

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 Council's 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 Wautaiti 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.