

WAIKANAЕ NORTH DEVELOPMENTS LIMITED

SECTION 53 COMMENTS RESPONSE COVERING REPORT

Project	Waikanae North Development
Application reference	FTAA-2603-1194
Site	169-171 Peka Peka Road, Waikanae, Kāpiti Coast
Document	Covering Response to comments received under section 53, Fast-track Approvals Act 2024
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Date	11 August 2026
Status	Final

1. Introduction and purpose

On 29 June 2026 the Fast-track Panel for the Waikanae North Development issued Minute 1 inviting comments on the substantive application for the Waikanae North Development pursuant to section 53 of the Fast-track Approvals Act 2024 (FTAA). Comments closed on 28 July 2026. Comments were received from 33 parties.

Section 55 of the FTAA provides for an applicant to provide a response to comments received, no later than 5 working days after the date on which comments close. In accordance with Minute 1 from the Panel, the applicant's response was due on 4 August 2026. The Applicant requested to suspend processing of its application to provide it with sufficient time to prepare a response.

This covering report identifies and responds to a number of themes raised in comments, focusing on key issues that span multiple topic areas together with a range of planning specific comments. Together with individual topic area reports that are provided with this covering report, the material provides a response to the breadth of topic areas raised through section 53 comments.

It is noted that this response may not respond to all individual comments on a particular topic area. Rather, the focus has been to provide a comprehensive response and summary by topic.

In addition to the 33 comments received, the applicant has taken the opportunity to respond to the section 51 comments received from the Director-General of Conservation (DOC).

1.1 The Panel's decision-making framework

It is useful to record at the outset of the response to comments received the framework within which the Panel will consider the comments received and this response.

The starting point is section 81 of the FTAA: for each approval sought, the Panel must decide whether to grant the approval and set conditions, or to decline it. In doing so it must consider the substantive application together with the comments and other information received under sections 51 to 55, and must apply the assessment clauses in Schedule 5. For the resource consents sought, clause 17 of Schedule 5 directs the Panel to take into account the purpose of the FTAA - to facilitate the delivery of infrastructure and development projects with significant regional or national benefits - giving that purpose the greatest weight, together with the relevant decision-making provisions of the Resource Management Act 1991 (RMA) and associated national direction.

The RMA policy framework is therefore a relevant consideration, but it is not a governing one. The FTAA takes a fundamentally different approach to decision-making than the RMA. Under clause 17(1) the RMA provisions are matters to be taken into account, weighted below the purpose of the FTAA; they are not tests to be applied or thresholds to be met, as may otherwise have been the case under business-as-usual RMA processes.

Clause 17(4) makes the point explicit: where a provision would normally require an application to be declined, the Panel must take that into account but must not treat the provision as requiring it to decline the application. Section 85(4) completes the picture - the Panel may not conclude that an adverse impact meets the threshold for declining an approval solely because that impact is inconsistent with, or contrary to, a provision of a specified Act or planning document.

This matters for a number of the comments received. The comments of the Director-General of Conservation and Greater Wellington Regional Council, in particular, assess the proposal for compliance with the RMA policy framework - the NPS-FM, the NES-F, the NPS-IB, the Regional Policy Statement and the Natural Resources Plan - and in places seek that conditions secure compliance with that framework. That is an orthodox RMA analysis and approach, and it is understandable that those agencies approach the application in the manner they are accustomed to. But it is not the analysis the FTAA requires the Panel to undertake. The relevant policies inform the Panel's assessment of effects and of conditions; consistency with them is not a precondition to grant, and inconsistency with them cannot of itself justify refusal.

Against that background, the Panel's task in considering the comments received can be summarised in four steps:

- first, to have regard to the matters raised in comments, alongside the application and this response - the comments inform, but do not confine, the Panel's assessment;
- second, to consider what conditions can lawfully and appropriately be set to address the matters raised, recognising that under section 83 a condition must be no more onerous than is necessary to address the reason for which it is set;
- third, to assess the significance of any residual adverse effects remaining after those conditions and after any mitigation, offsetting and compensation measures proposed; and
- fourth, to consider whether any residual adverse impacts are sufficiently significant to be out of proportion to the project's regional and national benefits - the only pathway (section 85(3)) by which the approvals could be declined, short of the limited mandatory grounds in section 85(1) and (2), none of which apply here.

This response is structured with that framework in mind. For each principal issue it identifies the matters raised, the response - including any updated or additional conditions - and the significance of any residual effects.

Several comments identify matters that require attention through further amendment to conditions. Those aspects are identified where relevant, and conditions are discussed in this response.

Having worked through each of the comments received, and the responses provided by each of the applicant's experts, the applicant's overall position can be briefly stated. All of the matters raised in comments have been

considered and responded to. Where matters call for management, they are addressed by the project design, by the conditions already proposed, or by the further amendments and additions to conditions identified in this response and summarised in Table 2 (section 8). I consider there are no residual adverse effects - individually or cumulatively - that approach the significance that section 85(3) requires before the Panel could decline the approvals sought. The balance of this report explains why I have reached this view.

2. Code of Conduct

This report has been prepared by Mitch Lewandowski, consultant planner, and Director of Building Block Planning Limited.

Although this document has not been written as a statement of expert evidence, I confirm that at all times I have complied with the Environment Court's Code of Conduct for Expert Witnesses contained in its Practice Note 2023.

3. Comments received

34 comments (33 comments pursuant to section 53 and one comment pursuant to section 51) have been received in respect of the application:

No.	Commenter	Interest	Position
1	Sally & John Killick		Opposed / Concerns
2	Hon Simon Watts, Minister of Climate Change	Ministerial	Supportive
3	Jo & Adam Southwick		Supportive
4	Lyndon & Patrice Thomas		Supportive
5	Nicholas Brown		Opposed / Concerns
6	End Farm Developments Ltd		Supportive
7	Tuatahi First Fibre	Utility provider	Supportive
8	Paul Westbury		Opposed / Concerns
9	Hon Chris Bishop, Minister for Infrastructure	Ministerial	Supportive
10	Hon Tama Potaka, Minister for Maori Development	Ministerial	Supportive
11	Kevin & Karen Baker		Opposed / Concerns
12	Bryan & Debbie Edwards		Partial / Conditional
13	Kensington Farm Park Ltd		Partial / Conditional
14	Jo Gilpin & John Urquhart		Partial / Conditional
15	Wellington Conservation Board	Statutory board	Supportive
16	Glynn & Jennifer Cowley		Opposed / Concerns
17	Dean & Miriam Lewin		Opposed / Concerns
18	Ron & Jane Woodrow		Partial / Conditional
19	Gail Inglis / Watutsi Trust		Opposed / Concerns

20	Hon Chris Penk, Minister for Building and Construction	Ministerial	Supportive
21	Kapiti Coast District Council	Local authority - s53(2)	Conditional / Advisory
22	Jessica & Trevor Bradley, Judith & Ronald Lucas		Supportive
23	QEII National Trust	Adjoining covenant holder - s53(2)(h)	Conditional / Concerns
24	Greater Wellington Regional Council	Regional council - s53(2)	Conditional / Advisory
25	Hon James Meager, Associate Minister of Transport	Ministerial	Supportive
26	Ātiawa ki Whakarongotai Charitable Trust	Mana whenua - s53(2)	Unable to support as presented
27	Heritage New Zealand Pouhere Taonga	Administering agency - s53(2)(k)	Conditional / Advisory
28	NZ Transport Agency	Requiring authority - s53(2)	Conditional / Information sought
29	Transpower New Zealand	National Grid operator - s53(2)	Conditional / Information sought
30	Michael Pearson		Concerns / questions
31	Nga Hapu o Otaki	Mana whenua (5 Ngati Raukawa ki te Tonga hapu) - s53(2)	Opposed - seeks decline
32	Director-General of Conservation (DOC)	Section 53 comment, 28 July 2026	Concerns
33	Brett Johnson		Supports / Concerns
S51	Director-General of Conservation (DOC)	Section 51(2)(c) wildlife approval report, 13 July 2026	Conditional

Eleven comments are supportive (2, 3, 4, 6, 7, 9, 10, 15, 20, 22 and 25). Four express partial or conditional support (12, 13, 14 and 18). Nine oppose or raise concerns (1, 5, 8, 11, 16, 17, 19, 30 and 33). The balance are from parties with statutory functions: comments from Kāpiti Coast District Council and Greater Wellington Regional Council are advisory, seek information and / or changes including through conditions and do not express a view on whether consent should be granted or not. The QEII National Trust and Heritage New Zealand Pouhere Taonga raise matters within their functions and interests, NZTA seeks modelling information, Transpower seeks that consent not be granted until a range of matters are addressed, the Department of Conservation (through its section 53 comments) raises ecological concerns, Ātiawa ki Whakarongotai Charitable Trust states that it is unable to support the application as presented, and Ngā Hapū ō Ōtaki (31) opposes the proposal and seeks refusal.

Responses from parties (and their positions) adjacent to the site have been mapped as follows:

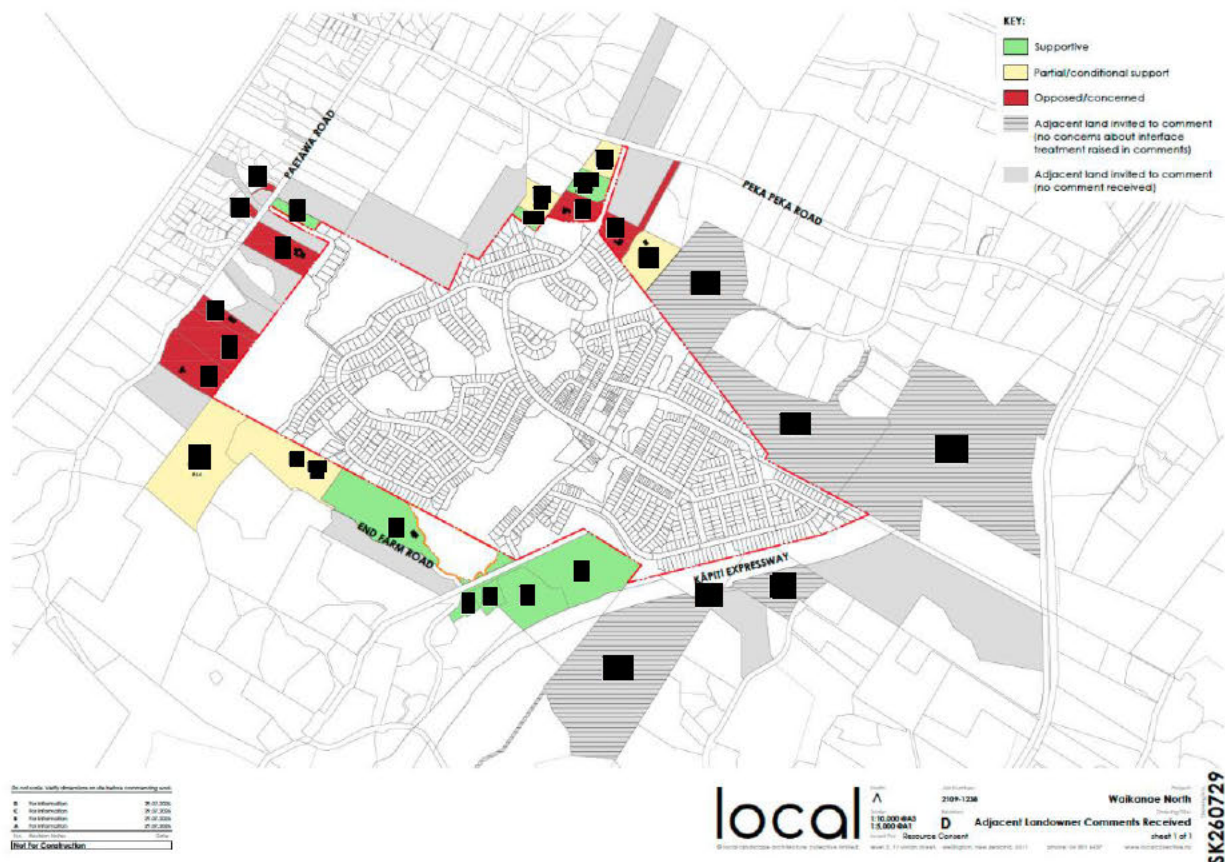


Figure 1. Comments from adjacent properties.

4. Principal issues

The following key matters have been drawn from comments and are addressed here in an overall sense, and are supplemented by more detailed comment as part of individual responses:

4.1 Wetlands

4.1.1 Wetlands and Prohibited Activity Status

GWRC in Issue 1 of their comments addresses the proposed loss of wetland extent. It confirms that the proposed offsetting package is sufficient to achieve a net gain outcome and providing for wetland enhancement. However, GWRC contends that the proposed off-set package does not achieve a like-for-like outcome. This is addressed as part of the attached Ecological response, and specifically through a wetland memo appended to that response.

