
Specific conditions – stormwater permit DIS[Number to be generated]																										
83	<u>Stormwater management works</u> The following stormwater management works shall be constructed for the following catchment areas and design requirements, and shall be completed prior to discharges from the associated new impervious areas commencing from the site: Retirement Village <table border="1"> <thead> <tr> <th>Works to be undertaken</th><th>Catchment area</th><th>Design requirements(s)</th></tr> </thead> <tbody> <tr> <td>Rain gardens and/or proprietary devices</td><td>JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.</td><td></td></tr> <tr> <td>Clean water (roof) network</td><td></td><td>Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse)</td></tr> <tr> <td>Native revegetation and stream planting</td><td></td><td>Extent as shown on the LIMP and protection via covenants.</td></tr> <tr> <td>Outfalls</td><td>Catchment area as relevant per stage.</td><td>Erosion protection to minimise bed scour and erosion</td></tr> </tbody> </table>	Works to be undertaken	Catchment area	Design requirements(s)	Rain gardens and/or proprietary devices	JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.		Clean water (roof) network		Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse)	Native revegetation and stream planting		Extent as shown on the LIMP and protection via covenants.	Outfalls	Catchment area as relevant per stage.	Erosion protection to minimise bed scour and erosion	Suggested amendments to condition: <u>Stormwater management works</u> The following stormwater management works shall be constructed for the following catchment areas and design requirements, and shall be completed prior to discharges from the associated new impervious areas commencing from the site: Retirement Village <table border="1"> <thead> <tr> <th>Works to be undertaken</th><th>Catchment area</th><th>Design requirements(s)</th></tr> </thead> <tbody> <tr> <td>Rain gardens and/or proprietary devices</td><td>JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.</td><td><u>Designed in accordance with GD01 or Installed in accordance with manufactures specifications</u></td></tr> <tr> <td>Clean water (roof) network</td><td><u>All roof areas</u></td><td>Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse) - <u>Detention of runoff from 95th percentile 24-hour storm event with release over 24 hours</u></td></tr> </tbody> </table>	Works to be undertaken	Catchment area	Design requirements(s)	Rain gardens and/or proprietary devices	JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.	<u>Designed in accordance with GD01 or Installed in accordance with manufactures specifications</u>	Clean water (roof) network	<u>All roof areas</u>	Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse) - <u>Detention of runoff from 95th percentile 24-hour storm event with release over 24 hours</u>
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		In accordance with Auckland Council Technical Report 2013/018.		- <u>Retention of minimum 5mm of rainfall via domestic reuse</u>
	Countryside Living		Native revegetation and stream planting	Extent as shown on the LIMP and protection via covenants.
			Outfalls	Catchment area as relevant per stage. Erosion protection to minimise bed scour and erosion in accordance with Auckland Council Technical Report 2013/018.
	Works to be undertaken	Catchment area	Design requirements(s)	
	Swales	All JOALS	Treatment within the via grass swales (where possible)	
	JOAL Drainage	All JOALS	Designed for a 10-yr rain event.	
	Native revegetation and stream planting		Extent as shown on the LIMP and protection via covenants.	
	On lot Rain tanks	Individual roof areas	As per Guidelines specifications Retention and reuse of 95th percentile rain fall event via on-lot storage tanks providing supply for potable and non-potable water supply for future buildings.	
	SW overflow device either via a level spreader and/or lot connection.	All lots.	Design guideline or standard detail?	
	Outfalls	Catchment area as relevant per stage.	Erosion protection to minimise bed scour and erosion In accordance with Auckland Council Technical Report 2013/018.	
	Countryside Living		Works to be undertaken	Catchment area
			Swales	All JOALS
			JOAL Drainage	All JOALS
			Native revegetation and stream planting	
			On lot Rain tanks	Individual roof areas
			As per Guidelines specifications Retention and reuse of 95th percentile rain fall event via on-lot storage tanks providing supply for potable and non-potable water supply for future buildings. - <u>Detention of runoff from 95th percentile 24-hour storm event with release over 24 hours</u> - <u>Retention of minimum 5mm of rainfall via domestic reuse</u>	

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83A		Suggest that subclause of Condition 83 is included as its own condition. <u>Detailed designs for stormwater mitigation for the site impervious areas including any relevant drawings, plans and calculations shall be submitted to and approved by the Council at the time of application for Engineering Plan Approval and/or Building Consents.</u>																														

#	PROPOSED CONDITIONS	HEALTHY WATERS COMMENT: 02.09.2025
Specific conditions – Subdivision Consent SUB [to be generated]		
171	Legal Entity Evidence that a Residents' Society (or similar legal entity) has been created must be provided to Council. All lot owners will be required to become members of this entity in perpetuity. The legal entity must be responsible for and include rules on the following: a) Commonly owned assets such as JOALs, walking tracks, community facilities, entrance gates and lighting; b) Management of all revegetated areas and the process for establishing any new vegetation other than those species identified within the Landscape Management Plan ('LIMP'); c) Measures to ensure the ongoing maintenance and protection of the proposed revegetation including weed and pest management; and d) The rules to determine and collect an annual levy providing for the operation, maintenance and replacement of these assets and areas of vegetation.	Suggested amendments to condition: Evidence that a Residents' Society (or similar legal entity) has been created must be provided to Council. All lot owners will be required to become members of this entity in perpetuity. The legal entity must be responsible for and include rules on the following: a) Commonly owned assets <u>including</u> JOALs, <u>stormwater management devices, culverts</u>, walking tracks, community facilities, entrance gates and lighting; b) <u>Measures to ensure the ongoing operation and maintenance of stormwater management devices and culverts;</u> c) Management of all revegetated areas and the process for establishing any new vegetation other than those species identified within the Landscape Management Plan ('LIMP'); d) Measures to ensure the ongoing maintenance and protection of the proposed revegetation including weed and pest management; and e) The rules to determine and collect an annual levy providing for the operation, maintenance and replacement of these assets and areas of vegetation. <u>Advice Note: Flood attenuation Culvert 1-1 is considered a high-risk asset and the corresponding rules, including operation and maintenance obligations, must respond to this.</u>
183	Stormwater Swales (JOALS), Individual Spreaders and Outlets Certification s by a suitably qualified and Registered Engineer shall be provided to Council with the section 224(c) application confirming that the swales (as relevant) within the JOAL, individual stormwater spreaders on the residential lots and outlets for the stages have been constructed.	Condition supported, however it is noted that level spreaders on individual residential lots may not be constructed until the time of installation of stormwater tanks.
187	Common ownership of infrastructure / assets Lots 1-208 share commonly owned access lots with infrastructure including swales, landscaping, gates, waste collection points and lighting, which are located within the accessways. To ensure that all Lots remain adequately serviced and accessible, the consent holder must create a common entity (incorporated society, residents' association or similar legal entity) to represent and ensure that future owners of Lots	Suggested amendments to condition: Lots 1-208 share commonly owned access lots with infrastructure including swales, <u>culverts</u>, landscaping, gates, waste collection points and lighting, which are located within the accessways. To ensure that all Lots remain adequately serviced and accessible, the consent holder must create a common entity (incorporated society, residents' association or similar legal entity) to represent and ensure that future owners of Lots are jointly

#	PROPOSED CONDITIONS	HEALTHY WATERS COMMENT: 02.09.2025
	are jointly responsible and liable for the ongoing operation, maintenance and repair of the referenced infrastructure.	responsible and liable for the ongoing operation, maintenance and repair of the referenced infrastructure.
188	A copy of the document(s) describing the functions, powers, duties and liabilities of the common entity must be provided to the Council for certification. The document(s) must evidence that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for. In particular, - All lot owners will be required to join the legal entity and cannot opt out. - All owners will be required to pay an annual levy to fund the work of the legal entity. - The levies cover the maintenance/replacement of commonly owned assets such as the communal facilities, walking tracks, JOALs, entrance gates, lighting etc. - It is intended that Te Kawerau ā Maki would be actively involved in the maintenance contracts and management of the revegetated areas of the site. Kaitiakitanga is a concept fundamental to the iwi view of resource management. The sustainable management of the environment will be promoted in accordance with Te Kawerau ā Maki tikanga, and the role of kaitiaki will continue in perpetuity.	Suggested amendments to condition: A copy of the document(s) describing the functions, powers, duties and liabilities of the common entity must be provided to the Council for certification. The document(s) must evidence that the ongoing operation, maintenance and repair obligations of this condition will be adequately provided for. In particular, - All lot owners will be required to join the legal entity and cannot opt out. - All owners will be required to pay an annual levy to fund the work of the legal entity. - The levies cover the maintenance/replacement of commonly owned assets such as the communal facilities, walking tracks, JOALs, <u>stormwater management devices, culverts</u>, entrance gates, lighting etc. - It is intended that Te Kawerau ā Maki would be actively involved in the maintenance contracts and management of the revegetated areas of the site. Kaitiakitanga is a concept fundamental to the iwi view of resource management. The sustainable management of the environment will be promoted in accordance with Te Kawerau ā Maki tikanga, and the role of kaitiaki will continue in perpetuity. <u>Advice Note: Flood attenuation Culvert 1-1 is considered a high-risk asset and the corresponding rules, including operation and maintenance obligations, must respond to this.</u>
189	Further, to ensure that future owners maintain membership of the common entity, the following must be registered as a consent notice on the record(s) of title to be issued for Lots 1-208: "Lots 1-208 are served or serviced by a number of common property assets, which for so long as they are a registered proprietor of that Lot, the owners of Lots 1-208 must be members of the established common entity that is jointly responsible and liable for the ongoing operation, maintenance and repair of the shared common assets located within the common areas including Lot 57 (Community Hub)."	Condition supported.
190	Consent Notices The consent holder shall cause to be registered against the Certificate of Titles for all lots a Consent Notice pursuant to Section 221 of the Resource Management Act 1991, recording the following condition to be complied with on a continuing basis:	Suggested amendments to condition: Consent Notices

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All lots			C, E, F, G																															

#	PROPOSED CONDITIONS	HEALTHY WATERS COMMENT: 02.09.2025
	NZFS Fire Fighting Water Supplies CoP SNZ 4509:2008If an alternative fire-fighting water supply is to be provided, written approval of that system from Fire and Emergency New Zealand must be provided with the building consent application. The fire-fighting water supply provided must be maintained and retained as long as a habitable building is located within the site.	operate the facilities on the common areas in accordance with all relevant resource and other consents and all statutory. F. At the time a building consent application is submitted for the dwellings it must be demonstrated that fire-fighting water supply will be provided in accordance with NZFS Fire Fighting Water Supplies CoP SNZ 4509:2008If an alternative fire-fighting water supply is to be provided, written approval of that system from Fire and Emergency New Zealand must be provided with the building consent application. The fire-fighting water supply provided must be maintained and retained as long as a habitable building is located within the site. G. <u>At the time a building consent application is submitted for the dwellings it must be demonstrated that stormwater management tanks will be provided that achieve hydrology mitigation:</u> • <u>Detention of runoff from 95th percentile 24-hour storm event with release over 24 hours; and</u> • <u>Retention of 5mm of rainfall via domestic reuse</u> <u>The hydrology mitigation provided must be maintained as long as the habitable dwelling is located within the site.</u>

APPENDIX C: ADDITIONAL RECOMMENDED CONDITIONS REGISTER

#	ADDITIONALLY RECOMMENDED CONDITIONS	HEALTHY WATERS COMMENT
Specific conditions – stormwater permit DIS[Number to be generated]		
1	Flood Risk and Nuisance The consent holder must ensure that the development does not result in any increase in flood risk or flood nuisance to upstream or downstream properties, measured against the existing rainfall and land use conditions for the 50% AEP, 20% AEP, 10% AEP, 2% AEP and 1% AEP storm events , considering both existing rainfall and future rainfall as affected by climate change.	This condition will ensure that the development does not exacerbate the existing downstream significant flood hazards, and protect both public and private assets downstream from adverse effects during a range of storm events.
2	Flood Management Structures Prior to the commencement of physical works within Lot 1 and Lot 2, updated engineering drawings and design details for Culvert 1-1 (Lot 1), Culvert 7 (Lot 2), and the Retirement Village attenuation basin (Lot 2) shall be submitted to the Team Leader, Resource Consents, for certification. The drawings shall demonstrate that the devices are designed to achieve the following objectives: a) Provide peak flow attenuation for the 50% AEP, 20% AEP, 10% AEP, 2% AEP, and 1% AEP storm events, consistent with the Stormwater Management Plan prepared in support of the application; b) Ensure post-development flows do not exceed pre-development flows at the downstream receiving environment for the design storm events; c) Maintain conveyance capacity to prevent adverse flooding effects on upstream or downstream properties; and d) Provide safe conveyance of flows in the event of culvert blockages e) Incorporate safe maintenance access, erosion protection, and energy dissipation measures consistent with GD01.	The Applicant's Agents have agreed to the imposition of conditions regarding the flood management structures. See Item 2 of Appendix A .
3	Culvert 1-1, Culvert 7, and the Retirement Village attenuation basin shall be constructed in accordance with the certified drawings and be operational prior to the further development of any impervious areas within the Countryside Living development (Lot 1) or the Retirement Village (Lot 2), whichever occurs first.	The Applicant's Agents have agreed to the imposition of conditions regarding the flood management structures. See Item 2 of Appendix A .
4	Operation and Maintenance – Flood Management Structures Prior to the occupation of any dwellings within Lot 1 or Lot 2, the Consent Holder shall submit for certification by the Team Leader, Resource Consents, an Operation and Maintenance Plan that includes operation and maintenance details for Culvert 1-1,	The Applicant's Agents have agreed to the imposition of conditions regarding the flood management structures. See Item 2 of Appendix A .

#	ADDITIONALLY RECOMMENDED CONDITIONS	HEALTHY WATERS COMMENT
	Culvert 7, and the Retirement Village attenuation basin. The OMP shall include but not be limited to: a) Inspection and maintenance procedures and frequencies; b) Responsibilities for operation, inspection, and maintenance; c) Procedures for repair and renewal of assets; and d) Record-keeping requirements for inspections and maintenance undertaken. The assets shall be operated and maintained in accordance with the certified OMP for the lifetime of the development.	
5	Retirement Village – Pond Access Prior to the commencement of construction of the stormwater attenuation basin, updated engineering drawings shall be submitted to the Team Leader, Resource Consents, for certification. The drawings shall demonstrate that the attenuation basin has been designed in accordance with GD01, including but not limited to: a) A minimum formed maintenance vehicle access width of 3.5 metres; b) A maximum maintenance vehicle access grade of 1V:8H (12.5%); and c) Alignment of the maintenance vehicle access with no sharp bends that would restrict movement. The attenuation basin shall be constructed in accordance with the certified drawings, and the access track shall be maintained in good condition for the lifetime of the pond.	The Applicant's Agents have agreed to a condition of consent in relation to final details of the maintenance access of the attenuation basin within the Retirement Village. See item 4.3 of Appendix A of this memo.
Specific conditions – Subdivision Consent SUB [to be generated]		
6	Ongoing Responsibility - Flood Management Structures Prior to the issue of a section 224(c) certificate under the RMA for Lot 1 or Lot 2, the Consent Holder shall provide the Council with evidence of legal mechanisms that secure: a) Ongoing access for inspection, operation, maintenance, and renewal of Culvert 1-1, Culvert 7, and the Retirement Village attenuation basin in perpetuity; b) Joint responsibility (where applicable) between landowners for costs associated with operation, maintenance, and renewal; and c) Continuity of these responsibilities upon sale or transfer of any part of the land. The approved legal mechanism(s) shall be registered on the titles of the relevant lots and shall run with the land.	The Applicant's Agents have agreed to the imposition of conditions regarding the flood management structures. See Item 2 of Appendix A.

Watercare – Helen Shaw (Annexure 3)

16 September 2025

Steph Bougen
Application Lead, Fast-track Team
Fast-track/ Environmental Protection Authority



Dear Steph,

Rangitootuni Fast-track Application
Lot 1 DP 590677 and Lot 2 DP 590677, Riverhead

Introduction

1. Watercare Services Limited (**Watercare**) welcomes the opportunity to provide comments on the Rangitootuni Fast-track Application (**Application**), made under the Fast-track Approvals Act 2024 (**Act**).
2. Rangitootuni Developments Limited Partnership (**Applicant**) proposes to undertake a countryside living subdivision with 208 vacant residential allotments, and develop a retirement village with 296 units (**Rangitootuni Project**) at Lot 1 DP 590677 and Lot 2 DP 590677 Riverhead (**Project Area**). The Rangitootuni Project is a listed project in Schedule 2 of the Act.
3. The zoning of the Project Area is Rural – Countryside Living Zone and Rural – Rural Production Zone under the Auckland Unitary Plan – Operative in Part (**AUP-OP**). The 210 residential lots are proposed to be developed with an average lot size of 1 ha. The retirement village development will incorporate a variety of housing typologies and services to accommodate a range of needs. On-site private wastewater infrastructure is proposed, and potable water will be supplied via on-site private rainwater tanks (supplemented by bore water in the case of the retirement village). Both the residential subdivision and the retirement village will be undertaken in stages with completion anticipated to take 8 to 10 years.
4. Watercare's comments in this letter are based on the Application as at today's date, in particular the following lodged Application documents:
 - Rangitootuni Application under the Fast-track Approvals Act 2024, dated 5th May 2025 (**AEE**).
 - Appendix BB Retirement Village Water Servicing Strategy dated 1st April 2025.
 - Appendix J Civil Infrastructure Report dated 30th April 2025.
 - Specialist comments tracker with applicant's response.
5. Any amendment to the Application will require further review from Watercare.

Watercare's comments

6. As noted, the Project Area is zoned Rural – Countryside Living Zone and Rural – Rural Production Zone under the AUP-OP and sits outside the rural urban boundary.

7. In line with Watercare’s statutory obligations, which include requirements to support growth areas identified by Auckland Council, Watercare does not provide water supply and wastewater servicing to rural zoned land, such as the Project Area:
 - a. Servicing rural zoned land is unanticipated by Watercare and in accordance with Auckland Council’s Plans and Strategies, has not been provided for in Watercare’s Business Plan, Asset Management Plan, or Funding Plan.
 - b. This means that planned upgrades and projects in the network and associated treatment infrastructure do not provide capacity for servicing rural land, and therefore the provision of connections to rural land would significantly impact the available capacity for the anticipated growth of live zoned areas and Future Urban Zone areas.
 - c. This position is consistent with Watercare’s statutory obligations to act consistently with any plan or strategy of the Council¹, including but not limited to, the AUP-OP, the Auckland Plan 2050, and the Auckland Future Development Strategy 2023-2053 (**FDS**).
 - d. As stated in Auckland Council’s Southern Rural Strategy 2025 (direction 1(a)), growth should be focused on the existing urbanised extent of settlements and future urban areas and **avoid** growth outside settlements.
8. This position is further outlined in Watercare’s annual Statement of Intent, which responds to Auckland Council’s Letter of Expectation. In alignment with these obligations, Watercare is committed to supporting the Auckland Plan 2050 by working closely with Council and its partners to service identified growth areas; following the FDS for infrastructure planning; coordinating infrastructure projects with other utility providers; ensuring full recovery of growth-related costs; and complying with expectations set for Council-controlled organisations.
9. Watercare records that sections 4.3.7.1 and 4.3.7.3 of the AEE acknowledge, respectively, that Watercare has no long term plan to provide reticulated wastewater or water servicing to the Project Area.
10. Any comments on the proposed private water supply and/or wastewater servicing for the Rangitōopuni Project will be made by Auckland Council. Additionally, any private water supply and/or wastewater servicing would be subject to regulation by Taumata Arowai as the Water Services Regulator.

Working in partnership

11. Watercare acknowledges the Project Area’s significance as Treaty Settlement Land and re-confirms that we are happy to hui with Te Kawerau ā Maki to explain our position and hear any concerns.

¹ Local Government (Auckland Council) Act 2009, section 58.

12. The kawenata between Watercare and Te Kawerau ā Maki dated 18th August 2022 does not create an express obligation for Watercare to provide services to developments of this nature. However, the kawenata affirms a commitment to work in good faith and uphold the spirit of partnership.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Helen Shaw'.

Helen Shaw
Head of Strategy and Consenting

Development Engineering – Ray Smith (**Annexure 4**)

Draft Technical Specialist Memo – Development Engineering

To: Emma Chandler – Lead Planner & Joe Wilson - PPL

From: Ray Smith – Auckland Council Development Engineer.

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: New Zealand Certificate in Engineering and a Bachelor of Engineering (Civil) from Auckland University.

I have approximately 40 years' experience in the private and public sectors in Civil Engineering with approximately the last 15 years being within local government dealing with Resource and Building Consent application processing and infrastructure construction.

I am a Chartered Professional member of Engineering New Zealand where my Practice areas are Civil and Structural Engineering. I have completed the Ministry for the Environment Making Good Decisions Program.

I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designations and fast-track applications, and have appeared as an expert witness before consent authorities and the Environment Court on various occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 12 September, 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Rangitooopuni Project.

Fast-Track application number:

FTAA-2504-1055 (Council Reference BUN60449727)

Site address:

Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary / Principal Issues

My review relates to Development Engineering aspects involving District Plan Earthworks infringements and proposed methods for addressing potential natural hazards. I note in this instance that a full geotechnical review of the submitted geotechnical report has not been completed by Councils specialists. Although the application is predominantly a private development and little infrastructure is intended to vest in Council and the proposed stabilisation measures appear to be appropriate, Council's current Code of Practice in Section 2.2.8 indicates for applications such as this, that a peer review process is recommended. Apart from further building consent approvals needed for many proposed stabilisation measures and the expected verification of earthworks designs during construction, it is recommended that a peer review process is followed for the proposed stabilization measures design, and within the geotechnical completion process.

My assessment has also included an overview of proposed infrastructure, servicing designs, their resilience and mitigation methods, however I note that stormwater, wastewater and water supply aspects are otherwise also being reviewed and are reported on elsewhere in detail by Councils specialists.

Similarly, overland flow paths/flooding and internal traffic aspects are being reviewed by Healthy Waters and Councils nominated specialist Traffic Engineer respectively, whom have also responded separately.

3.0 Documents Reviewed

- Appendix A.
- Appendix AA and AA.1 – AA.7.
- Appendix BB.
- Appendix CC.
- Appendix EE.
- Appendix H and H1 – H23.

- Appendix J.
- Appendix K.
- Appendix N and N.1
- Appendix P and P1.
- Appendix V and V1 – V6.
- Appendix W and W1 – W18.
- Appendix Y.
- Appendix Z, Z1 and Z3.
- Rangitootuni - AEE.

4.0 Additional Reasons for Consent Not Included In AEE

It is understood that no further Consents are anticipated to be required in respect to my areas of interest beyond those set out in the Planning Report.

5.0 Specialist Assessment – Previous Memo/ Comments overview

Summary of Preliminary issues/Clarifications identified and Engineering Views on 18th June.

1. *Water Supply – For the Retirement Village servicing needs, the application is on the basis that a water bore is required to supplement the water supply able to be sourced from roof collection. The application does not appear to provide any further information in support of the bore method and so should therefore include further details and assessment to confirm this method of water supply is possible and would be likely to be approved as part of the application.*
2. *Firefighting – For the Retirement Village and in particular for the Care facility, the application includes water storage options for where sprinklers and additional reservoirs may be required, and that liaison is occurring with Fire and Emergency New Zealand. The chosen approved option should be shown on the plans and included as part of the application.*
3. *Power and Phone Provision – The application indicates ongoing liaison is occurring with Chorus and Vector and written confirmation should be provided that these services can be made available to the proposed development.*
4. *Infringements to AUP requirements – While the application includes assessment against policies and objectives contained within the unitary plan, the matters for discretion and assessment criteria listed should be provided where infringements occur.*

Since that time a response addressing all of these items has helpfully been received from the applicant and I have undertaken a site visit on Monday the 11th of August, along with several other Auckland Council specialists and planning staff.

The applicant has indicated within Councils tracker that all of the matters above have or are being addressed as follows. My comments on these are shown below in red.

1. *An application for a water bore and groundwater abstraction was granted to the applicant on 6 August 2025. The consent (LUC60449108) allows for the abstraction of up to 200m³ of groundwater per day within an overall annual quantity of 29,000m³.*

I understand that the consent allows for the construction of a test bore but not the actual water take consent needed for the required abstraction which needs to be confirmed through this process.

2. *Fire engineer / DGSE have confirmed that the care buildings and other communal facilities will be sprinklered. As such, we just need to provide 45m³ of water storage within 90m of the buildings, which are indicated on the relevant C600 drawing set for 174016. We are expecting FENZ approval shortly.*

While I expect this is generally correct, I would always recommend that Fire and Emergency New Zealand approval is provided with a resource consent application, particularly for the care facility, which FENZ may consider to be a special or isolated hazard in terms of firefighting needs. It is also noted that FENZ approval will otherwise be expected to be required through the building consent process.

3. *Confirmation of supply for underlying subdivision has been received from both Chorus and Vector. We are currently obtaining designs for Chorus and Vector supply for Stages 1-3 of the subdivision. We don't believe anything beyond this is required, given the presence of existing power and chorus networks. We also note that we can go wireless for the CSL development if this is desired.*

I expect that this is also correct, however given the size of the development, I would recommend, if possible, that written confirmation is provided.

4. *Maven has done hazard risk assessment under E36. We are also confident that compliance is achieved with vehicle access flood depths, floor levels etc. All buildings are elevated from areas of flooding, and all roadways (both JOALs and Forestry Road) comply with the AT TDM and AUP for flood depths, so we do not believe any further assessment is needed.*

After undertaking the site visit, I am confident that stable flood free building sites are likely to be made available and that the proposed stabilization measures are expected to be appropriate to support the proposal.

I note also that Healthy Waters are assessing flood/overland flow path matters and effects as part of their assessment and I have deferred to their requests for further information on those items.

For **E26 infrastructure** and servicing matters within the Auckland Unitary Plan, it is noted that the application is on the basis that stormwater, water supply and wastewater requirements are intended to be collected, taken or discharged from within the site

boundaries and that no dependency on Watercare for water supply or wastewater discharge is proposed.

- Increased **Stormwater** runoff from the proposed impermeable surfaces is intended to be offset by roof water collection and reuse and the introduction of vegetation planting. These methods in principle are an accepted method of stormwater control for rural or large lot development and have been included within Councils “Toolbox of Methods” since around the year 2000. The offset planting in particular provides a method for addressing increased flows, timing and volume of runoff through a range of return period events. It is also acknowledged, however, that matters such as effects on water quality and downstream capacity/flooding effects of this potential cumulative discharge into watercourses need to be carefully considered. I note Healthy Waters and the Council Stormwater specialist have otherwise raised several matters in relation to stormwater discharges and outstanding information, which have been reported on and requested separately.
- **Wastewater** is similarly reported on separately although it is noted that subject to conditions and appropriate design and construction, each of the proposed sites within all stages of the development are expected to contain sufficient area to be able to dispose of treated effluent within the site from which it originates.
- For **Water Supply including firefighting needs**, it is expected that dwellings constructed on the Countryside living subdivision will be able to capture and store sufficient rainfall from roof areas to adequately service their needs. However, based on rainfall data, the retirement village is unlikely to have large enough roof areas and storage volume available to capture sufficient runoff to serve the needs of the village residents. A bore has therefore been proposed to supplement captured roof runoff. The application, when submitted, contained a desktop assessment in support of bore supply needs and the volume estimated to be required appears to be of the correct order of magnitude for drought conditions without reliance on roof supply. Since then, Council consent has been issued for a test bore. The bore has now been constructed and tested with promising results recently provided. The Council’s Bore specialist has reviewed the application for a Water take and has indicated that the effects on the environment are expected to be less than minor and the test results obtained indicate that flows are expected to be sufficient for the Retirement village. While it is an option to require a water supply management plan to address possible future resilience including during adverse events, water supply by bore use is considered to be a robust accepted option for servicing of large communities. It is also noted that Councils recommended consent condition 16 for the Water Take includes that a Water Use efficiency report will need to be provided in 2029 and one of the matters to be addressed includes a maintenance or contingency plan which when supplied it would be expected to address these matters. Condition 17 for the Water Take also includes a review condition further addressing this matter in the unlikely possibility of a future bore supply issue being encountered.

In terms of **E12 District Plan Earthworks**, it is expected that in the event of the application being recommended for approval, that subject to conditions, site controls and the implementation of stabilization measures, that the proposed earthworks are expected to be able to be carried out to a standard to provide stable building sites and practical access to Council Standards.

I have liaised with Council's Healthy Waters, on site wastewater and bore specialists in completing this review.

6.0 Section 67 Information Gap

At the time of writing this Memo I have identified the following information gaps:

Description of Missing Information

1. The Fire and Emergency New Zealand approval for the Retirement Village (and particularly the care facility) should be provided in support of this proposed application.
2. The Chorus and Vector confirmation that the sites can be serviced should also be provided in support of this application.
1. **Why is this Information Essential?** Firefighting – As per the above, the confirmation of possible reservoir locations and FENZ support would be supportive of the application in that the retirement village, and that particularly the care facility, can proceed and meet AUP and other standards. It is recommended that this be sought prior to a decision being made on the resource consent to ensure the servicing outcomes are appropriate and there won't be any implementation issues with the consent, however I recognise this is a third party matter and as such could also be conditioned.
2. Power and Phone Provision – The confirmation of available power and telecommunications facilities to service the development are fundamental in meeting the provisions of the AUP requirements for subdivision and development. It is recommended that this be sought prior to a decision being made on the resource consent to ensure the servicing outcomes are appropriate and there won't be any implementation issues with the consent, however I recognise this is a third party matter and as such could also be conditioned.

7.0 Recommendation

I am generally supportive of the application in terms of addressing the District Plan Earthworks and infrastructure servicing reviewed as part of this process.

However, apart from the information gaps referred to above, I am also aware that Healthy Waters has requested considerable further information that the Panel may require as part of this process.

I am therefore not presently in a position to completely confirm that these aspects have been adequately dealt with.

8.0 Proposed Conditions

I am generally supportive of the consent conditions which have been submitted with the application, however as indicated above I recommend that in the event of approval that an advice note is included with geotechnical conditions 54 and 56 which refers to Councils Code of Practice section 2 (2.2.8) in that a Peer review process should be followed through stabilisation measures design and the geotechnical completion documents.

In the event of approval, I support that recommended consent conditions completed by Councils Healthy Waters, on site wastewater and bore specialists' reviews are also implemented.

Wastewater – Grant Fleming (**Annexure 5**)

Technical Specialist Memo - Discharge of Contaminants to Land (Treated Wastewater)

To: Emma Chandler – Lead Planner and Joe Wilson - Principal Project Lead

From: Grant Fleming, Consultant, Riley Consultants Ltd

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: **Batchelor of Technology (BioProcEng) degree** and have **24** years of experience in **wastewater design and on-site wastewater discharge**.

I am a member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 09 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Rangitootuni Project

Fast-Track application number: FTAA-2504-1055 (Council Reference BUN60449727)

Site address: Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Documents Reviewed

3.1 Reports

- ‘Rangitootuni Application Under Fast-track Approvals Act 2024’, Prepared by Campbell Brown, 5 May 2025
- ‘Riverhead Forest Subdivision Onsite Wastewater Management Report - Lot 1 Riverhead Forest Riverhead, Rangitootuni’, Reference J6438, prepared by GWE Consultants Ltd, April 2025
- ‘Retirement Village Wastewater Design Report and AEE - Riverhead Forest Riverhead, Auckland’, Reference J6438-1, prepared by GWE Consultants Ltd, April 2025
- ‘Rangitootuni Wastewater Treatment Plant | Draft Odour Management Plan’, Reference J6438-1 [Draft], prepared by GWE Consultants Ltd, August 2025.

3.2 Technical Memorandum

- ‘Rangitootuni Retirement Village Wastewater - Response to S67 Queries, Rangitootuni Developments LP’, prepared by GWE Consultants Ltd, 19 August 2025.

3.3 Plans

- Wastewater and Site Plans (subdivision), prepared by GWE Consultants Ltd, Ref J6438, Drawings 513-545, dated April 2025.
- Wastewater and Site Plans (subdivision), prepared by GWE Consultants Ltd, Ref J6438-1, Drawing 500 Rev 4, dated August 2025.
- Wastewater and Site Plans (subdivision), prepared by GWE Consultants Ltd, Ref J6438-1, Drawings 501 Rev 3, dated April 2025.

3.0 Additional Reasons for Consent Not Included In AEE

None identified

4.0 Specialist Assessment

[DIS60449777] It is proposed to construct a new Integrated Māori Development containing a retirement village of 260 villas and 36 aged care units which will be dependent on the discharge of treated wastewater to land through a single, decentralized wastewater treatment plant.

Additionally, it is proposed to carry out a 208 vacant-lot countryside living subdivision, of which each lot is to be serviced by an on-site wastewater system. Whilst no discharge consent has been specifically sought for this use the proposed plans to address discretion provided in respect to the proposed subdivision and given the features of the site provides details on proposed Wastewater

disposal areas for each of the proposed countryside living lots and further details in relation to the disposal areas, loading rates and occupancy assumptions are provided in the GWE report which forms part of the application documentation. Design of individual wastewater disposal systems is proposed to occur at the time dwellings are established on each lot and will be subject to approval at the Building Consent stage.

5.1 Retirement Village

Te Kawerau a Maki in partnership with Avant Property Development Limited has requested consent to discharge treated wastewater from the proposed retirement village which is a portion of the proposed greater development proposed on the subject site.

Consent for this activity is required under the Auckland Unitary Plan section E5. Specifically, the proposed activity is assessed as a Discretionary Activity (in accordance with table E5.4.1 (A6)) as the total flows are in excess of 6m³/day. The peak discharge flows are anticipated to be in the order of 172m³/day when the village is completed.

The applicant has provided a comprehensive design assessment for the proposed wastewater system to service this development. This review assesses the expected wastewater flows generated from the completed retirement village, the proposed advanced secondary treatment plant, its associated discharge system and the expected effects from the discharge. Additionally, staging of the plant, management and monitoring recommendations are presented.

Discharge Flows

The applicant has designed the wastewater system based on the maximum expected flows for the site including appropriate allowances for residents, staff and other site usage (functions in the amenity building). It is not anticipated that the site will host external events, but rather additional activities for residents.

The proposed per capita flow allowance recommended for the residents (being 180 litres/person/day) is considered below that typically recommended (being 220 litres/person/day). However, the applicant has recommended this based on their knowledge of this industry and the conservative approach taken (including an allowance for infiltration) and therefore this is considered acceptable. Additionally, the actual flows will be monitored (through recommended conditions) as the site is constructed and occupied and an infiltration review/investigation plan will be in place providing for the detection and investigation of anomalous flows.

The site is to include water supply from the on-site bore as part of the potable water servicing of the village. The applicant has indicated that whilst there is likely to be treatment of this bore water, it will be limited to processes which do not produce a waste stream which could potentially discharge to the on-site system. Therefore, this process does not need to be considered as part of the on-site wastewater treatment.

Treatment Plant Design

Based on the anticipated volume of wastewater being generated and its expected constituents, the applicant has recommended an advanced secondary treatment plant based on a recirculating textile, packed bed reactor. The treatment chain includes a modern, gravity network prior to discharge into the anoxic treatment plant stage. Following this the effluent will pass through the recirculating reactors prior to collection in the final irrigation tanks at the end of this process.

This system has been sized to treat the wastewater to the design quality level prior to discharge as specified within the application material. To ensure adequate performance, conditions have been recommended that require frequent effluent quality monitoring.

Due to the proximity to the site sewer outlet and the retirement units, there is the potential for odour issues to have an effect. To address this the applicant has prepared a draft odour management plan which will be finalized, certified and put in place to mitigate against any potential localised effects from the treatment plant. Additional conditions of consent are recommended to ensure this is implemented in general accordance with the draft plan provided.

Irrigation System Design

5.1 Retirement Village

The proposed discharge area for this site is the site slopes to the immediate north of the village. This land area covers two ridgelines and has historically been used as a pine plantation and the soil is generally considered poor quality (minimal topsoil, acidified soils and minimal vegetation) due to this historic activity. The applicant has categorized the soils as Category 5/6 with low soakage potential. Currently, the site is planted with juvenile pine trees, scrub and weeds and, between and below each of the proposed areas are surface water features (minor watercourses). A minimum separation of 17.7m to all down or across slope surface waters has been provided which is greater than the minimum of 15m based on the soils and treatment level. Stream monitoring has also been recommended to ensure the stream is not adversely affected by the proposed discharge.

The discharge fields are located upslope of the sites water supply bore. However, due to the construction (appropriately cased), the depth of the bore and the separation provided there are no expected effects from this discharge on the aquifer or this water supply bore.

The proposed discharge system is to consist of 18 equally sized zones (over 3 sectors) each of approximately equal size and, through controls and equipment, be evenly loaded. The total discharge area is approximately 5.8ha and loaded a peak rate of 3mm/day.

As required by standard design, the applicant has provided an additional 2.85 ha reserve area (equating to 50% of the primary area) has been designated to the west and south of the main retirement village development. This reserve is to be used should there be any issues with the primary area during the life of the consent.

The designated reserve is located on terrain very similar to the primary area and, as such, has similar constraints (slopes, separation to watercourses, historic land activity) which will need to be considered before this area is used.

The applicant considers that the discharge and reserve areas are suitable for receiving effluent at the rates proposed without saturating the soils or resulting in runoff. To mitigate against the poor soil condition and historical site activities. The mitigations proposed include:

- Baseline and future soils testing to track sites of key soils parameters to inform any future application of soils conditioners (e.g. gypsum).
- Removal of forestry debris and any historic drainage material/tracks,
- Tilling soils to reduce areas of localized compaction.
- Extension planting and vegetation management plan (in accordance with landscape plan prepared for the retirement village/lot 2).

The applicant's approach and recommendations appear to be appropriate for the proposed discharge given appropriate preparation and management of the discharge areas.

5.2 Individual Residential Lots

The proposed development also includes a moderately sized residential subdivision. With regards to wastewater servicing of these lots, it is proposed that each of these lots will be served by an individual, on-site residential scale wastewater treatment plant. This plant will discharge onto the residential lot. The assessment provided indicated that each lot is of significant size such that this discharge can occur, for the most part, as a permitted activity and not require a consent. However, some lots are constrained such that a discharge consent may be required dependent upon the scale of the future dwelling and its position on the lot. In circumstances such as these, the general assessment for on-site wastewater discharge for each of the subdivision lots is to ascertain (based on the generic design presented) if servicing each lot is feasible.

Given the size of the lots, the expected dwelling size and general site topology, the applicant believes servicing each lot is feasible but subject to future assessment at the time of detail design and building consent for each individual lot. This approach is considered acceptable for these lots at this stage of the process. In the event consents are required pursuant to the AUP: OP for specific lots, separate consents would be required and the landowner will need to apply for these.

Additional conditions have been recommended which are seeking to protect the designed discharge areas from bulk site earthworks and geotechnical work. These are recommended to ensure due consideration for these areas as future use for the discharge of treated wastewater and the site works do not adversely affect the soils or receiving environment.

5.0 Section 67 Information Gap

I have identified that there are no section 67 information gaps which have not already been addressed.

6.0 Recommendation

Retirement Village Wastewater Discharge

The applicant has taken a conservative approach to the likely wastewater generated on the site and proposed an appropriate level of treatment. Due to the historical forestry activity there is increased risk of runoff due to the condition of the soils. However, it is proposed to prepare and maintain these areas to minimize this risk.

A number of conditions have been recommended to maintain, monitor and manage the system. Assuming these conditions are appropriately complied with it is my assessment that this discharge will have less than minor effects on the receiving environment.

I recommend the consent for the discharge from the retirement village be granted subject the recommended conditions presented as part of this assessment.

Residential Subdivision

The approach taken by the applicant to confirm the feasibility of serving the future lots is considered appropriate for this stage of the development and, for the most part, it is considered that these lots should be able to be serviced by suitable wastewater treatment system as a permitted activity within the parameters of what is outlined in this application.

A number of conditions have been recommended which seek to protect the future wastewater discharge area to ensure these are appropriately considered during the bulk site works to establish the subdivision.

7.0 Proposed Conditions

Condition Review

Consent Duration		
3	DIS[Number to be generated] (s15 wastewater permit) – Duration (years) 35	
Specific conditions – land use consent LUC[Number to be generated]		
56 [Geotechnical Completion Report]		Conditions regarding suitability of discharge fields following earthworks (see below)
Specific conditions – Wastewater permit DIS[to be generated] (Retirement Village)		
102 (b)(i)	At least 50,000m ² land disposal area with pressure compensated drip irrigation (PCDI) system consisting of a minimum line length of 50,000m, line spacing of 1m, emitter spacing of less than 0.6m and with clearly marked	At least 58,000m ² as specified in the application report.

	<i>flush valves at the end of each line. The PCDI lines shall be securely pinned to the soil surface and covered in mulch or leaf litter.</i>	
102 (b)(ii)	<i>At least 50% reserve land disposal area (25,000m²).</i>	<i>29,000m² being equivalent to 50% of the primary area.</i>
<i>[Recommended] Before 108 (Land disposal area vegetation coverage)</i>		<i>Prior to the installation of a zone of the irrigation system (if staged), the applicant should review the irrigation area to ensure it is free from forestry slash, tree stumps and compacted soils or otherwise remediate the area to achieve the same outcome and ensure the area is suitable for the installation, operation and maintenance of the irrigation system.</i>

Recommended Additional Conditions

Odour Management Plan

Within three months of the discharge commencing, an Odour Management Plan for the on-going monitoring and mitigation against potential odour effects from the wastewater treatment system shall be submitted to the Council for certification. The Odour Management Plan shall include:

- a) Details on monitoring (continuous or discrete) proposed to detect potential odour effects.**
- b) Establishment of a register of odour observations or complaints.**
- c) Maintenance schedule for odour mitigation devices.**
- d) Action plans to address odour issues and complaints.**
- e) Annual review of odour risks, observations, complaints and responses.**

Land Use

Demarcation of Effluent Disposal Fields:

The boundaries of the proposed wastewater disposal areas as indicated in *[Site Plan References]* must be marked out and surrounded by temporary barriers on proposed residential lots *[Lot References, e.g. Lots xxx-yyy]* prior to earthworks commencing. The barrier marked areas must be protected from access by heavy machinery where practicable due bulk site earthworks.

No Heavy Machinery or Earthworks within Future Disposal Areas:

Precautions must be maintained in place during subdivision earthworks to prevent heavy machinery accessing disposal area land and to prevent the stockpiling of soils or machinery in any of the marked wastewater disposal area land, as far as practicable.

In the event of the identification of any cut or filled land within the proposed wastewater disposal areas and/or the proposed disposal area land on any lot is accessed by heavy machinery during earthworks or construction activities which may have resulted in over compaction of the soils, then the soil compaction levels must be assessed and remedial measures undertaken as required to achieve soil compaction comparable to that of control natural non-earthworked soils nearby to the satisfaction of the Council.

Should the areas not achieve the above requirements, the affected areas must be marked on final s224c development plans as areas not suitable for disposal purposes and appropriate consent notices be registered as part of condition [XX - On-site Wastewater provisions] to ensure future owners are aware of the limitations.

Advice Note - Earthworks or access by heavy machinery could adversely affect the longer-term permeability of the soils in the locality and when located on or alongside or downslope of a wastewater disposal area further impede the soils viability for wastewater disposal purposes and for general stormwater drainage.

Wastewater - Subsurface Drainage Specifications:

Subsurface drainage in the vicinity of the primary or reserve disposal areas per lot must comply with the following engineering specifications:

- a) Wherever practicable, all subsurface stormwater pipes installed within the residential lots shall be thrust bored or drilled through natural soil at a minimum depth of 1m below the finished ground surface and without the addition of any aggregate supporting media;
- b) Where subsurface stormwater pipes cannot be thrust or bored, all subsurface stormwater pipes shall include a minimum 1.0m well compacted natural ground above the pipe protection media. All future wastewater discharge fields shall be located either downslope of or a minimum of 10m across from or upslope from any existing trenched drain alignment;
- c) All column drains shall be capped with a minimum of 1m compacted clay below the finished surface. The annulus of the columns drain shall be scarified and the backfilled shall be compacted in layers (maximum 250mm) to ensure any interface separation to natural ground is minimised;
- d) The cap of the column drains shall be permanently marked to allow future identification and allow for setback (1.5m minimum) to the irrigation networks to be provided.

Consent Notices

Earthwork Precautions During Site Development:

During construction works on the site, the landowner must ensure that there is no stockpiling of earthmoving equipment or of construction materials and no access by heavy machinery in any areas that are specified as wastewater disposal area in the *[Site Plan References]* and/or in any other area/s that may be proposed for alternative wastewater disposal area/s.

Permitted Activity Assessment:

The required wastewater system for the lot must be assessed against both the Auckland Unitary Plan (AUP) and the National Environmental Standard: Freshwater (NES:F) to confirm the discharge activity status. If the activity is assessed as not being permitted under these provisions, then appropriate resource consents must be sought by the landowner.

On-site Wastewater System Design Requirements:

A wastewater system design proposal by a suitably qualified and experienced wastewater engineer must be submitted at the time of the land use and building consent applications for the site development (or only the latter if no land use consent application is required). The design proposal shall meet the following design specifications:

- a) The on-site wastewater treatment system shall be an OSET approved system capable of consistently producing an effluent quality of 20:30 mg/L BOD:TSS standard or better.
- b) When determining a suitable location for the effluent disposal area, regard shall be had for the location of the disposal area indicated in the *[Site Plan References]*, as applicable to each lot, except where otherwise superseded by the conditions of this consent notice.

*Advice Note - The condition above should in no way be construed as meaning that the indicative on-site disposal areas in the *[Site Plan References]* or any subsequent versions, represent a full assessment or authorisation for the specified on-site disposal area locations. A full geotechnical assessment of the final on-site wastewater system design is required to provide confidence that the disposal area is appropriate for the site constraints in a manner that it will not lead to significant adverse effects.*

- c) The on-site wastewater disposal system shall comprise a pressure compensating drip irrigation disposal system that dose loads the treated wastewater at a maximum loading rate of 3.0mm/day. The allocated primary and reserve disposal area land shall:
 - i. Be on land as low a gradient as practicable and not be located on land of over 25 degrees;
 - ii. Be on land that has not been exposed to any earthworks or any cut or fill or have been accessed by heavy or high-pressure machinery during roading or dwelling construction, unless the land has been remediated and certified as suitable for disposal purposes as part of the completed geotechnical review;
 - iii. Be located at least 3m clear of any scarp, gully heads, identified soil creep, benched slopes or hummocks or other land features indicative of unstable land or land that is unsuitable for wastewater disposal purposes. Such land features may be prone to effluent ponding or channelling beyond the boundaries of the disposal area;
 - iv. Contain irrigation lines that are laid across not down the land contours;
 - v. Stormwater cut-off drains shall be installed upslope of the effluent disposal field as required to divert any overland stormwater flow away from the disposal field; and

- vi. Be well planted with high evapotranspiration plant species.

System Design by or Technical Review of Final Design by Geotechnical Engineer:

The proposed final design proposal and plans for each Lot development shall be undertaken by or reviewed by a suitably experienced geotechnical engineer who has experience with on-site wastewater disposal system designs and TP58 design standards. The geotechnical design or review shall be provided with the wastewater system design proposal to Council as part of the consent applications for construction on the lot. The geotechnical assessment shall specifically include:

- a) An inspection of the site and an assessment of the site conditions;
- b) An assessment of the adequacy of the subsoil assessment within the proposed disposal area;
- c) An assessment of the proposed design flow rate, treatment standard and disposal area loading rate and size;
- d) Assessment of the suitability of the land proposed for primary and reserve disposal areas;
- e) An assessment of the risks of the on-going wastewater discharge in the proposed location to the site stability over the long term;
- f) An assessment of the site soils to ensure that they were not adversely affected by subdivision construction activities, and any remediation measures recommended;
- g) An assessment of the risks of the irrigated wastewater accessing stormwater drainage and/or other short circuit paths and/or accessing natural water. This should include an assessment of whether suitable distances are achieved from on-site and off-site roadside surface stormwater drains, retaining wall toe drains that drain to stormwater drains, overland flow paths and watercourses

Note - 'suitable' in this context means the surface water distances are in accordance with the specifications in Table 5.2 in TP58.

- h) A conclusion as to whether in the opinion of the geotechnical engineer, the disposal area location is the same or better than that indicated in the [*Site Plan References*].

Stormwater – Martin Meyer (Annexure 6)

Technical Specialist Memo - Senior Stormwater Specialist, SWWWITA

To:	Emma Chandler – Lead Planner & Joe Wilson - PPL
From:	Martin Meyer – Senior Stormwater Specialist
Qualifications & Relevant Experience:	I hold the qualifications of: Bachelor of Science in Environmental Science and Physical Geography, Post Graduate Diploma in Science & Technology and have 8 years of experience within three waters. I have prepared expert evidence and technical assessments for resource consent applications and fast-track applications.
Preparation in Accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.
Date:	15/09/2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:	Rangitooopuni Project
Fast-Track application number:	FTAA-2504-1055 (Council Reference BUN60449727)
Site address:	Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Documents Reviewed

- ‘*Rangitōopuni Application under the Fast-track Approvals Act 2024*’, prepared by Campbell Brown Planning Limited, dated 5 May 2025
- ‘*Civil Infrastructure Report*’, prepared by Maven Associates Limited, dated 30 April 2025
- ‘*Stormwater Management Plan*’, prepared by Maven Associates Limited, dated 30 April 2025
- Appendix AA.1 – AA.7 (Drawings, Scheme Plans and Engineering Calculations), prepared by Maven Associates Limited, dated 03/2025
- Appendix W.1 – W.17 (Engineering Drawings and Calculations), prepared by Maven Associates Limited, various dates
- ‘*Flood Assessment Report*’, prepared by Maven Associates Limited, dated 5 May 2025
- ‘*Ecological Impact Assessment*’, prepared by Bioresarches dated 1 May 2025

3.0 Additional Reasons for Consent Not Included in AEE

- E9.4.1(A8) – restricted discretionary

The carparks located within the retirement village are not all proposed to have GD01 or equivalent treatment. As these carparks all discharge to the same receiving environment, they may be considered to be part of a ‘high contaminant generating carpark’ area. In order to comply with the permitted activity standards, all carparks may require stormwater quality treatment within this area to not trigger a consent.

4.0 Specialist Assessment

E8 Stormwater - Diversion and Discharge

The applicant has identified the activity as E8.4.1(A10) **discretionary activity**

I would recommend the activity under E8.4.1(A10) as this covers “all other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for”.

The applicant has provided detail covering many aspects of the E8 standards, however at this stage flood modelling has not been assessed by Healthy Waters and confirmation that standards E8.6.1(3)-(4) have been complied with is not yet apparent.

To provide attenuation of flows, the applicant has proposed the use of SMAF tanks and a flow constraining culvert (Culvert 1-1) in the country side living area, and a dry detention basin and flow constraining culvert (Culvert 7) in the retirement village area. The use of culverts in such a manner are higher in risk than treating flows directly at source which is the preferred method. Please refer to further assessment of the attenuation culverts within the council engineer and Healthy Waters memos.

The SMAF tanks and dry detention basin are standard mitigation devices when designed in accordance with GD01.

The streams within the site may have erosion prone soil, and require higher velocity mitigation than SMAF. Due to the extensive size of the proposal, a geomorphic risk assessment is recommended to determine that modelled flows will not exacerbate erosion. Of note one hard bottomed reach was found during the site visit, and so this may not be applicable to all areas of the site.

Water quality treatment is proposed for some accessways and JOALs within the Countryside Living lots via swales, due to the gradients on site swales are not suitable to treat all of these areas. Healthy Waters have calculated that there is the potential for 20 hectares of untreated impervious surfaces from the proposed development to discharge into the environment. There is a risk of adverse effects on the receiving environment from these surfaces. The applicant should assess the risk to the environment from these areas, and provide alternative 'Best Practicable Option' treatment where GD01 devices are impractical or contaminant generation is expected to be low. The applicant has proposed no treatment for JOALs of less than 10 lots, and areas of carparking under 30 but it is unclear the effects on the environment that the cumulative contaminants from these areas may cause.

E9 Stormwater – High Contaminant Generating Areas

Water quality treatment for high contaminant generating carparks (30 or more) have specific provision under E9. High contaminant generating carpark(s) may occur within the retirement village area of the proposal. Details of the treatment and/or proprietary treatment devices, and their sizing have not been provided.

Without these details an accurate assessment under E9 is not possible, and may trigger the need for a land-use consent. The general conditions proposed, if followed should provide for a permitted activity (if all carparks within the retirement village are treated by a GD01 level device). For large sites the cumulative effect of carparks are considered under E9, in this case smaller carparks of <30 may be included in the sites total high contaminant generating carpark areas. This requires treatment to a GD01 level to meet the permitted standards.

E9 requirements for water quality treatment have specific treatment requirements under E9 where a high contaminant generating area is identified, these should be considered alongside site wide water quality which will be assessed through the policies and objectives set out in E8.

NES-F

The taking, diversion, damming or discharge of water to water within 100m of a natural inland wetland may require consent under 54(c) and/or 54(d) of the NES-F.

The large land-use and impervious area changes to site, along with the proposed detention and retention of stormwater will impact upon the hydrological function of wetlands within the site.

The applicant has correctly identified the need for consent, and is providing means of improving wetlands within the site through planting, and mitigating erosive hydrological effects through the use of hydrological mitigation (detention and retention).

While it is a non-complying activity, the majority of wetlands on site were found in a deteriorated state due to the forestry activities occurring onsite prior to this proposal. I note that the proposed is being reviewed by the hydrological and terrestrial ecologist specialists who will review the remediation proposed and whether the will improve the wetlands, through ongoing management of the vegetation onsite, and prevention of sedimentation (through erosion protection should allow for future establishment of features indicative of natural inland wetlands in a better state than the current wetlands.

5.0 Section 67 Information Gap

At the time of writing this Memo I have identified the following information gaps: (excluding gaps already mentioned above and mentioned in Healthy Waters memo around flood modelling, and geomorphic risk assessment)

Information gap	Nature of deficiency	Decision-making Impact	Risk / uncertainty created
1. <i>Accurate measures of the carparking areas and total carparks within the Retirement Village Area.</i>	<i>Detailed plans of carparking areas within the retirement village area should be provided, this should include a drainage plan and the proposed proprietary devices for the carpark catchments. These areas should include manoeuvring and access to the carparks.</i>	<i>Cannot accurately assess whether the application meets E9 permitted standards or triggers a consent.</i>	<i>Potential discharge of contaminants to the environment from high contaminant generating carparks are a risk to streams due to the contaminants of concern accumulating on impervious surfaces from motor vehicles, being TSS, Heavy Metals and Hydrocarbons.</i>
2. <i>Overall water quality changes expected from</i>	<i>JOALs and accessways will generate contaminants. Some treatment is proposed via swales,</i>	<i>The adverse effect on the receiving environment is unclear</i>	<i>Potential discharge of contaminants to</i>

Based on the information available I do not currently recommend this application for approval.

7.0 Proposed Conditions

Discharge Condition (stormwater)

Commentary

Retirement Village

Quality treatment devices

	<table><tr><th>Works to be undertaken</th><th>Catchment area</th><th>Design requirements(s)</th></tr><tr><td>Rain gardens and/ or proprietary devices</td><td>JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.</td><td>In accordance with GD01</td></tr><tr><td>Clean water (roof) network</td><td>All roofed areas</td><td>Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse) - Detention sized in accordance with GD01, 95th percentile 24-hour event - Retention sized in accordance with GD01 5mm rainfall.</td></tr><tr><td>Native revegetation and stream planting</td><td></td><td>Extent as shown on the LIMP and protection via covenants.</td></tr><tr><td>Outfalls</td><td>Catchment area as relevant per stage.</td><td>Erosion protection to minimize bed scour and erosion In accordance with Auckland Council Technical Report 2013/018.</td></tr></table>	Works to be undertaken	Catchment area	Design requirements(s)	Rain gardens and/ or proprietary devices	JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.	In accordance with GD01	Clean water (roof) network	All roofed areas	Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse) - Detention sized in accordance with GD01, 95 th percentile 24-hour event - Retention sized in accordance with GD01 5mm rainfall.	Native revegetation and stream planting		Extent as shown on the LIMP and protection via covenants.	Outfalls	Catchment area as relevant per stage.	Erosion protection to minimize bed scour and erosion In accordance with Auckland Council Technical Report 2013/018.	should be in accordance with GD01. The proposed conditions allowing for no treatment of car parking areas with less than 30 parks may trigger the need for consent under E9.4.1(A8). Recommend alignment with Healthy Waters condition specifying treatment of all car parking areas to meet the standards under E9.4.1. Detention and retention should be designed in accordance with GD01 SMAF 1 equivalent hydrological mitigation.
Works to be undertaken	Catchment area	Design requirements(s)															
Rain gardens and/ or proprietary devices	JOALS and private accessways (more than 10 units) Car parking areas with 30+ car parks. Note: No treatment for private driveways less than 10 units or car parking areas with less than 30 car parks.	In accordance with GD01															
Clean water (roof) network	All roofed areas	Sized for 95th percentile rain event and will provide primary non-potable and potable supply in the Village (retention and reuse) - Detention sized in accordance with GD01, 95 th percentile 24-hour event - Retention sized in accordance with GD01 5mm rainfall.															
Native revegetation and stream planting		Extent as shown on the LIMP and protection via covenants.															
Outfalls	Catchment area as relevant per stage.	Erosion protection to minimize bed scour and erosion In accordance with Auckland Council Technical Report 2013/018.															
Countryside Living																	
	<table><tr><th>Works to be undertaken</th><th>Catchment area</th><th>Design requirements(s)</th></tr><tr><td>Swales</td><td>All JOALS</td><td>Treatment within the via grass swales (where possible) In accordance with GD01</td></tr><tr><td>JOAL Drainage</td><td>All JOALS</td><td>Designed for a 10-yr rain event.</td></tr></table>	Works to be undertaken	Catchment area	Design requirements(s)	Swales	All JOALS	Treatment within the via grass swales (where possible) In accordance with GD01	JOAL Drainage	All JOALS	Designed for a 10-yr rain event.	Swales/quality treatment devices must meet GD01 standards (eg 9min						
Works to be undertaken	Catchment area	Design requirements(s)															
Swales	All JOALS	Treatment within the via grass swales (where possible) In accordance with GD01															
JOAL Drainage	All JOALS	Designed for a 10-yr rain event.															