In addition, GWRC raises the applicable planning framework, in terms of application of the effects management hierarchy, and in the context of the prohibited activity status applicable in this case to the proposed reclamation of wetlands. GWRC's comments note:

"The policy framework under the NRP and RPS does not anticipate that resource consent will be granted for prohibited activities. Therefore, there is no policy guidance for the application of the effects management hierarchy or determination of an appropriate offsetting package for a prohibited activity"

and

“There is no specific policy guidance on how to assess the suitability of an offset package for a prohibited activity, as consent should not be granted for prohibited activities. However, Greater Wellington considers that the net gain required through RPS Change 1 Policy 24A(e) and the NPS-IB are the relevant policy direction on this matter. Further, Greater Wellington consider that the proposed offsetting package should align with all principles set out in Schedule G2 of the NRP.”

The prohibited activity status relevant to wetland reclamation should not elevate the Panel's consideration of the particular issues, and it does not change the nature of the assessment the Panel is asked to undertake. The classification is a product of the regulatory pathway made available through the Fast-track Approvals Act, applied to this site under its current zoning. It is not a legislative signal that these particular wetlands are of elevated value, or that their loss is of elevated significance. Understanding why the activity is classified as prohibited is the key to seeing why the classification does not impact on the Panel's consideration.

Under the National Environmental Standards for Freshwater (NES-F), earthworks within a natural inland wetland that result in its drainage and reclamation are a prohibited activity (Regulation 53). However, the national direction also provides for an urban-development pathway. Under Clause 3.22 of the National Policy Statement for Freshwater Management (NPS-FM), and Regulation 45C of the NES-F, the loss of extent of a natural inland wetland for urban development is provided for as a restricted discretionary activity, assessed through the effects management hierarchy - provided a set of gateway tests are met.

Two of those gateway tests are informative here. Clause 3.22(1)(c) requires that the activity occurs on land identified for urban development in operative planning provisions, and that it does not occur on land zoned general rural, rural production or rural lifestyle. The application site is not zoned for urban development and is currently zoned General Rural and Rural Lifestyle under the Kāpiti Coast District Plan. It is that rural zoning which closes off the urban-development pathway under a business as usual approach and leaves the activity in the prohibited category. The point is made expressly in the application - the effect of Clause 3.22(1)(c)(iii) and (iv) is to exclude the site, by virtue of its rural zoning, from the urban-development pathway that the NPS-FM otherwise provides.

The classification is therefore an outcome of timing and process, not a measure of value. The land has not yet been rezoned for the urban development that this application - and the Fast-track process itself - is intended to enable. Had the site been zoned or otherwise identified for urban development (as it would be through a plan change) and provided the gateway tests were met, identical works, affecting the same wetlands, would fall to be assessed as a restricted discretionary activity. Nothing about the wetlands themselves would be different, only the activity status would change.

It follows that the prohibited status tells the Panel nothing about the quality or value of these wetlands. It is not a determination that these wetlands are especially important, nor that their loss is especially grave. It flows purely from the mismatch between the current rural zoning and the urban nature of the proposal.

In an ordinary process - that is, on urban-zoned land - the loss of wetland extent would be assessed by applying the effects management hierarchy: avoid adverse effects where practicable; minimise those that cannot be avoided; remedy; offset any more-than-minor residual adverse effects; and, where residual effects cannot be offset, provide for compensation. That assessment turns on three things: the quality and values of what is lost, the requisite offset to address residual effects, and compensation for any residual values that cannot be offset.

Notwithstanding the prohibited activity classification, the application adopts an equivalent assessment method. Because the proposal is unquestionably for urban development, the application works through the Clause 3.22 effects management hierarchy on its merits:

- **Avoidance.** Impacts on Te Harakeke Swamp (Wetland Cluster 1, assessed as very high value) are avoided, with a minor edge impact on Peka Peka Road Swamp (Wetland Cluster 6, high value) that is readily addressed. Other wetlands are avoided generally except where their location cannot be reconciled with essential urban design and transport outcomes and health and safety considerations.
- **The loss is small and applicable to wetlands of moderate or lower value.** The proposal results in the loss of 1.69 hectares of wetland (Wetlands W3, W5, W9 and W10, together with parts of Wetland Clusters 2 and 3). None of the wetlands lost were assessed as having high ecological value. Each is in variously degraded condition.
- **Offset to a net gain.** At least 1.74 hectares of new wetland is to be constructed, of which 1.69 hectares offsets the lost extent. This produces a net gain in wetland extent, with the constructed wetlands achieving a significantly higher value than those removed. The result is a net gain in both wetland extent and wetland values.
- **Additional enhancement.** Beyond the offset, the proposal provides for enrichment planting across existing wetlands - a benefit additional to what is required to manage the proposal's effects.

Therefore, the effects-based analysis produces a positive outcome: no net loss, and indeed a net gain, of wetland extent and values.

Section 42(5) expressly permits a substantive application to seek approval for an activity that is prohibited under the RMA - the very course taken here. The decision-making framework then directs the Panel to the effects of the activity, not its label. A Panel may decline an approval only where adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits, and only after taking into account the conditions that may be imposed. Critically, section 85(4) provides that a Panel may not form the view that this threshold is met solely because an adverse impact is inconsistent with a provision of a specified Act or a planning document. The prohibited activity classification is such an inconsistency with the NES-F; by the express terms of section 85(4), it cannot, of itself, be the reason to decline. The Panel is directed to assess the actual effects - which, on the analysis of the application, are positive.

4.1.2 Wetlands and Like-for-Like Offsetting

Greater Wellington Regional Council comments on like-for-like wetland offsetting, considering that the proposed offsetting of Wetlands W3 and W5 does not constitute like-for-like offsetting. This matter is addressed as part of the attached Ecology Response, specifically through a memo appended to that response.

Without repeating that assessment, which directly addresses the GWRC commentary, wetland classification, and offsetting requirements and options, it concludes that:

1. The wetlands are degraded wetlands of moderate value that can be appropriately offset;
2. The wetlands are not fens that contain peat soil;
3. There are on-site like-for-like offsetting options using enhancement of Wetlands W4 and W13;
4. There are like for like off-site offsetting options at QEII Regional Park, for W3;
5. There are like-for-unlike compensation options on-site.

4.1.3 Wetlands and the Department of Conservation

The comments from the Department of Conservation (DOC) position DOC as an outlier on wetland matters.

Firstly, DOC queries the classification of Wetlands W3 and W4 as not constituting dune slack wetlands, inferring (without expressly saying so) that DOC thinks they are in fact dune slack wetlands. This position puts it at odds

with both RMA Ecology Ltd for the applicant, and with GWRC. In respect of the latter, it is noted that GWRC initially queried whether wetland W3 was a dune slack wetland, before accepting that it was not.

The attached Ecology Response addresses this point and again reiterates that the two features DOC identifies are not dune slack wetlands. Irrespective of the classification of these wetlands, the applicant proposes like for like offsetting and a net gain outcome for wetland values and extent.

DOC queries the methodology used to identify the wetlands and makes the observation that not all wetlands may have been identified. The report does not identify any areas that DOC says could be wetland that have not been identified by the project ecologists or GWRC reviewers. Nor has DOC identified any from its own site visit. The Ecology Response addresses these points, and it is noted that the methodology, identified through pre-lodgement engagement with GWRC, and the conclusions reached have not otherwise been queried.

In terms of the approach to assessing value, the DOC assessment appears to be binary – the ecological value of a wetland should be assessed as high simply on account of its existence. No other factor should impact on its ecological value – irrespective of its condition.

That approach should not be accepted. The Ecology Response assesses each wetland using the Wetland Ecological Value (WEV) methodology - grounded in the Clarkson handbook for monitoring wetland condition, applied and accepted by Auckland Council across several dozen wetland offsetting projects, and recently applied to, and accepted by GWRC for, the consented Plimmerton Farm development. On that assessment the wetlands proposed for removal are degraded and of moderate value at best. An approach under which every wetland is of high value simply because it exists would make the actual condition and function of a wetland irrelevant to its ecological value - a position no other reviewer of this application, including GWRC, has adopted.

Drawing on studies on microclimate conditions in forest interiors, DOC then appears to suggest that a 40m buffer is required around the Te Harakeke Swamp, and 15-20 for other areas. Again, such a position leaves DOC as an outlier, not supported either by RMA Ecology Ltd nor GWRC. The Ecology Response addresses this matter directly, says the DOC suggestion lacks a sound foundation or precedent and notes that the proposed approach is consistent with the approved decision for the Plimmerton Farm project approved by a Covid-19 Fast-track Panel.

Drawing the wetland issues together: the proposal removes 1.69 hectares of degraded wetland of moderate or lower value, and no wetland assessed as being of high value is materially affected. Whatever position is taken on the classification debates - dune slack or not, fen or not - the same practical position holds. The loss is small, the wetlands lost are degraded, and the loss can be offset on a like-for-like basis: on-site through enhancement of Wetlands W4 (for W3) and W13 (for W5), and off-site at QEII Regional Park (for W3), with additional like-for-unlike compensation also available on-site. The offset package delivers at least 1.74 hectares of newly constructed wetland of significantly higher value than that removed, together with enrichment planting across retained wetlands – the project delivers a net gain in both wetland extent and wetland values.

In the context of decision-making under the FTAA, the consequence is that this issue - the most technical one raised in comments - does not give rise to any residual adverse effect of significance. The effects management hierarchy has been worked through. While the proposal may not accord with the policy framework in all respects, and would be problematic in a business as usual RMA decision making exercise – when looked at through an effects lens the outcome is a net gain. The prohibited activity classification is, for the reasons set out above, a function of current zoning rather than of wetland value and cannot of itself justify refusal (section 85(4)). The Panel can be confident that the wetland outcome is not merely acceptable, but positive.

4.2 Classification of the on-site drains

Greater Wellington maintains that the network of drains linked to the Ngārara Stream meets the RMA definition of 'river', relying on its Watercourse Types Guidance Note (May 2021) and its 2013 mapping, and seeks that the classifications be reconsidered and the scope of the application amended to seek reclamation consent.

In respect of the latter point, Section 5.7 of the substantive application highlights that the application seeks all resource consent to enable the proposal, as described in the application and supporting documents. As such, there is no scope issue in play such that the application requires amendment. What GWRC is asking is for WNDL to expressly acknowledge that consent is required for the works – i.e. to adopt GWRC's view of the matter. If the Panel determines we are wrong about that, the effect of the drain removal has been fully assessed and any necessary consents can (and should) be granted.

WNDL maintains its position regarding the watercourse classification, supported by the legal and ecological advice provided with the substantive application. That GWRC mapped these drains as highly modified watercourses (and therefore as rivers / streams), in line with their guideline, for the purposes of particular rules in its Natural Resources Plan, does not make that classification correct. It simply illustrates how GWRC has applied its own guideline.

WNDL and GWRC have met to discuss this issue further and agreed that it would be useful for the Panel to accurately quantify the ecological values of the drains and the impact of their loss.

As part of the attached Ecology Response, a further memo appended to that response addresses this matter directly. The following are the key conclusions of that assessment:

1. The ecological assessment maintains that the features are appropriately classified as drains and not rivers / streams;
2. Further SEV work has been undertaken that establishes that the drains to be removed sit in the 'poor' range of ecological value;
3. The removal of these drains does not require mitigation or offsetting in response to loss of value or extent;
4. If the conclusion on classification was found to be wrong, the effects of the proposal are low and not of ecological concern; and
5. If the drains are classified as streams, there are options to compensate the effects of the removal, in a like-for-unlike fashion, utilising further wetland creation and enhancement, but such an approach would be disproportionate to the assessed ecological values and effect. This conclusion further reinforces the argument that these features are drains and not streams.

The conclusion for the Panel is that the classification dispute, while it has attracted considerable technical attention, is not consequential to the decision. On the applicant's assessment the features are drains of poor ecological value whose removal requires no offset. If the Panel prefers GWRC's classification, the effects of removal have been fully assessed, are low, and can be fully compensated on-site through further wetland creation and enhancement. The applicant's team all fundamentally disagree with GWRC's classification and consider that the compensation that is required to offset the loss of streams (of this length) is completely disproportionate to the loss that will be caused by the removal of these drains. It is worth re-iterating that when determining the extent of offsetting or compensation required for the removal of these drains, the Panel must not impose a condition that is more onerous than necessary to address the reason for which it is set (section 83).

4.3 Off-site flooding, groundwater and hydrology

A number of commentators, for instance Mr Brown (5), Mr Westbury (8), Mr and Mrs Baker (11) and Mr and Mrs Cowley (16) along with Kāpiti Coast District Council (21) and Greater Wellington Regional Council (24) raise matters that span considerations of flooding, groundwater impacts and hydrology.

Flooding concerns have been principally directed to the area at Te Harakeke Swamp and Paetawa Road, with some comments directed to within the eastern extent of the site, including by Transpower (29).

The attached Flooding, Hydrology and National Grid responses address these points. The assessments note that the proposal will make a negligible contribution to water levels within Te Harakeke Swamp in a peak storm event. Rather, water levels in the swamp, and associated flood risk for neighbouring properties, are determined by downstream management that is within KCDC's control and outside of WNDL's control.

The responses note that hydrology / groundwater impacts have been thoroughly considered and can be managed by a robust conditions framework. WNDL is already addressing conditions following earlier comment from GWRC and will further review based on comments from KCDC.

Comments from GWRC's Flood Advisory team also raise flood hazard within the site itself, including road inundation, egress and hazard classification mapping. As the Flooding Response explains, the macro flood model output does not incorporate the final road drainage design, and ponding on roads is controlled at detailed design by KCDC's Land Development Minimum Requirements, which limit ponded depth on roads to 0.2 metres in the 1% AEP event, secured through the detailed design conditions. The related requests – assessment of partial culvert blockage at detailed design, explicit maintenance requirements for flood protection infrastructure, and minimum building floor levels set by condition, certified by survey at the 224(c) stage and recorded by consent notice – are each accepted and will be reflected in the updated conditions set.

The technical responses on this issue are emphatic: the proposal will not materially change flood or groundwater conditions on any neighbouring property, and the matters within the applicant's control are comprehensively managed by conditions - including groundwater and hydrological monitoring during and for five years after earthworks, updated macro flood modelling at detailed design, and minimum building floor levels secured by condition. The flood risk that commentators have experienced historically is a function of downstream drainage management, outside the site and outside the applicant's control. No residual effect of significance remains.

4.4 The positions of the two mana whenua entities

Two detailed responses are provided to this issue:

1. Ātiawa ki Whakarongotai Charitable Trust response; and
2. Ngā Hapū o Ōtaki response.

A summary of these responses is provided below.

The two commentators take different positions. Ātiawa ki Whakarongotai Charitable Trust (ĀKWCT) is unable to support the application as currently presented, identifying a range of matters that it would like addressed. The response to matters raised by the Trust identifies each of the matters that have been raised and outlines whether and how they have been addressed.

Ngā Hapū o Ōtaki (NHŌŌ) opposes and requests the Panel decline the application, on the grounds that insufficient opportunity has been provided for mana whenua to assess effects and that the proposal does not appropriately protect cultural values - while asking that if approval is granted its CIA recommendations be adopted as conditions.

The NHōŌ response directly addresses and refutes the comment regarding the claimed insufficiency of opportunity and records the extensive consultation undertaken by WNDL. It further comments on the general alignment of the proposal with the matters identified by NHōŌ as recommendations. I do not address the NHōŌ comments further in this summary report.

4.4.1 Ātiawa ki Whakarongotai Charitable Trust

The comments of ĀKWCT do not oppose the project outright. Rather, the comments note that it is “unable to support the application as presented at this time” because the direct agreement and conditions suite are not concluded, while expressly recognising the “ambitious effects management package” and supporting the restoration programme. The Interim CIA raises five categories of concern and the section 53 comment adds two further matters (title to culturally sensitive open space and a secured kaitiaki role) and three process requests. Each is addressed as follows.

1. **Archaeology, wāhi tapu and kōiwi:** this matter is addressed through the lodged Archaeological Effects Assessment and Management Plan, a future archaeological authority, accidental discovery conditions, a Tīmatanga ceremony, iwi monitoring under the Kaitiaki Monitoring Strategy that will be developed with ĀKWCT input, and a notice-and-comment protocol for imported fill and metal;
2. **Water quality:** addressed by the project design. Stormwater treatment wetlands are separated from ecological restoration wetlands, there is no direct discharge of stormwater or wastewater to natural waterbodies, wastewater goes to the public network, the design as set out in the Stormwater Management Plan requires certification, and erosion and sediment control conditions are proposed.
3. **Ecological restoration:** a net-gain offset package of dune, wetland and stream restoration, including realignment and restoration of the Ngārara Stream, with iwi input into the ERMP secured by condition. The Trust’s nursery is proposed to receive preferred-supplier status, six months’ notice of significant planting schedules and invitations to quote for those works. Exclusivity of supply is not proposed however.
4. **Cultural landscape and naming:** road naming and streetscape planting conditions are proposed with iwi input. WNDL proposes funding of bilingual interpretation panels with content agreed with the ĀKWCT, and there is provision for pou and tohu.
5. **Relationship of tāngata and whenua:** WNDL proposes to transfer to ĀKWCT, fully restored and at no cost, the Peka Peka Road Swamp (~9,942 m²) and a Dune Hilltop site (~2,350 m²), each on separate title with registered access easement¹. A Mahinga Kai Access Protocol is proposed securing no-charge customary access, settled within 12 months with successor obligations, and a kaitiakitanga framework is proposed for the balance of the wetland open-space areas to be settled with the Trust and councils before any transfer or vesting. Papakāinga provision is not supported as an applicant responsibility, but is not precluded through subsequent District Plan processes.
6. **Open-space ownership:** WNDL does not propose to resolve ownership of the wider open space before the granting of consent. This matter is discussed in the next section of this response. Its preference is ultimate KCDC ownership with an active kaitiaki role for ĀKWCT. A condition directing transfer is considered to be ultra vires and unreasonable.
7. **Process:** WNDL opposes any Panel role in facilitating private negotiations. The committed measures are placed before the Panel as volunteered conditions, with the matters being proposed on an *Augier* basis i.e. that they are matters that would not be open to the Panel to directly apply – the mahinga kai access, the transfer of two areas of land, and the preferred landscape supplier status and a kaitiaki role in the

¹ This commitment will require an amendment to the proposed scheme plan to separately create the proposed Dune Hilltop site.

management of open space areas. The preferred pathway is for ĀKWCT to comment on the proffered conditions, with a conditions workshop available if wording issues remain.

4.4.2 Comparison with determined FTAA projects

Across the 26 determined FTAA projects, no Panel has declined a project on cultural grounds alone. Cultural effects have been determinative twice. Firstly against the applicant in Taranaki VTM (a section 7 customary-fishing protection breach, unmitigable ecological uncertainty and materially deficient engagement) and secondly in the applicant's favour in The Point Mission Bay (iwi co-applicant). Five approvals - Waihi North, Homestead Bay, Sunfield, Takitimu North Link 2 and Bledisloe - have followed expressly unresolved cultural objections. In each, the mechanism was a genuine cultural assessment on the record paired with a real, unilaterally offered conditions package. Unresolved cultural objection has therefore consistently been managed through conditions, not treated as a ground for decline.

The WNDL package contains every element of the toolkit accepted in the decided cases – offer to fund cultural assessments, accidental discovery and cultural monitoring conditions, co-developed management plans, a standing kaitiakitanga framework, design response, customary access and funded participation - and goes beyond it. The fee-simple transfer of two restored, culturally significant sites at no cost has no precedent among arm's-length applications. The closest analogues (Maitahi, The Point, Rangitootuni, Waitaha) all involved iwi as partner, co-applicant or beneficiary of a partnership structure. The secured Mahinga Kai Access Protocol and on-record procurement preferences are likewise ahead of the decided field. The package is materially richer than the offers that supported each of the five unresolved-objection grants - most starkly Homestead Bay, granted on \$150,000 of works funding and a non-binding process agreement despite evidence the effect on the mauri of the wai could not be mitigated.

The comparison bears directly on the two live objections. The ĀKWCT's position is process-focused - it seeks conclusion of the agreement and conditions, not refusal - and the decided cases (Waihi North, Homestead Bay, Kaimai) show an unconcluded agreement is no barrier to grant where a genuine offer is on the record. NHO's decline request rests on a procedural premise the engagement record starkly contradicts, and the only decided decline (Taranaki VTM) turned on factors with no analogue here. No Treaty settlement machinery is engaged: Ngāti Toa, the only relevant settled entity, has deferred to Te Ātiawa and is not participating. And in any event, the relevant Treaty settlement has no direct bearing on the application site. Finally, the applicant's position is stronger again than in the decided cases in one further respect: the outcomes comprising the offer here are not merely recorded - they are proposed to be secured by conditions of consent.

4.5 Ownership and governance of Te Harakeke and other open space areas

A number of parties have commented on ownership of open space areas and seek various outcomes for those areas.

KCDC seeks the vesting of Te Harakeke Swamp (Lots 5310 and 5311) in Council as Local Purpose (Ecological) Reserve and will not accept the walkway across Te Harakeke Swamp (Lot 5003) otherwise. Greater Wellington supports vesting of Lots 5310, 5311 and 5314. The ĀKWCT comment seeks transfer of title of open space areas with sensitive ecological and cultural values to ĀKWCT, with other interests addressed through governance arrangements. The QEII National Trust prefers vesting in the Council or ownership by iwi. DOC seeks clarification as to how perpetual protection is specifically to be achieved.

The substantive application, at section 4.7, set out the proposed approach to the wetland restoration areas, the dune ridgeline, the Te Harakeke Swamp and the Peka Peka Road Swamp.

The approach as proposed was informed by KCDC indicating that it wasn't prepared to have all of those areas vested in it. Therefore rather than dealing with matters in a piecemeal matter, WNDL sought to maintain those

areas, implement the restoration and enhancement works, and later determine a final ownership arrangement with a preference for those areas being vested in KCDC.

That remains the preferred position, but there has been some movement at the margins. WNDL has offered to gift the Peka Peka Road Swamp to ĀKWCT (along with an area of the dune ridgeline). KCDC maintains its interest in the Te Harakeke Swamp and has recently expressed interest in the wetland restoration areas. KCDC remains non-committal about the dune ridgeline areas.

WNDL's position is:

1. Peka Peka Road Swamp will transfer to ĀKWCT, either through a private agreement or through consent conditions;
2. Te Harakeke Swamp can transfer to KCDC, provided that KCDC confirms that it will also take the wetland restoration areas. This remains an ongoing point of discussion. In the absence of an agreement, the areas will remain privately owned in the interim;
3. The dune ridgeline area (excluding the parcel that is proposed to be created for ĀKWCT which will transfer either by private agreement or through consent condition) will remain privately owned in the interim. Future ownership options for this area remain as stated in the application document – Council owned, under iwi ownership, ownership by a residents association, or a combination of the three.

Alongside, and with a view to future Council ownership, WNDL proposes to provide for a future kaitiaki role for ĀKWCT in the management of these areas.

Pending a final agreed resolution of future ownership, the areas will remain privately owned. WNDL will be responsible for their restoration, enhancement and management as proposed and required by consent conditions.

Such an approach is not unusual nor problematic, notwithstanding that WNDL agrees that a longer-term public ownership arrangement is preferred.

The requirements of the consent will be specified by consent condition, the consent does not enable any other activity in these areas, and conditions will manage their long-term management and protection.

This concern about ownership appears to be particularly acute for the Te Harakeke Swamp. This area is a scheduled Ecological Site with associated District Plan provisions that significantly restrict potential activities within the area. Its protection and enhancement are secured by the design of the project and consent conditions. Whether it is publicly owned does not impact on these outcomes and could not properly have a bearing on the consent decision. The same can be said of the remaining open space areas.

Rather, the Panel focus should be on whether the stated outcomes are appropriate and are secured. While WNDL considers that the proposed conditions provide for that outcome and comprehensive coverage, it will nevertheless undertake a further review of consent conditions to further demonstrate the same.

There is also an important legal consideration. The open space areas are private land. A condition compelling their transfer to the Council, the Trust or anyone else would amount to an expropriation of private property; it would be beyond the Panel's powers and would plainly be unreasonable. That is why the transfers WNDL has volunteered - the Peka Peka Road Swamp and the Dune Hilltop site, to ĀKWCT - are advanced on an *Augier* basis, and why the appropriate focus for the remaining areas is not compulsion of ownership transfer but the securing of designed and committed outcomes through reasonable and proportionate conditions. In the absence of an agreed outcome, if public ownership of these areas is truly considered necessary by KCDC the appropriate mechanism is the Public Works Act.

In reality, there is no credible risk to the outcomes proffered. This simple fact completely undermines the supposition that the open space areas need to be transferred out of the applicant's ownership by Panel decision. The restoration, enhancement and ongoing management of each area is mandated by conditions that bind to the land regardless of who owns it; the consent authorises no other activity in these areas; Te Harakeke Swamp is a scheduled Ecological Site under the District Plan with its own restrictive framework; the conditions require an appropriate legal protection mechanism for the offset areas; and the areas will sit within, and will be overlooked by, a large and engaged residential community, with both councils holding compliance functions. These areas have little practical utility beyond their expressed purpose and they provide no real opportunity for further development. Their full extent is taken up by ecological values, mitigation and enhancement activities and their function (among other things) as flood storage and private and public open space areas.

As the Ecology Response observes, once the offsetting measures are implemented and established it is difficult to conceive of any credible long-term threat to these areas. In any event, given that any subsequent development proposal (the advancement of which is considered fanciful) would need to secure resource consent through subsequent processes, any fears about the future of these areas are misplaced – and in any event the merits of any subsequent application would need to be assessed at the time it is advanced.

Ownership is not a matter for the Panel and can be resolved in the time it deserves, without delaying or conditioning the grant of consent or undermining the outcomes that the project design and conditions will achieve.

4.6 Transport modelling and the Te Moana Road interchange

Comments from both KCDC and NZTA raise queries in respect of modelling generally, and in respect of the Te Moana Road / State Highway 1 (the Expressway).