	Native revegetation and stream planting		Extent as shown on the LIMP and protection via covenants.	residence time, max velocities, etc.)
	On lot Rain tanks	Individual roof areas	As per Guidelines specifications Retention and reuse of 95th percentile rain fall event via on lot storage tanks providing supply for potable and non-potable water supply for future buildings. - Detention sized in accordance with GD01, 95 th percentile 24-hour event - Retention sized in accordance with GD01 5mm rainfall.	
	SW overflow device either via a level spreader and/or lot connection.	All lots.	Design guideline or standard detail? The Countryside Living Toolbox	
	Outfalls	Catchment area as relevant per stage.	Erosion protection to minimise bed scour and erosion In accordance with Auckland Council Technical Report 2013/018.	
Forestry Road				
	Works to be undertaken	Catchment area	Design requirements(s)	
	Treatment via Raingarden s	Extent of road to vest.	In accordance with GD01	

Public Road Drainage	Extent of road to vest.	Designed for 10-yr rain event.
Outfalls	Catchment area as relevant per outfall.	Erosion protection to minimise bed scour and erosion In accordance with Auckland Council Technical Report 2013/018.

Detailed designs for stormwater mitigation for the site impervious areas including any relevant drawings, plans and calculations shall be submitted to and approved by the Council at the time of application for Engineering Plan Approval and/or Building Consents.

It is noted that treatment via Raingardens may be removed based on AT comments. This may be accepted whereby the contaminants from the roads are found not to adversely effect the receiving environment without treatment as per the s67 requests.

Groundwater and Dewatering – Hester Hoogenboezem (**Annexure 7**)

Technical Specialist Memo – Groundwater Diversion and Dewatering - WAT60449801

To: Emma Chandler – Lead Planner & Joe Wilson – PPL

From: Hester Hoogenboezem

Qualifications & Relevant Experience: I hold the qualification(s) of: **Bachelor of Science (Honors) in Engineering and Environmental Geology** and have **17** years of experience in **engineering geological and geotechnical engineering assessments**.
I am a member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications and fast-track applications.

Preparation in Accordance with the Code of Conduct: I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (**Code**), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 5 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Rangitooopuni Project

Fast-Track application number: FTAA-2504-1055 (Council Reference BUN60449727)

Site address: Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary

The Applicant is seeking consent to take groundwater for dewatering purposes during earthworks and in the long-term for ground dewatering after earthworks with associated drainage at the subject site for the proposed Rangitōopuni Project Retirement Village.

3.0 Documents Reviewed

- A report titled *“Geotechnical Investigation Report Stage 1 (Substages 1 to 5), Old North Road, Riverhead, Auckland”*, prepared by ENGEO, referenced 20190.000.001, revision 1 and dated 3 April 2025.
- A report titled *“Geotechnical Investigation Report Stage 1 (Substages 6 to 14), Forestry Road, Riverhead, Auckland”*, prepared by ENGEO, referenced 20190.000.001, revision 0 and dated 3 April 2025.
- A report titled *“Geotechnical Investigation Report, Forestry Road, Riverhead, Auckland”*, prepared by ENGEO, referenced 20190.000.001, revision 3 and dated 5 May 2025.
- A report titled *“Rangitōopuni, Ecological Impact Assessment”*, prepared by Bioresarches, referenced 67940, Final version and dated 1 May 2025.
- A report titled *“Earthworks Management Plan, Rangitōopuni Development Riverhead, Auckland”*, prepared by Maven Associates, revision A and dated 30 April 2025.
- Engineering and Earthworks Drawings for Stage 1 – 7 titled *“Development of Riverhead Forest for Rangitōopuni Developments Limited Partnership”*, prepared by Maven Associates, revision A and dated March 2025.
- Engineering and Earthworks Drawings for Stage 8 – 14 titled *“Development of Riverhead Forest for Rangitōopuni Developments Limited Partnership”*, prepared by Maven Associates, revision A and dated March 2025.
- Engineering and Earthworks Drawings for the Retirement Village titled *“Development of Riverhead Forest for Rangitōopuni Developments Limited Partnership”*, prepared by Maven Associates, revision A and dated March 2025.
- An Assessment of Environmental Effects (AEE) report titled *“Rangitōopuni Application under the Fast-track Approvals Act 2024”*, prepared by Campbell Brown dated 5 May 2025.

4.0 Consent Matters Clarification and/or Additional Reasons for Consent Not included in AEE

Auckland Unitary Plan (Operative in Part) (AUP(OP) Chapter E, Standard E7.6.1.10 and Standard E7.6.1.6 provide the permitted activity criteria under the AUP(OP), for the diversion of groundwater associated with any excavation, including a trench or tunnel, and dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10.

The proposal has been assessed under these criteria and is considered not to comply, as:

- the works involving dewatering will take longer than 30 days (E7.6.1.6 (2)).
- the requirement for dewatering will continue after construction ceases, as the proposed excavations will extend permanently below the groundwater levels measured at the site (E7.6.1.6 (3)).

Accordingly, consent is required under AUP(OP) Chapter E Rule 7.4.1 (A20) as a **Restricted Discretionary Activity**.

ENGEO assessed the proposal under E7.6.1.10 and concluded that under rule E7.6.1.10 (2a and b) that the criteria were not met, however the rule states:

(2) Any excavation that extends below natural groundwater level, must not exceed:

(a) 1ha in total area; **and**

(b) 6m depth below the natural ground level.

The excavation is not proposed to be greater than 1 ha in total area, therefore the criteria are met, and consent is **not required** under AUP(OP) Chapter E Rule 7.4.1 (A28).

Consent as a Discretionary activity under Regulation 45(4) National Environmental Standard for Freshwater 2020 (NES-F) is required for the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland, if:

- the activity is for the purpose of constructing or upgrading specified infrastructure; and
- there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and
- the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.

Section E7.4. “Activity table” of the AUP(OP) states:

“The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (‘Freshwater NES’) came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

If an activity provided for in rules E7.4.1 to E7.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.”

It was concluded by Bioresarches that groundwater diversion associated with the proposed activity will not reduce baseflow to the wetland and result in loss of wetland extent.

Bioresarches states: *“The majority of cut and fill earthworks within the 100 m setback will be shallow, with alteration of ± 1 m ground level. Given the degree of cut depths, the earthworks are not anticipated to intercept groundwater, or result in the drawdown of groundwater. As the earthworks will be staged and undertaken within discrete blocks at shallow levels, it should not result in the alteration of waterflow from the upper reaches to the streams and subsequently to the wetlands. Additionally, as the*

development is proposed to be undertaken in stages, the degree of earthworks occurring within the 100 m setbacks will not occur cumulatively, rather will be staged over a period of time.”

5.0 Specialist Assessment

The predicted ground dewatering and diversion both during the excavation and in the long-term, have been peer reviewed with respect to the potential for ground settlement. On the basis of the peer review, I confirm that:

- I am satisfied that the scope of the geotechnical investigation undertaken is satisfactory for the proposed development and the risk of encountering unforeseen ground conditions is low. Sufficient geotechnical investigation data is available for groundwater and geotechnical modelling purposes in order to determine the likely ground movement adjacent to the proposed development.
- I agree with the applicant’s geotechnical consultant’s assessment of effects on neighbouring structures and public services.
- Provided the take of groundwater is undertaken in the manner described in the application material and subject to the proposed conditions, I consider that the potential adverse effects of the activity on the environment, including the underlying Lower Kaipara Waitemata Aquifer, and on neighbouring properties and public services are considered to be less than minor.

in terms of groundwater diversion and dewatering and based on the information provided, I support the application overall.

6.0 Section 67 Information Gap

I have recommended Inclusion of a full set of Ground Dewatering (Take) and Groundwater Diversion Conditions and understand that the proposed conditions were accepted by the Applicant.

I have identified that there are no section 67 information gaps.

7.0 Recommendation

Based on the inclusion of the recommended conditions outlined in Section 8.0 below, which I understand were included in the proposed conditions set, I am in support of the application.

8.0 Proposed Conditions

Specific conditions – Groundwater Take and Diversion WAT60449801

Words in the ground dewatering (take) and groundwater diversion consent conditions have specific meanings as outlined in the table below.

Bulk Excavation	Includes all excavation that affects groundwater excluding minor enabling works and piling less than 1.5 m in diameter.
Commencement of Dewatering	Means commencement of Bulk Excavation and/or the commencement of the taking or diversion of groundwater, other than for initial state monitoring purposes.
Commencement of Construction Phase Excavation	Means commencement of Bulk Excavation and/or the commencement of the taking of any groundwater from the tunnel, trench or shaft excavation and/or any dewatering prior to excavation.
Completion of Dewatering	Means in the case of a drained site, the stage when all earthworks has been completed and site infrastructure (roads, stormwater and other services) is able to be installed or in the process of being installed and the permanent drainage system(s) are in place and no further groundwater is being taken for site development.
Commencement of Excavation	Means the stage when all Bulk Excavation has been completed and all foundation/footing excavations within 10 meters of the perimeter retaining wall have been completed.
Completion of Excavation	Means the stage when all Bulk Excavation has been completed and all foundation/footing excavations within 10 meters of the perimeter retaining wall have been completed.
Damage	Includes Aesthetic, Serviceability, Stability, but does not include Negligible Damage. Damage as described in the table below.
RL	Reduced Level.
Services	Include fibre optic cables, sanitary drainage, stormwater drainage, gas and water mains, power and telephone installations and infrastructure road infrastructure assets such as footpaths, kerbs, catch-pits pavements and street furniture.
SQEP	Suitably Qualified Engineering Professional

Standard Conditions

Activity in accordance with plans

Condition 1: The take (dewatering) of groundwater associated with the construction of the proposed development must be carried out in accordance with the plans and all information submitted with the application detailed below, and all referenced by council as consent number WAT60449801, including the documents listed in **Schedule 2**.

Duration of Consent

Condition 2: The take (dewatering) and groundwater diversion consent WAT60449801 must expire on 30 September 2060 or on completion of dewatering, whichever comes first, unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the RMA.

Provide for a review under section 128

Condition 3: Under section 128 of the RMA, the conditions of this consent WAT60437910 may be reviewed by the Manager Resource Consents at the Consent Holder's cost:

Within six (6) months after Completion of Construction Phase Dewatering and subsequently at intervals of not less than five (5) years thereafter in order:

- To deal with any adverse effects on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage.
- To vary the monitoring and reporting requirements, and performance standards, in order to take account of information, including the results of previous monitoring and changed environmental knowledge on:
 - 1) ground conditions
 - 2) aquifer parameters
 - 3) groundwater levels
 - 4) ground surface movement.

Ground Dewatering (Take) Conditions

Notice of Commencement of Construction Phase Dewatering

Condition 1: The council must be advised in writing at least ten (10) working days prior to the date of the Commencement of Bulk Excavation.

Excavation Limit

Condition 2: The design and construction of the proposed Bulk Excavation must be undertaken in accordance with the specifications contained in the relevant geotechnical reports and earthwork drawings within **Schedule 2**

Performance Standards

Damage Avoidance

Condition 3: All excavation, dewatering systems, retaining structures, basements and works associated with the diversion or taking of groundwater, must be designed, constructed and maintained so as to avoid Damage to buildings, structures and Services on the site or adjacent properties, outside that considered as part of the application process unless otherwise agreed in writing with the asset owner.

Contingency Actions

Condition 4: If the Consent Holder becomes aware of any Damage to buildings, structures or Services potentially caused wholly, or in part, by the exercise of this consent, the Consent Holder must:

- a) Notify council and the asset owner within two (2) working days of the Consent Holder becoming aware of the Damage.
- b) Provide a report prepared by a SQEP (engaged by the Consent Holder at their cost) that describes the Damage; identifies the cause of the Damage; identifies methods to remedy

and/or mitigate the Damage that has been caused; identifies the potential for further Damage to occur and describes actions that will be taken to avoid further Damage.

- c) Provide a copy of the report prepared under (b) above, to council and the asset owner within ten (10) working days of notification under (a) above.

Advice Note:

It is anticipated that the Consent Holder will seek permission of the damaged asset owner to access the property and asset, to enable the inspection/investigation. It is understood that if access is denied the report will be of limited extent.

Notice of Completion

Condition 5: Council must be advised in writing within 10 working days of when excavation and dewatering has been completed.

Advice Note: *The Consent Holder is advised that the discharge of pumped groundwater to a stormwater system or waterbody will need to comply with any other regulations, bylaws or discharge rules that may apply.*

Groundwater Take – Nicola Jones (**Annexure 8**)

Technical Specialist Memo – Bore and Groundwater Take

To:	Emma Chandler – Lead Planner & Joe Wilson - PPL
From:	Nicola Jones, Specialist, Water Allocation
Qualifications & Relevant Experience:	I hold the qualification(s) of Bachelor of Science in Geography and Environmental Science, Post Graduate Diploma in Science in Geography and Master of Science in Geography and Environmental Management and have 5 years of experience in water allocation.
Preparation in Accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.
Date:	9 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:	Rangitootuni Project
Fast-Track application number:	FTAA-2504-1055 (Council Reference BUN60449727)
Site address:	Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Documents Reviewed

- “*Rangitōopuni - Application under the Fast-track Approvals Act 2024*”, prepared by Campbell Brown Planning Limited, reference 2959RIV24, dated 5 May 2025
- “*Groundwater Abstraction: Desktop Study, Forestry Road, Riverhead, Auckland*”, prepared by ENGEO Limited, Project Number 20190.000.001, dated 1 May 2025
- “*Retirement Village Wastewater Design Report and AEE, Riverhead Forest Riverhead, Auckland*”, prepared by GWE Consulting Engineers, Job Number J6438-1, dated April 2025
- “*Civil Infrastructure Report, Rangitōopuni Development Riverhead, Auckland*”, prepared by Maven Associates Limited, Project Number 147007 and 147016, dated 30 April 2025.
- “*Groundwater Bore Factual Report, Forestry Road, Riverhead*”, prepared by ENGEO Limited, Project Number 20190.000.001, dated 4 July 2025.

Application for test bore under LUC60449108, prepared by ENGEO Limited, lodged 1 May 2025.

3.0 Additional Reasons for Consent Not included in AEE

The application as lodged sought separate consents for:

- Construction of the permanent water bore (Land Use Consent – AUP(OP) E7.4.1(A41))
- **To take water from the construction Water Bore (Water Permit – AUP(OP) E7.4.1 (A26))**

During the assessment of the application it has been identified that the applicant has secured consent LUC60449108 for the construction of the bore for testing. There is therefore some ambiguity in respect to whether land use consent is required for the bore as a permanent bore. The applicant has not withdrawn their application for the construction of the bore in correspondence with the agent and therefore a cautious approach of considering consent still being sought as a land use consent for the use of the temporary bore as a permanent bore is considered to be the applicants position and the basis for this memorandum.

4.0 Specialist Assessment

Assessment of application quantity:

The applicant has requested a daily abstraction of 200m³/day and 29,000m³/year. Based on the information provided and the proposed development, I am satisfied the applicant has made a reasonable assessment of the required water demand for the proposed retirement village, and the assessment is considered in line with efficient use and allocation.

Production bore capacity:

The applicant has drilled a test bore under consent LUC60449108 and has now confirmed that this test bore will be completed as a production bore, to provide groundwater to the proposed retirement village

under WAT60449800. The applicant has carried out a step test on the bore to assess its performance and efficiency, the results of which show that the bore has sufficient capacity to produce the quantities of water being applied for.

Aquifer Allocation:

There is currently 92% of the aquifer allocation remaining with this application accounting for 2%. This area however has seen an uptick in consents and enquiries for water which may put pressure on the aquifer in the future, particularly with Auckland's urban sprawl.

Effects of recharge to other aquifers:

The target aquifer is not connected to other named aquifers. Effects of recharge are considered negligible.

Effects of aquifer consolidation:

The take is at significant depth from a confined aquifer characterized by incompressible sediments. Effects of aquifer consolidation and subsidence are considered negligible.

Effects of potential saltwater intrusion:

The desktop review and results of the pump test undertaken on the test bore show there is limited drawdown at any saline bodies. Saline intrusion as a result of the proposed take is considered unlikely.

Effects on surface water:

The take is from the deep confined Waitemata aquifer which is not hydraulically connected to surface water. Therefore, effects on surface water are anticipated to be negligible.

Effects on other lawful bore water takes:

Calculated drawdown effects resulting from the proposed maximum take volumes being sought by the applicant show drawdown would not be significant enough to prevent any neighbouring bores from taking their lawfully established water takes.

5.0 Section 67 Information Gap

State – either:

There are no further section 67 information gaps

6.0 Recommendation

I support this application, and I am satisfied that the effects on the environment are less than minor. The proposed production bore is capable of producing the water allocation applied for, and the applicant has made a reasonable assessment of the water needs on site for the proposed retirement village. The recommended duration of consent ensures the consent expiry date aligns with the common expiry for the aquifer, in accordance with policy E2.3.17 of the AUP(OP). This allows Council to reassess all water users within the aquifer at once to **ensure administrative consistency and to support integrated management of the aquifer.**

7.0 Proposed Conditions

The applicant has not provided proposed conditions for either the proposed bore permit or for the water take.

I recommend following standard conditions for the water take consent WAT60449800

Activity in accordance with plans

1. This consent must be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, and all referenced by Auckland Council ('the council') as resource consent number WAT60449800.

Commencement and duration of consent

2. The taking of water permit WAT60449800 expires on 31 December 2058, unless it has lapsed, been surrendered, or been cancelled at an earlier date pursuant to the RMA.
3. The applicant must notify the council, within one week of the commencement of groundwater abstraction under consent WAT60449800.

Advice Note:

The notification of the commencement of groundwater abstraction should be submitted to monitoring@aucklandcouncil.govt.nz.

Authorised Use

4. The take and use of groundwater from the AUP(OP) Lower Kaipara Waitemata Aquifer is authorised in the manner set out below:

- a) The take is from a 150mm diameter, 362m deep bore (ID 31691) at map reference 1740968mE 5932152 mN, or a bore certified by the council to be a replacement of the production bore.

Advice Note:

The replacement bore will require a resource consent application pursuant to s9(2) of the RMA.

- b) The take must only be used for water supply to the proposed retirement village on land legally described as Lot 2 DP 590677 the site at Forestry Road, Riverhead and the services provided by the consent holder.

Advice Note:

Changes to the listed land use activities utilising the water take may require an application to change the conditions pursuant to s127 of the RMA.

Authorised quantities

- 5. The abstraction in accordance with consent WAT60449800 must comply with the following:
 - a) The total pumping rate must not exceed 4.6L/s.
 - b) The total daily abstraction must not exceed 200 cubic metres.
 - c) The total volume of water abstracted in each 12-month period, commencing 1 July of any year and ending 30 June of the following year, must not exceed 29,000 cubic metres.
- 6. If any limits specified in **condition 5** are exceeded, the consent holder must provide the council with a report detailing:
 - a) The reason for the exceedance and the mitigation measures proposed to ensure future compliance.
 - b) A timeframe for implementing the mitigation measures.

The report must be submitted to the council within one (1) month of the identified exceedance.

Advice Note:

The exceedance notifications report should be submitted to monitoring@aucklandcouncil.govt.nz.

Contact details

7. Within 10 days of the consent being granted, the consent holder must provide to council, the details of a nominated contact person, including their full name, their role with respect to the consent (for example, consent holder, tenant, site manager), a valid email address and mobile phone number that the council may contact if required, regarding water use data. The contact details must be kept up-to-date, and the council must be notified of any changes within 10 working days of the change occurring.

Advice Note:

The contact person may be someone other than the consent holder, for example, a site manager or tenant. However, overall responsibility for compliance with consent conditions remains with the consent holder.

Bore construction for water level measurements

8. Provision at the top of the bore for water level measurements must be made and maintained so that a probe can be lowered vertically into the bore between the riser tube and casing to measure the static water level in the bore.

Advice Note:

Access to the wellhead for water level measurement can be achieved by having an access tube of at least 2 centimetres internal diameter extending from the top of the bore to the submersible pump. In order to keep out foreign matter, the tube should be fitted with an easily removed plug.

Bore construction for sampling

9. Provision at the top of the bore for water quality sampling must be made and maintained so that a sample of water can be taken from the bore for water quality analysis. A tap or hand valve must be fitted as close to the pump outlet as possible and before the water ends any storage tank or filter. The tap or valve should have at least 0.3 metre clearance above ground level or any other obstruction to allow a sample bottle to be filled. This condition must be implemented within three months from the granting of the consent.

Installation of water meter

10. Prior to the exercise of this consent, a water meter with a visual tumbler display and an electronic pulse output connected to a data logger and telemetry device, must be installed and verified in-situ for accuracy on production bore ID 31691, or a bore certified by the council to be a replacement of the production bore, to the satisfaction of the council.
11. The water meter and recording device/systems must:
 - be fit for the purpose and water it is measuring;
 - measure the volume of water taken 60-minute intervals, with an accuracy of +/- 5% of the actual volume taken;
 - transmit the volume of water taken in real time. The telemetry device must transmit logged data at intervals of no more than 60 minutes to the council's Hydrotel water database (or to any replacement database required in writing by the council) in a format that is compatible with the council systems;
 - be tamper-proof and sealed;
 - installed (water meter) on the outlet pump;
 - have systems and equipment in place to ensure continued operation in the event of a power outage;
 - have backup data storage;
 - be safely accessible;
 - be installed and maintained in accordance with the manufacturer's specifications.

Prior to exercise of this consent, the consent holder must contact monitoring@aucklandcouncil.govt.nz or to any replacement email address identified in writing by the council, to arrange set-up of the telemetry device to ensure logged data is transmitting to the council correctly.

Water meter verification must be completed by a Suitably Qualified and Experienced Professional (SQEP) for meter verification.

Advice Note:

The council interprets a SQEP to be a person that has obtained a relevant NZQA recognised qualification in the verification and installation of water meters.

Verification of water meter/device accuracy

12. The water meters and any device or system used to record water take volume, must be verified in-situ as accurate by a SQEP at the following times:

- Prior to the exercise of this consent.
- Within 5 working days of the water meter being serviced or replaced.
- By 31 May of the fifth year from the commencement of consent, and thereafter at five yearly intervals.

The water meter, its verification and evidence of its accuracy must be in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2020 (or any equivalent regulations that may replace them) and a copy of the verifications must be provided to the council within 10 working days of the meter/devices being verified as accurate.

Water meter verification must be completed by a Suitably Qualified and Experienced Professional (SQEP) for meter verification. The verification of the water meter must be to the installation specifications noted in **condition 11**.

Advice Note:

The council interprets a SQEP to be a person that has obtained a relevant NZQA recognised qualification in the verification and installation of water meters.

Water meter readings

13. Water meter measurements of water abstraction from the outlet of the pump must be recorded daily at 15-minute intervals, commencing before pumping starts for the day and finishing at the end of pumping for the day. Daily records of the measurements must be provided electronically to the Council by the end of the next day (unless otherwise agreed by the Council).

In the event of failure of the data logger, telemetry unit and/or associated electronic devices, the water meter must be read manually at daily intervals until the devices are repaired and records kept of the date, time and corresponding water meter reading.

If no water is taken during any period, then the current meter reading must still be recorded.

Advice note:

For any issues with the submissions of compliance data or documentation, including access to the Water Use Data Management System, contact monitoring@aucklandcouncil.govt.nz.

Advice Note:

The web address for council's on-line Water Use Data Management System is:

<http://aklc.hydrotel.co.nz/hydrotel/cgi-bin/WudmsWebServer.cgi>

Your WUDMS customer number is P2601339089 for consent WAT60449800, and the default password is 1234. For the link to work properly you need to ensure that the council has your up-to-date email address for contact purposes. An on-line manual explaining how to enter and submit your water readings is available at the web address specified above

For any issues with the submissions of compliance data or documentation, including access to the Water Use Data Management System, contact monitoring@aucklandcouncil.govt.nz.

14. A photograph of the water meter, showing the meter reading, must be provided to the council annually by the first week of July. This water meter reading must be taken in the month of June each year.

Advice note:

This photograph must be provided to the following email address
monitoring@aucklandcouncil.govt.nz.

Water level readings

15. Water levels in production bore ID 31691, or a bore certified by the council to be a replacement of the production bore, must be measured at quarterly intervals each year

in the following months: March, July, October and January, and records must be kept of the date, time and corresponding water level for the production bore, in accordance with criteria specified in the advice note below.

The results of each quarterly water level reading must be submitted to the council at monitoring@aucklandcouncil.govt.nz by no later than the 7th day of the following month in which the reading was undertaken.

Advice Note:

The static water level shall be measured from the top of surface elevation, and shall be recorded to the nearest 0.01 of a meter (nearest cm). The bore shall be monitored after pumping water levels have fully recovered to non-pumping levels. Recovery to non-pumping levels shall be verified by taking a series of three or more water levels made over a half hour period that are all within 0.02m of each other and are not showing a rising or falling head. If there is a difference of more than 0.02m, then the bore shall be allowed to recover further from any pumping, until the groundwater level has stabilised.

Water Use Efficiency Report

16. A water use efficiency report must be provided to the council in June 2029 and subsequently at intervals of five years thereafter. The report must assess the water use over the previous five-year reporting period, against best practice with respect to the efficient use of water for the purpose consented. This report must include, but not be limited to:
- Annual summary of water usage in relation to the water consented.
 - reasons why annual water use may have varied over the previous five years.
 - information whether any changes regarding water transport and dust suppression equipment and their use are planned for the coming five years.
 - water conservation steps taken (e.g., leak detection).
 - demonstrate the measures that have been implemented to ensure the abstraction limit is not breached. These could be sensors, alarms, shut off activation, etc. Maintenance or contingency plan.

Review Condition

17. Pursuant to Section 128 of the RMA, the conditions of this consent may be reviewed by the Manager Resource Consents South at the Consent Holder's cost in June 2028 and subsequently at intervals of not less than five years thereafter in order:
- (a) To deal with any adverse effect on the environment which may arise or potentially arise from the exercise of this consent and which it is appropriate to deal with at a later stage or
 - (b) To vary the quantities, monitoring, operating and reporting requirements and performance standards in order to take account of information, including the results of previous monitoring and changed environmental knowledge, on: water availability, including alternative water sources; actual and potential water use; groundwater levels; efficiency of water use; groundwater quality; and the relationship of Māori with water.
 - (c) To deal with non-compliances or inefficiencies on the applicant's site related to water use.

Advice Note:

Under section 128 of the RMA the conditions of this consent may be reviewed by the Manager Resource Consents South at the consent holder's cost in the following circumstances:

To provide compliance with rules in any regional plan relating to use of water, water or air quality etc. (refer section 128(1) (b) of the RMA) that have been made operative since the commencement of consent.

To provide compliance with any relevant national environmental standard that has been made since the commencement of consent.

At any time, if it is found that the information made available to the council in the application contained inaccuracies which materially influenced the decision and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.

Advice Note:

Under section 126 of the RMA a consent authority may cancel a resource consent by written notice served on the consent holder if the resource consent has been exercised in the past but has not been exercised during the preceding 5 years.

Dams – Don Tate (**Annexure 9**)

Technical Specialist Memo – Dam Safety

To: Emma Chandler – Lead Planner & Joe Wilson - PPL

From: Don Tate – Project Director – Riley Consultants Limited

Qualifications & Relevant Experience: I hold the qualification of: Bachelor of Civil Engineering and have 40 years of experience in dam design and engineering including dam safety and geotechnical engineering. I am a full member and a fellow of Engineering New Zealand and a Chartered Professional Engineer(CPEng). I have prepared expert evidence and technical assessments for multiple resource consent applications for dams and have appeared as an expert witness before consent authorities and the Environment Court on several occasions.

Preparation in Accordance with the Code of Conduct: I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)) and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 1/09/2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Rangitoopuni Project

Fast-Track application number: FTAA-2504-1055 (Council Reference BUN60449727)

Site address: Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary / Principal Issues

N/A

3.0 Documents Reviewed

Rangitootuni Application under the Fast Track Approvals Act. Assessment of Environmental Effects and Statutory Analysis. Prepared for: Rangitootuni Developments Limited Partnership (Te Kawerau ā Maki and Avant Property Development Limited) by Campbell Brown Planning and Resource Management Specialists Limited, 5 May 2025.

Appendix H, Geotechnical Reports

Appendix J – Infrastructure Report

Appendix N, Scheme Plans

Appendix W – Engineering Plans

Appendix AA – Stormwater Management Plan

Appendix II – Flood Assessment Report

As well as response to further information requests, which were received on 19 August 2025.

4.0 Additional Reasons for Consent Not included in AEE

Damming water (dam safety)

5.0 Specialist Assessment

The applicant states that “there are no dams within the site, all existing and/or proposed attenuation areas do not exceed 4m in maximum height and 20,000m³ of volume”.

The AUP(OP) defines a dam as a structure which, either:

- a. permanently impounds surface water; or
- b. temporarily impounds surface water as its primary function, and includes weirs but excludes culverts, rain gardens and culvert headwalls.

It appears that the application includes construction of two dams (attenuation structures associated with Culverts 1-1 and 7), as defined within the AUP(OP). I consider that the proposed structures meet the definition of dams in the context of the AUP (OP) as they have been designed to temporarily impound (attenuate/throttle) surface water (i.e. a flood control function).

While there is a culvert and headwall that is associated with the structures, I consider that they do not qualify for the culvert or headwall exclusion, as a culvert is not designed to hold back water.

Notwithstanding the classification difference of opinion between the applicant and myself, the structure will function to hold back water, and therefore, consideration of the effects of this is required.

Building Consent (not part of the RMA process)

I note that the dams also appear to exceed 4m in maximum height (when measured from the lowest level of natural ground to the highest point on the crest) and 20,000m³ of volume (when measured to the highest point on the dam crest). It therefore appears that the dams would:

- meet the definition of a Large Dam within the NZSOLD New Zealand Dam Safety Guidelines (2024);
- be classifiable in the context of the Building (Dam Safety) Regulations (2022) and require a building consent under the Building Act. It is noted that the Dam Safety Regulations are associated with the Building Act (not the RMA) and are only relevant for constructed dams (i.e. a building consent is not required at this stage in the process).

The purpose of the above discussion on the Building Act is that there is an overlapping issue with the RMA on the topic of dam safety i.e. the large dam is a threshold at which there are increased legislative requirements.

6.0 Section 67 Information Gap

At the time of writing this Memo I have identified the following information gaps:

Description of Missing Information

Assessment against E7 Dam Provisions

I consider that the information missing from the application is medium risk. I request that the applicant provides a detailed assessment against the relevant permitted activity criteria of Chapter E7, including an appropriate assessment of effects should any consents be determined to be required. I recommend that this should include:

- a. Potential Impact Classification (PIC) Assessment referencing the New Zealand Society on Large Dams (NZSOLD), New Zealand Dam Safety Guidelines (NZ Dam Safety Guidelines, 2024), for each dam. I note that hydraulic modelling of downstream effects appears likely to be required to quantify the potential impacts of a dam breach (as opposed to a more simplified qualitative assessment, which is only justified for dams where there is little doubt as to the PIC). The potential impacts should be quantified in terms of downstream Population at Risk, Potential Loss of Life, and damage level to community buildings, critical or major infrastructure, historical or cultural places and the environment.
- b. Dam Safety Assessment, with reference to the NZSOLD New Zealand Dam Safety Guidelines(2024) and the PIC:
 - Geotechnical aspects – dam site specific investigations, including recommended future investigations for detailed design (if relevant). Note: it appears the existing investigation may already have included a single machine borehole near to the dam associated with culvert 1-1.
 - Hydraulic aspects – with a focus on spillway safety.
 - Dam safety management aspects - dam specific construction recommendations, and long-term dam safety management.

The overall aim is to confirm the feasibility of the proposed dams, in terms of management of effects.

Why is this Information Essential?

The absence of this information prevents me from assessing whether the proposed dams and spillway facilities are technically feasible. Depending on the potential impact classification of the proposed structures, a more robust arrangement may be required, which could fundamentally affect the design/layout of the dam structures. For example, the spillway capacity (and therefore facilities) may need to be more robust, or the embankment footprint may need to be altered to accommodate geotechnical considerations.

In addition, I refer to discussion on the resource management act 1991, within the NZSOLD New Zealand Dam Safety Guidelines (2024):

"For new dams, the information presented for RMA consents must demonstrate that the hazards are manageable and appropriate." ... "A key step in the application process is establishing actual or potential effects and avoiding, remedying or mitigating them to the satisfaction of the consenting authority. Effects include:

- *Any potential effect of high probability, or*
- *Any potential effect of low probability but high potential impact.*

Clearly the uncontrolled release of contents from dams could have a high potential impact." ... "The RMA requires that any potential effect of significance and high probability has to be avoided, remedied or mitigated." ... "Dam safety planning for new projects starts with the assessment of potential effects, their likelihoods of occurrence and how to design for them to a standard society will accept via the RMA process. It is important to recognise the hazards and risks which apply during construction of the dam and during the long term in-service condition."

The effects of a dam failure and uncontrolled release of the stored water on the downstream environment should be addressed as a potential event of low probability but potentially high consequence. Such an assessment is accepted practice for dams in the Auckland region. It is a fundamental feasibility issue to demonstrate that risk to the environment can be mitigated appropriately.

7.0 Recommendation

Further information is required to support the application.

8.0 Proposed Conditions

The draft conditions provided within the application do not currently make reference to dam safety aspects. In the event that the EPA chooses to grant the consent without requiring the dam safety information, I would recommend that the conditions should be modified to require that the missing information (refer to 6.0) is submitted to Council and be accepted (by Council) to meet the requirements of the AUP (OP), prior to works commencing for certification. In our view, we do not consider this approach is warranted and would be outside of industry practice.

The requirements of the AUP (OP), which this would be expected to meet should include:

- 1. The dam embankment, outlets, spillways and associated structures must be designed, constructed, operated and maintained to ensure they are structurally sound, pose no undue risk to life, property or the natural environment, and are able to perform satisfactorily under all foreseeable circumstances.*
- 2. The dam must be designed, constructed, operated and maintained with a flood spillway to pass a 100-year ARI flood event without overtopping the dam crest or as determined in the PIC assessment. In addition:*
 - Reference should be made to the Dam Safety Guidelines – Auckland Council Technical Publication 109 and the New Zealand Dam Safety Guidelines – New Zealand Society Of Large Dams 2024 for further guidance on spillway sizing.*
 - Section 17 of Building Act 2004 requires dams to comply with the building code in addition to the requirements set out in these rules.*
- 3. All spillways and bypass arrangements must be constructed, terminated and maintained to minimise erosion, and the spillway(s) entry must be designed to remain free of debris at all times.*
- 4. Trees or vegetation which could weaken the dam stability or prevent inspection of the dam embankment must not be allowed to grow on or near the embankment.*
- 5. Stock must not be allowed to damage the crest and faces of the dam.*
- 6. The dam structures and spillways must be inspected at least once every 12 months and following any operation of the flood spillway. Any damage recorded at times of inspecting, or noticed at any other time, must be remedied as soon as practicable. A dam safety management system shall be developed for long term operation of the dams , in accordance with New Zealand Dam Safety Guidelines 2024.*

I note that generally, applications need to show that they will be able to fulfill these conditions, in order to obtain resource consent. In this instance, this has not been done.

Traffic Engineering – Mat Collins (**Annexure 10**)

**Specialist Response Template – Fast-track Approvals Act 2024 –
Substantive Application**

Technical Specialist Memo – Mat Collins (Transport Planning and Transport Engineering)

To: Emma Chandler – Lead Planner & Joe Wilson - PPL

From: Mat Collins

Qualifications
& Relevant
Experience:

I hold the qualification of Bachelor of Engineering (Hons) and have 10 years of experience in transport planning and transport engineering.
I am a full member of Engineering New Zealand. I have prepared expert evidence and technical assessments for resource consent applications, plan changes, notices of requirement for designation and fast-track applications, District Plan reviews, and have appeared as an expert witness before consent authorities and the Environment Court on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 8 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Rangitootuni Project

Fast-Track application number: FTAA-2504-1055 (Council Reference BUN60449727)

Site address:

Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary / Principal Issues

This memo provides Auckland Council's specialist transport planning response to the Rangitōopuni Fast-track Application (FTAA-2504-1055). While the proposal addresses some internal network and access matters, I have identified significant unresolved safety risks on Old North Road and at several key accesses. These risks, if not addressed, may weigh against approval.

3.0 Documents Reviewed

- Rangitōopuni - Assessment of Environmental Effects (AEE), 5 May 2025, prepared by Campbell Brown Planning Ltd, including
 - Appendix A - Proposed Conditions, 4 April 2025, prepared by Campbell Brown Planning Ltd
 - Appendix K - Integrated Transport Assessment (ITA), 1 May 2025, prepared by Commute Transportation Consultants
 - Appendix W (including sub sections e.g W.5 etc) – Road Engineering Drawings, March 2025, prepared by Maven Associates
 - Appendix DD – Waste Management and minimisation plan, 29 April 2025, prepared by Rubbish Direct Ltd
- BUN60449727 250819 s67 and specialist comments tracker - applicant response (final), 19 August 2025, prepared by Campbell Brown
- Minute 2 of the Expert Panel - Invitation to comment, 20 August 2025.

4.0 Additional Reasons for Consent Not Included in AEE

None.

5.0 Specialist Assessment

I have reviewed the transport aspects of the proposed Rangitōopuni development, focusing on the adequacy of the internal transport network, access arrangements, and the effects on the immediate surrounding rural road network in particular respect to the operation of these accesses and traffic generated by this development before moving into the wider network. My review is based on the AEE, ITA, applicant's RFI responses, and the latest technical evidence, and is limited to the immediate interfaces where vehicle crossings or private roads connect to existing roads, or to roads proposed to

vest with Auckland Transport. Auckland Transport has undertaken a broader assessment of potential effects on the wider public road network.

I have not undertaken a site visit for this review, as I am based in Christchurch, but I have sufficient familiarity with the site and surrounding area from previous engagements with Auckland Council and Auckland Transport. My colleague, Kate Brill (Associate Transport Planner), attended a site visit with Auckland Council, Auckland Transport, and applicant representatives on 11 August 2025, and I have relied on her observations and site photos.

I consider that the following aspects of the proposal are adequate, and I do not discuss them further in this memo:

- Staging Plan
- Reformation of existing vehicle crossings on Forestry Road, subject to Auckland Transport approval through the subsequent vehicle crossing approval if the proposal is approved
- Retirement Village private roading design.
- Access 3 design and location.

I prepared a Section 67 Information Gap Identification memo on behalf of Auckland Council, dated 27 June 2025 (s67 memo). Key transport matters identified in my memo were:

- Road safety effects
- Sight distances for accesses
- Access 1 / Access 2 / Old North Road / Pinetone Road intersection
- JOAL and ROW design
- Walking and cycling connectivity.

Responses to these matters were provided by the applicant in a tracking table, dated 19 August 2025. I discuss these matters below.

Road safety effects

Multiple rural roads will serve as key access routes to the development. NZTA's CAS database shows that, between 2020 and 2024, 46 injury and fatal crashes occurred on Old North Road between Pinetone Road and SH 16, Deacon Road between Old North Road and Riverhead Road, Riverhead Road between Deacon Road and SH 16, Oraha Road between Old North Road and SH 16, the Deacon Road / Old North Road intersection, the Deacon Road / Riverhead Road intersection, the Old North Road / Oraha Road intersection, the Old North Road / Riverhead Road intersection, and the Old North Road / Old Railway Road intersection.

Old North Road has a Collective Risk Band of "High" and Deacons Road and Riverhead Road have a Collective Risk Band of "Medium-High). This medium-high rating indicates that the current environment carries a significant risk of fatal and serious crashes for road users.

As this matter relates to effects on the wider transport network, I have not commented further on the matter as it falls within Auckland Transport scope of interest. However, in later sections of my report I have commented on road safety matters near proposed access points to the site.

Sight distances for Accesses

Commute has provided 85th percentile speeds at Access 1 – 5 along Old North Road, ranging from 63km/hr to 76 km/hr. Using these speeds Commute has calculated the required Safe Intersection Sight Distance and compared this to the available sight distance. I have reproduced this information in the table below.

Access	To the West		To the East	
	SISD required	Actual sight distance	SISD required	Actual sight distance
Access 1 (JOAL 1 and JOAL 2)	~165m	181m	~165m	181m ¹
Access 2 (Browns Road)	~165m	~166 ²	~145m	~147m
Access 3 (Lot 55)	~165m	181m+	~145m	~158m
Access 4 (Lot 68)	~165m	~110m	~131m	~164m
Access 5 (JOAL 4)	~157m	~155m	~157m	~145m

Sight distance Access 1 (JOAL 1 and JOAL 2)

The eastern sightline for Access 1 crosses Lot 50 as shown in Maven Drawing C110-6-1. To protect this sightline a land covenant over Lot 50 is proposed to ensure there is no vegetation is planted or structures/fences erected that obstruct the sight line.

I have concerns about this approach, as it requires the owner of Lot 50 to comply with the control on an ongoing basis, and action by Council should there be non-compliance – there could be significant lead time between non-compliance being reported and Council being able to enforce compliance, during which time the sight line at Access 1 could be compromised.

I recommend that the responsibility for maintaining the sightline is placed on the Residents' Society (or similar legal entity), as per the pedestrian right of way easements over Lots. I consider this will provide greater surety that the sightline will be maintained.

¹ Sight line over Lot 50, not fully contained within the legal road

² Sight line over 417 Old North Road, not fully contained within the legal road



Figure 1: Sight line for Access 1 towards the east, showing grass within the legal road obstructing visibility

Access 2 (Browns Road) Including assessment of Access 3 but with recommendation for consolidation

The western sightline for Access 2 crosses 417 Old North Road as shown in Commute Drawing SD A2, and my additional markups in the Figure below. This site is not owned by the applicant and therefore it is not able to apply land covenant over the property to ensure the sight line is protected. Further, as shown in Figure 3, the fencing for this property along with the horizontal and vertical alignment of Old North Road partially restricts the sight line. I am concerned about the potential safety effects due to:

- The high number of users, as the vehicle crossing serves 122 Country Living Lots. The ITA estimates 83 outbound trips and 21 inbound trips in the morning peak period and vice versa for the evening peak hour.
- Old North Road has a Collective Risk Band of “Medium High” along the site frontage.
- The higher operating speed, which increases the risk of likelihood of death or serious injury when crashes occur. The ITA estimates the operating speed to be 68 km/hr eastbound and 76 km/hr westbound.

In my opinion, these combined factors are point to an outcome that does not provide for safe access, contrary to Objective E27.2(4), and Policies E27.3(20) and (21).

While I acknowledge that there is an existing vehicle crossing in this location (Browns Road), this is likely to have a far lower usage than is proposed. Higher usage will obviously increase the likelihood of a crash occurring (i.e. an increase in negative safety effects), and therefore my opinion is that consideration of existing use rights per Section 10 of the RMA does not apply.

I have considered whether a left in/left out arrangement could be a method to manage the sight line shortfall, however doing so would encourage drivers to undertake U-turn movements on Old North Road, which I consider would introduce unacceptable road safety effects.

To address the sight line shortfall, the exploration of relocating to the shared boundary between Lot 55 and Lot 57 is advised. I have shown the most efficient potential realignment of Browns Road to achieve this outcome in Figure 4, it is noted that this would require consideration of other effects of this change in layout. Access 3 could also be removed, as Lot 55 could gain access from the realigned Browns Road, however I acknowledge that Access 3 has sufficient sight lines in its proposed location and relocation of Access 3 is not necessary.

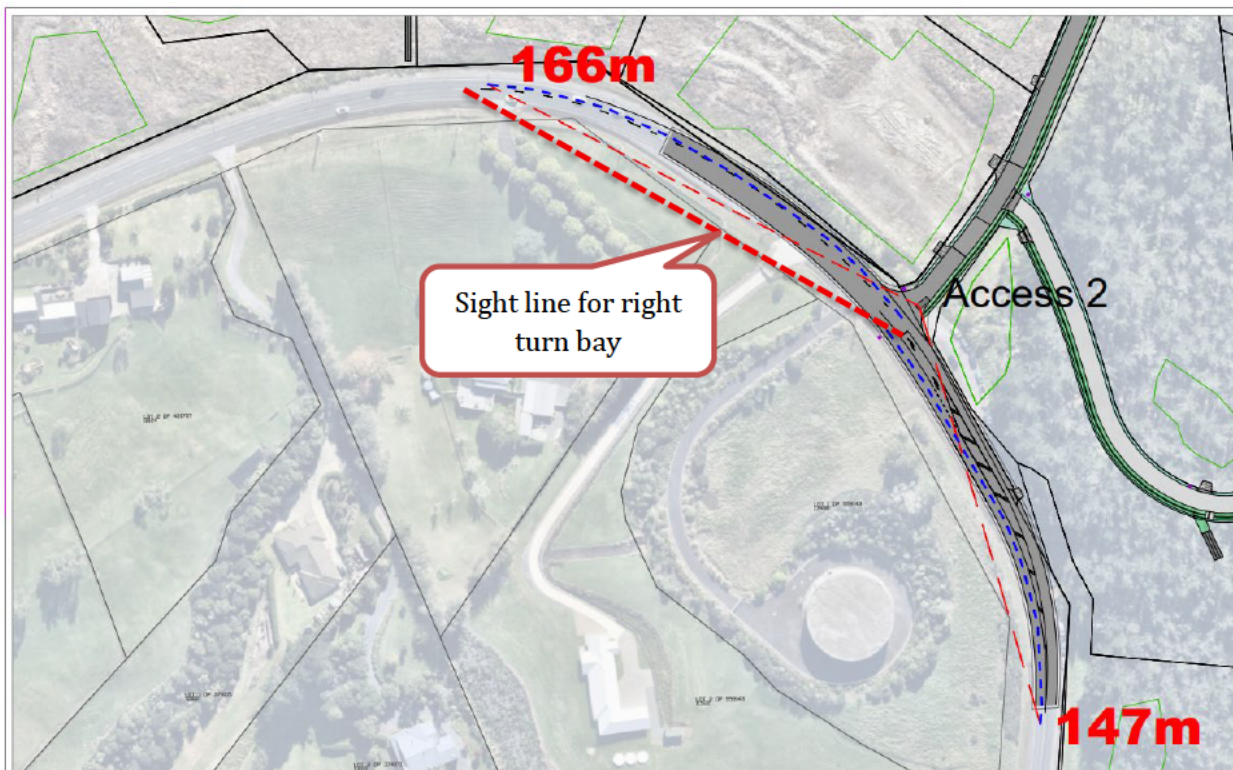


Figure 2: Sight line for Access 2 towards the west, showing sight line over 417 Old North Road



Figure 3: Sight line for Access 2 towards the west, showing sight line obstruction by existing fencing

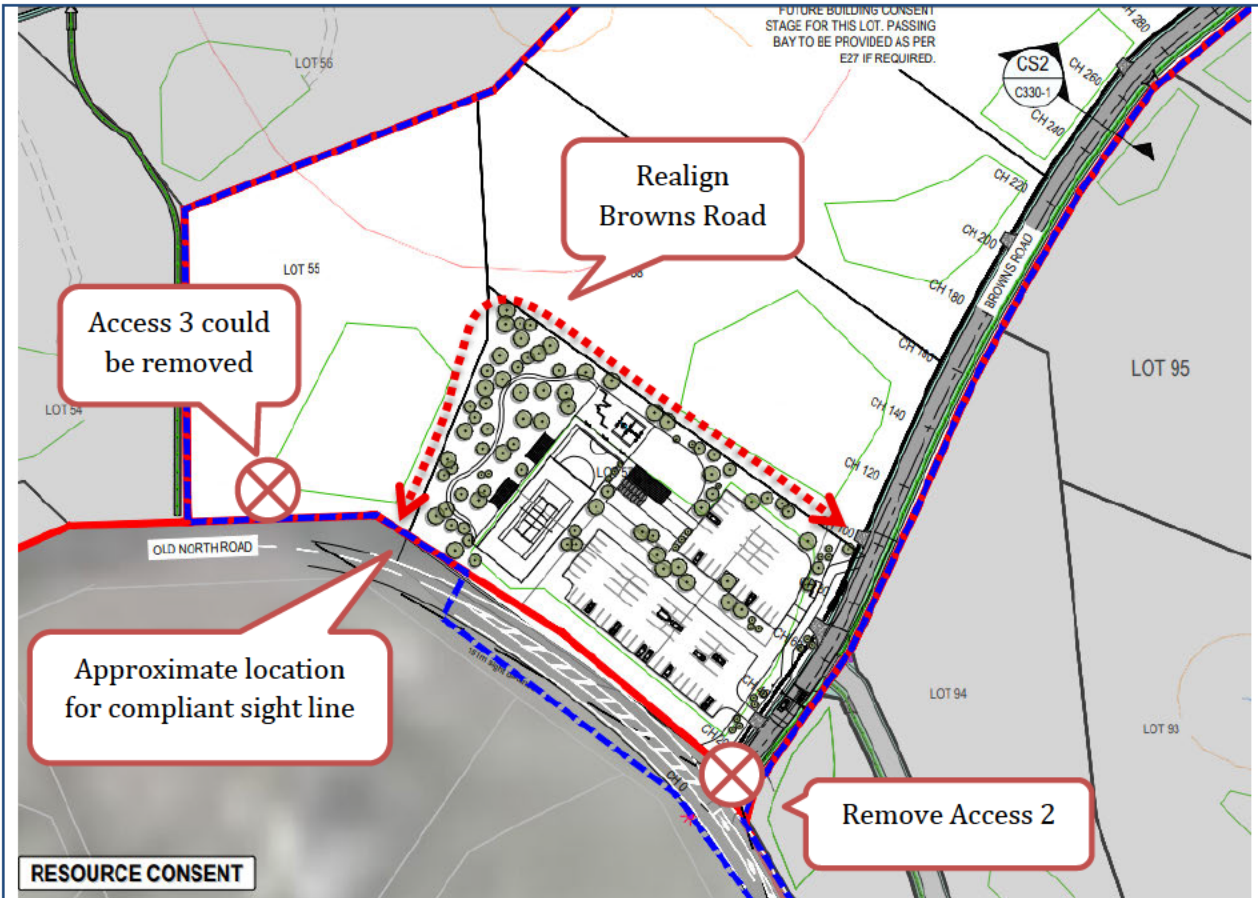


Figure 4: Potential realignment of Browns Road to achieve a compliant sight line

Access 4 (Serving Lot 68)

I am concerned about the western sightline for Access 4, which has a significant shortfall. This shortfall is more concerning when the longitudinal gradient of Old North Road is considered, as drivers on the western approach to Access 4 are travelling downhill and therefore will have require longer braking distances (181m and 231m respectively for cars and trucks, assuming a 6% downhill gradient and a 76 km/hr operating speed). Access 4 (serving Lot 68) should not be approved, to do so will create unacceptable risk. I recommend that access to this Lot should be from JOAL 5 (e.g. with right of way over Lot 67, along the edge of the pedestrian right of way) or JOAL 4 (e.g. with right of way over Lot 71) as potential options to explore, having limited effects on the overall layout of the proposed subdivision from a transport engineering perspective, noting other considerations would need to be taken into account.

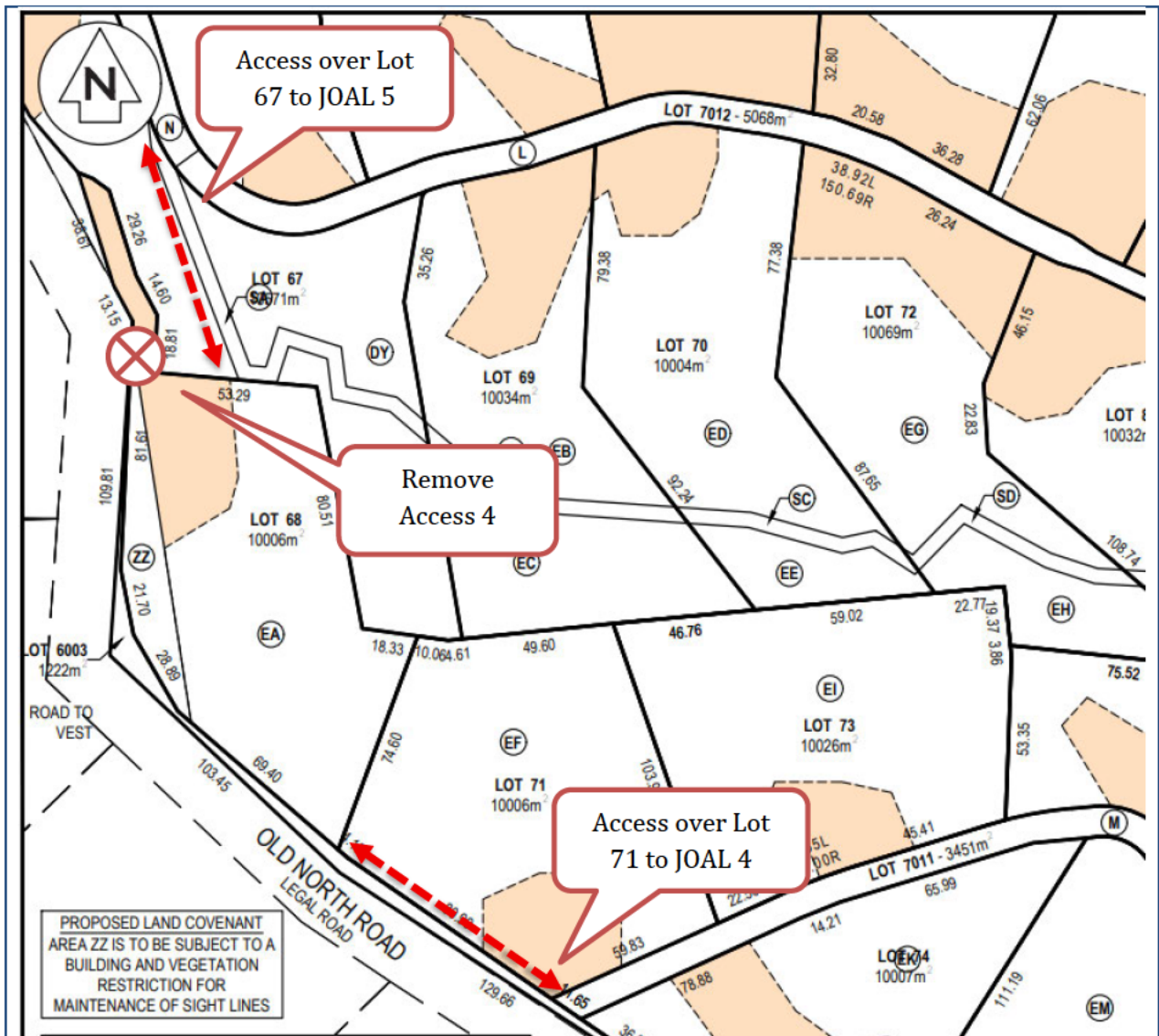


Figure 5: Potential alternative access to Lot 68 to remove sight distance infringement

Access 5 (JOAL 4)

Similarly, the shortfall on the western approach to Access 5 is along a downhill gradient requiring 168m and 213m respectively for cars and trucks, assuming a 6% downhill gradient and a 72 km/hr operating speed). Access 5 (JOAL 4) will serve 9 Lots, and therefore will generate a reasonable number of vehicle movements, particularly during peak hours. I have considered whether an alternative location for the access could improve increase the available sightline but have not identified any suitable location.

If the Expert Panel chooses to approve Access 5 in its current location, to address the sight line and ensure turning traffic does not conflict with through movements then I strongly recommend that a right turn bay is provided on Old North Road, per the design for Access 1 and Access 3, and that advanced warning signage alerting drivers to a concealed crossing is installed on the western approach, as indicated in Figure 6.