A comprehensive response to these matters is provided with the attached Transport Response.

KCDC sought a calibrated and validated 2026 base-year SIDRA model, updated forecast models and the full model files. NZTA sought confirmation of calibration and validation, trip-generation benchmarking, the electronic model files, the land use and staging assumptions for the Ngārara development area, a cumulative growth scenario, and the identification of feasible interchange mitigation and development triggers. Each of those requests has been answered in the Transport Response. The base model has been calibrated and validated against 2025 signal timing, count data and observed queue surveys; the full SIDRA files, inputs and outputs were provided to both KCDC and NZTA on 17 July 2026; the Ngārara assumptions have been confirmed by the operator of the Council's own district model; and the adopted trip generation rate of 0.9 vehicles per hour per dwelling sits comfortably above both the average (0.6-0.7) and 85th percentile rates observed at comparable Wellington subdivisions. The model also overstates current interchange volumes by 15 to 20 per cent when compared against observed traffic data. The assessment is conservative at every step.

KCDC's memorandum also contemplates a consent condition under which NZTA and KCDC would identify interchange mitigation, funding and triggers - in effect, a condition anticipating a future upgrade of the interchange. The applicant does not consider that such a condition could be justified or implemented. The modelling - run on the Council's own district model, at the Council's direction, and sensitivity tested by loading additional demand directly onto the critical movement - confirms that the interchange continues to operate at the same overall level of service with the development in place, and that the proposal does not itself trigger any requirement for mitigation. The development's contribution to interchange demand is in the order of 10 to 20 vehicles per hour per annum as houses are progressively built and occupied. Any future upgrade would respond to cumulative, district-wide growth and would benefit all users of the interchange. There is no principled trigger by which this consent could be made responsible for an upgrade, and a condition requiring works or funding not made necessary by the proposal or not borne on a district-wide basis by all activities that give rise to the need

for the upgrade would be more onerous than necessary, contrary to section 83. As the Council itself acknowledges, the ongoing capacity and performance of the wider network sits with KCDC and NZTA as road controlling authorities.

KCDC's transport memorandum also sought a cumulative modelling scenario applying consistent assumptions across Waikanae North, Proposed Private Plan Change 5, Ngārara and other consented or committed growth. The Transport Response confirms that the Council's own district (KTM) model, run at the Council's direction, is the appropriate tool for that assessment, with anticipated growth embedded within it. In respect of Proposed Private Plan Change 5 specifically, that is a plan change that has not been determined. It forms no part of the existing environment and is not committed development, and there is no proper basis on which this application should be required to model land use outcomes that may not eventuate, or may eventuate in a different form or on a different timeframe. If and when that plan change progresses, the assessment supporting it will fall to be made against a baseline that includes this development and other anticipated growth. That sequencing is orthodox and does not prejudice the Council's network planning functions.

The conclusion to be drawn from the Transport Response is that the traffic modelling is appropriate and thorough, and does not result in substantial traffic effects on the Te Moana Road interchange. The modelling utilises KCDC's own model, with existing growth embedded in that model.. The modelling shows that the interchange will continue to operate within appropriate bounds, and has been sensitivity tested to further confirm that outcome. No residual transport effect of any significance arises, and no mitigation is required of, or can properly be attributed to, the proposal.

4.7 The rural interface and effects on neighbours

A number of comments address the interface of the proposal with neighbouring rural properties. A combined response is provided to these comments across the Urban Design and Landscape responses attached.

The proposal is fundamentally an urban outcome such that it will always result in a different character to what is there now and what the District Plan currently provides for, in the absence of rezoning. This is acknowledged by the application and supporting assessment. Similar issues are likely to arise for many, if not all greenfield urban development projects under the FTAA.

The development pattern around the site also bears noting. The surrounding environment is not a working rural landscape: it is characterised by rural lifestyle properties, with an existing pocket of residential zoning a short distance along Paetawa Road and the Peka Peka settlement located nearby. The one substantial adjoining rural landholding - the NZTA-owned parcel on the northern boundary - is an isolated pocket rather than part of a contiguous rural landscape that commences from the edge of the site. NZTA owns this land and has not raised any concerns about the interface in its comments. Nor is that land likely to remain rural in the long term; it is an anomaly in an area that has progressively urbanised between the coast and the former State Highway 1. The lot sizes, setbacks and interface controls proposed are appropriately calibrated to the rural lifestyle character that surrounds the site.

The question is whether the proposal has appropriately responded to the surrounding environment and the supporting assessments, and section 53 responses, consider that the proposal has responded appropriately. This response is multi-faceted and ranges from appropriate lot sizes (noting changes have already been made as a result of pre-lodgement feedback), height restrictions, landscape buffering, setback and height in relation to boundary standards, light reflectivity value requirements, and the separation from and orientation of existing built development.

As a result of comments, a small number of further changes are proposed within these existing parameters. This is detailed in the supporting Urban Design and Landscape responses. These matters will be secured through conditions of consent, to be provided as part of an updated suite of proposed conditions.

In terms of the boundary interfaces specifically, the Urban Design and Landscape responses record the following. Several directly adjoining owners - at 193 Peka Peka Road, 105 Paetawa Road, 55 End Farm Road and 45 to 53 End Farm Road - have commented in support of the scheme layout and boundary treatment. Where lots adjoin General Rural or Rural Lifestyle zoned properties, the proposal adopts the rural zone bulk and location standards at the shared boundary - a 5 metre setback, a height in relation to boundary control of 2.1 metres plus 45 degrees, and an 8 metre height limit - secured by consent notice, together with rural-style fencing. Low light-reflectance requirements, further height restrictions (to single storey) and landscape buffer planting are required for some allotments. Separation distances supplement those controls: at 121 Paetawa Road, for example, the nearest residential lots are approximately 23.5 metres from the boundary, with a planted buffer, walkway and access road within that separation.

In response to comments, two further refinements are proposed. Lots 944-945 and 955-963, adjacent to 153 and 155 Peka Peka Road near the site entrance, can be limited to a maximum building height of 4.5 metres - single storey development - secured by condition and consent notice. In addition, the rural interface planting commitments will be expressly secured through redrafted conditions requiring the 5 metre buffer planting at 1.5 metre centres using eco-sourced native species, achievement of a 4 metre functional screening height within five years, and ongoing maintenance and replacement, implemented and monitored through a certified Landscape Management Plan.

The position at 153 and 155 Peka Peka Road, near the site entrance, warrants some further comment given the particular concerns raised by those owners. The dwellings on both properties sit on elevated land above the adjoining part of the site and are oriented away from it: the dwelling at 153 Peka Peka Road is set back approximately 100 metres from the boundary with its outdoor living area on its north-western side, and the dwelling at 155 Peka Peka Road, while closer to the boundary, is elevated above the proposed adjoining lots with limited south-facing openings. The owners of 153 Peka Peka Road have signalled an intention to build a second, larger dwelling on the elevated portion of their property near the shared boundary. That building has not been constructed and is not consented, and it does not form part of the existing environment against which the effects of the proposal fall to be assessed. In any event, the property enjoys a good northern aspect and wetland views to the east, while the proposed lots lie to the south; any future dwelling can readily be designed and oriented to those outlooks rather than towards the site – a matter that remains entirely within the neighbour's control, and one the proposal does not constrain. With the rural zone setback and height in relation to boundary standards, the boundary planting and the volunteered single storey (4.5 metre) height limit in place, the Urban Design response assesses privacy and visual effects on these properties as negligible.

A similar level of comfort is available for the properties on the far side of Te Harakeke Swamp at Paetawa Road, which the Landscape response addresses individually. At 121 Paetawa Road the nearest residential lot is approximately 29 metres from the boundary, separated by an access road and mitigation planting, with the dwelling itself – oriented predominantly towards the coast – more than 80 metres from the nearest proposed lots. At 149 Paetawa Road the dwelling is separated from the site by approximately 80 metres of dense established vegetation within that property, is approximately 130 metres from the site boundary, and is approximately 375 metres from the nearest proposed lots. At 155 Paetawa Road the dwelling is nestled within the dune landform and oriented towards the coast and Kāpiti Island, approximately 260 metres from the nearest proposed lots. In each case the intervening Te Harakeke Swamp and its buffer planting provide further separation and visual filtering, and effects are assessed as low, reducing further as planting matures. The Landscape response also identifies scope to include larger indigenous species within the wetland buffer planting adjoining 155 Paetawa Road, refined in consultation with the owner, should the Panel consider that necessary. To the

north, the dwelling at 173 Peka Peka Road is elevated, oriented towards the coast, and buffered by an approximately 1.3 hectare open space lot with dune-top treeland planting, with the nearest development areas subject to 4.5 and 8 metre height limits and low light-reflectance requirements; privacy and visual effects are assessed as low.

To the south, the interface with 59 End Farm Road comprises only four larger residential lots, with the remainder of the shared boundary adjoining open space. The dwelling on that property sits at a lower level, at the base of an existing retaining wall that is above window height, is oriented away from the site, and benefits from established vegetation along the boundary. Landscape and visual effects are assessed as low, and the adjoining residential lots are of sufficient size to accommodate additional planting should the Panel consider it necessary. The separate concern raised by these owners regarding edge effects on the QEII-covenanted wetland on their property is addressed in the Ecology Response, which confirms the 20 metre wetland enhancement buffer planting and the stormwater treatment train, and concludes that no adverse impacts on that wetland are anticipated.

With those controls in place, the Urban Design and Landscape responses each conclude that privacy and visual effects on adjoining properties are low or negligible and are appropriately addressed. No residual interface effect of any significance remains.

Some commentators also refer to potential reverse sensitivity matters which are addressed at P5 below.

4.8 The National Grid

Transpower's comments seek a suite of amendments to conditions relating to the National Grid, together with a site-specific assessment of flood effects on its support structures, and state that consent should not be granted until that assessment is provided. The attached National Grid Response, supplemented by the Landscape Response, addresses Transpower's comments paragraph by paragraph and resolves all of them. WNDL accepts the conditions proposed in Transpower's Appendix B, subject to limited drafting amendments (to Conditions 14(d) and (e), 15(f) and 18b) that are set out in full in that response, and has produced the coordination plans, access arrangements and setback figures that Transpower has requested.

On potential flooding, the National Grid Response provides the site-specific assessment sought, informed by a further ground survey of the two affected structures undertaken on 4 August 2026 and a detailed interrogation of the flood model. Two of the five support structures on the site sit within an existing flood-prone area and already experience ponding around their bases – that comprises the existing environment. The design will increase ponding depth at those two structures in larger events. Given the flat topography, water velocity in these events will be very low, such that grass cover will not be scoured. Given that these towers are already subject to inundation in flooding events, it is not unreasonable to assume that the towers are built in a way that is capable of withstanding such events. Transpower is not entitled to an improved outcome to the current situation.

WNDL does not hold Transpower's foundation design information and so cannot assess foundation performance at this juncture. It does, however, commit to avoiding any increased risk to foundation integrity, and proposes a new condition requiring a detailed foundation-integrity assessment at detailed design stage - incorporating final flood modelling, the detailed design surface and Transpower's foundation information - to be provided to Transpower for review and then certified as achieving no additional risk. Mitigation options, such as raising ground levels around the structures, are available if required.

The matters raised by Transpower are matters appropriately and completely addressed through conditions, and so the comments present no impediment to the grant of the approvals sought.

5. Planning and legal topic responses

P1 Comments in support

Comments: 2.1, 3.1, 4.1, 6.1, 7.1, 9.1, 10.1, 15.1, 20.1, 22.1 ; 25.1 | Commenters: 2 Hon Simon Watts, Minister of Climate Change; 3 Jo & Adam Southwick; 4 Lyndon & Patrice Thomas; 6 End Farm Developments Ltd; 7 Tuatahi First Fibre; 9 Hon Chris Bishop, Minister for Infrastructure; 10 Hon Tama Potaka, Minister for Maori Development; 15 Wellington Conservation Board; Hon Chris Penk, Minister for Building and Construction; Bradley and Lucas Families; Hon James Meager, Associate Minister of Transport

Comment. Eleven comments express support. The Minister of Climate Change supports projects delivering positive climate-adaptation outcomes including this development. The Minister for Infrastructure expresses broad support and asks that his letter be taken as a reflection of the Government's economic growth and infrastructure priorities. The Minister for Maori Development supports the application subject to comments received from relevant Maori groups. Immediate neighbours at 193 Peka Peka Road (Southwick), 105 Paetawa Road (Thomas) and End Farm Road (End Farm Developments Limited and the Bradley and Lucas Families) support the scheme layout and the proposed boundary activities including earthworks and landscaping. Tuatahi First Fibre supports the telecommunications provisions. The Wellington Conservation Board supports the ecological package.

Response. The support expressed is acknowledged and recorded. No change to the application is sought in response to these comments, other than in respect of the specific requests made by the Wellington Conservation Board (addressed in the Ecology report) and the conditional support of the Minister for Maori Development (addressed at Topic P2 and in the Cultural responses).