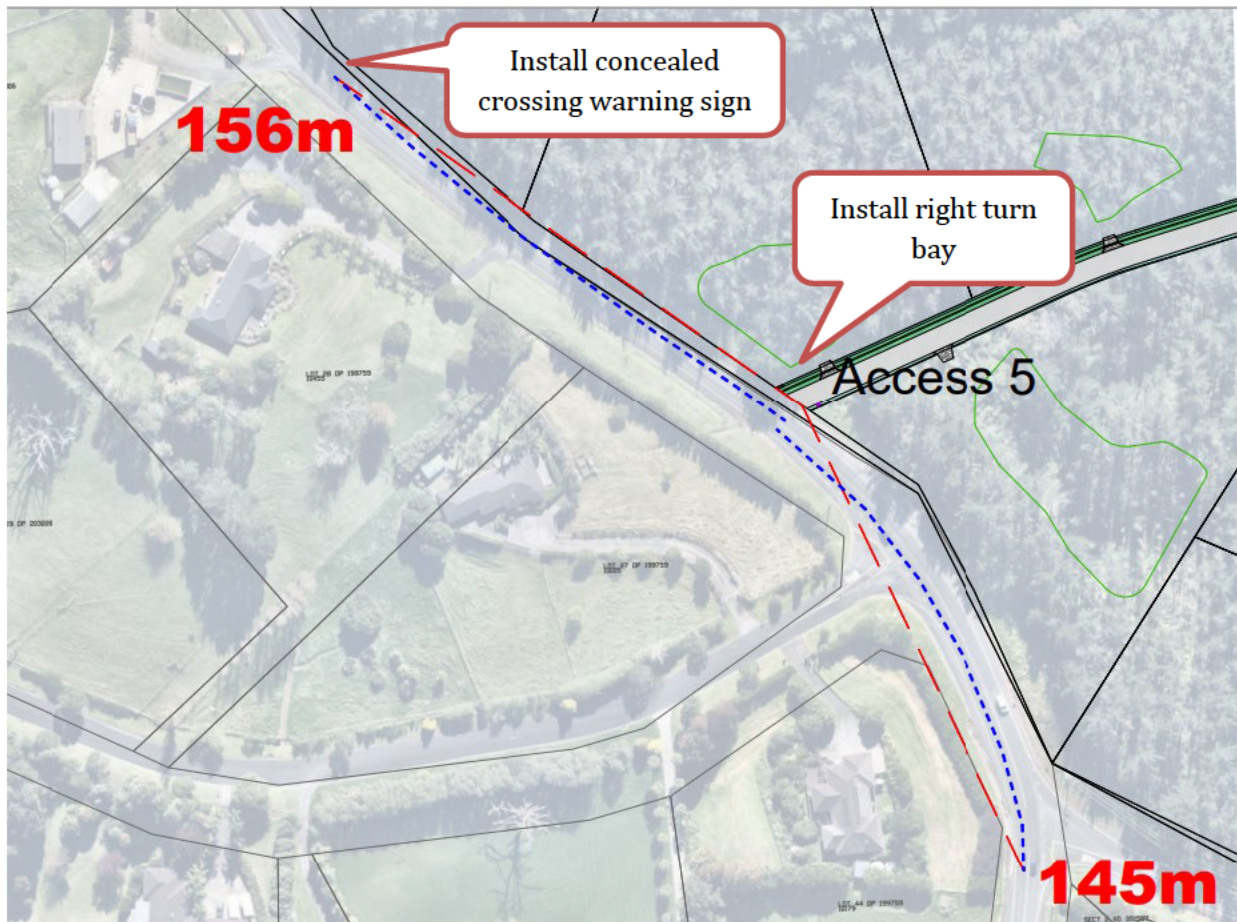


Figure 6: Mitigations for Access 5

JOAL 1 / JOAL 2 / Old North Road intersection and JOAL gates

In my preliminary 's67' memo I identified concerns with the JOAL 1 / JOAL 2 / Old North Road / Pinetone Road intersection. This included:

- Proximity to, and interaction with, Pinetone Road
- Potential for queuing off site, onto Old North Road, due to the limited separation between JOAL 2 and Old North Road, and that heavy vehicles (such as waste collection trucks) are required to use the full carriageway of JOAL 1 and JOAL 2 to negotiate the intersection
- Sightline to the east (which I have discussed previously in this memo).

In response, Commute stated that they consider the arrangement to be acceptable as:

- Access 1 is located approximately 27m from the lot boundary at Pinetone Road and therefore does not infringe the 10m setback Standard E27.6.4.1(3).
- No adverse safety effects are anticipated due to the low volume nature of Pinetone Road
- The additional of the new turning lane, and the "right-left" stager which means right turning vehicles do not conflict.

- The split JOALs are not anticipated to lead to any queuing concerns. This access serves 21 Country Living Lots creating 14 outbound trips and 4 inbound trips in the AM peak period and vice versa for the evening peak hour. There is also space available to accommodate two cars before queuing onto Old North Road.
- Any gates will be set back at least 6m from the JOAL intersection.

Regarding the interaction with Pinetone Road, I remain concerned about the interaction between Pinetone Road and Access 1. To reduce safety risks at this location, I recommend that the applicant provide a right turn bay for Pinetone Road.

Regarding the JOAL 2 tie in with JOAL 1, I am not convinced by Commute's assessment of the potential for queuing off the site. I note that JOAL 1 serves 33 lots, and as such will operate similar to a low volume load public road in terms of traffic volumes. Auckland Transport's Urban and Rural Road design Guide Table 2 requires Local to Arterial Road intersections to accommodate an 8.3m truck to remain within the marked lane when tracking through the intersection. 8m truck tracking provided in the ITA, and reproduced in Figure 7 below, shows an outbound truck needing to occupy the full carriageway of JOAL 1 and JOAL 2. A truck driver undertaking this manoeuvre would not be able to see any car turning right from Old North Road into the site. Further, for an inbound truck movement, an outbound car would need to wait a significant distance within the site to allow the truck to pass. Compounding this matter is the potential for gates to be erected.

I consider that the proposed arrangement is likely to result in queuing onto Old North Road, and conflict between inbound and outbound vehicles. This could be addressed by the applicant by:

- JOAL 2 is widened at the intersection with JOAL 1, to ensure an 8m truck can manoeuvre through the intersection without tracking across the opposing vehicle lane
- Any gates on JOALs are set back at least 12m from the road boundary, to provide stacking space for one truck or two cars.

This will require deviation from the Scheme Plan as boundary adjustments will be required, as such confirming this redesign now is encouraged and at a minimum a condition of consent that highlights this requirement should be included.

I have shown these recommendations in Figure 8.

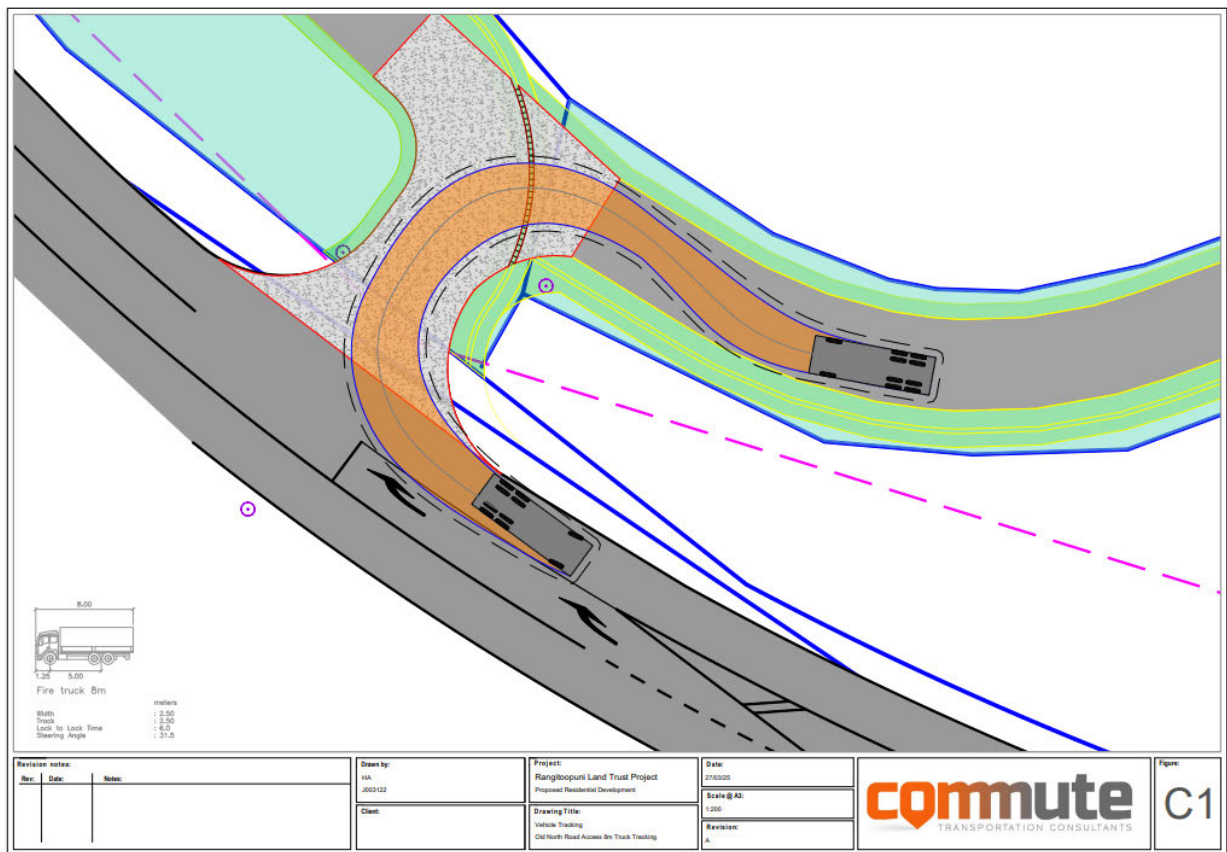


Figure 7: 8m truck tracking at JOAL 1 / JOAL 2 / Old North Road intersection

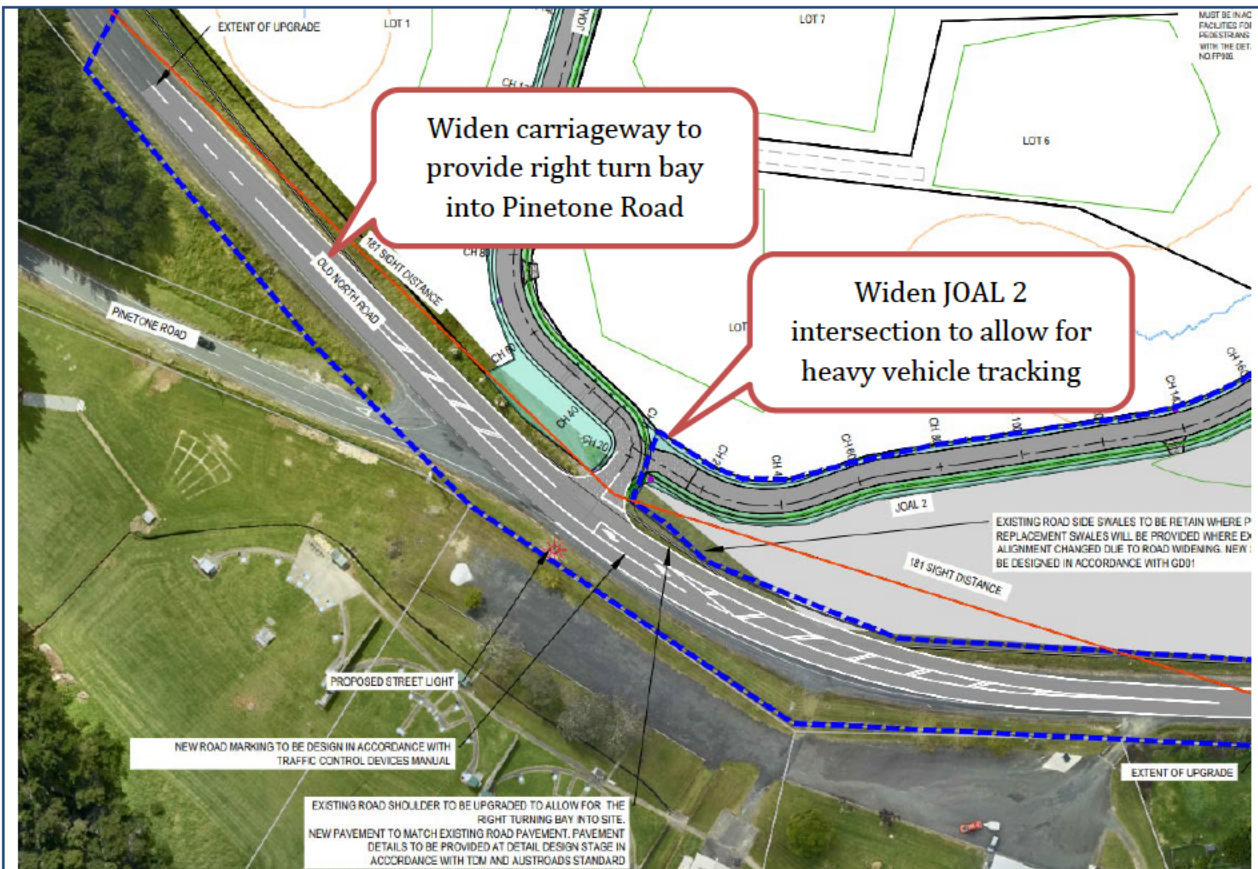


Figure 8: recommended amendments to Old North Road/Access 1

Interior JOAL and Right of Way design

In my s67 memo I identified the following concerns:

- A lack of turning heads on JOALs
- Multiple conflicts were shown on the vehicle tracking assessments (e.g. with berms and footpaths)
- Whether sightlines between passing bays were provided.

Commute responded, stating that:

- Truck turning facilities have been provided where trucks are required to enter JOALs and turn around
- The lots are all large and any minor conflicts in tracking can be addressed at EPA stage
- Sightlines between passing bays has been assessed and can be seen in section 10.4.2 of the ITA.
- Some sightlines conflict with lot boundaries, however restrictions on planting can be included if required.

Turning heads within Countryside Living JOALS

I disagree with Commute's assertion that truck turning has been catered for. As an example, JOAL 1 has a "TRUCK TURNING FACILITIES" approximately 120m from the end of the JOAL, as shown on Maven Drawing C300-2-2. This would require the truck to undertake an extensive reversing manoeuvre, which creates a safety risk for vulnerable road users. Further, it appears that the turning facility extends into Lot 15. An easement is proposed in favour of Auckland Council, however it is unclear if easement would also be provided to private waste collection trucks. A similar arrangement occurs for other JOALS.

NZS4404:2010 Land Development and Subdivision Infrastructure Section 3.3.16.1. states "A maximum 3-point turning head in the common area shall be provided at the end of all accesses serving three or more rear lots. Circulate, L, T, or Y shaped heads are acceptable". I therefore recommend that, if the application is approved, a condition of consent is applied that requires all private accessways to provide a turning head in accordance with NZS4404:2010 Land Development and Subdivision Infrastructure Section 3.3.16.1.

For the avoidance of doubt, I do not consider turning heads to be mandatory for the Retirement Village. As the Retirement Village roads and access will be actively managed by the operator, heavy vehicle access (e.g. for waste collection) can be directly managed and heavy vehicles restricted to areas where extensive reverse maneuvering is not required.

Vehicle tracking conflicts

I accept there is sufficient space within the site to address vehicle tracking conflicts. I therefore recommend that, if the application is approved, a condition of consent is applied requiring the consent holder to demonstrate that each JOAL and vehicle access has been designed to accommodate B85 car tracking and 8m truck tracking where refuse collection within the JOAL is proposed.

Sightlines between passing bays

Section 10.4.2 of the ITA provides spacing between passing bays, however it does not assess sightlines between passing bays, other than to note that JOAL 5 does not provide a passing bay but has clear lines of site along its length. Furthermore, it is unclear which Lots Commute proposes to apply planting restrictions.

I therefore recommend that, if the application is approved, a condition of consent is applied that requires the consent holder to demonstrate that sight distance is provided between all passing bays. Furthermore, I recommend that passing bays are added to JOAL 7 at not more than 100m spacing, consistent with Commute's recommendation in Section 10.4.2 of the ITA.

Walking and cycling connectivity

Countryside Living development

The Masterplan and Landscape Concept Plan shows multiple pedestrian paths through the site (refer to Figure 9), easements are shown on the Lot plans, although formation of the connections is not shown in the Engineering Drawings. If these connections are not provided this will significantly limit walking and cycling accessibility, resulting in increased car dependency.

I therefore recommend that, if the application is approved, a condition of consent is applied that requires the consent holder to form these paths to Council's satisfaction.

Furthermore, given the lack of footpath facilities within JOALs, I recommend that traffic calming is provided at not more than 50m spacing along all JOALs.

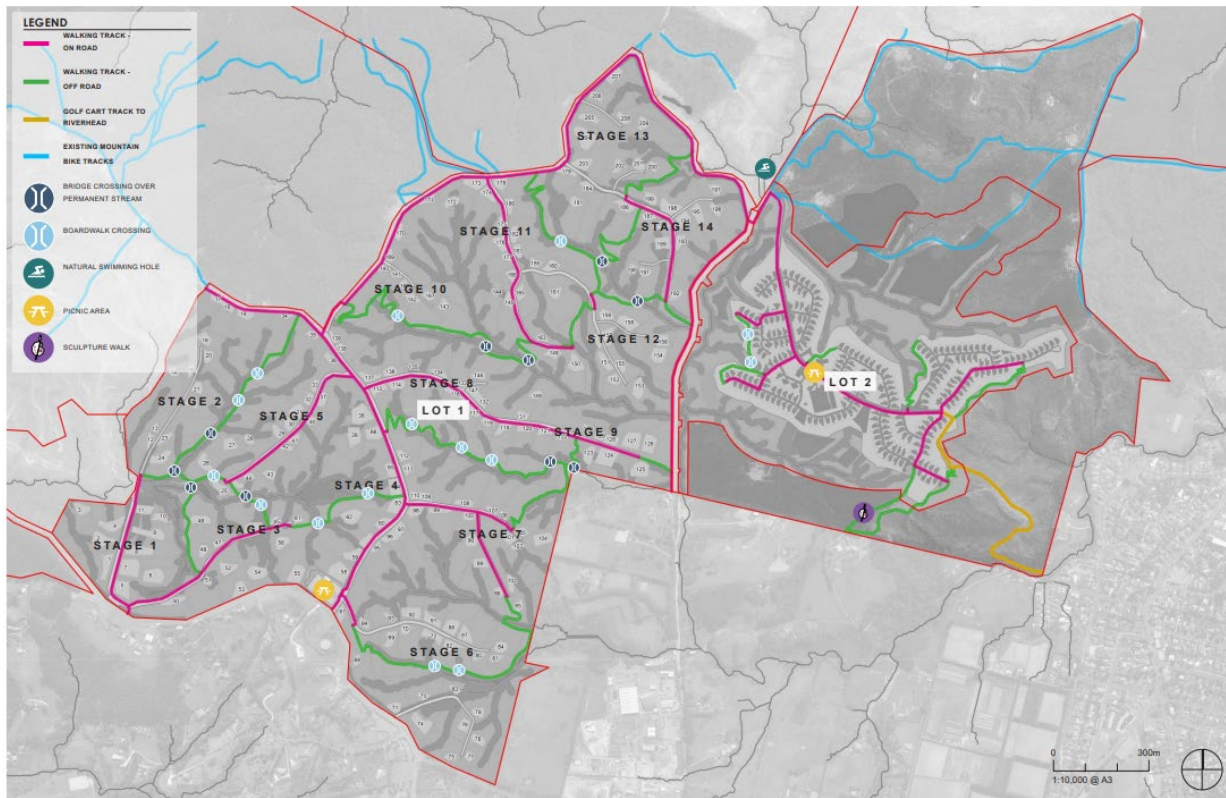


Figure 9: LOT 1 & 2 : TRACK NETWORK, (Source: Rangitootupuni Masterplan)

Retirement village shared use path

The retirement village includes a shared use path to provide a link to Riverhead via Mill Grove (discussed below). This has a gradient of up to 11.6% as well as potential visibility issues at corners. This creates the potential for high bicycle speeds, leading to crashes and conflicts with pedestrians if the path were to be used for that purpose.

I also understand that the applicant has proposed that the path be available for use by golf carts. I consider it unlikely that a 3m wide shared use path is sufficient to allow a golf cart to safely pass pedestrians and cyclists. Golf carts will require 1.6m – 1.9m width (assuming carts are 1.2m – 1.4m wide and require 0.5m clearance), and a cyclist occupies around 1.5m width³. At higher speeds, users generally need additional width. This indicates the path theoretically may need to be 4m wide if golf cart access were to be provided before considering the acknowledgement below of the feasibility of this access being of significant question in terms of being provided across Wautaiti Stream and Esplanade

³ Auckland Design Manual Accessible Space Dimensions

[https://www.aucklanddesignmanual.co.nz/content/dam/adm/adm-website/design-guidance/universal-design/guides/ADM Universal-Accessible Space Dimensions.pdf](https://www.aucklanddesignmanual.co.nz/content/dam/adm/adm-website/design-guidance/universal-design/guides/ADM%20Universal-Accessible%20Space%20Dimensions.pdf)

Reserve, the current 1.8m width of the Mill Grove access and the safety of such methods of transport in the local road network.

Mill Grove active modes connection

In my s67 memo I expressed concerns about the proposed shared use path within Retirement Village, that was proposed to connect to Mill Grove (subject to Council undertaking works within the Council reserve). If this connection is not provided this will significantly limit walking and also potentially cycling accessibility, resulting in increased car dependency. Ideally the connection between the site and Mill Grove should be formed as part of the initial stages of development of the Retirement Village, as it also enables walking and also potentially cycling access to the Countryside Living Development. However, I acknowledge that the shared use path would require capital expenditure and a more pragmatic outcome may be to allow some development to proceed without the shared use path, to allow the applicant to generate cash flow for the development prior to incurring the costs of constructing the shared use path.

In Minute 2 of the Expert Panel, the Panel requested that Council comment on the consent conditions that might be imposed to physically form and/or reinstate the pedestrian access including the bridge and provide access between the site boundary and this bridge.

Regarding the formation of a path within the Wautaiti Stream and Esplanade Reserve, my recommendation is that it is formed to be consistent with path within Lot 2 (noting that may be refined if golf cart access not viable), to provide a consistent level of service for users subject to considerations including the effect of such a path on the esplanade reserve function and the width of bridge design.

Regarding the bridge, I understand that Council has a committed project to reconstruct the bridge with a width of 1.6m. Furthermore, the existing accessway from this proposed bridge to Mill Grove is 1.8m in width, with a legal width of approximately 3m.

Auckland Transport's Engineering Design Code - Cycling Infrastructure ⁴ recommends a minimum width of 3m for shared use paths. Typically, additional width is typically required for shared use paths where there are "hard edges" (such as fencing and bridge railings) as users will "shy" way from these edges. However, the existing accessway between the proposed bridge and Mill Grove is a fixed constraint. As such, this section will operate with a reduced quality of service for users, but I consider that widening the bridge and existing accessway path to 2.4m – 3m should be explored by the applicant in consultation with the Council and on a reasonable timeline to enable this to establish if a pragmatic solution to provide for cycle access could exist, as shown in the Figure below.

⁴ <https://at.govt.nz/media/1985455/5794-tdm-engineering-design-code-cycling-infrastructure-version-1.pdf>

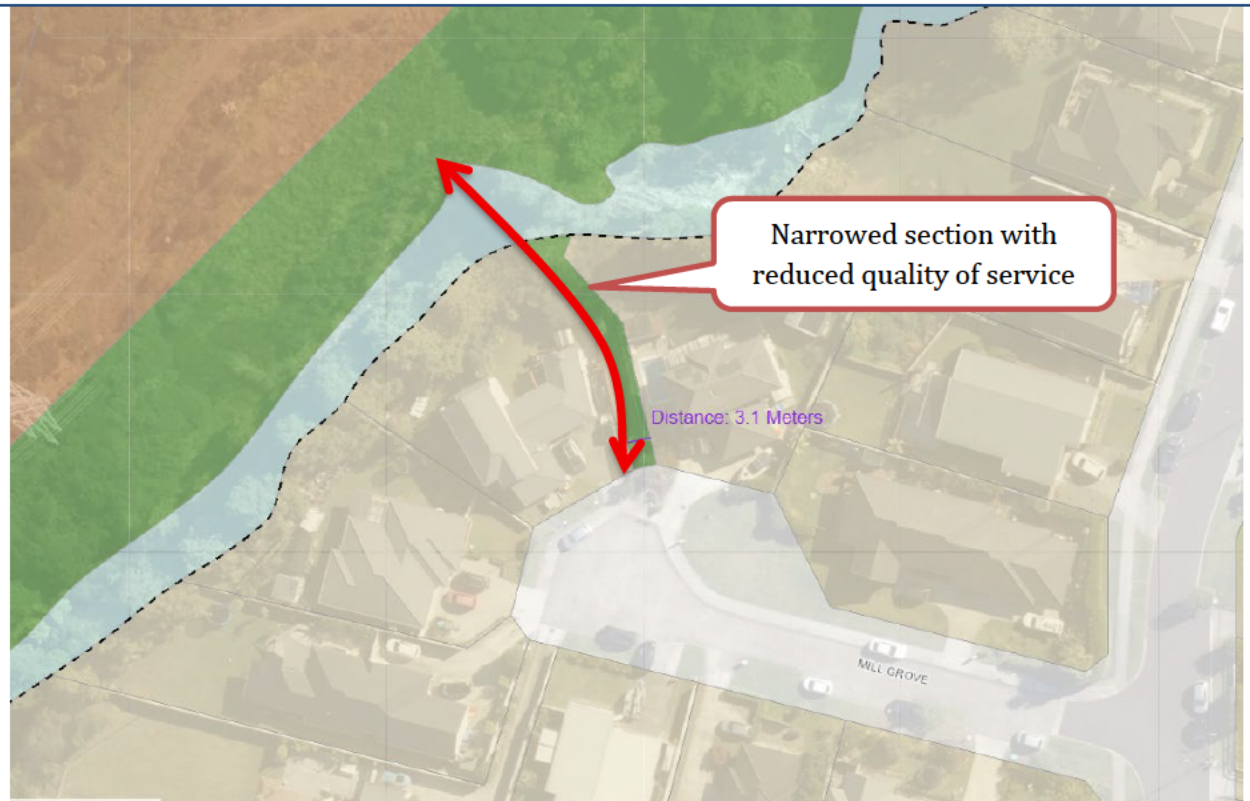


Figure 10: Section of future shared use path with reduced width

Golf carts within Council reserves and roads

NZTA has stated that, as a golf cart doesn't meet general safety requirements, they cannot be operated on a road. They also aren't classified as a mobility device and therefore cannot be used on the footpath⁵.

Although this may not apply to shared use paths within Council reserves, I consider it would be inappropriate to permit golf carts within the Council reserve as this may conflict with public use of the space. Furthermore, golf carts would not be permitted to access Mill Grove, and it would not be appropriate for the applicant to use the Council reserve to park or manouvre golf carts around for their return trip to the retirement village.

Furthermore, as noted above, the proposed bridge and connection to Mill Grove are constrained in width, and would not be able to accommodate golf carts.

Following this clarification the applicant has a choice as to whether they would want to retain Golf Cart access to the site boundary or would want to confirm the path design within the site without providing for such vehicles.

⁵ <https://fyi.org.nz/request/7201-where-can-golf-carts-be-used>

I therefore recommend a condition of consent is applied that requires the applicant to demonstrate, as part of engineering plan approval, that:

- If golf cart access is to be retained to the site boundary the shared use path within the site would need to be amended to a sufficient width for golf carts (potentially 4m wide).
- That sufficient space is provided within the applicants site for parking and manourvrng golf carts, without encroaching into Council reserve (Wautaiti Stream tributary) and that a means of control is provided on the boundary to contain these vehicles within the site.
- The shared use path within the site incorporates speed calming measures as required to manage cyclist (and golf cart, if proposed) speeds on steeper sections and at blind corners.
- The applicant will provide for in agreement with the Council for the shared use path connection through the Council reserve (Wautaiti Stream tributary) to Mill Grove, this is stated with an understanding that the Council have a committed project for the reinstatement of the bridge anticipated in 2026. At this point unknowns and uncertainties in respect to the position of the land owner on cycle use from the reserve, consenting uncertainty given characteristics of the reserve, the current design of the replacement bridge and the accessway width are barriers to cycle use which I would encourage the applicant to engage with the Council on to explore if these matters can be addressed.
- Ideally the connection between the site and Mill Grove should to be formed as part of the initial stages of development of the Retirement Village, as it also enables walking and potentially cycling access to the Countryside Living Development. However, I acknowledge that the shared use path would require capital expenditure and a more pragmatic outcome may be to allow some development to proceed without the shared use path, to allow the applicant to generate cash flow for the development prior to incurring the costs of constructing the shared use path.

6.0 Section 67 Information Gap

Nil.

7.0 Recommendation

Based on the information available, I do not support the application in its current form, due to potential safety issues with Access 1, Access 2, Access 4 and Access 5. In my professional opinion, the proposal presents unresolved transport safety risks that are not adequately mitigated. These risks are particularly concerning given the rural context and the high-risk nature of the surrounding road network.

Key concerns include:

- The proposed arrangement of the Old North Road / Pinetone Road / Access 1 intersection is likely to increase risks for existing users of Pinetone Road, compromise sightlines, result in queuing onto Old North Road, and create conflict between inbound and outbound vehicles.

- Access 2 (Browns Road) serving 122 Country Living Lots has a sightline shortfall to the west over third-party land, which cannot be protected by covenant. This creates an unacceptable safety risk for right-turning vehicles.
- Access 4 (servicing Lot 68) has a significant sightline shortfall and is located on a downhill gradient, increasing braking distances.
- Access 5 (JOAL 4) serving 9 Country Living Lots also has a sightline shortfall on a downhill gradient.
- Sufficient passing opportunities and turning heads are not provided within JOALs, which may result in unsafe reversing manoeuvres and vehicle conflicts, particularly for pedestrians/cyclists using JOALs.
- Walking and cycling connectivity and safety are not adequately demonstrated, particularly in relation to the shared use path to Riverhead and its interface with Council reserve land.

I recommend the following matters, including limited and specific changes to the design of accesses, be undertaken prior to the decision in order that transport safety matters can be properly reconciled. Should my recommendations be adopted, I would support the proposal, with conditions as listed in Section 8 of my memo. But if the Panel is minded **conditions of consent at a minimum** could be imposed to provide the acknowledgement and method to address these concerns.

Access 1 (JOAL 1 and JOAL 2):

- The land covenant proposed to protect the sightline over Lot 50 must specify that maintenance responsibility lies with the Residents' Society (or similar legal entity).
- JOAL 2 must be widened at its intersection with JOAL 1 to accommodate 8m truck movements without tracking across opposing lanes. This will require deviation from the Scheme Plan as boundary adjustments will be required, as such confirming this redesign now is encouraged and at a minimum a condition of consent that highlights this requirement should be included.
- A right-turn bay must be provided on Old North Road for vehicles turning into Pinetone Road.

Access 2 (Browns Road):

- This access should be relocated to achieve compliant sightlines, potentially by realigning Browns Road to the shared boundary between Lot 55 and Lot 57.
- Access 3 may be removed, with Lot 55 gaining access via the realigned Browns Road per the above.

Access 4 (Lot 68):

- This access should be removed. Lot 68 should be accessed via JOAL 5 (e.g. right of way over Lot 67) or JOAL 4 (e.g. right of way over Lot 71).

Access 5 (JOAL 4):

- A right-turn bay must be provided on Old North Road.
- Advanced warning signage must be installed on the western approach to alert drivers to the concealed crossing.

JOAL Design:

- All private accessways within the Countryside Living Development must provide a turning head in accordance with NZS4404:2010 Section 3.3.16.1.
- Each JOAL and vehicle access must accommodate B85 car tracking and 8m truck tracking where refuse collection is proposed.
- Sight distance must be demonstrated between all passing bays. Passing bays must be added to JOAL 7 at intervals not exceeding 100m.
- Any gates on JOALs must be set back at least 12m from the road boundary to allow stacking space for one truck or two cars.
- Traffic calming is provided at not more than 50m spacing along all JOALs.

Pedestrian Connectivity:

- All pedestrian paths shown in the Lot 1 Scheme Plan must be formed to Council's satisfaction.

Shared Use Path to Mill Grove:

- If golf cart access is to be retained to the site boundary the shared use path within the site would need to be amended to a sufficient width for golf carts (potentially 4m wide).
- That sufficient space is provided within the applicants site for parking and manourvring golf carts, without encroaching into Council reserve (Wautaiti Stream tributary) and that a means of control is provided on the boundary to contain these vehicles within the site.
- The shared use path incorporates speed calming measures as required to manage potentially cyclist (and golf cart, if proposed) speeds on steeper sections and at blind corners.
- The applicant will provide for in agreement with the Council for the shared use path connection through the Council reserve (Wautaiti Stream tributary) to Mill Grove, this is stated with an understanding that the Council have a committed project for the reinstatement of the bridge anticipated in 2026. At this point unknowns and uncertainties in respect to the position of the land owner on cycle use from the reserve, consenting risks relating to the characteristics of the reserve, the current design of the replacement bridge and the accessway width are barriers to cycle use which I would encourage the applicant to engage with the Council on to explore if these matters can be addressed.
- Ideally the connection between the site and Mill Grove should to be formed as part of the initial stages of development of the Retirement Village, as it also enables walking and potentially cycling access to the Countryside Living Development. However, I acknowledge that the shared use path would require capital expenditure and a more pragmatic outcome may be to allow some development to proceed without the shared use path, to allow the applicant to generate cash flow for the development prior to incurring the costs of constructing the shared use path.

If the Expert Panel decides to approve the application, in addition to my recommended Conditions stated in the Section 7 of this memo, I recommend several amendments to proposed conditions, and the inclusion of new conditions. In the above memo I have suggested some limited amendments particularly around accesses which I would advise be reconciled at this point given potential other considerations, however if the Panel is so minded I consider that additional conditions of consent would be required to provides for these amendments listed above under item 7.0

Condition	Commentary
<i>Construction Traffic Management Plan</i> <i>57. Prior to the commencement of any <u>earthworks or construction activity</u> Project Construction Work Component requiring a CTMP, as set out in condition 13, the consent holder must submit a CTMP to the Council for certification. The CTMP must be prepared in accordance with the Council's requirements for traffic management plans or CTMPs (as applicable) and New Zealand Transport Agency's Code of Practice for Temporary Traffic Management and must address the surrounding environment including pedestrian and bicycle traffic.</i> <i><u>The overall objective of the CTMP is to manage the effects of earthworks and construction traffic, and minimise impacts on the surrounding roading network (including footpaths) and on properties within the vicinity of the construction works.</u></i> <i><u>The CTMP must include specific details relating to avoiding, remedying or mitigating adverse effects on the environment from earthworks, construction and management of all works associated with this development, and setting out procedures to be followed which ensure compliance with the conditions of consent, as follows:</u></i> <i><u>(a) Contact details of the appointed contractor or project manager (phone number, email, postal address);</u></i> <i><u>(b) A general outline of the construction programme;</u></i> <i><u>(c) Plans showing areas where stockpiles, equipment (including contractor parking) will occur so that there is no obstruction of public spaces (e.g. roads);</u></i> <i><u>(d) Plans showing the location of any site offices, staff facilities and staff car parking required during the construction period;</u></i> <i><u>(e) An overview of measures that will be adopted to prevent unauthorised public access during the construction period;</u></i> <i><u>(f) Location of traffic signs on surrounding streets and proposed signage for traffic management purposes during construction;</u></i>	Reference to Condition 13 appears to be an error. The proposed condition is unclear when a CTMP is required and lacks detail on what the CTMP should include. My suggested condition is consistent with the recent Drury Metropolitan Centre Stage 2 FTAA.

<u>(g) Measures to ensure satisfactory vehicle and pedestrian access is maintained to adjacent properties at all times;</u> <u>(h) Measures to manage any potential spill-over effects to on-street parking during the construction period;</u> <u>(i) Temporary protection measures that will be installed to minimise any damage to public roads, footpaths, berms, kerbs, drains, reserves or other public assets as a result of the earthworks and construction activities;</u> <u>(j) The process to record and investigate all traffic complaints that includes the following steps being taken as soon as practicable:</u> <u>i. Identify the relevant activity and the nature of the works at the time of the complaint;</u> <u>ii. Review the mitigation and management measures in place;</u> <u>iii. Record the findings and recommendations in a complaints register that is provided to the Project Manager after each and every complaint and made available to the Council on request; and</u> <u>iv. Report the outcomes of the investigation to the complainant within 10 working days of the complaint being received, identifying where the relief sought by the complainant has been adopted or the reason(s) otherwise; and</u> <u>(k) Identification of haulage routes and procedure for agreeing existing condition with the Council and Auckland Transport prior to commencement of works;</u> <u>(l) Consideration to other construction projects in the area; and</u> <u>(m) The process for changing, and certifying any changes to, the CTMP. The above details must be shown on a site plan and supporting documentation as appropriate.</u> <u>Advice Note:</u> <u>Prior to the commencement of any construction activities, a Corridor Access Request (CAR) is required to be lodged with AT and such permit must be obtained prior to the works commencing. Please refer to Auckland Transport's website for further information: https://at.govt.nz/about-us/working-on-the-road/corridor-accessrequests/</u>	
<u>Construction of public roads</u> 60. Prior to the commencement of any engineering works within Old North Road or Forestry Road....	Include heading before condition 60, as condition 60 and 61 do not relate to

	“Avoiding damaging assets”
<u>New Condition X. Vehicle accessways</u> <u>x. The consent holder must design and construct all vehicle accessways in accordance with the approved plans referenced in Condition 1, other than as required to ensure:</u> i. <u>A turning head is provided at the end of each JOAL within the Countryside Living development, in accordance with NZS4404:2010 Land Development and Subdivision Infrastructure Section 3.3.16.1.</u> ii. <u>Any gates provide at least 12m queue space from the legal road boundary</u> iii. <u>that each JOAL and vehicle access has been designed to accommodate B85 car tracking and 8m truck tracking where refuse collection within the JOAL is proposed</u> iv. <u>a maximum distance of 100m between passing bays, where the carriageway is less than 5.5m wide, and demonstration of clear lines of site between passing bays</u> v. <u>Traffic calming is provided at not more than 50m spacing along all JOALs</u> <u>Certification from a suitably qualified and experienced surveyor or engineering professional that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</u> <u>Advice Note:</u> <u>Right of ways, Commonly Owned Access Lots and common access ways require a Common Access Way Plan Approval prior to construction. For more details refer to Common access way approval (aucklandcouncil.govt.nz)</u> <u>Please contact the Council to obtain the current engineering requirements for the construction of the type of vehicle accessway proposed.</u> <u>Plans approved under Resource Consent do not constitute a Common Access Way/ Engineering Plan Approval and should not be used for the purposes of constructing common access ways.</u> <u>The consent holder is advised that the New Zealand Addressing Standard (AS/NZS 4819:2011) and the LINZ Guidelines for Addressing In-fill Developments 2019 – LINZ OP G 01245 require consideration to be given to the naming of any private roads (rights of way or Commonly Owned Access Lots / common access ways) that serve six or more lots that are being created under a subdivision</u>	Standard condition of consent where new vehicle accessways are proposed, with amendments to address site specific matters.

<u>consent. All road names must be approved by the Council. In order to minimise disruption to construction and survey works, the consent holder is advised to take advice from their surveyor as to whether a road name will be required for any private roads and obtain any road name before applying for a section 223 certificate.</u>	
<u>New Condition X. Vehicle crossings</u> <u>The consent holder must provide new vehicle crossings in accordance with the approved plans referenced in Condition 1. The crossings must be designed and formed in accordance with the requirements of Auckland Transport Transport Design Manual. Certification that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA.</u> <u>Advice Note:</u> <u>An approval letter and completion certificate from Auckland Transport is required to be submitted to the Council as a verification that Auckland Transport has completed approval and a final vehicle crossing inspection before this condition is considered fulfilled.</u> <u>Works within the road reserve require prior approval from Auckland Transport. The consent holder should contact Auckland Transport as soon as possible to ensure any required approvals are issued prior to construction.</u> <u>A vehicle crossing approval permit is required to be obtained from Auckland Transport for these works. For more details refer to Vehicle crossing application (Auckland Transport)</u>	Standard condition of consent where new vehicle crossings are proposed.
<u>Formation of pedestrian accessways</u> <u>x. Easements shown as “RIGHT OF WAY (PEDESTRIAN)” within the Countryside Scheme Plan must be formed to allow pedestrian use, to Council’s satisfaction. Certification from a suitably qualified and experienced surveyor or engineering professional that works have been satisfactorily undertaken must be provided when applying for a certificate under section 224(c) of the RMA</u>	Condition to require formation of a walking surface, as the Engineering Plans do not include formation details.
<u>New Advice Note X: Corridor Access Requests</u> <u>x. The consent holder will need to obtain a Corridor Access Request approval from Auckland Transport for the proposed works in or occupation of the road reserve.</u> <u>It will be the responsibility of the consent holder to determine the presence of any underground services that may be affected by the consent holders work in the road reserve. Should any services exist, the consent holder must contact</u>	Standard advice notes where works are proposed within the legal road.

the owners of those and agree on the service owner's future access for maintenance and upgrades. Services information may be obtained from <https://www.beforeudig.co.nz/>

All work in the road reserve must be carried out in accordance with the general requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors <https://nzuag.org.nz/wp-content/uploads/2018/11/National-Code-amended-version-29-Nov-2018.pdf> and Auckland Transport Design Manual <https://at.govt.nz/about-us/manuals-guidelines/transport-design-manual/>

Prior to carrying out any work in the road corridor, the consent holder must submit to Auckland Transport a Corridor Access Request (CAR) and temporary Traffic management plan (TMP), the latter prepared by an NZ Transport Agency qualified person and work must not commence until such a time as the consent holder has approval in the form of a Works Access Permit (WAP). The application may be made at <https://at.govt.nz/about-us/working-on-the-road/corridor-access-requests> and 15 working days should be allowed for approval.

9.0 Supporting Documents

Nil

Auckland Transport – Siva Jegadeeswaran
and Martin Peake (transport) and Griffin
Benton-Lynne (stormwater) (**Annexure 11**)

Your Comment on the Rangitooopuni application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fasttrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Auckland Transport		
First name	Siva		
Last name	Jegadeeswaran		
Postal address	20 Viaduct Harbour Avenue, Auckland 1010		
Home phone / Mobile phone		Work phone	
Email (<i>a valid email address enables us to communicate efficiently with you</i>)			

2. We will email you draft conditions of consent for your comment			
☒	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct

Please provide your comments below, include additional pages as needed.

Thank you for referring the Rangitootuni fast-track consent (**the Project**) to Auckland Transport (**AT**) for comment. AT is a Council-Controlled Organisation and the Road Controlling Authority for the Auckland region (excluding the State Highway network). AT has the legislated purpose to contribute to an 'effective, efficient and safe Auckland land transport system in the public interest'¹. In fulfilling this role, AT has an interest in the Project as Road Controlling Authority and as an asset owner.

It is noted that AT and Auckland Council have provided separate but complementary responses on the Project. This memo provides a summary of AT's assessment and position on the Project, and should be read in conjunction with the supporting material attached with this response, namely:

- Annexure A, Technical Note by Martin Peake, Progressive Transport Solutions Limited, dated 10 September 2025; and
- Annexure B, Stormwater Management Memo by Griffin Benton-Lynne, AWA Environmental Limited dated 12 September 2025

Executive Summary

1. **Trip Generation:** The land is currently primarily zoned Countryside Living in the AUP but has been used for forestry (very small areas are zoned Rural Production). The proposed development will change the use from forestry to dwellings and a retirement village, which will generate additional traffic on both local and wider road networks. This change of use, coupled with the proposed quantum of dwellings and the proposal's non-complying activity status, triggers a need to assess the traffic effects of trips generated by residential development.
2. **Network Effects:** The proposed development will increase traffic volumes at the SH16 / Coatesville-Riverhead Highway intersection and along SH16, adversely impacting the operation of nearby roads such as Old North Road and Coatesville-Riverhead Highway – the intersection and operation of SH16 are assessed as material constraints for the development of this site. As discussed in the main body of this report, the SH16/Coatesville-Riverhead Highway intersection is acutely congested in the morning peak with lengthy queues and delays, where eastbound SH16 traffic frequently gives way to turning vehicles despite having priority, while flow breakdown on SH16 due to traffic volumes and topography creates shock wave effects that compound congestion at the intersection. While NZTA manages the State Highway network, Auckland Transport is responsible for both Old North Road and Coatesville-Riverhead Highway – both of which will be affected by development traffic contrary to the applicant's assumption that only Old North Road would be used, meaning AT's local road network will bear the direct operational impacts on both already congested routes that serve as primary access to SH16. NZTA's funded Stage 2 upgrade project, which includes converting the intersection to a roundabout and four-laning SH16, is expected to address these constraints, although its delivery timeline remains uncertain². The proposed development should be coordinated with the NZTA project such that the occupancy of dwellings and retirement village units should be contingent on the projects being completed and operational.
3. **Safety Considerations:** Commute's report highlights increased crash risk at several intersections, particularly at Deacon Road / Riverhead Road, where limited visibility and higher right-turn volumes require mitigation. The surrounding road network has medium to high collective and personal risk ratings—a road safety classification for parts of the network. These ratings are expected to persist due to the rural nature of the roads, even as development progresses in the area.
4. **Site Access Design:** Five access points are proposed from Old North Road, with varying degrees of compliance with visibility standards:
 - Access 1 - The proposed access arrangement is considered feasible. However, it will require refinement during the Engineering Approval (**EA**) stage. Consent conditions should be imposed to ensure that sight lines from the access point along Old North Road are maintained.
 - Access 2 - The access design is generally appropriate, but there are sightline shortfalls from both the site access and the right-turn bay, with visibility extending over third-party

¹ Section 39 of the Local Government (Auckland Council) Act 2009

² <https://nzta.govt.nz/media-releases/stage-2-of-sh16-safety-improvements-project-to-move-forward-to-construction>.

property—posing a safety concern on this high-speed rural road (80 km/h). These issues will need to be addressed or mitigated by relocating the access.

To facilitate safe access for construction traffic (including heavy vehicles), Accesses 1 and 2 should be upgraded to provide right turn bays.

- Access 4 and Access 5 - Both accesses have visibility shortfalls. Access 4 serves a single residential lot and may benefit from relocation to improve sightlines. Access 5, which serves nine lots, has not accounted for the gradient of Old North Road in its visibility assessment, and mitigation will be required to address potential safety concerns due to limited visibility.
 - Gates are proposed at all accesses from Old North Road. These will need to be positioned sufficiently far into the site so that queued vehicles can wait clear of Old North Road whilst the gate is opened.
 - AT are aware that these accesses have also been reviewed and commented on by Auckland Council's Traffic Engineer as an overlapping area of interest where the development and the existing road network intersect. AT agrees with the Council Traffic Engineer's assessment.
5. **Intersection Upgrades:** Upgrades to the Deacon Road / Forestry Road and Deacon Road / Riverhead Road intersections are necessary to address safety impacts from the development. A formal channelised right-turn bay should be provided at the Forestry Road intersection, while mitigation such as advisory speed signs or speed-activated warning signs is needed at the Riverhead Road intersection to manage increased safety risks from higher right-turn volumes and constrained visibility.
 6. **Infrastructure Integration:** The proposed upgrade and vesting of Forestry Road is generally supported, subject to resolving flood hazards (see point 8 below), building consent approval of retaining structures and maintenance responsibilities. Approval from affected property owners will also be required where vehicle access is impacted and works extend into third-party land.
 7. **Shared Path:** The proposed shared path connecting the retirement village to Riverhead is supported. However, there are concerns regarding accessibility and safety, particularly for mobility-impaired users, due to the steep gradient and missing footpath connections along Mill Grove and Duke Street that need to be resolved.
 8. **Stormwater:** AWA's stormwater engineer has identified significant flood safety concerns with the proposed Forestry Road extension, where flood depths of up to 2 metres may occur in parts of the proposed road extension near the downstream end, creating serious risks of vehicle flotation and potential fatalities as vehicles could be swept into the adjacent river. While the Flood Model Report proposes raising Forestry Road as a mitigation measure, the analysis contains limitations and contradictions that make it difficult to assess effectiveness, including inadequate mapping detail, apparent increases in water depth despite mitigation intent, and unclear hazard assessments that may exceed pedestrian and vehicle safety thresholds. The engineer recommends providing detailed flood depth maps for areas with flows exceeding 0.2 metres, conducting energy grade line assessments, clarifying modeling contradictions, and ensuring that large culverts (over 3.4 m²) comply with design standards including adequate maintenance access, all of which must be addressed to ensure flood-related risks are appropriately mitigated and infrastructure meets relevant safety standards before development proceeds.

Key Documents Reviewed

- Integrated Transport Assessment (**ITA**) prepared by Commute, dated 1 May 2025
- Assessment of Environmental Effects (**AEE**) prepared by Campbell Brown, dated 5 May 2025
- Scheme Plans Countryside Living and Retirement Village prepared by Maven, dated April 2025
- Civils drawings prepared by Maven, dated March 2025
- Specialist Comments Response, Commute, 19 August 2025
- Applicant response to specialist queries, 19 August 2025

Specialist Assessment

9. This memo sets out ATs' strategic position which is informed by the technical notes undertaken by Martin Peake of Progressive Transport Solutions Limited (Traffic – Annexure A) and Griffin Benton - Lynne from AWA Environmental Limited (Stormwater – Annexure B) at the instruction of AT.

Key Projects within the Riverhead Area

NZ Transport Agency Project – Stage 2 - SH16 Brigham Creek to Waimauku.

10. Stage 2 of the SH16 Brigham Creek to Waimauku Project aims to improve safety and capacity along SH16 between Brigham Creek Road and Kumeu. Key upgrades include converting the SH16/Coatesville-Riverhead Highway intersection into a roundabout and expanding SH16 to four lanes.
11. Although NZTA announced funding approval on 1 July 2025, the project's timeline remains uncertain. A previous submission in May 2024 anticipated completion by mid-2029 if funding was secured promptly. However, due to delays, the project may extend beyond 2029, as it still requires detailed design, consenting, property acquisition, and construction.
12. Figure 1 shows the location of the Stage 2 project in relation to the Application site

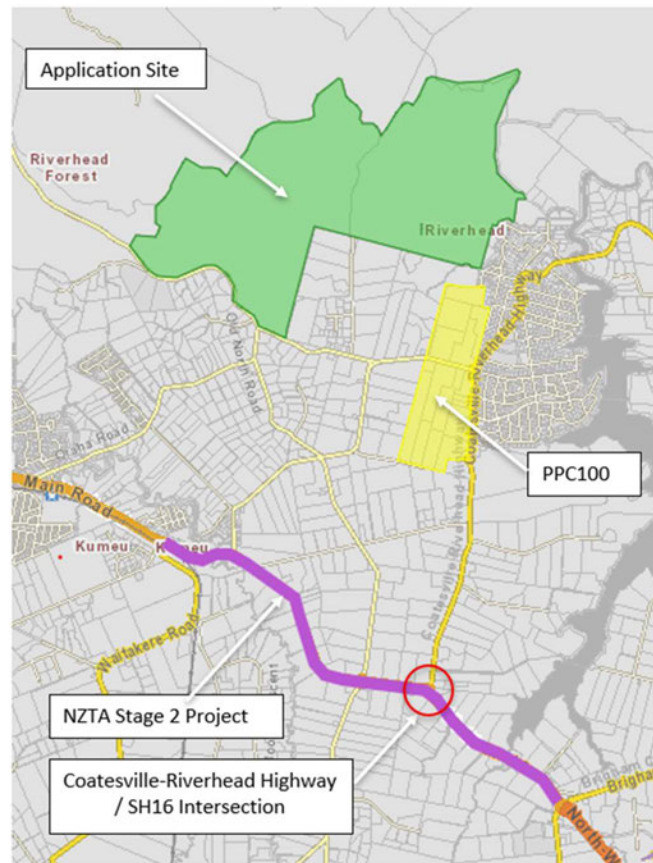


Figure 1 – Location of Stage 2 Waimauku to Brigham Creek Road Safety Improvements Project in purple with intersection upgrade location circled in red

13. NZTA proposes to stage the project in three sections, as shown in Figure 2 below:
 - a. Section 1 – Brigham Creek Roundabout to Coatesville Riverhead Highway Intersection
 - b. Section 2 - Coatesville Riverhead Roundabout to Taupaki Roundabout
 - c. Section 3 - Taupaki Roundabout to Kumeū.



Figure 2 – Sections / staging of NZTA Stage 2 Project

Private Plan Change 100 – Riverhead

14. Private Plan Change 100 (PPC100) proposes rezoning Future Urban Zone land in Riverhead to residential, including a local centre (potentially with a supermarket) and a retirement village. The location of PPC100 in relation to the application site is illustrated in Figure 3.

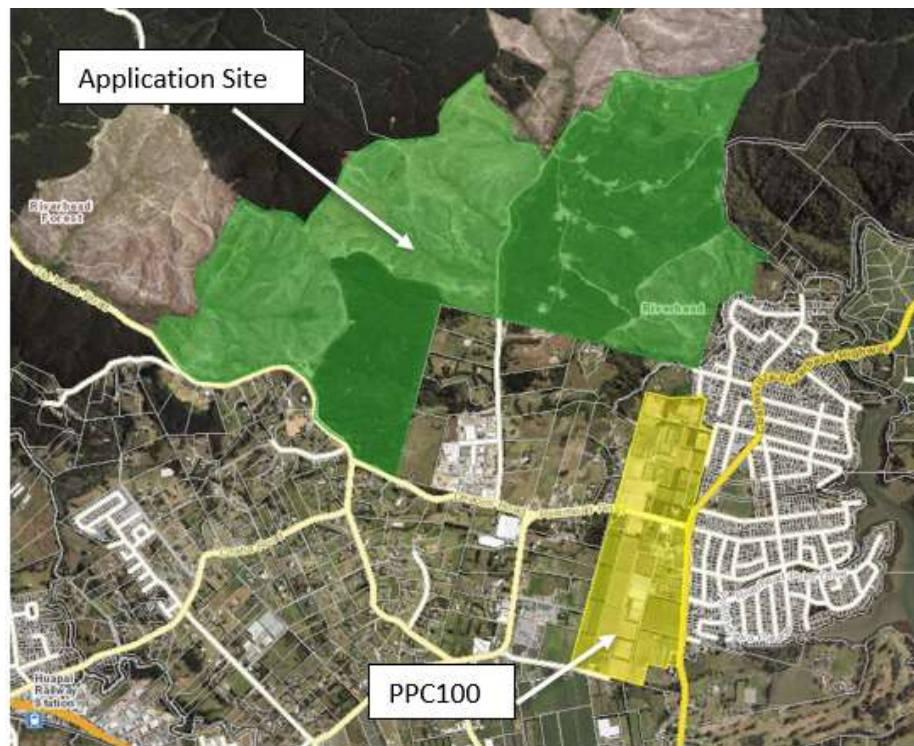


Figure 3 - Location of PPC100 in relation to Application Site

15. Occupation of dwellings (and potentially also subdivision) within the proposed precinct would be contingent on the completion of various transport infrastructure upgrades, including to the SH16 / Coatesville-Riverhead Highway intersection. Additionally, a further limit on development – the precise detail of which has not been settled – is proposed until additional lanes on SH16 south of Coatesville-Riverhead Highway have been implemented. Other required transport upgrades include improvements to intersections at Old Railway Road and Riverland Road, and upgrades to roads and intersections within Riverhead to urban standards.
16. The PPC100 hearing was adjourned in May 2025 to allow expert conferencing on various matters. Conferencing is ongoing at the time of completing this memorandum. Of relevance to transport and this Fast Track Application, one area of focus for conferencing is on the timing and form of upgrades to SH16 and the intersection of SH16 / Coatesville Riverhead Highway, and determining what level of development, if any, could proceed before NZTA's upgrades are completed. In PPC100's precinct provisions as notified, the SH16 / Coatesville-Riverhead Highway intersection is required to be upgraded to a roundabout prior to the first dwelling being constructed (among other upgrades). The quantum of development that could occur prior to the four-laning of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road is a matter that has been in contention in expert conferencing for PPC100 and is unresolved.

Trip Generation and Distribution

17. The Commute Specialist Comments Response highlights that the subject land is already zoned for Rural – Countryside Living, and states that “the site could already be generating traffic which is anticipated by the Unitary Plan”. However, the current use is forestry, and the proposed housing represents a change of use. Under AUP Rule E27.6.1, residential subdivisions with capacity to accommodate more than 100 dwellings (see activity (T3B) in Table E27.6.1.1) must assess trip generation as a restricted discretionary activity, making it appropriate to consider effects on the transport network.
18. The activity has an overall status as Non-Complying, which allows for a comprehensive assessment of the development's trip generation impacts. The Auckland Council Memorandum of Strategic and Planning Matters will address the permitted baseline.
19. Commute Specialist Comments Response attempts to establish a kind of baseline by estimating potential trip generation under the site's existing Countryside Living zoning. However, this assessment is considered inaccurate for the following reasons:
 - a. Lot Size Assumption - The analysis assumes subdivision into 1-hectare lots, whereas the Auckland Unitary Plan (E39 Subdivision – Rural) requires a minimum lot size of 2 hectares in this zone.
 - b. Gross vs Net Area - The assessment is based on the gross site area and does not account for land required for supporting infrastructure (e.g., accessways). A more accurate assessment should be based on the net developable area.
20. In addition, resource consent would be required. As such, the suggested ‘anticipated baseline’ presented does not provide a reliable comparison for evaluating the trip generation effects of the proposed development.
21. Based on the existing zoning and development controls, the site could generate approximately 152 vehicle trips. In contrast, the proposed development, including the retirement village, is forecast to generate 308 trips, as per the Commute assessment. This suggests that the proposed development would result in approximately double the number of trips compared to what could occur under the current Countryside Living Zone provisions.
22. The trip rate used for residential dwellings (0.85 trips/dwelling) is considered low for a rural area with limited access to amenities and public transport. NZTA research report 453 suggests a more appropriate rate is 1.1–1.4 trips/dwelling. A sensitivity test using 1.1 trips/dwelling is considered more reasonable.

23. Additional traffic from a community facility at Access 2 (used for recreational access) was also assessed. These trips are accepted and not assigned to the wider network, as they reflect existing usage patterns. Trip distribution assumptions are mostly accepted, except for the assignment of all eastbound SH16 traffic to Old North Road. Google Maps data suggests Coatesville-Riverhead Highway may offer similar or better travel times during peak hours. Therefore, traffic is likely to split between both routes, depending on the origin points (e.g., Access 1, Access 2, or Forestry Road). This has implications for the wider network, particularly the SH16/Coatesville-Riverhead Highway intersection.