Conditions. No change recommended.

P2 Conditional support of the Minister for Maori Development

Comments: 10.1 | Commenters: 10 Hon Tama Potaka, Minister for Maori Development

Comment. The Minister for Maori Development supports the application subject to any comments received from the relevant Maori groups that were invited to comment. The Minister encourages the Panel to have regard to matters raised by Te Atiawa ki Whakarongotai.

Response. The substantive response to matters raised by Ātiawa ki Whakarongotai Charitable Trust (ĀKWCT) and Nga Hapu o Ōtaki are addressed in separate attachments to this report.

Conditions. Refer to the attached cultural responses.

P3 Requests that the application be declined

Comments: 1.8, 5.5, 8.1, 11.9, 16.8, 31.1 | Commenters: 1 Sally & John Killick; 5 Nicholas Brown; 8 Paul Westbury; 11 Kevin & Karen Baker; 16 Glynn & Jennifer Cowley; 31 Nga Hapu o Otaki

Comment. Six commenters expressly seek that the application, or parts of it, be declined. The Killicks seek that the Panel decline the five to seven residential lots at the eastern rear end of their and neighbours' properties. Mr and Mrs Baker submit that the application should be declined, or significant additional conditions imposed. Mr and Mrs Cowley submit that the application must be declined as currently proposed, or at the very least substantial additional conditions imposed. Mr Westbury submits the Panel should either include Mr Brown's recommended conditions or decline the application. Nga Hapu o Ōtaki seek that the proposal be declined.

Response. None of the matters raised give rise to effects that would warrant declining of the application under section 85. The next topic considers section 85 specifically.

Conditions. A number of additional conditions, or changes to conditions, are proposed as a result of individual responses that will be provided as part of an updated conditions set.

P4 The statutory tests raised - section 85(3) FTAA and Schedule 5 clause 17(5)

Comments: 5.1, 5.5, 8.1 | Commenters: 5 Nicholas Brown; 8 Paul Westbury

Comment. Mr Brown raises the section 85(3) FTAA refusal test in relation to the off-site flooding assessment, and a tort and statutory-authority concern that Paetawa Road owners may have no redress if flooding occurs. Mr Westbury supports the comments from Mr Brown seeking that the Panel should decline the development.

Response. Mr Brown makes the following specific comment, in the context of setting out his concerns regarding flooding effects on Paetawa Road:

“It is my understanding of Tort law that if the Panel approves the development, and it subsequently causes the flooding of off-site properties, the award of consent may be a “statutory authority” defence against any court proceedings that may be taken.”

He considers that if the Panel is not satisfied that there is no additional flood risk to Paetawa Road properties, then this would meet the test for refusal under section 85(3) of the FTAA.

Mr Brown’s comment prompts a useful reminder of the section 85(3) test, that the Panel will be familiar with. A ‘no-effect’ outcome does not form part of the decision-making rubric. The section provides that a Panel may decline an approval if it forms the view that:

1. there are one or more adverse impacts in relation to the approval sought; and
2. those adverse impacts are sufficiently significant to be out of proportion to the project’s regional or national benefits that the panel has considered under section 81(4), even after taking account –
 - a. any conditions that the panel may set in relation to those adverse impacts; and
 - b. any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

In respect of the flooding concern to Paetawa Road, a review of the supporting technical assessments, and a review of the responses provided by Mr O’Callaghan, will leave the Panel in no doubt that not only are the potential flooding effects in no way significant, but that they are negligible in their impact. It is plain from considering the response that the factor influencing flooding in this area is downstream management, not activity on the WNDL site.

As to the tort and ‘statutory authority’ point, the availability or otherwise of any defence to a future civil claim is not part of the Panel’s decision-making framework under the FTAA and is not a matter on which the Panel needs to reach a view. The premise of the concern – that the development may cause flooding of off-site properties is, in any event, not supported by the technical assessments summarised above.

The same conclusion can be reached for the application more broadly. A review of the application and supporting assessments suggests that the proposal undoubtedly results in adverse impacts, but my assessment is that none of those impacts, individually or cumulatively, come close to the significance threshold in section 85(3) that would warrant declining the application.

Conditions. No specific conditions arise.

P5 Reverse sensitivity and the rural interface

Comments: 1.1, 1.8, 17.3 | Commenters: 1 Sally & John Killick; 17 Dean & Miriam Lewin

Comment. A number of commentors address reverse sensitivity with existing rural activities. The Killicks are concerned that new residents on lots adjoining 121 Paetawa Road will demand curtailment of normal rural activities including firearm use for pest control, bonfires, dog breeding and barking, and chainsawing, and consider the proposed buffer inadequate. Mr and Mrs Lewin similarly raise similar issues of general reverse sensitivity effects arising from the interface of the proposal with adjoining rural land uses.

Response. The area surrounding the application site is not characterized by any intensive rural uses, but rather with rural lifestyle activity. In terms of the Paetawa Road lots particularly, it is noted that these properties already interface with residential zoning. As such, the presence of residential development is not new. It is acknowledged that the proposal would increase the overall number of residential properties.

The District Plan already manages noise for amenity purposes. It is noted that, at least in the interim while the application site remains zoned for rural purposes, the variation between noise received at or within the boundary of a subject site is 5dB (50dB for residential vs. 55dB for rural in the daytime (7am to 7pm), 45dB for residential vs. 50dB for rural in the evening (7pm to 10pm), and an equivalent 40dB for nighttime). Rule NOISE-R12 expressly provides for the use and operation of rural equipment as a permitted activity, subject to standards, and therefore provides explicit protection for such ongoing use.

It is also relevant, as the Urban Design response records, that some of the activities described – such as open-air burning and the discharge of firearms – are not necessarily lawfully established rural activities in their own right. Those activities are subject to their own regulatory controls, which operate independently of the presence or otherwise of residential neighbours. The District Plan provisions directed at reverse sensitivity are focused on intensive farming and rural production activities, and the surrounding environment is not characterised by activities of that kind.

WNDL considers that in the context of District Plan standards, existing land use patterns and existing separation distances, the potential for reverse sensitivity effects to arise is negligible.

Conditions. No additional conditions are proposed to address this issue.

P6 Density and minimum lot size

Comments: 11.1 | Commenters: 11 Kevin & Karen Baker

Comment. Mr and Mrs Baker submit that approximately 1,200 lots at an average of approximately 490 square metres is inconsistent with the surrounding rural and lifestyle area, and that minimum lot sizes should be approximately 1,000 square metres.

Response. It is acknowledged that the proposal is for a residential density outcome. The proposal is advanced under the FTAA as a project of regional importance for its housing supply contribution, and the density proposed is integral to that contribution. A minimum lot size of approximately 1,000 square metres would approximately halve the yield and materially reduce the housing capacity benefit against which the effects are weighed under section 85.

The proposal has been assessed for its ability to appropriately interface with the surrounding rural environment and is assessed as achieving an appropriate outcome. The management approaches are secured by conditions of consent

Conditions. Refer to supporting Urban Design and Landscape responses that indicate changes recommended to the currently proposed consent conditions.

P7 Consistency with the Rural Dunes Precinct and Special Amenity Landscape provisions

Comments: 11.2, 16.1 | Commenters: 11 Kevin & Karen Baker; 16 Glynn & Jennifer Cowley

Comment. Mr and Mrs Baker and Mr and Mrs Cowley both submit that the proposal is contrary to the District Plan's Rural Dunes Precinct objectives (retaining sensitive landscape and ecological character, avoiding highly visible development and dune landform change, and very low density to retain openness) and to the protection afforded to Special Amenity Landscape 19.

Response. It is acknowledged that the proposal is for an urban outcome, advanced under the FTAA. The Landscape and Visual Assessment expressly records that the outcome is not one anticipated by the existing District Plan. Nevertheless, the proposal has sought to protect the key dune ridgeline and to develop that dune formation responsibly with particular controls on earthworks, height and other building controls. In turn, this addresses the purpose of the Special Amenity Landscape. These matters are addressed in further detail in the landscape response.

Conditions. No specific conditions are proposed in response to this matter.

P8 The assumption that rural-lifestyle character will change over time

Comments: 12.6 | Commenters: 12 Bryan & Debbie Edwards

Comment. Mr and Mrs Edwards make the following statement in their comments:

"At the entrance to the site a cluster of rural residential properties ([REDACTED]) bound the site access from Peka Peka Road. The nature of Peka Peka Road is currently rural lifestyle, however due to its proximity to the Peka Peka Link Road /Main Road to Waikanae and other rural residential activity in close proximity, it is anticipated that this character will change to a more residential nature over time."

They then say that this statement is an assumption rather than a demonstrated or evidenced outcome. They are concerned that it is assumed that neighbouring rural lifestyle owners will accept a future change in character.

Response. The statement comes from the Urban Design Assessment, Appendix 13 of the substantive application, at section 5.1.1 where the boundary conditions of the site are being described. The statement is, in fact, presented slightly differently in the Urban Design Assessment, as follows:

"...

At the entrance to the site a cluster of rural residential properties ([REDACTED]) bound the site access from Peka Peka Road.

The nature of Peka Peka Road is currently rural lifestyle, however due to its proximity to the Peka Peka Link Road / Main Road to Waikanae and other rural residential activity in close proximity, it is anticipated that this character will change to a more residential nature over time.

..."

The statement was not saying that the listed properties will become residential. It was describing which properties were located at the entrance to the site. The report then made an observation on the potential for the future of development along the road, in the context of its location. It is also noted that there is an existing cluster of residential zoning a short distance away along Paetawa Road.

The matter is briefly addressed as part of the Urban Design response where Mr Wenden comments briefly on how effects on these properties have been assessed.

Conditions. No conditions arise in respect of this point.

P9 Scope of consultation and the parties invited to comment

Comments: 8.2, 14.8, 33.2 | Commenters: 8 Paul Westbury; 14 Jo Gilpin & John Urquhart; 33 Brett Johnson

Comment. Mr Westbury is concerned that the determination on 'Additional land invited to comment' excludes a considerable number of properties at risk from the hydrology issues and adverse traffic effects, and submits the Panel should invite comment from all affected owners - all Paetawa Road property owners - under section 53(3) of the FTAA. Ms Gilpin and Mr Urquhart are concerned that the owner of 175 Peka Peka Road did not receive an invitation to comment, and that wider Peka Peka and Paetawa Road residents affected by traffic and construction were not directly consulted, and request confirmation that all parties entitled to comment have been identified and invited, and what wider engagement is proposed.

Response. The identification of persons invited to comment under section 53 is a matter for the Panel, not for the applicant, or those invited to comment. Having said that, from the applicants perspective, all adjacent properties have been identified and provided with an opportunity to comment, so the requirements of the Act have been fulfilled. It is noted that the property at 175 Peka Peka Road was invited by the Panel to comment and a comment from Mr Johnson was received.

Conditions. No specific conditions arise from this matter.

P10 Compensation for loss of rural outlook and property value

Comments: 12.3, 17.5 | Commenters: 12 Bryan & Debbie Edwards; 17 Dean & Miriam Lewin

Comment. Commentors ask whether any compensation has been considered for neighbouring rural-lifestyle owners experiencing loss of outlook and potential property-value impacts.

Response. Impacts on rural outlook and any associated property value impact are appropriately considered as the impact of the effect itself. In this case, the proposal and supporting assessments have comprehensively assessed the effects of the proposal and propose a range of conditions to manage interface effects with adjacent properties. It is well understood that property value effects are not a matter for consideration in the consenting context (not that any adverse impact on property values can be anticipated, given the absence of significant adverse effects on neighbouring properties).

Conditions. No additional conditions are proposed in respect of this comment.

P11 Carbon and sustainability conditions

Comments: 11.6 | Commenters: 11 Kevin & Karen Baker

Comment. Mr and Mrs Baker submit that the proposal carries significant construction and operational carbon with few mitigations, that greenfield emissions are multiples worse than infill given distance from centres, and seeks carbon-neutral conditions including more green and open space and native planting for offsets, solar rooftops, and a ban on non-clean-energy heating.

Response. The proposal delivers a substantial revegetation and restoration programme which will sequester carbon over time, integrates a local centre so that day-to-day trips can be made locally, and provides a walkable street network, connection to active mode routes and considers the design of potential future public transport provision.

More fundamentally, the submission appears to apply an orthodox, centres-based planning analysis of the kind that is familiar under the RMA - treating distance from existing centres as decisive - rather than engaging with the purpose and approach of the FTAA, under which the delivery of significant housing capacity is the very outcome the statute seeks to facilitate.

The proposal seeks to provide for important greenfield development capacity in the Kāpiti district, as a complementary source of development capacity alongside other sources such as infill and redevelopment. Such an approach supports the competitive operation of land and development markets, encompassing an 'all of the above' approach to providing for development capacity.

Existing District Plan settings provide for matters such as the provision of solar panels that will be a choice for future landowners.

The Minister of Climate Change has separately expressed support for the development as delivering positive climate-adaptation outcomes.

Conditions. No specific conditions are proposed in respect of this matter.