Traffic Effects

Wider Traffic Effects

24. The operation of State Highway 16 (SH16)—particularly the SH16 / Coatesville-Riverhead Highway intersection and the stretch between Coatesville-Riverhead Highway and Brigham Creek Road—is identified as a key constraint in terms of transport capacity and network performance.
25. While Commute has stated that these constraints are not the developer's responsibility due to the site's distance (approximately 5 km from SH16) and the assumption that wider traffic effects have been accounted for in the Unitary Plan, it is considered that:
 - a. Despite the distance, the SH16 corridor and intersection are critical parts of the wider network and do influence the feasibility of development at this site.
 - b. Development should be coordinated with the timing of necessary roading upgrades to ensure the network can support additional traffic.
 - c. It is agreed that the developer is not responsible for implementing these upgrades, but their timing remains relevant to the overall planning and staging of the development.
26. The operation of SH16 is managed by NZTA, who have been invited to comment on the proposal through the Fast Track process, though their position is currently unknown. While NZTA oversees the State Highway network, Auckland Transport is responsible for the non-state highway roads such as arterial, collector and local roads, including Old North Road and Coatesville-Riverhead Highway. The proposed development has the potential to significantly affect the operation of these local roads, but the extent of these impacts has not yet been quantified.
27. The Coatesville-Riverhead Highway intersection experiences severe morning peak congestion, with long delays and queues on SH16, Coatesville-Riverhead Highway, and Old North Road. Although SH16 traffic has priority, frequent yielding to turning vehicles disrupts flow. This is further worsened by flow breakdown on SH16 between Coatesville-Riverhead Highway and Brigham Creek Road, where high traffic volumes and road topography create a shockwave effect that compounds congestion at the intersection.
28. During the evening peak, westbound traffic experiences delays at the SH16 / Brigham Creek Road roundabout due to a lane merge from two lanes to one. This bottleneck reduces the efficiency of the intersection and causes queuing on SH16, Brigham Creek Road, and Fred Taylor Drive approaches.
29. The Commute ITA included an initial assessment of the SH16 / Old North Road and SH16 / Coatesville-Riverhead Highway intersections, but this has not been updated in the Commute Specialist Comments Response. The original traffic modelling does not accurately reflect current intersection operations, meaning the effects of the proposed development on these key SH16 intersections remain unquantified. Instead, the response assumes that Stage 2 of the SH16 Waimauku to Brigham Creek Road upgrade will be in place to accommodate the projected traffic.
30. The ITA supporting PPC100 similarly assumed future upgrades to the SH16 / Coatesville-Riverhead Highway intersection (specifically a roundabout) and did not assess the existing intersection layout due to its known congestion issues.

31. Development traffic is likely to use both Coatesville-Riverhead Highway and Old North Road to access SH16, rather than solely Old North Road as assessed by Commute. As a result, both already congested routes would be affected by the proposed development.
32. Due to the existing congestion at the SH16 / Coatesville-Riverhead Highway intersection, it is considered that an upgrade of this intersection should be completed prior to the occupancy of dwellings on the subject site. This would help mitigate actual and potential effects on the local road network and align with the proposed Precinct Provisions under PPC100.
33. As Mr Peake observes in his Technical Note, there was some discussion during the PPC100 hearing about allowing up to 30 dwellings to be developed prior to the SH16 / Coatesville-Riverhead Highway intersection upgrade; however, no specific evidence was provided to justify this threshold.
34. The section of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road already experiences operational issues—eastbound in the morning peak and westbound in the evening peak. The proposed development would contribute additional traffic, further exacerbating these existing problems.
35. There was disagreement among traffic experts during PPC100 regarding whether any development could proceed before the four-laning of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road. As Mr Peake notes, while some experts supported limited development, others opposed it based on traffic impacts. The analysis did not account for the current proposed development, so cumulative effects remain unclear. Without further assessment, it is considered that no development should occur prior to the upgrade (4 laning), although there may be scope for some development—subject to additional evidence/assessment.
36. It is considered that no dwellings should be occupied until Section 1 of NZTA's Stage 2 upgrades—specifically the SH16 / Coatesville-Riverhead Highway intersection upgrade and the four-laning of SH16 from that intersection to Brigham Creek Road—are implemented. Consistency in development thresholds between this proposal and PPC100 is important, and any conditions imposed should not be more restrictive than those applied to PPC100, given the subject site is live-zoned. The Commute Specialist Comments Response also supports the implementation of the Section 1 NZTA Stage 2 improvements prior to development.
37. AUP Chapter E21.3(7) requires enabling alternative approaches to site access and infrastructure provision where the occupation, use and development of Treaty settlement land is constrained by access or the availability of infrastructure. Consideration has been given to potential alternative approaches for addressing transport effects on SH16 intersections, particularly Coatesville-Riverhead Highway and Old North Road. However, it is concluded that the NZTA Stage 2 project remains the most appropriate solution.

Local Road Network Effects

38. Traffic modelling using SIDRA was conducted for key local intersections near the development site. The selected intersections and modelling approach are considered appropriate, including scenarios with existing traffic, the proposed development, and cumulative effects with PPC100 (pending approval).
39. The modelling calibration is accepted, though the Deacon Road / Riverhead Road intersection layout is not accurately reflected. However, since it is forecast to operate well within capacity, this is not expected to significantly affect the results.
40. At the Riverhead Road / Coatesville-Riverhead Highway roundabout, the AM peak is forecast to operate at Level of Service (LOS) C overall, with the Riverhead Road approach at LOS E. Assuming it is approved, PPC100 contributes significantly to this, while the proposed development adds only 31 vehicles. The modelling may overstate cumulative effects, as it does not account for pass-by or diverted trips from the local centre.

41. Despite some limitations, the overall traffic modelling does not raise significant concerns for the local network.

Access Operation

42. Vehicle access points on Old North Road (Access 1 and Access 2) were modelled using SIDRA. However, the models do not reflect the proposed engineering layout, which includes a right-turn bay. This omission likely overestimates traffic impacts, as vehicles turning right would otherwise delay through traffic.
43. Despite this, the modelling represents a worst-case scenario and still forecasts acceptable performance at the access points, with no significant queuing or delays expected.

Proposed Accesses

Access 1 – Opposite Pinetone Road

44. The existing site access on Old North Road will be upgraded with a right-turn bay and flush median. However, the design does not fully account for nearby Pinetone Road. It is recommended that right-turn movements to and from Pinetone Road be better integrated into the design. Final details can be resolved during the EA process, and sufficient land appears to be available for any required widening.
45. Visibility splays are generally acceptable, with a land covenant proposed to maintain sightlines to the east. To the west, vegetation and embankments may need to be removed or modified.

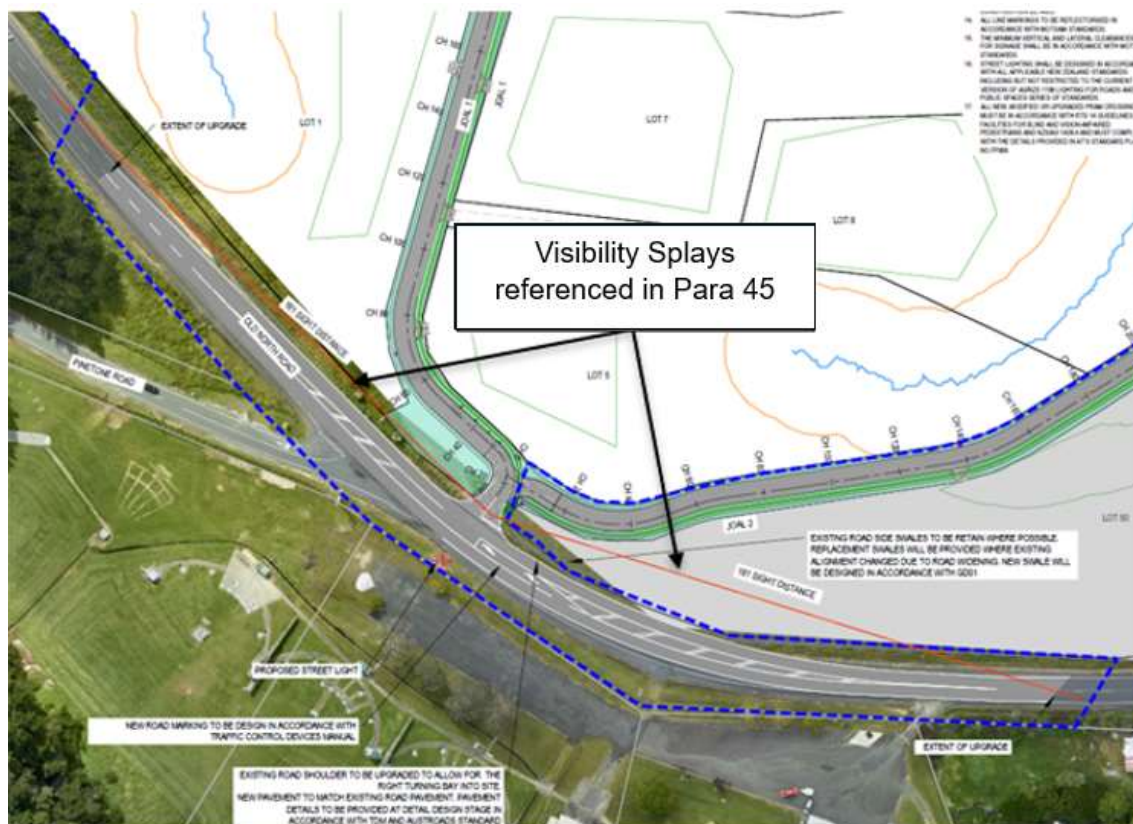


Figure 4 – Proposed Access 1 Layout with visibility splays highlighted

46. Vehicle tracking shows a 10.3m truck slightly encroaching into the right-turn bay, which will need to be addressed at the EPA stage. The access splits into two JOALs, and while queuing is expected to be minimal, the design should ensure vehicles can enter without being blocked by outbound queues.
47. Gates are proposed for both JOALs and will be set back at least 6m, forming a T-shaped turning head to allow vehicles to turn around safely if needed.
48. Access 1 is within 10m of Pinetone Road, triggering vehicle access restrictions under AUP Rules E27.6.4.1(2) and (3). While this requires assessment as a restricted discretionary activity, there are no existing safety concerns, visibility is adequate, and the access is not expected to impact the safe or efficient operation of the road network. Pinetone Road is a low-volume cul-de-sac.

Access 2 - Browns Road

49. Access 2 on Old North Road is to be upgraded with a right-turn pocket, but it is located on the outside of a bend, raising visibility concerns. While sight distances meet AustRoads standards based on surveyed speeds, the visibility splay to the west crosses a neighbouring property where a future fence adjustment could obstruct sightlines. Measures will be needed to preserve visibility, especially given the 80 km/h speed limit. A potential option is to relocate Access 2 to the location of Access 3, with the accessway being diverted around the rear of the proposed community area and parking area.
50. A gate is proposed 35m from Old North Road, allowing queuing space for approximately seven vehicles. However, no assessment has been provided on gate operation or potential queuing impacts. A turnaround area should be included for vehicles unable to enter.
51. Vehicle tracking shows a 10.3m truck slightly encroaching into the right-turn bay, which will need design adjustments at the EPA stage. The access splits into two JOALs, and while traffic volumes are low, the design should ensure vehicles can enter without being blocked by outbound queues.

Access 3 – Old North Road

52. The location of Access 3 and an assessment of visibility is provided in the Commute Specialists Comments Response. Visibility from the access meets the AustRoads standard. Any gates would need to be set back sufficiently far into the site to enable a vehicle to wait clear of Old North Road for the gate to be opened.

Access 4 - Old North Road

53. Access 4 has been assessed for visibility, with sightlines to the east meeting AustRoads standards. However, visibility to the west falls short only 110m is available versus the 131m required. This constraint is due to the vertical alignment of Old North Road.
54. There may be potential to adjust the access location to improve western visibility while maintaining adequate eastern sightlines. An alternative would be for this single residential lot to be accessed from either JOAL 4 or JOAL 5. This would remove the safety risk associated with the shortfall in visibility from Access 4. Any gate installed at Access 4 should be set back far enough to allow vehicles to wait off Old North Road while waiting for entry.

Access 5 - Old North Road

55. Sightlines to the west are slightly below AustRoads standards (157m required, 156m available), and the downhill gradient of Old North Road may further reduce visibility. To the east, visibility is also below standard (145m available vs. 157m required). However, the Commute Specialist Comments Response applies RTS-6 guidelines, which require only 105m for low-use crossings serving fewer than 200 movements per day as this access is serving nine dwellings.

56. Due to constraints from road alignment and property boundaries, relocating the access is unlikely to improve visibility. Mitigation measures, such as warning signage, and the provision of a right-turn bay should be considered. Any gate at Access 5 should be set back far enough to allow vehicles to wait off Old North Road while waiting for entry.

Forestry Road / Deacon Road Access

57. The intersection of Deacon Road and Forestry Road will serve as a key access point for the retirement village and some Countryside Living dwellings. Currently, there is partial lane widening that allows westbound vehicles to pass others turning right into Forestry Road. However, the proposed development will significantly increase right-turning traffic—around 90 vehicles per hour during the PM peak.
58. Although a specific assessment has not been provided, AustRoads guidelines indicate that a channelised right-turn bay is warranted based on traffic volumes. For safety and operational efficiency, it is recommended that a dedicated right-turn bay be implemented as part of the development (refer to Figure 5).



Figure 5 – Forestry Road / Deacon Road Intersection

Deacon Road / Riverhead Road

59. The ITA has reviewed the safety record of the Deacons Road / Riverhead Road intersection and identified a crash trend, particularly involving right-turning movements. Visibility from Deacons Road to the west is limited—only about 120m is available versus the 181m required for an 80 km/h design speed. This shortfall is likely contributing to the crash trend.
60. Although the proposed development does not directly affect visibility, it would triple the volume of right-turning traffic from Deacons Road during the AM peak, increasing crash risk exposure. Mitigation measures such as advisory speed signs or speed-activated warning signs on the western approach are recommended to improve safety (refer to Figure 6).

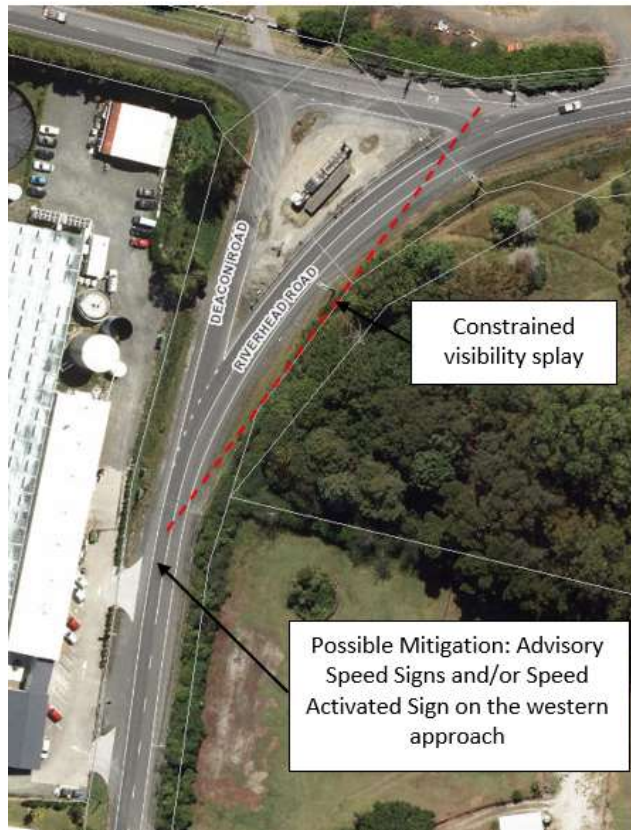


Figure 6 – Deacon Road / Riverhead Road Intersection

Network Safety

61. The Commute Specialist Comments Response includes a safety analysis of the local road network near the site, focusing on key routes connecting to the wider network. A pattern of crashes related to speed and loss of control was identified, influenced by road geometry (e.g., curves and crests) as well as driver behaviour.
62. Risk ratings from KiwRap show that Old North Road (near Access 1 and 2) and Riverhead Road have Medium-High risk, while Old North Road between Riverhead Road and SH16 has a high risk rating. These roads will serve as primary access routes, increasing crash exposure as traffic volumes grow.
63. Although Commute suggests risk may reduce with urbanisation, the area is predominantly zoned Countryside Living, and urban upgrades like kerb and channel are not proposed. Therefore, road conditions are unlikely to change significantly, and risk ratings may increase over time.
64. Specific locations—intersections and accesses—have been identified where the proposed development could affect the safe operation of the local road network.

Upgrade to Forestry Road

65. Forestry Road is proposed to be upgraded and partially vested with Council. The upgrade includes vertical and minor horizontal realignment, with retaining walls and batters required in some areas. The proposed 6.0m carriageway (including channels) meets Auckland Transport's minimum lane width requirements but falls short of the preferred width. Road grades are all below 8%.
66. Vehicle tracking confirms that a 6.3m van and a 10.3m truck can pass without conflict. Retaining walls exceed 4m in height in some sections and will require either building consent (for walls over 1.5m) or Auckland Transport PA 1A–4A certification (for walls under 1.5m).

67. Several vehicle crossings will need to be modified to align with the new road profile, requiring adjustments within private properties. Property owner approval will be necessary where access ways are affected.

Shared Path between Retirement Village and Riverhead

68. A shared path is proposed to connect the retirement village to the eastern boundary of the site, linking to an existing pedestrian access from Mill Grove. The path is expected to be in private ownership but would have an easement in favour of Council for public access.
69. The path has a steep gradient of 11.6% over 362m, which may pose challenges for less mobile users, including those with mobility scooters, unless rest areas are incorporated. A four-wheel-drive golf cart is proposed to use the path, raising safety concerns for pedestrians at the public connection near Mill Grove and the adjacent reserve. It is unclear whether the golf cart can legally travel on public roads to reach Riverhead town centre.
70. Mill Grove connects to Duke Street, but neither road has footpaths between Mill Grove and Coatesville-Riverhead Highway. If the shared path connection is built, there will be a gap in the pedestrian network, limiting safe walking access to the Riverhead centre.
71. The provision of the footpath is supported but there are concerns over the deliverability of the facility within the site and the suitability of the existing active mode network to accommodate active modes travelling between Riverhead and the site.

Construction

72. The ITA states that construction traffic will be managed via a Construction Traffic Management Plan (CTMP), with main access routes via Old North Road and Forestry Road. Given the expected increase in traffic, including heavy vehicles, it is recommended that Accesses 1 and 2 on Old North Road be upgraded to their final design before construction begins. Commute agrees with this recommendation to ensure safe and efficient access during construction.

Stormwater

73. The following comments have been provided by the stormwater engineer (Griffin Benton from AWA Environmental Limited).
74. The Flood Model Report indicates that Forestry Road is proposed to be raised as a mitigation measure to reduce flood hazards associated with the proposed road extension. However, the effectiveness of this intervention is difficult to assess due to limitations in the mapping provided. Specifically, the site boundary lines obscure significant portions of the proposed road, and there is a lack of zoomed-in flood depth maps for key road segments.
75. Preliminary observations suggest that flood depths of up to 2 metres may occur in parts of the proposed road extension near its downstream end. This represents a significant safety hazard for all road users. According to Austroads and ARR Book 6 – Flood Hydraulics, vehicle floatation can occur at depths as shallow as 0.5 metres, while Auckland Transport's Road Drainage chapter of the TDM stipulates that the energy grade line for flows crossing roads should not exceed 0.3 metres.
76. Flood depths of the magnitude indicated could result in vehicles being swept into the adjacent river, posing a serious risk of fatality. This risk is further exacerbated by the anticipated increase in residential population, which will result in a higher number of people relying on this road for access once development is complete.
77. The Flood Model Report identifies that Forestry Road is proposed to be raised as a mitigation measure to reduce existing flood hazards. While the pre- and post-development scenarios (for both blocked and unblocked conditions under the 1% AEP + climate change event) suggest a general reduction in water depths, the comparison maps indicate an increase of more than 50mm within the road corridor in the post-development scenario.

78. It is noted that the maps do not specify the actual depth increase beyond the ">50mm" threshold, which is the upper limit of the legend. This lack of detail makes it difficult to assess the effectiveness of the proposed road raising.
79. The Flood Modelling Report includes result maps that display water depth; however, the comparison maps are presented as water surface elevation, rather than water depth. This approach creates confusion, as no corresponding pre- or post-development water surface elevation maps are provided for reference, and no depth-based comparison maps are included.
80. To enable a clear understanding of the changes in flood depths resulting from the proposed development, it is recommended that the applicant provide water depth comparison maps. These maps would allow for a more transparent assessment of flood impacts and support informed decision-making regarding flood hazard mitigation and road safety.
81. The mapping for the 1% AEP storm event (3.8°C climate change, 50% blockage) shows increased water surface elevations both upstream and downstream along the Forestry Road. The applicant should clarify the cause of these increases and explain how flood hazard appears to decrease despite higher water levels.
82. The depth × velocity hazard maps are unclear due to their scale and lack of detail, making it difficult to identify the road alignment within the road reserve. In the post-development scenario, hazard levels appear to exceed pedestrian and vehicle safety thresholds in several areas, but it is not evident whether these are confined to stream channels or extend into accessible areas. Comparison hazard maps have not been provided and should be included to assess whether hazard levels increase, particularly in high-risk locations such as roads and dwellings.
83. Culverts with a cross-sectional area exceeding 3.4 m²—specifically Culverts 1, 3, and 4—must be designed in accordance with the NZTA Bridge Manual, AT Code of Practice, and Auckland Council Stormwater Code of Practice. For culverts over 6 m², the 1% AEP + 3.8°C climate change water level must sit at least 0.3 m below the soffit to mitigate risk. This requirement must be addressed prior to vesting, and the applicant is strongly advised to confirm compliance before consent is granted.
84. Culverts must be designed with adequate access to both inlet and outlet structures to facilitate ongoing maintenance. This should be addressed at this stage to avoid establishing boundaries that may constrain access during detailed design. Failure to provide access may result in increased maintenance costs and elevated safety risks for maintenance personnel.
85. AT does not have any preference in relation to the number of culverts (rather than more naturalised approaches) to management of watercourses across roading. AT would advise that the consultant needs to consider both options, including cost and determine which is best and meets all the requirements.
86. It is strongly recommended that:
 - i. The applicant provides updated flood maps which clearly show the existing and proposed public road reserve, as well as the location of the actual road within the road reserve, i.e., where vehicles and pedestrians would be present within the road reserve, so that the hazard can be adequately assessed.
 - ii. Zoomed-in maps should also be provided so that it can clearly be seen where the worst-case locations are, and these should be labelled to clearly show the maximum values.
 - iii. The maps provided should include depths maps, depth comparison maps and depth x velocity maps for all the scenarios assessed.
 - iv. Assessments of the energy grade line for flow within the road reserve should be provided to demonstrate that the proposal will not result in hazardous flow conditions which could endanger road users or prevent the ingress and egress of emergency services.
 - v. The proposed public culverts should be demonstrated to meet the requirements NZTA Bridge Manual, AT Code of Practice, and Auckland Council Stormwater Code of Practice and the proposed access should be demonstrated to be adequate. Failure to do so prior to consent could result in the need to apply for a S127, costly rework for the applicant or result in onerous

operation and maintenance costs and/or hazardous conditions for operation and maintenance personnel.

Recommendation

87. Based on the information provided, additional mitigation measures are required to support this application, and to ensure that:

- (a) The proposal's adverse traffic effects are adequately mitigated; and
- (b) There is appropriate integration between land use and infrastructure.

88. The specific issues have been addressed under executive summary / principal issues

Proposed Conditions

89. I offer some initial comments on matters to address through conditions below, if the Panel is minded to grant approval.

90. These suggestions are provided to assist the Panel, but are offered without prejudice to Auckland Transport's ability to make more comprehensive comments on any draft conditions under section 70 of the Fast-track Approvals Act 2024, should the Panel decide to grant approval. The suggestions below are not intended to be the precise wording of conditions but to outline the matters to be addressed or outcomes sought:

- (a) The occupation of any dwellings or retirement units within the development must not occur until Section 1 of the NZTA Stage 2 Waimauku to Brigham Creek Road project is completed and operational. This includes:
 - The upgrade of the SH16 / Coatesville-Riverhead Highway intersection to a roundabout; and
 - The four-laning of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road.

Mr Peake notes that, while a planning matter, he anticipates that consent notices may be required to secure this requirement, particularly in relation to the residential subdivision.

- (b) Old North Road Access 1 – Access Conditions
 - i. A covenant must be registered over the land to the east of Access 1 to ensure the visibility splay remains clear of vegetation and any other obstructions that may impede sightlines between westbound motorists on Old North Road and vehicles exiting Access 1
 - ii. Access 1 must be designed to ensure clear sightlines are maintained across the berm within the road reserve to the west of the access
 - iii. The resident association must ensure that conditions b (i) & (ii) are maintained at all time.
- (c) All access gates for Access 1, 2, 3, 4 and 5 must be located sufficiently far from the road reserve boundary with Old North Road so that vehicles queued for the gates to open do not extend back onto Old North Road.
- (d) Deacon Road / Forestry Road
A channelised right turn facility must be provided for the right turn movement from Deacons Road to Forestry Road
- (e) Deacon Road / Riverhead Road
Advisory speed signs or speed-activated warning signs on the western approach to the Deacon Road/ Riverhead Road intersection must be provided.
- (f) Construction Access
Access 1 and Access 2 must be upgraded to include right turn bays on Old North Road in accordance with the final approved designs prior to the commencement of construction on site.
- (g) Vehicle Accesses
 - i. Access 2 must be moved to the location of Access 3 to address the shortfall in visibility. A right-turn bay should be provided as currently proposed for Access 2

- ii. Access 4 must be removed and the lot should be accessed via either JOAL 4 or 5.
- iii. Access 5 must include a right turn bay on Old North Road and advanced warning signs of a concealed access should be provided on Old North Road for eastbound traffic

Supporting Documents

- Annexure A: Technical Note by Martin Peake (Progressive Transport Solutions Limited)
- Annexure B: Stormwater Management Memo by Griffin Benton- Lynne (AWA Environmental Limited)

ANNEXURE A

Technical Note by Martin Peake, Progressive Transport Solutions Limited

To:	Siva Jegadeeswaran – Auckland Transport		
From:	Martin Peake – Progressive Transport Solutions Limited		
Project:	BUN60449727 – Rangitooopuni Developments Limited Partnership	Project No.	P23015/015
Subject:	Review of Traffic Engineering and Road Safety		
Date:	10 September 2025		

1. Introduction

- 1.1 Auckland Transport has commissioned Progressive Transport Solutions Limited to undertake a review of the Fast Track Application – Rangitooopuni Developments Limited Partnership for development at Old North Road and Forestry Road, Riverhead. The land is primarily zoned Countryside Living and the proposed development is for 208 vacant lots and for a retirement village of 260 retirement units and 36 care beds. As part of the works Forestry Road is to be upgraded and vested in Auckland Council. This review is on the traffic engineering and road safety aspects of the application.
- 1.2 In preparing this review the following application documents have been reviewed:
- Integrated Transport Assessment – Commute, 1 May 2025
 - Assessment of Environmental Effects – Campbell Brown, 5 May 2025
 - Scheme Plans – Countryside Living and Retirement Village
 - Civils drawings, Maven
 - Specialist Comments Response, Commute, 19 August 2025
 - Applicant response to specialist queries, 19 August 2025.
- 1.3 My review has benefited from my current understanding of the operation of the network in this locality, in particular Coatesville-Riverhead Highway, State Highway 16 (SH16) between Old North Road and Bringham Creek Road given my involvement on Private Plan Change 100 – Riverhead.

2. Qualifications, Experience, and Code of Conduct

- 2.1 I hold the qualification of a Masters in Civil Engineering with Management from the University of Birmingham in the UK (1993). I am a Chartered Engineer (UK) and a member of the Institution of Civil Engineers, and a member of the Chartered Institution of Highways and Transportation.
- 2.2 I have over 30 years' experience as a traffic engineer. I have worked for several major consultant engineering firms, and as a Team Leader of one of Auckland Transport's Traffic Operations Teams. I have owned and operated my own traffic engineering consultancy since 2014. In these roles, I have worked in a variety of areas of transportation including traffic engineering, traffic modelling and temporary traffic management. I have provided expert traffic and transportation advice to Auckland Council and Auckland Transport on a range of resource consents, notice of requirements and plan changes across the Auckland region.

2.3 I am familiar with the site and have visited the site on a number of occasions including recently on 11 August 2025.

2.4 I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and have complied with it in the preparation of this Technical Note. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

3. Key Projects within the Riverhead area

NZ Transport Agency Project – Stage 2 - SH16 Brigham Creek to Waimauku

3.1 Stage 2 of the SH16 Brigham Creek to Waimauku Project, an NZ Transport Agency (NZTA) project, will provide safety and capacity improvements to SH16 between Brigham Creek Road and Kumeu. The project consists of the upgrade of the SH16 / Coatesville-Riverhead Highway intersection to a roundabout and four laning of SH16. The location of this project in relation to the application site is shown in Figure 1.

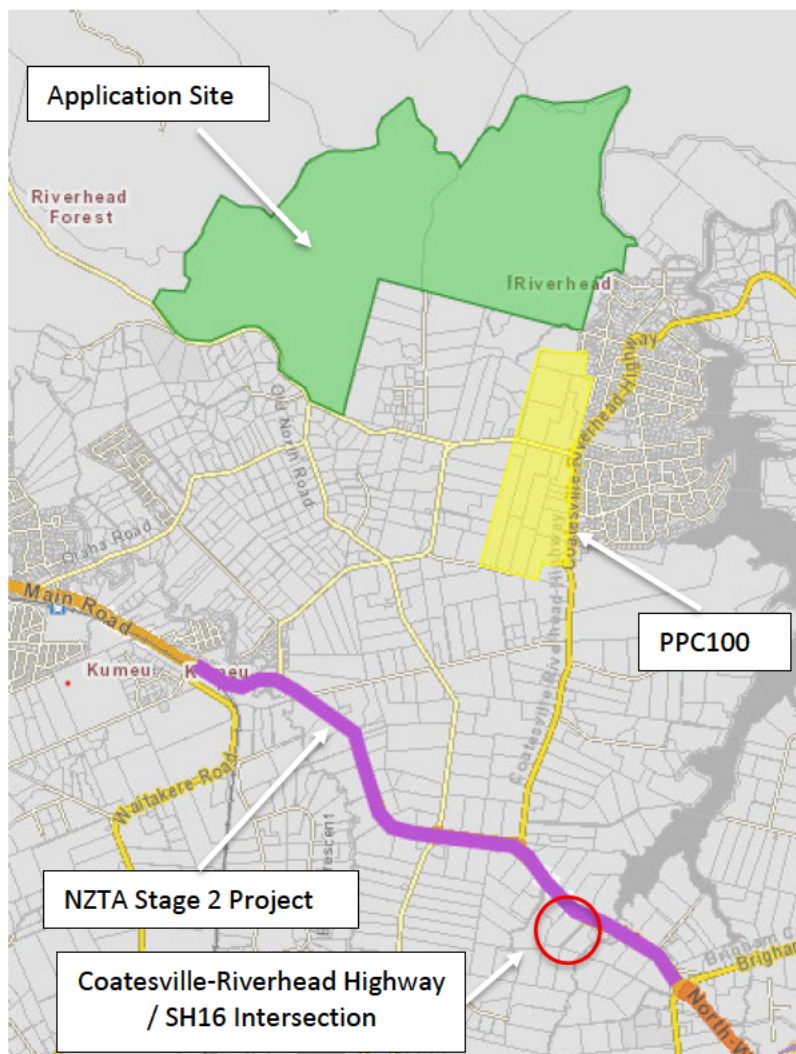


Figure 1 - Location of NZTA Stage 2 Project

3.2 I note that NZTA proposes to stage the project in three sections, as shown in Figure 2 below:

- Section 1 – Brigham Creek Roundabout to Coatesville Riverhead Highway Intersection
- Section 2 - Coatesville Riverhead Roundabout to Taupaki Roundabout
- Section 3 - Taupaki Roundabout to Kumeū.



Figure 2 – Sections / Staging of NZTA Stage 2 Project

- 3.3 NZTA announced on 1 July 2025 that additional funding has been approved for the project. However, there is uncertainty over the timing of the implementation of this project. A submission by the NZTA for Private Plan Change 100 (**PPC100**) in May 2024 (submission #167) stated that, should funding be obtained “in the coming months” of the date of the submission (it has since been approved), it was anticipated that the project would be complete by mid-2029.
- 3.4 However, given the delay in the approval of the funding, it is possible that the timing of the completion of the project could be post 2029 as the project will still need to go through detailed design, consenting (including obtaining a designation for any widening works), property purchase and construction.

Private Plan Change 100 – Riverhead

- 3.5 PPC100 seeks to re-zone Future Urban Zone (**FUZ**) land in Riverhead to residential zoning, including a local centre with possible supermarket, and a retirement village. The location of PPC100 is shown in Figure 3.

- 3.6 The precise transport infrastructure upgrade ‘triggers’ remain subject to conferencing and decision by the PPC100 panel. However, the occupation of dwellings within the PPC100

precinct (and potentially also subdivision) would be subject to various transport upgrades being completed and operational, including to the SH16 / Coatesville-Riverhead Highway intersection. In addition, a limit on development, the precise detail of which has not been settled, is proposed until additional lanes on SH16 south of Coatesville-Riverhead Highway have been implemented. Other transport upgrades were proposed, including upgrades to the Coatesville-Riverhead Highway intersections with Old Railway Road and Riverland Road, and upgrades to roads to urban standard and intersections within Riverhead itself.

- 3.7 The hearing for PPC100 was adjourned in May 2025 to enable expert conferencing to occur on a variety of matters. Of particular relevance to this Fast Track Application, the conferencing is required to address the timing and form of upgrades to the SH16 / Coatesville- Riverhead Highway intersection and of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road. Specific matters are what level of development, if any, could occur prior to the NZTA upgrades.
- 3.8 At the time of writing the conferencing is on-going, and a date for the hearing to reconvene is yet to be determined. Notwithstanding, a decision on the plan change is likely to be several months away.

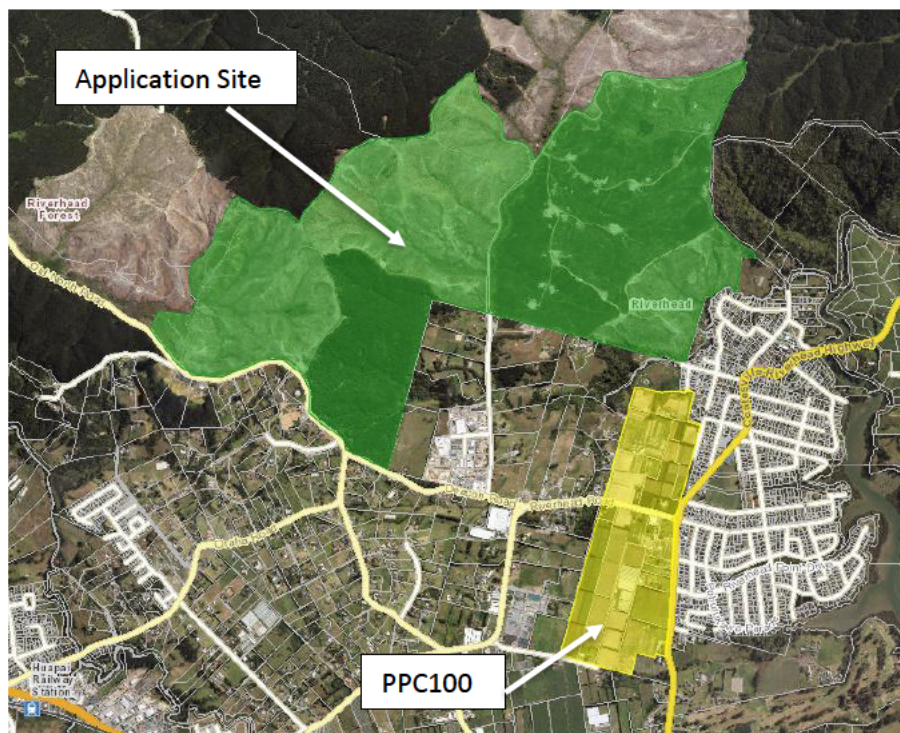


Figure 3 - Location of PPC100 in relation to Application Site

4. **Trip Generation and Distribution**
 - 4.1 The Commute Specialist Comments Response emphasises that the subject land is already live zoned for Rural – Countryside Living and that the traffic generation from the site has already been anticipated on the road network. However, whilst the land is live zoned, its current use has been for forestry and the application will introduce housing on that land, which is a change of use. The Auckland Unitary Plan Chapter E27.6.1 – Trip Generation identifies that resource consent applications for residential subdivisions with capacity to accommodate more

than 100 dwellings should consider the effects on the transport network of that development as a Restricted Discretionary activity. Therefore, although the land is already live zoned, it is considered appropriate that the trip generation effects of the development on the road network should be considered.

- 4.2 The Auckland Council Memorandum of Strategic and Planning Matters will address the permitted baseline, but it is understood that the activity has an overall activity status of Non-Complying which, even taking into account Schedule 5, S17(1)(b) of the FTAA provides an assessment which enables a full consideration of the trip generation / transport effects of the development.
- 4.3 Notwithstanding that I disagree that there is a baseline, the Commute Specialist Comments Response assesses the possible trip generation that could occur from the existing zoning rules as a kind of baseline to demonstrate that the trips from the proposed development would be less than could occur from the site under the Countryside Living Zone. There are issues with this analysis and therefore it is considered that this assessment is incorrect for the following reasons:
- a) The baseline on trip generation that Commute is attempting to establish would be subject to a resource consent and is not a permitted activity as of right.
 - b) The Commute assessment is based on the site being subdivided into 1 Hectare lots, however, E39 Subdivision – Rural¹ requires a minimum lot size of 2 Hectares as a discretionary activity requiring resource consent.
 - c) The assessment is based on the gross land area and does not take into account land required for infrastructure to support that development, such as access ways. Any assessment should be based on the net developable area.
- 4.4 Taking the above factors into account, the existing land could generate around 152 trips² compared to the 308 trips forecast by Commute for the proposed development (including the retirement village). This high-level analysis shows that the proposed development would result in twice the number of trips, and in any event, a resource consent would be required for the baseline scenario.
- 4.5 The ITA sets out the trip generation rates forecast.
- 4.6 The trip rates for the retirement village and the care units are accepted.
- 4.7 However, the trip rate for the residential component of the development (0.85 trips per dwelling) based on the RTA Guidelines for single dwellings is considered to be low. This is because this site is in a rural area (Countryside Living Zone), it has no access to amenities

¹ AUP Chapter E39 – Subdivision – Rural, Table E39.6.5.2.1 Minimum and minimum average net set areas.

² Assessment based on gross land area of 395Ha with a net developable area of 70% assumed, a trip rate of 1.1 trips per dwelling, and providing a net size of each lot of 2 Ha.

within the development or in the surrounding area that are reasonably accessible by public transport, bicycle, or on foot.

- 4.8 The NZTA Research Report 453 provides trip rates for rural dwellings that range from 1.1 trips per dwelling (50th percentile) to 1.4 trips per dwelling (85th percentile). A higher trip rate in this range for the residential component of the development is considered more appropriate.
- 4.9 The Commute Specialist Comments Response has undertaken a sensitivity test using a trip rate of 1.1 trips per dwelling for the Countryside Living component of the development. This is considered a more reasonable trip rate for the assessment of the effects.
- 4.10 The design for the Community Facility at Access 2 includes a car park for non-residents to access walking tracks, therefore, there will be non-development traffic movements associated with the access. The Commute Specialist Comments Response has undertaken a sensitivity test with additional traffic assigned to Access 2. The traffic volumes used for the sensitivity test are accepted. It is agreed with the assessment that these trips do not need to be assigned to the wider network, as many of these will already be on the network as they use the existing informal parking area adjacent to Access 2 for exercise and recreation in the forest area.
- 4.11 The ITA Section 5.4 briefly summarises the trip distribution. The directional split (in/outbound movements) used in the assessment is considered appropriate. Updated distribution diagrams were provided in the Commute Specialist Comments Response and are generally accepted, except assignment of traffic to Old North Road for citybound vehicles along SH16.
- 4.12 The distribution has assigned all traffic destined for eastbound SH16 to use Old North Road. This is based on analysis of travel times and distances from Google Maps. The time of day when the assessment was undertaken is not stated.
- 4.13 From a review of Google Maps on weekdays in August, during the critical AM peak for SH16 and the SH16/Coatesville-Riverhead Highway intersection in particular, Google Maps indicates that the route to SH16 via Coatesville-Riverhead Highway has similar or lower travel times than using Old North Road (as summarised in Attachment 1). Therefore, it is considered that development traffic would be split between Old North Road and Coatesville-Riverhead Highway, particularly when the trip origin is taken into account (e.g. Access 1 or 2, or from Forestry Road).
- 4.14 As the Coatesville-Riverhead Highway / SH16 intersection is a critical intersection in the wider network, the routing of traffic is important. The wider network effects are discussed further below.

5. Traffic Effects

Wider Traffic Effects

- 5.1 For the wider road network, State Highway 16 (**SH16**), and in particular the SH16 / Coatesville-Riverhead Highway intersection and the operation of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road are key transport capacity and operational constraints.

- 5.2 Commute considers³ that the operation of SH16 and the SH16 / Coatesville-Riverhead Highway intersection is not the developer's responsibility, as the site is some 5km from the State Highway and the wider traffic effects of the development have already been accounted for by the Unitary Plan.
- 5.3 I have already noted in Section 4 above my disagreement with Commute's comments suggesting that the proposed traffic has already been considered by the Unitary Plan. As to Commute's comments concerning the distance of the site from the State Highway, the extent of the area that needs to be considered as being potentially affected by adverse traffic effects is a matter which needs to be decided in the context of each particular application. In this instance, whilst the distance of the site from SH16 is acknowledged, the Coatesville-Riverhead Highway / SH16 intersection and operation of SH16 is a constraint on the wider network, and in my opinion, a constraint for the development of this site. The traffic distribution analysis I have undertaken demonstrates that development traffic will utilise Coatesville-Riverhead Highway as a primary route to SH16, directly impacting both the Auckland Transport local road network (as discussed further below) and the critical SH16 intersection, meaning that physical distance is less relevant than the direct impact on both networks. Given the nature of this roading network and the potential for flow-on effects from a development of this scale, it is considered that development should be coordinated with the timing of the necessary roading upgrades to support that development. I agree that it is not the developer's responsibility to implement the upgrade.
- 5.4 The operation of State Highway 16 is the responsibility of the NZTA. NZTA has been invited to comment on the proposals as part of the Fast Track process. At the time of writing, NZTA's position on the effects on SH16 is unknown.
- 5.5 Whilst NZTA is responsible for the State Highway, Auckland Transport is responsible for the local road network, including Old North Road and Coatesville-Riverhead Highway, and as discussed below, this development has the potential to notably impact the operation of both of these roads, although the effect has not been quantified.
- 5.6 The Coatesville-Riverhead Highway intersection is acutely congested in the morning peak period with lengthy queues and delays eastbound (towards the city), on SH16, Coatesville-Riverhead Highway and Old North Road. Eastbound motorists on SH16 who have priority over Coatesville-Riverhead Highway frequently give way to vehicles turning to and from Coatesville-Riverhead Highway. These conditions are exacerbated by the operation of the eastbound SH16 between Coatesville-Riverhead Highway and Brigham Creek Road where flow breakdown occurs due to a combination of the volume of traffic and the topography of the road. This flow breakdown has a shock wave effect back to the SH16 / Coatesville-Riverhead Highway intersection, further impacting its operation.
- 5.7 In the evening peak, there are constraints on westbound capacity on the exit from the SH16 / Brigham Creek Road roundabout where there is a merge from two lanes to one lane. This

³ Commute Specialist Comments Response, pages 12 and 18.
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impacts the efficient operation of this intersection resulting in queues and delays on the westbound SH16, Brigham Creek Road and Fred Taylor Drive roundabout approaches.

- 5.8 The Commute ITA included an assessment of the SH16 / Old North Road and SH16 / Coatesville-Riverhead Highway intersections, but this has not been updated in the Commute Specialist Comments Response; the ITA analysis cannot be used to understand the effects on SH16 as the traffic modelling does not reflect the actual operation of these key intersections. Therefore, the effects of the development on these SH16 intersections have not been quantified, rather, the Commute Specialist Comments Response has relied on Stage 2 of the SH16 Waimauku to Brigham Creek Road project being in place to accommodate the forecast traffic.
- 5.9 I note that the ITA that supported PPC100 applied a similar approach based on the assumption that the SH16 / Coatesville-Riverhead Highway intersection would be upgraded to a roundabout; no analysis was undertaken on the existing intersection arrangement in that ITA due to the acknowledged existing congested nature of the existing intersection.
- 5.10 As outlined in paragraphs 4.12 and 4.13, I consider that development traffic would likely be split between Coatesville-Riverhead Highway and Old North Road, rather than solely confined to Old North Road, when travelling to SH16 (as assessed by Commute). Therefore, both of these congested routes would be affected by development traffic.
- 5.11 Given the congested nature of the existing SH16 / Coatesville-Riverhead Highway intersection I consider that the intersection will be required to be upgraded prior to the occupancy of dwellings within the subject site. This would address the actual and potential effects on the Auckland Transport road network on Old North Road and Coatesville-Riverhead Highway and would be consistent with the current proposed Precinct Provisions for PPC100.
- 5.12 I do note that there was some discussion at the PPC100 hearing that a threshold of 30 dwellings could occur prior to the upgrade, however, there was no specific evidence presented to support this threshold.
- 5.13 With regard to the section of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road, as outlined above, there are operational issues for the eastbound SH16 in the morning peak and westbound in the evening peak. Development traffic would add to these operational issues.
- 5.14 The subject of the four-laning of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road was a key point of discussion for PPC100 and expert conferencing as to whether any or some development could occur prior to the implementation of this part of the Stage 2 project. There was disagreement between the traffic experts on this matter, with some experts considering some development could occur prior to the four-laning and others considering, on the basis of the assessment provided, that there should be no development. The analysis that was undertaken for PPC100 did not take into account this proposed development, and therefore, the cumulative effects are not understood. In my view, without further analysis, I consider that no development should occur prior to the four-laning. There

may be some scope for development before these upgrades, however, I do not have sufficient information to recommend such a threshold.

- 5.15 Based on the above analysis, I consider that dwellings should not be occupied prior to the implementation of the NZTA Stage 2 project, both the SH16 / Coatesville-Riverhead Highway intersection upgrade and the four-laning of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road (i.e. Section 1 of the Stage 2 project as depicted in Figure 2 above). The limit on dwellings should also apply to the retirement village, as although they have a lower trip rate than the Countryside Living dwellings, the proposed number of units is greater (296 units (including care beds) compared to 208 dwellings).
- 5.16 In stating the above recommendation, I acknowledge that the application does not actually seek consent to construct dwellings at this time, rather it provides for the land use activity for the 260 retirement village units and 36 care beds as an Integrated Māori Development, and proposes vacant lots for the residential component of the development. I am aware that the dwellings will become a permitted activity once each lot is established by subdivision and that the application includes a consent notice and other controls around the form of the development. Therefore, the precise wording of any condition to achieve the recommendation of the dwelling / retirement village unit not being occupied prior to the completion of the NZTA Stage 2 Project would need careful consideration.
- 5.17 I consider that there should be consistency in the thresholds adopted for the timing of the NZTA Stage 2 improvements and the occupation of dwellings for this development and any dwellings for PPC100. However, should the position on PPC100 change, I consider that any conditions limiting the quantum of development for the subject application should not be more onerous than those for PPC100 as the subject site is live-zoned land.
- 5.18 The Commute Specialist Comments Response agreed that the Section 1 of the NZTA Stage 2 Improvements should be implemented prior to development⁴.
- 5.19 I am aware of the provisions of AUP Chapter E21⁵ in relation to development of Treaty settlement land and infrastructure. I have given consideration to potential alternative approaches to addressing the transport effects of the development on the SH16 intersections (and in particular Coatesville-Riverhead Highway and Old North Road) but I consider that the NZTA Stage 2 project is most appropriate.
- 5.20 In coordinating the development with the NZTA project, it is noted that the Stage 2 project is funded although the exact timing of construction has yet to be confirmed.

Local Road Network Effects

- 5.21 Traffic modelling using the software package SIDRA has been undertaken for key intersections in the vicinity of the site, with results presented in the Commute Specialist Comments Response. The local road intersections selected for modelling are considered appropriate.

⁴ Commute Specialist Comments Response, 19 August 2025, Section 1.1.6 – Other Comments, Item 2.

⁵ AUP Chapter E21 Policy E21.3(7)

- 5.22 The modelling has been undertaken for the existing traffic volumes, with the forecast development volumes, and a test with the forecast development volumes with PPC100.
- 5.23 Whilst PPC100 has yet to be approved, as it is currently going through a hearing, it is considered appropriate that the cumulative effects should be assessed with PPC100 in place, should it be approved.
- 5.24 The Commute comments on the calibration of the local road intersections are accepted.
- 5.25 For the Deacon Road / Riverhead Road intersection, this intersection is an unusual layout, and this is not reflected in the traffic model. While the model may not accurately represent the true operation of the intersection, it is forecast to operate well within capacity and thus amendments to the model layout are unlikely to make a substantial difference to the analysis outcomes in this instance.
- 5.26 The assessment of the Riverhead Road / Coatesville-Riverhead Highway roundabout forecasts that the intersection, with the development and PPC100 traffic, would operate in the AM peak at a Level of Service (LOS) C, with the Riverhead Road approach operating over capacity (LOS E). It is noted that PPC100 adds a significant volume of traffic to the intersection, including the Riverhead Road approach, whereas the proposed development adds a relatively small volume of traffic (31 vehicles).
- 5.27 As noted in the ITA, the PPC100 forecast flows did not take into account pass-by or trip diversion for the local centre zoning, and therefore, the traffic volumes have not been discounted and thus the cumulative effects may be overrepresented. It is also noted that the modelling for PPC100 forecast that the intersection would operate with a satisfactory level of performance (LOS C). The key difference appears to be the base traffic volumes used in the analysis for PPC100 and for this development.
- 5.28 Overall, the traffic modelling for the local network intersections does not raise any significant concerns.

Access Operation

- 5.29 The vehicle accesses on Old North Road have been modelled in SIDRA.
- 5.30 The modelled layouts of Access 1 and Access 2 do not reflect the layout proposed in the engineering drawings, which include a right-turn bay into the site. This will result in the models overestimating the effects on Old Road North as vehicles waiting to turn right into the site will delay other through vehicles. Whilst the models should include the right turn bay, the assessment represents a worst case.
- 5.31 The modelling of the vehicle accesses into the site forecast that they would operate with an acceptable level of performance and with no significant queuing or delay.

6. Proposed Accesses

- 6.1 New or upgraded accesses are proposed onto the existing road network to provide access to the site.
- 6.2 Layout drawings of Access 1 (opposite Pinetone Road), and Access 2 (via Browns Road) have been provided. No layout plans are available for the other proposed access points from Old North Road but the Commute Specialist Comments Response provides drawings of their location and visibility splays.
- 6.3 All the vehicle crossings would need to comply with Auckland Transport standards. Whilst exact detail can be determined through the vehicle crossing application process, it will be important that the designs also comply with the Auckland Unitary Plan Standards for Vehicle Crossings set out in Chapter E27 including width at the site boundary and gradients.
- 6.4 The following comments are made on each access.

Access 1 – Opposite Pinetone Road

- 6.5 The existing access to the site is to be upgraded with a right-turn bay and flush median markings on Old North Road.
- 6.6 The design does not sufficiently take into account Pinetone Road. Whilst a matter of detail, the intersection will need to consider how right turn movements to and from Pinetone Road will be accommodated within the proposed intersection. As the proposed access is to be a private JOAL, it may be more appropriate to provide the right turn pocket for movements to and from Pinetone Road whilst providing a space within the flush median markings for vehicles to turn right into the site.
- 6.7 The drawings show an access is feasible. The exact detail can be determined during the Engineering Plan Approval (**EPA**) process. Widening for the intersection is to be undertaken along the site frontage, and if additional land is required to form the access, then this should be available along the site frontage.
- 6.8 The visibility splays for the intersection extend over the berms either side of the access. The Scheme Plan drawings indicate that the land to the east of the vehicle crossing would be subject to a land covenant to maintain the sight lines east of the access. This is considered appropriate as vegetation may grow over time that could block the sight lines to the east. To the west of the vehicle crossing, there is a berm and embankment. It is considered that the bank and vegetation would need to be removed or modified to maintain the sight lines. This is highlighted in Figure 4.

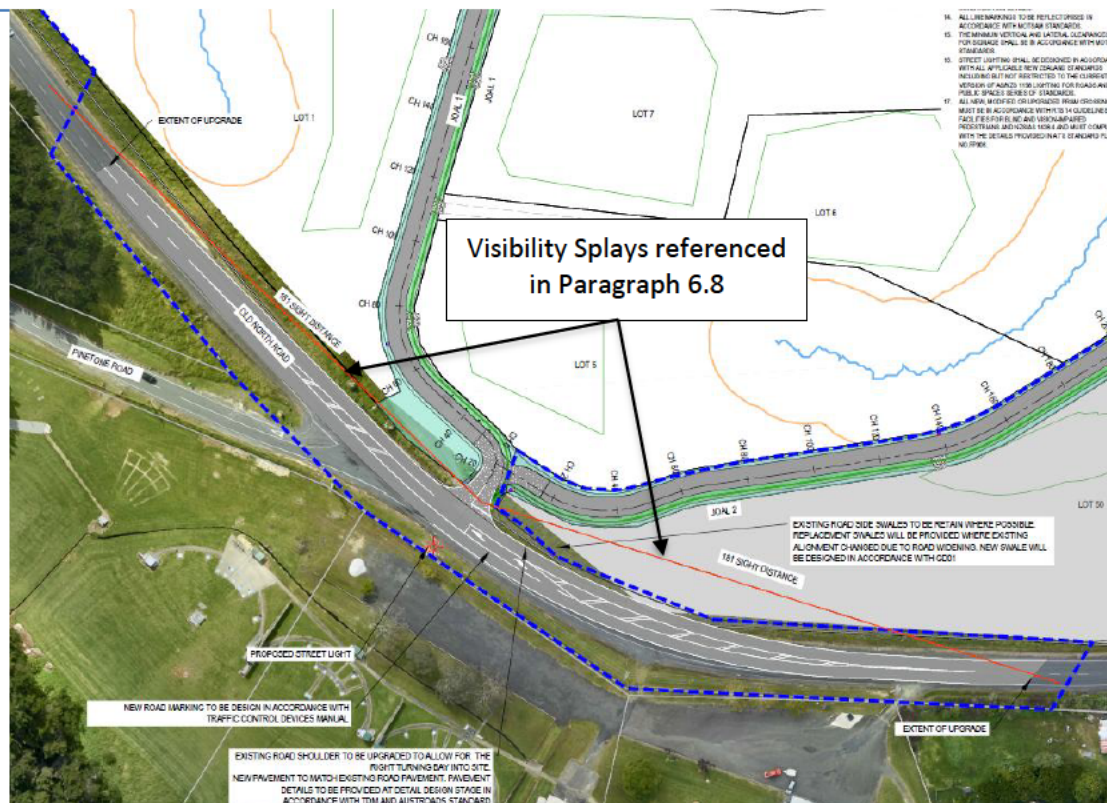


Figure 4 - Proposed Access 1 Layout with visibility splays highlighted

- 6.9 The Scheme Plans show that some of the land along the site frontage either side of the vehicle crossing will be vested. The extent or form of any modifications for this land to create the vehicle access is not clear.
- 6.10 Vehicle tracking for the vehicle access shows that a 10.3m truck extends slightly into the right turn pocket. The design will need to be adjusted so that the truck will not conflict with a vehicle waiting in the right turn bay. This is a matter of detail that can be addressed at EPA stage.
- 6.11 The vehicle access splits into two JOALS just north of the vehicle crossing. The traffic modelling forecasts a short queue, and this would not block back to where the JOAL splits. Whilst this is the case, and the forecast volume of traffic using this access is low, consideration needs to be given to the design so that vehicles turning into the site to travel to the eastern JOALS are not impeded from entering the JOAL should there be a queue exiting the site. This is necessary to avoid traffic queuing back onto Old North Road.
- 6.12 Gates are proposed on both the JOALS. As stated in the Commute Specialist Comments Response, these would be set back at least 6m from the intersection of the two JOALS. The exact location of the gates can be determined at EP stage. The proposed formation of the JOALS and locations of the gates effectively form a T-shaped turning head, which could allow a vehicle to turn around should it not be able to enter the site. This would prevent the vehicle from reversing out onto Old North Road, causing a safety hazard.

It is considered that Access 1 is within 10m of Pinetone Road, therefore, E27.6.4.1(2) and (3) - Vehicle Access Restrictions would apply due to the change in use of the site. The vehicle crossing should therefore be assessed as a restricted discretionary activity. Notwithstanding,

there does not appear to be any specific existing safety issues associated with this location (including Pinetone Road intersection), there would be adequate visibility from the site access (subject to the recommended conditions to keep visibility splays clear), and there is no existing transport infrastructure (footpaths, cycle lanes or bus lanes) affected by the access. The traffic modelling shows that the intersection would operate efficiently. Furthermore, Pinetone Road has low traffic volumes and is a cul-de-sac. Therefore, it is considered that the proposed vehicle crossing should not affect the safe or efficient operation of the adjacent road network.

Access 2 - Browns Road

- 6.13 This existing access is to be upgraded with a right-turn pocket. The access is located on the outside of a bend.
- 6.14 The ITA has considered the sight distances and has reported that these meet the relevant AustRoads Standards. Further detail is provided in the Commute Specialist Comments Response based on surveyed vehicle speeds and this concludes visibility meets the standard. However, the visibility splay to the west from the site access extends across the property boundary on land south of Old North Road. This existing fence line is set back from the property boundary. There is a risk that the fence line could be adjusted in the future, into the visibility splay from Access 2, although, this would impact the visibility from the vehicle crossing for the property to the south.
- 6.15 Considering a vehicle turning right into the site, the visibility splay to the west also extends across the property boundaries to the south but will be impaired due to the existing fence line. This would restrict visibility to motorists approaching from the west. Measures will be required to mitigate the shortfall in visibility, particularly given the posted speed limit of 80km/h. A potential option is to relocate Access 2 to the location of Access 3, with the accessway being diverted around the rear of the proposed community area and parking area.
- 6.16 A gate is proposed on Access 2, 35m from Old North Road. Delivery vehicles, such as couriers, would need access from time to time. An assessment has not been provided of the operation of the gate or potential for queuing back from the gate to Old North Road. However, 35m provides space for around 7 vehicles to queue. A suitable area should be provided to enable vehicles to turn around should they be unable to pass through the gate (e.g. no-one is home to let them through the gate).
- 6.17 Vehicle tracking for the vehicle access shows that the 10.3m truck extends slightly into the right turn pocket. The design will need to be adjusted so that the truck will not conflict with a vehicle waiting in the right turn bay. The vehicle tracking is a matter of detail that can be addressed at EPA stage.