P12 The economic case and the legal opinion

Comments: 11.8, 16.6 | Commenters: 11 Kevin & Karen Baker; 16 Glynn & Jennifer Cowley

Comment. Mr and Mrs Baker submit that the legal opinion of Bal Matheson KC (Appendix 39) is partisan. Mr and Mrs Cowley submit that the opinion was commissioned in support of the development and that other interpretations are possible.

Response. The opinion at Appendix 39 addresses the approach to assessing benefits under the FTAA, in response to the position taken in the KCDC peer review of the supplied Economic Assessment. It is put forward as legal submission for the Panel's consideration and the Panel is of course free to reach its own view.

Some further context assists. The legal opinion was commissioned to address the approach taken in the Formative peer review, which applied an orthodox RMA-style cost-benefit analysis – thereby discounting the project's benefits in a manner the FTAA does not contemplate. The applicant's attention to the issue was heightened by the approach taken by the Panel in the first Delmore application. Decisions issued since have confirmed the approach outlined by Mr Matheson KC and by the applicant's economist: under the FTAA the project's regional and national benefits are to be identified and weighed as the statute directs, not netted off through a business-as-usual RMA cost-benefit type analysis. The approach the legal opinion describes is well supported by the decided cases, and no commenter has engaged with its substance.

Conditions. No conditions arise in respect of this comment.

P13 Public Works Act offer-back and effect on 343 State Highway 1

Comments: 13.5 | Commenters: 13 Kensington Farm Park Ltd

Comment. Kensington Farm Park Limited states that it was the past owner of the farm to the north at 343 State Highway 1, taken under the Public Works Act for the M2PP Roads of National Significance project in 2013, with offer-back rights once the land is declared surplus, and states that the development has a material effect on that parcel.

Response. The historical background is noted. Matters relating to interface issues are discussed briefly above and addressed principally in the supporting Urban Design and Landscape responses.

NZTA (as owner) did not raise any issues in respect of this interface.

WNDL does not agree that the development has an adverse effect on that parcel - quite the opposite. The interface has been carefully considered and is appropriately managed. The connectivity the proposal delivers, including the roading connections provided to the northern boundary and the upgrade of the site access to a vested public road, will substantially enhance the redevelopment opportunities for 343 State Highway 1 should

it be declared surplus and offered back. Any offer-back rights under the Public Works Act are a matter between Kensington Farm Park and the Crown; they are unaffected by this application.

Conditions. No specific condition arises in respect of this comment.

P14 Road designation and effect on adjoining property rights

Comments: 14.5 | Commenters: 14 Jo Gilpin & John Urquhart

Comment. Ms Gilpin and Mr Urquhart seek clarity on whether the new public road creates restrictions on the future use of their property, whether land is required from adjoining properties for the road reserve, the effect on legal boundaries, easements and development potential, and maintenance responsibilities at the road and private interface.

Response. The new road is a road to be constructed within land owned or controlled by the applicant and vested in Council on completion as public road. No land from adjoining properties is required and there will be no impact on existing boundaries. Existing connections to the road will remain in place and the road will not otherwise impact on the development potential of connecting properties.

Conditions. No specific condition arises in respect of this comment.

P15 Public and recreational access over private open space

Comments: 15.6 | Commenters: 15 Wellington Conservation Board

Comment. The Wellington Conservation Board considers reliance on the private nature of the 'Private Open Space' areas insufficient and expects any trail network explicitly to provide for public access.

Response. The future of the areas signalled as 'private' open space is discussed above. WNDL also anticipates public access through these areas and anticipates that the majority, if not all of these areas, will be ultimately vested in the Kāpiti Coast District Council. Failure to resolve these matters at this stage does not amount to an adverse effect. At most it could be said to be the absence of a positive effect.

Conditions. No specific condition arises in respect of this comment.

P16 Position of Kapiti Coast District Council

Comments: 21.0 | Commenters: 21 Kapiti Coast District Council

Comment. Kapiti Coast District Council filed comments on 28 July 2026 under section 53(2), comprising a principal report and eight technical memos covering ecology and biodiversity, stormwater flooding and hydrology, reserves and open spaces, transport, landscape and visual amenity, urban design, development engineering, and infrastructure. KCDC identifies 37 numbered outstanding matters with required responses.

Response. Comments from KCDC have been responded to as part of the individual topic responses attached to this covering response and will be further addressed in updated draft conditions to be circulated shortly.

One infrastructure matter warrants clarification at a covering level, because it recurs through KCDC's comments on water and wastewater servicing. WNDL accepts – consistent with the approach agreed with Council officers through pre-application engagement and confirmed in the Infrastructure and Stormwater Response – that where the development connects to Council infrastructure, updated network modelling at detailed design (undertaken at the applicant's cost) must confirm that sufficient capacity is available before any connection is made, with connection staged accordingly. That includes the accepted requirement that no lots connect to the wastewater network before the second rising main is commissioned. What WNDL does not accept is any suggestion that wider network upgrades – such as the Waikanae pump station and pond storage upgrades – must necessarily be

completed before any connection is authorised. The 2022 modelling commissioned by the Council itself identified available capacity in the network for a substantial number of lots ahead of those upgrades, and the very purpose of the updated modelling is to confirm when the upgrade works are required. Both approaches deliver the same outcome – no connection without confirmed capacity – but a condition requiring upgrades in advance of any connection would be more onerous than necessary to serve that outcome, contrary to section 83. The conditions proposed through the Infrastructure and Stormwater Response secure that outcome in the appropriate way.

Conditions. KCDC will review and comment on the updated draft conditions when circulated, in accordance with Minute 1 from the Panel.

P17 Position of Greater Wellington Regional Council

Comments: 24.0 | Commenters: 24 Greater Wellington Regional Council

Comment. Greater Wellington filed comments on 28 July 2026 under section 53(2), comprising a principal report and nine appendices covering condition matters, wetland ecology, stream ecology, hydrology, stormwater, erosion and sediment control, flooding effects and regional and public transport. Greater Wellington identifies ten numbered issues together with three further matters.

Response. Greater Wellington considers that there are some outstanding issues but notes that these issues can be addressed by the provision of information and appropriate conditions. It has provided feedback on proposed conditions that WNDL is in the process of addressing.

Matters raised by GWRC in comments have been addressed by the attached reports and in this covering report. Two key matters relate to wetlands and stream classification - these are discussed above and in more detail in the ecological responses.

Another key matter that relates directly to planning was the comment raised relating to the functional need for stream reclamation. The following response is provided.

Functional need and effects management hierarchy for stream reclamation

GWRC has identified that the substantive application has not addressed Regulation 57(2) of the NES-F. Regulation 57 provides for the reclamation of the bed of any river as a discretionary activity, and provides that consent may not be granted unless the consent authority is satisfied that (a) there is a functional need for the reclamation, and (b) that the effects management hierarchy has been applied.

Referring to the application, it is proposed to realign a length of 979m of the highly channelized Ngarara Stream through the transmission line corridor, resulting in a 5m reduction in overall length. However, the stream bed will increase from 2,965m² of area, to 3,895m² of area. The supporting Assessment of Ecological Effects concluded that the realignment will “deliver a substantial improvement in ecological condition and habitat values compared to the existing degraded reach.” The improvements are generated by:

- Increased channel sinuosity;
- Improved flow variability and habitat heterogeneity;
- The addition of woody debris and gravel substrates; and
- Establishing diverse riparian vegetation.

The proposed realignment of the stream will improve the ecological condition of the existing waterway that has been significantly altered over time into a highly channelized structure. The effects of this change are assessed as being positive. To achieve that outcome requires the channel to be realigned and the former channel abandoned. Once realigned, WNDL proposes to reclaim the former channel.

The functional need to reclaim the abandoned channel therefore stems from the realignment occurring. GWRC noted that Policy 110(b)(ii) identifies particular reasons for reclamation. This includes reclamation “associated with the creation of a new river bed and does not involve the piping of the river.” The proposal aligns with this policy as it creates new river bed (of greater area than what is removed) and does not pipe the river over the length of its realignment.

For the purposes of Regulation 57, the Panel can be satisfied that the realignment that is proposed will improve the health of the stream, is integrated with wetland enhancement on the site, and achieves an overall positive outcome through a significant increase in overall stream bed area (acknowledging a 5m reduction in overall length), greater flow and habitat variability, and improvements in riparian vegetation. Those positive outcomes are not contested by any comments received.

P18 Department of Conservation

Comments: 32.0 | Commenters: 32 Director General of Conservation

The Department of Conservation (DOC) provided comments under both sections 51 and 53 of the FTAA. Their comments pursuant to section 51 are aimed at the Wildlife Approval sought by WNDL. DOCs section 53 comments speak to the resource consents sought.

Section 51 Comments

The section 51 comments record agreement with WNDL on matters that need to be updated through the Wildlife Approval process. The supporting Ecology Response addresses these matters.

Section 53 Comments

As part of its section 53 comments, DOC raises a number of matters that are predominantly addressed by the Ecology Response. Their comments in respect of wetlands are also addressed above. Two other matters are relevant to a planning response, relating to the Complex Freshwater Fisheries Activity question, and to the dune landscape.

Complex Freshwater Fisheries Activity

DOC addresses this matter at sections 3.3 to 3.12 of its comments, noting that in terms of the FTAA definition of ‘complex freshwater fisheries activity’, an approval for this type of activity is required because there will be “any activity that involves the construction of a permanent dam or diversion structure”.

From that starting point, DOC turns to the definition of ‘dam’ under the Freshwater Fisheries Regulations 1983. That definition states:

dam means any structure designed to confine, direct, or control water, whether permanent or temporary; and includes weirs

From that definition, DOC identifies that a weir is a dam, and appears to apply that to the twin-box culvert that is proposed. WNDL’s description of that structure may have contributed to the misunderstanding DOC appears to be operating under. The structure is a twin box culvert with an overflow device described as a ‘weir’ however that overflow only operates in extreme events and it sits atop the culvert, that will continue operating in all events.

Given the presence of the culvert, it cannot be said that the stream is being dammed, and given that a weir is a barrier built across a stream to raise the upstream water level, the definition does not fit what is proposed here. It is a culvert with a design that allows for its overtopping in extreme events. There is no intention to raise the upstream water level permanently by installation of an over-topping weir that operates in significant events.

While the upstream water level can be managed to ensure positive ecological outcomes, that is not because of installing a weir. It is a consequence of the constructed depth of the new stream bed.

I also note that GWRC has not raised the suggestion the structure is a dam for the purposes of the Natural Resources Plan.

DOC then highlights the definition of a diversion structure, as follows:

diversion structure means any structure designed to divert or abstract natural water from its natural channel or bed whether permanent or temporary

DOC takes the view that the creation of the realigned channel of Ngarara Stream is a diversion structure on account of “added substrate, added woody debris, deliberate sizing, depth, flow gradients and planted bank vegetation” because it is a constructed watercourse diverting the Ngarara Stream from its present channel. DOC claims that a construction watercourse meets the definition of a diversion structure.

The Freshwater Fisheries Regulations do not define a structure, but a review of the RMA definition suggests that a structure “means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.”

The proposal is to excavate a new and significantly improved channel for part of the Ngarara Stream. Once that is completed the stream will be realigned to flow through the new channel. The Applicant does not agree that this work involves the creation of a structure and does not consider that the “added substrate, added woody debris, deliberate sizing, depth, flow gradients and planted bank vegetation” makes it a structure.

In any event, WNDL has not applied for a Complex Freshwater Fisheries Activity. To the extent the DOC maintains its position that a separate approval is required, the matter is one for WNDL and DOC to resolve outside of this process. This dispute has no bearing on your ability to grant the consents sought.

Wetlands and Dune System concerns

DOC's wetland positions - classification, delineation methodology, buffers and offsetting - have been identified and responded to at section 4.1 above and are not repeated here.

Separately, DOC considers that the stable dune ecosystem has not been adequately offset and should be assessed as a landform of approximately 42 hectares rather than as 0.54 hectares of indigenous remnants. In doing so, DOC is comparing the overall extent of the dune formation and comparing it with a smaller area of indigenous remnants. It ignores the restoration of some of this area, and the lizard release area and ignores the existing condition of the dunes. The Ecology Response provides further detail on this comment. That response concludes that DOC vastly overstates the extent of any stable dune ecosystem, and that its comparison ignores both the condition of the dunes and the approximately 17.5 hectares of dune restoration and enhancement planting, and the lizard habitat provision, within the package.

P19 Reserves, open space and land in lieu of financial contributions

Comments: 21.12, 21.13, 21.14 | Commenters: 21 Kapiti Coast District Council

Comment. KCDC seeks the vesting of Te Harakeke Swamp. KCDC also states that proposed Condition 6 suggests Council apply a credit to the financial contributions to the value of a number of parcels to be vested, but that Council is only able to accept land in lieu of financial contributions where it is vested for open space and environmental purposes and not for stormwater or other utilities. KCDC confirms that only Lots 5310, 5311, 5314, 5400 and 5402 would be eligible for a financial contribution credit, and that Lots 5000-5006, 5100-5124 and 5200-5204 are not able to be taken in lieu of financial contributions with no credit to be applied for them.

Response. The Council's comment in respect of ownership Te Harakeke Swamp has already been discussed above. In respect of financial contributions, KCDC's own comments confirm that the land Council seeks to have vested is credit-eligible: Lots 5310, 5311 and 5314 (Te Harakeke Swamp) and Lots 5400 and 5402 (the recreation reserves) would attract a financial contribution credit, while the stormwater and utility lots would not. WNDL accepts KCDC's position that land that is vested for stormwater or other utilities does not attract a financial contribution credit. Proposed Condition 6 will be amended to reflect that position, which is accepted.

Conditions. WNDL will review the relevant condition as a result of KCDC feedback.

6. Other Topic Areas

A limited number of comments were received on the following topic areas that can be addressed as part of this covering response:

1. Archaeology; and
2. Economics.

6.1 Archaeology

Comments on archaeological matters were principally received from Heritage New Zealand Pouhere Taonga, with additional comments from both Ātiawa ki Whakarongotai Charitable Trust and Nga Hapu o Ōtaki, that are principally addressed in separate responses.

A1 Archaeological authority required prior to works

Comments: 27.1 | Commenters: 27 Heritage New Zealand Pouhere Taonga

Comment. Heritage New Zealand Pouhere Taonga (HNZPT) re-iterates the key finding of the applicant's Archaeological Assessment of Effects that there are 21 recorded archaeological sites within the proposed development area, that the majority will be impacted by the proposed cut and fill earthworks, and that there is a high likelihood of unrecorded archaeological sites below the ground surface within the sand dune landscape.

It notes the key recommendation that an application for an archaeological authority should be submitted covering the earthworks for the entirety of the proposed development area. HNZPT confirms that an archaeological authority must be applied for and granted prior to any works commencing, regardless of whether the resource consents are granted, and states that no earthworks can commence until an authority has been obtained.

Response. HNZPT's position is consistent with the applicant's own archaeological advice and with the substantive application, which records that an archaeological authority will be obtained. The applicant is well aware that an archaeological authority is required and that it is a separate approval under the HNZPT Act which was not sought as part of its substantive application. HNZPT notes that the authority, if granted, will include conditions ensuring works are undertaken in a culturally appropriate way, mitigate adverse effects on affected archaeological values, allow information collected to be recorded in an accessible report, and can be monitored and measured to ensure compliance.

This comment from HNZPT raises no matter that causes disagreement.

A2 Accidental discovery conditions

Comments: 27.2, 31.3 | Commenters: 27 Heritage New Zealand Pouhere Taonga; 31 Nga Hapu o Otaki

Comment. Heritage New Zealand Pouhere Taonga has reviewed the proposed consent conditions at Appendix 33 and sets out Conditions 11 and 12 of the regional consents set, relating to the discovery of artefacts. That condition requires works to cease immediately on discovery of koiwi, taonga, wahi tapu, archaeological sites or other archaeological material, alongside notification requirements, with no works to resume until written notification from the Manager. HNZPT notes that the archaeological authority will include conditions relating to koiwi and taonga discovery in line with the protocols set out. HNZPT considers these conditions to be redundant as they will be duplicated by a future archaeological authority and that they should be deleted to avoid potential for future conflict.

Response. HNZPT raises issues of potential duplication and conflict which are fairly raised. I note that HNZPT has not commented on Condition 106 of the local land use condition set which addresses an equivalent matter. It is assumed that HNZPT would have a similar view regarding duplication and potential conflict in respect of that condition.

In my view, the potential for conflict between the proposed conditions, and what may be implemented through a latter archaeological authority is likely small. Such conditions are prevalent for a range of land development projects, of all scales, where a number of such projects also require an archaeological authority. Equally, the requirements are simply imposed as advice notes, thereby avoiding any conflict between conditions.

In this case, the issue of duplication and potential conflict is acknowledged. It is not proposed to remove these conditions through the next iteration of conditions that will be supplied, given their relevance to iwi. Nevertheless, their removal is an option that is not problematic to WNDL. Equally, the conditions could be included as advice notes. WNDL is open to direction from the Panel on this discrete matter.

For completeness, I note that HNZPT has not commented on Conditions 74 of the local land use condition set. Condition 74 requires that all cut earthworks that may affect a known archaeological site to be supervised by a suitably qualified archaeologist. It is therefore assumed that HNZPT does not oppose such a condition or consider that it could lead to conflict with a future archaeological authority. To my reading, the condition is neutral in requiring the supervision of earthworks. Again, with guidance from the Panel, removal of the condition is feasible should it be considered that it is better addressed through a future archaeological authority.

Conditions. A change to remove the conditions is not currently proposed, but, depending on guidance from the Panel, an update to remove the conditions could be made.

6.2 Economics

Limited comments were received on matters within the economics subject area. The following responses are provided:

Ee1 Reconciliation of the Urban Economics assessment and the Formative peer review

Comments: 11.8, 16.6 | Commenters: 11 Kevin & Karen Baker; 16 Glynn & Jennifer Cowley

Comment. Mr and Mrs Baker submit that the Urban Economics report and KCDC's Formative peer review conflict, and that Formative calls the sufficiency analysis 'critically flawed' because it excludes greenfield developments of fewer than 50 dwellings and unconsented planned developments. Mr and Mrs Cowley submits that differing opinions in the two reports cast doubt on basic assumptions.

Response. The primary economic assessment in support of the application is accompanied by a response to the peer-review by Formative undertaken for the Council. The Formative peer-review was also presented for completeness and transparency. The substantive application was also accompanied by advice from Mr Bal Mathieson KC on the appropriate approach to considering economic benefits under the FTAA.

The legal advice, coupled with the peer-review response, outlines that the Formative peer-review applied a business-as-usual RMA framework rather than assessing the project under the FTAA framework. The economic assessment quantifies approximately \$261 million of construction-phase GDP contribution, approximately 1,600 FTE construction jobs, approximately \$35.9 million per annum ongoing GDP and approximately 326 FTE ongoing jobs, and an extension of Kapiti's greenfield residential capacity from approximately 6 to approximately 11.1 years.

Regarding the less than 50 dwelling exclusion, this is a threshold for greenfield classification, rather than an exclusion of development capacity from the overall capacity figure.

It is noted that the section 53 comments from Kāpiti Coast District Council do not pursue this matter, and at section 5 the Council's comments acknowledge the benefits of the proposal. The comments from Greater Wellington Regional Council similarly acknowledge those benefits at paragraphs 20 and 21 of the GWRC comments.

Ee2 Scale of the economic benefits relied on

Comments: 11.8 | Commenters: 11 Kevin & Karen Baker

Comment. Mr and Mrs Baker submit that GDP of \$261 million plus \$58 million and 1,600 jobs equate to 'only' approximately \$26 million per annum and 133 jobs per annum, being approximately 0.05% of Greater Wellington GDP, under 1% of KCDC GDP and approximately 0.6% of jobs.

Response. The substantive application document sets out a detailed breakdown of the economic impacts of the proposal, recording it is a \$1.1B development that will contribute approximately \$261M to construction sector GDP supporting 1,600 FTE jobs during construction, and a further \$58M contribution to primary sector GDP and 355 FTE jobs. Population growth will lead to a further GDP of \$35.9M and 326 FTE jobs. It further makes a meaningful supply to greenfield housing capacity in the Kāpiti district, for which there is a shortage beyond the short term. The economic assessment concludes that such effects are significantly positive and achieve the purpose of the FTAA.

Mr and Mrs Baker have presented the numbers on an annualized basis over the delivery timeframe of the project. That presentation substantially understates the significance of the benefits: it dilutes a \$1.1 billion project into annual slivers, measures a district-scale project against a regional denominator, and is not how benefits have been approached in the decided fast-track cases. It is also noted that the commenters do not claim any economic expertise, and their calculations are not accepted by WNDL.

The economic assessment prepared in support of the application also identifies ongoing annual GDP of approximately \$35.9 million and approximately 326 ongoing FTE jobs, an increase in the self-sufficiency of an area which currently has approximately 0.3 jobs per resident, and the extension of greenfield residential capacity from approximately 6 to approximately 11.1 years, which is a capacity outcome rather than a GDP outcome, but still represents a significantly positive effect to greenfield development capacity in the district.

Ee3 Housing affordability

Comments: 11.8, 16.6 | Commenters: 11 Kevin & Karen Baker; 16 Glynn & Jennifer Cowley

Comment. Mr and Mrs Baker submit that 70% of dwellings at approximately \$930,000 is 20% above the KCDC average and represents 7 to 11 times local income against a 3 to 5 times norm. Mr and Mrs Cowley submit that affordability is not assured because the developer sells land packages with no control over house cost or quality, and that more sections does not equate to lower build costs.

Response. These matters are traversed in the Urban Economics primary assessment, Formative peer-review and Urban Economics response. The clear position made by Urban Economics on behalf of WNDL is that the proposal would make a significant contribution to greenfield development capacity available in Kāpiti that would support the competitive operation of land and development markets. This achieves consistency with the NPS-UD. By increasing the supply of housing capacity, further supply is the mechanism by which affordability pressure is relieved, rather than the price point of any individual dwelling which is subject to a range of market dynamics and individual choices.

The point made by Mr and Mrs Cowley is relevant in that limited regard. The proposal is for a land subdivision, with no specific houses proposed. That leaves construction to third parties that will develop subject to the cost of building at the time of development, within a range of housing sizes and specifications. The underlying point made in the economic assessment is that the contribution of a supply has, in economic terms, a downward effect on price, all else being equal. Against an established shortage of future greenfield supply in the Kāpiti district, such an effect is significantly positive.

Ee4 Infrastructure cost and the 'unanticipated development' proposition

Comments: 11.4, 16.4 | Commenters: 11 Kevin & Karen Baker; 16 Glynn & Jennifer Cowley

Comment. Mr and Mrs Baker and Mr and Mrs Cowley both point to the Formative peer-review to submit that the development is not anticipated in KCDC's infrastructure strategy and is therefore an unanticipated development carrying additional unanticipated cost.

Response. The application addresses infrastructure provision expressly and records that the delivery of a significant amount of new housing supports cost recovery for already planned infrastructure spending, and that the proposal has been designed with ongoing engagement with Kāpiti Coast District Council, particularly in respect of infrastructure. The Council has outlined its high-level support for the proposal. Responses to Council comments in respect of infrastructure are provided as part of this response package. Further updates to the proposed conditions will be forthcoming.

Ee5 Ministerial support for housing supply, affordability and construction sector outcomes

Comments: 20.1 | Commenters: 20 Hon Chris Penk, Minister for Building and Construction

Comment. The Minister for Building and Construction notes that the application indicates delivery of between 1,181 and 1,201 new dwellings, representing a substantial increase in housing supply in the Kapiti Coast area which would contribute to meeting current and future housing demand and could place downward pressure on land prices and housing costs over time.

He notes the applicant's assessment that the estimated average dwelling price would be approximately \$935,000, said to be 20-30 per cent below comparable nearby developments, which if achieved could improve access to home ownership and support housing affordability outcomes. He notes the expected contribution of approximately \$261 million to construction-sector GDP and approximately 1,600 FTE jobs during construction, providing a significant pipeline of work helping to sustain employment, maintain workforce capability and retain critical skills.

The Minister for Infrastructure makes similar comments in broad support for the delivery of positive outcomes aligning with the Government's economic and infrastructure priorities.

Response. The Ministerial support is acknowledged and recorded. It acknowledges the positive effects of the proposal, drawing a different conclusion on the same numbers to Mr and Mrs Baker and Mrs and Mrs Cowley.

7. Summary of key conclusions from the topic responses

Each of the attached topic responses concludes that the matters raised in comments either require no change to the application, or can be addressed through the further information now provided and through updated conditions. In summary:

Ecology (RMA Ecology Ltd). The comments require no change to the ecological package, though conditions will reflect the potential for offsetting to occur at QEII regional park. The wetlands to be removed are degraded and of moderate or lower value and can be offset like-for-like, delivering a net gain in wetland extent and values. The disputed drainage features are appropriately classified as drains of poor ecological value, with a full on-site compensation pathway available if the Panel concludes otherwise. DOC's positions on dune slack classification, buffer widths and dune-system offsetting are outliers shared by no other reviewer, including GWRC. Targeted updates to the ERMP and monitoring conditions - including a post-development SEV target for the realigned Ngārara Stream and consolidated eco-hydrological monitoring with iwi input - will be reflected in the updated conditions set.

Flooding (Awa Environmental / O'Callaghan Design Ltd). The flood modelling assesses the Paetawa Road area, and shows no change in peak flood levels adjacent to those properties in any design event, with sensitivity analysis confirming any contribution from the western road runoff is negligible. Historic flooding in that area was driven by downstream drainage management, an issue which rests with KCDC. Amendments to conditions are proposed covering culvert blockage assessment, maintenance of flood protection infrastructure and minimum building floor levels.