Access 3

- 6.18 The location of Access 3 and an assessment of visibility is provided in the Commute Specialists Comments Response. Visibility from the access meets the AustRoads standard.
- 6.19 Any gates would need to be set back sufficiently far into the site to enable a vehicle to wait clear of Old North Road for the gate to be opened.

Access 4

- 6.20 The location of Access 4 and an assessment of visibility is provided in the Commute Specialists Comments Response.
- 6.21 Visibility from the access meets the AustRoads standard for visibility to the east.
- 6.22 There is a short fall in visibility to the west against the AustRoads standard (131m required, but only 110m available). The Commute Specialist Comments Response has assessed the visibility to the west against RTS-6 Guidelines for Design of Vehicle Crossings on the basis that the access only serves one dwelling. RTS-6 requires visibility of 105m for an operating speed of 80km/h. The constraint on visibility is the vertical alignment of Old North Road.
- 6.23 There may be scope to adjust the location of the vehicle crossing to improve visibility to the west whilst maintaining sufficient visibility to the east, but the vertical alignment of Old North Road is still likely to be a constraint. An alternative would be for this single residential lot to be accessed from either JOAL 4 or JOAL 5. This would remove the safety risk associated with the shortfall in visibility from Access 4.
- 6.24 Any gates would need to be set back sufficiently far into the site to enable a vehicle to wait clear of Old North Road for the gate to be opened.

Access 5

- 6.25 The location of Access 5 and an assessment of visibility is provided in the Commute Specialist Comments Response.
- 6.26 Visibility from the access to the west is just short of the AustRoads standard (157m required, 156m provided). However, the assessment against the AustRoads sight distance has not taken into account the downhill gradient of Old North Road on the approach to the access which would increase the shortfall in visibility.
- 6.27 There is a short fall of visibility to the east against the AustRoads standard (157m required, but only 145m available). The Commute Specialist Comments Response has assessed the visibility to the west against RTS-6 Guidelines for Visibility at Driveways on the basis that the access serves nine dwellings and is a low use vehicle crossing (less than 200 movements per day). RTS-6 requires visibility of 105m for an operating speed of 80km/h. The constraint on visibility is the horizontal alignment of Old North Road and property boundaries. Adjustments to its location would be unlikely to result in improvements to visibility.
- 6.28 Mitigation should be considered such as signage highlighting the presence of the vehicle access and the provision of a right-turn bay; these measures would highlight the presence of the vehicle access.
- 6.29 Any gates would need to be set back sufficiently far into the site to enable a vehicle to wait clear of Old North Road for the gate to be opened.

Forestry Road / Deacon Road Access

- 6.30 This intersection will be the main access route from the retirement village as well as some of the Countryside Living dwellings. The ITA notes that the existing intersection has some lane widening on the south side of Deacon Road that allows westbound vehicles to pass another vehicle waiting to turn right into Forestry Road. The proposed development will increase the volume of right-turning traffic. An assessment was requested to determine whether further upgrades are required to provide a right-turn bay with the proposed development. A specific assessment has not been provided.
- 6.31 AustRoads⁶ sets out when a right-turn bay is warranted (Channelised Right Turn treatment) based on the major traffic volumes on the priority road and right-turning flows. From the traffic volumes used in the traffic modelling, a right-turn bay is warranted. The proposed development is forecast to add around 90 vehicles per hour to the movement in the PM peak. It is considered that a channelised right-turn bay should be provided for safety and operation (refer to Figure 5).



Figure 5 - Forestry Road / Deacon Road Intersection

Deacon Road / Riverhead Road

- 6.32 The ITA has assessed the safety record of the intersection⁷. The assessment identifies that there is a crash trend at the intersection. No physical changes at the intersection are proposed.
- 6.33 The ITA identifies that the visibility from Deacon Road to the west along Riverhead Road is limited due to the alignment of Riverhead Road. The deficiency is not reported but from a review of aerial mapping and based on an 80km/h design speed, 181m of visibility is required but only around 120m is available. It appears that this limited visibility could be a contributory factor to the existing crash trend, as there were a number of crashes that involved right-turning movements at this location. Whilst the development itself does not impact on the

⁶ AustRoads Guide to Traffic Management – Part 6 Intersections, Interchanges and Crossing Management, Section 3.3.6 Figure 3-25

⁷ Integrated Transport Assessment, Commute, 1 May 2025, Section 7.1
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visibility at the intersection, it does triple the right turn volume from Deacon Road in the AM peak⁸ thereby increasing the crash risk exposure.

- 6.34 Mitigation measures may be appropriate, such as advisory speed signs or speed-activated warning signs on the western approach to the intersection (refer to Figure 6).

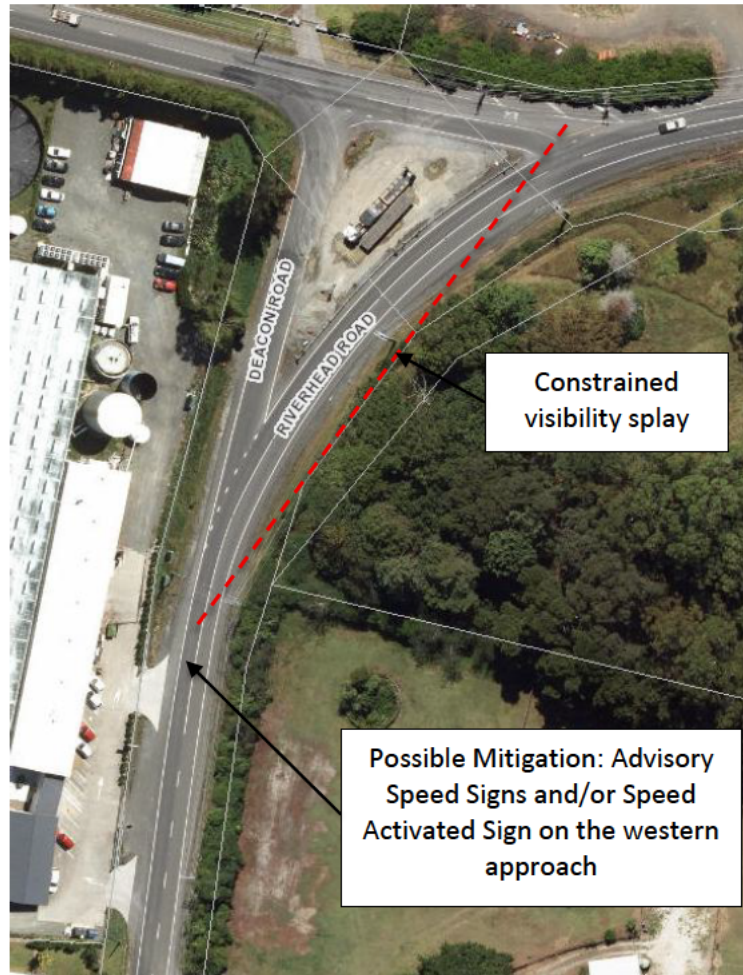


Figure 6 - Deacon Road / Riverhead Road Intersection

Network Safety

- 6.35 The Commute Specialist Comments Response provides analysis of the safety performance of the local road network in the vicinity of the site, particularly the key routes connecting the site to the wider road network. These reveal a pattern of crashes associated with speed and loss of control. Whilst driver behaviour is a contributory factor, the nature of the roads is also a factor (including horizontal and crest curves).
- 6.36 Examination of the KiwRap-Urban Collective and Personal Risk ratings for these rural roads show that the Old Road North Road, adjacent to Access 1 and 2, and Riverhead Road have a Medium-High risk rating and Old North Road between Riverhead Road and SH16 has a High risk rating. All these roads will be used as the primary routes to access the site from the wider road network and will increase the exposure of crashes on these rural roads.

⁸ Approximately 80 additional vehicles are forecast to make the turn in the AM peak compared to about 45 existing right turn vehicle movements

- 6.37 The Commute Specialist Comments Response states that as the area is gradually urbanised, there will be lower risk ratings. Commute also considered that as the land is already live zoned for Countryside Living it could already be generating traffic and therefore development is anticipated and aligns with the Unitary Plan.
- 6.38 The predominant zoning within the area is Countryside Living. Therefore, it is considered that the roads are unlikely to be urbanised with kerb and channel when it is gradually developed. This is evident in the subject application where kerb and channel is not proposed along the site frontages along Old North Road. Therefore, whilst there are some upgrades in relation to turning bays at accesses, the overall nature of the roads is unlikely to change substantially from what is currently present. Therefore, it is considered that the risk rating is unlikely to reduce over time, rather it will increase as traffic volumes increase with development.
- 6.39 Specific locations have been identified in the assessment at intersections and accesses, where the proposed development is assessed to affect the safe operation of the local road network in the vicinity of the site.

7. Upgrade to Forestry Road

- 7.1 Forestry Road is proposed to be upgraded and the northern part of the road vested with Council. The upgrade includes altering the vertical alignment of the road and some minor horizontal realignment. Some retaining walls and batters are required.
- 7.2 The carriageway is proposed to have a width of 6.0m (including channels) which provides for 2.7m wide lanes. These would meet the minimum lane width requirement in Auckland Transport's Transport Design Manual (TDM) but would be less than the preferred width. The proposed grades along the road are all less than 8%.
- 7.3 Vehicle tracking has been provided along the upgraded sections of Forestry Road to demonstrate that a 6.3m van and a 10.3m truck would be able to pass without conflicting.
- 7.4 The proposed retaining walls vary in height along the length of the road and are in excess of 4m in places. Auckland Transport should confirm the acceptability of these retaining walls and other structures or embankments for vesting.
- 7.5 Several vehicle crossings will need to be modified to tie in with the modified vertical alignment of Forestry Road. The civils drawings show that the access ways associated with these vehicle crossings will need to be adjusted some way into the properties. Property owner approval will be required where alterations to vehicle access ways are proposed.

8. Shared Path between Retirement Village and Riverhead

- 8.1 A shared path is proposed to connect between the retirement village and the eastern boundary of the site. A connection would be provided from the boundary through to an existing pedestrian access way from Mill Grove.
- 8.2 It is understood that the proposed shared path would be a private path but that there would be an easement in favor of Auckland Council for public access; the footpath is a matter for Council to assess. Notwithstanding, it is noted that the footpath has a gradient 11.6% over a distance of

362m. This would present challenges for some pedestrians due to the grade if there are no rest areas incorporated into the design. This is of particular relevance as the path could be used by less mobile pedestrians or those with mobility scooters from the retirement village.

- 8.3 It is understood that the path is proposed to be used by a four-wheeled drive golf carts that would not be used beyond the site boundary. This is considered appropriate, as the use of golf carts beyond the site potentially poses a hazard to pedestrians on the public footpath connection from Mill Grove across the bridge and in the reserve area, and there is uncertainty as to the legality of using such a vehicle on the public roads to connect to the centre of Riverhead. I consider a condition of consent should be imposed to prevent golf carts being used beyond the site.
- 8.4 Mill Grove connects to Duke Street. There are no footpaths on Mill Grove or on Duke Street between Mill Grove and Coatesville-Riverhead Highway. Therefore, if the connection to Mill Grove is constructed, there will be a gap in the walking network for pedestrians to walk to the centre of Riverhead.
- 8.5 The provision of the footpath is supported but there are concerns over the deliverability of the facility within the site and the suitability of the existing active mode network to accommodate active modes travelling between Riverhead and the site.

9. JOAL Design

- 9.1 The design of the JOALS is in the remit of Council to comment. However, it is noted that several of the JOALS are proposed to have easements over them for pedestrian Right of Ways in favour of Auckland Council. The purpose of the pedestrian ROWs or what they connect to is not stated. There are no pedestrian facilities proposed along these JOALS and therefore pedestrians would be sharing them with traffic.
- 9.2 For the JOALS accessed from Access 1, there is no car parking for the public adjacent to the road reserve. If there is anticipated demand for the public to access walking tracks via the JOALS, then parking will be required in the vicinity of Old North Road; the JOALS are intended for private vehicle use only with gates preventing public access. There is no suitable location within the road reserve for motorists to park, which could cause a safety hazard if vehicles park along Old North Road.

10. Construction

- 10.1 The ITA states that construction traffic can be managed through a CTMP and that the main accesses will be via Old North Road and Forestry Road.
- 10.2 The construction is likely to include earthworks and the use of heavy vehicles. It is considered that Accesses 1 and 2 on Old North Road should be upgraded to their final form to allow for construction within the site. This is due to the increased traffic movements at these locations compared to the existing situation and the fact that this traffic will include heavy vehicle movements.

10.3 Commute concur that Access 1 and 2 should be upgraded before construction begins on site⁹.

11. Summary and Conclusions

11.1 This review has assessed the traffic engineering and road safety implications of the proposed Rangitootuni development, comprising 208 vacant lots for dwellings and a retirement village with 260 units and 36 care beds. While the site is (mostly) zoned Countryside Living, the nature of the proposal represents a significant change in land use, warranting consideration of trip generation, access design, and network impacts.

11.2 The extent of network effects assessment has been determined based on the specific characteristics of this development and the potential for flow-on effects. The traffic distribution analysis demonstrates that development traffic will utilise Coatesville-Riverhead Highway as a primary route to SH16, directly impacting both the Auckland Transport local road network and the critical SH16 intersection, meaning that physical distance is less relevant than the direct impact on both networks.

11.3 Key findings are summarised as follows:

- **Trip Generation:** The land is currently primarily zoned Countryside Living but has currently been used for forestry. The proposed development will change the use of the land to dwellings and a retirement village and will add traffic to the surrounding local road and wider road networks. The change of activity, coupled with the proposed quantum of dwellings enabled, triggers a need to assess the traffic effects of the residential development.
- **Network Effects:** The development will increase traffic volumes at the SH16 / Coatesville-Riverhead Highway intersection and on SH16 which would adversely affect the operation of the local roads (Old North Road and Coatesville-Riverhead Highway). The NZTA Stage 2 SH16 Waimauku to Bringham Creek Road project upgrades the SH16 / Coatesville-Riverhead Highway intersection to a roundabout and would four-lane SH16. This project is funded and will address the existing constraints, although the exact timing of when it will be delivered is uncertain. The development should be coordinated with the NZTA project such that occupancy of dwellings should be contingent on the implementation of the project (i.e. the project being completed and operational).
- **Safety Considerations:** The review identifies increased crash exposure at several intersections, particularly Deacon Road / Riverhead Road, where visibility limitations and increased right- turn volumes warrant mitigation. The surrounding road network exhibits medium to high collective and personal risk ratings, which are unlikely to reduce even as development occurs in the area as the roads will remain largely rural in nature.
- **Site Access Design:** Five access points are proposed from Old North Road, with varying degrees of compliance with visibility standards.
 - Access 1: This is considered feasible but requires refinement of the design during the Engineering Plan approval stage, and conditions imposed to ensure that sight lines from the access along Old North Road are maintained.

⁹ Commute Specialist Comments Response, 19 August 2025, Section 1.1.6 Item 5.
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- Assess 2: The form of the access is considered appropriate, however, there are shortfalls in the sightlines from the site access and from the right turning bay where the visibility splay extends over third-party property. This is a safety concern on this high-speed rural road. This will require addressing and / or mitigation, such as relocating the access. Some refinements to the design will also be required at EP stage for vehicle tracking.
 - Access 3: No particular concerns are noted on this access.
 - Access 4 and Access 5: There are short falls in the visibility at both of these accesses. Access 4 serves a single residential lot and there may be scope to improve the sightlines by relocating the access slightly, although the vertical alignment of Old North Road may still be a constraint; an alternative access arrangement for this lot would be preferable. For Access 5, the visibility assessment has not taken into account the gradient of Old North Road and as this access serves nine lots, mitigation will be required to address potential safety due to shortfalls in available visibility.
 - Gates are proposed at all accesses from Old North Road. These will need to be positioned sufficiently far into the site so that queued vehicles can wait clear of Old North Road whilst the gate is opened.
 - **Upgrades to the Deacon Road / Forestry Road intersection and Deacon Road / Riverhead Road intersections** are considered necessary to address safety effects of the development. For the Forestry Road intersection, a formal channelised right turn bay should be provided, and at the Riverhead Road intersection mitigation is required to address increased safety risks due to the increase in traffic volumes making the right turn out of Deacon Road where visibility is constrained.
 - **Infrastructure Integration:** The proposed upgrade and vesting of Forestry Road is generally supported, subject to confirmation with Auckland Transport of the acceptability of retaining structures and maintenance responsibilities. Approval will be required from property owners where vehicle accesses are affected by the Forestry Road upgrade and works are required in third party land.
 - The shared path linking the retirement village to Riverhead raises accessibility and safety concerns, particularly for mobility-impaired users due to the gradient of the proposed path and missing footpath connections along Mill Grove and Duke Street.
 - To facilitate safe access for construction traffic (including heavy vehicles), Accesses 1 and 2 should be upgraded to provide right turn bays.
- 11.4 Overall, the development's scale and rural context necessitate targeted infrastructure upgrades and careful coordination with broader network improvements to ensure safe and efficient integration into the transport system.
- 11.5 It is considered that conditions are required on the following matters to address effects:
- a) The occupation of dwellings or retirement units must be coordinated with the completion and operation of Section 1 of the NZTA Stage 2 – Waimauku to Brigham Creek Road

Project, specifically the upgrade of the SH16 / Coatesville-Riverhead Highway Intersection to a roundabout and the four-laning of SH16 between Coatesville-Riverhead Highway and Brigham Creek Road. Whilst a planning matter, I anticipate that consent notices may be required to secure this requirement, particularly in relation to the residential subdivision.

b) Old North Road Access 1 – Access Conditions

- i. A covenant must be provided over land to the east of the access to keep the visibility splay clear of vegetation and other obstructions to the sight lines between westbound motorists on Old North Road and motorists exiting Access 1; and
- ii. Access 1 must be designed to provide clear sight lines across the berm within the road reserve to the west of the access.

c) Access Gates:

All access gates for Access 1, 2, 3, 4 and 5 must be located sufficiently far from the road reserve boundary with Old North Road so that vehicles queued for the gates to open do not extend back onto Old North Road.

d) Deacon Road / Forestry Road

A channelised right turn facility must be provided for the right turn movement from Deacon Road to Forestry Road.

e) Deacon Road / Riverhead Road

A speed-activated sign must be installed on the eastbound Riverhead Road approach to the intersection, and advisory speed signs must be investigated on the same approach to the intersection.

f) Construction Access

Access 1 and Access 2 must be upgraded to include right turn bays on Old North Road in accordance with the final approved designs prior to the commencement of construction on site.

g) Vehicle Accesses

- i. Access 2 must be moved to the location of Access 3 to address the shortfall in visibility. A right-turn bay should be provided as currently proposed for Access 2.
- ii. Access 4 must be removed and the lot should be accessed via either JOAL 4 or 5.
- iii. Access 5 must include a right turn bay on Old North Road and advanced warning signs of a concealed access should be provided on Old North Road for eastbound traffic.

h) Retirement Village Shared Path

- i. Golf carts using the shared path must not be permitted to be used with the Mill Grove public reserve or on the public roads or footpaths.

In relation to the recommended conditions 11.5 (b), (c), and (g), I consider that if the Expert Panel were minded to approve the application, that these matters would be best addressed prior to the decision so that all appropriate matters and effects can be properly considered.

Attachment 1 – Route Assessment

An assessment of the potential routing of vehicles from the development to SH16 east of Coatesville-Riverhead Highway has been undertaken using Google Maps.

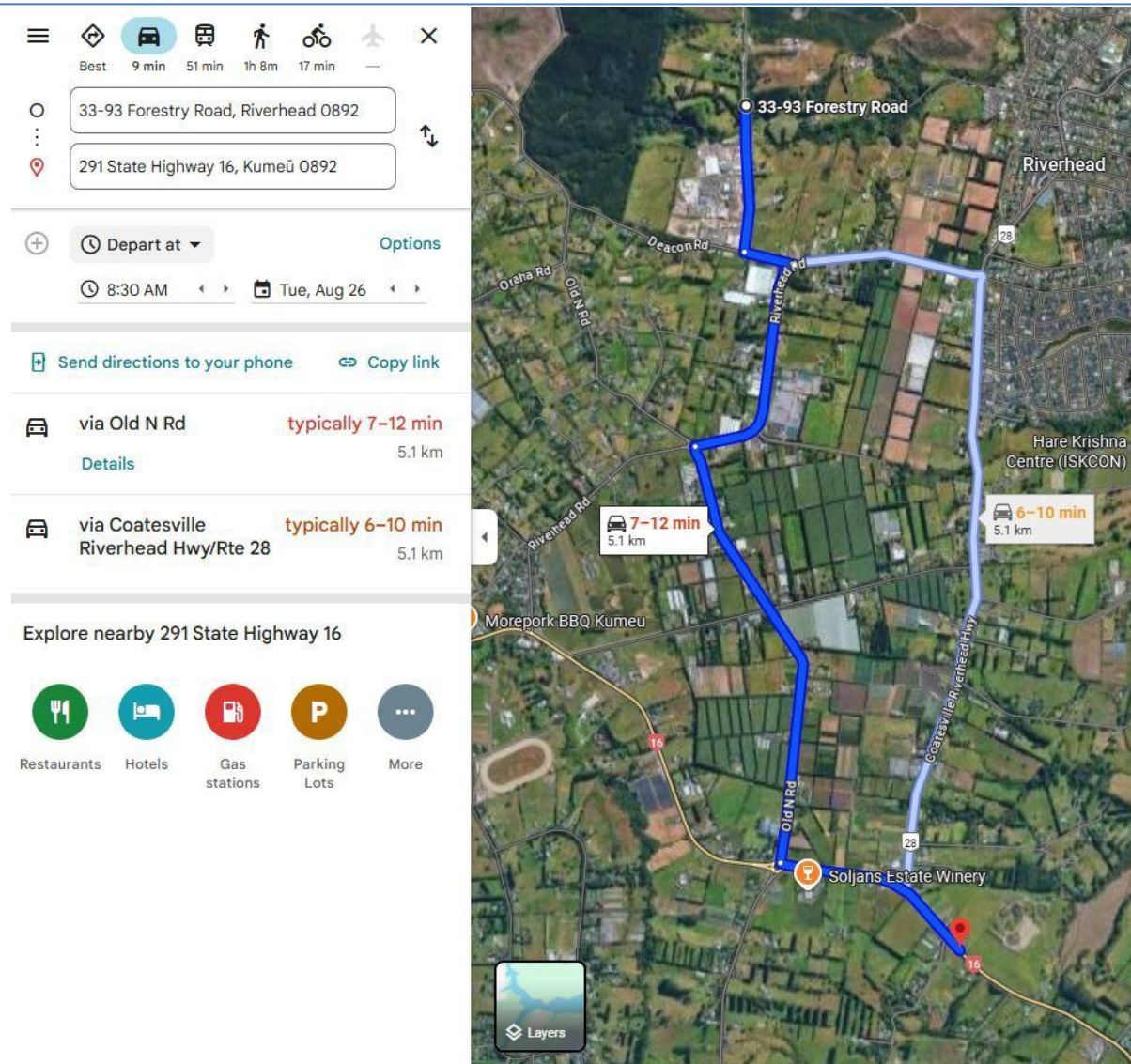
The Commute Specialist Comments Response provides extracts from Google Maps that show relative journey times from Access 2. The time of day as to when these journeys have been assessed is not stated. The most critical period for routing of traffic is considered to be the AM peak. A similar exercise to that presented in the Commute Response has been undertaken but specifically based on journeys in the AM peak. In addition, the assessment has considered traffic from an origin at Access 2 and from an origin on Forestry Road as it was considered that this may influence route choice.

These are illustrated below.

Origin of trip: Forestry Road - Leave at 8:53am on Thursday 21st August 2025 from Forestry Road



Technical Note



From an origin on Forestry Road in the AM peak on Thursday 21st August 2025, Google Directions indicated that to travel to SH16 east of the Coatesville-Riverhead Highway intersection using Coatesville-Riverhead Highway was quicker than Old North Road. A more general assessment for a trip starting at 8.30am on a Tuesday in August revealed that the range in journey times via Coatesville-Riverhead Highway was 6 to 10 minutes, and the range in journey times via Old North Road was 7 to 12 minutes. This suggests, that in the morning peak period that using Coatesville-Riverhead Highway is typically quicker than Old North Road and more reliable.

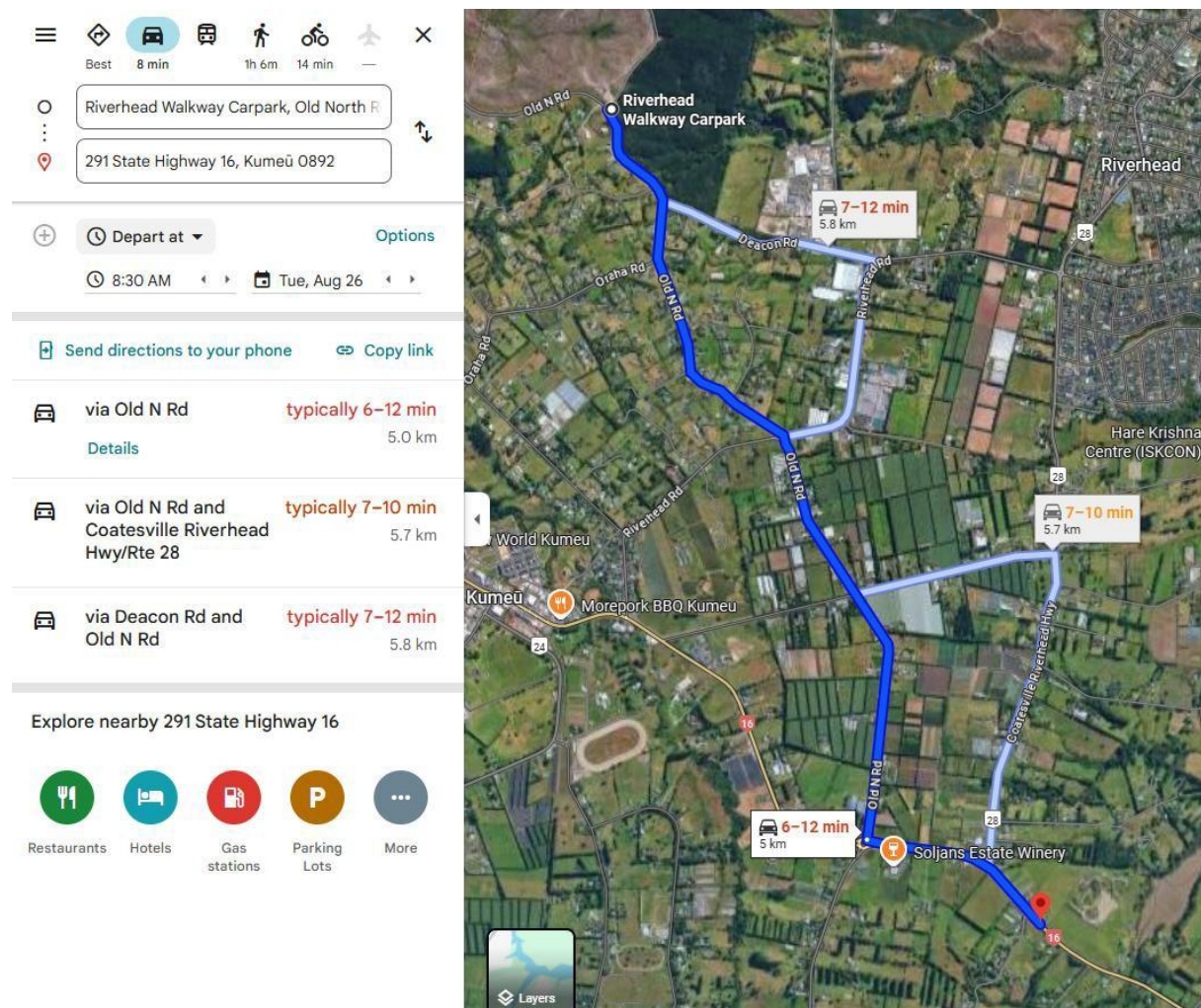
Technical Note

Origin of Trip - Access 2 - Leave from Access 2 at 8:49am on Thursday 21st August 2025



Technical Note

Typical times at 8.30am Tuesday morning in August



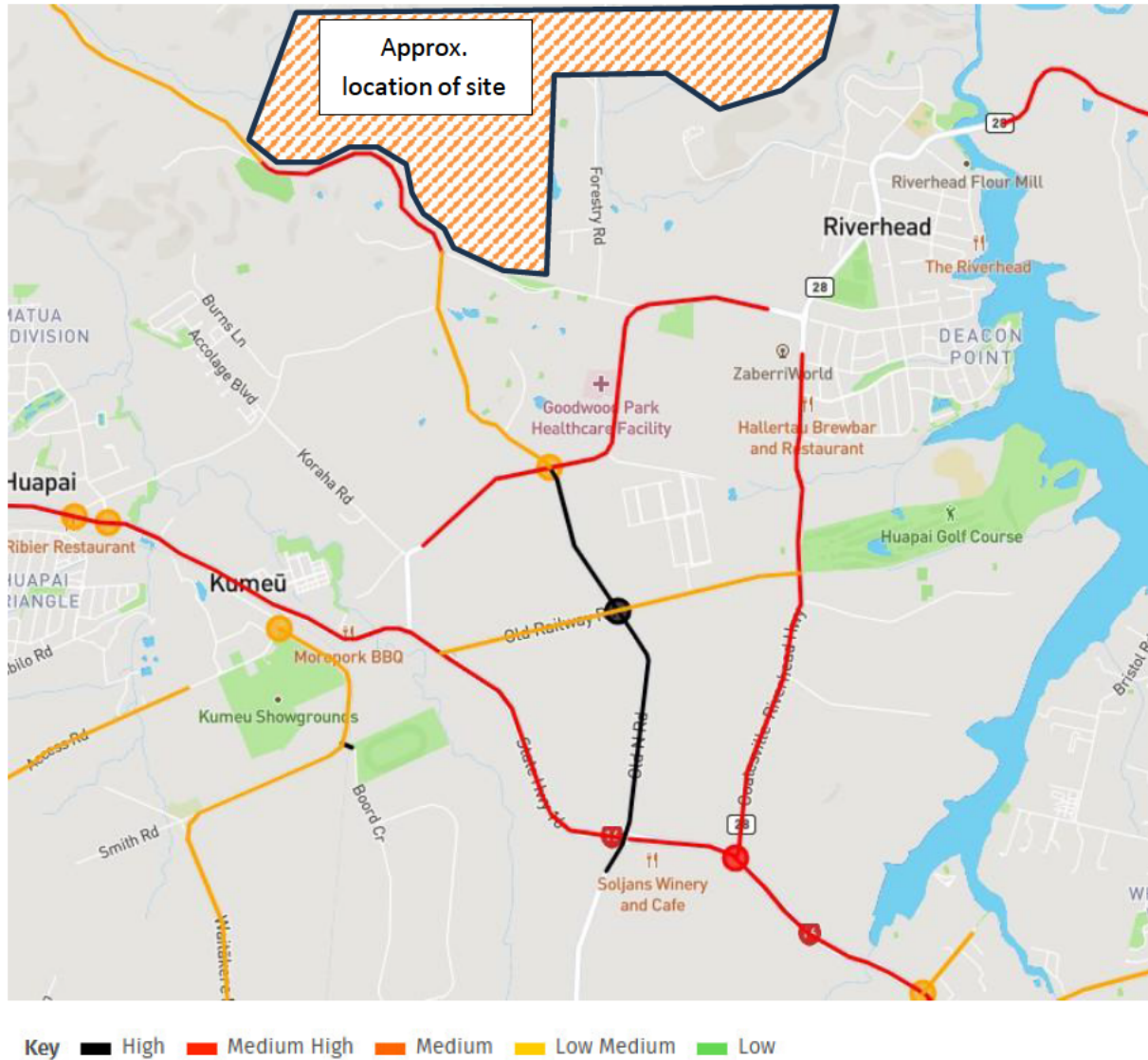
For motorists from Access 2, a similar exercise was performed. For the trip on Thursday 21st August 2025, this showed that the travel times via Coatesville-Riverhead Highway compared to Old North Road were the same. The range of travel times for a Tuesday in August showed that the trip via Coatesville-Riverhead Highway was 7-10 minutes compared to 6-12 minutes via Old North Road. Whilst this shows it could be quicker to use Old North Road, with the greater range in travel times, there is less certainty in the time taken to undertake this leg of the journey. Google Maps suggests for vehicles using Access 2 the use of Old Railway Road and Coatesville-Riverhead Highway as an alternative to Old North Road to reach SH16. This aligns with anecdotal evidence that some motorists use this alternative route to avoid congestion on Old North Road.

The operation of the Coatesville-Riverhead Highway / SH16 intersection often operates with reverse priority with motorists on SH16 giving way to vehicles exiting Coatesville-Riverhead Highway; this assists motorists using Coatesville-Riverhead Highway and may increase the attractiveness of this route over Old North Road.

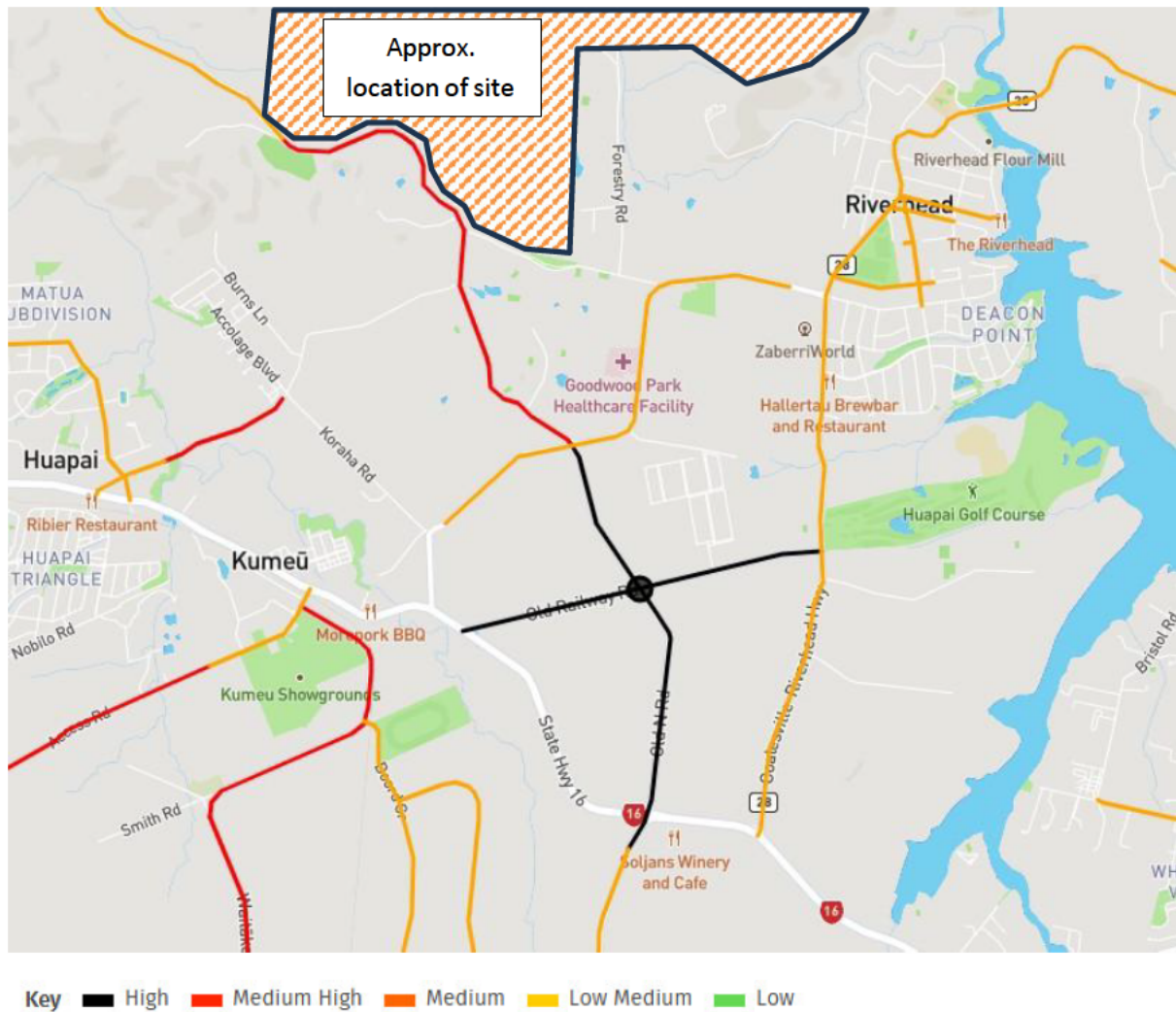
Attachment 2 – KiwiRap – Urban Risk Assessments

The diagrams below show the collective and personal risks for the road network in the vicinity of the site.

Collective Risk



Personal Risk



ANNEXURE B

Stormwater Management Memo by Griffin Benton-Lynne, AWA Environmental Limited

MEMO

TO: Siva Jegadeeswaran **DATE:** 12th September 2025
FROM: Griffin Benton-Lynne **PROJECT NO.:** BUN60449727
COPY: Emad Al-Mundhiry
SUBJECT: Review for Auckland Transport of Stormwater Management for Rangitooopuni Fast Track

1. INTRODUCTION

1.1 Auckland Transport has commissioned Awa Environmental Limited to undertake a review of the Fast Track Application – Rangitooopuni Developments Limited Partnership for development at Old North Road and Forestry Road, Riverhead. The proposal is the development of 208 vacant lots and for a retirement village of 260 retirement units and 36 care beds. As part of the works Forestry Road is to be upgraded, extended, and the extension vested in Auckland Council. This review is on the stormwater engineering and flood management as pertains to Auckland Transport assets.

1.2 In preparing this review the following application documents have been reviewed:

- Stormwater Management Plan – Maven, 30 April 2025
- Flood Assessment Report – Maven, 5 May 2025
- Civil Infrastructure Report – Maven, 30 April 2025
- Civil Drawings – Maven, March 2025

2. QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

2.1 I hold the qualification of a Bachelors Degree (Honours) in Natural Resource Engineering from the University of Canterbury (2018). I am a member of Engineering New Zealand.

2.2 I have over 6 years of experience as a water infrastructure engineer. I have worked for two engineering consultancies in Auckland and have been providing review services for Auckland Transport as a stormwater Subject Matter Expert (SME) for over 4 years. I have provided advice to Auckland Transport on a range of resource consents, plan changes, engineering applications, as well as a number of Fast Track consents. I have also prepared design projects on multiple stormwater projects, including flooding, drainage, and stormwater management for Auckland Council, Auckland Transport and other public institutions around New Zealand.

2.3 I have not visited the subject site. My review and comments are based on information provided by the applicant and publicly available information.

2.4 I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code) and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

3. FLOODING

3.1 The existing Forestry Road and the proposed extension are located within the Riverhead Catchment. The existing road is subject to significant flood risk due to the large stream adjacent to the road, which has a catchment area of approximately 515ha. There are also a number of tributaries and overland flow paths which cross the existing Forestry Road and the proposed extension.

3.2 To mitigate the risk to road users within the existing road, the applicant proposes to raise the level of the road and increase the size of existing culverts or install new culverts.

3.3 In assessing the flood hazard to the road users, Auckland Transport has limits for pedestrian safety based on the flow depth multiplied by the flow velocity (depth x velocity) in the Road Drainage Chapter of Auckland Transport's Transport Design Manual, which sets out a limit of 0.4m²/s where pedestrians are likely to be present. Where there are transverse flows on the road, Auckland Transport sets the limit for vehicles safety at an energy grade line of 0.3m. The energy grade line is used to assess the risk of a vehicle being swept out of the road reserve.

3.4 Auckland Transport also makes use of international guidelines, such as the Australian Rainfall & Runoff Book 6 – Flood Hydraulics. This document sets the safe limit for flow depth at 0.3m for small vehicles as floatation can occur at this depth. At 0.5m all vehicles are considered susceptible to floatation. Where these limits are exceeded, there is a risk that vehicles can be swept into deeper areas where the risk to human life can be significant.

3.5 The results of the modelling undertaken are detailed in the Flood Assessment prepared by the applicant. However, the effectiveness of the proposal is difficult to assess due to limitations in the mapping provided. Specifically, the site boundary lines in the result maps provided in the appendices of the Flood Assessment Report obscure significant portions of the proposed road reserve, and there is a lack of zoomed-in maps for road segments. It is also unclear where the proposed road is located within the road reserve as this is generally not shown or is partially obscured by the site boundaries.

3.6 The result map '*1%AEP Storm with (3.8 degree Climate Change) Depths Postdevelopment*' provide by the applicant show flow depths which appear to be up to 2m within the road reserve at the proposed extension, near to the existing road. Where these depths are in relation to the proposed road are unclear. These depths present a significant hazard to road users if located where vehicles or pedestrians are likely to be located.

3.7 A zoomed-in map of the existing road was provided by the applicant, titled '*1%AEP (i.e 100yr) CC Depths Postdevelopment (Forestry Road)*', which shows the flood depths within the area of Forestry Road, as well as some specific points depths within the road (refer to Figure 1 below). However, these points are located on either side of the worst-case locations within the road, i.e., 64 and 85 Forestry

Road. In these two locations depths exceed 200mm, which contradicts the applicant's assertion in Section 9.2 of the Flood Risk Assessment that following raising the road the maximum depths do not exceed 200mm. It is not clear what the actual modelled depths are, but the legend indicates these two areas are between 200 – 500mm in depth. The worst-case depths should be confirmed as excessive depths could prevent the ingress and egress of emergency services and may be hazardous to road users.

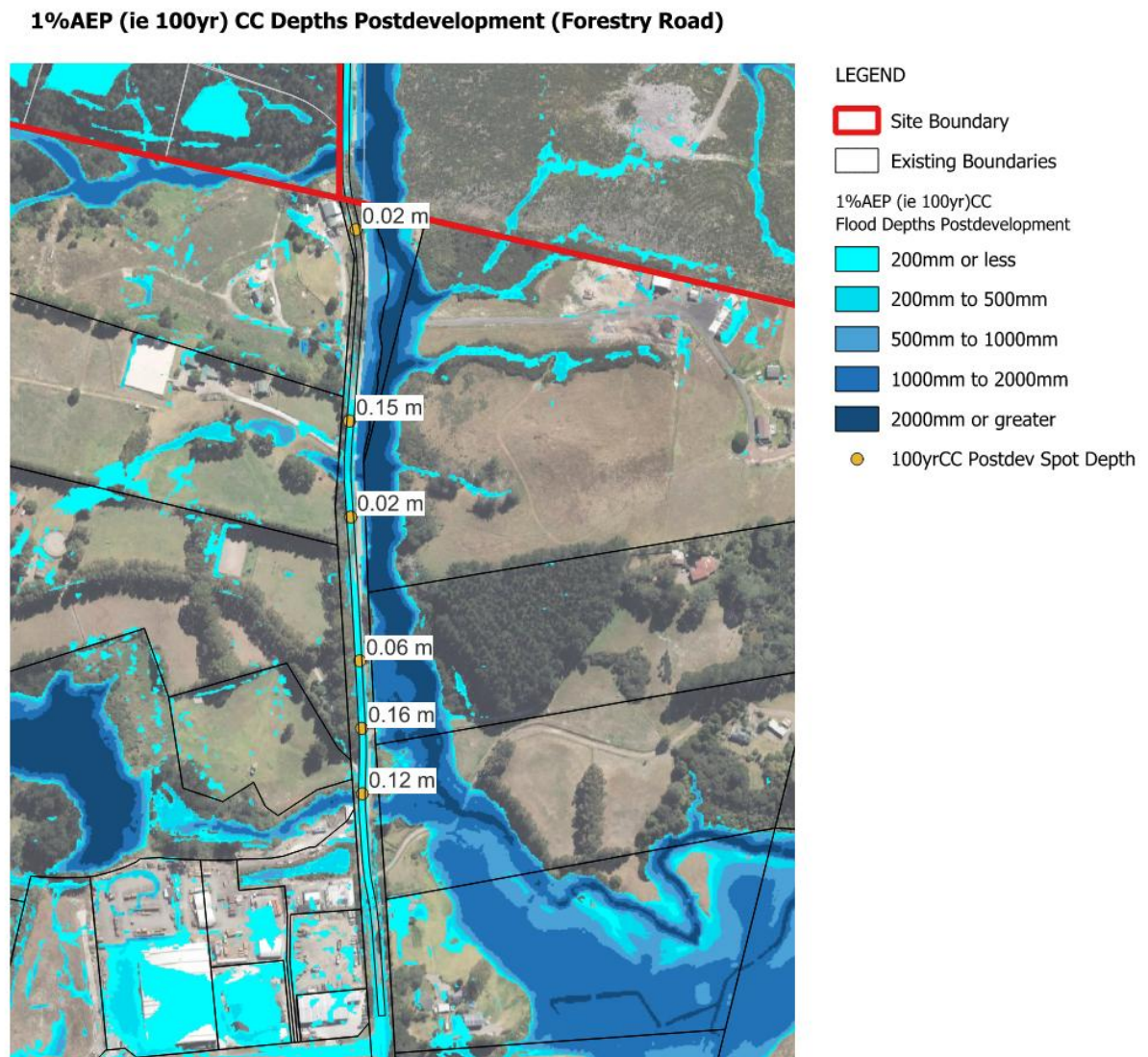


Figure 1: Post Development Depth Map Provided by the Applicant

- 3.8 The two areas described above in 3.7 appear to be areas of transverse flow. No assessment of the energy grade line has been provided, and it has not been demonstrated that these areas are safe for vehicles to traverse.
- 3.9 The comparison maps provided show the difference in water level for the pre-development and post-development scenarios, but no depth comparison maps are provided. While water level differences can be useful in assessing the impacts of the proposal, the key information is the depth difference as depth is directly related to hazard, while water level is not necessarily. This is especially true when the

ground surface levels are changing as this can impact the water level but does not necessarily represent an improvement.

- 3.10 Depth x velocity hazard maps are provided and these show significant hazard within the road reserve. However, it is unclear the risk this poses to road users as the location of carriageway and footpaths are not shown with the maps. Additionally, where the proposed road extension is located the results are obscured by the site boundary line and the hazard to road users cannot be confirmed.
- 3.11 Auckland Transport is aware that Auckland Council has requested the applicant's stormwater model so that the model can be verified and understood. This is strongly supported as verification will increase the confidence that the risk to the public has been adequately assessed and that the proposal can be supported by Auckland Transport.
- 3.12 Auckland Transport is also aware that changes to the model inputs and parameters have been requested by Auckland Council. Should any changes be made to the model, Auckland Transport, as the Road Controlling Authority, would want to see the results of these changes to ensure that this does not result in hazardous conditions for road users or negatively impacting Auckland Transport assets.

4. CULVERTS

- 4.1 A number of culvert upgrades and new culverts are proposed within the public road as part of this application. These culverts range in size from 1.5m x 1.5m to 4m x 2m. Culverts with a cross-sectional area exceeding 3.4m²—specifically Culverts 1, 3, and 4—must be designed in accordance with the NZTA Bridge Manual, AT Code of Practice, and Auckland Council Stormwater Code of Practice, with the most onerous requirement taking precedent. Culvert 1 is shown on drawing C401-1, Culvert 3 and 4 are shown on drawing C401-3.
- 4.2 For culverts over 6m², the 1% AEP + 3.8°C climate change water level must sit at least 0.3 m below the soffit to mitigate risk. This requirement must be addressed prior to vesting, and the applicant is strongly advised to demonstrate compliance before consent is granted.
- 4.3 Culverts must be designed with adequate access to both inlet and outlet structures to facilitate ongoing maintenance. This should be addressed at this stage to avoid establishing boundaries that may constrain access during detailed design. Failure to provide access may result in increased maintenance costs and elevated safety risks for maintenance personnel.
- 4.4 A question was raised as to whether Auckland Transport has a preference for culverts or bridges. Auckland Transport does not have a specific preference as the use of either culverts or bridges will depend on site specific features and constraints, as well as the cost of either option. Auckland Transport would advise that the consultant needs to consider both options, including cost and determine which is best to meet all the requirements.

5. RECOMMENDATIONS

Based on the information provided by the applicant, the proposal cannot be supported from a stormwater perspective as there is insufficient information to demonstrate this development will not

result in hazardous conditions or adverse effects. In order to undertake a thorough assessment of the proposed development, the following is recommended:

- 5.1 It is strongly recommended that the applicant provide updated flood maps which clearly show the existing and proposed public road reserve, as well as the location of the actual road within the road reserve, i.e., where vehicles and pedestrians would be present within the road reserve, so that the hazard can be adequately assessed.
- 5.2 Zoomed-in maps should also be provided so that it can clearly be seen where the worst-case locations are, and these should be labelled to clearly show the maximum values.
- 5.3 The maps provided should include depths maps, depth comparison maps and depth x velocity maps for all the scenarios assessed.
- 5.4 Assessments of the energy grade line for flow within the road reserve should be provided to demonstrate that the proposal will not result in hazardous flow conditions which could endanger road users or prevent the ingress and egress of emergency services.
- 5.5 The proposed public culverts should be demonstrated to meet the requirements NZTA Bridge Manual, AT Code of Practice, and Auckland Council Stormwater Code of Practice and the proposed access should be demonstrated to be adequate. Failure to do so prior to consent could result in the need to apply for a S127, costly rework for the applicant or result in onerous operation and maintenance costs and/or hazardous conditions for operation and maintenance personnel.



GRIFFIN BENTON-LYNNE

WATER INFRASTRUCTURE ENGINEER

a: 4 Williamson Ave, Grey Lynn, Auckland 1021

m: [REDACTED] e: [REDACTED] w: www.awa.kiwi



Contamination – Marie Meredith (**Annexure 12**)

From: [Joe Wilson](#)
To: [Joe Wilson](#)
Subject: CONTAMINATION : FAST-TRACK: Request for Specialist/Asset Owner Assessment - Rangitōopuni Project (BUN60449727) FTAA-2504-1055
Date: Thursday, 11 September 2025 7:03:20 pm

From: Marie Meredith [REDACTED] **On Behalf Of** CANconsents
Sent: Tuesday, 1 July 2025 5:05 pm
To: Joe Wilson [REDACTED]
Cc: Emma Chandler [REDACTED]
Subject: RE: Contam: FAST-TRACK: Request for Specialist/Asset Owner Assessment - Rangitōopuni Project (BUN60449727) FTAA-2504-1055

Kia ora Joe,

I have reviewed the following documents submitted by the applicant for the proposed Rangitōopuni development at Lot 1 and 2 DP 590677 Old North Road & Forestry Road, Riverhead, in the context of the *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health* (NES:CS, Ministry for the Environment (MfE), 2011) and Chapter E30 of the Auckland Unitary Plan: Operative in Part (AUP(OP)):

- *Rangitōopuni Application under Fast Track Approvals Act 2024* (AEE), prepared by Campbell Brown, dated 5-May-2025
- *Desktop Contamination Assessment – Rangitōopuni Riverhead (Lots 1 and 2), Forestry Road, Riverhead* (PSI), prepared by ENGEO, dated 2-May-2024

I understand from the AEE that Lot 1 is proposed to undergo residential development and subdivision, whereas Lot 2 is to be developed into a retirement village.

The PSI has conducted desktop research, on-site observations (during the geotechnical work the SQEP is also undertaking at the site) and a review of available property information. It appears the site has been used for forestry since at least 1940. And while one previous consent is noted to have been for the discharge of treated sewage by spray irrigation, this consent expired in 1996 and the activity is not considered to meet the threshold of being considered an activity included on the MfE's Hazardous Activities and Industries List (HAIL).

Based on the available property information the PSI has presented, I consider that it *does not seem more likely than not* that any activities included on the MfE's HAIL have occurred at the site. Therefore, the site is not a 'piece of land' under Regulation 5(7) of the NES:CS and the NES:CS does not apply to this application. For the same reason, I agree with the PSI that it is unlikely that the site contains 'elevated levels of contaminants' and therefore the provisions of Chapter E30 of the AUP(OP) also do not apply on this occasion.

Please let me know if you have any questions. Have a good evening!

Faafetai,
Marie

Marie Meredith | Specialist – Contamination, Air & Noise

[REDACTED]
Specialist Input Unit | Planning & Resource Consents Department
Auckland Council, Level 6, 135 Albert Street, Auckland Central
Visit our website: www.aucklandcouncil.govt.nz

Working with passion and people to make a positive difference to our environment.

Regional Earthworks, Streamworks and FW Ecology – Shanelle Beer-Robinson (**Annexure 13**)

Technical Specialist Memo – Regional Earthworks, Streamworks and Wetlands

To:

Emma Chandler – Lead Planner, On behalf of Auckland Council
Joe Wilson – Principal Project Lead, Auckland Council

From:

Shanelle Beer Robinson – Senior Specialist, Regional Earthworks and Streamworks, Auckland Council

Qualifications
& Relevant
Experience:

I hold the qualification(s) of: Bachelor of Arts (majoring in Earth Science) and a Postgraduate Certificate in Public Policy (Environmental Policy) and have seven years of experience in environmental science including earthworks, streamworks and wetland assessments and environmental monitoring.
I am a full member of Environment Institute of Australia and New Zealand (EIANZ), the International Erosion and Sediment Control Association (IECA) and the Regional Council Fish Passage Advisory Group.
I have prepared expert evidence and technical assessments for resource consent applications, plan changes and fast-track applications, and have appeared as an expert witness before the consent authorities and the Environment Court.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date:

11th September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Rangitootuni Project

Fast-Track application number:

FTAA-2504-1055 (Council Reference BUN60449727)

Site address:

Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and
Forestry Road, Riverhead, Auckland

2.0 Executive Summary / Principal Issues

This assessment relates to the Regional Earthworks (Chapter E11 of the AUP and Regulation 54b of the NESF) and Streamworks Matters (Chapter E3 of the AUP and Regulation 71 of the NESF).

The applicant has demonstrated that the effects on the environment from earthworks activities and any resulting sediment discharge can be appropriately managed and mitigated, noting that provision for an Adaptive Management Plan including Freshwater Baseline Monitoring is required prior to the commencement of works and has been recommended by way of consent condition. Staging and maximum open area limits are also considered appropriate for the earthworks being a significant size and scale.

There is not enough information provided to demonstrate that the works within the watercourse for the new culverts, attenuation devices and erosion and scour protection can be undertaken as permitted activities per Chapter E3 and the NES-F, (notwithstanding the overall activity status of the application). Of most importance, there is not enough information to determine the overall level of effect and specific mitigation or offsetting required due to the loss of aquatic values and extent.

- The culverts require consent for “progressive encasement”, a standard in E3 which addresses the effects of cumulative stream bed loss due to multiple structures. As the applicant does not agree that consent is required, they have not assessed the additional stream loss (approximately 171m total) associated with these culverts. This is not an insignificant length, especially when considering the cumulative effects of stream loss in the Auckland region. This would require mitigation or offsetting to address the stream bed loss through the application of effects management hierarchy.
- The two attenuation devices/dams require assessment and consent under E3.4.1(A1) for any activities in the bed of a stream not otherwise provided for. Assessment should be provided for the overall level of effect of the structures on potential loss of stream extent and values. A geomorphic assessment to demonstrate any potential upstream and downstream impacts should be provided given the attenuation devices will result in a change in flow regime and sedimentation processes.
- Notwithstanding the permanent and cumulative loss of stream bed, there is risk that the proposed culvert structures and associated attenuation devices/dams can have significant impacts on the remaining stream reaches due to; channel narrowing or constriction, sediment trapping, altered flow regimes, upstream aggradation and long-term incision downstream. Effects on fish passage could also be significant, noting there is approximately 171m of moderate and high value stream habitat that could be restricted from fish passage. The potential effects of the proposed development in this regard have not been adequately assessed by the applicant.

I recommend:

- Further information should be provided to understand the full extent of the proposed works of proposed culverts and attenuation devices within streams including total stream bed modification, culvert lengths, detailed design for fish passage for culverts and erosion and scour

(i.e. rip rap) designs. Total length of stream bed modification and extent of fish passage restrictions should then be assessed for an overall level of effect.

3.0 Documents Reviewed

- AEE: Rangitōopuni Application under the Fast Track Approvals Act 2025, prepared by Campbell Brown and dated May 2025.
- Rangitōopuni Ecological Impact Assessment for: Rangitōopuni Developments Limited, prepared by Bioresarches, dated May 2025.
- Earthworks Management Plan, Rangitōopuni Development Riverhead Auckland, prepared by Maven, dated 30th April 2025.
- Streamworks Management Plan, Rangitōopuni Development Riverhead Auckland, prepared by Maven, dated 30th April 2025.
- Civil Infrastructure Report, Rangitōopuni Development Riverhead Auckland, prepared by Maven, dated 30th April 2025.
- BUN60449727 250818 s67 and specialist comments tracker, applicant response (final)

4.0 Additional Reasons for Consent Not Included In AEE

Standards in E3.6.1.14(1)(c) are not met. The standard states ‘a new structure must not be erected or placed in individual lengths of 30m or less where this would otherwise progressively encase or modify the stream bed’. I consider that this standard cannot be met, and consent is required under **E3.4.1(A44) as a Discretionary Activity**, given eleven new culverts are proposed, in addition to a number of unknown existing culverts in the stream.

Note: Progressive encasement refers to multiple points of encasement (via culverting) along the length of a watercourse where there is continuous or extended stream modification.

This was raised during the s67 process, however, the applicant maintained that the progressive encasement rule did not apply as each culvert is proposed to less than 30m. However, this does not account for the total length of all culverts and the overall modification of the stream bed, and any mitigation therefore required has not been assessed or proposed for cumulative stream loss.

General Policies in E3.3(2)(a) have not been met for the proposed attenuation devices/dams.

“Manage the effects of activities in, on, under or over the bed of lakes, rivers, streams and wetlands outside of the overlays identified in Policy E3.3.(1) by:

- (a) avoiding where practicable or otherwise remedying or mitigating any adverse effects on lakes, rivers, streams or wetlands’....”*

No assessment against objectives/policies and rules in E3 have been provided and no mitigation is proposed for cumulative stream bed loss and modification.

The attenuation/dam activities will also require consent under **E3.4.1(A1) as a Discretionary Activity** for an activity not otherwise provided for. The attenuation devices/dams occupy space in the stream

bed and will alter the water flow, sediment transport and freshwater ecology of the watercourse, however, do not have a specific activity status or category under E3.

5.0 Specialist Assessment

The applicant has provided several supporting application documents including an ecological assessment, earthworks management plan, streamworks management plan, cut and fill plans and erosion and sediment control plans.

The ecological assessment includes the classification of watercourses (intermittent and permanent streams) and natural inland wetlands. I, along with Senior Wetland Specialist, Antoinette Bootsma agree with the classifications provided. Lot 1 discharges towards the Kaipara Catchment and Lot 2 to the Riverhead Catchment.

I undertook a site visit alongside various other council specialists and the applicant's team on 11th August 2025. A number of items relating to my area of expertise were discussed during the site visit including:

- (a) Wetland proximity to the proposed culverts and construction buffers.
- (b) Why Bridges could not be considered in place of the culverts.
- (c) Earthworks staging / maximum open areas.

Regional Earthworks:

- Consent is sought under E11.4.1(A8) and (A9) as a Restricted Discretionary Activity for earthworks greater than 2,500m² which includes land with a slope greater than 10 degrees and located within a Sediment Control Protection Area.
- Consent is sought under Regulation 54(b) of the National Environmental Standards for Freshwater as a Non-Complying Activity for earthworks within 10m of natural inland wetlands.

Earthworks will be undertaken across 110.4-hectares and including 60.34ha for the Total Countryside Living Subdivision across 14 stages. 40.26 hectares of earthworks are required for the Retirement Village.

The Countryside Living civil works are expected to commence for Stages 1-3 in 2025/2026 with future stages of development based on future demand market. The Retirement village works are expected to commence in 2026/2027.

The potential environmental effects from the proposed earthworks relate to sediment discharges to nearby freshwater environments.

The applicant has provided staging plans, and an Erosion and Sediment Control Plan (ESCP) prepared in general accordance with GD05 for the countryside living proposed earthworks.

The Erosion and Sediment Controls Plans contain the use of Sediment Retention Ponds and Decanting Earth Bunds, appropriately sized for the earthwork's catchments. Clean and Dirty Water diversions are also proposed along with silt fencing and stabilised entranceways. The proposed controls are

considered in accordance with GD05, noting that the applicant has requested finalised erosion and sediment control plans to be conditioned to allow for contractor updates and any required changes prior to the commencement of works. I support the inclusion of a finalised erosion and sediment control plan condition.

The applicant stated in their s67 response that they would limit earthworks in the countryside living to 15-hectares. However, this approach was not adopted for the retirement village. Without a supporting AMP this is considered a potential for more than minor effects on the receiving environment to be generated. As such, I have recommended a maximum open area of 30-hectares across the entire site, being 15-hectares maximum on each Lot 1 and 2. 15-hectares for each lot is considered appropriate considering the sites discharge to different catchments and ultimate receiving environments (Kaipara Harbour and Waitemata Harbour) and therefore the risk is appropriately managed allowing for a total of 30-hectares open at once for the entire proposal. This is a typical approach to large earthworks proposals across Auckland and is usually considered appropriate in conjunction with a supporting AMP.

Adaptive Management Plans are typically required in large earthworks proposals because they provide a flexible, risk-based approach to protect water quality, manage uncertainty, and comply with the Auckland Unitary Plan requirements in a highly rainfall-sensitive environment. They are also an important compliance tool and provide a level of information upfront (i.e. ecological baseline monitoring) to identify if there have been any adverse effects on the receiving environment from sediment discharges which may require specific mitigation or remediation. The applicant has not provided a draft AMP as part of the proposal, and when queried during the s67 process, they stated that they don't believe an AMP is required. Without a draft AMP, no baseline monitoring data has been established including clear locations of in-stream monitoring locations. The applicant has, however, provided some consent conditions under 'Erosion and Sediment Adaptive Management', which I support with edits and additions to ensure freshwater baseline monitoring and reporting occurs prior to the works commencing.

As a 10-year duration is sought for the regional earthworks, I consider it appropriate that pursuant to s128 of the RMA, the earthworks conditions may be reviewed every two years to allow for changes to deal with any significant adverse effect on the environment arising or potentially arising from the exercise of the consent and which was not apparent at the time of granting the consent. The information requirement in the condition relates to alter monitoring requirements as a result of previous monitoring outcomes, and/or in response to changes to the environment and/or hydro-geological knowledge.

The applicant has applied for earthworks within 10m of natural inland wetlands under Regulation 54(b), which can be appropriately managed by way of wetland fencing to ensure that accidental encroachment does not occur. The risk of accidental encroachment (and a prohibited activity status) was highlighted for culverts 1-1 and 6 which have natural inland wetland established at the current upstream culvert inlet location. Design drawings have been amended, to ensure there is a 0.5m buffer between the replacement culvert construction works and the wetland area. A suitably qualified freshwater ecologist should install or supervise the installation of wetland fencing per the recommended consent condition below.

Streamworks (E3 and Regulation 71 of NESF)

The potential environmental effects of the proposed streamworks relate to:

- Streambed disturbance and sediment discharges where sediment can degrade water quality and smother habitat for aquatic fauna within the habitat and receiving environment and directly impact aquatic fauna by blocking their breathing apparatus.
- Native fish fatality during construction.
- Restriction to fish passage to upstream habitat.
- Stream bed loss/modification.

Culverts and Erosion Scour (Rip rap)

The applicant has stated that nine of the eleven culverts can comply with the fish passage provisions and are all sized to be less than 30m. Culverts 1-1 and 6 are required to provide flood attenuation and are to function with a low-flow culvert proposed next to the attenuation device. The catchment sizes and flows are acknowledged by the applicant to be “significant” and therefore the permitted activity maximum of 5m for rip rap cannot be achieved in some instances. Final rip rap lengths are said to be confirmed at detailed design stage. There is concern that without detailed design upfront, rip rap lengths may exceed what is proportionate and result in ecological impacts from further stream bed modification, barriers to fish passage, temperature effects and downstream channel alterations. As such, a condition has been recommended below to ensure all rip rap is appropriately embedded and overseen by a freshwater ecologist.

As discussed above, the proposal is considered to require consent as a discretionary activity for the proposed culverts which reflect progressive encasement of a streambed and therefore do not comply with the relevant permitted standards (E3.6.1.14(1)(c)). The applicant does not consider this to be a reason for consent and therefore has not provided any assessment of effects or mitigation for effects in this regard. There is therefore an unknown level of effect, and no mitigation proposed for the loss of stream bed. I cannot defer this to consent conditions to manage impacts. Further information, as detailed in Section 6.0 of this memo below, is required in this regard to enable an assessment of effects to be undertaken.

In-stream structures such as culverts, rip rap and attenuation devices can lead to channel narrowing or constriction, sediment trapping, altered flow regimes, upstream aggradation and long-term incision downstream. The potential effects of the proposed development in this regard have not been adequately assessed by the applicant in the application documents. A geomorphic study and review of the impacted stream reaches along Deacon Stream should be undertaken to better understand the stream shape, sediment transport, bank stability and how the stream will be able to respond to changes over time, and potential effects in this regard.

A single bridge is also proposed at one location. Bridges are preferred over culverts from an ecological, hydrological and fluvial geomorphological perspective; however, the designs also include a culvert (Culvert 7) beneath the bridge. It is unclear why both a culvert and bridge are proposed in the same location. It was queried whether additional culverts could be revised to allow for bridges instead, but

this was not supported by the applicant as they stated bridges are more costly to construct. The bridge may require consent under E3.4.1(A29), however, given only standard design has been provided, it is unknown whether the structure can meet the permitted activity standards. In my view, the applicant could easily construct a bridge to meet the permitted standards and therefore a condition relating to submission of a detailed design prior to works commencing has been recommended below.

The applicant has provided a draft Streamworks Management Plan which includes the use of coffer dams/sandbags and dewatering prior to the culvert installations. Given the unknown timing of works and detailed designs not yet provided, a finalised plan should be submitted to council prior to works commencing and a condition has been recommended below.

There is potential for native fish mortality when damming and dewatering the stream bed. To prevent this, the applicant's ecological assessment recommends that Native Fish Capture and Relocation is undertaken prior to the commencement of the physical in-stream works. I agree with this approach and the recommended conditions provided by the applicant, noting that an additional condition is recommended to ensure the results of the NFCRP are uploaded to the NIWA database.

I note that the Stage 1 Earthworks Plans show earthworks within natural inland wetland areas for the culvert construction and on Lot 10 (see figure 1). Earthworks within a wetland would be considered a prohibited activity under the NESF and therefore earthworks plans should be updated to clearly show a setback from these wetland environments. It would be preferable for this to be amended prior to a decision being made on the resource consent; however, it can be managed through conditions for finalised plans provided this requirement is clearly specified.

6.0 Section 67 Information Gap

At the time of writing this Memo I have identified the following information gaps:

Description of Missing Information

Chapter E3 - Streamworks

Information for all existing and proposed culverts (including the total culvert lengths along Deacon Road Stream) has not been provided, nor the acceptance of the progressive encasement standard interpretation and rule infringement under Chapter E3. Given the lack of assessment, it is unknown the total length and area of stream bed loss and modification (including erosion and scour protection at the inlet and outlet at each culvert) and whether any specific mitigation is required to ensure that the loss of natural stream bed and habitat is adequately addressed. I, therefore, cannot reach a conclusion on streamworks and freshwater ecology effects without further information.

Additionally, two attenuation devices are proposed. I rely on and defer to the assessments by Don Tate (Riley Consultants) and Hillary Johnston (Healthy Waters) for the attenuation device/dam modelling, safety and flooding effects. Structures of this nature are typically not supported from an E3 perspective due to the high-level effect and modification of the stream including the reduction of ecological connectivity, potential water quality effects and disruption of natural hydrology. These structures have

been referred to as Culverts 1-1 and 6 in the application documents and plans. The extent of the structures including stream bed modification has not been discussed within the ecological assessment in terms of any mitigation or overall level of effect. It is acknowledged that there is low flow culverts proposed adjacent to the structures which are said to provide for fish passage. However, it is unclear how these low flow culverts would operate if they were to sit 'beside' the structure located in the stream and whether the fish passage standards in E3 can be met per E3.6.1.14(3) *'The structure must not prevent the passage of fish upstream and downstream in waterbodies that contain fish, except that temporary restrictions to fish passage may occur to enable construction work to be carried out'*. This cannot be deferred to conditions given it is a structural and functional element to ensure ecological outcomes. Risks of not having the information upfront includes structural elements – where fish passage retrofits may be physically impossible to include if the dam is built too high and potential ecological impacts including the blockage of native fish during critical migration periods.

NESF: Fish Passage

The applicant has stated that 9 of the 11 proposed culverts comply with the fish passage permitted activity standards in Regulation 70(2), however, have not provided detailed design. This was queried during the s67 process, with the applicant stating, *"Additional detail to the culvert drawings can be provided at formal RFI stage, and we note the final design will be subject to Building Consent approval from AC"*. The building consent process does not assess the culvert suitability / permitted activity standards in the NESF, and it is not considered appropriate to defer this detail to a later stage, especially once culverts are constructed and may require ongoing Fish Passage Monitoring and Maintenance, an operational expense passed on from the applicant to Auckland Transport once the road is vested. In my experience, when information has not been provided to the council through the resource consent process (i.e.: prior to approval of resource consent) for culverts, they are often installed in a manner which does not meet the Permitted Activity Standards and results in retrospective consent requirements and retrofit solutions which aren't always suitable. As such, deferring this to conditions introduces risks that the final outcomes will not be appropriate and will result in unacceptable adverse effects.

Why is this Information Essential?

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created
1. All existing and proposed culvert lengths including erosion and scour at the inlet/outlet have not been provided.	<i>All culvert cumulative lengths within one site are required to determine progressive encasement rule trigger in E3.6.1.14(1)(c) and level of effect has not been established.</i> - The standard by the applicant has been interpreted as each culvert must be less than 30m. However, progressive	<i>Cannot determine the overall level of effect. No mitigation is proposed by the applicant for the loss of stream bed.</i> <i>Any mitigation of aquatic offset must address the loss of value and extent as directed by the NPS-FM. The applicant</i>	<i>Potential for the freshwater ecology and geomorphic process to be impacted including:</i> <i>Loss of habitat, Reduced baseflow recharge, loss of riparian vegetation,</i>

	<i>encasement applies to the total number of culverts within the application site and overall stream bed modification from all existing and proposed culverts.</i> <i>- A map should be provided to illustrate culverts which are to remain in the stream, proposed replacements and any new additional structures requiring stream bed modification including wingwalls/apron and erosion and scour (rip rap).</i>	<i>must apply the effects management hierarchy.</i>	<i>increased flooding and/or velocities, channel instability downstream, loss of natural stream meandering, loss of climate resilience etc.</i>
<i>2. Dam/Attenuation Structures in Streams are not assessed and require consent under E3.4.1(A1) as a discretionary activity.</i>	<i>The applicant has not provided an assessment for the attenuation structures against E3 or provided an assessment of the nature or level of effect.</i>	<i>Cannot determine the overall level of effect.</i> <i>Effect on fish passage is unknown.</i> <i>No mitigation is proposed by the applicant for the loss of stream bed and modification, and any potential long-term effect upstream or downstream is unknown.</i> <i>Conflict with E3 policies –</i> <i>dams/attenuation structures generally don't align with objectives to “maintain or enhance the ecological values and functioning of rivers and streams” and “avoid the loss of rivers and streams”.</i> <i>A high level of effect expected.</i>	<i>Dam/Attenuation structures alter the natural flow regime of a stream which E3 tries to maintain. Potential reduced downstream flow reduction and reduced water availability for habitats, especially in low-flow periods can have ecological risks including loss of aquatic habitat and biodiversity loss. Dams/Attenuation Structures capture sediment which can lead to downstream reaches incision and erosion. The stream would lose its natural</i>

		<i>Requires a geomorphic assessment to demonstrate whether there will be any adverse effects downstream.</i>	<i>dynamic processes and ability to respond. Potential for nutrient build up, reduced oxygen and thermal impacts.</i>
3. Detailed design of the proposed culverts to demonstrate that each culvert (except the already identified 1-1 and 6 attenuation devices) can meet the permitted activity standards in Regulation 70(2) of the NESF for fish passage.	Only standard designs have been provided for the culverts which does not demonstrate the exact stream environment (i.e. stream bed width, gradient, profiles etc) in which the culverts are proposed. <i>Design details should include per the Regulations in 70(2):</i> <i>the culvert's width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows:</i> <i>where $w \leq 3$, $s \geq 1.3 \times w$:</i> <i>where $w > 3$, $s \geq (1.2 \times w) + 0.6$</i> <i>Stream bed width at each location along with the culvert sizing and dimensions should be provided to demonstrate compliance with the above.</i> <i>Exact embedment achievement for each culvert should also be provided with detailed design plans; 25% minimum is required.</i> <i>Gradients and slope needs to be provided in the detailed</i>	<i>Cannot determine overall level of effect of the culverts if additional culverts cannot meet fish passage requirements.</i>	<i>Per figure 3 below, eight native fish species have been identified within 5km of the project site with three species having a conservation status of 'At Risk – Declining' and four species considered 'At Risk' and one species 'Threatened'. It is critical that fish passage is provided given they need to migrate between freshwater and the sea at some stage of their life cycle (e.g., inanga/whitebait, tuna/eels, kōaro, banded kōkopu).</i> <i>If culverts block passage, these species can't reach spawning or adult habitats, leading to population declines.</i>

	<i>design to determine whether the cross-sectional water velocity is not greater than in all immediately adjoining reaches and that bed substrate over the full length of the culvert is present and stable at the flow rate.</i>		<i>If a culvert is too steep, has drops (i.e. is perched), has high velocities or smooth bottomed, fish can be prevented from swimming or climbing through. Often when detail design isn't provided upfront, culverts are not installed onsite in a manner that meets the PA standards in Regulation 70(2).</i>
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7.0 Recommendation

Regional Earthworks:

The regional earthworks assessment does not identify any reasons to withhold consent and the aspects of this proposal considered by this memo could be granted consent, subject to recommended conditions, for the following reasons:

1. The sensitivity of the receiving environment to the adverse effects of potential sediment discharges will not be compromised given the nature of the proposed works and the implementation of suitable designs, control technologies and appropriate on-site management techniques.
2. Subject to the imposition of consent conditions including the requirement for baseline monitoring of the receiving environment and an adaptive management regime, I consider that the effects on the aquatic receiving environment will be appropriately managed and mitigated.

It is appropriate to recommend a suite of consent conditions including the monitoring, maintenance of erosion and sediment controls, adaptive management including baseline reporting, seasonal restrictions and progressive stabilisation of the site. The inclusion of these conditions is consistent with similar earthworks operations granted consent for in the Auckland Region, and the wider site, and will ensure that the effects of the proposed works will be appropriately managed.

Streamworks:

I consider that the information submitted is not sufficient to enable the consideration of the above matters on an informed basis.

The extent and scale of any adverse effects on the environment, in particular the stream bed loss and modification and provision for fish passage for the intermittent and permanent stream watercourses, cannot be fully understood and assessed.

I considered it inappropriate to rely on conditions alone to address the information gaps, as there is uncertainty regarding the exact nature and extent of adverse effects, and how the effects will be managed. However, should the application be granted, the proposed conditions below are recommended.

8.0 Proposed Conditions

Condition 20 – Recommended wording changes in line with the proposal (no draft AMP provided, therefore it is not ‘final’) and Flocculation amended to Chemical Treatment and addition of finalised bridge design and streamworks methodology.

20. Prior to the commencement of any Project Construction Work Stage, the consent holder must hold a pre-construction meeting that:

- is located on the subject site; and
- is scheduled not less than ten (10) working days before the anticipated commencement of the Project Construction Work Stage.

The pre-commencement meeting must include, at a minimum, a representative of the consent holder, Kaitiaki Monitors, the Council compliance monitoring officer, a representative from the contractor(s) who will undertake works for the Project Construction Work Component and any suitably qualified and experienced person(s) who are required to supervise any part of the Project Construction Work Component.

The following information must be made at the prestart meeting:

- a) Scheduling and staging of the works, including the proposed start date;
- b) Resource consent conditions;
- c) Contact details for all relevant parties;
- d) Site inspections requirements;
- e) Final Erosion and Sediment Control Plans (ESCP);
- f) Final Construction and Environmental Management Plan (CEMP);
- g) ~~Final~~ Erosion and Sediment Control Adaptive Management Plan;
- h) ~~Final Flocculation Chemical Treatment~~ Management Plan;
- i) ~~Final Streamworks Methodology Plan~~
- j) ~~Finalised Bridge Design~~
- k) Any other Management Plan required by Condition xx.

The meeting must ensure all parties are aware of and familiar with the necessary conditions of this consent and any relevant plans.

Condition 21 – Recommend removal of advice note. No earthworks should commence until finalised ESCP has been certified, erosion and sediment controls have been installed and pre-commencement meeting held due to risk of sediment discharge to streams/wetlands:

Enabling Works

21. All Enabling Works involving Earthworks must be undertaken in accordance with GD05 and a certified LMP.

~~**Advice Note:** Enabling Works can commence without a pre-commencement meeting~~

Condition 28 – Recommend reword of ‘flocculation management plan’ to ‘Chemical Treatment Management Plan’ per standard earthworks conditions.

Flocculation Chemical Treatment Management Plan

28. Prior to the commencement of any ~~Project Construction Work Component requiring a FMP, as set out in condition 13,~~ earthworks the consent holder must submit a FMP Chemical Treatment Management Plan in accordance with GD05 to the Council for certification. ~~The Flocculation Management Plan must be prepared by a suitably qualified and experienced person.~~ No earthwork activities may commence in relation to ~~any Project Construction Work Component~~ until certification is provided by Council that the FMP- CHTMP meets the requirements of GD05, and the measures referred to in that plan have been implemented.

The FMP CHTMP must include:

- a) Specific design details of the chemical treatment system based on rainfall activated devices for sediment retention ponds and decanting earth bunds;
- b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
- c) Details of optimum dosage (including assumptions);
- d) Results of an initial chemical treatment trial based on bench-testing of soils representative of those to be encountered on the site including existing subsoils;
- e) A spill contingency plan; and
- f) Details of the person or bodies that will hold responsibility for operation and maintenance of the chemical treatment system and the organisational structure which will support this system.

~~To enable sequencing of Project Construction Work Components, the FMP may be reviewed and amended over time in accordance with condition 18.~~

Condition 30 – Recommend edits in line with similar wording and requirements for Adaptive Management Plans across Auckland and additional information requiring baseline monitoring prior to the commencement of works.

Erosion and Sediment Control Adaptive Management Plan

30. Prior to the commencement of any ~~earthworks Project Construction Work Component requiring an ESCAMP, as set out in condition 13,~~ the consent holder must submit an ESCAMP to the Council for certification. The ESCAMP must be prepared by a suitably qualified and experienced person. |

The ESCAMP must be generally consistent with Auckland Council's 'Erosion and Sediment Control Adaptive Management Plan Guideline Document' July 2020 and its purpose is to ensure all earthwork activities maintain consistency with GD05 and any other relevant consent conditions, for the duration of works.

The ESCAMP must include:

- a) Site management structures, practices and procedures;
- b) Weather monitoring procedures including the commissioning of an onsite rain gauge to monitor rainfall and provide alerts to trigger on site erosion and sediment control monitoring for rainfall trigger events as defined in Condition xx;
- c) Control device monitoring plans (frequencies and parameters) including procedures for pre, during and post rain events including:
 - Continuous and automated water quality monitoring (e.g. turbidity) at the inlet and outlet of a minimum of ~~one~~ the main sediment retention pond within the active earthwork ~~area~~ catchment
 - Additional manual monitoring for all remaining sediment retention ponds and decanting earth bunds.
- d) Sediment control device water quality targets and thresholds including:
 - Treatment efficiency of >90% (up to the 2-year 1hr duration rain event); and
 - Discharge threshold (100mm water clarity or 150 NTU or 100g/m³ TSS);
- e) Management response measures to be undertaken in the event that the water quality targets are not achieved, or a threshold is breached;
- f) Management response measures to be undertaken in the event that the water quality targets are not achieved, or a threshold is breached; and
- g) Reporting procedures.

~~31. To enable sequencing of Project Construction Work Components, the ESCAMP may be reviewed and amended over time in accordance with condition 18.~~

Note: Conditions 39, 40, 41, 42, 43, & 44 all relate to aspects of the above ESCAMP including monitoring, trigger event notification, catchment reduction and stabilization and amendments are all supported.

Condition 35 – Recommend removal of ‘earthworks area may be increased’. Given the lack of baseline monitoring data, it does not seem appropriate that additional area would be open and would therefore not be in line with the staging / maximum open area condition.

Earthworks staging

35. The maximum area of all earthworks being undertaken at the Project Site at any one time must not exceed 30-hectares, with a maximum area of 15-hectares open per Lot 1 and 2 DP 590677.

~~Subject to prior written approval being obtained from the Council, this earthworks area may be increased. Approval will be based on the following factors (but not necessarily limited to):~~

~~a) Compliance history (if applicable) relative to the earthworks and stream works management; and~~

~~b) Monitoring results provided as part of the ESCAMP.~~

Condition 47 – Recommend removal of the work ‘bulk’ and additional information (advice note) added in line with similar scale proposals.

Seasonal restrictions

47. ~~No Bulk~~ Earthworks and/or streamworks on the subject site ~~are to~~ must not be undertaken between 1 May and 30 September in any year without the submission of a 'Request for winter works' for approval to Council. All requests must be renewed annually prior to the approval expiring and no works are to occur until written approval has been received from the Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.

Advice Note:

Any 'Request for winter works' will be assessed against criteria in line with the information required to assess a comprehensive application. Principally that will focus on the level of risk, the propensity to manage that risk with contingency planning and a 'track record' of good compliance with consent requirements. Each 'Request for winter works' submitted, should include the following:

- *Description of works proposed to be undertaken between 01 May and 30 September and the duration of those works.*
- *Details of proposed measures to prevent sediment discharge from these specific works, particularly during periods of heavy rainfall.*
- *Details of area(s) already stabilised.*
- *Revised erosion and sediment control plan detailing stabilisation to date and timeline/staging boundaries showing proposed progression of stabilisation.*
- *Contact details for contractor who will undertake stabilisation of the site including date(s) expected on site.*
- *Alternatives/contingencies proposed if the contractor referred to above becomes unavailable.*
- *Details of site responsibilities, specifically who is responsible for erosion and sediment controls and stabilisation processes over the specified period.*

Condition 137 – Recommend amendment of 35-years per typical streamworks (LUS).

137. [Resource consent LUS to be generated] expires ~~ten (10)~~ thirty five (35) years from the date of issue unless it has been surrendered or cancelled at an earlier date pursuant to the RMA.

Condition 148 – Removal altogether. Streamworks should not be undertaken during winter in line with condition 147.

147. No streamworks are to be undertaken between 01 May and 30 September in any year, without the submission of a 'Request for winter works' for approval to Council.

~~148. All requests for winter works must be renewed annually prior to the approval expiring and no works must occur until written approval has been received from Council. All winter works will be re-assessed monthly or as required to ensure that adverse effects are not occurring in the receiving environment and approval may be revoked by Council upon written notice to the consent holder.~~

Condition 152 – Removal altogether. 'Enhancement works' not specifically mentioned or assessed as a permitted activity under E3/NESF. Allows too much discretion as to what 'enhancement' would entail and could result in stream impacts.

~~152. If any instream enhancement works are required these must be constructed under the supervision of a suitably qualified and experienced project engineer and freshwater ecologist.~~

Additional consent conditions recommended:

Regional Earthworks (LUC)

XX The conditions of this consent may be reviewed every two years from the date of granting pursuant to section 128 of the RMA, by giving notice pursuant to section 129 of the RMA, for the following purposes:

- a) To deal with any significant adverse effect on the environment arising or potentially arising from the exercise of the consent and which was not apparent at the time of granting the consent.
- b) In the case of earthworks, to alter monitoring requirements as a result of previous monitoring outcomes, and/or in response to changes to the environment and/or hydro-geological knowledge.
- c) To deal with any adverse effect on the environment arising or potentially arising from the exercise of this consent and in particular effects on: water quality; sediment transport; and

functioning of natural ecosystems; through altering or providing specific performance standards.

XX The conditions of this consent may be reviewed at any time, if it is found that the information made available to the Council in the application contained inaccuracies which materially are such that it is necessary to apply more appropriate conditions.

XX Prior to the commencement of any works authorised by this consent, including the installation of erosion and sediment controls, a suitably qualified freshwater ecologist must identify the 1m setback from the natural inland wetlands where works are proposed within 10m of the natural inland wetland. A protection fence must be installed at the 1m setback and must remain in place until the completion of all works on the site.

Advice Note:

A 'day glow' barrier mesh or 'pigtail' fence/wire or rope would be sufficient for this purpose.

XX. Pre-rain forecast inspections as defined in the Adaptive Management Plan must be undertaken at a minimum of 24 hours prior to the forecasted event. If the forecast is not made available within 24 hours of the event, all reasonable attempts must be made to inspect the site prior to the event.

Advice Note:

As a pre-cursor to a possible trigger event, if forecasts indicate that >20mm over 24 hours of rainfall, additional pre-rain event inspections should be undertaken by an Erosion and Sediment Control Specialist in conjunction with the contractor. The aim of the inspection will be targeted at any additional ESC that are required to be installed to ensure that the sites ESC devices perform effectively.

XX. A Freshwater Baseline Report (FBR) containing pre-construction in-stream monitoring must be provided to Council prior to any earthworks or streamworks commencing. The FBR must be prepared in accordance with the Adaptive Management Plan. The purpose of FBR is to confirm pre-construction baseline conditions and must be submitted to council at least 20 working days prior to the programmed commencement of works.

The FBR must include as a minimum, information on the following matters:

- Sediment quality such as sediment description of sediment inputs, transport, substrate composition and embedness,
- Water quality such as TSS and turbidity
- Actual and potential inanga (Galaxias maculatus) spawning habitat; and;
- Identify the pre-construction condition of any erosion prone reaches of streams against which to measure construction effects and possible mitigation measures.

Advice Note:

Pre-construction baseline monitoring of the receiving environment must be completed prior to the earthworks commencing, to confirm pre-construction environmental conditions. The pre-construction baseline monitoring will then provide a more detailed understanding of receiving environment

characteristics over a range of weather conditions and / or seasons. The details and content (methodology) of the Baseline Monitoring will be specific to each site and should be discussed with council prior to being undertaken.

XX. The pre-construction monitoring must be undertaken by a suitably qualified and experienced freshwater ecologist for one summer and one winter period prior to the commencement of works.

Streamworks (LUS)

XX. Prior to the commencement of the streamworks activity, a Detailed Bridge Design must be submitted to Council for Approval. The Detailed Bridge design must demonstrate that the bridge abutments or piles are not within the stream, and that the bridge deck does not obstruct the 1% AEP flood level.

XX The consent holder must provide a Fish Salvage Report detailing the relocation site, the species and number of freshwater fauna relocated prior to and during dewatering, to the Council within 5 days of completion of the native fish capture and relocation and upload the results into NIWA's New Zealand Native Freshwater Fish database.

XX Streamworks must only be carried out during periods when all flows, normal for the time of year the streamworks are undertaken, can be diverted around the area of works are a two-day weather forecast predicts no rain for the site location, unless otherwise approved by the Council.

XX Within twenty (20) working days following completion of the installation of the new culvert structures, the consent holder must submit to the council the information required by regulations 62, 63 and 64 of the National Environmental Standard for Freshwater (2020), specifying the time and date of collection.

XX Within twenty (20) working days following the completion of the new culvert structures, the consent holder must submit a Fish Passage Monitoring and Maintenance Plan (FPMMP) to the council for certification. The FPMMP must specify the ongoing and maintenance measures of the weir structures to ensure fish passage is maintained and does not reduce over the lifetime of the structures and include the following detail and processes:

- d) Specific aspects of the structures to be monitored to ensure that the structure's provision for the passage of fish does not reduce over its lifetime,
- e) Programme frequency of routine monitoring and maintenance,
- f) Method of visual inspection of the structures within 5 days following a significant natural hazard or events that may otherwise affect the provision for fish passage,
- g) Record keeping of monitoring results including photos,
- h) Follow up actions including the preparation of as-built plans and supporting information, further steps and remediation measures.



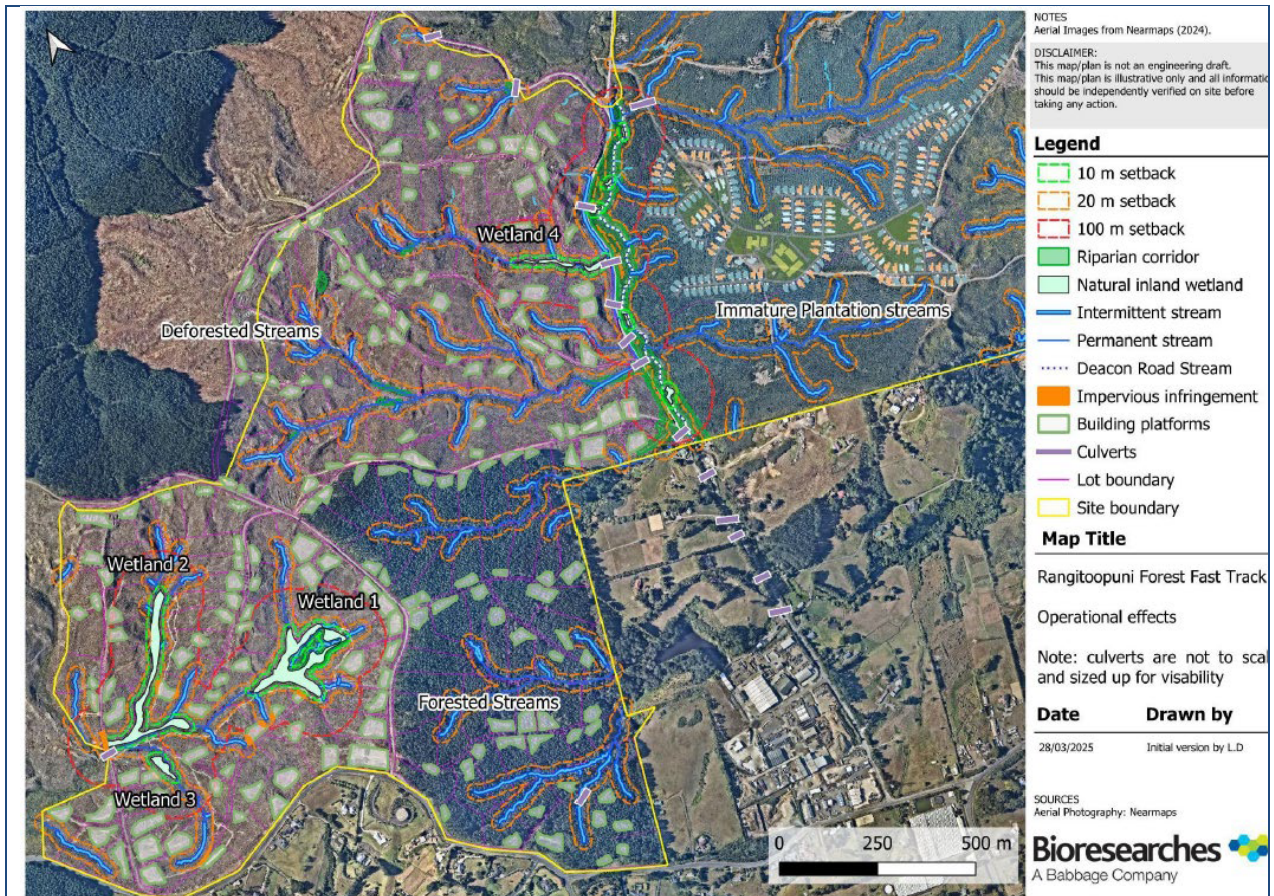


Figure 10. Operational effects of the Rangitōopuni Development on identified ecological features.

Figure 2 - Extent of known detail for 'culverts'. Not clear existing vs proposed vs replacements and total modification of stream bed.

Scientific name	Common name	New Zealand Threat Classification (Dunn <i>et al.</i> , 2017)	Regional Threat Classification (Bloxham <i>et al.</i> , 2023)
<i>Anguilla australis</i>	Shortfin eel	Not Threatened	Not Threatened
<i>Anguilla dieffenbachii</i>	Longfin eel	At Risk – Declining	At Risk – Regionally declining
<i>Cheimarrichthys fosteri</i>	Torrentfish	At Risk – Declining	Threatened – Regionally vulnerable
<i>Galaxias fasciatus</i>	Banded kokopu	Not Threatened	Not Threatened
<i>Galaxias maculatus</i>	Inanga	At Risk – Declining	At Risk – Regionally declining
<i>Gobiomorphus basalis</i>	Cran's bully	Not Threatened	A Risk Declining
<i>Gobiomorphus cotidianus</i>	Common bully	Not Threatened	Not Threatened
<i>Gobiomorphus huttoni</i>	Redfin bully	Not Threatened	At Risk – Regionally declining
<i>Paranephrops</i> sp.	Koura	Not Threatened*	Not Threatened

*threat classifications of freshwater invertebrates from Grainger *et al.* (2018).

Figure 3 - Freshwater fish species recorded within 5km of the site

Terrestrial Ecology – Rue Statham (**Annexure 14**)

Technical Specialist Memo – Terrestrial Ecology

To:

Emma Chandler – Lead Planner, On behalf of Auckland Council
Joe Wilson – Principal Project Lead, Auckland Council

From:

Rue Statham – Senior Ecologist, Environmental Services, Auckland Council

Qualifications
& Relevant
Experience:

I hold a Bachelor of Science in Earth and Environmental Sciences (Hons), which I received in the United Kingdom (UK). I also received the British Technical Enterprise Council qualification in Arboriculture. I have worked at Council for over 19 years, although I have over 30 years of experience in ecology, countryside, environmental and conservation management overall.

I have prepared expert evidence and technical assessments for resource consent applications, plan changes and fast-track applications, and have appeared as an expert witness before the consent authorities and the Environment Court.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date:

12nd September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:

Rangitootuni Project

Fast-Track application number:

FTAA-2504-1055 (Council Reference BUN60449727)

Site address:

Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary / Principal Issues

This assessment relates to Vegetation Management (Chapter E15 of the Auckland Unitary Plan (AUP)) and Regulation 54(a) of the National Environmental Standards for Freshwater Regulations 2020 (NESF).

The applicant has not clearly demonstrated that the effects on indigenous biodiversity from the development have been identified and can be appropriately managed and mitigated, noting that provision for updated management plan(s) has been recommended by way of consent condition by the applicant.

There is not enough information provided to demonstrate that the works adjacent to watercourses and wetlands for the jointly owned access roads (JOALS), new culverts, attenuation devices and erosion and scour protection can be undertaken as permitted activities per AUP and the NES-F, nor is there enough information to determine the overall level of effect and specific mitigation or offsetting required due to the loss of terrestrial values and extent.

There remains concern that the resident society proposal lacks sufficient detail, including funding streams, to demonstrate that this will be effective in the short to long term.

I recommend:

- Further information should be provided to understand the full extent of the proposed works on terrestrial biodiversity as it relates to the construction of the proposed JOALS, culverts and attenuation devices adjacent to streams and wetlands.

3.0 Documents Reviewed

- AEE: Rangitootupuni Application under the Fast Track Approvals Act 2025, prepared by Campbell Brown and dated May 2025.
- Rangitootupuni Ecological Impact Assessment (EclA) for: Rangitootupuni Developments Limited, prepared by BioResearches, dated May 2025.
- Earthworks Management Plan, Rangitootupuni Development Riverhead Auckland, prepared by Maven, dated 30th April 2025.
- Streamworks Management Plan, Rangitootupuni Development Riverhead Auckland, prepared by Maven, dated 30th April 2025.
- Civil Infrastructure Report, Rangitootupuni Development Riverhead Auckland, prepared by Maven, dated 30th April 2025.
- BUN60449727 250818 s67 and specialist comments tracker, applicant response (final)
- Appendix A - Proposed Conditions

4.0 Additional Reasons for Consent Not Included In AEE

The AEE states that AUP E15.4.1 (A16) & (A18), and NESF Regulation 54 apply, and I agree. In my opinion another AUP standard is applicable; E15.4.1 (A10). However this additional standard for consideration would not materially change any of the comments below.

5.0 Specialist Assessment

The applicant proposes to revegetate most of the overall site that is currently covered in sporadic indigenous vegetation (mostly within wetlands), occasional single pine trees, some initial native revegetation predominantly along waterways, and invasive plants. The site has undergone recent selective broadcast herbicide application, and the site shows little indigenous regeneration. Foresty slash is abundant alongside some areas of maturing pine plantations (subject to differing projected timescales of harvest).

I undertook a site visit alongside various other council specialists and the applicant's team on 11th August 2025. Several items relating to my area of expertise were discussed during the site visit including:

- (a) Wetland proximity to the proposed culverts and construction buffers.
- (b) Why bridges could not be considered in place of the culverts.
- (c) The implementation and staging of revegetation and weed and pest animal control, especially in difficult and hard access terrain such as ex-forestry operations.

The applicant has provided several supporting application documents including an ecological assessment, ecological management plan, earthworks management plan, streamworks management plan, and wastewater management plans. Earthworks, works to wetlands, and streamworks are being assessed by Ms Shanelle Beer Robinson. There are crossovers between Ms Beer Robinson and me for indigenous biodiversity and wetlands, notably, but not limited to, wetland avifauna.

The ecological assessment includes the classification of watercourses (intermittent and permanent streams) and natural inland wetlands.

Indigenous biodiversity (notably fauna) has not been specifically surveyed for; however management plans are proposed where loss of habitat will take place.

The applicant has provided staging plans for the revegetation and timeframes to ensure obligations are met for 224(c) in respect to the Rural Subdivision. The applicant has not provided a revegetation management plan, notably to address the staging and site preparation necessary to deliver the proposed ecological outcomes. The AUP expects detailed management plans to be submitted with the application, because they are a substantive matter for consideration.

“General vegetation” planting is not consistent with AUP planting standards of Appendix 16 or Te Haumanu Taiao, with planting densities and species selection inconsistent with best practice restoration-planting outcomes.

The EclA has not provided thorough site investigation surveys for the presence of invasive plants or pest animals. The applicant prefers to default on conditions of consent to address any outstanding detail.

The ecological assessment does not extend to the potential impact from increased residential occupation or the increase of recreational activities, especially adjacent to streams and wetlands. The applicant does not provide specific details on the construction of walkways nearby or within streams and wetland habitats, preferring to default to 'Condition 1', resulting in a lack of certainty and subjectivity as to effects and management of them. Furthermore beyond the RoW easements proposed there is a concern over how the walkways within the revegetation / covenant areas will be secured and maintained, given that, "*Within Lot 1 and Lot 2, walking tracks will be established and maintained by the resident's association and TKaM*". The establishment of the tracks will be costly, as will be the ongoing maintenance.

There is potential for conflict between covenant protection, residents society, individual Lot owners and the general public; this has not been explained in the application and remains a significant concern. In effect, the publicly accessible walkways will create pseudo-public reserves by allowing unrestricted access to these areas of bush / revegetation. Private landowners would be obligated to prevent, and by extension be liable for, any damage to the covenanted areas. This creates an issue for Auckland Council, whereby the regulator has tacitly accepted unrestricted access and by extension any associated adverse effect must therefore be tolerated, and/or enforceability with consent notice obligations are nullified.

The applicant has not explained how enforceability with consent notice obligations will be maintained in the long term and/or the funding mechanism being provided to ensure that the revegetation will succeed. Whilst the applicant has provided some details, the specifics regarding detailed costing, including comparative examples, have not been provided. In my opinion, and noting Council's costs associated with revegetation, the initial costs and ongoing maintenance will be a substantial commitment. Council's compliance monitoring of covenant areas reveals that in initial inspection less than 10% of them are compliant with their ongoing protection and maintenance obligations. More than 30% of covenants in the Auckland Region have significant or major non-compliance issues.

Each Lot will have a private wastewater and stormwater utility located within the revegetation area. The applicant has not provided a detailed assessment pertaining to the installation of this infrastructure within areas of protected riparian and covenant vegetation. The applicant is proposing to defer detailed design to building consent for each residential lot, and as such the associated installation will occur after the establishment of the revegetation and protective covenant is in place. Further, there are potential AUP: OP reasons for consent for the installation relating to riparian margins and areas of indigenous vegetation which I understand the applicants position being that this will not likely be triggered by the future design. However I do consider that as part of this application and the conditions of any consent of any proposed revegetation detail the effects of these utilities and discharges need to be considered.

Furthermore, the applicant has not provided sufficient reporting as to the conflict between the long-term protection of the revegetation and the ability / necessity to maintain necessary utilities. In my opinion, it may be more prudent to locate wastewater and stormwater utilities outside the covenanted

areas, potentially within the low growing/amenity planting that surrounds the building platforms; the wastewater report, in my experience, seems overly generous to the areas required for such utilities.

Whilst a no-cat ban is supported in principle, the applicant does not explain how this would be enforced and by whom. Auckland Region does not have blanket restrictions on domestic cat ownership, and there is not a local by-law prohibiting the ownership and housing of domestic cats in this locality.

I do agree that the development could potentially result in positive overall outcome, however, I question whether the biodiversity outcomes are achievable as outlined. The stated improvements to indigenous biodiversity will only be achieved if the impacts are known (e.g. indigenous fauna) and the works are suitably managed, and outcomes delivered as per the higher-level documents.

The information provided thus far does not provide me with the surety that the impacts are,

- a) Identified and fully understood, and
- b) that the applicant has fully understood and demonstrated how those outcomes will be delivered and maintained in the long term, with appropriate and available funding.

Should the EPA be satisfied with conditions that can address these concerns, I have provided comments on aspect below to ensure appropriate details are provided in next stages. I understand that the applicant would propose a workshop to discuss these conditions in the event of that stage in the process of being reached where these matters and wording can be agreed.

6.0 Section 67 Information Gap

At the time of writing this Memo I have identified the following information gaps:

Description of Missing Information

Chapter E15 – Vegetation management, and the revegetation plan

Information for all existing and proposed culverts (including Deacon Road Stream) has not been provided. Given the lack of assessment, it is unknown the total area of riparian and wetland buffer loss, and whether any specific mitigation is required to ensure that adverse effects on fauna, the loss of ecosystem services and habitat is adequately addressed.

Additionally, the lack of detail surrounding the residents society (including funding), observations / surveys of site fauna values, and the lack of information / certainty regarding revegetation planting outcomes is a significant concern.

A greater level of site survey is warranted for a development of this scale and understanding where actual and potential impacts to indigenous biodiversity should be avoided, long-term management requirements

Why is this Information Essential?

Information gap	Nature of deficiency	Decision-making Impact	Risk / uncertainty created
1. Residents Society.	- Lack of certainty regarding funding and society structure, and /or the ongoing obligations of the residents society	Cannot determine the overall efficacy of the resident society.	Potential for the ecological outcomes and ongoing management of the revegetation to fail. The same applies to all communal infrastructure such as walkways, noting that the site will be open to the general public. The residents association may bare the cost of the construction of the walkway network which is likely to be very high.
2. Lack of site-specific surveys	Applicant has not provided sufficient details as to the presence of wildlife, including avifauna and bats. The lack of forest cover does not preclude their presence, and for bats the lack of forest cover may increase their foraging habitat given the open nature of the streams and wetlands. The design of the subdivision lacks a precautionary approach to indigenous fauna and effects (including light, noise from residential and recreational activities). The applicant has not provided sufficient survey to inform the revegetation planting and maintenance plan, and for ongoing management.	Cannot determine the overall level of effect.	The development may have unintended adverse outcomes for indigenous fauna. The resident society may bare the main cost of the implementation, ecological outcome, and ongoing maintenance of the planting.

7.0 Recommendation

Terrestrial ecology:

I consider that the information submitted is not sufficient to enable the consideration of the above matters on an informed basis.

The extent and scale of any adverse effects on the environment, in particular the potential and actual adverse effects on indigenous biodiversity and the staging, management and specifications of the revegetation, cannot be fully understood and assessed.

The residents society and the funding necessary to achieve the ongoing management of communal infrastructure and covenant obligations has not been clearly explained

8.0 Proposed Conditions

I consider it inappropriate to rely on conditions alone to address information gaps I describe above, as there is uncertainty regarding the exact nature and extent of adverse effects, and how the effects will be managed. However, as noted above, should an application be granted, I can provide additional conditions and amendment to that proposed to provide greater surety to the outcomes the applications higher-level documents outline.

However, I do provide the following comments:

Condition 17 - the consent holder is not the regulator and has no enforcement authority. It is my understanding that a condition such as this is questionable with regards to *deemed certification*.

Countryside Living Zone

62-67 Lizard Management Plan (LMP) and 68-69 Bat Management Plan (BMP)

These conditions use consistent wording, as used by Council, for standard LMP / BMP matters pertaining to complex applications. However they fail to have regard to staging and construction activities associated with the development of individual Lots and the associated infrastructure.

70-71 Birds - This is not a condition that Council uses; the standards wording of which are detailed below, noting the lack of staging and construction activities associated with the development of individual Lots and the associated infrastructure

All vegetation alteration and/or clearance must occur outside the main native bird nesting season (early September until the end of March inclusive) to minimise any disturbance risk that vegetation removal would have on nesting birds. If vegetation clearance is unavoidable during the main bird nesting season, a suitably qualified and experienced ecologist or ornithologist must visually observe and inspect all trees and shrubs proposed for removal within 24 hours prior to felling to identify any active nests. This includes checking cavities and hollows for nesting birds (e.g. morepork, kingfisher). Should any nesting be identified, a 20-metre buffer of vegetation must be required to remain around the nest site until an approved and experienced ecologist or ornithologist has confirmed that the nest has failed, or the chicks have hatched and naturally left

the natal site. Following inspection and confirmation of absence of nesting birds, the consent holder must submit a completion report to the Council for approval, within 30 working days.

Advice Note

Almost all native bird species are absolutely protected under the Wildlife Act 1953. It is an offence to deliberately disturb or destroy them, their eggs or nests. By restricting vegetation clearance to outside of the main native bird breeding season the risk of disturbing nesting forest birds is significantly reduced (but not entirely eliminated), therefore vegetation should still be checked for obvious signs of nesting activity prior to clearance works being undertaken.

72-74 Landscape Implementation Management Plan - As condition 72 details, the intent of the LIMP is to “mitigate adverse visual and landscape and amenity effects” and is to “be prepared by a suitably qualified and experienced landscape architect”. This condition does not seem to provide for consideration of the revegetation, and the complexities of revegetating a degraded ex-forestry site. Importantly the LIMP would not have any input from a suitably qualified ecologist. As noted in my review above, the planting standards are incompatible with best-practice revegetation standards, notably AUP appendix 16 and Te Haumanu Taiao.

168 Right of Ways – this condition relates to ROW walkways in favour of Council, but intentionally does not appear to extend to walkways with the revegetation areas (to be covenanted), or recognise that the delineation of these walkways and the other covenanted revegetated areas will be unclear to persons and general members of the public. Consideration is needed on how this can be practically managed in design to avoid issues trespass and persons/dog walkers utilising these areas from experiencing issues, including disturbance to wildlife, or contention with private landowners.

169 Areas to be subject to land covenant(s) – As noted above Condition 72 is directed to areas not directly associated with revegetation. It is unclear how condition 72 addresses “all the areas of indigenous revegetation” as required by this condition.

171, 187 – 189, 190e – Legal Entity – as noted in my review, there is insufficient detail associated with the residents society in the funding and operation. Condition 171 does not contain the standard wording that Council imposes on the lot owners regarding their obligations for the ongoing protection, management and maintenance of covenant areas. Whilst condition 190(e) outlines the obligation on the Lot owner, the previous conditions 171, 187-189 lack prescription to those obligations.

192-193 – bonds – these conditions are out of date and are no longer used by Auckland Council. Whilst RMA s222 provides Council the ability to impose appropriate bonds, Council does not allow for uncompleted works associated with revegetation. This has been a consistent approach due to the uncertainty that the work will be completed. The expectation from prospective landowners is that all conditions of consent will be completed to a satisfactory stage and conditions discharged¹. Council does provide for bonding for ongoing maintenance, to achieve 80% canopy closure of the revegetation and/or 90% success rate of all planting. Included in the bond is the initial 5yrs of invasive weed and pest animal management. However Council is more prescriptive with the bonding calculations, and this is based on evidence presented to the Environment Court as part of the AUP(OP) Chp E39 appeals. The

¹ [2012] Swordfish Co Limited v Buller District Council NZHC 2339

planting and maintenance costs have since been updated in 2023. Given the significant complexities of the revegetation on the site, the estimated maintenance bond would be in the order of \$32,000/ha for 5yrs.

Retirement Village

76 – landscaping details – the matters addressed in the condition are best considered by the landscape Architect. However, the retirement village does contain areas of revegetation. My comments above pertaining to the inconsistency of the revegetation planting to the expectations of Appendix 16 and Te Haumanu Taiao apply equally here.

80-81 Landscaping and maintenance requirements - It is common and acceptable to provide to Council completion certification.

It is assumed that as the retirement village is held in a single ownership, that ongoing management obligations will be simpler and easier to manage than the multiple owner / residents society.

Arboriculture – Regine Leung (**Annexure 15**)

Technical Specialist Memo - Arboriculture

To: Emma Chandler – Lead Planner & Joe Wilson - PPL

From: Regine Hoi Gok Leung – Senior Arborist – EST Team, Specialist Unit

Qualifications
& Relevant
Experience:

My name is Regine Hoi Gok Leung, and I am the Senior Specialist Arborist in the Earth, Streams and Trees Team of Specialist Unit at Auckland Council. I hold the qualification(s) of Bachelor of Science in Biology (1998) & Master of Philosophy in Geography (2001). I am also the Certified Arborist (since 2009) of International Society of Arboriculture (ISA) and hold the Tree Risk Assessment Qualification (TRAQ) of ISA (2022 – 2027), and over 25 years of experience in arboricultural assessment, tree risk assessment and consenting. I am a full member of New Zealand Arboricultural Association and International Society of Arboriculture. I have prepared expert evidence and technical assessments for resource consent applications, plan changes & notices of requirement for designation, and have appeared as an expert witness before consent authorities and the Environment Court for hearing and mediation on multiple occasions.

Preparation in
Accordance
with the Code
of Conduct:

I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses ([Code](#)), and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

Date: 3 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name: Rangitootuni Project

Fast-Track application number: FTAA-2504-1055 (Council Reference BUN60449727)

Site address:

Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary / Principal Issues

N/A

3.0 Documents Reviewed

- Rangitootuni - AEE
- Appendix EE Auckland Unitary Plan Rules Assessment
- Appendix F Ecological Impact Assessment
- Appendix J Infrastructure Report
- Appendix LL Construction Management Plan
- Appendix M Rangitootuni Masterplan
- Appendix MM Arborist Assessment
- Appendix N Countryside Living Scheme Plan
- Appendix N.1 Retirement Village Scheme Plan
- Appendix O Lot 1 Landscape Concept
- Appendix O.1 Lot 2 Landscape Concept
- Appendix O.2 Landscape Elements
- Appendix OO Other AUP Objectives and Policies Assessment
- Appendix P Lot 1 Architectural Plans
- Appendix P.1 Lot 2 Architectural Plans
- Appendix S Ecological Management Plan
- Appendix T Landscape Management Plan
- Appendix X Streamworks Management Plan
- Appendix Z.3 Retirement Village Wastewater Design Report
- Appendix AA.2 - 147007-M-C455, C480, C490 & C495 SW Catchment, Culvert, Onsite Management
- Retirement Village Forestry Road Extension Plan. Project No. 147016 Drawing No. C300-9 to C300-11
- BUN60449727 250819 s67 and specialist comments tracker - applicant response (final)
(specifically in respect to response to Arborist questions on page 33 of the document)

4.0 Additional Reasons for Consent Not Included in AEE

N/A

5.0 Specialist Assessment

Arboriculture

Section 1 - Upgrade of Forestry Road

Further to the review of information provided by the applicant, as well as assessment via street view, GIS maps and site visit, I can support the proposed tree works for the upgrade of Forestry Road provided that conditions are adhered to.

Background

It is understood that the applicant is proposing to upgrade a section of Forestry Road (500m) outside the development site which is a formed road and will be used by the local residents in the future. According to the arboricultural assessment by The Tree Consultancy Company dated 1st May 2025, there are 21 protected and mature street trees approximately 20m to 30m high (Tree 1, Trees 3 to 19, Trees 22-24), dominated by exotic trees blinded in with the native and weedy undergrowth with limited management, located on the road berm of this section of Forestry Road. These street trees will be in conflict with the upgrading works and tree removal is required. Tree 2 consists of 20 mature Gum trees planted as shelter belts which will be impacted by encroachment within the protected root zone, but they can be retained and will be protected during construction. These 21 protected trees/tree groups are linked to the undergrowth of weedy plants and native plants about 3m to 4m high. It is confirmed during my site visit on 11th August 2025 that there are no individual street trees on the road berm considered substantial to warrant their retention, and removal of the existing trees can allow more flexibility for the project team to incorporate the design of road widening and upgrading in the future. It is noted that the applicant has consulted the Urban Forest Specialist of Community Facilities for the proposed tree works. According to the response from the applicant (*BUN60449727 250819 s67 and specialist comments tracker - applicant response (final)*), based on the canopy coverage being lost from the proposed upgrade of road works and calculation with i-tree model, 225 medium to large growing trees are proposed to be planted to mitigate the loss of existing trees and vegetation along the length of Forestry Road to be upgraded. The details of street tree planting including species and location will be confirmed in the detailed design stage of the road works.

I consider the overall impact on the protected street trees from the proposed works to upgrade Forestry Road, would be acceptable in view of the proposed tree works to be under arboricultural supervision, there are no substantial specimens warrant of their retention and, proposed mitigation replanting of 225 new trees of medium to large tree species on the available road berm will improve the amenity of the streetscape over time.

In view of the trees of concern are Council owned street trees, it is advised that the applicant should obtain the Tree Owner Approval of the proposed tree works from the Urban Forest Specialist of Community Facilities prior to the commencement of site works.

Relevant Statutory Framework

Overall, the proposal is consistent with the relevant statutory documents, insofar as they relate to matters over which discretion is restricted and regarding the objectives and policies of Chapter E26 of the Auckland Unitary Plan (Operative in Part).

E26.4.3.1 (A92) – “Tree alteration or removal of any tree greater than 4m in height and/or greater than 400mm in girth - it is assessed as **Restricted Discretionary Activity**.

Conditions are recommended for desirable arboricultural outcome, and they are detailed in Section 8.0.

Section 2 – Proposed development of Lot 1 and Lot 2 within the site

Further to the review of information provided by the applicant, as well as assessment via street view, GIS maps and site visit, I can support the proposed tree works for the development of Lot 1 & Lot 2 within the site provided that conditions are adhered to.

Background

It is understood that the applicant is proposing to develop the site into Lot 1 & Lot 2 including approximately 500 homes through the countryside living subdivision and retirement village, in addition to a range of infrastructure, open space and public facilities within 395 ha of land owned by the Ta Kawerau Iwi Settlement Trust (the Trust). The site coverage is currently a mix of deforested, felled plantation, 6-year-old rotation plantation and 26-year-old rotation plantation, scheduled in the case of the remaining areas within Lot 1 for harvest in October 2025 to March 2026. Following this tree felling, these portions of the site are proposed to be developed.