Hydrology and geotechnical (O'Callaghan Design Ltd / Cameron Gibson & Wells Ltd). Earthworks will not materially affect groundwater levels beyond the site: the western dunes are free-draining sands with no earthworks within the groundwater zone, and peat removal in the east is in a different catchment almost a kilometre from Te Harakeke Swamp. Groundwater and hydrological monitoring during, and for five years beyond, earthworks is secured by condition. Trenching, dewatering, settlement and fill matters are managed under NZS 4431:2022 and the certified management plans.

Earthworks (Landlink Ltd / O'Callaghan Design Ltd). The extent of earthworks reflects flood protection, geotechnical necessity (peat removal and replacement) and a balanced cut-to-fill - not lot yield - and the prominent dune ridges are retained. A requirement to import fill would put approximately 665,000 cubic metres of material onto the local roads that commenters are most concerned about, for no better landscape outcome. GWRC's more prescriptive erosion and sediment control drafting is accepted in principle.

Infrastructure and stormwater (Landlink Ltd / O'Callaghan Design Ltd). KCDC has confirmed water supply is available, and wastewater capacity has been assessed on the Council's own commissioned modelling. The applicant has agreed to fund updated water and wastewater network modelling at detailed design, accepts that no lots will connect before the second rising main is commissioned, and will secure these and related matters - including firefighting supply for Lots 1 to 7 and stormwater operation and maintenance arrangements - through new and revised conditions. Consistent with the approach previously discussed with KCDC, the updated modelling at detailed design will confirm the capacity available before any connection is made; wider network upgrades are not a necessary precondition to every connection, and will be programmed when the updated modelling confirms they are required (as discussed at P16 above).

Transport (Stantec). The modelling uses the Council's own district model at the Council's direction, adopts conservative trip rates, has been calibrated, validated and sensitivity tested, and confirms the Te Moana Road interchange continues to operate at the same overall level of service with the development in place. No mitigation is required by the proposal; wider network improvements sit with KCDC and NZTA as road controlling authorities.

Urban design (McIndoe Urban Ltd). The masterplan delivers a well-functioning urban environment with a logical transect from the local centre to the rural edge. Interface effects on neighbouring properties are assessed as negligible to low, and a further single-storey (4.5 metre) height control is volunteered for Lots 944-945 and 955-963 in response to comments.

Landscape (Local Landscape Architecture Collective Ltd). The site is a modified and degraded landscape with good capacity for change. Visual effects are assessed as moderate during construction, reducing to low-moderate on completion, with some positive effects from the restoration programme – there are no significant adverse landscape effects generated by the proposal. Conditions will be redrafted to secure interface buffer planting, controls on batters and retaining walls, updated screening drawings and a certified Landscape Management Plan.

National Grid (Landlink Ltd / O’Callaghan Design Ltd). Transpower’s proposed conditions are accepted subject to amendments. The site-specific flood assessment Transpower sought has been provided. A new condition will require a foundation-integrity assessment at detailed design, submitted to Transpower for review and certified as achieving no additional risk.

Cultural - Ātiawa ki Whakarongotai Charitable Trust. Every matter raised in the Trust’s Interim CIA and section 53 comment has a concrete response in the project design, the proposed conditions, or the further commitments now placed on the record - including the transfer of two sites of cultural and ecological significance at no cost, a kaitiaki role, a Mahinga Kai Access Protocol and preferred-supplier arrangements - secured by volunteered conditions (CN1 to CN7) that are provided on an indicative basis, and will be further refined.

Ngā Hapū ō Ōtaki. The request that the application be declined rests on a claimed insufficiency of engagement opportunity that the four-year documented record - including funding offers, repeated follow-ups and the pre-lodgement provision of draft material - does not support. NHŌŌ’s substantive recommendations are secured by the design and draft conditions and will be further addressed through updated consent conditions.

Archaeology. HNZPT confirms an archaeological authority is required before works regardless of this consent, which is consistent with the application. The only live point - potential duplication between accidental discovery conditions and a future authority - is acknowledged, and the applicant is open to Panel direction about whether those conditions are retained, deleted or converted to advice notes.

Economics. The benefits are substantial: a \$1.1 billion development contributing approximately \$261 million to construction-sector GDP and 1,600 construction jobs, ongoing GDP of approximately \$35.9 million per annum, and an extension of the district’s greenfield capacity from approximately 6 to 11.1 years. The critiques raised reflect an orthodox RMA cost-benefit approach rather than the FTAA framework, and do not withstand analysis.

Taken together, the topic responses answer every substantive matter raised in comments. The matters requiring further action are conditions matters, which are addressed in the next section.

8. Conditions

A number of the comments received have included a request for further or amended conditions. These matters have been identified and addressed in the topic responses and in this report, and are summarised in Table 2 below.

Appendix 33 of the substantive application provided a draft set of proposed consent conditions. Outside the section 53 process, WNDL has received comments on those conditions from GWRC, and it is now also in receipt of conditions comments from DOC and from Transpower (through their section 53 comments), together with the further matters identified through comments and addressed in this response. WNDL has been actively seeking conditions feedback from KCDC and ĀKWCT; the Council has indicated it will comment on the next

iteration of conditions, and additional conditions relating to ĀKWCT have been proposed through the Cultural Response.

WNDL will consolidate all of these strands into a single updated conditions set as a priority, and is aiming to circulate that set within five working days of providing this response. Through Minute 1, the Panel indicated that it would set a separate timeframe for comment on conditions once an updated set is provided.

Table 2 summarises, by topic, the matters raised in comments on which updated or new conditions have been agreed or volunteered as appropriate, and the matters where the existing conditions framework already responds.

Table 2: Matters raised in comments - conditions outcomes

Issue	Response	Updated condition (Y/N)
Wetlands and ecology		
Wetland offsetting and like-for-like replacement (GWRC Issue 1; DOC)	Net-gain offset package confirmed; like-for-like options identified (enhancement of W4 and W13 on-site; QEII Regional Park for W3). ERMP to be updated (plant schedules, buffers, protection mechanisms, infill planting targets).	Y
Eco-hydrological and wetland monitoring, with iwi input (GWRC; DOC; NHōŌ)	Consolidated monitoring condition under development; NHōŌ and ĀKWCT to be named for input.	Y
Post-development SEV target for realigned Ngārara Stream (GWRC)	ERMP amended to include baseline and post-development SEV comparison, a measurable performance target, and monitoring and reporting.	Y
ERMP implementation schedule (KCDC)	Condition amended to require a complete implementation schedule (including pest monitoring) at certification.	Y
Legal protection of offset and open space areas (GWRC; DOC; KCDC; QEII)	Existing Conditions 69 (GWRC) and 82 (KCDC) require a legal protection mechanism; lizard release area protected by consent notice; wording under review.	Y
Pest control duration - 20-year request (WCB; DOC; QEII)	The 10-year post-planting commitment is proportionate to the values protected; restored areas will thereafter be self-sustaining.	N
Cat and dog management (DOC; QEII; WCB; commenter 12)	Existing options-based conditions (74-104, with consent notice condition 124) are robust and appropriate.	N
Flooding and hydrology		
Culvert blockage assessment (GWRC)	Condition 131 amended to require assessment of partial blockage on design water levels at detailed design.	Y

Maintenance of flood protection infrastructure (GWRC)	Explicit maintenance requirements accepted (supplementing Conditions 134-135).	Y
Minimum building floor levels (KCDC)	New condition: minimum floor levels set at detailed design (NZVD2016), certified by surveyor at s224(c), recorded by consent notice.	Y
Updated macro flood modelling (KCDC; commenter 5)	Existing condition already requires final macro flood modelling at detailed design incorporating the final stormwater design.	N
Groundwater and hydrological monitoring (GWRC)	Conditions 60-61 and 75-76 being refined with GWRC following its conditions feedback.	Y
Earthworks and erosion and sediment control		
More prescriptive ESC conditions and stage-specific plans (GWRC; WCB; NHōŌ)	GWRC's alternative drafting accepted in principle; review under way.	Y
Earthworks specification and certification detail (KCDC)	NZS 4431:2022 regime is the appropriate control; conditions wording to be reviewed to confirm CEMP and certification coverage.	Y
Construction dust and noise	Existing CEMP framework and Conditions 34, 40-44 sufficient.	N
Infrastructure and stormwater		
Water network modelling (KCDC)	Modelling at applicant's cost at detailed design; Conditions 52-54 to be revised to record this.	Y
Wastewater capacity, rising main and CCTV survey (KCDC)	Updated HAL modelling secured by condition; new conditions - no connection before the second rising main is commissioned; CCTV survey of the receiving gravity main.	Y
Pump station and network design reports (KCDC)	Revised conditions requiring design reports in accordance with the KCDC LDMR as part of engineering approval.	Y
Firefighting supply for Lots 1-7 (KCDC)	New condition requiring an SNZ PAS 4509 assessment at detailed design.	Y
Stormwater operation, maintenance and planting detail (KCDC; GWRC)	Conditions 26-27 amended: draft O&M manual at design approval stage; planting detail in the updated SMP.	Y
Transport		

Te Moana Road interchange modelling and mitigation trigger (KCDC; NZTA)	Modelling conservative, calibrated, validated and sensitivity tested; no mitigation required by the proposal; an interchange upgrade condition cannot be justified (section 83) and network improvements sit with the road controlling authorities.	N
Access design, safety audit and construction traffic (various)	Existing Conditions 56-60, 67-68, 93-94 and the CEMP/CTMP framework respond fully.	N
Urban design and landscape		
Single-storey control - Lots 944-945 and 955-963 (commenter 12)	Maximum height of 4.5 metres volunteered, secured by condition and consent notice.	Y
Rural interface buffer planting (KCDC)	Conditions 83-90 redrafted: 5 m buffer, planting at 1.5 m centres, 4 m functional screening height within five years, maintenance and replacement.	Y
Landscape Management Plan (KCDC)	New condition: certified LMP prior to commencement of earthworks within each stage.	Y
Cut faces, batters and retaining walls (KCDC)	Conditions redrafted per KCDC request; retaining walls limited to 1 m consistent with the LVA.	Y
Screening and early boundary planting (KCDC; neighbours)	Updated drawing LA9.00 secured by condition; mitigation planting established before earthworks where practicable adjoining existing dwellings.	Y
Cultural		
ĀKWCT package - land transfers, kaitiaki role, mahinga kai, naming, plant supply, fill protocol	Conditions CN1-CN7 volunteered on an Augier basis, to apply pending or in the absence of a concluded side agreement.	Y
NHōŌ CIA recommendations	Majority already secured by design and draft conditions; monitoring condition to name NHōŌ; remaining relational and resourcing items can be progressed through updated consent conditions.	Y
National Grid		
Transpower conditions suite (Appendix B, Table B1)	Accepted, subject to amendments to Conditions 14(d) and (e), 15(f) and 18b; new Conditions 14a-14c, 18a-18b, 20a and 61a incorporated.	Y
Support structure foundation integrity (flooding)	New condition: foundation-integrity assessment at detailed design incorporating Transpower foundation information, submitted to Transpower for review and certified as achieving no additional risk.	Y
Reserves and financial contributions		

Land in lieu of financial contributions (KCDC)	Condition 6 amended to reflect the credit-eligible lots confirmed by KCDC (Lots 5310, 5311, 5314, 5400 and 5402).	Y
Archaeology		
Accidental discovery conditions - duplication with future archaeological authority (HNZPT)	Conditions retained given their relevance to iwi; applicant open to Panel direction to delete or convert to advice notes.	N

The table confirms the point made at the outset of this report: the matters raised in comments are in every case either already addressed by the application and the existing draft conditions, or capable of being addressed through the updated conditions identified above. None leaves a residual effect approaching the section 85(3) threshold.

9. Attachments

The following attachments accompany this response to comments:

- Attachment A - Ecology Response (RMA Ecology Ltd), appending the Dune Wetland Memorandum and the Watercourses and Stream Ecological Valuation Memorandum;
- Attachment B - Flooding Response (Awa Environmental and O'Callaghan Design Ltd);
- Attachment C - Hydrology Response (O'Callaghan Design Ltd);
- Attachment D - Geotechnical Response (Cameron Gibson & Wells Ltd and O'Callaghan Design Ltd);
- Attachment E - Earthworks Response (Landlink Ltd and O'Callaghan Design Ltd);
- Attachment F - Infrastructure and Stormwater Response (Landlink Ltd and O'Callaghan Design Ltd);
- Attachment G - Transport Response (Stantec);
- Attachment H - Urban Design Response (McIndoe Urban Ltd);
- Attachment I - Landscape Response (Local Landscape Architecture Collective Ltd);
- Attachment J - National Grid Response (Landlink Ltd and O'Callaghan Design Ltd), appending the Transpower Coordination Plans (Rev A and Rev B), the 12 m Setback Figure Set and survey drawing 2911-S1-001-A;
- Attachment K - Cultural Response - Ātiawa ki Whakarongotai Charitable Trust (Waikanae North Developments Ltd);
- Attachment L - Ngā Hapū ō Ōtaki Response (Waikanae North Developments Ltd);
- Attachment M - Section 53 Comments Register and tabulated responses to all comments received.