The site for Lot 1 & Lot 2 are zoned as Rural – Countryside Living Zone and Rural – Rural Production Zone. There are numerous rural streams and natural inland wetlands located within the site with their 20m riparian margin dominated by limited diversity of small native trees (Ponga & Cabbage trees), tall shrubs and weedy plants next to the existing exotic pine plantation. The trees within the 20m riparian margin of the rural stream and wetlands are protected under E15 of AUP and the tree removal from the proposed works trigger resource consent under E15.4.1 (A16) and (A18). There is no SEA overlay recorded within the site. As confirmed in the EIC Report by Bioreserches Limited dated 1st May 2025, the remaining pine plantation in Lot 1 will be harvested in Oct 2025 to March 2026, and the land will be used for development of Lot 1 alongside the development on part of Lot 2. It is further confirmed during our site visit on 11th Aug and applicant’s response on 20th Aug that, the baseline conditions of the riparian margin after exotic plantation being harvested, will be limited to herbaceous plants due to decline of the existing woody shrubs and small trees during the harvest procedures. It unavoidably resulted in mechanical damage on the tree canopy or trunk at the edge of the riparian margin or significant change in habitats as they are open up without any shading from the exotic plantation canopy being removed. Therefore, most of the existing small trees within the riparian margin of the stream and wetlands will decline which will be the baseline conditions for the land to be developed and the harvest of plantation will not be under control by the applicant.

In terms of reduction and minimization of tree impacts within the riparian margin from the harvest of pine plantation, according to Section 3.1 and 3.2 in the Ecological Management Plan, meeting and coordination among the project team, operation team for deforestation and machine operators prior to the deforestation are essential to define the works areas near to the riparian margins and this can reduce the actual impacts on the trees and vegetation within the riparian margin from the deforestation and maximize the woody plants including small trees and tall shrubs to be retained. Additionally, according to the development proposal for Lot 1 & Lot 2, stormwater pipes and ripraps will be installed within the riparian margin of the streams and wetlands. Wastewater discharge will be implemented via pipes to be pinned on the disposal fields within the riparian margins. 11 culverts will also be installed in the areas where the internal roads cross the streams which may further impact on the existing vegetation/trees on the riparian margins. Involvement of arborist in the detail design stage of the routing of stormwater discharge, wastewater discharge and location of culverts and during the construction phase of these infrastructures, with their advices on how to reduce and minimize the impacts of the excavation works on the root zone of the remaining retained trees (may be limited to a few) in the riparian margins will be essential to achieve desirable arboricultural outcomes.

Currently, the site is dominated (approximately 70%) by deforested shrubland & mature pine plantation including areas to be harvested by Oct 2025 to March 2026 with the remaining area (approximately 30%) being occupied by riparian corridors and immature pine plantation. For the area occupied by deforested shrubland & mature pine plantation to be harvested, the baseline conditions and the arboricultural ecological value of the 20m riparian margin of streams and wetlands are likely limited to negligible or medium value. Extensive replanting with native trees and plants within the riparian margin will be the pragmatic approach to improve the overall ecological functions of the riparian margin of the streams and wetlands in these areas in the long term. The baseline conditions and the arboricultural ecological value of the 20m riparian margin of streams and wetlands in the area occupied by the riparian corridors and immature pine plantation are assessed as medium values which should be protected with measures during the construction period to avoid any potential impacts from the development on site in the first instance.

According to the proposed replanting palettes in the ElcA Report, general revegetation proposal, riparian corridor replanting, low lying vegetation and wastewater disposal field are proposed as overall replanting scheme on site. The detailed replanting proposal can be further reviewed and agreed upon by Council to ensure the loss of the trees and vegetation within 20m riparian margin and their ecosystem services can be adequately mitigated.

For the details of the replanting proposal, I would recommend incorporating some pioneer canopy tree species in the riparian corridor and 20m riparian margin to enhance shading and infiltration functions on the riparian margins. A detailed replanting proposal with goals of revegetation, details of stage planting, maintenance scheme for their establishment and how the replanting to be done to achieve the goals should be prepared for further review and agreed by Council.

Overall, I consider the I can support the proposed development within the site, and consider the tree impacts would be acceptable in view of the proposed tree works to be under arboricultural supervision, arboricultural input in the detail design stage to minimize the impacts on the riparian margins and the

replanting proposal with further details to be supplemented and agreed by Council, the amenity, ecological functions and landscape value of the site can be improved and sustained over time.

Relevant Statutory Framework

Overall, the proposal is consistent with the relevant statutory documents, insofar as they relate to the matters over which discretion is restricted and regarding the objectives and policies of Chapter E15 of the Auckland Unitary Plan (Operative in Part).

E15.4.1 (A16) – “Vegetation alteration or removal within 20m of rural streams, other than those in Rural – Rural Production Zone and Rural – Mixed Rural Zone” - it is assessed as **Restricted Discretionary Activity**.

E15.4.1 (A18) – “Vegetation alteration or removal within 20m of a natural wetland, in the bed of a river or stream (permanent or intermittent), or lake” - it is assessed as **Restricted Discretionary Activity**.

Recommended conditions for desirable arboricultural outcomes are detailed in Section 8.0.

6.0 Section 67 Information Gap

I have identified that there are no section 67 information gaps, and the proposed tree works in the application can be supported with conditions.

Information gap	Nature of deficiency	Decision-making impact	Risk / uncertainty created
N/A	N/A	N/A	N/A

7.0 Recommendation

Arboriculture

Section 1 - Upgrade of Forestry Road

Section 2 - Proposed development of Lot 1 and Lot 2 within the site

Further to the assessment, I consider the associated tree impacts from the upgrade of Forestry Road and development of Lot 1 & Lot 2 within the site would be acceptable. I can support the proposed tree works with conditions, which are detailed in Section 8.

8.0 Proposed Conditions

Recommended arboricultural conditions

These arboricultural conditions are essential for desirable arboricultural outcomes, but they are not found within the document of proposed conditions provided by the applicant.

Section 1 – Upgrade of Forestry Road

Conditions of Consent

I can support the proposal as there is sufficient assurance that the effects of the loss of 21 protected street trees on the road berm of the Forestry Road will be acceptable provided that the following conditions are adhered to, placing reliance in these comments on the applicants response contained within BUN60449727 250819 s67 and specialist comments tracker - applicant response (final) regarding agreement to replacement tree planting.

1. A suitably qualified and experienced arborist must be engaged by the consent holder for the duration of the project to direct, supervise and monitor the proposed tree removal, canopy trimming and encroachment within the protected root zone of the retained trees required. The arborist must ensure compliance with the tree protection measures for the retained trees in the vicinity of the works area in accordance with the currently best arboriculture practice.
2. A pre-start meeting must be held on site with the project manager/principle, site foreman and the works arborist. This meeting must include discussion and confirmation of the following:
 - The proposed works.
 - Construction methodologies.
 - Tree removal for 21 street trees, canopy trimming and encroachment within the protected root zone of the retained trees in the vicinity of the works area.
 - Tree protection measures for the retained trees in the vicinity to the works area.
 - Site access and storage areas.
 - Requirements for arboricultural supervision.
3. The project manager / foreman must ensure that all contractors, sub-contractors and work site staff are advised of, and comply with, the tree protection measures listed in the arboricultural assessment report prepared by The Tree Consultancy Company dated on 1st May 2025 for the duration of the works. A copy of this arboricultural assessment report must be kept on site during the construction period.
4. A memorandum must be prepared within a month after completion of all the tree works on site, to Council's Resource Consents Monitoring Team Leader and the Urban Forest Specialist of Community Facilities upon completion of the proposed tree works on site. This memorandum must include a pre-start meeting memo, description and photographic record of tree works within the works area being undertaken.
5. The consent holder must liaise with Urban Forest Specialist of Community Facilities regarding the species, size and location of street tree planting for the proposed 225 new trees.
6. Within the first available planting season (Autumn to Spring) after completion of the site work for the upgrade of Forestry Road, Consent holder must implement the proposed replanting of 225 new trees in 45L on the available road berm along the upgraded Forestry Road or other

available road berm along the length of Forestry Road that Community Facilities consider appropriate.

7. The replanting trees must be located in such a position so that their long-term growth and development is taken into consideration and maintained thereafter in correct arboricultural fashion, including irrigation, mulching and formative pruning as necessary.
8. The replanting trees' and development must be monitored for a minimum of three years following planting. If any of the replacement trees die or decline beyond recovery during this period, it must be replaced by the consent holder with a new specimen of a similar size and species to that which was originally planted.

Section 2 – Proposed development of Lot 1 and Lot 2 within the site

Conditions of Consent

I can support the proposal as there is sufficient assurance that the effects of the loss of protected trees within the riparian margin of streams and wetlands within the site will be acceptable provided that the following conditions are adhered to.

9. A suitably qualified and experienced arborist must be engaged by the consent holder to provide arboricultural input during the detail design stages to provide arboricultural input on the routing of the stormwater discharge, wastewater discharge with pipes installation, and formation of 11 culvert crossing the stream during the duration of the project to minimize and reduce the tree impacts of retained trees on the riparian margins.
10. A suitably qualified and experienced arborist must be engaged by the consent holder to direct, supervise and monitor the proposed tree removal, canopy trimming and encroachment within the protected root zone of the retained trees on the riparian margin of streams and wetlands. The arborist must ensure compliance with the tree protection measures for the retained trees in the vicinity of the works area in accordance with the currently best arboriculture practice.
11. A pre-start meeting must be held on site with the project manager/principle, site foreman and the works arborist. This meeting must include discussion and confirmation of the following:
 - The proposed works.
 - Construction methodologies.
 - Tree removal, canopy trimming and encroachment within the protected root zone of the retained trees on the riparian margin from the proposed works required for stormwater discharge, wastewater discharge and culverts across the streams.
 - Tree protection measures for the retained trees in the vicinity to the works area.
 - Site access and storage areas.
 - Requirements for arboricultural supervision.
12. A memorandum must be prepared within a month after completion of the tree works on site after each stage, to Council's Resource Consents Monitoring Team Leader upon completion of the proposed tree works on site. This memorandum must include a pre-start meeting memo, description and photographic record of tree works within the works area being undertaken.

13. A detailed Replanting Proposal including the riparian corridor to be done associated with development of Lot 1 & Lot 2, must be further submitted to Council for review and approval. The Replanting Proposal must provide the details of goals and actions (monitoring procedures) for how to achieve these goals, stages involved for replanting, plants species, size, location of replanting, sourcing of plants, maintenance requirements and associated weeding and pest plant/animals control.
14. Within the first available planting season (Autumn to Spring) after completion of the site work in each stage of development, consent holder must implement the proposed replanting of native plants within the 20m riparian margin of the streams and wetlands according to the approved Replanting Proposal.
15. The replanting trees/vegetation and their development on the riparian margins must be monitored for a minimum of five years following planting. If any of the replacement trees die or decline beyond recovery during this period, it must be replaced by the consent holder with a new specimen of a similar size and species to that which was originally planted.

9.0 Supporting Documents

N/A

Landscape – Peter Kensington (**Annexure 16**)

Fast-track Approvals Act 2024 (FTAA) – Rangitootuni Project, Riverhead
FTAA-2504-1055 (Auckland Council reference – BUN60449727)

Technical Specialist Review Memo – Landscape Architecture

To:	Emma Chandler (Lead Planner) and Joe Wilson (Principal Project Lead)
From:	Peter Kensington, Consultant Specialist – Landscape Architect (KPLC Limited)
Qualifications and relevant experience:	I hold the qualifications of: Bachelor of Landscape Architecture (Honours) and Bachelor of Regional Planning (Honours) and I have 27-years' experience in landscape architecture and planning. I am a Registered Member of Tuia Pito Ora, the New Zealand Institute of Landscape Architects and a Full Member of the New Zealand Planning Institute. I have prepared expert evidence and technical assessments for various applications for resource consent, requests for plan changes, notices of requirement for designations and fast-track applications. I have appeared as an expert witness before consent authorities and the Environment Court.
Preparation in accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and I have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent application processes, such as expert conferencing, which is directed by the Panel. I confirm that the opinions I have expressed in this memo are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.
Date:	12 September 2025

1.0 Application description

Application and property details

Fast-track project name:	Rangitootuni Project, Riverhead
Fast-Track application number:	FTAA-2504-1055 (Auckland Council reference BUN60449727)
Site addresses:	Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Documents reviewed

I have reviewed all of the application material, including the Assessment of Environmental Effects; however, I have concentrated on reviewing the following documents which are within my area of specialist review expertise:

- Urban Design and Landscape Effects Assessment, Boffa Miskell, 1 May 2025 (Appendix HH)
- Rangitōopuni Lot 1 & Lot 2 Landscape Concept Masterplan, Boffa Miskell, Rev A, 1 May 2025 (Appendix M)
- Landscape Concept Plan (Lot One - Countryside Living), Boffa Miskell, Rev A, 1 May 2025 (Appendix O)
- Landscape Concept Plan (Lot Two - Retirement Village), Boffa Miskell, Rev A, 1 May 2025 (Appendix O.1)
- Landscape Elements (Appendix One and Appendix Two), Boffa Miskell, Rev A, 1 May 2025 (Appendix O.2)
- Architectural (Concept Design) Drawings, Community Facility, Crosson Architects, Rev A, 28 March 2025 (Appendix P); and Rangitōopuni Lifestyle Village, Crosson Architects, Rev A, 29 April 2025 (Appendix P.1)
- Rangitōopuni Design Guidelines, Boffa Miskell, March 2025 (Appendix R)
- Landscape Management Plan - Structure, Boffa Miskell, 1 May 2025 (Appendix T)
- Mahere Matua Ahurea - Cultural Masterplan, Boffa Miskell, 1 May 2025 (Appendix U).

3.0 Specialist assessment review comments

Introduction

I have visited the site and surrounding area on 6 August 2025 with a follow-up visit to Riverhead on 21 August 2025. I have been involved in pre-application engagement with the Applicant's representatives during March 2025 and I have liaised with the Applicant's landscape architect, Rachel de Lambert, following lodgement of the application.

My review comments are made within the context of the relevant Auckland Unitary Plan (Operative in part) (**AUP(OP)**) objectives (H19.7.2) and policies (H19.7.3) of the *Rural – Countryside Living Zone* and also the wider *Rural Zone* objectives and policies; along with the rural subdivision provisions within E39.

I also acknowledge the unique nature of the site with the E21 (Treaty Settlement Land) provisions having relevance, because the applicant is the development arm of Te Kawerau ā Maki as landowner.

I note the various rule triggers and that the proposal (being a bespoke response) does not necessarily align with the AUP(OP) policy framework when considering the H19 and E39 rural provisions in isolation. I understand that the rural-residential subdivision aspect of the proposal (on Lot 1) is likely to be assessed as a non-complying activity; and that the retirement village aspect of the proposal (on Lot 2) is likely to be assessed as a discretionary activity. I have been advised that the overall activity status of the bundled application would be assessed as a non-complying activity, noting that the decision making criteria of the FTAA is different to a decision made solely under the RMA.

I also acknowledge that the lot boundaries of the application site do not completely follow the AUP(OP) zoning boundaries and that there may be some overlap of the proposed rural-residential subdivision with land in the site that is zoned rural production, in addition to the majority of land which is zoned rural countryside living.

Application assessment review – overview

The application assessment and proposal description documents are extensive and comprehensive and I support the application overall from a landscape and visual effects perspective. The proposal is clearly a specific design response for the site, which has been led by landscape and ecological advice from the outset, with key landscape related opportunities and constraints informing the design and influencing the outcomes being sought.

In particular, very positive long term landscape effects will result from the proposed rehabilitation and restoration of the landscape, as well as the avoidance and mitigation of adverse landscape effects resulting from development.

For example, the design of the proposed rural-residential subdivision (Lot 1) responds well to the underlying topography of the site in a logical manner, including the location of proposed access and building platforms and through the approach to minimise earthworks and to work with the existing landform in order to maintain natural patterns. On the other hand, while the proposed retirement village requires reasonably extensive landform modification, this area of the site is relatively well-contained visually and the design approach is understood.

Key aspects of the application proposal

In particular, I support the proposed revegetation, which is extensive and will significantly enhance (remedy / restore) a previously degraded landscape – replacing the previous monoculture pine forest land use.

I also support the vision for the rural-residential land use, which seeks to achieve a future character of ‘dwellings within the bush’, rather than a traditional rural-residential land use which results in a ‘dwellings within pasture’ character. Such an outcome, if successful in the long-term, will enhance the landscape character and amenity values of the site, in my opinion. It will be important to reconcile how this future restored landscape will interface with ongoing production forestry activities – particularly adjacent the proposed retirement village where it appears that these two activities will have a reasonably immediate adjacency. The proposal includes appropriately scaled roads and associated infrastructure (in particular lighting, which will be in the form of low bollard type lighting).

To assist in achieving an integrated outcome, where future buildings on the proposed rural-residential vacant lots are appropriate in terms of scale and external appearance, the proposed consent notices are important tools. For example, these requirements relate to building heights, coverage and materials – with some relaxation of front-yard setbacks to recognise the unique nature and intent of the lot layouts. These controls will assist in achieving the project’s overall vision/objective which will ultimately see an integrated built/vegetated outcome (i.e. dwellings ‘nestled’ within a bush setting). Inclusion of the proposed building and vegetation design guideline document is also an important aspect of the application proposal which will assist in achieving the anticipated outcomes.

Implementation and control over future buildings will require confirmation at the time of any application for building consent (so that the council retains a level of control over the outcomes), acknowledging that the applicant envisages a body corporation / residents society-association which will also provide an initial design review function. A common ownership model will be a key mechanism for ensuring the project’s vision is achieved over time, including for the proposed comprehensive landscape rehabilitation. This work is extensive and will require a long-term approach to implementation, establishment and ongoing management (with associated funding).

The proposed retirement village (Lot 2) is a relatively intensive urban development in a rural zone. I recommend that a balance to this development intensity is required such that the undeveloped part of the site retains a strong natural landscape character. For example, such areas of the site could be revegetated or retained as pine forest. A related concern is the potential for additional future development to occur on the balance of this lot over time (within the area that is to be retained for ongoing production forestry activity), with possible adverse cumulative landscape effects arising if such future development on the balance of this lot were to occur. The Applicant has confirmed that the current pine forest activity will continue in these balance areas of the site, based on existing commercial agreements. It is my understanding that, once the pine forest activity has ceased in these areas, this land could be revegetated in the future, which would be a positive landscape outcome. In the short-term, the pine forest will act as an effective vegetated buffer for the proposed retirement village activity. I also appreciate that any future subdivision or development proposals for this balance area of the site on Lot 2 would be assessed on the merits at that particular time, acknowledging that this could include comprehensive revegetation of this land.

4.0 Further information requested from the Applicant’s landscape architect

I sought and received responses from the Applicant’s landscape architect (Rachel de Lambert) to various matters in order to assist with my understanding of the proposal and the related landscape effects. These included:

1. Confirmation that the easternmost retirement villas will not be visually prominent when viewed from Riverhead Village. The response to my request confirmed the findings set out in the Boffa Miskell Urban Design and Landscape Effects Assessment (Application Appendix HH), at pages 27 and 33, which states:

"Significantly, the Lot 2 retirement village proposal does not extend development over the ridgeline into the escarpment that visually backdrops Riverhead. A planted ridgeline will be maintained, with the top row of villas set back a minimum of 10m from the face of the ridge. Some of these properties will enjoy distant skyline views but will not view down into Riverhead, with these lower views screened by landform and vegetation." P27

"Lot 2 is visually contained within the valley with very limited off-site visibility. The development has been purposefully contained to the eastern side of the ridge that defines the backdrop to the settlement of Riverhead to maintain the natural, vegetated backdrop to the established urban area and its periphery. In terms of views from Riverhead, the Lot 2 Proposal will have very limited presence. Lighting within the village will be designed and managed to remain low level, with measures in place to minimise light spill and prevent any noticeable illumination along the ridgeline. In terms of Riverhead, the visual context of the settlement is therefore considered to be unchanged with no visual effects generated by the proposal." P33

I concur with these statements and note that the combination of viewing distance and intervening vegetation (once established) will provide an effective landscape buffer that restricts visibility.

2. Confirmation that pine forest land use activity will occur on Lot 2 outside the retirement village 'boundary', noting that the applicant has existing commercial agreements requiring this activity to continue. While there may be opportunities for these agreements to change in the future, such that these areas could be revegetated for example, I have assessed the proposal on the basis that the areas will be pine plantation.
3. Agreement that the currently proposed colour controls in the proposed design guidelines documentation (application Appendix R), as they relate to future buildings in both the rural residential subdivision (Lot 1) and retirement village (Lot 2), be amended to read:

The exterior surfaces of buildings must be finished to achieve a Light Reflectance Value (LRV) no greater than 40%, including for roofs (which must be darker than walls) and above ground water tanks; where the exterior surface is painted, they must have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette.

4. Provision of further details regarding the shared path connection between Riverhead and the retirement village, confirming that this access is to consist of the following elements:

- *The shared path is a proposed 3.00m wide pedestrian and cart access surface from Riverhead to the Senior Living Village in Lot 2.*
- *The path has a 3.00m wearing surface with 0.5m wide shoulders on either side. The concrete will be specified to be exposed chip aggregate with oxide to raise the LRV max to 50%.*
- *The path will be formed in cut. In some locations, the upside slope will be retained with a timber retaining wall structure ranging from 1.00m to approximately 2.50m in height (maximum cut height tbc through detailed design).*
- *The timber will have a black stain finish.*
- *The gradient of the path is 0.2% at the senior living village, changing to a 4.3% (1:2) slope. The majority of the path is an 11.6% (1:8.6) before flattening out to 5.6% (1:17) where the path meets the esplanade reserve at Riverhead.*
- *The path is located in an area that was replanted in Pines in mid-2023. It is expected that these trees will be retained for their harvest cycle (28 – 30 years).*
- *The path will not be lit.*

I concur with the Boffa Miskell assessment that this access is a positive aspect of the proposal, noting:

- The future extension of the pathway through the esplanade reserve to connect to Mill Grove is not part of this application.
- An existing pathway already runs through the esplanade reserve, and the local board has confirmed that the bridge across the Wautaiti Stream to Mill Grove will be replaced in the coming year.
- If, for any reason, the bridge replacement does not proceed, the applicant intends to apply for the necessary consents to ensure its reinstatement.

5.0 Proposed conditions of consent(s)

I have suggested a number of recommended amendments to the currently proposed conditions of consent(s), with these condition references set out below, in order to ensure that the proposal will achieve the outcomes envisaged by the Applicant and to achieve successful mitigation of actual and potential adverse landscape and visual effects.

Countryside Living Residential Lots

- Condition 72 – Landscape Implementation Management Plan
- Conditions 73-74 – Final Detailed Landscape Plans

Retirement Village and Community Facilities

- Condition 75 – Architectural Design and Signage
- Condition 76 – Landscape Design Plans (Hard and Soft)
- Condition 77 – Lighting

Post-Construction Conditions

- Conditions 80-81 – Landscaping and maintenance requirements
- Condition 165 – Design and Landscape Guidelines
- Condition 169 – Areas to be subject to land covenant(s)
- Condition 171 – Legal Entity
- Condition 178 – Design and Landscape Panel
- Condition 190 – Consent Notices
- Conditions 192-193 – Bonds

I have separately provided my suggested amendments to the applicant's proposed conditions of consent (from the application Appendix A) as tracked-changes, with these suggestions relating to the above relevant conditions.

I have also reviewed the recommendations from the council's specialist lighting reviewer (Domenico De Vincentis) regarding the proposal intention to follow "dark-sky" policies. I support the suggested strengthening of the draft lighting conditions to better require appropriate information that will confirm compliance with these intentions. In particular, Mr De Vincentis has recommended the additional of the following requirement to the condition:

The lighting design shall demonstrate that dark-sky policies have been considered and there will be no direct light emission towards the sky.

Peter Kensington

Consultant Specialist – Landscape Architect

Registered NZILA and MNZPI

Urban Design – Rob Mainwaring (**Annexure 17**)

Fast-track Approvals Act 2024 (FTAA) – Rangitooopuni Project, Riverhead

FTAA-2504-1055 (Auckland Council reference – BUN60449727)

Technical Specialist Memo – Urban Design

To:	Emma Chandler (Lead Planner) and Joe Wilson (Principal Project Lead)
From:	Robert Mainwaring, Principal Urban Design
Qualifications and relevant experience:	I hold the qualification(s) of Master of Architecture, Bachelor of Architecture, and have 22 years of experience in masterplanning, urban design and architecture. I am a full member of New Zealand Registered Architects Board (NZRAB), the New Zealand Institute of Architects (NZIA), and a Certified Passive House Designer. I have prepared expert evidence and technical assessments for resource consent applications and fast-track applications, and have appeared as an expert witness before consent authorities.
Preparation in accordance with the Code of Conduct:	I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (Code), and I have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent application processes, such as expert conferencing, which is directed by the Panel. I confirm that the opinions I have expressed in this memo are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.
Date:	12 September 2025

1.0 APPLICATION DESCRIPTION

Application and property details

Fast-Track project name:	Rangitooopuni Project
Fast-Track application number:	FTAA-2504-1055 (Council Reference BUN60449727)
Site address:	Lot 1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Road, Riverhead, Auckland

2.0 Executive Summary

I support the application from an urban design perspective.

The Applicant has provided a thorough set of application documents that clearly describe the geographical, historical, cultural, and economic context of the site and project. A bespoke landscape-led design subject to its establishment and maintenance results in a comprehensive development that is well-suited to its unique setting. Detailed landscape and architectural proposals within Lots 1 and 2 are to a high design standard and will complement the proposed enhanced ecological setting.

3.0 Documents Reviewed

I have reviewed all of the application material, including the following:

- Assessment of Environmental Effects, Campbell Brown, 5 May 2025
- Proposed Conditions, Campbell Brown, 5 May 2025 (Appendix A)
- Cultural Impact Assessment, Te Kawerau Iwi Tiaki Trust, 25 March 2025 (Appendix B)
- Assessment of Environmental Effects Urban Design and Landscape Effects Assessment, Boffa Miskell, 1 May 2025 (Appendix HH)
- Civil Infrastructure Report, Maven, Rev A, 20 April 2025 (Appendix J)
- Rangitootupuni Lot 1 & Lot 2 Landscape Concept Masterplan, Boffa Miskell, Rev A, 1 May 2025 (Appendix M)
- Countryside Living Scheme Plan, Maven, Rev A, April 2025 (Appendix N)
- Retirement Village Scheme Plan, Maven, Rev A, April 2025 (Appendix N.1)
- Landscape Concept Plan (Lot 1 - Countryside Living), Boffa Miskell, Rev A, 1 May 2025 (Appendix O)
- Landscape Concept Plan (Lot 2 - Retirement Village), Boffa Miskell, Rev A, 1 May 2025 (Appendix O.1)
- Landscape Elements (Appendix One and Appendix Two), Boffa Miskell, Rev A, 1 May 2025 (Appendix O.2)
- Architectural (Concept Design) Drawings, Community Facility, Crosson Architects, Rev A, 28 March 2025 (Appendix P); and Rangitootupuni Lifestyle Village, Crosson Architects, Rev A, 29 April 2025 (Appendix P.1)
- Rangitootupuni Design Guidelines, Boffa Miskell, March 2025 (Appendix R)
- Landscape Management Plan - Structure, Boffa Miskell, 1 May 2025 (Appendix T)
- Mahere Matua Ahurea - Cultural Masterplan, Boffa Miskell, 1 May 2025 (Appendix U).
- Earthworks Plans, Maven, March 2025 (Appendices V.1 – V.4)
- Engineering Plans, Maven, March 2025 (Appendix W.1 – W.18)

4.0 Specialist Assessment

Introduction

I acknowledge the Applicant's early-stage engagement with Council, and I have been involved in pre-application discussions with the Applicant's design team during March 2025.

I visited the site and surrounding area on 6 August 2025.

My review is made within the context of the Auckland Unitary Plan (Operative in Part) (AUP(OP)). I have considered the proposals in the context of the objectives and policies of H19 *Rural - Countryside Living Zone* (CLZ), the wider *Rural Zone*, and provisions within E39 *Subdivision - Rural*.

I acknowledge the unique nature of the site within the E21 *Treaty Settlement Land* provisions, and the significance of the site and project to Te Kawerau ā Maki.

I note that the proposed development does not strictly align with the AUP(OP) policy framework when considering H19 and E39 standards in isolation. I understand that the rural-residential subdivision aspect of the proposal (on Lot 1) is individually a non-complying activity; and that the Integrated Māori Development including retirement village aspect of the proposal (on Lot 2) is individually a discretionary activity. I have been advised that the overall activity status of the bundled application would technically be a non-complying activity, noting that the decision-making criteria of the FTAA is different to a decision made solely under the RMA in respect to the exclusion of S104D in the FTAA criteria for decision making.

Key Aspects of the Proposal

Bush Restoration

The key element of the scheme is the proposed restoration of a native bush landscape across the entire development, which will have multiple long-term benefits, avoids and mitigates any negative effects of development on the wider landscape, and will form the key amenity to the development and individual properties within it.

The intent to restore native bush across the site will create a distinctive future character, and both the residential and retirement schemes will therefore read as buildings 'within the bush'. I consider the bush setting to be rural in character and it will offer high levels of amenity (particularly compared to more ubiquitous rural-residential character of pasture and paddocks). When established, I anticipate the planned development will be similar to other areas of 'bush-dwellings' along the Waitakere Ranges. The extent of native planting already undertaken and seen on my site visit is encouraging.

Given the importance of the restored bush to the development, the establishment, maintenance and preservation of it will be key. I note that colleagues will provide ecological input relevant to the establishment and maintenance structures for this. I support discussion on the proposed conditions and details to ensure that these outcomes are provided and maintained both within the rural subdivision and where proposed in the Integrated Māori Development.

Earthworks

The site is currently a monoculture pine forest which has largely been felled, and the natural topography is the current defining feature of the site. The proposals respond to and retain this existing landform,

minimising earthworks where possible. Any earthworks will eventually be concealed as the revegetated bush establishes across the development.

Lot 1, the residential subdivision, responds to existing topography most successfully with existing forest tracks becoming roads and accesses, and considered placement of compact building platforms minimising the requirement for groundworks.

Lot 2, the Integrated Māori Development including retirement village, requires more significant earthworks in order to achieve an overall larger platform and accessible gradients across the village, but takes a similar approach. The village plateau has been carefully sited within the overall lot and wider valley, minimizing earthworks required, and any effects.

I note that the interfaces with adjacent zones (rural production, rural conservation, sport and active recreation zones) are not compromised by the proposals noting that other reverse sensitivity effects will be assessed and commented by others in detail.

Lot 1 – Residential Subdivision

Site design and layout

The residential subdivision is a logical layout, making use of the existing features to produce a low-density development, with a variety of vacant lot positions, orientations, and outlooks that respond to the site.

Lots of approximately 1 hectare consist of building platforms of approximately 1,000-2,000m², and the remaining area being restored native bush, protected by management plans. All buildings and structures are proposed as being limited to the building platforms. Fences correspond to building platforms and will therefore be set well back from all roads and JOALs, ensuring a rural character.

The restored planting is proposed to span all individual lots in the residential subdivision. The same outcome could be achieved if the bush had its own lot as a reserve, for example. In terms of urban design outcomes, the proposed lot sizes are acceptable as the building platforms and accesses will ultimately become enveloped by contiguous native bush.

Access

An appropriately sized and logical road network is proposed for Lot 1, complemented by an additional path network, ensuring a permeable development. Combined with Lot 2 and the south-eastern path to Duke Street which I understand would be delivered in connection with the Lot 2 development, this makes it possible for residents to use active modes of transport to access Riverhead avoiding Deacon Road, which I support, noting the discussions are ongoing in respect to how this could be delivered.

Vehicular access to the subdivision will be via controlled gates. Pedestrians, cycles and horses will be able to bypass these gates, ensuring that the development and surrounding networks of trails remain accessible to the public, which I support. Proposed wayfinding and signage considered, legible, and as expected in a rural context.

Building form and design

Vacant residential lots are proposed, with a set of design guides proposed to achieve outcomes similar to the AUP(OP) and encourage design quality suited to the project's aspirations. These guides clearly set

out requirements such as building setbacks, height, bulk, restrictions on minor dwellings, material/colour palettes, and review by a project Design Review Panel, which I support.

Lot 2 – Retirement Village

Access

A single vehicular access is provided into the retirement village, from Forestry Road. Due to this, I consider the eastern path to be a crucial part of the overall development. If delivered through the esplanade reserve, it provides direct car-free access to the amenities and facilities within Riverhead, and can be used by the retirement village as well as people of all ages within Lot 1. I support the proposed provision of golf carts (based within the retirement village) to the site boundary and flatter terrain of Riverhead for those less able to navigate the gradient.

Site design and layout

The proposed retirement village is a relatively intensive development I estimate to be 3.9 dwellings per hectare overall, and at 12.5 dwellings per hectare within the proposed ‘bush clearing’. I do not consider this inappropriate for the use in this location. Units in close proximity and accessible gradients are functional requirements for the proposed use. Low buildings heights and clustered arrangements of units, combined with fingers of native planting, break the overall mass of development, which is ultimately screened by restored bush and forestry planting. The retirement village is well inset from the boundary of Lot 2 by a minimum of 20m, and often >100m.

A central spine road provides clear access from the head of Forestry Road through the village, responds to the existing topography, and serves as a key orientation device within the village. The location of unit clusters, and communal buildings is logical and supported. Legibility, wayfinding and signage are appropriate for the use and context.

Building form and design

The proposed retirement village includes three large communal buildings in addition to the individual residences. I have considered the scale of these buildings in relation to H19.10.5 - *Size of Buildings*

Whilst the overall building roof areas are considerably larger than the standard (Amenity Building: 1132m², Wellness Building: 816m², and Care Building: 2679m²), the forms and massing of the communal buildings are broken down and expressed as smaller volumes. Noting the different use of these buildings compared to those in the standard, these expressed volumes and corresponding footprints of 100-475m² are similar to those in the standard (maximum 200m² for poultry, 500m² for primary produce). I support the proposed design of these buildings, which resemble accretions of smaller, more rural scale buildings. This is complemented by the proposed materiality.

5.0 Further Information requested from the Applicant’s design team

I sought and received responses from the Applicant’s landscape architect and urban designer (Boffa Miskell) in order to assist my understanding of the proposals and any urban design effects. RFIs are listed below, with Boffa Miskell responses in italics:

Access

- Clarification of the proposals at the head of the vested Forestry Road (Lot 3).
 - a. Residential Lot 1 is gated to vehicles on Old North Road. Please confirm if there is to be a controlled gate at the head of Forestry Road/beginning of Barlow Road?
All points of vehicular access to Lot 1 countryside living residential will be gated
 - b. Please confirm the path along the Retirement Lot 2 spine road continues to the vested road. (landscaping and roading plans differ)
This road will private. Forestry Road is the only road proposed to be vested.
- Please provide a plan for the Riverhead end of the eastern path, and confirm if there will be any signage, lighting, or cart parking etc. If the path is outside of this application (as Peter's comment), it will still be helpful to understand the intention.
Lighting will not be provided, nor will there be cart parking areas. Signage will be provided as appropriate
- The proposed retirement village is surrounded by pine plantation. Please clarify how this will be accessed (particularly the southern and eastern sections).
These areas will be accessed by the forestry operator independently and not through the retirement village. Access can be taken from the north, and the applicant will work with the operator to establish suitable alternative routes to reach these areas.

Water and Waste Treatment plants (Lot 2):

- The retirement village includes on-site fresh and wastewater plants either side of the entrance road. Schematic layouts are included in the engineering information, and I note that the water treatment plant will be in 2 x 40' containers, and the wastewater plant includes a 4 x 5m control shed. It will be helpful to understand how the treatment plants integrate with the scheme by confirming:
 - What structures are above/below ground
 - If all tanks will be completely buried, or if tops will be visible
 - Any access / hard standing requirements
 - Any security / fencing / screening / planting
 - How tanks are integrated within 1:3 batters
 - Any restrictions on planting

Similarly, paired 22,500L firefighting tanks are required across both lots. Locations are indicative at this stage but will need to be coordinated with tree planting.

Only infrastructure above ground is a small pump shed. Lids of the system will be at ground level. The area is to be planted and the shed will be screened by that vegetation.

The simple confirmations above satisfy my queries (for the avoidance of doubt), and do not raise further issues.

6.0 Proposed Conditions

I have no comments on the proposed conditions.

Lighting – Domenico de Vincentis (**Annexure 18**)

28th August 2025

Auckland Council
Level 6 (North), Auckland House
135 Albert Street
Auckland

Attention: Joe Wilson

Dear Joe

**BUN60449727 – RANGITOOPUNI / OLD NORTH ROAD, RIVERHEAD
PROPOSED EXTERNAL LIGHTING
PEER REVIEW OF LIGHTING EFFECTS ASSESSMENT REPORT**

INTRODUCTION

At the request of Auckland Council, I carried out a peer review of the above Resource Consent application's lighting reports and accordingly prepared this report.

Application Documentation Reviewed

I carried out my peer review based on the following documents:

- a) BUN60449727– Specialist Brief, issued by Auckland Council, dated January 2025
- b) “RangitooPuni – Application under the Fast-Track Approval Act 2024 – AEE report”, prepared by Campbell Brown Planning, dated 5th May 202
- c) “PRR00042504 – RangitooPuni Pre-application Memorandum, prepared by Auckland Transport, dated 27th March 2025.
- d) “PRR00042504 – Parks Asset Owner / Specialist Response”, prepared by Auckland Council Parks and Community Facilities, dated 19th March 2025.
- e) “PRR00042504 - Pre-application Resource Consenting Planning Comments”, prepared by Auckland Council, dated 28th March 2025.
- f) “PRR00042504 - RangitooPuni - UD Pre-application Memorandum”, issued by Auckland Council, dated 31st March 2025.
- g) “PRR00042504 – Pre-application Urban Specialist Advice”, prepared by Auckland Council, dated 31st March 2025.
- h) “AEE Appendix A – Proposed Conditions”.
- i) “AEE Appendix EE – Auckland Unitary Plan Rules Assessments E23 & E24”.
- j) “AEE Appendix HH – RangitooPuni / Urban Design & Landscape Effects Assessment report”, prepared by Boffa Miskell, dated 1st May 2025.
- k) “AEE Appendix K.1 – E27 Compliance Memorandum”, prepared by Conmute Transportation Consultants, dated 1st May 2025.

- l) "AEE Appendix M – Rangitootuni / Landscape Concept Plan, Revision A", prepared by Boffa Miskell, dated 1st May 2025.
- m) "AEE Appendix O – Rangitootuni Lot One, Landscape Concept Design Plans", prepared by Boffa Miskell, dated 1st May 2025.
- n) "AEE Appendix O.1 – Rangitootuni Lot Two - Retirement Village, Landscape Concept Design Plans", prepared by Boffa Miskell, dated 1st May 2025.
- o) "AEE Appendix O.2 – Rangitootuni Landscape Elements", prepared by Boffa Miskell, dated 1st May 2025>
- p) "AEE Appendix OO – Other AUP Objectives and Policies Assessment"
- q) "AEE Appendix W – Stages 8-14 Proposed Rooding Plans", prepared by Maven Associates, dated March 2025.
- r) "AEE Appendix W.5 – Stage 1 Proposed Rooding Plans", prepared by Maven Associates, dated March 2025.
- s) "AEE Appendix W.6 – Stage 1 Proposed Rooding Long Sections Plans", prepared by Maven Associates, dated March 2025.
- t) "AEE Appendix Z.1 – Stages 6-14 Proposed Rooding Plans", prepared by GWE, dated March 2025.
- u) "AUP ID4311 - Whenuapai Airfield Approach and Departure Path Protection", issued by Ministry of Defence.

COMMENTS

1. The proposed Rangitootuni / Old North Road development consists of the transformation of an old pine plantation into a gated community that will include 208 residential lots in the countryside living subdivision, and 260 villas and 36 aged care facilities in the retirement village.

The development will be accessed from the surrounding Deacon Road and Forestry Road, and an internal road network will provide the access to the proposed residential villas, each one with individual vehicle access. The retirement village will be connected via internal roads and pedestrian pathways.

2. The pre-application memorandum prepared by Auckland Transport notes that Forestry Road will be extended to provide access to the development, and this access and road extension, and the Deacon Road entrance, will be vested to Auckland Transport. Therefore, they will need to be designed to comply with the Auckland Transport – Technical Design Manual (AT-TDM), Section 12 street lighting standards.

I agree with this statement and concur that the lighting of the above-mentioned road extension and access points shall be designed to comply with the requirements of AT-TDM.

The lighting design of these access points and road extension is still to be provided. A note to this effect is included in our recommendations.

3. The AEE report prepared by Campbell Brown refers on item 9.6 - Urban Design and Visual Landscape Effects, to the Urban Design Assessment reports prepared by Boffa Miskell regarding external lighting. These reports state that the development will have a rural character and, therefore, “dark-sky” policies will be followed, with low level of lighting along streets and walkways.

No detailed lighting design plans have been completed at this stage. However, the reports clarify that the lighting will be focused on bollard lighting within the retirement village pedestrian pathways, and the lighting accentuation will be limited to road intersections for safety and visibility of vehicular activities.

The Boffa Miskell reports also state that, considering the proposed low-profile illumination, measures will be in place to minimise spill light and prevent any noticeable illumination along the site ridgeline. Given the distance of the proposed residential villas and retirement village units to the adjoining sites, the potential adverse effect of lighting on neighbours will be limited to those with a direct view to the site. However, these neighbouring properties will be generally distant, and their direct views will diminish over time as planting of revegetated areas establishes. The reports conclude that any adverse effect of lighting will be appropriately managed and will be less than minor.

The AEE report Appendix O.1 – Lot 2 Landscape Concept Design, and Appendix O.2 – Landscape Elements, include some images that illustrate the proposed luminaire types and lighting effects, and a preliminary site plan showing their proposed locations. The images include bollards and wall mounted luminaires with downlight projections, back-lit signage placed at maximum 1.5m above ground level, and ground mounted up-lighters placed under the tree canopies for their light accentuation.

Based on the above, I concur that the proposed low-profile illumination based on “dark-sky” policies is appropriate for this type of rural character development. In my opinion, it is feasible to achieve appropriate road and external illumination with bollards and wall mounted lights with downward projection on pedestrian pathways, and low height mounted luminaires placed at road sections and intersections for safety and visibility of the vehicular movements.

However, this proposed lighting concept is indicative only at this stage, and a detailed lighting design shall be provided. to demonstrate compliance with the dark-sky policies and the related lighting standards, which includes AUP E23 – Signs, and E24 – Lighting, as noted on Appendix EE – Auckland Unitary Plan Rules Assessment notes, and AS/NZS 1158 Lighting Standard.

A note to this effect is included in our recommendations.

4. The AEE report prepared by Campbell Brown notes that the site and the surrounding area sit beneath the Airspace Restriction Designation 4311 – Protection of approach and departure paths of Whenuapai Air Base.

This designation requires that no obstacle shall penetrate the approach and departure path obstacle limitation surfaces shown on the planning maps and diagrams, and notes that this restriction shall not apply to any building being erected which has a height of not more than 9.0 metres above natural ground level.

The AEE report states that this designation does not impose any restriction on uses of land as none of the proposed uses will be of a height that impacts on the airbase approach and departure.

I concur with this statement and agree that, based in the proposed low profile outdoor illumination shown on the concept design, any proposed external luminaire will be mounted at low height, and its light emission will be aimed and oriented in such a manner that no light will be projected towards the sky, not affecting the air base airplane approach and departure.

The adverse effects in any case will be less than minor.

5. The Appendix A – Proposed Conditions, included in the AEE report, notes in Item 77 – Lighting the following:

Prior to the approval of Building Consent for each building stage, the consent holder must provide a Lighting Plan and Certification/ Specifications prepared by a qualified Lighting Engineer, to Council.

The Lighting Plan must:

- a) *Include all accessible areas of the premises where movement of people are expected. Such locations include, but are not limited to, the private roads, building entrances, building frontage, outdoor carparks, footpaths, or common access areas.*
- b) *Include proposed locations, lux levels and types of lighting (i.e. manufacturer's specifications once a lighting style has been determined) and any light support structures required to control timing, level of lighting, or to minimise light spill, glare, and loss of night-time viewing.*
- c) *Demonstrate compliance with the relevant standards in E24.6.1 Lighting of the Auckland Unitary Plan as appended to this consent.*
- d) *Demonstrate compliance with the AS/NZS 1158 Category "P" requirements and clearly specify what "P" Category the lighting design will achieve. The selection criteria for the chosen lighting category should also be presented (i.e. pedestrian/cycle activity, risk of crime, etc.).*
- e) *The finalised design details certified by the qualified Lighting Engineer must be established prior to the development hereby consented being first*

occupied and thereafter retained and maintained, to the satisfaction of Council.

Same Appendix A notes in Item 78 – Permanent Signage, the following:

Prior to installation of any permanent signage, the consent holder must provide detailed information to Council for certification and must illustrate the finalised design details of the proposed signage, including the proposed locations, dimensions, colours, materials and surface finishes. Once established, the signage must thereafter be retained and maintained to the satisfaction of the Council.

I concur with these proposed consent conditions and agree that prior to the approval of the Building Consent, a detailed lighting design shall be provided. This lighting design shall include the above noted information and shall demonstrate compliance with the above-mentioned standards.

A note to this effect is included in our recommendations.

RECOMMENDATIONS

I recommend that the following conditions are included in the Resource Consent decision:

1. Additional to the proposed consent conditions, the consent holder must include in the requested lighting design the following information:
 - a) The lighting design must include the proposed Forestry Road extension, and Forestry Road and Deacon Road access points, which will be vested to Auckland Transport. Their street lighting design shall be based on the AT-TDM requirements, and shall demonstrate compliance with its rules.
 - b) The lighting design must include the proposed signage illumination, showing compliance with the AUP E23 - Signs lighting rules.
 - c) The lighting design shall demonstrate that dark-sky policies have been considered and there will be no direct light emission towards the sky.
2. Within 30 days of the completion of each stage of the development external lighting being put into service, the Consent Holder shall submit a report from a suitably qualified and experienced lighting practitioner accepted by Council, confirming the following:
 - a) The external lighting has been installed as specified on the lighting design layouts.
 - b) The illuminance levels achieved on the vehicular roads and the pedestrian pathways comply with the expected levels shown in the lighting calculations.

- c) The spill light at the property boundaries does not cause any adverse effect on the surrounding properties and their occupants at night-time.
- d) There is no obtrusive glare to residents and road users at night-time.
- e) There is no direct light emission towards the sky.

Yours faithfully
S&T Wellington Limited



Domenico De Vincentis
Associated Lighting Designer

S&T LIGHTING

Parks Planning, Parks and Community Facilities – Douglas Sadler (**Annexure 19**)

Parks Asset Owner / Specialist Response

From: Douglas Sadlier, Senior Planner, Parks Planning, Parks and Community Facilities (PCF)
Date: 25 June 2025
Address: Rangitoopuni Project - Old North Road / Forestry Road, Riverhead (Riverhead Forest)

Application number: BUN60449727

RE: Fast Track Pre-lodgement (for Te Kawerau a Maki as part of Treaty of Waitangi Settlement of Land – Development of two lots (Lot 1 – 210 lot residential development and Lot 2 Integrated Maori Development (Retirement Village) - 260 villas and 36 aged care units – review of submitted documents and plans.

Key Information Gap:

1. In relation to potential qualifying 3m waterbodies within Lot 1 and Lot 2 that would trigger the requirement of 20m wide esplanade reserves as part of a future subdivision consent process, as per section 230 of the Resource Management Act 1991 (RMA), Parks and Community Facilities relies upon the feedback provided by Ken Berger (Council Subdivision Advisor) in response to a point C question that was posed around confirmation of the surveyor methodology as follows:

*“In regard to **point ‘C’** to provide comment on methodology for stream width of appendix Q. I have reviewed the report signed by Licensed Cadastral Surveyor Reece Moody to determine the width of the watercourse through Lot 2 DP 590677 and accept his methodology and advice that the subject watercourse has an average width of less than 3.0m and is therefore not subject to s230 of the RMA. I would however ask that further confirmation is sought from Mr Moody as the signed provided report only discusses the one watercourse over Lot 2 DP 590677 and I ask that further comment is provided on a signed declaration confirming that an investigation across all of the subject sites watercourses, being all of Lots 1 & 2 DP 590677 and the results of that complete investigation, rather than just the current advice which is restricted to the one watercourse.*

The methodology utilised to determine that the average width of the watercourse in Lot 2 is less than 3m in width confirms that the requirement for an esplanade reserve under s.230 of the RMA has not been triggered.

Subject to Ken Berger (Council Subdivision Advisor) review, if the pending advice and methodology by the applicant's Licensed Cadastral Surveyor Reece Moody determines that the width of the watercourse(s) through Lot 1 DP 590677 have an average width of less than 3.0m then the requirement for an esplanade reserve under s.230 of the RMA will not be triggered.

It is recommended that a condition of consent is imposed under s223 requiring a stream survey of all streams within the application site and for any stream meeting the requirements under s230 an esplanade reserve of 20 metres either side of the stream located within the application site, is vested in accordance with s239 and without any structures or other encumbrances.

Key Findings:

2. The Auckland Unitary Plan (Operative in Part) (AUP(OP)) identifies the subject site(s), Lot 1 and Lot 2 as land zoned Rural – Countryside Living zone.
3. The Auckland Council Open Space Provision Policy 2016 provision targets for neighbourhood parks or suburb parks do not apply where either the lot sizes are a minimum of 1ha (as per Lot 1) or a retirement village is proposed (as per Lot 2). No provision metrics means no open space acquisition or development budgeted for in the Long-Term Plan (LTP) or countenanced in budget projections beyond the current LTP. So, in short, the council does not require or will not acquire parks land as part of this proposed development.
4. The Auckland Council Open Space Provision Policy 2016 provision targets for sports parks are also not required as capacity is accommodated elsewhere in Riverhead within an 18-minute drive.
5. Given the large lot sizes proposed the space for informal private open space on site will be adequate to compensate for the need and wellbeing of the community that will locate within the development and supports the view that formal open and recreational space is not required.
6. Connectivity and pedestrian access are a key element for any park, or open space provision in the future. A review of the submitted roading and landscape plans indicate that private Joint Owned Access Lots (JOALS) will be the primary means of pedestrian and vehicle access into, within and around Lots 1 and 2. I understand that easements for public use of some of these accessways (some recreational trails, on road walking tracks, off road walking tracks, existing mountain bike tracks and connections to Riverhead Forest, boardwalk crossings

and bridges, walking tracks around the retirement village proper) will be provided over some of these private land areas.

7. The easements to secure connectivity would require the approval from Council. This will include the involvement of the Local Board. Any accessibility infrastructure will need to be constructed and maintained by the developer for public access where required and comply with relevant standards given its public use.
8. Greenway connectivity is also a long-term aspiration for the Rodney Local Board (December 2016 Greenway Maps) targeted within, adjoining (Riverhead Forrest for example) and into the coastal surrounds of the existing Riverhead Township. Lot 1 is located outside the aspirational greenway connection maps and the southern point of Lot 2 intersects with the proposed ecology link. Future private greenway connectivity from Lot 2 to the Riverhead Township should take into consideration the December 2016 Greenways Plan for the Rodney Local Board area especially the ecology linkage opportunities.
9. Boffa Miskell Landscape Concept Plan noted as Lot 1 – Lot 57 – Community Facilities – illustrates a shared path; a boat washdown area; facilities and repair station; publicly accessed carpark; resident's carpark; community buildings; nature play and swings; multi-functional lawn; basketball half court; tennis / pickleball court; pergola shelters; bush trail; and extensive landscaping. This is all located on private land. These assets will not be acquired by the Parks and Community Facilities Department and will remain privately owned and maintained. The developer may wish to make it available for public use but will then have to secure this through an easement with prior approval Council where necessary.
10. Maven Associates Retirement Village Proposed Scheme Plan, Drawing C190-1-1, Revision A, dated March 2025, illustrates an unformed northern part of Forestry Road (notated as Lot 3 Road to Vest) will be vested with Council and as such must comply with:
 - The Auckland Code of Practice for Land Development and Subdivision Chapter 7: Landscape.
 - Auckland's Urban Ngahere (Forest Strategy).
 - Tree Stock for Landscape Use: Australian Standard (AS) 2303:2018.

No street gardens will be permitted except where it relates to stormwater infrastructure such as rain gardens, swales and stormwater dry basins.

Note:

A review of the submitted engineering roading plans indicates that Joint Owned Access Lots (JOALS) will be the primary means of vehicle access into, within and around Lots 1 and 2. The Auckland Code of Practice for Land Development and Subdivision – Chapter 3 Transport, provides guidelines on private road functionality.

11. No Auckland Council administered park land (or open space zones) will be impacted by the proposed development.

Conditions:

12. Parks Planning acknowledge the conditions (and advice notes) proposed by the applicant but it is preferred to use (in-part) the tested and standard conditions (and advice notes) to ensure consistency in its execution whilst also clarifying its application to the various stages for the development. To note is that the vesting of roads is not possible under land use and conditions relevant to Parks infrastructure will only be required under the subdivision consent.
13. Recommended additional conditions (and advice notes) are proposed in the attached: BUN60449727 Appendix 1 Rangitootuni – Parks Planning Conditions document. The applicant's proposed conditions (and advice notes) have been amended and depicted with additional insertions in blue text and deletions in ~~green~~ text.
14. The additional conditions (and advice notes) primarily relate to tree planting and rain garden / stormwater infrastructure planting in the road to vest being Lot 3 – Forestry Road Extension of Subdivision Lot 2 DP 5906777 and stream surveys are undertaken to ensure that where s230 esplanade reserves are triggered that they are appropriately vested.



Prepared by:

Douglas Sadlier,

Senior Parks Planner

Parks and Community Facilities

Date:

25 June 2025



Parks Agency Lead:

Hester Gerber,
Manager Parks Planning
Parks and Community Facilities
26 June 2025

Date:

Memo ends.

Noise and Vibration – Bin Qiu (**Annexure 20**)

1. Application Summary

Project Name	Rangitootuni
Applicant	Te Kawerau a Maki <i>In partnership with Avant Property Development Limited</i>
Site Address	Lot1 DP 590677 and Lot 2 DP 590677 at Old North Road and Forestry Roda, Huapai
Fast-track Reference Number	FTAA-2504-1055 CRM:0347000035
Types of approvals sought	Resource consents
Council reference numbers	BUN60449727
Description of Proposal	To carry out a 208 vacant-lot countryside living subdivision and construct a new Integrated Māori Development containing a retirement village of 260 villas and 36 aged care units.

2. Specialist Response Details

Author: Bin Qiu

Specialist Area: Noise, Specialist Unit, Auckland Council | Planning & Resource Consents

Date: 10/09/2025

3. Specialist Assessment

Construction Noise

I have reviewed and concurred with the MDA assessment on that the noise and vibration level emitted from the project construction works can comply with the relevant noise and vibration standards of Auckland Unitary Plan Operative in part E25.6.27 and E25.6.30, provided that the construction works are to be undertaken during hours of 7:30am to 6:00pm Monday to Saturday.

Wastewater Treatment Plant (WWTP) and Potable Water Treatment Plant (WTP)

Due to the large separation of the proposed WWTP and WTP to the neighbours outside the application site and given that the noisy plants are enclosed or submerged in water, I agree that the noise emissions from the proposed WWTP and WTP can comply with the AUP noise Standards E25.6.3.(2) and E25.6.2.

Reverse Sensitivity – re the existing Waitemata Gun Club noise

The applicant's agent Campbell Brown has reviewed the Waitemata Clay Target Club's (the Club) operation and advised that

- The gun club has a council permit (1966) for shooting one day per month between 11am and 5pm.
- Activities which exceed the scope of the 1966 permit must be excluded from the receiving environment.

The assessment and recommendations provided by the applicant through MDA and Earcon have been based on this advice, which have found that the future properties in the proposed development will receive the shooting noise from less than 35 dB LA_{max} to over 65 dB LA_{max}, and both reports agree to address the 'permitted' shooting (one day per month between 11am and 5pm) by imposing a non-complaint covenant on the properties where shooting noise is anticipated to be at or above 55 dB LA_{max}. The advice of the applicant's representative is that for noise levels below LA_{max} 55dB these properties do not warrant further mitigation or covenant.

Comments:

MDA report has advised that the shooting can be audible and annoying and particularly noise of over 65 dB LA_{max} is likely to cause serious annoyance. I concur with this assessment. So further mitigation should certainly be considered for the proposed properties where the shooting noise is predicted to be at or over 55 dB LA_{max}. It is noted that the applicant has proposed to impose title covenant for the new residential lots affected by the shooting noise over a level of 55 dB LA_{max} to alert the future property owners of those properties. This covenant advises residents at these properties only (where a dB level of 55 LA_{max} is to be experienced) of the applicants defined lawful ability of the Gun Club to operate one day a month from 11-5pm and that no complaints in relation to those 'lawful' activities should be made.

Lawful Activities of the Gun Club

I am aware from colleagues that the appointed Panel has invited comments from the Gun Club. In writing this memo I am conscious that their comments and view on the documentation provided by the applicant on their understood operation of the Gun Club should be known and considered.

In respect to the lawful activities of the Gun Club whilst there is no categorical consent issued on our records in respect to what this has been confirmed to be, I identify for the Panels assistance the following information sources and matters which provide doubt and require further investigation inclusive of the Gun Clubs comments on the lawful position of the operations.

- Letter to Waitamata Clay Target Club dated 14/12/17

I note that in responding to past noise complaints about noise from the gun club, Auckland Council's Compliance Team advised the following in 2017:

»The.Club.is.located.within.the.Open.Space.-.Sport.and.Active.Recreation.Zone.for.the.purposes.of.the.Auckland.Unitary.Plan.(Operative.in.Part)(the.AUP);The.Club.activities.fall.within.the.AUP.definition.of.Organised.Sport.and.Recreation?which.is.a.permitted.activity.within.that.zone?

meaning that no resource consent is required to carry out the activity so long as it complies with the other relevant sections of the AUP;

The letter noted that there were differing opinions on the existence of existing use rights that may apply to the Gun Club, and sought information on the following matter to determine if the activity is compliant with the RMA and AUP, days and hours of operation, confirmation of position of the Gun Club in respect to the operation of the activity as a permitted activity under the AUP or reliance on existing use rights, and acoustic information to demonstrate such compliance.

Having liaised with the relevant Compliance officer I understand that no correspondence was received in relation to this but note its content and advise that the activity would be permitted if it complies with the relevant sections of the AUP rather than linking to the 1966 permit and the specific limitations of days and times referred to by the applicant.

I am not able in the timescales and noting the complexity of the matter to confirm what the lawful activity of the Gun Club notwithstanding that this is a matter that should be primarily confirmed to that occupier. However, I do consider that these matters and correspondence provide a degree of doubt that certainly requires further investigation by any decision maker in order to be satisfied that the effects assessment in terms of residential amenity and reverse sensitivity effect is based on the correct lawful position. As stated, I note that the Gun Club has been invited for comment on the application as well. I am also seeking internally any further documentation to assist with this which in the event of this being of assistance I will provide to the Panel.

- Waitemata Gun Club's submissions to the Proposed AUP dated 26 Feb 2014

The Gun Club submissions were to seek to retain Public Open Space – Sport and Active Recreation Zoning and to Retain Waitemata Gun Club Precinct with the Objectives and Policies and to remove wording of “4 days a week” from the proposed rule 2.1 Hours of Operation: “Shooting must only take place between 9am and 5pm, 4 days a week, subject to the control below.” and to seek amendments to the specific noise limits for the gun club.

The club advised in their submission that the gun club was a national recreational facility and was used for club, Auckland and national events and the then Rodney District Council confirmed in 1990, 1992 and 1999 that the club had existing use rights which continued and covered the activities at the time. The activities were described as

The Club currently has 200 members with this membership starting to increase again. Shooting currently can occur 7 days a week and generally between the hours of 9am and 5pm. Generally on two occasions per week in recent times shooting has continued through to an hour or so before twilight. This often occurs on a Wednesday and Sunday. No night shooting under floodlights now occurs.

The Club continues to be used by members but unless training for specific events members must shoot during club times only. In addition, the range is used for corporate events and regional and national events. Shooting competitions are generally held two Sundays every month. The frequency of corporate events fluctuates and appears to be linked to economic conditions at the time. Over the last year the number of corporate shooting events has increased slightly from a low point some three years ago.

On the other hand, there were public suggestions raising ongoing complaints about the Waitemata Gun Club noise and opposing the inclusion of Waitemata Gun Club in the proposed AUP.

As such the existing use rights or lawful activities of the Waitemata Gun Club (or Waitemata Clay Target Club) may be different from those noted by the applicant and may need further determination.

The council letter and the Gun Club and public submissions to PAUP can be provided on request under LGOIMA if of assistance to the Panel.

AUP Noise Standards

The noise standards of AUP E25.6.17 are reproduced as follows:

The noise (rating) level and maximum noise level arising from any recreational activity in the Open Space – Sport and Active Recreation Zone measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface below:

Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface

Time	Noise level
Monday to Saturday 7am-10pm	55dB L _{Aeq} Except that for a cumulative period of: (i) 3 hours per day between 7am and 9.30pm Monday to Friday; and (ii) 6 hours between 7am and 10pm on Saturdays. the noise level must not exceed 60dB L _{Aeq}
Sundays and Public Holidays 9am to 6pm outside the daylight saving period	55dB L _{Aeq} Except that for a cumulative period of 3 hours between 10am and 3pm on Sundays the noise level must not exceed 60dB L _{Aeq}
Sundays and Public Holidays 8am to 7pm during the daylight saving period	55dB L _{Aeq} Except that for a cumulative period of 3 hours between 10am and 3pm Sundays the noise level must not exceed 60dB L _{Aeq}
All other times	40dB L _{Aeq} 55dB L _{eq} at 63 Hz 50dB L _{eq} at 125 Hz 75dB L _{AFmax}

E25.6.17 has specified noise levels in L_{Aeq} only, no L_{Amax} at daytime hours.

MDA assessment did not include L_{Amax} of the gun club noise, it can not determine fully whether the shooting noise can meet the current AUP noise limits or not.

Regardless the appropriateness of using L_{Aeq} for assessing shooting noise, these noise standards in above table of E25.6.17 seem to allow higher noise levels than the proposed trigger level of 55 dB L_{Amax} as there is no control of L_{Amax} during daytime in E25.6.17. It is likely that the shooting

noise that complies with the AUP noise limits may still exceed the proposed trigger level of 55 L_{Amax}. I consider that the proposed trigger level of 55 dB L_{Amax} is still relevant and agree that the covenant is not required for the properties that receive noise of less than 55 dB L_{Amax}. The applicant responses to S67 requests don't consider any further noise mitigation is necessary.

The 1966 council permit is only for shooting one day per month. However, should the current Gun Club operation be deemed as permitted under AUP and their noise be meeting the AUP noise standards, their activity may be carried out every day of a week, more frequent than that of 1966 permit. This is a significant difference in position and I would suggest needs further investigation by the Panel, applicant, Council and including consideration of any comments of the Gun Club as an invited party before a decision is made on onsite amenity effects and reverse sensitivity.

Notwithstanding the above comments, I consider that, to address the potential reverse sensitivity issue, the proposed land covenant for the development could be appropriate on the basis of applying to all the lots identified in the MDA report and should apply to the Gun Club's all permitted activity under the confirmed lawful activities of their operation where the noise trigger level is exceeded. The significant potential discrepancy between these positions is that the applicants suggested covenant would only stop complaints 1 day a month between limited hours whereas there is doubt that the lawful activities are much greater than this in terms of duration.

4. Comment on Proposed Conditions

- Condition 34: the construction hours set out Condition 34 (a) are slightly different from the hours assumed in MDA report, I suggest the construction hours be amended to 7:30am to 6:00pm Monday to Saturday.
- Condition 170: the lot numbers listed to be subject to a land covenant are less than that identified in MDA report which are either category 1 or category 2 and therefore should include Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 23, 24, 50, 51, 52, 53 and 54.
- The land covenant proposed in Condition 170 should apply to all lawful activities of the Gun Club the noise trigger level is exceeded with reasonable doubt at this point on the lawful position understood by the applicant being correct.
- Condition 170 would benefit from more prescription/clarity in terms of parties complaints cannot be made to.

Waste – Jennifer Jack (**Annexure 21**)

From: [Joe Wilson](#)
To: [Joe Wilson](#)
Subject: FW: FAST-TRACK: Request for Specialist/Asset Owner Assessment - Rangitooopuni Project (BUN60449727) FTAA-2504-1055
Date: Wednesday, 17 September 2025 11:04:41 am

From: Jennifer Jack [REDACTED] **On Behalf Of** wasteplanconsent
Sent: Monday, 16 June 2025 4:09 pm
To: Joe Wilson [REDACTED]; wasteplanconsent
<wasteplanconsent@aucklandcouncil.govt.nz>
Cc: [REDACTED]
Subject: RE: FAST-TRACK: Request for Specialist/Asset Owner Assessment - Rangitooopuni Project (BUN60449727) FTAA-2504-1055

Hi Joe,

Thankyou for your email.

I will be assessing this application. I have had an initial assessment of the fast track development. The applicant has provided a comprehensive waste management plan for the development. This is generally suitable. I would advise to defer to the traffic engineer for any additional assessment as required for any truck tracking or manoeuvring assessment.

There are no s67 matters that I can ascertain at this stage.

Kind Regards,

Jennifer Jack | Senior Waste Planning Advisor
Waste Solutions | Resilience and Infrastructure
Mob: [REDACTED]
Auckland Council, Level 18, 135 Albert Street, Auckland
Visit our website: www.aucklandcouncil.govt.nz



Please consider the environment before printing this e-mail

Heritage and Archaeology – Mica Plowman (**Annexure 22**)

Technical Memorandum

Rangitōopuni: Fast Track Approvals Act (2504-1055), Historic heritage, archaeology.

Resource Consents : BUN60449727

Date: 24/06/2025

1. Introduction

- 1.1 My name is Mica Plowman, and I am the Principal Heritage Advisor at Auckland Council (the Council).
- 1.2 I have a Bachelor of Arts (BA) and Master of Arts (MA) (1st Class Hons) from Auckland University in Anthropology and Māori Studies.
- 1.3 I am a qualified archaeologist who has worked professionally in this field for the past 28 years. The focus of my current role which I have held for twelve years is to provide specialist expertise and leadership in the development and implementation of plans, programmes and operational strategies to identify, conserve and enhance historic heritage features and landscapes within the Auckland region. I support council departments in meeting their requirements of the RMA (Part 2, Section 6 e and f matters) and the HNZPT Act (2014) and I routinely provide statutory and non-statutory heritage advice and reporting outputs into the regulatory process and work programmes across the council.
- 1.4 I have undertaken a review of the Rangitōopuni application for the Fast Track Approvals Act 2024 (FTAA) on behalf of Auckland Council in relation to historic heritage and archaeological effects.

2. Documents reviewed:

Rangitōopuni Application under the Fast Track Approvals Act. Assessment of Environmental Effects and Statutory Analysis. Prepared for: Rangitōopuni Developments Limited Partnership (Te Kawerau ā Maki and Avant Property Development Limited) by Campbell Brown Planning and Resource Management Specialists Limited, 5th May 2025.

List of Appendices

Appendix A, Proposed Conditions

Appendix B, Cultural Impact Assessment

Appendix G, Archaeological Report

Appendix H, Geotechnical Reports

Appendix I, Preliminary Site Investigation

Appendix L, Proposed Auckland Unitary Plan Documents

Appendix N, Scheme Plans

Appendix V, Earthworks Management Plan

3. Reasons for Consent

- 3.1 The proposed works, as described in the FTAA application and supporting document, do not affect scheduled archaeological sites in Schedule 14.1 (Schedule of Historic Heritage) in the Auckland Unitary Plan operative in part (13 June 2025) [AUP OIP]. No consents are required under Chapter D.17 Historic Heritage [AUP OIP].

4. Subject Matter

- 4.1 The proposal is for a listed project under Schedule 2 of the Fast-Track Approvals Act 2024 ('FTAA') by Te Kawerau ā Maki in partnership with Avant Property Development Limited ('Avant') under Rangitōopuni Developments Limited Partnership ('RDLP').
- 4.2 Rangitōopuni proposes to develop two properties (Lot 1 DP 590677 and Lot 2 DP 590677) at Old North Road and Forestry Road, Riverhead ('the site') for a proposed countryside living subdivision and retirement village referred to collectively as 'Rangitōopuni'. The site is Treaty Settlement Land that was returned to Te Kawerau ā Maki as part of their settlement with the Crown, through the Te Kawerau ā Maki Claims Settlement Act 2015.
- 4.3 Rangitōopuni represents a unique opportunity to develop Treaty Settlement Land and provide a master-planned community for Riverhead that will enable the provision of approximately 500 homes through the proposed countryside living subdivision (Lot 1 DP 590677) and a retirement village (Lot 2 DP 590677), in addition to a range of infrastructure, open space and public facilities.¹
- The proposed subdivision will be made up of 208 lots with community facilities including a community building, residents carpark, bush trail and outdoor recreation areas, such as a basketball and tennis court.
 - The retirement village is also proposed for a portion of Lot 2 DP 590677. This retirement village will be made up of 296 units (260 villas and 36 care units), as well as a café, wellness centre, and amenity building.
- 4.4 The location and components of the Rangitōopuni development are illustrated in Figure 1.
- 4.5 In accordance with clause 2(1)(h)-(i) of Schedule 8 of the Act, the applicant has provided an assessment by a Subject Matter Expert as Appendix G² in the application documents.
- 4.6 The methodology used for this SME assessment (ibid) is a desk top evaluation. No field survey was undertaken to test and verify research data through visual survey or subsurface testing. The research undertaken follows normal professional practice, that is,

¹ *Rangitōopuni Application under the Fast Track Approvals Act. Assessment of Environmental Effects and Statutory Analysis*. Prepared for: Rangitōopuni Developments Limited Partnership (Te Kawerau ā Maki and Avant Property Development Limited) by Campbell Brown Planning and Resource Management Specialists Limited, 5th May 2025.

² *Rangitōopuni: Archaeological Assessment*. Report to Te Kawerau ā Maki and Avant. Prepared by CFG Heritage Limited (Leela Moses), March 2025.

data collection and analysis from acknowledged professional sources (e.g. relevant reports, archives) as well as the New Zealand Archaeological Association site record files (ArchSite) and Auckland Council public data sets (GeoMaps and Cultural Heritage Inventory/Tūtangi Ora). The assessment notes the limitations of a desk top study and states that *“this study is not intended as a full archaeological assessment... where there is a likelihood of archaeological evidence being disturbed further archaeological assessment may be required.”*³

- 4.7 This memo provides an analysis of risk to the potential archaeological and historic heritage sites for the Rangitoopuni development areas.

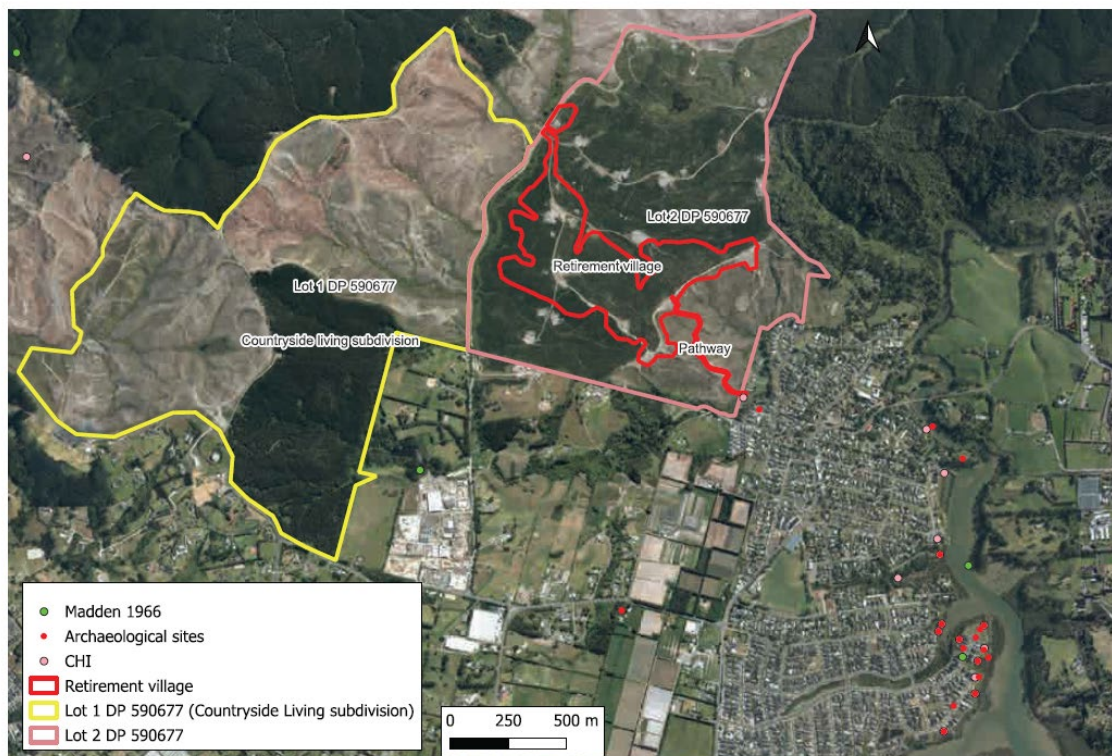


Figure 1. Overview of Rangitoopuni proposed development areas. Source: CFG Heritage, March 2025.

5. Summary of key issues

- 5.1 There are no recorded historic heritage or archaeological sites within the proposed Rangitoopuni proposed development areas.
- 5.2 There are a number of recorded historic heritage sites and archaeological sites located within 1 km of the proposed works. These are all related to 19th and early 20th century European settlement and industry activities including a 19th century timber mill (R10/1376) and the Riverhead Mill (R10/721), which are both located on waterways around the southeast corner of Lot 2 of the proposed works.⁴

³ *Rangitoopuni: Archaeological Assessment*. Report to Te Kawerau ā Maki and Avant. Prepared by CFG Heritage Limited (Leela Moses), March 2025.

⁴ *Rangitoopuni: Archaeological Assessment*. Report to Te Kawerau ā Maki and Avant. Prepared by CFG Heritage Limited (Leela Moses), March 2025.

- 5.3 Within the Riverhead Forest itself are a number of recorded 19th and early 20th century gum digging sites; including a recorded camp (Pukeatua Depot (R10/695)) and gum digging holes (CHI items 17228 and 17234). An additional two sites, including a bridge (Fridays Bridge) and a timber mill (Carters Mill) are illustrated by Madden (1966). None of these sites are located within the proposed project area.
- 5.4 There are no pre-European Māori sites recorded within 1 km of the proposed works.
- 5.5 Although no field survey has been carried out as part of the archaeological assessment a review of 20th century aerial photography demonstrates that the development area has been through at least three forestry rotations with no apparent evidence of archaeological sites. There are also no indication of archaeological sites visible in hill shade models derived from LiDAR.
- 5.6 The CFG Heritage assessment concludes that there is no reasonable cause to suspect that archaeological sites will be negatively impacted by the proposed works.
- 5.7 To mitigate the risk of subsurface archaeological discovery within the project area CFG Heritage advise that works are undertaken under the Accidental Discovery Rule in Chapter E11.6.1 of the Auckland Unitary Plan.⁵
- 5.8 The AEE confirms that Accidental Discovery Protocols will be followed should unrecorded archaeological remains be encountered during development earthworks.⁶

6. Overall comment

- 6.1 The archaeological assessment makes two recommendations⁷; as follows:
 - That works are undertaken under the Accidental Discovery Rule in Chapter E11.6.1 of the Auckland Unitary Plan;
 - Since archaeological survey cannot always detect sites of traditional significance to Māori, or wāhi tapu, the appropriate tangata whenua authorities should be consulted regarding the possible existence of such sites, and the recommendations in this report.
- 6.2 I agree with and support the CFG Heritage assessment of the potential risk to previously unidentified archaeological/historic heritage features within the development area. I also agree that it is appropriate for the development earthworks to proceed under the provision of the AUP Accidental Rule in Chapter E11.6.1 of the Auckland Unitary Plan.

7. Comment on proposed conditions

- 7.1 The application nominates the following condition (AEE Appendix A) to mitigate effects on

⁵ *Rangitooopuni: Archaeological Assessment*. Report to Te Kawerau ā Maki and Avant. Prepared by CFG Heritage Limited (Leela Moses), March 2025.

⁶ *Rangitooopuni Application under the Fast Track Approvals Act. Assessment of Environmental Effects and Statutory Analysis*. Prepared for: Rangitooopuni Developments Limited Partnership (Te Kawerau ā Maki and Avant Property Development Limited) by Campbell Brown Planning and Resource Management Specialists Limited, 5th May 2025.

⁷ *Rangitooopuni: Archaeological Assessment*. Report to Te Kawerau ā Maki and Avant. Prepared by CFG Heritage Limited (Leela Moses), March 2025.

historic heritage as follows:

Earthworks

Accidental discovery protocol

Condition (51) If, at any time during any earthworks authorised by these consents, any archaeological features (including human remains, archaeology and artefacts) are uncovered on the subject site, works must cease and the Council and Heritage New Zealand Pouhere Taonga (09 307 9920) must be notified immediately, and the following accidental protocol must be followed:

- a) All earthworks must cease in the immediate vicinity (at least 10m from the site of discovery) while a suitably qualified archaeologist is consulted on the type of remains;
- b) If the material is identified by the archaeologist as human, archaeology or artefact, earthworks must not be resumed in the affected area (as defined by the archaeologist). The consent holder must immediately advise the Council, Heritage New Zealand Pouhere Taonga and NZ Police (if human remains are found) and arrange a site inspection with these parties immediately after discovery.
- c) If the discovery contains koiwi, archaeology or artefacts of Māori origin, representatives from Te Kawerau ā Maki are to be provided information on the nature and location of the discovery.
- d) The consent holder must not recommence works until approved by the Council.⁸

- 7.2 I also support the inclusion of an Accidental Discovery Protocol in the Rangitōopuni application conditions (Condition 51).
- 7.3 However, in the Auckland Region, earthworks must comply with the standard specified in the Accidental Discovery Rule (ADR) in the Auckland Unitary Plan (AUP) operative in part (updated June 13 2025) (Chapter E11.6.1 and E12.6.1).
- 7.4 Although proposed Condition 51 is based on the AUP ADR, it is abbreviated. For consistency with standard consent conditions issued in the Auckland region, it is recommended that the specific wording of the Accidental Discovery Rule provided for in Chapters E11 and E12 in the Auckland Unitary Plan Operative in part (updated 13 June 2025) is retained.
- 7.5 I recommend that the wording for proposed condition 51. should be replaced with the following –.

If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a Māori cultural artefact, a protected NZ object), contamination or a lava cave greater than 1m in diameter) are discovered, then the protocol set out in

⁸ Rangitōopuni Application under the Fast Track Approvals Act. Assessment of Environmental Effects and Statutory Analysis. Prepared for: Rangitōopuni Developments Limited Partnership (Te Kawerau ā Maki and Avant Property Development Limited) by Campbell Brown Planning and Resource Management Specialists Limited, 5th May 2025. Appendix A.

standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan (Operative in Part) shall be followed.

8. Recommendations

- 8.1 I have assessed the effects of the proposed Rangitootuni application on the historic heritage resource, the magnitude of these effects, and whether adverse effects are avoided, minimised or mitigated.
- 8.2 There is no National Policy Statement on Historic Heritage to assess this application against.
- 8.3 In reviewing the application documentation, the condition nominated by the applicant is sufficient to mitigate the potential risk of archaeological/historic heritage discovery and give effect to s6 (f) of the RMA.
- 8.4 For consistency and brevity, it is recommended that the wording of Condition 51 in the proposed application (AEE Appendix A) relating to Accidental Discovery Protocols is replaced with the wording provided in paragraph 7.5.

Signed:

Mica Plowman

24th June 2025

Subdivision – Ken Berger (**Annexure 23**)

From: [Joe Wilson](#)
To: [Joe Wilson](#)
Subject: Subdivision Specialist Response - Rangitootuni Project (BUN60449727) FTAA-2504-1055
Date: Thursday, 11 September 2025 7:15:50 pm

From: Ken Berger [REDACTED]
Sent: Wednesday, 20 August 2025 11:11 am
To: Joe Wilson [REDACTED]; Hester Gerber [REDACTED]; Douglas Sadler [REDACTED]; Emma Chandler [REDACTED]
Hillary Johnston [REDACTED]
Cc: Dean Williams <dean.williams@aucklandcouncil.govt.nz>
Subject: RE: BUN60449727 FAST-TRACK Substantive application Rangitootuni Project (FTAA-2504-1055)

Hi Joe,

Thank you for the Maven response, which confirms that an overall site investigation was undertaken and the reasoning behind the provided LCS letter. As such I can advise that this latest confirmation sufficiently addresses my previously supplied stream width concerns for the whole of the site.

Please let me know should you require anything further.

Ngā mihi | Kind regards

**Ken Berger | Senior Subdivision Specialist
Planning & Resource Consents**

[REDACTED]
Auckland Council, 6-8 Munroe Lane, Albany.
Visit our website: www.aucklandcouncil.govt.nz

From: Ken Berger [REDACTED]
Sent: Friday, 13 June 2025 4:36 pm
To: Joe Wilson [REDACTED]
Cc: Emma Chandler [REDACTED]
Subject: Subdivision Specialist Response - Rangitootuni Project (BUN60449727) FTAA-2504-1055

Hi Joe and Emma,

Further to your request for **Subdivision Specialist Response** in regards to this Fast Track Rangitootuni Project (BUN60449727) FTAA-2504-1055, I supply the following comments.

Subdivision have been requested to address the following.

- A. *Please review proposed scheme plans (including staging) and offered conditions of consent (attachment A) & provide comment.*
- B. *May require further input at condition stage for final wording of any specific conditions required.*
- C. *Please also provide comment on methodology for stream width of appendix Q.*

My responses are as follows.

In regards to **point 'A'** I have reviewed the scheme plans as lodged in 'Appendix N – Countryside Living Scheme Plan' and 'Appendix N.1 Retirement Village Scheme Plan' with comments as follows.

Countryside Living Scheme Plan – 14 Stages and Retirement Village Scheme plans are well drawn and fit for purpose with easements as required shown in a 'Memorandum of Easements', Residents Associations notes, well advised for relevant lots and lot owners and land covenants for ongoing protection. Staging appears well planned and development follows after earlier stages.

Proposed Subdivision conditions 166 (Survey Plan Approval (s223) conditions) onwards – comments.

Condition 166 is partially acceptable and should be amended to include standard AC wording as follows.

- 166. The consent holder must submit a survey plan for each stage in accordance with the approved resource consent subdivision scheme plan(s) titled '[TITLE OF PLAN](#)', prepared by [AUTHOR](#), dated [DATE](#). The survey plan must show all lots to vest in Council (including roads, parks and land in lieu of reserves), all easements, any amalgamation conditions, any amalgamation covenants, and any areas subject to other covenants [\[delete / amend as necessary e.g., delete covenant areas and amalgamation conditions where there are none\]](#) required by this subdivision consent.

Conditions 167, 168 & 169 are standard expected subdivision conditions and are acceptable.

Condition 171, re the creation of a Resident's Society (or similar). I'm not convinced this condition should be part of the s223 approval and would suggest moving to be part of the s224c conditions. My reasons are that a consent notice condition as outlined in Condition 190.E. requires that the owner of all lots will be and remain members of the required legal entity thus completing the requirement. The only way that the applicant can satisfy any conditions such as the current proposed 171, is to provide Council with a copy of the covenant or legal document outlining the requirements of the relevant legal entity and a legal undertaking that the said document as approved by Council will be registered with the completion of each stage and prior

to the issue of Titles so that it may be included thereon.

All other (SUB s223) conditions appear relevant and are acceptable.

In regards to **point 'B'** happy to review draft sub conditions and to provide comment at that time.

In regards to **point 'C'** to provide comment on methodology for stream width of appendix Q. I have reviewed the report signed by Licensed Cadastral Surveyor Reece Moody to determine the width of the watercourse through Lot 2 DP 590677 and accept his methodology and advice that the subject watercourse has an average width of less than 3.0m and is therefore not subject to s230 of the RMA. I would however ask that further confirmation is sought from Mr Moody as the signed provided report only discusses the one watercourse over Lot 2 DP 590677 and I ask that further comment is provided on a signed declaration confirming that an investigation across all of the subject sites watercourses, being all of Lots 1 & 2 DP 590677 and the results of that complete investigation, rather than just the current advice which is restricted to the one watercourse.

I believe that concludes the scope of my subdivision specialist review. Please let me know should you require any further assistance or clarification.

Ngā mihi | Kind regards

Ken Berger | Senior Subdivision Advisor
Planning & Resource Consents

Ph 

Auckland Council, 6-8 Munroe Lane, Albany.

Visit our website: www.aucklandcouncil.govt.nz

Economist – James Stewart (**Annexure 24**)

Specialist Response Template – Fast-track Approvals Act 2024 – Substantive Application

1. Application Summary

Project Name	Rangitootuni Project
Applicant	Rangitootuni Developments Limited Partnership
Site Address	Lot 1 and 2 DP 590677, Riverhead, Auckland
Fast-track Reference Number	FTAA-2504-1055
Types of approvals sought	
Council reference numbers	
Description of Proposal	To carry out a 208 vacant-lot countryside living subdivision and construct a new Integrated Māori Development containing a retirement village of 260 villas and 36 aged care units.

2. Specialist Response Details

Author: James Stewart

Specialist Area: Economist, Chief Economist Unit, Auckland Council

Date: 16/09/2025

Qualifications and Relevant Experience

1. I am an economist within the Chief Economist Unit at Auckland Council, a position I have held for the past 20 months. In this role, I provide independent, evidence-based economic advice to Council staff and elected members. My work primarily involves assessing the economic and welfare impacts of land use policies and Council investment decisions, with a focus on ensuring that these decisions promote long-term wellbeing and efficient resource allocation across Auckland.
2. I hold a Bachelor of Commerce (Honours) in Economics and have seven years of experience in urban economics consultancies and local government in New Zealand and Australia.
3. I have prepared technical assessments for resource consent applications, plan changes, and fast-track applications.

Code of Conduct

4. I confirm that I have read the Environment Court Practice Note 2023 – Code of Conduct for Expert Witnesses (**Code**) and have complied with it in the preparation of this memorandum. I also agree to follow the Code when participating in any subsequent processes, such as expert conferencing, directed by the Panel. I confirm that the opinions I have expressed are within my area of expertise and are my own, except where I have stated that I am relying on the work or evidence of others, which I have specified.

3. Specialist Assessment

Executive Summary

5. This is a review of an economic impact assessment¹ (**the report**). The report is in support of the Rangitooopuni Fast-Track Approvals Act application.
6. This review identifies limitations in the input-output analysis methodology used in the report which may overstate the benefits of the Proposed Development.
7. The report identifies several of the stated economic benefits which, I consider represent transfers of resources rather than economic benefits.
8. I agree that several of the stated benefits and costs identified in the report are likely to arise from the Proposed Development, but care needs to be taken to avoid double counting. A systematic weighing up of the relevant benefits and costs relative to an appropriate counterfactual is needed to ensure a balanced assessment.
9. It is not clear from the report that the Proposed Development represents a net benefit or a 'significant' regional or national benefit as described in the FTAA.

Economic impact and employment calculations

10. The methodology underpinning the total amount of activity generated by the Proposed Development for Auckland's economy, including the "Regional Economic Injection"² and "employment generated"³ used in the report is flawed and as a result likely overstates the benefits of the Proposed Development.
11. The report adopts an input-output analysis methodology which has limitations that affect its suitability for calculating benefits for a cost-benefit analysis.

¹ Property Economics Limited (2025). Appendix NN – Economic Impact Assessment: Rangitooopuni Development. Prepared for Rangitooopuni Developments Limited Partnership.

²At page 12 of Property Economics report April 2025.

³At page 15 of Property Economics report April 2025.

12. The implication is that the stated economic impact of \$708.7 million of total value added for the Auckland Region is overstated.
13. The number of FTEs generated (jobs) will also be overstated. Moreover, these jobs cannot be considered a benefit in a cost-benefit analysis framework without significant unemployment of people with requisite skills present⁴.

Economic costs and benefits

14. I have some reservations about the way costs and benefits are assessed in the report⁵.
15. There are several benefits in the report that appear to represent transfers (rather than benefits), and one ostensible benefit which is uncertain in an economic sense.

Transfers (i.e. not considered economic benefits)

16. The explanation for, “Increased economic activity” says the construction of, and ongoing operation of, the Proposed residential lots and retirement village will generate on-going employment and “secondary” impacts that will boost regional economic activity. In my view this represents a transfer, not an economic benefit as this “activity” would occur in other locations and / or industries.
17. “Increased local employment opportunities” similarly to paragraph 17 above the report implies that the Proposed Development will increase local employment. However, the report goes further by stating that the Proposed Development, “will lead to a net increase in the number of full-time equivalent employees within the region”. No evidence is presented that leads to this conclusion, in my opinion and consistent with the approach adopted by the Treasury, these employees are more likely to be displaced from other employment opportunities. In my view this is a transfer and not an economic benefit.

Uncertain economic benefit

18. It is not clear why, “Increased diversity of buyer pool,” is considered an economic benefit since there is no gain in total societal resources.

Other benefits

19. “Increased residential capacity / senior housing supply”, “Increased and diversified choice of housing location and price point”, and “Potential for lower residential land prices in region” could be considered as a consumer surplus benefit.

⁴ The Treasury (2015). Guide to Social Cost Benefit Analysis. Wellington, New Zealand: The Treasury, p. 19.

⁵At pages 16-20 of Property Economics report April 2025.

20. “Potential to cater for greater levels of growth” and “Increased amenity” likely represent the same underlying benefit which would increase the value of the underlying land.
21. Finally, the “Increased efficiency of infrastructure” and “Leveraging Treaty Settlement land for economic prosperity” represent resources being used more efficiently.
22. There are potential social / cultural benefits not fully addressed in the report, though it is touched on when addressing “Leveraging Treaty Settlement land for economic prosperity”⁶. This might be described as a cultural wellbeing benefit.
23. Social / cultural benefits can be difficult to quantify in some instances, they should nonetheless be included within a cost-benefit analysis framework (even if qualitatively) as they can represent valuable resources for societal welfare.
24. I agree with the report’s identification of a consumer surplus, land value uplift and productive efficiency gains as benefits which should weigh into a welfare analysis, but care needs to be taken to avoid double counting benefits.

Costs

25. The report mentions two costs, both of which are relevant to consider: “Additional infrastructure investment and servicing requirements” and “Loss of productive forestry land and the associated carbon units / stock on the subject land”.
26. The report suggests infrastructure costs are likely to be offset in part by Developer Contribution charges or to the extent that the developer builds the infrastructure themselves. In my view this still represents a cost whether it is privatised or not because societal resources are being diminished. In my opinion, the whole of life cost of the infrastructure should be considered.
27. The Proposed Development represents unanticipated growth. My understanding is that it will require transport infrastructure investment within the Rangitooopuni area and to connect it to the wider Auckland transport network. Not all of this transport infrastructure has been planned or allocated funding within the timeframe of the Proposed Development. This represents a risk of adverse impacts or material delays to implementation.
28. Additionally, there is some risk as to whether the marginal cost of infrastructure delivery would be offset by the Proposed Development connecting to the wider network. To the extent this gap exists, it represents a socialisation of costs.

⁶ At pages 18-19 of Property Economics report April 2025.

29. I agree with the report's assessment of the loss of productive land as a cost including its assessment that this loss likely represents only a small cost and is contingent on exercising the option to develop.
30. The Proposed Development's benefits and costs should be assessed within a cost-benefit analysis framework to enable a balanced evaluation of resource trade-offs. This would provide greater clarity on whether the Proposed Development represents a net benefit or net cost to society.

Definition of '(significant) regional or national benefits'

31. The expressions 'significant regional or national benefits' (used in the purpose of the FTAA: section 3) and 'regional or national benefits' (used in sections 81 and 85 of the FTAA), are not defined in the legislation and I am not aware of any currently accepted metrics / quantitative thresholds that would inform this definition.
32. However, an independent expert commissioned by the IHP on an ongoing FTAA application⁷, Dr Denne, has suggested four potential criteria to that Panel⁸ as it relates to the economic implications of a project. Briefly, these are⁹:
 - a. Large absolute size (as measured in terms of its net present value).
 - b. Use of significantly underutilised resources.
 - c. Produces large spillover effects.
 - d. Has wider transformational effects.
33. In my view, if one applies these suggested criteria (noting that in the Delmore draft decision the Panel has not explicitly adopted these criteria), the analysis in the report does not suggest a significant regional or national benefit as described in the FTAA because the report:
 - a. Does not assess the value of the Proposed Development in terms of its net present value, only its "economic impact" which, in my opinion overstates benefits and does not acknowledge costs; and
 - b. Does not suggest the Proposed Development will use significantly underutilised resources; and
 - c. Does not suggest the Proposed Development will produce large spillover effects that will extend benefits beyond the immediate project; and

⁷ [Delmore BUN60444768](#)

⁸ These four criteria were included in Dr Denne's report to the Delmore FTAA Panel. The matter is ongoing. In its draft decision, the Panel has not adopted or applied these criteria explicitly, but instead accepted Dr Denne's advice that a cost-benefit analysis was the appropriate framework for assessing significant regional or national benefits.

⁹ Denne, T. (2025). Delmore Fast Track Approvals Act Application – Review of Economic Analyses. 13 August 2025.

- d. Does not suggest that the Proposed Development will have a transformational effect on the wider economy.
34. It is plausible that a comprehensive cost-benefit analysis framework, including all identified benefits and costs, would show the Proposed Development representing a regionally or nationally significant development.

Conclusion

35. Input-output analysis has significant limitations for assessing the Proposed Development and this part of the analysis should be treated with caution.
36. Some of the claimed benefits are more accurately described as transfers and one claimed benefit is uncertain in an economic sense.
37. Several other stated benefits have merit, but care in interpretation is needed to avoid double counting, overstating the benefits.
38. The report identifies two costs arising from the Proposed Development which are relevant considerations – infrastructure costs and opportunity costs.
39. A systematic weighing up of the identified benefits and costs arising from the Proposed Development is needed to ensure a balanced evaluation. This evaluation methodology would provide greater clarity on the net position welfare (net benefit or net cost) of the Proposed Development.
40. A cost-benefit methodology will also assist in determining if Proposed Development represents a 'significant regional or national' benefit as described in the FTAA. In my view, the report does not assist in a determination of significant regional or national benefits as described in the FTAA.

Local Board – Rodney Local Board (**Annexure 25**)

Fast Track Application - Rangitopuni Project - (BUN60449727) FTAA-2504-1055
Rodney Local Board feedback

Date: 30th June 2025

1. The Rodney Local Board supports the development of Treaty Settlement Land and the integrated Māori Development of the proposed retirement village. We support Te Kawerau ā Maki's goal of *promoting and providing for their cultural, economic, social and environmental wellbeing*.
2. We support the proposed construction of the new public carpark and the network of public walking and cycling tracks that connect to the existing tracks in the Riverhead Forest.
3. We support the new pedestrian connection from the proposed development to the Riverhead township via Duke Street
4. We support the environmental upgrades proposed within the development including the riparian and revegetation planting and pest control.
5. We support the proposed construction of the resident's community centre including the basketball and tennis courts.
6. However, we have several concerns relating to flood risk, traffic safety and infrastructure constraints that are detailed below

Natural Hazard Risk

7. We express concern that the proposed development is within an area with identified flood hazards and includes the diversion of overland flow paths, and land that has been identified with localised 'shallow instability' issues.
8. We express concern that the scale of the proposed development will significantly increase the impervious surfaces and may result in flood waters being diverted to lower lying neighbouring properties especially in flood prone areas of Duke Street during extreme weather events.
9. We express concern that not all roads within the development will be able to provide safe vehicle passage during flood events. We note that per expert evidence provided by the applicant, that the level of *Forestry Road will be lifted to ensure that the maximum ponding depth within the road does not exceed 200mm*. However, we are concerned that *one area of the road (50 and 100 Forestry Road) there is no ability to avoid a minor increase in flood levels*.
10. We are concerned that the proposed engineered mitigations, retaining walls and changing of the landform with the extensive earthworks proposed may fail during extreme weather events and this will impact low lying areas such as properties adjacent to the Riverhead Forest. These properties experienced widespread flooding during the 2023 extreme weather events with flooding and slips in Mill Flat Road near Boundary Road. This development may exacerbate these issues.
11. We request a full hydrological impact assessment and an integrated stormwater planning for the Rangitopuni stream, Riverhead and Kumeū River catchments including all drainage sub-catchments is completed before this proposed development is approved.

Traffic Safety and Congestion

12. We have concerns about the proposed development near Old North Road and how this will impact regional and interregional traffic using Old North Road between Kumeu and Helensville / Kaukapakapa. Both holiday traffic and freight use this route as an alternative to the State Highway network due to this being a short cut that avoids Helensville township when driving from Auckland to Northland.
13. We are concerned about the adverse effects on traffic safety along Old North Road with the proposed multiple new vehicle access ways onto this road. There have been serious crashes along Old North Road in 2025, and this is a high-speed road environment and due to the geometry of the road there is often limited visibility. We request that these new vehicle accessways are reviewed by Auckland Transport for safety and any recommendations/upgrades are included in the conditions of consent.
14. We are concerned that the increase in vehicle traffic generated by this development will impact traffic safety at the following intersections, Deacon and Forestry Road and Deacon and the Riverhead Road. Both high-speed intersections have limited visibility, and we request that these are upgraded as part of the conditions of consent.
15. We are concerned that the existing road infrastructure in and around Riverhead is already under significant pressure, with Old North Road frequently experiencing congestion, particularly during peak commute times. Congestion on SH16 from Kumeu into the city is a complete bottleneck and this causes massive driver frustration and motorists to take additional risks. The bus service through Riverhead is only every hour and there is no funding to increase the frequency, therefore future residents will be reliant on their cars for transportation.
16. Riverhead has limited access to public transport services, which may not meet the increased demand generated by this development, particularly from a retirement population who may rely more heavily on accessible transport. We request that consideration must be given to the integration of this project into the regional public transport network.
17. We are concerned about the cumulative effects on road safety and congestion, if Private Plan Change 100 (PPC100) is consented together with this development.
18. We request that if consent is granted for this development, then before any construction starts, the Stage two of SH16 safety upgrades including the new roundabout at the Coatesville Riverhead Highway intersection and the four laneing between Kumeu and Brigham Creek Roundabout are completed.
19. Other projects that need to be delivered if PPC100 is approved along with this development include the construction of the Northwest Rapid transport network from Brigham Creek into the city and the Kumeu alternative State Highway bypass.

Infrastructure

20. We express concern about the school capacity as nearby primary and secondary schools are already experiencing high roll numbers. The addition of over 200 countryside living households may bring new families to the area, potentially exacerbating current capacity constraints. Forward planning with the Ministry of Education is necessary to ensure adequate provision.
21. We express concern about the healthcare and medical facilities; Riverhead currently has limited local medical services. The proposed aged care and retirement village component will increase demand for GPs, emergency response, and specialist care. Clarity is needed on how this will be addressed, including funding and integration with the regional health services.

22. We express concern that with private roads forming the majority of the development's internal access network, there must be assurance that emergency vehicles (ambulance, fire, police) can adequately and efficiently access all properties.

Other

23. We express concern that the development is being serviced by a private waste provider not the Council refuse and recycling service and this may impact on Council's waste minimisation plans going forward.
24. We express concern that the retirement village will not be serviced by Watercare for water and wastewater and there will be an increased risk to the environment during extreme weather events if this onsite wastewater system fails. We request that conditions of consent include strict monitoring by both the applicant and the Council compliance team.
25. We express concern about the significant earthworks proposed by this development and the impact that this will have on surrounding neighbours with regards to noise, dust and odour especially with the proposed operating hours of construction *expected to be between 7AM-7PM Monday to Saturday*. We suggest that operating hours are amended to 8am to 6pm during the weekdays and Saturdays 8am to midday.
26. We support the principle of enabling housing that aligns with Treaty Settlement outcomes, we urge the EPA and the applicant to ensure that critical infrastructure and community services are planned, funded, and delivered in tandem with the development.

Prepared by Resource Consent Lead: Louise Johnston with consultation with Local Board members Brent Bailey, Geoff Upson, Guy Wishart and Mark Dennis.

Note: feedback includes comments and concerns from residents

Memorandum Response to Minute 2 – Auckland Council (**Annexure 26**).

MEMORANDUM – RESPONSE TO MINUTE 2 (APPENDIX 5) OF THE PANEL CHAIR

[RANGITOOPUNI] [FTAA-2505-1055]

To: Expert Panel (Panel), Kitt R M Littlejohn, Expert Panel Chair

From: Joe Wilson, Principal Project Lead – Premium Unit, Planning & Resource Consents, Auckland Council
Emma Chandler, Consultant Planner, Acting on behalf of Planning & Resource Consents, Auckland Council

Subject: Fast-Track Approvals Act 2024 (FTAA) – FTAA-2505-1055 – Rangitoopuni Fast-track Proposal – Response to the request for Council comment on the matters set out in Appendix 5 of Minute 2 dated 20 August 2025

Date: 17 September 2025

1. Auckland Council acknowledges the Expert Panel's request for specific comment on matters set out in Appendix 5 of Minute 2. The Panel seeks Council's views on resource consenting requirements for pedestrian access infrastructure connecting the proposed Rangitoopuni development to the existing Riverhead township via the Wautaiti Stream Esplanade Reserve.
2. This response provides relevant background information to assist the Panel's understanding of the current situation regarding the damaged bridge infrastructure and the considerations involved in providing the proposed pedestrian connection, and then addresses the three specific questions raised by the Panel.

Background

Status of Bridge Crossing Across Wautaiti Stream

3. As noted by the Panel, the previous bridge over the Wautaiti Stream has been damaged to a condition of disrepair following Cyclone Gabriel. There is an active and current workstream with Council employee Chris Moyne, Programme Manager – Rodney, Parks and Community Facilities Department leading the reinstatement of the bridge access. The following summary outlines the current position of that workstream:
 - There is a current Council approved work programme project to replace the bridge as part of the Rodney Local Board Community Work Programme¹.
 - The bridge project is in the design phase currently and will require both resource and building consents (including an analysis of any other approvals required) prior to construction.
 - Funding has been allocated to the project including construction of the bridge with a target completion date in the 2025/2026 financial year.
 - The concept in place and budgeting is for a bridge with a width of approximately 1.6m (for pedestrian access only) connecting the current 1.8m wide accessway path to Mill Grove and the Esplanade Reserve. The following current concept drawing depicts the provisional alignment of this replacement bridge.

¹ Public Record noted in Rodney Local Board Meeting Minute 18 June 2025 - Resolution number RD/2025/109. "That the Rodney Local Board approve the 2025/2026 Rodney Local Board Community Work Programme and its associated budget (Attachment A to the agenda report)"

https://infocouncil.aucklandcouncil.govt.nz/Open/2025/06/20250618_RD_MIN_12330_WEB.htm

Attachment A refers on page 71 of 547 to project at Mill Grove Riverhead as being for the renewal of the pedestrian bridge that was affected by the storms in early 2023. FY23/24 to FY24/25 - investigation and design FY25/26 - physical works.

https://infocouncil.aucklandcouncil.govt.nz/Open/2025/06/20250618_RD_ATT_12330_EXCLUDED.PDF

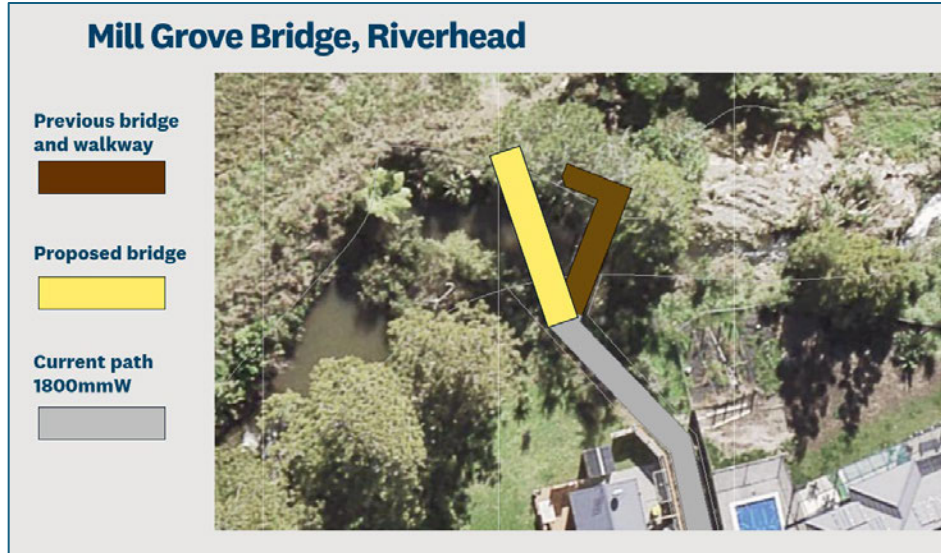


Figure 1: Replacement Bridge Concept Plan

Wautiti Stream Esplanade Reserve

4. To enable a connection between the application site boundary and the proposed bridge and current Mill Grove access, movement is required over the Esplanade Reserve owned by Auckland Council as generally indicated on the following image.

Figure 2: Plan identifying distance between application pathway and Mill Grove (annotated for understanding)



5. This area is understood to consist of mostly unformed access, with land contours, native trees and powerlines presenting constraints. Any trails through this area are unformed and would not appear suitable for what is envisaged.
6. The Council has previously contemplated under the Rodney Greenway Local Path Plan (Kumeu Huapai, Waimuku and Riverhead) December 2016 a proposed route in a similar location as demonstrated in the below image, this is however noted as a potential Bridleway moving up into the forest. Plans, designs or any consenting processes have not proceeded

beyond this noting these may be significantly different for a Bridleway trail to a formed path for pedestrian access.

Figure 3: Excerpt of Greenway Local Path Plan (Kumeu Huapai, Waimuku and Riverhead) December 2016 – area highlighted in red.



Golf Cart Access

7. The application as currently proposed identifies the path as follows:

A 3m wide, concrete surface walking path, also accessible to 4 wheel drive golf carts is proposed to connect down the escarpment to the eastern edge of Lot 2. The proposed track will connect in the future to an existing track at the end of Mill Grove, which crosses the Wautaiti Stream tributary into the Mill Grove cul-de-sac and into the Riverhead township.

8. Comments are provided on the basis that there is no intention to extend golf cart access beyond the site boundary, recognising the following practical constraints associated with this:
 - The concept in place and budgeting is for a replacement bridge of approximately 1.6m for pedestrian access only. The existing pedestrian access from the eastern side of Mill Grove has a formed width of 1.8 within the wider legal width.
 - There are clear safety considerations and potentially transportation laws relating to the use of Golf Carts on public roads which need to be considered.
 - Given the existing condition and constraints of the Wautaiti Stream Esplanade Reserve, the consenting requirements and landowner approval processes would be more complex and uncertain for a 3m wide, concrete surface walking path accessible to 4 wheel drive golf carts, than a width and condition of path to provide pedestrian-only access as a baseline.
9. The applicant's planning agent has verbally advised the Council that golf cart access is not intended beyond the site boundary.

10. However, if golf carts are to be used within the site, the Panel may wish to seek clarification on:
- a) What measures are proposed at the site boundary to prevent golf carts from exiting the site?
 - b) How will golf carts manoeuvre (details not shown in the current plans)?
 - c) What arrangements are proposed for golf cart storage / parking when residents continue on foot to Riverhead?

Questions from the Panel

Question 1

1. *What resource consents would be required to physically form and/or reinstate the pedestrian access over the esplanade reserve from the end of Mill Grove (including the bridge) to the boundary with Lot 2 Deposited Plan 590677?*
11. The Council's replacement bridge project has not reached a design/project stage to confirm resource consenting or other approval needs. Presently no detailed design exists for a formed access through the Wautaiti Stream Esplanade Reserve. To assist, we note that resource consent needs would include/require careful consideration of the following for the bridge and any formed path:
 - Chapter D26 National Grid Corridor Overlay – Earthworks within the National Grid Corridor. This may be a permitted activity subject to location of earthworks in relation to support pylons.
 - Chapter E3 Lakes, rivers, streams and wetlands – New structures (bridge) within a watercourse.
 - Chapter E12 Land disturbance – District – Earthworks within riparian margins and/or flood plains and/or land that may be subject to instability would need to be considered. It may be possible to meet permitted standards depending on confirmed area, volume and overlap of works with these features.
 - Chapter E15 Vegetation management and biodiversity – Riparian vegetation clearance.
 - The path activity itself is likely a permitted activity in the zone (H7.9.1 (A49) – recreational trails).²

Question 2

2. *The Expert Panel's preliminary view is that the description of the future access quoted from the AEE above is sufficient to bring these activities within the overall scope of the Application. Does the Auckland Council take a different view and if so, why?*
12. Providing a pedestrian access between the development site, forest and Riverhead, has benefits for future occupiers and wider public and a key element in assessing the Integrated Māori Development's accessibility and connectivity. It is noted that the Greenway plan indicates a Bridleway as a concept however it may be that these ambitions are not necessarily exclusive and can be explored through engagement with the Councils property team outside of this consenting process (refer to paragraph 26).
13. As identified, to facilitate this access, design work, consenting, landowner approval and construction are required for both any formed pedestrian access through the reserve and the bridge over Wautaita Stream. Presently no funding has been allocated for a path through the esplanade reserve in terms of concept development, consenting requirements and / or construction. Nor importantly any landowner agreement for such works outside of resource consenting requirements.
14. The AEE does not specifically address the construction of a path and replacement bridge within the esplanade reserve beyond the passage quoted by the Panel in its Minute.
15. While there may be some basis for considering that the proposed pedestrian access infrastructure within the esplanade reserve could fall within the scope of the application under general RMA principles, even if scope is considered to exist, Council considers there are

² Chapter J of the AUP defines 'recreational trail' as A sealed or unsealed pathway or greenway that is used for informal or organised purposes such as footpaths, cross country mountain biking, bridle trails, fitness trails, off road cycleways and walkways.

practical reasons why direct inclusion of the consenting of this infrastructure within the application would be problematic. The Council raises the following practical concerns about including consenting for these structures / works within this application:

- a) Presently no detailed design is in place for either the bridge or a formed access through the reserve to confirm consenting needs.
 - b) The replacement bridge is part of a current and ongoing Council project/workstream (Parks and Community Facilities department) which will include securing required consents.
 - c) The specific location and design of any formed pedestrian-only path within the esplanade reserve is outside the Council's program of works, if progressed it would be led by, or others at the agreement of the Property department as part of the landowner approval. This will ensure its deliverability and coordination for construction.
16. The Council is also mindful, based on discussions with the applicant's agent on this matter, that the applicant does not wish to include consenting for the path and bridge elements within the esplanade within this application.
17. Council suggests instead that a condition precedent requiring completion of the formed pedestrian path within the esplanade and replacement bridge prior to occupation of the Integrated Māori Development would be necessary for the Panel to rely on pedestrian access to Riverhead as an alternative to private vehicle use. The key elements of potential conditions are mapped out below under Question 3 and include a suggested reasonable endeavours provision in the event that access is not possible to be provided to not unduly restrict this development.
18. This approach is realistic and practicable given Council's committed bridge replacement project and Council's role as landowner of the esplanade reserve.
19. As noted, the Council has committed budgeting and to a consenting process for the replacement bridge. No such process has been undertaken for a formed path through the Esplanade Reserve.
20. In the timeframes of this consenting process, it is considered therefore an equitable approach that the applicant provides for the costs of a formed pedestrian path through the esplanade reserve including that of the staged exploration of concept, consenting and approval processes and construction.

Question 3

3. *Assuming the Expert Panel finds the proposed activities to be within scope, the Auckland Council is requested to comment on the consent conditions that might be imposed on the consents required to physically form and/or reinstate the pedestrian access (including the bridge).*
21. The following approach to conditions is recommended to ensure that the Panel can have reasonable confidence that the Development will provide pedestrian access to Riverhead when making its decision.
22. Given the above considerations, Council suggests, subject to the Panel's consideration, that condition should be structured around the following limbs and offered by the applicant in the case of the works outside the site on potentially an Augier basis (subject to the Panel and applicant's view):
- a. A condition requiring the consent holder to complete the shared path within the application site itself connecting the development to the boundary of Lot 2, prior to occupation of the Integrated Māori Development. This condition should include appropriate provisions / restrictions in relation to golf cart use, parking and manoeuvring. This aspect of the pedestrian connection obviously can be consented now;
 - b. A condition precedent requiring completion of the pedestrian connection prior to occupation of the Integrated Māori Development, comprising:
 - i. The formed path through the Wautaiti Stream Esplanade Reserve; and

- ii. The replacement bridge over Wautaiti Stream connecting the reserve to Mill Grove.
23. It is recognised that the condition, in regard to part b matters, would need to provide for, in terms of reasonableness, a situation where either:
- a. Reasonable endeavours have been demonstrated by the applicant, and it has not been possible to provide the connection through the reserve; or:
 - b. Such works have not been able to obtain required consents and approvals; or are not sought or agreed by Council (at their full discretion)
24. In such an event it is recognised that the developments occupation should clearly not be restricted.
25. As noted, such a condition would ensure the Panel can place greater reliance on the complete pedestrian access route to Riverhead being available as an alternative to private vehicle use. It does however need to be recognised as was identified in the Appendix 5 of Minute 2 that as a separate process landowner approval would be required for the path, no scheme for a path has been developed and considered and there are other considerations which may mean that such provision is not sought by the Council when these matters are known, which is reflected in para 23(b).
26. Separately from the Resource Consent process and to inform part 23a Council would be willing to discuss with the applicant a side agreement to explore the formed pedestrian-only path through the Esplanade Reserve. Council considers it fair and reasonable that the applicant meet the costs of the staged exploration of concept, design, consenting, landowner approval and construction works for the completion of a formed path within Wautaita Stream Reserve. Noting that this process will be led at the discretion of the Land and Property Advisory team as part of the landowner approval process.
27. In regard to this process discussions have taken place with the applicant's representatives and alongside the issue of this memo contact details for Council employee Chris Moyne, Programme Manager – Rodney, Parks and Community Facilities Department will be provided.

Conclusion

28. In summary:

- Council has confirmed an ongoing project for the replacement of the bridge over the Wautaiti Stream with completion targeted for 2026, subject to required consents being obtained.
- The proposed shared path within the site itself to the boundary of Lot 2 can be consented and secured through a condition in relation to the timing of its delivery.
- For the practical reasons given above, the Council does not consider that this application should include resource consenting for the bridge and a formed path access within the esplanade reserve. This work should be led by Auckland Council's Land and Property Advisory team as part of the landowner approval process or other parties at their agreement.
- Council recommends to provide this a condition precedent requiring completion of a pedestrian connection within the esplanade where written agreement is obtained from Council, including the bridge, prior to the occupation of the retirement village units (Integrated Māori Development) in Lot 2. Council recognise that this condition should include provisions to not restrict occupation in certain events given uncertainties and unknowns at this point and recognising requirements for consents and approvals which cannot be pre-determined at this point.
- This approach involves Council funding the replacement bridge in accordance with its current envisaged design while the applicant funds the formed pedestrian path in its entirety through the esplanade reserve in the event of these features being deliverable – providing a pragmatic potential solution.